

Hough Affidavit

Exhibit 4

2006 Constitution

The Episcopal Diocese of Fort Worth

**THE CONSTITUTION AND CANONS
OF
THE EPISCOPAL DIOCESE OF FORT WORTH**

Prepared by

**THE COMMITTEE
ON
CONSTITUTION AND CANONS
THE EPISCOPAL DIOCESE OF FORT WORTH**

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THE CONSTITUTION

INDEX

- ARTICLE 1 - Authority of General Convention
- ARTICLE 2 - Members of Convention
- ARTICLE 3 - The Annual Meetings of Convention
- ARTICLE 4 - Special Meetings of Convention
- ARTICLE 5 - Quorum
- ARTICLE 6 - Permanent Officers of the Diocese
- ARTICLE 7 - President of Convention
- ARTICLE 8 - Rules of Convention
- ARTICLE 9 - Congregations in Union with Convention
- ARTICLE 10 - The Standing Committee
- ARTICLE 11 - The Executive Council
- ARTICLE 12 - Deputies to General Convention
- ARTICLE 13 - The See City and The Cathedral
- ARTICLE 14 - Title to Church Property
- ARTICLE 15 - Power to Levy Assessments
- ARTICLE 16 - Fund for the Endowment of the Episcopate
- ARTICLE 17 - Election of Bishops and Calling of an Assistant Bishop
- ARTICLE 18 - Canons
- ARTICLE 19 - Alterations and Amendments to the Constitution

**THE
CONSTITUTION**

OF

**THE EPISCOPAL DIOCESE
OF
FORT WORTH**

Adopted in

**CONVENTIONS
1982-2001**

ARTICLE 1

AUTHORITY OF GENERAL CONVENTION

The Church in this Diocese accedes to the Constitution and Canons of The Episcopal Church, and recognizes the authority of the General Convention of said Church provided that no action of General Convention which is contrary to Holy Scripture and the Apostolic Teaching of the Church shall be of any force or effect in this Diocese.

Revised November, 1997

THE CONSTITUTION
OF
THE EPISCOPAL DIOCESE OF FORT WORTH

PREAMBLE

We, the Clergy and Laity of The Episcopal Church, resident in that portion of the State of Texas, constituting what is known as The Episcopal Diocese of Fort Worth, do hereby ordain and establish the following constitution:

ARTICLE 2

MEMBERS OF CONVENTION

The Diocese of Fort Worth entrusts its legislation to a Convention to consist as follows: First, of the Bishop, when there be one; of the Bishop Coadjutor, when there be one; of the Suffragan Bishops, Assistant Bishops, if there be any; Second, of all priests canonically resident in the Diocese, and not under Ecclesiastical discipline, and who have not in contemplation of removal from this Diocese, applied for their Letters Dimissory; and Third, of Lay Delegates chosen by and representing their Congregations. Lay Delegates and their Alternates shall be elected by the Congregations of their respective Parishes and Missions at the Annual Parish Meeting and shall hold office until their successors are elected. The Rectors of Parishes and Vicars of Missions shall have authority to fill such vacancies as may occur from the list of Alternate Lay Delegates between the time of such election and any meetings of the Convention. Lay Delegates shall be confirmed communicants in good standing, at least 18 years of age.

Every Parish and Mission in union with the Convention shall be entitled to Lay Delegates determined by the number of confirmed communicants reported in the Annual Parochial Report for the year ending December 31 next preceding the Diocesan Convention, as provided by Canon.

Revised November, 1995

ARTICLE 3

THE ANNUAL MEETINGS OF CONVENTION

The Convention of this Diocese shall assemble in the month of November at a place, time, and date set by the Bishop and Executive Council

All meetings of the Convention of this Diocese shall be held in Fort Worth, Texas; provided, however, that an Annual Convention shall have the authority, if it so chooses, to designate the place of the next meeting of the Convention; and for sufficient cause the Bishop, with the consent of the Standing Committee, may change the date of meeting or appoint some other place for holding the Convention; provided that thirty (30) days notice of such change shall be given to each Parish and Mission in union with the Convention.

