

# REGULATIONS



GREEK ORTHODOX  
ARCHDIOCESE OF AMERICA

2007



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ARCHDIOCESAN REGULATIONS

UNIFORM METROPOLIS REGULATIONS

UNIFORM PARISH REGULATIONS

2007



GREEK ORTHODOX ARCHDIOCESE OF AMERICA  
NEW YORK, NEW YORK

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## GREEK ORTHODOX ARCHDIOCESE OF AMERICA

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Prot. No. 33/05

February 16, 2005

To the devout Clergy, the Presidents and Members of the Parish Councils and the entire Greek Orthodox Family in America.

Beloved brothers and sisters in the Lord,

On behalf of our Holy Eparchial Synod, and filled with particular honor and joy in Christ, we deliver today to the Holy Metropolises and Parishes of the Greek Orthodox Archdiocese of America the revised Uniform Regulations for immediate application and use.

The process of drafting these Regulations constituted a laborious task and required great amounts of time and methodical work. A large committee comprised of clergy and lay members of the Archdiocesan Council proceeded with a very careful revision of the old Uniform Regulations on the basis of the provisions of the new Charter of the Holy Archdiocese, which went into effect in February 2003. The draft of the revised Regulations, prepared by the above-mentioned Committee, was the subject of extensive discussions and amendments by the 37<sup>th</sup> Clergy-Laity Congress, which convened in New York in July 2004.

The final draft of the Regulations, which thereby resulted from the 37<sup>th</sup> Clergy-Laity Congress, was submitted via the Eparchial Synod to our Ecumenical Patriarchate for ratification. After diligent study, the Holy and Sacred Synod of the Ecumenical Patriarchate ratified the Regulations. The following pages contain the text of the Uniform Regulations as ratified by the Great Holy Mother Church of Christ.

His all Holiness Ecumenical Patriarch Bartholomew accompanied the Synodal ratification of these Regulations with an inspiring letter that immediately follows and heads the articles of the Uniform Regulations of the Holy Archdiocese of America. In this letter, among other remarks, His all Holiness expresses his patriarchal gratification and blessing.

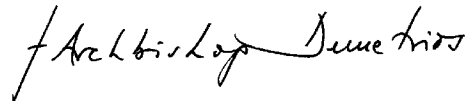
St. Paul, the Apostle to the nations, addressing the Church of Corinth in c.55 A.D. writes: *God is not a God of disorder but of peace* (1 Corinthians 14 :33). He also adds: *all things should be done decently and in order* (1 Corinthians 14 :40). What the great Apostle Paul emphasized to the Corinthians was the need for order, dignity and peace within

the Church. He also emphasized to the Corinthians the need to avoid any disorder, confusion, disorganization, and turmoil; for the God of Christians is a God of order and peace, and not a God of disorder, confusion and turmoil.

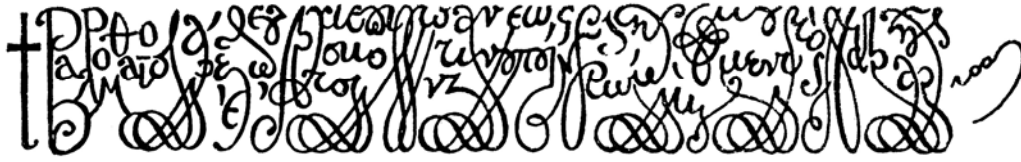
It is exactly for the advancement of order, decency and peace within the parishes of the Holy Archdiocese of America that we publish these Uniform Regulations. We are certain that they will be adhered to with care and precision. We are also certain that they will contribute not only to the advancement of order and proper functioning of our parishes, but also to the edification of these communities in Christ for the spreading of Orthodoxy and for the glory of God.

*Finally, brethren, rejoice, be edified, be comforted, be of one mind, live in peace; and the God of love and peace will be with you (2 Corinthians 13 : 11).*

With paternal love in Christ,

A handwritten signature in cursive script that reads "Archbishop Demetrios". The signature is written in dark ink and is positioned above the printed name.

