

STATUTES
OF
THE ROMANIAN ORTHODOX
METROPOLIA
OF THE AMERICAS

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PREAMBLE

The canonical origins of the Romanian Orthodox Church in the Americas came about at a Church Congress, composed of clergy and lay representatives of already existing Romanian Orthodox parishes in the United States and Canada, held in Detroit, Michigan on 25 April 1929 (the “1929 Congress”). At that 1929 Congress it was decided to form a Missionary Episcopate under the canonical jurisdiction of the Romanian Orthodox Church. The Congress communicated its decision in a petition addressed to the Romanian Patriarchate and signed by all of the representatives of the Parishes. The National Church Congress of the Romanian Patriarchate approved the petition of the 1929 Congress in its session of November 1929. As a result of these decisions, His Beatitude Patriarch Miron granted canonical authority to this newly formed Romanian Orthodox Missionary Episcopate by Patriarchal Decree No. 10219 dated 1 November 1930 (the “1930 Decree”). He invested the interim administrative commission that had been formed at the 1929 Congress with full power to organize, guide, and conduct the affairs of the Episcopate until the election and installation of a bishop.

The Church Congress held in Cleveland, Ohio on 30 October 1932 (the “1932 Congress”) adopted statutes (“1932 Statutes”) for the regulation of Church life in order to better organize both the Episcopate and the parishes according to the Holy Canons. The 1932 Statutes were ratified by the Holy Synod in its session of 15 June 1933. Subsequent revisions to the 1932 Statutes were made, the first and most important being at the Congress of July 1935 held under the presidency of Bishop Policarp.

Of similar importance are the decisions of the Holy Synod with regard to the autonomy of the Metropolia. The first of these was the decision of the Permanent Synod on 12 July 1950. The second was the Decree of the Plenary Session of the Holy Synod of 12 December 1974. In like manner, are the provisions of the *Statutes for the Organization and Functioning of the Romanian Orthodox Church*, Articles 110-114, that refer to the autonomy of the Metropolia through the Metropolitan Synod that functions as the proper deliberative body of the Metropolia, and the prerogatives of the Metropolitan, including the right of devolution¹ in the Dioceses of the Metropolia.

It is in the spirit of these decisions and documents that the present Statutes for the Organization of the Romanian Orthodox Metropolia of the Americas are adopted.

PART I THE METROPOLIA

Chapter 1

CANONICAL AUTHORITY AND MISSION OF THE METROPOLIA

Article 1.01. The Romanian Orthodox Church in the Americas is organized as a *Metropolia* having as its name: “The Romanian Orthodox Metropolia of the Americas” (hereinafter “Metropolia”) with its See in Chicago, IL, USA. The *Metropolia* maintains a unity of Apostolic faith, and dogmatic, canonical and liturgical discipline, with the Romanian Patriarchate in accord with the Patriarchal Decree No. 10219, dated 1 November 1930, of the Holy Synod of the Romanian Orthodox Church (hereinafter “Holy Synod”), the decision of the Permanent Synod

¹ In the Church, devolution is the transfer, by forfeiture, of a right and power which a person or body has to another, on account of some act or negligence of the person who is vested with such right or power. The right devolves on the next immediate superior.

of 12 July 1950, and of the decision of the Plenary Session of the Holy Synod No. 14.079 of 12 December 1974.

Article 1.02. The Metropolia is governed by the Holy Scriptures, Sacred Tradition, the Holy Canons, these Statutes, and other rules and regulations that may be adopted by it in accordance with the Statutes. The Holy Synod is the highest authority in matters of the Faith and Canonical discipline, in accord with the provisions of the Holy Canons and the canonical norms of all the Autocephalous Orthodox Churches.

Article 1.03. Metropolia is a “founding member” of the Standing Conference of Canonical Orthodox Bishops in the Americas (SCOBA), and its successor, The Assembly of Canonical Orthodox Bishops of the United States of America, as well as the companion Assemblies of Canada and South America (The Canadian Conference of Orthodox Bishops and the Latin American Orthodox Episcopal Conference). These are the only recognized forums for inter-Orthodox relations in the Americas. The Metropolitan, and the other Bishops, represent the Metropolia on the appropriate Assembly.

Article 1.04. As the sole organ of canonical and spiritual continuity with the Romanian Orthodox Church, the Metropolia has the exclusive right to recognize ecclesiastical institutions of Orthodox Christians of Romanian origin within its jurisdiction, and to use the expression “Romanian Orthodox” as an identifying title. The Metropolia calls upon all Romanian Orthodox Christians, clergy and laity, to seek and to uphold canonical, spiritual, and administrative unity in the Americas, consonant with the Tradition of the Orthodox Church

Article 1.05. The mission of the Metropolia is to create and build up communities of Orthodox Christians, by proclaiming the Gospel of Christ, sanctifying its members through the Holy Mysteries, and caring for their pastoral and social needs. As a community deriving its origins from the well-springs of Romanian Orthodoxy, the Metropolia also serves as a patron of the Romanian culture and language, of all that is good and holy in the life of the Romanian people, while at the same time remaining highly conscious of its godly calling to be a light for all people who seek salvation, including not only Romanian immigrants in the Americas, but also subsequent generations and those who join the Romanian community through marriage or conversion.

Article 1.06. The working languages of the Metropolia are English and Romanian, as well as the official languages of the Countries, States and Provinces in which the parishes or other institutions of the Metropolia may be found. These Statutes shall be promulgated in English and Romanian. The English text shall be deemed the governing text.

Article 1.07. These Statutes, having been officially adopted and promulgated by the Metropolia and the Romanian Orthodox Church, are obligatory for all Orthodox Christians found under the jurisdictions of the Metropolia.

Chapter 2

AUTONOMY OF THE METROPOLIA

The Metropolia is and remains an autonomous Metropolia in accord with the provisions of Articles 110-114 of the *Statutes for the Organization and Functioning of the Romanian Orthodox Church* and the Decree of Autonomy granted it by the Holy Synod on 12 December 1974.

Article 2.01. The jurisdiction of the Metropolia includes North and South America, and is comprised of the two Dioceses of the Metropolia:

- a. *The Romanian Orthodox Archdiocese of the United States of America*, See in Chicago, Illinois, USA.
- b. *The Romanian Orthodox Diocese of Canada*, See in Montreal, Quebec, Canada.

Article 2.02. The *Metropolia* is organized according to its own Statutes and maintains a dogmatic, canonical and spiritual bond with the Holy Synod of the Romanian Orthodox Church, from which it receives the Holy and Great Myrrh, in accord with the Holy Canons and the organization of the Orthodox Church.

Article 2.03. The governing bodies of the *Metropolia* are: The Metropolitan, the Metropolitan Synod and the Metropolitan Council, and of the various Dioceses: the Diocesan Bishop (Archbishop or Bishop), the Diocesan Congress and the Diocesan Council, as well as other administrative and canonical bodies that may be statutorily established.

Article 2.04. The autonomy of the *Metropolia* include all of the rights and attributes relative to those inherent to the autonomy of a Metropolia, including and without limitation, the following: to propose candidates for election by the *Holy Synod* as hierarchs for the *Metropolia*; appointment by the Diocesan Bishop of the deans, parish priests, councilors, and employees; to accord ecclesiastical distinctions and ranks; the authority to apply the Holy Canons through the imposition of sanctions and disciplinary measures; to its own administration (diocesan and metropolitan) and own finances; to organize its own departments (diocesan and metropolitan), such as publications and communications, youth, religious education, charitable and social assistance, etc, for the spiritual and social well-being of its parishes and faithful.

Article 2.05. A Candidate for the office of Metropolitan of the *Metropolia* is proposed for election by the Holy Synod of the Romanian Orthodox Church by the Congress of the *Romanian Orthodox Archdiocese of the United States of America* (hereinafter, the *Archdiocese*) comprised of the clergy and lay delegates of the parishes, in accord with the provisions of the Metropolitan Statutes and in conformity with the laws of the United States of America, where it has its See.

Article 2.06. The Metropolitan is invested with full ecclesiastical authority by the Holy Synod of the Romanian Orthodox Church. This Act is publicly and solemnly proclaimed through a Patriarchal Grammata. The Metropolitan is a member by right of the Holy Synod.

Article 2.07. The positions or decisions of the Holy Synod with regard to relations between the Romanian Orthodox Church and Romanian civil authorities are not binding upon and of no force and effect with respect to the Metropolia including, without limitation, its Parishes, Clergy, Parishioners, Employees and Institutions.

Article 2.08. The Romanian Orthodox Church does not have any rights, claims or privileges with respect to the real or personal property of the Metropolia or the Dioceses, Parishes and Institutions within the jurisdiction of the Metropolia. The Metropolia and its Dioceses, Parishes and Institutions own and administer all such property solely according to the provisions of the Statutes and the laws of the respective countries, states and provinces in which these are located.

Article 2.09. The Metropolia enjoys the right to establish and to maintain inter-Orthodox, inter-Christian, and ecumenical relations with religious organizations within its jurisdictional territory, respecting the dogmatic teaching and the canonical order of the Holy Orthodox Church, and informing the Patriarch of the Romanian Orthodox Church. The Metropolitan is the only hierarch invested with the authority to represent the Metropolia canonically and legally.

Article 2.10. The Metropolitan, as well as the Diocesan Bishops, after consultation with the Patriarch of the Romanian Orthodox Church, may propose to the Holy Synod candidates for the

ministry of Vicar (Auxiliary) Bishops as may be deemed necessary in order to assist them in the administration of their Dioceses. After the canonical verification process and ordination, if such is necessary, and installation, these enjoy the rights and honors appropriate to their rank and are, as is the Metropolitan and the Diocesan Bishops, members of the Holy Synod. Candidates for the ministry of Vicar (Auxiliary) Bishops are recommended to the Holy Synod by the Metropolitan or respective Diocesan Bishop in consultation with the Metropolitan Synod and the respective Diocesan Council. The procedure for their election and ordination is provided for in Article 132 of the *Statutes for the Organization and Functioning of the Romanian Orthodox Church*. The installation of the Vicar Bishop is performed by the Metropolitan.

Chapter 3

ORGANIZATION OF THE METROPOLIA

Article 3.01. The official title of the Metropolia is: “The Romanian Orthodox Metropolia of the Americas.”

Article 3.02. Within the United States of America, *The Romanian Orthodox Metropolia of the Americas* exercises its canonical authority as: “*The Romanian Orthodox Archdiocese of the United States of America*,” (hereinafter, *Archdiocese*); the Ruling Archbishop of the Archdiocese of the United States of America also bears the title of the Metropolitan of the Americas. The Metropolia also includes the *Romanian Orthodox Diocese of Canada*, (hereinafter, *Diocese*).

Article 3.03. The Metropolia consists of the Dioceses, Deaneries, Parishes, Mission Parishes, Monasteries and other monastic institutions, theological institutions, and such other institutions and organizations in North and South America. All Deaneries, Monasteries, parishes, and other institutions in South America are attached to the *Archdiocese*. The Metropolitan bears the title of “Archbishop of the Romanian Orthodox Archdiocese of the United States of America and Metropolitan of the Romanian Orthodox Metropolia of the Americas”, and is a member by right of the Holy Synod of the Romanian Orthodox Church.

Article 3.04. In accordance with the Holy Canons and the laws of the civil authorities within its jurisdictional territory, the Metropolia and its Dioceses have the following authority:

- a. The Metropolia and its Dioceses administer, guide, govern, and oversee the religious and spiritual life of the parishes and mission parishes, monasteries, and other Metropolitan and Diocesan institutions, auxiliary and youth organizations under the jurisdiction of the Metropolia.
- b. The Metropolia and its Dioceses may employ, set the terms of employment and compensation and pay the personnel including but not limited to the Metropolitan, Diocesan and Vicar Bishops, counselors, priests, missionaries, deacons, professors and teachers, choir directors, cantors, administrative personnel and other staff.
- c. The Metropolia and its Dioceses print, publish, and distribute books, newspapers, bulletins, and literature for the religious and moral education of its faithful according to the teachings of the Orthodox Church.
- d. The Metropolia and its Dioceses encourage social gatherings, fund raising events, concerts, and other kinds of cultural and social programs, given for the benefit of the Metropolia and its Dioceses, the parishes, other Metropolitan and Diocesan institutions and/or philanthropic or charitable activities.
- e. The Metropolia and its Dioceses may solicit, accept, and receive without limitation all manner of donations, legacies, gifts, testamentary gifts, gifts of personal and real property,

including sums of money, which it holds and uses in accordance with the civil law within its jurisdictional territory and the provisions of these Statutes.

f. The Metropolia and its Dioceses hold, manage, and administer through sale, conversion, or other kind of trade the real or personal property held in the name of the Metropolia or the respective Diocese. The Metropolia and its Dioceses may offer goods for sale and issue invoices for goods delivered. The Metropolia and its Dioceses may hold in the name of the Metropolia or Diocese stocks and other financial instruments, as well as other certificates, insurance policies or other documents necessary for the maintenance of present or future real or personal properties held by or belonging to the Metropolia or Diocese, with full authority to sign, transfer, or guarantee any of these in the name of the Metropolia or Diocese in accordance with the provisions of these Statutes.

g. The Metropolia and its Dioceses may borrow money and obtain credit, make and give notes, drafts, acceptances, instruments of guaranty, agreements, and otherwise obligate the Metropolia or Diocese financially, however, not in excess of acceptable market rates. The forms of these obligations may include promissory notes, notes payable or transfers, bonds, instruments, acts, mortgages as well as other documents, certificates, and the like encumbering present or future real and personal properties held by or belonging to the Metropolia or Diocese, with full authority to sign, transfer, or guarantee any of these in the name of the Metropolia or Diocese in accordance with the provisions of these Statutes.

h. The signature of the Metropolitan or respective Diocesan Bishop together with either the Treasurer or Secretary shall be required for all legal or commercial documents or instruments.

i. The Metropolia and/or its Dioceses may establish and administer, on the basis of a subsidiary organization, a pension fund for the clergy and their families, as well as for personnel employed by the respective Diocese.

Article 3.05. Each institution or organization of the Metropolia regulates, governs, and administers all of its affairs as an independent organization within the Metropolia, subject to such regulations as may be promulgated under these Statutes.

Article 3.06. Each institution or organization of the Metropolia shall be incorporated as a charitable not-for-profit religious organization according to the civil laws of the jurisdiction in which it is found.

Article 3.07. Each institution or organization of the Metropolia shall have an assembly as its central governing body. In general, and according to context, these shall be in the proportion of one third (1/3) clergy and two thirds (2/3) laity.

Article 3.08. The term for all elected Parish, Deanery and Metropolitan offices is two years, unless otherwise specified.

Article 3.09. Each assembly or governing body shall elect an executive council that shall implement the decisions of the respective assembly or governing body and administer the affairs of that Metropolitan institution.

Chapter 4

THE METROPOLITAN

Article 4.01. The Metropolitan is the canonical head of the *Metropolia*, and as such exercises the rights and fulfills the responsibilities prescribed by the Holy Canons, the Tradition of the Church, and these present *Statutes*. The Metropolitan is the official representative of the Metropolia. The Metropolitan is the Archbishop of the *Romanian Orthodox Archdiocese of the United States of America*.

Article 4.02. The Metropolitan is the President of the Metropolitan Synod and Metropolitan Council.

