

**CONSTITUTION
OF
THE PROTESTANT EPISCOPAL CHURCH
IN
THE DIOCESE OF HAWAI'I**

As adopted by Convention on Oct. 26, 2019 and Oct. 24, 2020

CONSTITUTION

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ARTICLE I

TITLE AND BOUNDS OF THE DIOCESE

This Diocese shall be known as “The Diocese of Hawai`i” and its geographical boundaries shall be coextensive with those of the State of Hawai`i, the Territory of Guam, and the Commonwealth of the Northern Mariana Islands.

(Amended: 12th Ann. Conv. 1980; 29th Ann. Conv. 1997; 44th Ann. Conv. 2012)

ARTICLE II

ACKNOWLEDGMENT OF ACCEDECE

As a constituent part of the Protestant Episcopal Church in the United States of America otherwise known as The Episcopal Church, (which is hereby recognized as designating this Church), the Diocese of Hawai`i accedes to the Constitution and Canons thereof as periodically adopted by the General Convention.

(Amended: 51st Ann. Conv., 2019)

ARTICLE III

THE CONVENTION

Section 1. The legislative functions of the Diocese shall be exercised by the Convention as duly constituted and duly assembled.

Section 2. The membership of the Convention shall be constituted as follows:

- (A) The Bishop, the Bishop Coadjutor; if there be one, Suffragan Bishops, if there be any, and any retired Bishops of the Diocese.
- (B) All Bishops, Priests, and Deacons who are canonically resident in the Diocese, as well as clergy of denominations in full communion with the Episcopal Church who are installed as rector, vicar, priest-in-charge, Associates, Curates, or Youth Ministers of an Episcopal Church in the Diocese of Hawai`i.

(C) Lay delegates from each Parish and Mission in union with Convention. Each such Parish and Mission shall be entitled to be represented by two lay delegates and in addition thereto, another lay delegate for each additional one hundred communicants or fraction thereof as established by the last Parochial Report duly filed before the annual meeting of the electing Parish or Mission. All delegates shall have attained the age of no less than sixteen years at the time of election, shall be communicants of the Parish or Mission which they represent, and shall be elected at the annual meeting of each Parish or Mission for a term which shall commence following the adjournment of the annual meeting at which elected and which shall end at the adjournment of the next subsequent annual meeting of the electing Parish or Mission, or their duly qualified successors shall have been elected. (As used in this Constitution and the Canons of the Diocese, the word “communicant” shall be construed to mean “communicant in good

~~standing” as defined in the General Canons.) Lay delegates from each Parish and Mission in union with Convention. Each such Parish and Mission shall be entitled to be represented by two lay delegates and in addition thereto, another lay delegate for each one hundred communicants or fraction thereof. All delegates shall have attained the age of no less than sixteen years, shall be communicants of the Parish or Mission which they represent, and shall be elected at the annual meeting of each Parish or Mission for a term which shall commence at the convening of the annual meeting of the Convention next following their election and which shall end at the convening of the next subsequent annual meeting of the Convention or their duly qualified successors shall have been elected. (As used in this Constitution and the Canons of the Diocese, the word “communicant” shall be construed to mean “communicant in good standing” as defined in the General Canons.)~~

Section 3. Alternate lay delegates shall be elected at the annual meeting of each Parish and Mission in such number so as to insure full representation of the Parish or Mission at each meeting of the Convention. Alternates are encouraged to attend the meeting of the Convention, but shall have no right to seat, voice or vote unless duly seated in replacement of a delegate. The order of substitution of the alternates shall be determined by their Parish or Mission.

Section 4. The Secretary and Assistant Secretary of the Convention, the Treasurer of the Convention, the Chancellor and Vice Chancellor of the Convention (if not members of the Convention by virtue of either being a clerical member, canonically resident, or a lay delegate representing a Parish or Mission of the Diocese), shall have seat and voice. The Convention may grant seat and voice to such other persons as it deems appropriate.

Section 5. No person who shall be under Ecclesiastical censure shall be entitled to a seat in the Convention.