+ DEMETRIOS  
Archbishop of America and  
Exarch of the Ecumenical Patriarchate



Prot. No. 97

Your Eminence, Archbishop Demetrios of America, most honorable Exarch of the Atlantic and Pacific Oceans, beloved brother in the Holy Spirit and co-celebrant of our Modesty: Grace and peace from God be with you.

With an abundance of spiritual joy we send herewith to your most beloved Eminence the duly ratified uniform, derived from the current Charter of your Holy Archdiocese, Regulations that you had submitted for approval to the Great Holy Mother Church of Christ.

Certainly, it does not escape our attention that the Church, the Bride of Christ, is basically a spiritual institution. Since, however, She has revealed herself in the world and continues her course in it, She incorporates in herself the necessity of a canon law, a fact that our Holy Fathers and Shepherds before us took care of securing by way of Holy Synods. Besides, the exhortation of Saint Paul is eternally repeated to all members of the Church that "all things should be done decently and in order" (1 Cor. 14:40), so that the mystery of the salvation of each one of us is worked in peace and with the pre-suppositions of the basic principles of the rights and duties that derive from the fact that we are members of Christ.

We congratulate you and bestow our Patriarchal blessing and praise, to all who offered hard and long labor for the drawing of the drafts of the now approved Regulations. We hand them over to you so that they henceforth be exactly adhered to and applied by all brother Hierarchs of the Holy Archdiocese of America, the pious Clergy, the God-loving Monks and Nuns and the Christ-loving faithful. Thus, all of you walking in concord, will be able to offer to your fellow citizens a clear evidence of our Orthodox faith, as this is expressed and experienced in the life of Church, the arc of our common salvation, causing joy and praise to our martyr Great Holy Mother Church of Christ and edification in Christ of the Orthodox flock in America. To Christ Jesus the Lord belongs the glory, the honor and the power together with His beginningless Father and the All Holy and Life-Giving Spirit to the ages of ages. Amen.

February 16, 2005

+ BARTHOLOMEW  
Patriarch of Constantinople  
beloved brother in Christ

## **PREAMBLE**

In January 2003, the Holy and Sacred Synod of the Ecumenical Patriarchate granted to the Greek Orthodox Archdiocese of America a new Charter which affirms the unity and oneness of the Greek Orthodox Archdiocese of America and elevated the Dioceses to Metropolises of the Archdiocese. The Charter provides the foundation for the revision of the Regulations of the Archdiocese so they address contemporary issues and needs, reflect the true spirit of the Gospel and our mission as Orthodox Christians in America, and provide for the promulgation of the Regulations to implement the governance of the Archdiocese

In April 2003, Archbishop Demetrios of America directed the Administration Committee of the Archdiocesan Council to lead the work to revise the Regulations of the Greek Orthodox Archdiocese of America. The intense labors of the Administration Committee consisting of Hierarchs, Priests and lay people were enhanced by significant contributions from Archbishop Demetrios, our Metropolitans, the Holy Eparchial Synod, Archdiocesan Council, Metropolis Local Councils, Metropolis Chancellors, Archdiocesan Presbyters Council, Archdiocesan Benefits Committee, Retired Clergy Association and the Archdiocese Administration staff. The Regulations contained herein are the result of that work, a work of high quality, a spirit of unity and responsibility, representing input from over one hundred individuals and well over one thousand hours of cumulative effort.

The Regulations of the Greek Orthodox Archdiocese of America contain the policies, rules, operation procedures and controls to promote effective governance of Church activities at all levels; plus, communications procedures to assure those in positions of responsibility understand these policies, rules and regulations and the obligations of their position.

The proposed Regulations of the Greek Orthodox Archdiocese of America include Part One, Archdiocesan Regulations; Part Two, Uniform Metropolis Regulations; Part Three, Uniform Parish Regulations; and, Part Four, Revision of Regulations.

In July 2004, the proposed Regulations of the Greek Orthodox Archdiocese of America, contained herein, were adopted by the 37<sup>th</sup> Biennial Clergy–Laity Congress in New York City and ratified by the Ecumenical Patriarchate on January 3, 2005.

## DEFINITION OF TERMS

**ARCHBISHOP** The Primate of the Greek Orthodox Archdiocese of America, Exarch of the Ecumenical Patriarch and President of the Synod.