Revised November, 1995

ARTICLE 4

SPECIAL MEETINGS OF CONVENTION

The Bishop, or a majority of all members of the Standing Committee, may call a special meeting of the Convention upon thirty (30) days notice thereof.

When there is no Bishop, the Standing Committee shall have power to call a special meeting of the Convention, giving thirty (30) days notice thereof.

At any special meeting of the Convention, the only business to be transacted shall be specified in the call.

ARTICLE 5

QUORUM

At any meeting of the Convention of this Diocese a quorum necessary to transact business shall consist of one-third (1/3) of the Clergy entitled to seats therein and Lay Delegates from one-third (1/3) of the Parishes and Missions in union with the Convention; but a smaller number shall have the power to adjourn from day to day until a quorum is obtained.

Revised October, 1989

ARTICLE 6

PERMANENT OFFICERS OF THE DIOCESE

The permanent officers of the Diocese shall be: the Bishop of the Diocese; the Bishop Coadjutor, if there be one, the Suffragan Bishop or Bishops, and Assistant Bishop or Bishops, if there be any; The Standing Committee; Secretary; Treasurer; Chancellor; and Registrar. Officers who are Clergy shall be canonically resident in the Diocese and Lay Officers shall be Confirmed Communicants in good standing of a Parish or Mission of the Diocese.

Officers, who are not members of the Convention, shall be entitled to all the rights and privileges of members except the right to vote. If any officer, except a member of The Standing Committee, die or become incapable of acting, the duties of such officer shall be discharged until the succeeding Convention by some one appointed by the Bishop and confirmed by The Standing Committee. The term of office of all officers, unless provided for either by this Constitution or Canon, shall be for one year or until their successors are elected.

ARTICLE 7

PRESIDENT OF CONVENTION

At every meeting of the Convention, the Bishop shall be presiding officer. In the Bishop's absence, or inability to act, the Bishop Coadjutor, if there be one, shall be presiding officer. In the absence or inability to act of both the Bishop and the Bishop Coadjutor, the Suffragan Bishops, if there be any, in the order of seniority within the Diocese shall be presiding officer. In the absence or inability to act of any Bishop, the President of The Standing Committee shall be presiding officer.

The presiding officer shall not participate in debate and shall not vote upon any question coming before the Convention nor in any election. The presiding officer may express his views to the Convention upon any subject after debate thereon has been closed and before the vote is taken.

ARTICLE 8

RULES OF CONVENTION

At every meeting of the Convention, the Clergy and Laity shall deliberate as one body. Each priest present and each Lay Delegate present shall be entitled to one (1) vote. Unless a vote by orders is determined, required or otherwise provided by the Constitution or Canons, a majority of the aggregate votes shall be decisive. Whenever a vote by orders is determined, required or otherwise provided, a concurrent majority in both orders shall be necessary. Upon demand of any seven (7) members of the Convention representing not less than three (3) Parishes or Missions of the Diocese, the vote shall be taken by orders.

The Convention may adopt rules of procedure to regulate and expedite the orderly disposition of its business, including elections other than those governed by Article 16 of this Constitution.

Revised October, 1989

ARTICLE 9

CONGREGATIONS IN UNION WITH CONVENTION

Every Parish and Mission which shall have been created or admitted in accordance with the Constitution and Canons of this Diocese, shall be deemed to be in union with and entitled to representation in the Convention of the Diocese, unless deprived of such right either through suspension or dissolution.

If a Parish or Mission shall fail to pay its assessment as levied by the Convention, it shall be suspended from the right of representation in the Convention, unless such right be granted by a concurrent majority vote of both orders.

With the consent of the Bishop, any Parish or Mission which shall fail to conform with requirements prescribed by Canon or special resolution may be wholly dissolved by a concurrent two-thirds (2/3) vote of both orders. Such action can be taken only at an Annual Convention.