Article 4.03. The Metropolitan has the following rights and responsibilities:

- a. to be responsible for the canonical and orderly functioning of the life, governance and activities of the Metropolia;
- b. to preside over the Metropolitan Synod and Metropolitan Council, the meetings of the Boards of trustees of the major institutions and organizations of the Metropolia; to preside at the session of the Holy Synod for the election of archbishops and bishops of the Metropolia.
- c. to ordain, together with the other hierarchs, the ruling archbishops and bishops, as well as the vicar (auxiliary) bishops and hierarchs for the dioceses of the *Metropolia*, together with the ruling hierarch of that diocese;
- d. to issue the Metropolitan Grammata for and enthrone the Diocesan Bishops;
- e. to be the *Locum Tenens* for Vacant Dioceses, or may name *locum tenentes* for Archbishops or Bishops when a vacancy occurs in any of the Dioceses of the Metropolia;
- f. to conduct canonical (statutory) visits to the Dioceses of the Metropolia, at the invitation of the Diocesan Bishop;
- g. to exercise the right to hear appeals, and the right of devolution in Dioceses of the Metropolia in order to reestablish canonical and administrative order;
- h. to convene Monastic Synaxes of the monasteries of the Metropolia at least once every three years;
- i. to bestow ecclesiastical honors;
- j. to entertain complaints regarding Diocesan and Vicar Bishops and to refer these, after consultation with the Patriarch, to the Permanent Synod of the Romanian Orthodox Church for examination;
- k. to promulgate the Metropolitan decision constituting the Metropolitan Consistory; to approve, modify, or deny decisions proposed by the Metropolitan Consistory regarding cases involving deposition or defrocking.
- l. to represent the Metropolia in any dealings with ecclesiastical and civil authorities;
- m. to represent the Metropolia in Pan-Orthodox councils, meetings and assemblies in the United States of America, informing the Patriarch of the Romanian Orthodox Church, and to promote and foster harmony and cooperation among all Orthodox Christians;
- n. to coordinate participation in Intra-Christian and inter-religious activities in the United States of America, informing the Patriarch of the Romanian Orthodox Church;
- o. to distribute Holy Myron to the parishes of the *Archdiocese*;
- p. to submit relevant decisions of Metropolitan Bodies to the Holy Synod for ratification.

Chapter 5
THE METROPOLITAN SYNOD

Article 5.01. The Metropolitan Synod is composed of the Metropolitan and all the Hierarchs of the Metropolia.

Article 5.02. The Metropolitan Synod coordinates the common activities of the Dioceses within the Metropolia according to the Holy Canons, the Statutes, and regulations of the Romanian Orthodox Church. The Metropolitan Synod oversees the proclamation of Orthodox Faith, as well as the liturgical consistency and canonical order of the clergy and monastics of the Metropolia, including the fraternal cooperation of the Dioceses at the pastoral, missionary, social, and cultural levels.

Article 5.03. The Metropolitan Synod is presided over by the Metropolitan and takes decisions by simple majority. In case of vacancy, the Patriarch of the Romanian Orthodox Church or his designated hierarch is the President.

Article 5.04. The Metropolitan Synod has the following attributes:

- a. To propose to the Holy Synod new dioceses within the Metropolia, or new territorial delimitations of the existing ones;
- b. To examine the proposals of the canonization of new saints before summitting them to the Holy Synod;
- c. To vet the nominations for Vicar (Auxiliary) Bishops coming from the Diocesan Bishops;
- d. To approve the creation of new monasteries or any transformation of the status of the existing ones;
- e. To admit or reject appeals of deposed clergy after trial by a Diocesan Consistory. In case of admission, the file is transferred for a new trial to the Metropolitan Consistory;
- f. To approve the proposals from the Dioceses regarding the composition of the Metropolitan Consistory;
- g. To approve, modify, or deny the decisions proposed by the Metropolitan Consistory regarding cases of clerical deposition (defrocking);
- h. Any other attributes conferred by the Holy Canons or decisions of the Holy Synod.

Chapter 6
THE METROPOLITAN COUNCIL

Article 6.01. The Metropolitan Council is the Central consultative body of the Metropolia.

Article 6.02. The Metropolitan Council is composed of:

- The Metropolitan as President
- All Hierarchs of the Metropolia
- The members of the Diocesan Councils
- The President of the Ladies' auxiliary (AROLA)
- The President of the Youth organization (ROYA)

Article 6.03. The Metropolitan Council meets once every three years or, as from time to time might be necessary, at the convocation of the Metropolitan. The Secretary of the Archdiocesan Council shall also serve as Secretary of this Body.

Article 6.04. The Metropolitan Council has the following attributes:

- a. Except for doctrinal and canonical matters, it is concerned with matters and issues that affect the life, mission, growth, and unity of the Metropolia and formulates recommendations thereon as may be required.
- b. Forwards proposals to the Metropolitan Synod for the territorial organization of the Metropolia (new Dioceses).
- c. Studies such issues as may from time to time be presented to it by the Diocesan Bishops, the Congresses, or other Commissions and Committees of the Metropolia, and formulates recommendations thereon as may be required.

Chapter 7

THE ELECTION OF THE METROPOLITAN ARCHBISHOP AND THE DIOCESAN BISHOP

Article 7.01. The Metropolia is governed by a Metropolitan Archbishop, nominated by the Congress of the US Archdiocese, and elected and invested by the Holy Synod. The Metropolitan Archbishop bears the title of “Archbishop of the Romanian Orthodox Archdiocese of the United States of America and Metropolitan of the Romanian Orthodox Metropolia of the Americas”, and is a member by right of the Holy Synod of the Romanian Orthodox Church.

Article 7.02. The nomination for election of the Metropolitan Archbishop is made by secret ballot by the clergy and lay delegates of the Archdiocesan Congress, convened especially for this purpose. A two-thirds (2/3) quorum of the total number of Congress of clergy and lay delegates is required for the Congress to undertake the nomination. Proxies may be allowed but shall be held only by a duly authorized delegate from that same parish or Archdiocesan organization or institution. Election is by a simple majority vote of delegates present and voting.

Article 7.03. Those eligible for the ministry, dignity, and responsibility to serve as Metropolitan of the Metropolia are any member hierarch of the Holy Synod, as well as any archimandrite or widowed priest who meets the canonical requirements, namely: having a doctorate or graduate degree in theology, is distinguished by his love of God and the Church, living a virtuous life, having a theological mind, an ecclesiastical bearing, a missionary zeal, and good administrative sense. Also, the candidate shall have a fluent knowledge of spoken and written English and Romanian, have proven ability in administration and pastoral work, be fully aware of the ecclesiastical affairs of the Metropolia and be totally committed to the preservation of unity within the Metropolia as well as to the bond of unity with the Romanian Orthodox Patriarchate. In addition, he shall have had a period of successful service in the Metropolia of no less than five (5) years, or have proven, direct, significant and broad knowledge of the life and status of the Romanian Orthodox Church in the Americas.

Article 7.04. The Congress proposes the election of the duly nominated candidate and his elevation to the rank of hierarch, if the candidate does not already hold this rank and office, to the Holy Synod. The ordination of the newly elected Metropolitan Archbishop shall be accomplished according to the Canons, by at least three canonical Orthodox bishops, delegates of the Holy Synod, and preferably in a church under the jurisdiction of the *Archdiocese*.

Article 7.05. The new Metropolitan Archbishop, as a member of the Holy Synod, receives the hierarchal staff and Grammata of canonical investiture from the Patriarch of the Romanian Orthodox Church, in his capacity as President of the Holy Synod. The Metropolitan Archbishop is officially installed by the Patriarch or his delegate.

Article 7.06. Upon the vacancy of the Metropolitan throne, the Patriarch of the Romanian Orthodox Church, in his capacity as President of the Holy Synod, shall appoint a hierarchical *Locum Tenens* who shall take care of the spiritual and canonical affairs of the *Archdiocese* and the *Metropolia*. He shall, in cooperation with the Metropolitan Council and the Archdiocesan Council, attend to its regular administrative affairs. They shall take care to defer, if at all possible, any decisions that would have a permanent or long-term effect on the *Metropolia*, leaving these to the newly elected Metropolitan to determine, and will limit themselves to those matters of an ordinary or perfunctory nature necessary for the continued well-being of the *Metropolia*.

Article 7.07. Upon his nomination as *Locum Tenens*, the responsible hierarch shall convene a meeting of the Archdiocesan Council to determine the most efficacious manner in which to expedite the election of the new Archbishop and Metropolitan. He shall, with the advice and consent of the Council, nominate an Episcopal Nominating Commission consisting of four (4) clergy members, taking into consideration representation from the other dioceses of the *Metropolia*, with the *Locum Tenens* as President. This Commission shall:

- a. identify appropriate candidates for the office of Archbishop and Metropolitan, making their recommendations to the Archdiocesan Council;
- b. with the approval of the Archdiocesan Council, organize the Nominating Congress.

Article 7.08. The Archdiocesan Council shall approve from among those candidates recommended by the Commission at least two, but preferably three, candidates for the office of Archbishop and Metropolitan to appear on the ballot at the Nominating Congress.

Article 7.09. Every effort shall be made to conduct the election of the Archbishop and Metropolitan within three months of the See being declared vacant. The election shall be conducted and organized by the Commission adhering to the provisions of this Chapter.

Article 7.10. In order to assist him in his responsibilities, the Metropolitan may have a Vicar (Auxiliary) Bishop. After consultation with the Archdiocesan Council, the Metropolitan may propose a candidate for election by the Holy Synod. The Vicar Bishop enjoys the right of honor appropriate to his rank and is a member of the Holy Synod.

Article 7.11. The Diocesan Bishop is elected by the Holy Synod upon nomination by a Diocesan Nominating Congress composed of the delegates of all parishes of the respective Diocese. Before the Nominating Congress, the Episcopal Nominating Commission shall prepare a list of possible candidates and present these names to the Metropolitan Synod to be vetted as qualified for election according to the Sacred Canons and provisions of these Statutes.

Article 7.12. The name of the nominated candidate is sent to the Holy Synod for election.

Article 7.13. In case of vacancy, the Metropolitan shall assume the office of *Locum Tenens* and take care of the spiritual and canonical affairs of the Diocese. He shall, in cooperation with the Diocesan Council and the other officers of the Diocese, attend to its regular administrative affairs. They shall take care to defer, if at all possible, any decisions that would have a permanent or long-term effect on the Diocese, like modification of Diocesan structures and the selling of the Diocesan properties and goods, leaving these to the newly elected Diocesan Bishop to determine, and will limit themselves to those matters of an ordinary or perfunctory nature necessary for the continued well-being of the Diocese.

Article 7.14. Upon the vacancy of the Diocesan throne, the Metropolitan shall convene a meeting of the Diocesan Council to determine the most efficacious manner in which to expedite the

election of the new Diocesan Bishop. He shall, with the advice and consent of the Council, nominate an Episcopal Nominating Commission consisting of four (4) clergy members, with the *Locum Tenens* as President. This Commission shall:

- a. identify appropriate candidates for the office of Diocesan Bishop, making their recommendations to the Diocesan Council;
- b. with the approval of the Diocesan Council, organize the Nominating Congress.

Article 7.15. The Diocesan Council shall approve, from among those candidates recommended by the Commission at least two (2), but preferably three (3) candidates to be vetted by the Metropolitan Synod for the office of Diocesan Bishop and then appear on the ballot for the Nominating Congress.

Chapter 8

THE CLERGY CONFERENCE

Article 8.01. The Clergy Conference is composed of all clergy of the Metropolia.

Article 8.02. The Clergy Conference meets annually for:

- a. Continuing education of the clergy
- b. Discussion of common issues of concern and problems
- c. Strengthening of relationships

PART II

THE DIOCESE

Chapter 9

THE DIOCESAN BISHOP

Article 9.01. The Diocesan Bishop has the following rights and duties:

- a. to exercise the office of teacher, servant of holy mysteries, and pastor of his Diocese;
- b. to exercise and perform all of the rights and duties invested in his office by the Holy Canons and these Statutes;
- c. to be responsible for the canonical and orderly functioning of the life, governance and activities of the Diocese from the moment of his enthronement by the Metropolitan.
- d. after consultation with the Metropolitan Synod and the Diocesan Council, to propose candidates for the office of Vicar Bishop;
- e. to ordain, together with the Metropolitan, the Vicar Bishop(s) as may be appointed, and to delineate their responsibilities;
- f. to name the members of the Diocesan Administration and to delineate their responsibilities;
- g. to preside over the Diocesan Congresses, the meetings of the Diocesan Council and the boards of trustees of the major institutions and organizations of the Diocese, and to carry out the decisions of these Diocesan Bodies;
- h. to appoint, ordain, and transfer the clergy of the Diocese, after consultation with the Diocesan Council.
- i. to appoint the abbots (abbesses) and the Exarch of the monasteries;
- j. to temporarily suspend any clergy, for cause, and to initiate the appropriate disciplinary procedure;

- k. to appoint the President of the Diocesan Consistory from among the three (3) members elected by the Diocesan Congress, and to approve the canonical counselors for the Diocesan Consistory.
- l. to ratify or reject the decisions of the Diocesan Consistory;
- m. to grant a canonical or ecclesiastical economy (dispensation);
- n. to bestow ecclesiastical honors;
- o. to represent the Diocese in any dealings with ecclesiastical and civil authorities, personally or through delegates;
- p. to represent the Diocese in Pan-Orthodox councils, meetings and assemblies and to promote and foster harmony and cooperation among all Orthodox Christians;
- q. to Coordinate participation in Intra-Christian and inter-religious activities;
- r. to distribute the Holy Antimision and Holy Myron to the parishes;
- s. to approve vacations for the clergy and all personnel of the Diocesan Administration.

Article 9.02. The Diocesan Bishop administers the affairs of the Diocese in cooperation with the Diocesan Congress and Diocesan Council.

Chapter 10 THE DIOCESAN CONGRESS

Article 10.01. The deliberative forum of the Dioceses of the Metropolia is the Diocesan Congress (hereinafter "Congress"). Recognizing the hierarchical authority of Church over dogmatic, liturgical and canonical matters, the Congress is concerned with providing the Church with the necessary means to further the mission, growth and unity of the Metropolia and the respective Diocese.

Article 10.02. Each Diocese shall hold a Congress biennially, convened by the Diocesan Bishop, or in special session as he may determine. The location and dates of the Congress shall be determined by the Diocesan Bishop in consultation with the Council.

Article 10.03. Except for dogmatic and canonical matters, the Congress is concerned with all other matters which affect the life, mission, growth and unity of the Diocese and especially the uniform administration of the Deaneries and the Parishes. It is also concerned with the educational programs, financial programs and philanthropic concerns of the Diocese as well as the participation and role of the Diocese in the life of the Metropolia and the nation in which the Diocese is found.

Article 10.04. The Congress is the deliberative instrument of governance of the Diocese. As such it shall:

- a. Review and approve the Reports of the Diocese prepared by the Diocesan Bishop and the Diocesan Council;
- b. Review and approve the Financial Reports and Budgets of the Diocese;
- c. Deliberate and decide issues presented it by the Diocesan Council;
- d. Elect, according to the provisions of these Statutes, the members of the Diocesan Council, the Diocesan and Metropolitan Consistories;
- e. Approve the purchase or sale of the real property of the Diocese;
- f. Upon the recommendation of the Diocesan Council, approve the delimitation of deaneries and parishes;
- g. Consistent with the provisions of Article 10.03, above, the Congress makes such other decisions as it may deem appropriate for the well-being of the Diocese.