**ARCHDIOCESAN CHARTER or CHARTER** The canonical and jurisdictional grant of authority from the Ecumenical Patriarchate to the Archdiocese on January 18, 2003, together with any modifications or amendments thereto.

**ARCHDIOCESAN CLERGY-LAITY CONGRESS or CONGRESS** The highest legislative body of the Archdiocese in matters other than dogmatic and canonical.

**ARCHDIOCESAN COUNCIL or COUNCIL** The advisory and consultative body to the Archbishop and the Synod as well as the interim decision making body between Congresses. In the alternative, the members thereof.

**ARCHDIOCESAN PRESBYTERS COUNCIL or APC** The representative body of the Clergy of the Archdiocese.

**AUXILIARY BISHOP** A Hierarch who serves under the authority of the Archbishop or a Metropolitan.

**DIRECT ARCHDIOCESAN DISTRICT or ARCHDIOCESAN DISTRICT** The local ecclesiastical see of the Archbishop.

**ECUMENICAL PATRIARCHATE or PATRIARCHATE** The Holy, Apostolic, Patriarchal and Ecumenical Throne of Constantinople.

**EPARCHIAL SYNOD or SYNOD** The Holy Eparchial Synod of the Archdiocese and the ecclesiastical instrument (body) of governance of the Archdiocese comprised of the Archbishop and Metropolitans as members.

**GREEK ORTHODOX ARCHDIOCESE OF AMERICA or ARCHDIOCESE** The eparchy of the Patriarchate in the United States of America, which serves and pastors to the Orthodox Christians who live in the United States of America and the Bahamas.

**HIERARCH** The Archbishop for the Direct Archdiocesan District, Metropolitan for a local Metropolis or Auxilliary Bishop who serves under the authority of either.

**HOLY SYNOD** The Holy Synod of the Ecumenical Patriarchate.

**LOCAL CLERGY-LAITY ASSEMBLY or LOCAL ASSEMBLY** The meeting of the parishes within the Archdiocesan District and each Metropolis.

**LOCAL (METROPOLIS) COUNCIL or LOCAL COUNCIL** The advisory and consultative body to the Archbishop for the Archdiocesan District and to the local Metropolitan for each Metropolis.

**METROPOLIS** An ecclesiastical see of the Archdiocese headed by a Metropolitan.

**METROPOLIS CLERGY SYNDESMOS** The representative body of the Clergy of a Metropolis.

**METROPOLITAN** The head Hierarchy of a Metropolis.

**MONASTERIES** Communities of monastics of the Archdiocese organized and functioning in accordance with the canons of the Church and the Special Regulations pertaining to Monastic Communities.

**PARISH** The local organized eucharistic Orthodox Christian body of communicants within the Archdiocese headed by a Priest.

**PARISH ASSEMBLY** The general meeting of the members of the Parish.

**PARISH COUNCIL** The administrative body of the Parish.

**PRIEST** A canonically ordained clergyman who is a Presbyter.

**PRESIDING PRIEST** The head Priest of a Parish where more than one Priest is assigned.

**REGULATIONS OF THE GREEK ORTHODOX ARCHDIOCESE or REGULATIONS** Including the Archdiocesan Regulations, the Uniform Metropolis Regulations and the Uniform Parish Regulations.

**SPIRITUAL COURTS** The judicial bodies of the Archdiocese having jurisdiction over spiritual and canonical matters.

# **REGULATIONS OF THE GREEK ORTHODOX ARCHDIOCESE OF AMERICA**

*IN THE NAME OF THE FATHER AND OF THE SON AND OF THE HOLY SPIRIT*

## **PART ONE**

### **ARCHDIOCESAN REGULATIONS**

#### **ARTICLE 1 ORGANIZATION OF THE ARCHDIOCESE**

**Section 1:** The Archdiocese, the Eparchy of the Ecumenical Throne in the United States of America is one indivisible entity in its entirety. It is comprised of the Direct Archdiocesan District, headed by the Archbishop, and the Metropolises of the Archdiocese, each of which is headed by a Metropolitan.