Revised October, 1989

ARTICLE 10

THE STANDING COMMITTEE

The Standing Committee shall consist of three (3) Priests entitled to seats in the Diocesan Convention and three (3) Lay Persons who shall be Confirmed Communicants in good standing in this Diocese at least eighteen (18) years of age and who shall possess such other qualifications as may be prescribed by Canon.

When there is a Bishop in charge of the Diocese, The Standing Committee shall be his Council of Advice. If there be no Bishop canonically authorized to act, The Standing Committee shall be the Ecclesiastical Authority of the Diocese.

The Members of The Standing Committee shall be elected by ballot by a concurrent majority of each order at an Annual Convention. Their terms of office shall be for three (3) years or until their successors are elected. At each Annual Convention one (1) Priest and one (1) Lay Member of The Standing Committee shall be elected.

Vacancies occurring prior to the expiration of the term of any member of this Committee shall be filled by the vote of a majority of the remaining members of The Standing Committee. The person so elected shall fill out the unexpired term, constituting a first term of office if said unexpired term is for two or more years.

No member of The Standing Committee may serve more than two (2) consecutive terms.

The Standing Committee shall keep a record of all its official acts and shall report them to the Convention.

Revised November, 1997

ARTICLE 11

THE EXECUTIVE COUNCIL

There shall be an Executive Council, established by the Canons, 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 conflict with the expressed will of the Convention.

The Department of Finance shall be a Committee of The Executive Council.

The Executive Council shall have the power for serious cause to adjust and alter the budget adopted by Convention.

Adopted October, 1991

ARTICLE 12

DEPUTIES TO GENERAL CONVENTION

The Annual Convention in the second year preceding a stated meeting of General Convention shall elect by ballot four (4) Priests or Deacons and four (4) Lay Persons as Deputies to General Convention. The Annual Convention in the year preceding a stated meeting of General Convention shall elect by ballot four (4) Priests or Deacons and four (4) Lay Persons as Alternate Deputies. Deputies and Alternate Deputies shall take office on the first day of January in the year in which the General Convention is to be held and shall hold office until their successors take office. They shall possess the same qualifications as members of The Standing Committee and shall be elected by a concurrent majority of both orders.

The Bishop shall assign the Alternate Deputies according to the order of their election to fill any vacancy in the deputation. In case there be no Bishop or he is unable to act, this power shall be exercised by The Standing Committee.

Revised October, 1989

ARTICLE 13

THE SEE CITY AND THE CATHEDRAL

The City of Fort Worth is hereby declared to be the See City of this Diocese.

The Bishop and a Parish of the See City may agree to the designation of that Parish as The Cathedral under such terms as both approve.

Revised October, 1989

ARTICLE 14

TITLE TO CHURCH PROPERTY

The title to all real estate acquired for the use of the Church in this Diocese, including the real property of all Parishes and Missions, as well as Diocesan Institutions, shall be held subject to control of the Church in The Episcopal Diocese of Fort Worth acting by and through a corporation known as "Corporation of the Episcopal Diocese of Fort Worth". All such property as well as all property hereafter acquired for the use of the Church and the Diocese, including Parishes and Missions, shall be vested in Corporation of the Episcopal Diocese of Fort Worth.

Corporation of the Episcopal Diocese of Fort Worth shall hold real property acquired for the use of a particular Parish or Mission in trust for the use and benefit of such Parish or Mission. The income from such property shall belong to such Parish or Mission, which will be responsible for expenses attributable thereto. Such property may not be conveyed, leased or encumbered by Corporation of the Episcopal Diocese of Fort Worth without the consent of the Rector, Wardens and Vestry of such Parish or Mission. Upon dissolution of such Parish or Mission, property held in trust for it shall revert to said Corporation for the use and benefit of the Diocese, as such.

All other property belonging to the Diocese, as such, shall be held in the name of the Corporation known as "Corporation of the Episcopal Diocese of Fort Worth", and no conveyance or encumbrance of any kind shall be valid unless executed by such Corporation and as may otherwise be provided by the Canons of the Diocese.