Section 6. The Convention shall be the judge of the qualification of its members in accordance with the provisions of this Constitution and the Canons of the Diocese.

(Amended: Sec. 2.C, Sec. 3, 12th Ann. Conv. 1980; Sec. 4, 17th Ann. Conv. 1985; Sec. 4, 21st Ann. Conv. 1989; Sec. 2.C, 29th Ann. Conv. 1997; Sec. 2.B, 47th Ann. Conv. 2015. Amended: Sec. 2(B), 51st Ann. Conv., 2019)

ARTICLE IV

MEETINGS OF THE CONVENTION

Section 1. The Convention shall regularly convene once each calendar year at such time and place as shall be determined by the preceding annual meeting of the Convention.

Section 2. For sufficient cause, the Ecclesiastical Authority shall have the power to change such time or place, or both, provided, however, that notice of such change shall be given to each member of the Convention at least thirty (30) days prior to the meeting.

Section 3. The Ecclesiastical Authority shall have the power to call special meetings of the Convention, provided that the notice of the time and place of same shall state the purpose for which it is called and such notice is sent to all members of the Convention at least thirty days prior thereto. No

business other than that stated in the notice may be considered unless such consideration is approved by a two-thirds majority vote.

ARTICLE V

OFFICERS OF THE CONVENTION

Section 1. The President of the Convention shall be the Bishop of the Diocese. In the absence of the Bishop, the Bishop Coadjutor, when there is one, or when there is not, the Suffragan, if there be one, shall preside. In the case of a vacancy in the Episcopate, or in case no Bishop of the Diocese shall be present, the President of the Standing Committee shall convene the meeting of the Convention and shall serve as its President until the Convention shall elect a President pro tempore from among its members.

Section 2. The Treasurer of the Diocesan Council shall be ex-officio the Treasurer of the Convention and shall have seat and voice. The Treasurer shall discharge the duties imposed upon the office by Canon or by the action of the Convention, and shall make an annual report regarding same to the Convention.

Section 3. At each annual meeting of the Convention a Secretary shall be elected, whose term of office shall commence at the adjournment of the annual meeting of the Convention at which such election occurs and who shall continue in office until the adjournment of the following annual meeting of the Convention. The Secretary shall perform the usual duties of the office until a successor is elected.

Section 4. An Assistant Secretary shall be appointed by the Secretary with the approval of the Convention. The term of office of the Assistant Secretary shall be the same as that of the Secretary. Whenever there shall be a vacancy in the office of Secretary, the Assistant Secretary shall assume the office of Secretary and thereupon shall appoint a successor Assistant Secretary. If such vacancy occurs when the Convention is not in session, the appointment of the successor Assistant Secretary shall be subject to the approval of the Diocesan Council.

Section 5. The Convention shall have the power to provide by Canon for the election or appointment of officers other than those mentioned in this Article.

(Amended: Sec. 3, 17th Ann. Conv. 1985; Sec. 4, 33rd Ann. Conv. 2002)

ARTICLE VI

CONDUCT OF THE CONVENTION

Section 1. The Holy Eucharist shall be celebrated at every Convention. The Ecclesiastical Authority shall take order for this and any other services.

Section 2. One-third of those clergy who are canonically resident and domiciled in the State of Hawai'i, and a majority of the maximum number of lay delegates permitted under Article III, when duly assembled, shall constitute a quorum for the transaction of business; but a smaller number may adjourn from time to time.

Section 3. In all matters which shall come before the Convention, unless otherwise specified in this Article or elsewhere within this Constitution, the clergy and laity shall deliberate in one body and vote as individuals; each delegate present being entitled to one vote and no more; and unless otherwise provided, a majority of the votes of the two orders jointly shall be decisive. In the event of a tie vote, the President of the Convention shall be entitled to cast a vote.

Section 4. On the call of any five members of both orders, the two orders shall vote separately, and a concurrence of a majority of each order shall be necessary to constitute a decision.