**Section 2:** The number, seat and boundaries of each Metropolis are designated by the Synod in consultation with the Archdiocesan Council and are submitted to the Patriarchate for evaluation and decision.

**Section 3:** The Archdiocese has its seat in New York City and is legally incorporated in the State of New York. It is presently comprised of the Direct Archdiocesan District and eight (8) Metropolises, which are incorporated in the State in which their seat is located as follows: Atlanta, Boston, Chicago, Denver, Detroit, New Jersey, Pittsburgh and San Francisco. Such incorporation shall be in conformity with Article 9, Section 2.

**Section 4:** Neither the Archdiocese, or the Archdiocesan District, nor the Metropolises are membership organizations.

#### **ARTICLE 2 GOVERNANCE OF THE ARCHDIOCESE**

**Section 1:** The Archdiocese is governed and administered in accordance with the Faith, Tradition and Holy Canons of the Church together with the provisions of the Charter, these Regulations and the decisions of the Synod and of the Congress.

**Section 2:** Comprised of the Archbishop as President and the Metropolitans as members, the Synod is the ecclesiastical instrument of governance of the Archdiocese.

**Section 3:** Except for dogmatic and canonical matters, the Clergy-Laitly Congress is concerned with matters which affect the life, mission, growth and unity of the Archdiocese. It is the legislative instrument of governance of the Archdiocese.

**Section 4:** Except for dogmatic and canonical matters, the Council is concerned with matters which affect the life, mission, growth and unity of the Archdiocese. The Council is an advisory and consultative body to the Archbishop and the Synod as well as the interim decision making body between Congresses.

**Section 5:** In the event that action becomes necessary between Congresses, the Council shall exercise the authority of the Congress when so convened by the Archbishop and advised as to the purpose and necessity therefor.

### **ARTICLE 3 RESPONSIBILITIES AND RIGHTS OF THE ARCHBISHOP**

**Section 1:** The Archbishop of America presides over the Holy Eparchial Synod and is the Exarch of the Ecumenical Patriarchate in the United States of America and the Bahamas. In his capacity as Archbishop, as President of the Eparchial Synod and as Exarch of the Ecumenical Patriarchate, among his other rights and responsibilities, the Archbishop:

- A. Exercises and performs all of the rights and duties designated for his office by the Holy Canons and the Charter.
- B. Is responsible, together with the Eparchial Synod over which he presides, to the Ecumenical Patriarchate concerning the canonical and orderly functioning, life, governance and activities of the one and indivisible Archdiocese.
- C. Reports to the Ecumenical Patriarchate, to which he forwards an annual report on the status of the entire Archdiocese.
- D. Administers the Archdiocese as a whole and is directly responsible for pastoring and governing his own Archdiocesan District.
- E. Oversees and coordinates, together with the Eparchial Synod and the Archdiocesan Council, the work which is planned and carried out in each Metropolis, through which the unity of the indivisible Archdiocese is secured and enhanced.
- F. Ordains and installs the Metropolitans in their eparchies.
- G. Supports his fellow Hierarchs in a brotherly manner as they implement the unified programs of the Archdiocese.
- H. Presides over the Synod, the Archdiocesan Clergy-Laitly Congresses, the meetings of the Council and the boards of trustees of the major institutions and organizations of the Archdiocese.
- I. Represents the Archdiocese and the Ecumenical Patriarchate in any dealings with all ecclesiastical and civil authorities.
- J. Presides as Exarch of the Ecumenical Patriarchate over Pan-Orthodox councils, meetings and assemblies and promotes and fosters harmony and cooperation among all Orthodox Christians.
- K. Is responsible for intra-Christian and inter-religious activities.
- L. Cultivates and strengthens the bond of unity between the Archdiocese and the Ecumenical Patriarchate.

- M. Presides at the Spiritual Court of the Second Instance.
- N. Distributes the Holy *Myron*, received from the Ecumenical Patriarchate, to the Metropolitans.
- O. Submits the decisions of the Congress on behalf of the Eparchial Synod to the Ecumenical Patriarchate for approval.
- P. Submits the Regulations on behalf of the Eparchial Synod to the Ecumenical Patriarchate for final review and approval.
- Q. Makes the initial placement of a clergyman in consultation with the Metropolitan in whose Metropolis the clergyman will be placed.
- R. Carries out and implements the provisions of the Charter.