Article 10.05. The President of the Congress shall be the Diocesan Bishop.

Article 10.06. The Congress is comprised of the Diocesan Bishop, Vicar Bishop(s), the administrative Vicar(s) of the Diocese, two (2) representatives from each Diocesan institution, two (2) representatives from each monastery, and the parish priest and two (2) lay representatives from each parish or mission in the Diocese, and all clergy of the Diocese.

Article 10.07. The lay delegates to the Congress are elected by the parish by the same procedure as the election of Parish Council Members enumerated in Chapter 27 for a two (2) year term.

Article 10.08. Each Delegate to the Congress shall be in good standing in a Parish as described in these Statutes, Chapter 20.

Article 10.09. Persons elected as delegates to the Diocesan Congress shall receive from their respective Parish, as evidence of their proper election, a mandate completed as follows:

MANDATE

We, the Parish of (Name of Parish) located in (City and State/Province) certify that (Name of Delegate) was elected at the Parish General Assembly held on (Date of Election) in conformity with Chapter 27 of the Statutes of the Romanian Orthodox Metropolia of the Americas as a lay delegate from our parish to the Diocesan Congress, for a period of two years, from (Beginning of Term) to (End of Term) for which we have issued this mandate. As such (he or she) is authorized to take part in the debates and vote on behalf of our parish in this Congress toward the well-being of our Holy Diocese and our Church.

The Mandate shall be signed and dated by the Parish Priest and the Secretary of the Parish General Assembly and shall bear the Seal of the Parish.

Article 10.10. If an elected parish delegate is unable to perform his or her duties, or the seat becomes otherwise vacant as described in the provisions of Article 26.05, the vacancy shall be filled for the remainder of the term at the next Parish General Assembly. If a vacancy cannot be filled before the next regular or special Congress session, the Parish Council may elect to fill the seat temporarily from among the parishioners in good standing on the rolls of the parish for one Congress session. The parish shall provide the temporary delegate with a Mandate using the above formula except that it shall be signed by the Parish Priest, and the President and Secretary of the Parish Council.

Article 10.11. Challenges to the election of any delegate shall be lodged in conformity with the provisions of Art. 20.10.

Article 10.12. Once the parishes have chosen their delegates according to the provisions of Chapter 27, the Diocesan Bishop, or, in case of the vacancy of the See, the *Locum Tenens* with the approval of the Diocesan Council, may convene the Diocesan Congress with fifteen (15) day notice given by post or electronic media.

Article 10.13. Each Congress will open with the celebration of the Divine Liturgy, calling upon the Holy Spirit to enlighten and bless its work. After the conclusion of the Divine Liturgy the President of the Congress will open the session. The preferred location for the Congress sessions is the Church proper, however other suitable locations may be employed as the need may arise.

Article 10.14. At the first meeting of the Congress following the election all delegates shall present their Mandates to the Secretary of the Diocesan Council who will have prepared a

delegate list according to the elections results reported by the parishes to the Diocese. The President of the Congress then shall name a Credentials Commission of two senior clergy and one lay person chaired by the Secretary of the Diocesan Council to verify the Mandates of the Parish Delegates. The Congress is legally constituted once a majority of the Parishes are represented by at least one delegate whose Credentials have been validated.

Article 10.15. Once the Congress has been constituted, the President shall nominate for approval by the Congress, from among the ranks of the Delegates: a Secretariat, a Nominations Commission, a permanent Credentials Commission, and such other permanent commissions as may be deemed necessary for the proper functioning of the Congress for the two (2) year term of the Congress. All challenges contesting the validity of a Mandate shall be addressed to this Credentials Commission which shall present its recommendation to the Congress for final adjudication. Delegates whose credentials have been challenged retain the full rights of a delegate pending the results of this adjudication.

Article 10.16. The Congress may discipline any delegate for cause, including removing said delegate from office.

Article 10.17. The Diocesan Council is charged with preparing the Congress agenda. Any parish that wishes for a matter to be brought before the Congress should submit its request to the Diocesan Council in sufficient time for it to be considered for the agenda.

Article 10.18. All decisions of the Congress must be approved by the Diocesan Bishop before they shall go into effect, except those also in need of the approval of the Metropolitan Synod and/or the Holy Synod.

Article 10.19. Following approval, the decisions must be faithfully and firmly adhered to by the Deaneries and all Parishes, whether or not they were represented at the Congress and regardless of whether they voted with the minority or abstained.

Article 10.20. A quorum consists of a majority of the Parishes of the Diocese present and represented by one or more validly credentialed Delegates.

Article 10.21. A consensus or a majority vote of the Delegates present and voting shall be required in order to adopt any proposals before the Congress, as provided for in Part VII of these Statutes, except as may be otherwise specified in these Statutes.

Chapter 11

THE DIOCESAN COUNCIL

Article 11.01. In the first session of its biennial cycle, the Congress shall elect from among its members and with the approval of the Diocesan Bishop, two (2) clergy and four (4) lay persons to serve on the Diocesan Council. The Nominating Commission shall be charged with proposing to the Congress qualified persons for election to the Diocesan Council. In its recommendations the Nominating Commission shall attempt to balance representation by region, gender, and age.

Article 11.02. The Council shall be composed of:

- a. The Diocesan Bishop as President.
- b. The Hierarchal Vicar as Vice President.
- c. The Administrative Vicar(s) nominated by the Diocesan Bishop from among the clergy.
- d. The Deans.
- e. The Monastic Exarch.

- f. A Secretary named by the Diocesan Bishop from among the Council.
- g. A Treasurer named by the Diocesan Bishop from among the members of the Council.
- h. An inspector nominated by the Diocesan Bishop from among the clergy.
- i. Two (2) clergy elected by the Congress.
- j. Four (4) laity elected by the Congress.
- k. One (1) representative each from AROLA and ROYA.

Article 11.03. All lay members of the Council shall be in good standing in a Parish as described in Art. 20.02.

Article 11.04. The elected members of the Council shall serve for a term of two (2) years beginning at the conclusion of the Congress at which they were elected until the conclusion of the Congress at which the new Diocesan Council is elected, or until their successors shall be elected.

Article 11.05. Each member of the Council shall sign a copy of the Diocese's Conflict of Interest Policy and the Sexual Misconduct Policy adopted by the Council.

Article 11.06. No proxies shall be permitted.

Article 11.07. Any member of the Council may be suspended or dismissed by the Diocesan Bishop with the majority consent of the other members of the Council if that member is absent without cause from two (2) consecutive meetings of the Council, engages in conduct unbecoming a member of the Council or inconsistent with the directives and objectives of the Council, or is not in good standing in his/her Parish as specified in Art. 20.02.

Article 11.08. In the event of the resignation, or incapacity of any member of the Council to serve for any reason, the Diocesan Bishop may nominate a successor with the Council's approval to serve for the unexpired term.

Article 11.09. The Council shall have the following Officers:

- (a) **President.** The Diocesan Bishop is the President and Chairman and presiding officer of the Council. He convenes meetings of the Council or of any Standing or Special Committee as he may deem necessary or appropriate. He may also designate another person as the presiding officer of the meetings.
- (b) **Vice President.** The Diocesan Bishop shall designate a Hierarchical or administrative Vicar to serve as Vice President. He may, as directed by the Diocesan Bishop, preside at the meetings of the Council and other Commissions or Committees. The Vice President shall serve as the Corporate Vice President of the Diocese with such authority and powers as are provided for under applicable civil law. The Vice President shall also undertake such other responsibilities as may be assigned by the President.
- (c) **Secretary.** The Secretary shall be responsible for the maintenance and distribution to the proper parties of the minutes of all meetings of the Council, Commissions, Committees, and of the Congress. He shall serve as Corporate Secretary of the Diocese with such authority and powers as are provided for under applicable civil law.
- (d) **Treasurer.** The Treasurer shall serve as the Corporate Treasurer of the Diocese with such authority and powers as are provided for under applicable civil law.

- (e) **Directors.** The members of the Council shall be the Directors of the corporate entity of the Diocese as may be required by applicable civil law.

Article 11.10. Purpose and Duties.

- a. The Council is the Executive body of the Diocese.
- b. Except for doctrinal and canonical matters, it is concerned with matters and issues that affect the life, growth and unity of the Diocese and takes such decisions thereon as are required.
- c. Together with the Diocesan Bishop, it is concerned with and oversees the ministries, institutions and financial affairs of the Diocese.
- d. It prepares the agenda of the Diocesan Congress, proposing to it such actions and decisions as may be necessary.
- e. Together with the Diocesan Bishop, the Finance Committee and the appropriate heads of the departments of the Diocese, it prepares the proposed Budget for recommendation to the Congress.
- f. The Council interprets and implements the decisions of the Congress.
- g. It reviews all matters of a temporal and financial nature concerning the Diocese, including the temporal and financial aspects of the monastic communities, as may be referred to it by the Diocesan Bishop. In doing so, it analyzes, studies and proposes plans and procedures responding to the issues presented it. It may choose to resolve directly those matters within its competency, or, as may be appropriate, refer matters to such standing or *ad hoc* committees for further study, or to the Congress for final disposition.
- h. It concerns itself with such issues as may from time to time be presented to it by the Diocesan Bishop, the Congress, the various Deanery bodies, or other Commissions and Committees of the Diocese.
- i. It may retain such outside professionals and experts as it may deem necessary to assist it in its duties.
- j. It oversees matters concerning the organization of the Chancery of the Diocese, establishing such personnel policies as may be required.
- k. Following the action of the Congress to purchase or sell real property, the Council shall be authorized to take all such actions as are necessary to effect the decision.
- l. It shall recommend to the Congress the delimitation of deaneries and parishes.
- m. When a case is brought to it by the Diocesan Bishop, it shall adjudicate the discipline and/or removal of Parish Council members according to the provisions of Art. 26.06, including the suspension and dissolution of the parish council, in the case of serious abuses, and the appointment of a provisional council to administer the parish until a normal election can be held.
- n. Under extraordinary circumstances, the Council may exercise the deliberative authority of the Congress between Congresses, subject to the ratification of these decisions by the Congress in its next session.
- o. Together with the *Locum Tenens*, it oversees the administration of the Diocese upon the vacancy of the Episcopal throne and directs the procedure for the election of the Diocesan Bishop pursuant to the provisions of Art. 7.13.
- p. The Council shall assist in the selection of a Vicar Bishop(s) pursuant to the provisions of Art. 7.14.

Article 11.11. Regular meetings of the Council shall be held at least twice a year as decided by the Diocesan Bishop in consultation with the members of the Council. Additional meetings may be called by the Diocesan Bishop or a majority of the members of the Council.

Article 11.12. Minutes of the meetings of the Council shall be distributed by the Secretary to the members within thirty (30) days of the meeting. Matters pertaining to personnel or to litigation may be edited from the minutes.

Article 11.13. The Council may establish such standing and *ad hoc* Committees and Commissions as it shall deem necessary for the proper functioning of the Diocese. The Diocesan Bishop shall appoint the Chair and membership of such Committees and Commissions, with the approval of the Council, and is himself *ex officio* a member of all such bodies. The Secretary of the Diocesan Council, shall, as directed by the Diocesan Bishop, oversee the work of these Committees and Commissions, ensuring their timely and orderly operation and the proper disposition of such actions and recommendations as may emanate from them.

Chapter 12

THE DIOCESAN ADMINISTRATION

Article 12.01. The Diocesan Center, as the Chancery of the Diocese, is under the direct supervision of the Diocesan Bishop and the Diocesan Council, including, but not limited to, staff and property. The Diocesan Bishop shall be the chief executive officer of the Diocesan Center, and shall administer the same in cooperation with the Diocesan Council.

Article 12.02. The Diocesan Center may include the Cathedral, the Diocesan Residence, and such other auxiliary buildings as presently or in the future may exist. Title to all property owned by the Diocese is to be held in the corporate name of the Diocese.

Article 12.03. In order to assist in the administration of the Cathedral, the Diocesan Bishop may appoint, in consultation with the Council, a Board, with such officers and members as may be needed. The Diocesan Bishop or his designee shall be Chairman.

Article 12.04. The Diocesan Bishop may establish, with the approval of the Congress, such Center(s) as might be necessary for a Vicar Bishop(s).

PART III

THE DEANERY

Chapter 13

DUTY AND RIGHTS OF THE DEANERY

Article 13.01. The Deanery is a grouping of parishes headed by a Dean, according to their location and circumstances. The Diocesan Bishop shall propose the delimitation of the various Deaneries to the Diocesan Council for its consideration and approval, for final ratification by the Congress.

Chapter 14

THE DEAN

Article 14.01. A candidate for the office of Dean must be a graduate of an academically accredited Orthodox school of theology and have at least five years of practical pastoral experience. The Diocesan Bishop appoints the Dean, under whose discipline he serves, for a four (4) year term, that may be renewed by the Diocesan Bishop. The Dean may be removed from his office by the Diocesan Bishop in instances of inappropriate activity or breaches of canonical discipline.

Article 14.02. The Dean shall:

- a. Inspect annually, or as may be necessary, the parishes of the Deanery, including the church building, furnishings, registers, archives, library, and the like. He shall also review the financial situation of the parish as well as the spiritual well-being of the community. He shall forward a copy of his report to the Parish for their records as well as to the Diocesan Bishop and the Diocesan Council.
- b. Oversee and direct the pastoral, cultural, and social general activity of the Deanery clergy.
- c. Ensure that the parishes of the Deanery conform to the decisions and directions of the Diocese in a timely fashion.
- d. Take care for the spiritual well-being of parishes with clergy vacancies.
- e. Propose temporary clergy assignments to the Bishop upon parish vacancies pending permanent appointments.
- f. Make a general report on the state of the Deanery at the Deanery Assembly. This shall also be forwarded to the Diocesan Bishop.
- g. Direct the prosecution of cases brought to the Deanery Consistory.
- h. Propose the granting of awards and distinctions to clergy and laity to the Diocesan Bishop.

Chapter 15

THE DEANERY ASSEMBLY

Article 15.01. The Deanery Assembly is composed of the parish priest, the first chanter, the president of the parish council, the religious education director, the ladies' auxiliary president and two (2) additional lay members from each parish of the Deanery, elected by the parish by the same procedure as the election of Parish Council Members enumerated in Chapter 27. The Dean shall be informed by the Parish Priest of those persons representing the parish in each category.

Article 15.02. The Dean is, by right, President of the Deanery Assembly.

Article 15.03. At the first meeting of the Assembly in the biennial cycle, each of the delegates will present themselves and their Credentials to the Credentials Commission composed of two of the senior clergy and one lay person named by the Dean to verify the Credentials of the Parish Delegates.

Article 15.04. Once the Deanery Assembly has been constituted, the Dean shall nominate for approval by the Assembly from among the ranks of the Assembly Delegates a Secretary and a permanent Credentials Commission for the two-year term of the Assembly. All challenges contesting the validity of a delegate's credentials shall be addressed to this Credentials Commission which shall present its recommendation to the Assembly for its adjudication. A challenge to the decision of the Assembly concerning disputed credentials may be addressed to the Diocesan Council within fourteen (14) working days.