Section 5. All elections provided for by this Constitution shall be by ballot. Unless otherwise specified elsewhere in this Constitution or by the laws of the State of Hawai`i, a majority of the votes cast shall be required for election on the first and second ballot. If, in any election a greater number of persons than the number offices to be filled shall receive a majority of votes cast, those who, up to the number of offices to be filled, receive the highest majorities shall be declared elected. In those instances where vacancies still exist subsequent to the second ballot, the vacancies shall be filled by those individuals receiving the highest number of votes on the third ballot. Each person elected shall continue to serve until such time as a successor has been duly elected.

ARTICLE VII

OFFICERS OF THE DIOCESE

Section 1. The Treasurer of the Diocesan Council, who shall be appointed by the Bishop, with the advice and consent of the Diocesan Council, shall be, ex-officio, the Treasurer of the Diocese, and shall discharge the duties imposed upon the office by Canon or by the action of the Convention and shall make an annual report regarding same to the Convention.

Section 2. The Registrar of the Diocese shall be confirmed by a majority vote of the Convention upon appointment by the Bishop for a one year term, and shall discharge the duties imposed upon the office by Canon or by the action of the Convention.

Section 3. The Historiographer of the Diocese shall be confirmed by a majority vote of the Convention upon appointment by the Bishop for a one year term and shall discharge the duties imposed by Canon or by the action of the Convention.

Section 4. The Chancellor of the Diocese shall be confirmed by a majority vote of the Convention upon appointment by the Bishop for a one year term. The Chancellor shall be a lay communicant, shall be licensed to practice law by the Supreme Court of Hawai`i, and shall be the legal advisor of the Ecclesiastical Authority, the Convention, the Diocesan Corporation, and all officers and agencies of the Diocese.

Section 5. The Vice Chancellor of the Diocese shall be confirmed by a majority vote of the Convention upon appointment by the Bishop for a one year term. The Vice Chancellor's qualifications shall be identical to those of the Chancellor and in the case of the absence, disqualification or inability for any reason of the Chancellor to serve, or in case of a vacancy in the office thereof, the Vice Chancellor shall have all the duties, powers, and rights of the Chancellor.

Section 6. On the nomination of the Chancellor, and with the advice and consent of the Diocesan Council, the Bishop may appoint such Deputy Vice Chancellors with appropriate qualifications as may be reasonably necessary in order to serve the legal needs of the Diocese adequately. Deputy Vice Chancellors shall serve from the time of their appointment until the adjournment of the annual meeting of the Convention next following their appointment.

(Amended: Sec. 6, 13th Ann. Conv. 1981)

ARTICLE VIII

THE DIOCESAN CORPORATION

Section 1. The corporation known as “The Episcopal Church in Hawai`i,” heretofore incorporated under the laws of the State of Hawai`i, is hereby recognized as under the authority and jurisdiction of the Convention of the Diocese, the duly elected members of which constitute the membership of the said corporation; provided, that no alteration shall be made in the Charter of Incorporation of the same unless authorized by a two-thirds concurrent vote of both orders of the Convention.

Section 2. The corporation shall be the legal entity of the Diocese. The governing body of the corporation shall be the Board of Directors of The Episcopal Church in Hawai`i, which shall also be and be known as the Diocesan Council. In addition to the authority conferred upon the Diocesan Council by this Constitution and the Canons of the Diocese, it shall have the authority granted to such bodies by the State of Hawai`i unless specifically restricted by this Constitution or the Canons of the Diocese.

Section 3. The Diocesan Council in its capacity as the Board of Directors of The Episcopal Church in Hawai`i shall adopt By-Laws in order to perform such secular legal functions as are necessary and proper and not inconsistent with the Charter of Incorporation, this Constitution, or the Canons of the Diocese.

ARTICLE IX

DEPUTIES TO GENERAL CONVENTION AND PROVINCIAL SYNOD

Section 1. Four Priests and four lay communicants shall be elected by ballot as deputies of this Diocese and four of each order shall be elected as alternates to the General Convention. On the election of the four deputies in each order, the next four candidates in each order receiving the highest number of votes shall be considered elected as alternates in the order of their votes. Deputies shall be elected at the annual meeting of the Convention which is at least twelve months but not more than twenty-four months prior to the General Convention.