#### **ARTICLE 4 CLERGY-LAITY CONGRESS**

**Section 1:** The Archdiocese shall hold a Congress biennially convened by the Archbishop or in special session as he may determine. The location and dates of the Congress shall be determined by the Archbishop in consultation with the Council.

**Section 2:** Except for dogmatic and canonical matters, the Congress is concerned with all other matters which affect the life, mission, growth and unity of the Archdiocese and especially the uniform administration of the Archdiocesan District, the Metropolises and the Parishes. It is also concerned with the educational programs, financial programs and philanthropic concerns of the Archdiocese as well as the participation and role of the Archdiocese in the life of America. The Congress makes such decisions as it deems appropriate.

**Section 3.** The Congress is the legislative instrument of governance of the Archdiocese.

**Section 4:** The presiding officer of the Congress shall be the Archbishop or his designee. The Secretariat shall be appointed by the Chair.

**Section 5:** The Congress is comprised of the Archbishop, the members of the Synod, Auxiliary Bishops, the voting members of the Archdiocesan Council, the Chancellors of the Metropolises, the Vice Presidents of the Metropolis Councils, each of whom are voting Delegates (collectively referred to herein as the "Ex Officio Delegates") and clergy and lay representatives of each Parish in the Archdiocese.

**Section 6:** Each Parish, which is current in its financial obligations to the Archdiocese for the year preceding the Congress, shall be represented by the Parish Priest, the Parish Council President and in his or her absence the Vice President or in his or her absence any member of the Parish Council designated by it, and two (2) persons elected by the Parish Assembly. In the event of need and upon request, a Parish which is not current in its financial obligations to the Archdiocese may be authorized to participate in the Congress by its respective Hierarch.

**Section 7:** Each delegate to the Congress shall be in good standing in a Parish as described in the Article 18, Sections 1 through 3.

**Section 8:** Each delegate to the Congress shall:

- A. Be entitled to one (1) vote on any issue put to a vote. No proxies shall be permitted.
- B. Serve on only one (1) Congress Committee and may not serve on another unless:
  - 1. The work of the first Committee has been concluded; and,
  - 2. No other delegate from the same Parish is serving on the second Committee; and
  - 3. The Chairperson of the second Committee approves the participation of the delegate.
- C. Provide a written report of the proceedings of the Congress together with copies of any written reports that were distributed, to his or her Parishes, at the Parish Assembly immediately following each Congress.

**Section 9:** The Ex Officio Delegates and the Parishes shall be notified in writing of the dates and location of the convening of the Congress no later than one hundred and eighty (180) days in advance of the Congress. This written notice shall be sufficient if published in the official publication of the Archdiocese ("Orthodox Observer").

**Section 10:** Any Parish having issues it wishes considered at the Congress shall:

- A. First obtain the approval of its Parish Assembly;
- B. Present them to the Local Assembly for consideration; and,
- C. If approved, the Metropolis shall transmit them to the Archdiocese for inclusion in the Agenda of the appropriate Congress Committee.

**Section 11:** If the Local Assembly does not meet within one (1) year prior to the forthcoming Congress or within sufficient time for the submission of issues as specified herein, the Parishes in that Metropolis may submit their proposals and recommendations to the Local Council for consideration provided that such proposals and recommendations have been approved by the Parish Assembly of any such Parish and that proof of such approval accompanies the submission. Upon approval by the Local Council and within the time provided for in Section 12 of this Article, the issues shall be submitted to the Archdiocese. In addition, the Local Council may submit, within the time provided for in Section 12 of this Article, to the Archdiocese for inclusion on the Congress agenda, any item approved by a two thirds (2/3) vote of the Local Council.

**Section 12:** In order to assist the Archdiocese in the preparation of the agenda, each Local Assembly or Local Council where applicable shall submit the items which have been approved for inclusion in the agenda of the appropriate Committee of the Congress within thirty (30) days after they have been approved and not later than ninety (90) days before the convening of the Congress, together with the reasons for each item.