Article 15.05. Matters that are in the competency of the Deanery Assembly are the:

- a. Oversight of the administration of the ecclesiastical, social, and charitable activities of the Deanery;
- b. Election of the members of the Deanery Consistory, with the approval of the Diocesan Bishop;
- c. Promotion of the ecclesiastical, educative, social, and economic affairs of the Deanery;
- d. Examination of the Deanery budget, made and presented by the Dean;
- e. Examination of the annual administration of the Deanery;
- f. Making of recommendations regarding the founding or dissolution of parishes consistent with the provisions of Chapters 22-24.

g. Allocation of dues for the needs of the Deanery.

Article 15.06. The Deanery Assembly is held biennially, during the year in which the normal biennial Congress is not held. It may also be called in extraordinary session, if the Dean or half of the total membership requests it, however, the approval of the Diocesan Council is required in order to convene such an extraordinary Assembly.

Article 15.07. The Dean shall convoke the Deanery Assembly by written or electronic notice given at least fourteen (14) working days prior to the date of the meeting. Such notice shall also include the agenda of the meeting.

Article 15.08. A meeting of the Deanery Assembly shall require a majority of the Parishes of the Deanery to be represented by at least one delegate in order for decisions to be considered valid. Meetings shall be conducted according to the Procedures for Conducting Meetings, Part VII of these Statutes.

Article 15.09. Challenges to the decisions of the Deanery Assembly may be addressed to the Diocesan Council, but only if such challenge has been lodged at the session itself and then addressed within fourteen (14) working days to the Diocesan Office.

Chapter 16

DEANERY CONFERENCES

Article 16.01. The Deanery Clergy Conference shall be comprised of all the clergy of Deanery. Its purpose is to serve the needs of the Deanery and the Diocese by enhancing and promoting the mission of the Priests, their diakonia (ministry), spiritual growth and development. A meeting of the Deanery Clergy Conference shall be convened at least once a year by the Dean.

Article 16.02. Similar conferences, with the same purpose of spiritual and professional advancement, shall be held by the chanters, the religious education personnel, the youth organizations, and such other organizations and groups of the Deanery as the Dean may think advisable. These conferences should normally be held in conjunction with the Deanery Assembly, but may be held at other times as may be convenient.

PART IV

THE PARISH AND PARISH ORGANIZATION

Chapter 17

THE PARISH

Article 17.01. The parish is a community of Orthodox Christians, clergy and lay, located in a given place and under the jurisdiction of the local Diocese, subject to it canonically, juridically, administratively, and with regard to its patrimony. It is headed by a priest, named by the respective Diocesan Bishop. The assignment of such appointed Priest to the Parish shall subject the Parish to the Statutes with the same force and effect as if the same were formally approved and adopted by the Parish.

Article 17.02. The aims and purposes of the Parish are to preserve, practice and proclaim the Orthodox Christian Faith pure and undefiled.

Article 17.03. Parishes shall be governed in accordance with the holy canons, the Statutes promulgated hereunder, and, as to canonical and ecclesiastical matters, by the decisions of the Holy Synod, the Metropolitan Synod, and the Diocesan Bishop. The Parish shall express the life of the Church in the local community according to the Orthodox Christian faith and tradition,

sanctifying the faithful through the Divine Liturgy and the Holy Sacraments. It shall edify the religious and ethical life of the faithful in accordance with the Holy Scriptures and the decrees and canons of the Holy Apostles and the Seven Ecumenical Councils of the Church.

Article 17.04. The Parish shall establish educational and philanthropic activities to foster the aims and mission of the Parish and to edify its parishioners in the faith and ethos of the Church. The Parish shall also engage in such inter-Orthodox, ecumenical and interfaith activities as are consistent with the policies of the Diocese.

Article 17.05. The Parish shall conform faithfully to the worship, sacramental life, doctrines, canons and discipline of the Church. It shall also adhere to these Statutes, and all Hierarchical encyclicals.

Article 17.06. Any non-conformance with the foregoing shall be dealt with in accordance with the provisions of the Canons. The Diocesan Bishop, together with the Diocesan Council, shall have the authority to revoke the ecclesiastical Charter of a Parish if it is judged that there is sufficient cause for such action. In each such case, notice of intention to revoke, stating the cause for such action, shall be forwarded to the Parish Council in writing.

Article 17.07. If within sixty (60) days, the Parish has not addressed and rectified the issues raised in the complaint, the Diocesan Bishop has the authority to enforce the decision of the Diocesan Council and either suspend or revoke the Parish's Charter.

Article 17.08. The Parish shall furthermore abide by the decisions of the Diocesan Congress irrespective of whether it was represented thereat, the administrative determinations of the Diocesan Council, and such interim legislation as may be adopted between Congresses by the Diocesan Council.

Chapter 18 PARISH PROPERTY

Article 18.01. Parish Property shall be used in accordance with the Statutes to serve the religious, educational, cultural and philanthropic ministries of the Parish. Parish Property shall be held and used by the Parish to carry out the purposes of the Orthodox Christian Faith as defined in Chapter 17.

Article 18.02. The Parish shall hold title to all of its real estate and personal property in its corporate name and no other, except as otherwise required by any applicable law of the country, state, city, county or jurisdiction in which the Parish and/or the Parish Property is located. The Parish Council together with the Parish Priest shall administer such property for the benefit of the Parish.

Article 18.03. Before embarking on a capital project such as the sale, purchase, construction, or remodeling of a Church, hall or community center, or other facility, the Parish shall present a master plan of such substantial capital projects to the Diocesan Council for its review and advice. The Diocesan Council shall also be periodically informed of the progress of said projects.

Article 18.04. The Parish may purchase real estate and personal property, or sell, mortgage or otherwise encumber its real property, or construct a church edifice or other buildings upon approval of two-thirds (2/3) of the parishioners in good standing present at a Parish General Assembly duly called, with at least fourteen (14) days prior notice given by post or electronic media, for that purpose. The Diocesan Bishop and the Dean shall be informed of and kept current

with the nature, scope, and progress of all such capital projects. All such capital projects and purchases shall be submitted to the Diocesan Council for its final approval.

Article 18.05. Parishes shall maintain the architectural, iconographic and artistic integrity of all Parish Property in accordance with Orthodox tradition. Parishes shall submit to the Diocesan Bishop, for his prior approval related to aesthetic and dogmatic concerns, all preliminary plans for the erection of a church structure or other Parish building; any major structural alteration to an existing church structure or other Parish building; or the iconography or any appointments of a Church structure.

Article 18.06. All special contributions, specific bequests, directed gifts, and devises, other than Stewardship, shall be used by the Parish only for the purposes for which they were made.

Article 18.07. In the extraordinary situation where the normal administration of a Parish collapses and as a consequence the Diocesan Bishop determines that physical and spiritual patrimony of the Parish may be in jeopardy a representative of the Diocese in the person of the Dean and/or a delegated representative of the Diocesan Bishop will be sent to visit the parish or monastic community and conduct an investigation, interviewing the appropriate persons in the parish and examining such documents and records as may be necessary. When the investigation is completed the representative(s) shall make a full report to the Diocesan Council. If it is determined by the Council that because of heresy, schism, or defection from the Diocese, the patrimony of the parish is indeed in jeopardy the Diocesan Council may declare the Parish in canonical disorder. If such declaration is made, the Diocesan Bishop may assume the administration of the Parish and its assets and property with the sole objective of preserving the same until canonical order and normal administration can be restored. The Diocesan Bishop, in consultation with the Dean and the Diocesan Council, will establish a process by which harmony and order can be restored to the Parish or Monastic community. The Parishioners shall have the right to appear and speak before the Council when it deliberates the question.

Article 18.08. When it has been determined that canonical order has been restored in the Parish, the Diocesan Bishop shall ask the Diocesan Council to lift its declaration of canonical disorder and approve the new administration of the Parish. In the event that the Diocesan Bishop, in consultation with the Diocesan Council, determines that the Parish cannot be restored to canonical order, the title to properties shall vest in the Diocese temporarily.

Article 18.09. If after reasonable attempts have been made to restore the Parish to canonical order, it is deemed by the Diocesan Bishop and the Diocesan Council that canonical order cannot be restored, then the Parish shall be declared in a permanent state of canonical disorder and title to the Parish Property shall vest in the Diocese. The Diocesan Bishop in accordance with the vote or resolution of the Diocesan Council shall be authorized to sign any deed or other document as may be necessary for the sale, lease, mortgage, or other disposition of the Parish Property.

Chapter 19 CLERGY

Article 19.01. A candidate for the priesthood or diaconate must be an Orthodox Christian of deep faith, a graduate of an academically accredited Orthodox school of theology and have all the qualifications as provided by the Holy Canons for the respective office.

Article 19.02. The Priest and all other clergy are appointed by the Diocesan Bishop following the canonical practice of the Orthodox Church.

Article 19.03. The Priest, by virtue of his canonical ordination and assignment, heads and administers the Parish, in cooperation with the Parish Council. He exercises for the parish his priestly duties, which consist in shepherding the Parish entrusted to his care, directing its orderly life, preserving its unity and keeping it faithful to its divine purpose, salvation. He shall sanctify his parishioners through the administration of the sacraments and the performance of all other prescribed services of worship. He shall also proclaim the Gospel and impart knowledge of the doctrines, traditions, canons and disciplines of the Church. Further, he shall guide the growth and progress of the Parish in the Christian life through the performance of his pastoral duties. Priests are accountable to their Hierarch and will submit a report of their ministry to the Diocesan Bishop at least annually. The Diocesan Council shall determine the format for these reports.

Article 19.04. The Priest shall have charge of all matters pertaining to the spiritual life and growth of the Parish, including, but not limited to, divine worship and the selection and participation of lay persons in the implementation and administration of such matters. He shall determine the usage of all sacred vessels and appointments. He shall be responsible for the maintenance and good order of the parish office. He shall personally maintain the registry books for all marriages, baptisms, chrismations, and funerals in the Parish, as well as the records of all official parish documents, acts, correspondence and archives. Together with the Parish Council President and the Parish Secretary, he is responsible for maintaining an updated inventory of parish property and goods.

Article 19.05. Together with the Parish Council President and the Parish Secretary, the Priest is responsible for all Parish reports and official correspondence. He keeps and authorizes the use of the official Parish Seal. He ensures that the minutes of the Parish Assembly and the Parish Council, all of the Parish financial records, as well as other Parish documents are maintained and preserved.

Article 19.06. In accordance with the Canons, neither the Parish Council nor the Parish General Assembly is authorized to dismiss a Priest. Any complaint against a Priest or any member of the Parish Clergy shall be addressed to the Diocesan Bishop and the Dean for appropriate action.

Article 19.07. When transferred or removed, the Priest shall deliver to his successor, or to the Dean or the Diocesan Bishop, as he might be directed, the Holy Antimension, all sacred vessels and other liturgical items belonging to the Parish, and all registry books and other pertinent records of the Parish. In addition, the Priest shall also provide a written inventory of all such items to his successor, the Diocesan Bishop, the Dean, and the Parish Council.

Article 19.08. Where more than one Priest is assigned to a Parish, the head of the Parish Clergy is the Parish Priest. Any other Clergy shall be directly responsible to him. The appointment of additional Clergy to a Parish shall be made by the Diocesan Bishop in consultation with the Parish Priest, the Dean, the respective Parish Council and the Diocesan Council.

Article 19.09. Parishes shall be required to remunerate the Parish Clergy according to the remunerative standards for the Clergy established by the Diocesan Council. In no event shall the Diocese be responsible for any remuneration or benefits to the Priest.

Article 19.10. The removal of a priest may be considered when he: (1) is not or has ceased to be loyal to the doctrines, canons, worship, discipline, customs and practices of the Church; (2) is disobedient to the Diocesan Bishop, Dean or other duly authorized agent of the Diocesan Bishop; (3) is guilty of a serious moral transgression; or (4) has violated the spiritual responsibility that

has been entrusted to him and has placed in jeopardy the spiritual well-being of the Parish or the Diocese. The Diocesan Bishop, in consultation with the Diocesan Council, may remove or transfer the priest from the Parish after affording the priest an opportunity to answer the charges being brought before him, or may refer the matter to the Spiritual Courts pursuant to the provisions of Part VI of these Statutes. The accused priest shall also have access to the procedures provided for in the Canons and these Statutes.

Article 19.11. In the event that a Priest is dismissed for a serious Canonical offense, neither the local Parish nor the Diocese shall be required to pay any remuneration or to provide any benefits to the dismissed priest.

Article 19.12. No Parish shall reduce, withhold or adversely alter a Priest's remuneration without the consent of the Diocesan Council.

Article 19.13. The Parish Priest, in consultation with the Diocesan Bishop, may designate one or two chanters to serve the parish.

Chapter 20 PARISHIONERS

Article 20.01. Every person who is baptized and/or chrismated according to the rites of the Orthodox Church is a Parishioner. The religious, moral and social duties of a Parishioner are to apply the tenets of the Orthodox Faith to his/her life and to adhere to and live according to the tenets of the Orthodox Faith; faithfully attend the Divine Liturgy and other worship services; partake regularly of the Holy Mysteries; respect all ecclesiastical authority and all governing bodies of the Church; be obedient in matters of the faith, practice and ecclesiastical order; contribute towards the progress of the Church's sacred mission; and be an effective witness and example of the Orthodox faith and traditions to all people.

Article 20.02. A parishioner in good standing practices all the religious and moral duties as described in Article 20.01. At a minimum, a parishioner in good standing must: be eighteen years of age or over; meet his/her Stewardship and other financial obligations, including membership dues, to the Parish; abide by all the regulations herein stated; and cooperate in every way towards the welfare and well-being of the Parish.

Article 20.03. Any person wishing to be a parishioner in good standing in more than one Parish must remit his/her Stewardship and other financial obligation to each Parish as stated in Article 20.02.

Article 20.04. No person shall be deemed a parishioner in good standing while not adhering to the standards outlined in Articles 20.01 and 20.02; retaining affiliation in a Parish which defies the jurisdiction or the ecclesiastical authority of the Diocese; being a member of or practicing a non-Orthodox faith or other religion; and/or deliberately disregarding and transgressing the moral law of the Church.

Article 20.05. The Priest shall judge any case of special circumstances justifying the waiver of a Parishioner's Stewardship financial obligations.

Article 20.06. A Parishioner in good standing has the right to attend, participate and vote at Parish General Assemblies, as well as to vote in Parish Council elections. Each such parishioner may also be nominated for election to the Parish Council or represent the Parish at the Deanery or the Diocesan levels.

Article 20.07. An Orthodox Christian parishioner in good standing at his/her canonical Orthodox Parish may serve as a sponsor in another Parish without being obliged to become a member in good standing at the Parish where the sacrament will take place.

Article 20.08. Each Parish shall maintain a Parish Record which will include, at a minimum, the following information concerning each parishioner: baptismal and family name, occupation (optional), dates of baptism and/or chrismation and marriage, complete family record of spouse and children, date of entry into the Parish indicating if transferred from another Parish, date of death, and such other information that shall be deemed appropriate.

Article 20.09. An official roll of parishioners in good standing shall be prepared and verified by the Priest and the Officers of the Parish Council for use by the Parish twice annually, on or around 30 June and 31 December, and shall be available for review in the Parish Office. A copy, together with addresses, shall be forwarded to the Diocese.