Section 2. In case any of those elected shall decline such election or will be unable to attend, such individual shall forthwith inform the Ecclesiastical Authority of the Diocese and the said

Ecclesiastical Authority shall thereupon appoint one of the alternates in the order of their election; if none of the alternates elected shall accept such appointment, the Ecclesiastical Authority may appoint a deputy of the same order as the deputy who resigned.

Section 3. Clerical and lay deputies to the Provincial Synod shall be appointed by the Bishop with the advice and consent of the Diocesan Council and shall be in such numbers as the Bishop may deem to be appropriate; provided, however, that no fewer than one in each order shall be appointed to attend.

ARTICLE X

THE ECCLESIASTICAL AUTHORITY

Section 1. The Ecclesiastical Authority is the Bishop. In case of the Bishop's absence or disability, the Bishop may temporarily place in charge of the Diocese as the Ecclesiastical Authority, the Bishop Coadjutor, or, if there be none or in the case of the Bishop Coadjutor's absence or disability, the Suffragan Bishop, if there be one. If no Bishop be qualified and able to act, or in the case of a vacancy in the Episcopate, the Ecclesiastical Authority shall be the Standing Committee.

Section 2. Whenever in this Constitution or the Canons or the Diocese, provision is made for action by the Bishop, such action, except as otherwise specifically provided, shall be taken by the Ecclesiastical Authority as herein defined.

ARTICLE XI

OFFICE OF THE BISHOP

Section 1. The election of the Diocesan Bishop, a Bishop Coadjutor or Suffragan Bishop, shall take place at the annual meeting of the Convention, when notice of such intention to elect has been given by the Standing Committee at least thirty (30) days prior to the meeting, or at a special meeting of the Convention which has been duly called by the Standing Committee for that specific purpose. Balloting shall be by orders with a majority of each order on the same ballot required to elect.

Section 2. The Bishop is the Chief Pastor of this Diocese and may officiate in the liturgical offices of the Church throughout the Diocese.

Section 3. Whenever the Bishop shall issue a pastoral letter, it shall be the duty of every minister in charge of a congregation on the Sunday succeeding its receipt to read said letter to the congregation at all services.

Section 4. All controversies between Rectors of two or more Parishes or between a Vestry and its Rector or between persons adversely claiming to be members of the Vestry of a Parish shall be referred to the Bishop for determination.

Section 5. In all matters affecting the Diocese or any congregation, where no procedure is specifically provided by the General Constitution and Canons or this Constitution and the Canons of the Diocese, the Bishop shall have the power to act for and on behalf of the Diocese or such congregation.

(Amended: Sec. 1, 38th Ann. Conv. 2006) (Amended: Sec. 1, 38th Ann. Conv. 2006)

ARTICLE XII ASSESSMENTS

Section 1. The Convention shall have the power to raise money by assessment on the Parishes and Missions of the Diocese for the necessary and proper expenses of the Diocese and for any other purposes which from time to time the Convention may authorize.

Section 2. The Convention shall also have the power to impose such penalty as it may see fit, within its lawful authority, for neglect to pay such assessments when imposed.

ARTICLE XIII STANDING COMMITTEE

Section 1. The Standing Committee shall consist of four clerical members and four lay persons of the Diocese to be elected by ballot. At each annual meeting of the Convention, one clerical member and one lay person shall be elected to serve for four years and no longer. Vacancies in said Committee occurring by death or otherwise shall be filled temporarily by majority vote of the remaining clerical and lay members of the Committee until the next annual meeting of the Convention and then shall be filled by the Convention. Except in the case of members chosen to fill vacancies, no member of the Committee shall be eligible for membership until the annual meeting of the Convention next succeeding the one at which such member's term expires.

