
The Role of Wardens: The Law and The Lore

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Servant Leadership

Jesus said, "...the greatest among you must become like the youngest, and the leader like one who serves. I am among you as one who serves."

Luke 22:26-27
(NRSV)

The Many Roles of a Warden

Fiduciary

- Relationship of trust wherein one person has an obligation to act for another's benefit.
- Vestry members are trustees; trustees are fiduciaries.
- Responsibilities of vestry, including wardens and rector, are described in canons and in state laws.
- Vestry members are accountable to NY State Attorney General for prudent management of the material assets of a parish.

Stewardship

- Goes beyond “trusteeship,” which has a legal connotation.
- Stewardship focuses on the moral and ethical aspects of trusteeship.

Strategist

- Annual planning.
- Focusing the Vestry on mission, vision and long-range planning.
- Fundraising.
- Staffing matters.

Communicator

- Serve as a primary contact between the Vestry and members of the congregation.
- Report at annual meetings.
- With the Rector, keep constituencies informed.

A Warden's Responsibilities Come From

- Canon law (TEC Canons¹ and NY Diocesan Canons²)
 - Recognizes New York State law
- New York State law (New York Religious Corporations Law³ and New York Not-For-Profit Corporation Law⁴)
 - Recognizes canon law
 - » Certificate of Incorporation
 - » By-Laws
 - » Resolutions
 - » Church Policies

¹ Canons I.6.1, I.14, I.15.5, I.17.4, III.9.3, III.9.6(b)(5), and III.9.7(b), (c) and (d).

² Canons 2, 23, 24 and 28.

³ Section 42, maybe 45 and 46.

⁴ No references to Wardens or Vestry, just to directors and officers.

Vestry Consists of

- Rector (if there is one) (NYRCL §42(3))
- Two Wardens (NYRCL §40)
- Vestry members (3, 6, 9, 12, 15, 18, 21 or 24) (NYRCL §40)

Annual Election

- Elects Wardens and Vestry members — NYRCL §43(7)
- Vote of parishioners who constitute “qualified voters”¹
— NYRCL §43(6)
- Different approaches to nominations

¹ Persons of full age belonging to the parish, who have been baptized and are regular attendants at its worship and contributors to its support for at least twelve months prior shall be qualified voters.

Two Wardens

- *Parish* elects one each year
 - To serve a term of two years.
- *Vestry* may designate one as Senior Warden and the other as Junior Warden
 - Terminology used in Diocese of NY Canons but not in TEC Canons.

Vestry Members

- Generally, one-third elected each year, for a three-year term.

Parish Officers

- Rector: *called by Vestry with consent of Bishop*
- Wardens: *elected by Parish*
 - in many parishes, Vestry elects one of the Wardens as Senior Warden and the other as Junior Warden
- Clerk: *elected by Vestry*
- Treasurer: *elected by Vestry*
- Others optional: *elected by Vestry*

Roles of Rector and Vestry: The Law

- Rector decides
 - Spiritual matters
 - Liturgy
 - Preaching and teaching
 - Pastoral care
 - Use of the buildings
 - Hiring staff
- Vestry decides (Rector has one vote)
 - Stewards, fiduciaries in temporal matters
 - Care of the buildings
 - Financial matters (including the budget)

Roles of Rector and Vestry: The Shared Ministry

- A shared vision of the mission of the parish
 - What does God call our parish to be doing?
 - A shared process of discerning that call
 - A shared role in carrying it out
- Shared decisions on important matters
- Developing a consensus in the parish
- Mutual ministry review

When there is no Rector

- During an interim, or in a parish that has a priest-in-charge, not a rector
 - Role of priest-in-charge
 - Role of warden

Role of Wardens

The Law (Canons & New York Law)

- In absence of Rector, preside at meetings
- Report rector vacancy to Bishop
- Often negotiate terms of Rector's call

Shared Ministry

- Lay leadership
- Vestry process
- Pastoral support to the Rector

Structuring the Vestry Meeting

- Open with a prayer
- Bible study and spiritual reflection
- Fulfill the shared ministry
- Honor the law
- Blocks of time for important topics through the year
- Varied voices
- Start and end on time

Good Vestry Meetings

- Vestry orientation, Vestry Manual
- Issue is presented with relevant facts and background
- Vestry can rely on vestry committees who have studied particular issues at length
- Vestry members ask questions
- Good discussion

Good Vestry Meetings

- Declare any personal interest (record in minutes)
 - If vestry is deciding on a transaction between parish and another non-profit where a vestry member is on the board
 - » Vestry member leaves the room and has no influence on the decision
 - If vestry is considering a transaction in which a vestry member has a financial interest
 - » Same as above, *and*
 - » Vestry must consider and document
 - Why not do the transaction with a non-affiliate
 - Why the transaction is fair to the parish

Good Vestry Meetings

- Take time for deliberation and prayer
- Keep good minutes
- Vestry meetings open or closed

Vestry's Leaders and Rector's Partners

- Talk regularly with vestry members and parishioners
 - At coffee hour, talk with people you don't regularly talk with
- Listen
 - How to respond to a parishioner who brings you
 - » Criticism of clergy, staff or lay volunteers
 - » Criticism of a vestry decision

Vestry's Leaders and Rector's Partners

- Wardens and Rector meet regularly

Vestry's Leaders and Rector's Partners

- Set an example
- Think strategically
- Lead vestry care for parish properties
- Lead vestry in its responsibilities for annual stewardship

Resources

- *Vestry Resource Guide*
Guía de Recursos para Juntas Parroquiales
 - From Episcopal Church Foundation
 - Order at www.ForwardMovement.org or by calling 800-543-1813. Or Amazon. \$15 per copy (\$9.99 on Kindle from amazon.com)
- Extensive materials at www.diocesenyny.org (“Administrative Links”/“For Congregations”)

Discussion