Article 20.10. Any challenge to the roll by a Parishioner in good standing shall be sent to the Diocesan Center within fourteen (14) days of its publication for adjudication by the Diocesan Council. Any challenge lodged shall not prohibit the use of said roll for a Parish Assembly while said challenge is in process.

Chapter 21

PARISH MINISTRIES AND ORGANIZATIONS

Article 21.01. In addition to the Parish Council, parishes may organize specific committees to minister to the needs of the parish. All such ministries and organizations shall be under the guidance and supervision of the Priest. Examples of such ministries and organizations include, but are not limited to: ladies' and men's auxiliaries, lay apostolate, church choirs, and youth organizations.

Article 21.02. Any adult communicant of the Church desiring to participate in any Parish ministry or organization shall be required first to become a Parishioner in good standing of the Parish. A communicant under eighteen (18) years of age may be a member of any Parish youth organization, irrespective of whether or not his or her parents are Parishioners in good standing of the Parish, upon approval of the Priest.

Article 21.03. The by-laws of any Parish organizations shall comply with these Statutes and shall be subject to the approval of the Priest, Parish Council and the Diocesan Bishop.

Chapter 22

ORGANIZING NEW PARISHES

Article 22.01. New Parishes (Missions) shall be organized according to the following procedure: When the Diocesan Bishop determines that an area of the Diocese may be in need of a Parish, he shall appoint an *ad hoc* committee to study and investigate the feasibility of creating a new Parish. This committee shall utilize the resources available through the Diocese. The committee shall assist the Orthodox Christian communicants in the area with the compilation of a petition to organize. The petition must be signed by at least twenty-five (25) Orthodox households and provide sufficient evidence to satisfy the Diocesan Bishop and the Dean that a new Parish can be viable in that locality. The prospective Parish shall form an Organizational Committee including at least the following subcommittees:

- a. Planning Subcommittee to study, analyze and formulate an overall program and prepare a proposed budget for the Mission Parish;
- b. Fund-Raising Subcommittee;
- c. Real Estate Subcommittee to investigate, select and arrange for buildings and other facilities for the Mission Parish's immediate needs. However, all acquisitions or other transaction shall be subject to the approval of the Archdiocesan Council; and
- d. Stewardship/Membership Subcommittee to prepare a complete list of the Orthodox Christian communicants including the number of adults and children to be served by the Parish accompanied by an appropriate financial expression testifying to their commitment to support the proposed Mission Parish.

Article 22.02. Upon receipt of a petition for permission to organize, the Diocesan Bishop shall present the proposal to the Diocesan Council. If it is decided to grant permission to organize, the Dean, the Diocesan Bishop, or the Diocesan Bishop's representative shall call an organizational meeting of those who signed the petition. The representative of the Diocese shall preside at the organizational meeting. During the organizational meeting, an interim Parish Council shall be elected to serve until such time as the Mission Parish is fully organized and accepts these Statutes. Together with his recommendation, the presiding officer of this organizational meeting shall submit to the Diocesan Council copies of:

- a. all correspondence between the Diocese and the proposed Parish;
- b. all documents submitted by the proposed Parish;
- c. the minutes of the organizational meeting; and
- d. any other pertinent information.

Article 22.03. Upon acceptance of these Statutes by the new Mission Parish, and once approved by the Diocesan Council, the Diocesan Bishop will grant to the new Mission Parish a provisional ecclesiastical charter.

Article 22.04. The Diocesan Bishop will assign a Priest to the new Mission Parish, according to the usual procedure.

Article 22.05. The Priest and the interim Parish Council shall be authorized, by virtue of the issuance of the provisional ecclesiastical charter, to take all necessary steps to incorporate the Parish. The Parish's Articles of Incorporation/Articles of Organization shall conform to all Diocesan requirements for such documents and shall be filed with the Diocese for review and approval.

Article 22.06. After the legal incorporation of the Parish, a Parish Council shall thereafter be elected, for a full term, in the manner prescribed in these Statutes.

Article 22.07. Any failure to comply with this Chapter may subject the Mission Parish to revocation of its provisional ecclesiastical charter under the provisions of these Statutes, Article 18.07.

Article 22.08. The Diocesan Bishop will review the status of the newly organized Mission Parish one (1) year after granting it its provisional ecclesiastical charter and at that time may recommend to the Diocesan Council any change in its status.

Chapter 23
PARISH ORGANIZATION
POLICIES AND REGULATIONS

Article 23.01. All Parishes must maintain and file Articles of Incorporation/Articles of Organization and/or other applicable corporate documents in accordance with these Statutes and the civil laws of the country, state, province, city, or other jurisdiction in which the Parish is located and incorporated. All such documents shall comply with Diocesan requirements as such requirements may be amended, from time to time, by the Diocese. The Articles of Incorporation/Articles of Organization of any Parish shall incorporate the provisions of the Statutes by reference therein. The Parish Assembly may adopt such additional regulations and provisions as shall be deemed necessary to meet local needs. However, in the event of a conflict between a Parish's Articles of Incorporation/Articles of Organization or any other Parish document and these Statutes, the provisions of the Statutes shall govern. In the event that the existing Articles of Incorporation/Articles of Organization of a Parish do not specifically incorporate these Statutes by reference, they shall be deemed to do so. In the event of a conflict between civil law and these Statutes, the provisions of Chapter 47 shall apply.

Article 23.02. Upon the assignment of a Priest by the Diocese, the Parish accepts and agrees to comply with these Statutes. A Parish's Articles of Incorporation/Articles of Organization, and any other applicable corporate documents shall be submitted to the Diocese for review and approval as required by the Diocese from time to time. Any amendment(s) to such documents shall also be submitted for review and approval, prior to the effective date of the amendment(s). Notwithstanding the foregoing, the Diocese's failure to review and/or to disapprove any document(s) or provision(s) thereof shall not be deemed a waiver of the right to subsequently review and/or disapprove the document(s) or any provision(s) thereof.

Article 23.03. An existing Parish that has not been organized in conformance with the requirements of the Diocese and these Statutes must adopt these Statutes within sixty (60) days of a request from the Diocese. Failure to do so will place any such Parish in canonical disorder.

Chapter 24
NON-VIABLE PARISHES

Article 24.01. When it is determined by the Parish Council that the Parish is incapable of sustaining the financial viability of the Parish and wishes to be dissolved, a Parish General Assembly shall be called. A three-fourths (3/4) vote of the existing Parishioners in good standing favor such dissolution shall be required to dissolve the Parish, or in the event that a Parish has been disbanded and a Parish General Assembly cannot be called, the Diocesan Bishop in consultation with the Diocesan Council shall have the authority to declare said Parish dissolved or disbanded.

Article 24.02. If a Parish has been dissolved according to the provisions of Article 24.01, the properties shall devolve to the Diocese. The Diocese should give due consideration to applying the proceeds of any property sale for the benefit of another Parish(es) in the same geographic area, or other Orthodox institution(s) that are in keeping with the mission of the Church as expressed in these Statutes and are themselves tax exempt organizations within the meaning of relevant civil tax law.

Chapter 25
MERGER OF PARISHES

Article 25.01. When it is determined by the Parish Councils of two or more Parishes that it would be in the best interests of such Parishes to merge, and to have only one church edifice, Parish General Assemblies of each Parish shall be duly called, with at least fourteen (14) days notice given by post or electronic media. A quorum must be present at each Parish General Assembly. Approval of the merger shall require the approval of all Parish General Assemblies by two-thirds (2/3) vote of the Parishioners present and voting at the Parish Assemblies. The consent of the Diocesan Bishop and the Diocesan Council shall also be required for the merger of Parishes.

Article 25.02. The Diocesan Bishop, in consultation with the Diocesan Council, may also initiate the process of parish mergers pursuant to the provisions of Article 25.01.

Chapter 26
THE PARISH COUNCIL

Article 26.01. Election to serve on the Parish Council is a ministry and all those who serve are called to represent Christ and the Orthodox faith to all whom they meet in every aspect of life. The Parish Council shall consist of the Priest, as the head of the Parish, the First Chanter, and up to fifteen (15) elected lay members. The General Assembly may fix a lesser number of elected lay members, but in no case shall it be fewer than five (5).

Article 26.02. The Parish Council is responsible to the Parish General Assembly and to the Diocesan Bishop for conducting all Parish affairs in keeping with the mission, aims and purposes of the Church as set forth in the Statutes. The Parish Council shall be deemed to mean also Board of Trustees or Board of Directors when such designations are required by local statute.

Article 26.03. The officers of the Parish Council shall be a President, a Vice President, a Secretary, a Treasurer, two (2) Auditors, and such other officers as the Parish General Assembly may by vote establish.

Article 26.04. The members of the Parish Council are elected for a term of two (2) years by the Parishioners in good standing. A Parish Council member may be elected to successive or multiple terms of service.

Article 26.05. A vacancy on the Parish Council shall be considered to exist in the event of: the death or resignation of a member; the physical or mental incapacity of a member; the invalidation of the election of a member; or the failure of a member to be current in his stewardship financial obligations to the Parish.

Article 26.06. A member of the Parish Council may be removed in accordance with the following provisions, other than as provided in Article 26.07:

- a. Removal from the Parish Council shall also be considered when a member: (1) is not or has ceased to be loyal to the doctrines, canons, worship, discipline, customs and practices of the Church; (2) is in violation of these Regulations or the Hierarchical Encyclicals of the Diocese; (3) does not recognize the duly constituted ecclesiastical authorities of the Diocese; (4) is guilty of a serious moral transgression; or (5) has violated his/her oath of office or has engaged in actions which do not further the administrative or spiritual wellbeing of the Parish or the Diocese.

- b. In the event that the Parish Priest and a majority of the Parish Council members believe that the removal of a Parish Council member is required for one or more of the reasons listed in subsection (a) (1) through (5) above, the Priest shall submit his recommendation, in writing, for the removal of the member to the Diocesan Bishop with a copy sent to the effected Parish Council member.
- c. If the Diocesan Bishop, upon the recommendation of the Priest and the Parish Council members, or for any other reason, determines that the removal of a Parish Council member is necessary for one or more of the reasons listed in subsection (a) (1) through (5) above, the Diocesan Bishop shall submit his recommendation regarding the matter to the Diocesan Council for its decision and shall notify the Priest and Parish Council of such decision. If any member(s) of the Parish Council is removed, the matter shall not be brought before a Parish Assembly, without the consent and participation of the Dean, the Diocesan Bishop or his representative.
- d. Prior to removing all or a majority of the members of a Parish Council for any reason(s) during the same twenty four (24) month period, the Diocesan Bishop shall consult with the Diocesan Council. When an individual or individuals are removed from the Parish Council by the Diocese, the vacancy(ies) created shall be filled through direct appointment by the Diocesan Bishop from among the Parish's Parishioners in good standing to fulfill the term of the person removed. The interim Parish Council shall serve for such period of time as the Diocesan Bishop may determine, but in no event longer than twenty four (24) months.
- e. The effected Parish Council member(s) shall be afforded an opportunity to challenge the grounds on which they are being removed before the Diocesan Council.

Article 26.07. Members of the Parish Council must attend Parish Council meetings. No proxies are permitted. In the event of an emergency, a special telephonic meeting may be called by the Priest and Parish Council President. A member who misses three (3) consecutive meetings without justifiable cause, may be relieved of his/her office upon prior notice to the member and the majority vote of the Parish Council.

Article 26.08. Except as specified above with respect to removals by the Diocesan Bishop, a vacancy on the Parish Council shall be promptly filled by the Parish Council by electing a successor therefore from among the Parishioners in good standing of the Parish. Such successor shall serve for the unexpired portion of the term of the vacant office. If a vacancy on the Parish Council occurs after the Parish Council elections but before the first meeting of the Parish Council the vacancy shall be filled after the first meeting of the Parish Council.

Article 26.09. All Parish Council members must sign and abide by the Conflict of Interest Policy and the Sexual Misconduct Policy promulgated by the Diocese.

Chapter 27 ELECTION OF THE PARISH COUNCIL AND OFFICERS

Article 27.01. Members of the Parish Council shall be elected by the Parishioners in good standing of the Parish in accordance with these Statutes. The election of the members of the Parish Council shall take place at the Annual Parish General Assembly meeting held on a Sunday in January following the celebration of the Divine Liturgy. The majority of Parishioners in good standing present and voting on the date of the Annual Parish General Assembly shall elect the members of the Parish Council

Article 27.02. A candidate for the Parish Council must be a Parishioner in good standing of the Parish for at least one (1) year immediately preceding the date of the election and must live his/her life in accordance with the faith and canons of the Church, attending Divine Services regularly and participating in the sacramental life of the Church. The Parish Priest determines whether a Parishioner is in canonical and financial good standing as specified in these Statutes, Chapter 20.

Article 27.03. Four weeks before the Annual General Assembly at which the election is to take place, the Parish Council shall select a Nominating Committee composed of no fewer than three (3) lay persons of good repute charged with soliciting candidates to stand for election to the new Parish Council. The Parish Priest shall also serve as member of the Nominating Committee. The parishioners shall be informed of the membership of this Nominating Committee and urged to suggest appropriate persons for their consideration.

Article 27.04. After the Parish Priest has verified the canonical and financial good standing of the persons under consideration for election, the Nominating Committee shall prepare and publish the list of candidates for consideration by the General Assembly.

Article 27.05. A ballot shall be prepared for use by the General Assembly. However, election may be made by either voice vote or the showing of hands, if the Assembly by majority vote so decides.

Article 27.06. No additional nominations may be made from the floor of the Assembly.

Article 27.07. The election results shall be entered in the minutes of the General Assembly showing the number of votes cast for each candidate and signed by the Officers of the General Assembly. The candidates receiving the greatest number of votes shall be declared elected for the ensuing term, subject to ratification by the Diocesan Bishop. In the event of a tied vote, the other members of the incoming Parish Council shall fill the office from among the tied candidates by majority vote at their first Parish Council meeting, pending the ratification by the Diocesan Bishop. If otherwise found to be qualified, all of the tied candidates may be provisionally approved by the Diocesan Bishop as eligible to be elected if he also decides to ratify the entire election results. The individual finally elected from among those tied shall, after his/her election, take the oath of office.

Article 27.08. Any Parishioner in good standing who was present at the electoral General Assembly of the Parish and questions the validity of the election may, within five (5) days after such election, lodge a written challenge with the Diocesan Bishop. Such challenge shall be signed by the questioning Parishioner and at least four (4) other Parishioners in good standing who were also present at that electoral General Assembly. The challenge shall list in detail all the alleged violations. In the event that a challenge is filed and such challenge is considered by the Diocesan Bishop to have merit, he shall present the challenge to the Diocesan Council for its adjudication. If the Council upholds the challenge, the election shall be declared null and void and a new election will be ordered. The decision of the Diocesan Bishop and the Council thereon shall be final.

Article 27.09. In case of the resignation of any member-elect of the incoming Parish Council or a vacancy for any other reason in the interim between the day of elections and the oath of office, the members of the incoming Council shall, after the oath, elect a new member from among the Parishioners in good standing to fill the vacancy.

Article 27.10. In the event that an insufficient number of candidates shall be nominated for election to the Parish Council, the election of those nominated shall take place in accordance with

the above election procedures. The Parish Council, after the ratification of the election and taking office, shall proceed to elect officers as provided for below, and then shall fill any vacancies on the Council from among the Parishioners in good standing. Those elected by the Parish Council shall, in such order as may be determined by the Council, and following ratification by the Diocesan Bishop, serve the term that a member duly elected by the Parish General Assembly would have served.