Section 2. As soon as practicable after the adjournment or each annual meeting of the Convention, the Standing Committee shall meet and shall elect a President and a Secretary from among its membership.

Section 3. A majority of the members of the Standing Committee shall constitute a quorum, and a majority of a quorum so convened shall be competent to act unless action to be taken in accordance with a specific Canon shall require a larger number.

Section 4. The Committee shall perform the duties assigned to it by the General Convention and by the Diocesan Convention. When a Bishop is in charge of the Diocese, the Committee shall serve as the Bishop's council of advice. If there be no Bishop in charge of the Diocese, then the Committee shall be the Ecclesiastical Authority in all cases, except such as are otherwise provided for by General Convention or Diocesan Convention.

Section 5. The Committee shall report all of its official acts, in writing, to each annual meeting of the Convention.

Section 6. In the event of a vacancy in the Episcopate, and there be no Suffragan Bishop, the Standing Committee, in cooperation with the Diocesan Council, shall make the necessary arrangements for the continuing management of the Diocese. It shall also procure the services of a Bishop as required to serve as a Pastor to the Clergy of the Diocese and to perform episcopal functions.

Section 7. No member of the Standing Committee may be at the same time a member of the Diocesan Council.

ARTICLE XIV

DIOCESAN COUNCIL

Section 1. There shall be a Diocesan Council which shall exercise all the powers of the Convention between meetings thereof, implementing the directives and policies of that body, initiating and developing new work, but not acting in contravention of the expressed will of the Convention.

Section 2. The Convention shall adopt appropriate Canons as necessary to enable the Diocesan Council fully and properly to function in order to perform its duties and responsibilities.

ARTICLE XV

PARISHES

Section 1. The Convention shall define by Canon an orderly procedure for the formation and recognition of Parishes.

Section 2. A Parish may be admitted to union with the Convention by majority vote of the Convention, provided that it shall produce satisfactory evidence of its recognition as a Parish pursuant to the Canons.

Section 3. The Convention shall define by Canon an orderly procedure to follow in the event a Parish no longer qualifies for such status.

Section 4. The union between the Convention and a Parish may be dissolved by a majority vote of the Convention if such Parish shall fail to conduct its affairs in accordance with this Constitution and the Canons of the Diocese and the General Constitution and Canons.

ARTICLE XVI

MISSIONS

Section 1. The Convention shall define by Canon an orderly procedure for the formation and organization of Missions.

Section 2. An organized mission may be admitted to union with the Convention by majority vote of the Convention, provided that it shall produce satisfactory evidence of its status as an organized mission pursuant to the Canons.¹⁰

Section 3. The Convention shall define by Canon an orderly procedure to follow in the event a Mission no longer qualifies for organized status.

Section 4. The union between the Convention and a Mission may be dissolved by a majority vote of the Convention if such Mission shall fail to conduct its affairs in accordance with this Constitution and the Canons of this Diocese and the General Constitution and Canons.

ARTICLE XVII

CANONS

The Convention may enact, amend, or repeal Canons upon such matters as it may deem proper, but which shall not be inconsistent with the provisions of this Constitution.

ARTICLE XVIII

AMENDMENT

Section 1. An amendment to this Constitution shall require concurrent action by two successive annual meetings of Convention.

Section 2. At the initial annual meeting, any proposed amendment shall be introduced by written resolution and if approved by a majority of each order voting separately thereon, shall lie over until the annual meeting next following.

Section 3. If at the subsequent annual meeting, the amendment shall be approved by a two-thirds majority of each order voting separately thereon, and by the Bishop (unless there is a vacancy in the Episcopate or the Bishop is absent), the amendment shall be adopted. If the Bishop shall not approve, a three-quarters majority of each order shall be required for the amendment to be adopted.

Section 4. Each amendment shall be in force as of the date of its adoption unless a future date shall be specified in the amendment itself.

ARTICLE XIX

REPEAL OF FORMER CONSTITUTIONS

All former Constitutions of this Diocese are hereby annulled and repealed; provided, however, that any previous action taken in accordance with them shall not be in any manner affected.