Revised October, 1989

ARTICLE 15

POWER TO LEVY ASSESSMENTS

The Convention of this Diocese shall have power to raise money by assessment or other means upon the Parishes and Missions of the Diocese. The manner of fixing such assessment upon the various Parishes and Missions may either be specified by Canon or by resolution of the Convention. The Convention may by Canon prescribe such regulations and penalties as it may deem expedient to secure the prompt payment of assessments.

Revised October, 1989

ARTICLE 16

FUND FOR THE ENDOWMENT OF THE EPISCOPATE

There shall be a Fund for the Endowment of the Episcopate which shall be managed and controlled by a Board of Trustees consisting of not less than five (5), of whom only two (2) may be Clergy, and not more than nine (9) members of the Church in this Diocese who shall be nominated by the Bishop and elected by the Convention at the Annual Meeting. The Trustees shall hold office for one (1) year or until their successors are elected.

They shall be entrusted with the investment and management of the Fund. They shall make an annual report of the Fund to the Annual Convention.

After paying the necessary expenses incident to the management of this Fund, ten percent (10%) of the net annual income remaining shall be returned to and become a part of the Fund. The remainder of the said net income shall be applied, so far as may be necessary, toward the support of the Bishop of this Diocese, and of the Bishop Coadjutor, if there be one, and of any Suffragan or Assistant Bishop if there be any.

ARTICLE 17

**ELECTION OF BISHOPS AND CALLING OF AN
ASSISTANT BISHOP**

The election of a Bishop, a Bishop Coadjutor, or a Suffragan Bishop for this Diocese shall take place at the regular meeting of the Convention or at a special meeting of the Convention called for that purpose. A concurrent majority of the two orders shall be necessary to a choice if two-thirds (2/3) of all the Clergy entitled to vote and Lay Delegates from two-thirds (2/3) of the Parishes and Missions entitled to representation are present and voting; otherwise, two-thirds (2/3) of the votes in each order present shall be necessary to a choice. In any event, the election may not occur, unless a quorum be and remain present.

The Bishop may call an Assistant Bishop in accordance with the Constitution and Canons of the Episcopal Church.

Revised October, 1989

ARTICLE 18

CANONS

Canons consistent with this Constitution, and the Constitution and Canons of the Episcopal Church, may be adopted, altered, amended, or repealed at any Annual Convention by a majority vote of the Convention; provided that no new Canon and no alteration, amendment, or repeal of an existing Canon shall be adopted unless the same shall have been filed in writing with the Secretary of the Convention not less than sixty (60) days before the meeting of the Convention. The Secretary shall, not less than forty-five (45) days before the meeting of the Convention, deliver copies of all proposed amendments or alterations to the Canons to the Chairman of the Committee on Constitution and Canons. The Committee shall report thereon to the Convention on the first day of the meeting.

Where any amendment of a Canon has been so proposed and referred to the Committee, amendments thereto may be made from the floor of the Convention if within the judgment of the presiding officer of the Convention such amendments are germane to the pending amendment.

No other amendments or alterations to the Canons shall be considered at that meeting except by unanimous consent of the Convention.

Changes to the existing Canons shall take effect thirty (30) days after the adjournment of Convention. Typographical errors may be corrected by the Committee on Constitution and Canons and reported to the Convention.

ARTICLE 19

ALTERATIONS AND AMENDMENTS TO THE CONSTITUTION

A proposal for an alteration or an amendment to the Constitution shall be presented in writing at an Annual Convention and shall be referred to and be reported upon by the Committee on Constitution and Canons consisting of at least two (2) members of the Clergy and two (2) Lay Persons. If the proposal, together with any amendments pertinent thereto, receive the majority vote of the Convention, it shall be printed in the Journal and shall lay over until the next Annual Convention. If approved by a concurrent majority of the vote of both orders at the next Annual Convention, the Constitution shall be altered or amended accordingly. Such alteration or amendment shall take effect thirty (30) days after the adjournment of the Convention. Typographical errors may be corrected by the Committee on Constitution and Canons and reported to the Convention.

Revised October, 1991

ENABLING CLAUSE

The Constitution shall commence and be in full force and effect on January 1, 1983.