Article 27.11. At the first meeting of the Parish Council after the election has been ratified and the oath has been taken, the Parish Priest shall preside over the election of the Parish Council Officers. The Parish Council shall elect from among its ranks and by majority vote: a president, vice-president, secretary, treasurer, two (2) auditors, and such other officers as may have been established by the General Assembly for the well-being of the parish.

Article 27.12. The offices of the President or Treasurer shall not be held by the same person for more than six (6) consecutive years, except by special permission of the Diocesan Bishop.

Article 27.13. In the event that the office of the President of the Parish Council shall become vacant, the Vice President, shall assume the office of President. Any other office that may become vacant shall be filled by election of the Parish Council.

Chapter 28 RATIFICATION OF ELECTION OF THE PARISH COUNCIL AND OATH OF OFFICE

Article 28.01. No earlier than five (5) and not later than eight (8) days after the election is held, the Parish Priest shall forward the results to the Diocesan Bishop. The Priest shall at the same time verify in writing that all candidates were qualified and that the election was conducted in accordance with these Statutes. It shall be confirmed that the Parish has met its financial obligations to the Diocese.

Article 28.02. The election will not be considered final until receipt of ratification of the election by the Diocesan Bishop. The oath of office shall not be administered until such ratification is received. The existing Parish Council shall continue to fulfill its function until the election of the new Parish Council is ratified and members have taken the oath of office.

Article 28.03. If no challenge to the election has been lodged with the Diocese, the Diocesan Bishop may, at his discretion, ratify the election. If a challenge to the election has been filed, the existing Parish Council shall continue to fulfill its function until the status of the challenge has been decided by the Diocesan Council.

Article 28.04. After ratification of the election has been received from the Diocesan Bishop, a special ceremony shall be held at the close of the Divine Liturgy in which all the members of the Parish Council will take the oath of office jointly. In the event that a member elected to the Parish Council is not present for the oath of office, the Priest shall administer the oath to such member at the first Parish Council meeting. The oath shall be administered by the Priest and shall be repeated by all the members of the Parish Council. The oath of office shall be administered no later than one (1) week following ratification being received from the Diocesan Bishop or as soon as practicable. Until such time, the prior Parish Council shall continue to fulfill the responsibilities of the Parish Council.

Article 28.05. Each member or member-elect of the Parish Council is obliged, without exception, to take the following oath of office and thereafter subscribe his/her name thereto:

- a. “In the name of the Holy Trinity, I (name), elected as a member of the Parish Council of the Church of (name of Church), solemnly affirm that I will uphold the dogmas, teachings, traditions, holy canons, discipline, worship, and moral principles of the Orthodox Church and will fulfill faithfully and sincerely the duties and obligations required of a member of the Parish Council, respecting church law and regulations and the Statutes of the Romanian Orthodox Metropolia of the Americas. So help me God.”
- b. A person declining to take the oath and subscribe to same shall not be a member of the Parish Council and his/her office shall be deemed vacant.

Chapter 29

MEETINGS OF THE PARISH COUNCIL

Article 29.01. The Parish Council shall hold regular meetings usually once a month, and such special meetings whenever the Priest, the President, or a majority of the Parish Council may deem it necessary.

Article 29.02. A majority of the entire (fixed) membership of the Parish Council shall constitute a quorum for the transaction of business. Vacancies on the Parish Council shall not be used in order to establish a quorum.

Article 29.03. The minutes of the meetings of the Parish Council shall be signed by the Priest, the President and the Secretary.

Chapter 30

PARISH ADMINISTRATION

Article 30.01. The Priest as head of the Parish, by virtue of the ecclesiastical authority vested in him, shall guide and oversee the Parish. The Priest with the Parish Council are responsible to the Diocesan Bishop for the whole life and activities of the Parish.

Article 30.02. Each Parish shall be administered by the Priest and Parish Council cooperatively.

Article 30.03. All committees or boards of the Parish, except for the Auditing Committee, shall be under the jurisdiction of the Priest and Parish Council. The Auditors shall have all authority to examine, without hindrance, the financial and related documents of the Parish.

Article 30.04. The members of the Parish Council shall attend Divine Services regularly and participate in the sacramental life of the Church, thereby setting an example for the Parishioners. Under the leadership of the Priest, the Parish Council shall:

- a. assist the Priest in the administration of the affairs and ministries of the Parish;
- b. establish the appropriate committees, including but not limited to Stewardship, Finance, Fundraising, Planning and Real Estate committees;
- c. prepare budgets for the Parish’s administration and ministries and collect the revenue of the Parish;
- d. provide for the Priest’s remuneration and benefits in accordance with the Clergy Compensation Plan of the Diocese;
- e. provide financing for the salaries of the Parish personnel;
- f. provide for financial resources for the Parish’s administration and for the Parish’s spiritual, educational and other ministries and expenses;
- g. buy, sell or mortgage Parish property, subject to the approval of the Parish Assembly and the Diocesan Council, according to the provisions of these Statutes;

- h. provide for payments and assessments for support of the Diocese as fixed by the Congress;
- i. submit to the Diocesan Bishop and the Diocese, at the end of each year, the financial statement of the Parish for that year, certified by the Parish's Auditors, and the Parish budget for the ensuing year;
- j. submit annual Parish profile reports that may be required by the Diocese;
- k. adhere to the Statutes and decisions promulgated at the Congress.
- l. and otherwise provide for compliance with any other policies, rules, regulations or requirements of the Diocese.

Article 30.05. All personnel employed by the Parish, are engaged or discharged by the Parish Council with the consent of the Priest.

Article 30.06. The Parish Priest and Parish Council shall be responsible for all personnel employed by the Parish. In addition, the Parish Priest and the Parish Council shall be responsible for the Parish's adherence to all applicable personnel and volunteer policies promulgated by the Diocese.

Article 30.07. Upon the expiration of its term, the Parish Council shall surrender to the succeeding Parish Council all Parish records, including the list of Parishioners, minute books, bankbooks, checkbooks, financial records, and all other property of the Parish.

Article 30.08. The Parish Council and its officers may exercise any additional authority, consistent with the Statutes.

Article 30.09. If a problem should arise between a Priest and the Parish Council, the matter shall not be brought before the Parish Assembly. The Priest or the Parish Council shall have the right to refer the matter to the Diocesan Bishop who may refer the matter to the Dean, the Diocesan Council, or other canonical or judicial body, for final disposition by the Diocesan Bishop. His decision shall be final.

Chapter 31 PARISH ASSEMBLY

Article 31.01. The Parish Assembly is the general meeting of the Parishioners in good standing of the Parish and is the general policymaking and appropriating body of the Parish.

Article 31.02. A Parish Assembly consists of Parishioners in good standing of the Parish who have met their stewardship obligations to the Parish. A Parishioner who is in arrears in the payment of his/her stewardship obligations for more than the previous calendar year may vote at the Parish Assembly only after that Parishioner has met the unfulfilled stewardship financial obligations at least thirty (30) days before the Parish Assembly. New Parishioners may exercise their vote at Parish Assemblies if they have been Parishioners in good standing for at least six (6) months.

Article 31.03. The Parish Assembly shall generally meet on Sunday, after the Divine Liturgy and shall open with a prayer for the invocation of the Holy Spirit. Notice of a Parish Assembly shall be mailed by post or electronic media to all Parishioners in good standing at least ten (10) days prior to the Assembly and shall include the agenda. The agenda shall be prepared by the Priest and the Parish Council and shall include all items to be discussed at the Assembly. For purposes of this Article the Secretary shall be the Secretary of the Parish Council.

Article 31.04. The Priest by virtue of his canonical appointment is the President of the General Assembly. If the Dean is present, he presides. Under extraordinary circumstances, the Diocesan Bishop may send his representative to preside.

Article 31.05. In order for a Parish Assembly to be constituted legally there shall be not less than twenty five percent (25%) of the parishioners in good standing of a Parish present. If a quorum is not achieved, the President of the Assembly may ask unanimous consent of those present for the Assembly to proceed. If there is an objection, no vote can be taken and the Parish Assembly shall be called a second time the following Sunday. After two unsuccessful attempts to achieve a quorum, the Diocesan Bishop shall determine the quorum and/or make a decision as to how to proceed.

Article 31.06. Proxies shall not be permitted at a Parish Assembly.

Article 31.07. Regular Parish Assemblies shall be convened by the Priest and the Parish Council, usually twice each year, at dates fixed by the Parish Council.

Article 31.08. Special Parish Assemblies shall be held when the Priest and/or Parish Council deem it necessary. A special Parish Assembly may be convened for any matter except for those involving canonical and dogmatic issues. In addition, and except as otherwise prohibited by these Statutes or required by law, if at least ten percent (10%) of the Parishioners in good standing of the Parish submit a written petition requesting a Parish Assembly, a special Parish Assembly may be convened. Any such petition must be submitted to the Priest and the Parish Council stating the purpose for the meeting.

Article 31.09. The Secretary of the Parish Assembly shall be appointed by the President of the Assembly with its consent and shall record the minutes of the Assembly. The President of the Assembly may also appoint one or more clerks with the consent of the Assembly to assist the Secretary. The minutes of the Parish Assembly shall be signed by the Priest, or whomever is President of the Assembly, and the Secretary of the Parish Assembly.

Chapter 32 AUDITORS

Article 32.01. Two Auditors shall be elected by the Parish Council from among its ranks. They shall have the financial competency to properly execute their responsibilities.

Article 32.02. The Auditors shall audit the financial records of the prior year and prepare a report of such audit for presentation to the Parish General Assembly which report shall be completed and presented at a Parish General Assembly no later than three (3) months following the close of the Parish's fiscal year. After review by the Parish General Assembly, the Parish Council shall transmit copies of the final audit to the Diocesan Bishop and the Dean.

Article 32.03. The service of a Certified Public Accountant shall be engaged whenever Parish's annual gross income exceeds five hundred thousand dollars (\$500,000).

Chapter 33 PARISH FINANCES AND DIOCESAN TOTAL COMMITMENT

Article 33.01. The parish priest together with the Parish Council shall be the custodians of all Parish funds.

Article 33.02. The Parish fiscal year shall be the calendar year. At the first Parish General Assembly of each year the Parish Council shall present a financial report detailing all income and expenses for the preceding year.

Article 33.03. The budget for the ensuing year shall likewise be submitted for approval by the Parish General Assembly at the Annual General Assembly.

Article 33.04. The Parish budget shall include appropriations for sending its delegates to the Diocesan Congresses, Clergy Conferences, and Deanery Assemblies and shall include appropriations for purchasing adequate insurance coverage for the Parish, including the replacement value of all Parish Property, liability coverage for the Parish and its officers and directors and such other usual and customary insurance coverages.

Article 33.05. The Parish budgets must include a line item for Diocesan Financial Commitment, which shall be calculated according to the decision of the Diocesan Congress.

Article 33.06. Parish financial statements must be forwarded to the Eparchial Center and Deanery no later than April 1st of the subsequent year and must:

- a. Include any and all corporations, institutions and entities under the direct or indirect control of the Parish or Parish Council. Financial activities outside of the normal Parish operating statements must be reported, however they can be presented separately and need not be consolidated into the Parish operating statements.
- b. Include a balance sheet, income and loss statement and budgets approved by the Parish General Assembly.
- c. Be certified in writing as to their validity by the Parish Priest, Parish Council President and Treasurer.
- d. Be prepared according to the guidelines as set forth by the Diocesan Council.
- e. Include and report all activities of the Parish including but not limited to building funds, festivals, special appeals or any and all restricted Fund Activities.
- f. The Parish shall also submit with their financial statements, complete copies of all insurance policies currently in force for the Parish.

Article 33.07. When submitting its financial statements to the Eparchial Center, the parish shall confirm that it has met its financial obligations to the Diocese. The Diocesan Council shall also have the authority to sanction a Parish for its failure to meet its Diocesan financial obligations as set forth in these Statutes.

Chapter 34 INFORMAL DISPUTE RESOLUTION

Article 34.01. Since because disputes regarding the life of the Parish will generally involve ecclesiastical and canonical issues and will always affect the spiritual well-being of the Parish, each Parish and affected individuals shall abide by the Dispute Resolution Procedures adopted by the Diocesan Council. Such procedures will encourage individuals to resolve conflicts in a spiritual manner, invoking the guidance of the Holy Spirit. The procedures will also include the mechanisms for addressing grievances and mediating irreconcilable conflicts, providing an ultimate process for the resolution of disputes. Therefore, except as may be required otherwise under these Statutes, Canons and Traditions of the Church, the Dispute Resolution Procedures adopted by the Diocesan Council shall serve as the sole and exclusive remedy for addressing and resolving disputes that may arise within the life of the Parish.

PART V
MONASTERIES

Chapter 35

MONASTIC COMMUNITIES

Article 35.01. A Monastery is a community of monks or nuns who have freely vowed before God, in a solemn rite of entry into monasticism to lead their lives in the service of God in celibacy, self-chosen poverty and obedience, under the guidance of an abbot or abbess, and obedience to the Diocesan Bishop.

- a. A Skete (Hermitage) or a Metochion is dependent on a monastery designated by the Diocesan Bishop, or directly to the Diocesan Center.
- b. A Monastery is directly dependent on the local Diocesan Bishop, who is its spiritual and canonical head under Article 36.01 of this Statute.

Article 35.02. The establishment, dissolution, or transformation of monasteries of monks into monasteries of nuns, or of monasteries of nuns into monasteries of monks, as well as the elevation of a skete (hermitage) to the rank of monastery must be approved by the Metropolitan Synod based upon a proposal coming from the Diocesan Bishops of the Metropolia showing a careful and rigorous evaluation of the reasons for the proposal, the existence of adequate financial resources, the availability of the necessary monastic personnel, as well as favorable local missionary conditions.

Article 35.03. The establishment, dissolution, or transformation of sketes (hermitages) or metochia for monks into sketes (hermitages) or metochia for nuns, or sketes (hermitages) or metochia for nuns into sketes (hermitages) or metochia for monks shall be approved by the Diocesan Bishop who will inform the Diocesan Council of this decision.

Article 35.04. No founder, donor or benefactor has any right of ownership, use, or interference in the management, administration or spiritual life of the Brotherhood/Sisterhood of any monastery, skete (hermitage) or metochion once canonically received into the Diocese.

Article 35.05. In accord with its mission, each monastery or skete (hermitage) has the obligation through its governing bodies:

- a. to order its daily rhythm in such a way that it becomes a place for exceptional spiritual living, for the practice of Christian virtues, for the pious participation in religious services, for the edification of the soul, for both those who live there, as well as for who come to worship;
- b. to promote Christian values illustrated in the Holy Scriptures, the writings of the Church Fathers, as well as in the various monastic rules and regulations;
- c. to follow the Sacred Canons, the present Statutes and the Typicon approved by the Metropolitan Synod;
- d. to ensure the provision of appropriate conditions for the monks or nuns to be able to lead their coenobitic life.

Article 35.06. A novice, who feels the call to enter the monastic life, is received into the monastery at the written request of the applicant, with the recommendation of his/her spiritual Father, and his/her abbot/abbess, and with the approval of the Diocesan Bishop. The minimum age for admission to the monastery as a novice is 18 years old.

Article 35.07. Monastic tonsure is performed, with the approval of the Diocesan Bishop, after at least 3 years of canonical examination (scrutiny) and life spent in the monastery. Only the Diocesan

Bishop, for urgent missionary reasons, may decide derogation from this rule, upon the request of the abbot. Monastic tonsure and promotion in the monastic rank is also prohibited of those persons who are not free of any family responsibility and/or any civil or criminal legal action.

Article 35.08. To meet the needs of the Brotherhood, the abbot presents to the Bishop those monks who have achieved adequate theological studies and have the proper aptitudes for the liturgical service, so they may be ordained to the diaconate or to the priesthood.

Article 35.09. All the monks/nuns of a monastery (hermitage, skete), included retired ones, regardless of previous rank and position, are subject to the monastic rule established for the whole Brotherhood/Sisterhood. The abbot/abbess may relax the life regime of those whose abilities are diminished because of age or health.

Chapter 36 MONASTIC GOVERNANCE

Article 36.01. Spiritually and canonically the Diocesan Bishop is the superior (head) of the monasteries, hermitages and metochia within his Diocese. By virtue of the authority delegated by the Diocesan Bishop, the governance of the monastery is entrusted to the abbot/abbess, to the hegumen/ hegumena for sketes, and to the designated monk/nun for metochia.

Article 36.02. The Diocesan Bishop shall also appoint an Exarch to assist him in the oversight of the various monastic communities. The Exarch shall visit, inspect, and generally oversee the administration and spiritual well-being of the monastic communities, regularly reporting to the Diocesan Bishop on their condition.

Article 36.03. The abbot/abbess or the hegumen/higumena, chosen by the Diocesan Bishop, is appointed to this function for an indeterminate period. These are chosen from among worthy monks/nuns, who have led an exemplary spiritual life and have completed sufficient theological studies.

Article 36.04. The abbot/abbess is assisted in carrying out his/her administrative duties by: the monastery's synaxis (general assembly), the spiritual and educational council, the economic council, and the disciplinary council.

Article 36.05. With the written approval of the Diocesan Bishop, the abbot/abbess represents the monastery in civil courts, before local authorities and third parties, both personally or by delegation.

Article 36.06. If the monastery hosts a retired bishop, this bishop could be designated as abbot by the Diocesan Bishop, with the consent of the monastic Brotherhood. If he were not to be designated as abbot, the monastery's Brotherhood should create the necessary conditions for him to lead his life, rendering him the honor inherent to his episcopal dignity.

Article 36.07. The steps of monastic life are, for men: brother (novice), rassophore, monk and schema-monk; for women: sister (novice), rassophora, nun and schema-nun.

Article 36.08. The monastic ranks for men are: archdeacon, singellos, protosingellos and archimandrite; and for nuns: abbess with the cross (stavrophore).

Article 36.09. The rank of archimandrite is conferred by the Diocesan Bishop, with the approval of the Holy Synod.

Article 36.10. The Diocesan Bishops will take the necessary measures to organize a synaxis of the abbots/abbesses and hegumens/hegumenas, and conferences for all monks and nuns in the dioceses of which they have pastoral care, in order to analyze specific issues, promote an exchange of spiritual and administrative experiences, and adopt adequate measures for the improvement of monastic life and its discipline.

Chapter 37 DUTIES OF THE SUPERIOR

Article 37.01. By virtue of the authority delegated at his or her appointment or confirmation by the Bishop, the superior of the monastery is responsible for all spiritual and administrative matters of the monastery.

Article 37.02. The superior shall submit to the Diocesan Bishop a written annual Report on the life of the monastery and its activities.

Article 37.03. The superior shall also present a Financial Report for the monastery at the close of its fiscal year. This Report will include the usual Balance Sheet of Assets and Liabilities; and the annual categorized Income and Expenses summary. This Report should be produced by a certified public accountant.

Chapter 38 PROPERTY AND OWNERSHIP

Article 38.01. The monastery shall be incorporate as a religious not-for-profit corporation in accordance with applicable civil law and shall submit copies of the relevant documents to the Diocesan Bishop.

Article 38.02. All title to properties, assets, and funds of the monastery must be held in the legal corporate name of the monastery. The monastery's leadership must always remember the religious nature, purposes, and goal of the monastery when administering these assets, and should always act as stewards of such property that are dedicated to the service of God and the use of the Church.

Article 38.03. When necessary and at his discretion, the Diocesan Bishop, may bring to the Diocesan Council matters related to a monastery of a temporal, administrative, or financial nature, for consultation and adjudication.

Article 38.04. In the event that a monastery shall be dissolved, or attempt to disaffiliate uncanonically from of one of the Dioceses of Romanian Orthodox Metropolia of the Americas, all property, assets and funds of such monastery shall devolve to the Diocese of Romanian Orthodox Metropolia of the Americas of which it is a part.

Article 38.05. Before embarking on a capital project such as the sale, purchase, construction, or remodeling of a Church, hall, residence, community center, or other facility, the Monastery shall present a master plan of such substantial capital projects to the Diocesan Council for its review, advice and final approval. The Diocesan Council shall also be periodically informed of the progress of said projects.

Article 38.06. The Diocesan Bishop and the Exarch shall be informed of and kept current with the nature, scope, and progress of all monasteries' capital projects such as the sale, purchase, construction, or remodeling of a Church, hall, community center, or other facility. All such capital projects and purchases shall be submitted to the Diocesan Council for its final approval.

Article 38.07. In the extraordinary situation where the normal administration of a Monastery collapses and as a consequence the Diocesan Bishop determines that physical and spiritual patrimony of the Monastery may be in jeopardy a representative of the Diocese in the person of the Exarch and/or a delegated representative of the Diocesan Bishop will be sent to visit the Monastery and conduct an investigation, interviewing the appropriate persons in the Monastery and examining such documents and records as may be necessary. When the investigation is completed the representative(s) shall make a full report to the Diocesan Council. If it is determined by the Council that because of heresy, schism, or defection from the Diocese, the patrimony of the Monastery is indeed in jeopardy, the Diocesan Council may declare the Monastery in canonical disorder. If such declaration is made, the Diocesan Bishop may assume the administration of the Monastery and its assets and property with the sole objective of preserving the same until canonical order and normal administration can be restored. The Diocesan Bishop, in consultation with the Exarch and the Diocesan Council, will establish a process by which harmony and order can be restored to the Monastery. The Monastics shall have the right to appear and speak before the Council when it deliberates the question.

Article 38.08. When it has been determined that canonical order has been restored in the Monastery, the Diocesan Bishop shall ask the Diocesan Council to lift its declaration of canonical disorder and approve the new administration of the Monastery. In the event that the Diocesan Bishop, in consultation with the Diocesan Council, determines that the Monastery cannot be restored to canonical order, the title to properties shall vest in the Diocese temporarily.

Article 38.09. If after reasonable attempts have been made to restore the Monastery to canonical order, it is deemed by the Diocesan Bishop and the Diocesan Council that no group of Monastics or other persons can be found to properly administer the Monastery, the Monastery shall be declared in a permanent state of canonical disorder and title to the Monastery shall vest in the Diocese. The Diocesan Bishop in accordance with the vote or resolution of the Diocesan Council shall be authorized to sign any deed or other document as may be necessary for the sale, lease, mortgage, or other disposition of the Monastic Property.

Article 38.10. In the event that a monastery shall be dissolved, or attempt to disaffiliate uncanonically from of one of the Dioceses of Romanian Orthodox Metropolia of the Americas, all property, assets and funds of such monastery shall devolve to the Diocese of Romanian Orthodox Metropolia of the Americas of which it is a part.

PART VI
Chapter 39
SPIRITUAL COURTS (Consistories)

Article 39.01. Each member of the Church is entitled to canonical due process in the courts of the Church. The precise procedure for the functioning of the Spiritual Courts may be found in the *Regulamentul autorităților canonice disciplinare și al instanțelor de judecată ale Bisericii Ortodoxe Române* (Regulations for Canonical Disciplinary Authorities and for Judicial Instances of the Romanian Orthodox Church).

Article 39.02. The following Spiritual Courts (Consistories) are established to adjudicate violations of dogmatic, moral, liturgical, pastoral, or administrative discipline:

- (a) The Spiritual Courts of First Instance (depending on charges lodged and the standing of the persons involved) are:

1. Deanery Consistory
 2. Diocesan Consistory
- (b) The Spiritual Court of Second Instance (appeal) is:
1. Metropolitan Consistory – for the cases of defrocked clergy.
- (c) The Spiritual Court of Third Instance Courts (final recourse):
1. Diocesan Consistory – for the cases of suspension or removal of cantors.
 2. Metropolitan Consistory – for the cases of clergy deposed from the clerical office.
 3. Superior Ecclesiastical Consistory and Superior Ecclesiastical Monastic Consistory – for the cases of defrocked clergy or monastics.

Article 39.03. **The Deanery Consistory** is the disciplinary and juridical forum for non-clerical personnel, and for resolution of misunderstandings that might arise within the ranks of the clergy in a Deanery, as well as among parishioners, clergy and non-clerical personnel. The Deanery Consistory is composed of four members: a president (clergy), two members of the clergy and one member of the laity, nominated the Diocesan Bishop. In cases involving accusations against members of the clergy, the court shall be restricted in its membership to members of the clergy.

Article 39.04. The Deanery Consistory shall be competent to judge the following cases:

- a. disputes among clergy;
- b. disputes involving clergy and parish officers or parishioners;
- c. breaches of canonical or moral discipline of the personnel of the parish, as the First Instance Court; the decision of suspension or removal of cantors may be challenged at the Diocesan Consistory in 15 days.
- d. disputes over parish institutions, and any other matter involving the good order of the Church.

The Consistory decrees the measures of correction and healing as provided by the Holy Canons and Tradition of the Orthodox Church. The decisions of the Deanery Consistory are implemented by the Dean.

Article 39.05. **The Diocesan Consistory** is the Spiritual Court for clergy, monastics, and personnel of the parish for breaches of dogmatic, moral, liturgical, pastoral, or administrative discipline as described by the *Regulamentul autorităților canonice disciplinare și al instanțelor de judecată ale Bisericii Ortodoxe Române* (Regulations for Canonical Disciplinary Authorities and for Judicial Instances of the Romanian Orthodox Church). The Diocesan Consistory is composed of three members nominated by the Diocesan Bishop and elected by the Diocesan Congress at its first session in the biennial cycle. These elected members should have qualifications in canon and civil law. The president of the Diocesan Consistory is appointed by the Diocesan Bishop.

Article 39.06. The **Metropolitan Consistory** is the Court of Second Instance (Appeal) for the cases of defrocked clergy and monastics, and the Court of Third Instance (Final Recourse) for the cases of clergy and monastics deposed from the clerical office. The Metropolitan Consistory is composed of three to five members approved by the Metropolitan Synod, elected by the Diocesan Congresses others than those elected for the Diocesan Consistory. The president of the Metropolitan Consistory is appointed by the Metropolitan. The decisions of the Metropolitan Consistory for the cases of clergy deposed from the clerical office are definitive after confirmation by the Metropolitan Synod.

Article 39.07. The **Superior Ecclesiastical Consistory and Superior Ecclesiastical Monastic Consistory** are those disciplinary and juridical forums for parish or monastic clergy, which adjudicate appeals against decisions of defrocking or excommunication pronounced by a Diocesan Consistory and upheld by the Metropolitan Consistory. Its decisions are definitive after confirmation by the Holy Synod of the Romanian Orthodox Church.

Article 39.08. The Holy Synod of the Romanian Orthodox Church is the sole Instance of canonical procedure for its members. Accusations against bishops shall be addressed directly to the Holy Synod of the Romanian Orthodox Church.

**PART VII
PROCEDURES FOR
CONDUCTING MEETINGS**

Chapter 40
DEFINITIONS

Article 40.01. These provisions shall apply to meetings of the Congress, the Metropolitan and Diocesan Councils, the Parish General Assembly, the Parish Council, and such other Diocesan and Parish governing bodies as may be established.

Article 40.02. Presiding Officer. For purposes of this Part, the Presiding Officer shall mean the President, Chair, or other such presiding moderator of a meeting of any Diocesan governing body. In addition to other responsibilities that may be assigned to the Presiding Officer in these Statutes, he or she shall announce the opening, suspension and the adjournment of any such meeting over which they shall preside.

Article 40.03. Voting Member. For purposes of this Part, Voting Member (or simply, Member) shall mean the official representative (delegate) of any parish or institution of the Diocese and/or any voting member, either ex officio, elected or appointed to any Diocesan governing body.

Article 40.04. Participant. For purposes of this Part, Participant shall include persons invited to attend a meeting of any Diocesan governing body as an observer with the right to speak but not to partake in decision-making. Their right to participate may be withdrawn by either the presiding officer or by simple majority decision of the body.

Article 40.05. Secretary. Each respective governing body or committee shall appoint and/or elect a Secretary as may be provided for in these Statutes or in the By Laws of the respective Diocesan organization or institution. In addition to any other responsibilities as may be provided for in these Statutes or other decisions, the role of the Secretary is to follow the discussion and to record the language of the emerging consensus, including final language of decisions taken, and to assist the Presiding Officer in discerning an emerging consensus. Such clerk(s) as might be necessary may be named, consistent with the provisions of these Statutes, to assist the Secretary in the execution of his or her function.

Chapter 41
AGENDA

Article 41.01. The Secretary shall prepare and distribute an Agenda for a meeting of a given Diocesan body or committee. The presiding officer shall, at the outset of the meeting, ask the body for its approval and/or amendment.

Article 41.02. Matters may be included on the agenda of a meeting according to recommendation of the presiding officer of said meeting. Normally, matters included on an agenda will be based upon reports, recommendations or proposals that previously have been fully considered and have the consensus support of a proposing group or committee of the higher body. For the Congress, the Diocesan Council is the body responsible for proposing the agenda. For the Parish General Assembly, the Parish Council is the body responsible for same.

Article 41.03. Any voting member may propose to the body or person(s) responsible for preparing the agenda the inclusion or change of any item of business for the agenda. The decision of said body or person(s) may be appealed to the body for which the agenda has been proposed.

Chapter 42

SPEAKING AND DISCUSSION

Article 42.01. A voting member or participant who wishes to speak must first gain the recognition of the presiding officer either by raising one's hand or other such method as may be decided by the presiding officer. One may speak only when called upon by the presiding officer.

Article 42.02. The presiding officer shall decide who will speak, ensuring that a fair distribution of opinions is heard. If time allows and others are not left unheard, the presiding officer may permit speakers to intervene more than once.

Article 42.03. Especially at larger Assembly or Congress meetings, when called by the presiding officer, a speaker shall first identify himself or herself, and then their role at the meeting. All remarks shall be addressed to the presiding officer.

Article 42.04. In larger meetings, the presiding officer may choose to limit the length allowed each speaker for remarks, however using discretion in allowing extra time if there is a difficulty in language or interpretation or if the issues being discussed are unusually complex. If he or she so chooses to limit the speaking length, this ruling shall be announced at the beginning of the debate.

Article 42.05. Procedural Points. Provided that a speaker is not interrupted, a voting member may ask for clarification of the pending matter or may raise suggestions about procedure. The presiding officer immediately shall provide clarification or respond to the suggestion for change of procedure.

- a. Points of Order. This provision is available to question whether procedures being followed are in accordance with these Statutes, to object to offensive language, to make a point of personal explanation, or to request that a meeting move to closed session. Points of Order may be raised by a voting member at any time, even by interrupting another speaker. Such member gains the attention of the presiding officer by standing and calling, "Point of Order!" The presiding officer shall ask the member to state the Point of Order and then (without discussion) shall rule on it immediately.
- b. Appeal. If any member disagrees with the presiding officer's decision on a procedural proposal or point of order, the member may appeal against it. In this case the presiding officer will put this question, without discussion, to the meeting: "Does the meeting concur with the decision of the presiding officer?" The voting members present shall decide the question according to the decision-making procedures then being employed.

Chapter 43
REACHING CONSENSUS:
SEEKING THE COMMON MIND
OF THE MEETING

Article 43.01. Consensus shall be understood as seeking the common mind of the meeting without resort to a formal vote, in a process of genuine dialogue that is respectful, mutually supportive and up-building, while prayerfully seeking to discern God's will.

Article 43.02. Decisions will normally be by consensus, unless otherwise specified by the Statutes.

Article 43.03. A consensus decision on a particular matter shall be recorded when one of the following occurs:

- a. all voting members are in agreement (unanimity); or
- b. most are in agreement and those who disagree are satisfied that the discussion has been both full and fair and do not object that the proposal expresses the general mind of the meeting.

Article 43.04. A consensus decision shall mean that there is agreement about the outcome of a discussion. This may mean agreement to accept a proposal or a variation of a proposal; it also may mean agreement about another outcome, including agreement to reject a proposal, to postpone a matter, that no decision can be reached, or that there are various opinions that may be held. When consensus has been reached that various opinions can be held concerning a matter, those various opinions shall be recorded in the final wording of the minutes and the report and the record of the meeting.

Article 43.05. Decision-making by Consensus

- a. A proposal or recommendation may be affirmed, modified or rejected. Voting members may suggest modifications, and the presiding officer may allow discussion on more than one modification at a time. Reaching a common mind may require a series of steps, if there is a variety of opinions being expressed. As discussion proceeds, the presiding officer may ask the meeting to affirm what is held in common before encouraging discussion on those aspects of a proposal about which more diverse opinions have been voiced.
- b. To assist the presiding officer in discerning the mind of the meeting and to move efficiently toward consensus, the secretary shall maintain a record of the discussion.
- c. A voting member or the presiding officer may suggest that the matter under discussion be referred for further work to an appropriate group holding a range of points of view. This suggestion itself shall be tested to discern the mind of the meeting. If agreed, the presiding officer shall schedule consideration of the matter for a later session.
- d. When it seems that the meeting is close to agreement on an outcome, the presiding officer shall ensure that the wording of the proposal (or the proposal as varied during the course of the discussion) is clear to all members, and then test whether there is consensus on that outcome. If all are agreed consistent with Article 43.03(a) above, the presiding officer shall declare that consensus has been reached and the decision made. If the meeting is not unanimous, the presiding officer shall invite those who hold a minority view to explain their reasons if they wish and to indicate whether they can agree with a decision pursuant to Article 43.03(b). If so, consensus shall be declared.
- e. If, after every effort has been made to reach consensus, agreement cannot be reached and it is the opinion of an officer or the responsible committee that a decision must be made before

the meeting concludes, the presiding officer shall name a committee of two to three persons to formulate a proposal for how the matter may be considered again in a new form. Later in the same session or in a new session where this new approach is considered, the meeting itself shall decide whether a decision must be made at this meeting, and if so, shall proceed in any one of the following ways, which may be followed sequentially:

- (i) to work further towards consensus on the proposal in its new form;
- (ii) to work to reach agreement among most delegates with some delegates recording an objection, in which event a meeting shall record acceptance of the proposal, providing that each delegate who does not agree is satisfied with that outcome and has the right to have his or her viewpoint recorded in the minutes, in the report, and in the record of the meeting; or
- (iii) to move into voting procedures to decide the matter as provided in Art. 43.06 and following.

f. When a meeting is employing consensus procedures to discuss a matter for which a decision must be reached at that meeting and there is no ready agreement in accordance with Article 43.05(e)(i) or (ii), the presiding officer may offer a procedural proposal: “That the meeting resolve the proposal now by vote”. The presiding officer shall announce that a vote to decide this change of procedure will be taken. Voting members shall indicate by voting whether they agree that the matter shall be decided by a vote. If a majority of the members present vote in favor of moving the matter to a voting process, the matter shall so move. If fewer than a majority of the members present vote in favor of moving the matter to a voting process, the matter shall not so move, and the meeting shall decide, again by vote of a majority of the members present, whether discussion should continue to achieve consensus or whether discussion should be discontinued.

Article 43.06. Decision-making by vote. Some matters require decision by vote, rather than by consensus. These include:

- a. Statute changes (two-thirds majority);
- b. Elections (which follow specific rules in each case);
- c. Adoption of yearly financial reports and of the financial audit report (simple majority).

Article 43.07. For matters that have been moved from consensus procedures to decision-making by vote in accordance with Article 43.05(e)(iii), or Article 43.05(f), and for matters reserved to a voting procedure according to this Article, the procedures to be followed are:

- a. All motions must be moved and seconded by a voting member, and the mover has the right to speak first.
- b. In discussion following the seconding of a motion, no person may speak more than once, except that the member who moved the motion may answer objections at the end of the discussion.
- c. Any voting member may move an amendment, and if a seconder supports it, the amendment shall be considered simultaneously with the original proposal.
- d. When discussion is concluded, including the right of mover to reply (see (b) above), the presiding officer shall call for the vote and shall put any amendment first. If approved, it will be incorporated in the original proposal, which will then be put to a vote without further discussion.
- e. If the mover seeks to withdraw a motion or amendment during the discussion, the presiding officer will seek the consent of the meeting for the withdrawal.

- f. A voting member may move to close the discussion, but in doing so shall not interrupt a speaker. If seconded, the presiding officer shall call for a vote on this motion immediately without discussion. If two thirds (2/3) of the meeting agree, the voting process will then begin. If the motion fails, discussion will proceed, but the same motion to close discussion may be moved again as the discussion continues, but not by the voting member who moved it the first time.

Article 43.08. Voting shall be by show of hands and the presiding officer shall ask first for those in favor, then for those against, and finally for those who wish to abstain from voting. The presiding officer shall announce the result of the vote immediately.

Article 43.09. If the presiding officer is in doubt, or for any other reason decides to do so, or if a delegate requests it, a vote on the matter shall be taken immediately by a count of a show of hands. The secretary, with the assistance of the clerk(s) shall count those voting and abstaining. A voting member may ask that voting be by secret written ballot, and if seconded and if a majority of members present and voting agree, a secret written ballot shall be taken. The presiding officer shall announce the result of any count or secret written ballot.

Article 43.10. A majority of the delegates present, including those who choose to abstain from voting, shall determine a matter being decided by vote unless a higher proportion is required by these Statutes. If the vote results in a tie, the matter shall be regarded as defeated.

Article 43.11. If the presiding officer wishes to participate in the discussion, he or she shall relinquish the position of presiding officer of the session to another presiding officer until the matter has been resolved.

Article 43.12. A presiding officer is entitled to vote as a member of the body, but may not cast the decisive vote in the event of a tie.

Article 43.13. Any two members who voted with the majority for a previously approved matter may request reconsideration of the matter. The proposal shall be placed before the meeting, and the voting members may express an opinion as to whether the matter should be reconsidered. Reconsideration shall take place only if two thirds (2/3) of voting members present agree.

Article 43.14. Anyone voting with a minority or abstaining from voting may have his or her opinion recorded in the minutes, in the report, and/or the recommendation of the meeting.

Article 43.15. Except for canonical, dogmatic, and liturgical matters and insofar as is consistent with these Statutes, *Robert's Rules of Order, Newly Revised*, latest edition, shall be the official parliamentary authority for these Statutes.

PART VIII MISCELLANEOUS PROVISIONS

Chapter 44 FINANCES

Article 44.01. Each parish shall be financially self-sufficient and independent from the Metropolia and/or Diocese and neither the Metropolia and/or Diocese nor any parish shall have or make, without limitation, any debt, obligation, promise, guaranty for or on behalf of the other, or be bound by, without limitation, any debt, obligation, promise or guaranty of the other. Annual or occasional contributions of parishioners and other donors, as well as funds raised by other means, are to be applied solely to the salaries of Parish personnel, the expenses and obligations for the operation and management of the Parish, the maintenance of Parish property, both real

and personal, support of the Metropolia and/or Diocese and Metropolitan and/or Diocesan programs, and such other religious and charitable activities as the Parish might undertake.

Article 44.02. Other Metropolia or Diocese institutions are to be self-supporting. The budget of these may be supplemented by appropriations from the Metropolitan or Diocesan central fund by decision of the respective Congress within the Annual Budget. Extraordinary appropriations may be made by decision of the Metropolitan or Diocesan Council and the approval of the Metropolitan or Diocesan Bishop, but these shall be reported to the respective Congress when it next convenes.

Article 44.03. The central administration of the Metropolia or Diocese and those institutions and departments dependent upon it are supported through assessed and voluntary contributions by the parishes and their auxiliary organizations, as decided by the appropriate Congress at the recommendation of the respective Council. Additional financial support may be solicited from other sources including individual donations.

Chapter 45

PROPERTY AND INVESTMENTS

Article 45.01. Institutions of the Metropolia are legal persons. As such, they may purchase and administer such real and personal property as may be necessary to accomplish their mission.

Article 45.02. The sale or alienation of the real property of the Parishes and other Metropolitan Institutions shall be regulated by the Statutes. Any profit realized by such action, shall be used exclusively for ecclesiastical purposes.

Article 45.03. Church, monastery, and other buildings, the grounds of Metropolitan or Diocesan cemeteries, and liturgical vessels are sacred, and outside the realm of ordinary secular commerce. They may not be the subject of any legal proceedings in any civil court, except as may from time to time be required as financial pledge and collateral for the securing of loans.

Chapter 46

RELIGIOUS EDUCATION

Article 46.01. Each Parish has the obligation to provide for the religious education of its faithful.

Article 46.02. The various Diocesan Councils shall uniformly regulate the catechetical instruction of children, youth, and chanters and shall organize the curriculum for the formation of the clergy.

Article 46.03. Parish and Missionary Priests of the Metropolia shall see to the ministry of Orthodox faithful found in hospitals, orphanages, reform schools, and penal institutions.

Chapter 47

LEGAL STATUS, LIMITATIONS, AND DISSOLUTION

At all times the following shall operate as conditions restricting the operations and activities of the Metropolia and its organizations and institutions:

Article 47.01. The Metropolia is organized exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as now enacted or hereafter amended, including, for such purposes, the making of distributions to organizations that also qualify as Section 501(c)(3) exempt organizations. All funds, whether income or principal, and

whether acquired by gift or contribution or otherwise, shall be devoted to the purposes of the Metropolia enumerated in Chapter 1.

Article 47.02. No part of the net earnings of the Metropolia shall inure to any member of the Metropolia not qualifying as exempt under Section 501(c)(3) of the Internal Revenue Code of 1986, as now enacted or hereafter amended, nor to any Officer of the Metropolia, nor to any other private persons, excepting solely such reasonable compensation that the Metropolia shall pay for services actually rendered to the Metropolia, or allowed by the Metropolia as a reasonable allowance for authorized expenditures incurred on behalf of the Metropolia.

Article 47.03. No substantial part of the activities of the Metropolia shall constitute the carrying on of propaganda or otherwise attempting to influence legislation, or any initiative or referendum before the public, and the Metropolia shall not participate in, or intervene in (including by publication or distribution of statements), any political campaign on behalf of, or in opposition to, any candidate for public office in any, country, state, city, town or other jurisdiction within the territory of the Metropolia.

Article 47.04. Notwithstanding any other provision of these Statutes, the Metropolia shall not carry on any other activities not permitted to be carried on by a corporation exempt from United States of America federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as now enacted or hereafter amended.

Article 47.05. The Metropolia shall not lend any of its assets to any officer or member of this Metropolia, or guarantee to any person the payment of a loan by an Officer or member of this Metropolia.

Article 47.06. No member or officer of any institution or organization of the Metropolia as defined in Article 3.03 shall be personally liable for the debts or obligations of said institution or organization of any nature whatsoever, nor shall any of the property of the members or officers be subject to the payment of the debts or obligations of the same.

Article 47.07. In the case of the dissolution of any organization or institution of the Metropolia as defined in Article 3.03, after paying or making provisions for the payment of all debts, obligations, liabilities, costs and expenses of said organization or institution, its assets shall be distributed by the Metropolitan Council to one or more tax exempt organizations within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code of the United States of America, or in Canada the Income Tax Act, to an institution(s) of the Metropolia, that enjoy the privileges of a not-for-profit corporation in the same state of the United States of America, or in the same province in Canada. If none such exists, then directly to the Metropolia or respective Diocese, subject to the limitations of law.

Article 47.08. In the case of the dissolution of the Metropolia itself, after paying or making provisions for the payment of all debts, obligations, liabilities, costs and expenses, its assets shall be distributed by the Metropolitan Council to one or more tax exempt Orthodox ecclesiastical organization, for the United States of America, within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, and for Canada, the Income Tax Act, except for all sacred objects, within the meaning of Art. 45.03 above that must be given to another Orthodox ecclesial authority.

Article 47.09. These Statutes shall be governed by and construed in accordance with the laws of the State of Illinois or such state where the Metropolia is or shall be incorporated, and the United States of America. If any provision, or portion thereof, of these Statutes shall, to any extent, be invalid or unenforceable, the remainder of these Statutes, or the application of such provision, or

portion thereof, to any other person or circumstance, shall not be affected thereby, and each provision of these Statutes shall be valid and enforceable to the fullest extent permitted by law.

Chapter 48
AMENDMENTS

Article 48.01. Any proposed amendment to these Statutes shall be submitted to the Archdiocesan Council for consideration and approval. If approved, the proposed amendment shall be sent by the Secretary of the Archdiocesan Council to the Parishes in writing and/or electronic format sixty (60) days prior to a regular meeting of the Diocesan Congress or a meeting of the Congress convened specifically for the purpose of considering the proposed amendment. If the amendment is approved by the Congress then it shall be forwarded to the Metropolitan Council for its consideration.

Article 48.02. Any amendments must be adopted by a two-thirds (2/3) vote of the Metropolitan Council members present and voting.

Article 48.03. Amendments pertaining to canonical order and ecclesiastical organization, especially those that would affect the provisions of the autonomy of the Metropolia, or the Diocesan autonomy of a Dioceses within the Metropolia, once adopted by the Metropolitan Council shall go into effect only with the positive recommendation of the Metropolitan and the approval of the Holy Synod, except as provided for in Article 48.04.

Article 48.04. Amendments pertaining to administrative procedures or required by the laws of the civil authorities in whose jurisdiction the Metropolia is found, shall go into effect immediately upon the positive decision of the Metropolitan Council and the approval of the Metropolitan.

PART IX
Chapter 49
EFFECTIVE DATE

Article 49.01. These Statutes went into full effect on November 1, 2016 having been adopted by the Congress of the *Romanian Orthodox Archdiocese in the Americas* held in Hamilton, Ontario, Canada, on July 1-3, 2016, and approved by the Holy Synod at its session of October 28-29, 2016. These now supersede all previous Statutes and by-laws of the parishes and institutions of the Archdiocese.