**Section 13:** The Archdiocese shall prepare the Agenda for the Congress and shall submit it to the Ex Officio Delegates and the Parishes no later than sixty (60) days prior to the convening of the Congress. It is the responsibility of each Parish to disseminate the Agenda and any other materials pertaining to the Congress to its delegates.

**Section 14:** The decisions of the Congress are submitted by the Synod through its President, the Archbishop, to the Patriarchate for approval. In the event that no response is received from the Patriarchate within ninety (90) days following receipt of the decisions by it, the decisions shall be deemed approved.

**Section 15:** Following approval, the decisions must be faithfully and firmly adhered to by the Archdiocesan District/Metropolises as well as all Parishes, whether or not they were represented at the Congress and regardless of whether they voted with the minority or abstained.

**Section 16:** The Congress or any of its Committees may adopt Rules of Procedure for the conduct of their business.

**Section 17:** Except for canonical and dogmatic matters and insofar as is consistent with this Article and custom and practice of prior Congresses, *Robert's Rules of Order, Newly Revised*, latest edition, shall be the official parliamentary authority for the Plenary Sessions of the Congress.

**Section 18:** A majority of the Parishes of the Archdiocese who are present and represented by one or more delegates shall constitute a quorum.

**Section 19:** A majority vote of the delegates present and voting shall be required in order to adopt any proposals before the Congress except as may be otherwise specified in these Regulations or in *Robert's Rules of Order*, whichever may be applicable.

## **ARTICLE 5 ARCHDIOCESAN COUNCIL**

### **REGULATIONS AND RULES OF PROCEDURE**

**Section 1:** Purpose and Duties:

- A. Except for doctrinal and canonical matters, the Council is concerned with matters and issues that affect the life, growth and unity of the Archdiocese and takes such decisions thereon as are required.
- B. The Council is the advisory and consultative body to the Archbishop and to the Synod.
- C. The Council is concerned with the ministries, institutions and financial affairs of the Archdiocese.
- D. Together with the Synod, the Council interprets and implements the decisions of the Congress.
- E. Together with the Synod, the Council interprets and implements the Regulations adopted by the Congress pursuant to the Charter on matters within its jurisdiction.
- F. The Council exercises interim authority in lieu of the Congress when:
  1. So convened by the Archbishop; and,
  2. Advised as to the purpose and necessity therefor.

- G. The Council has a role with respect to Hierarchical Elections as follows:
1. An advisory opinion regarding the person of the Archbishop to be elected.
  2. A consultative role regarding the qualifications and nomination of candidates for Metropolitan and Auxiliary Bishop.
- H. The Council proposes Regulations for promulgation by the Congress and proposals for Amendment of the Charter.

**Section 2: Membership and Term**

- A. Composition of the Council: The Council shall be comprised of the following voting members:
1. The Archbishop as President
  2. The Members of the Synod
  3. The Auxiliary Bishops
  4. The Chancellor of the Archdiocese
  5. Fifty-one (51) members appointed by the Archbishop who shall serve at his discretion
  6. Each Past President of the Council (or other lay principal officer, howsoever titled)
  7. The Chancellor of the Archdiocesan District, the Chancellors of each Metropolis, the Vice President of the Archdiocesan District Council, the Vice Presidents of the Local Councils, as well as one Clergy and two (2) lay persons from the Archdiocesan District and each Metropolis elected by the Local Assembly held prior to the Congress.
- B. Ex Officio Voting Members (by virtue of their office) as follows: The Presidents or Executive Directors in the event there is no office of "President" of:
1. Archons of the Ecumenical Patriarchate
  2. Archdiocesan Cathedral of the Holy Trinity
  3. Archdiocesan Presbyters Council
  4. Archdiocesan Benefits Committee
  5. Hellenic College/Holy Cross School of Theology
  6. National Forum of Church Musicians
  7. National Ladies Philoptochos Society, or its President's Designee
  8. National Sisterhood of Presvyteres
  9. Retired Clergy Association
  10. St. Basil's Academy
  11. St. Michael's Home
  13. St. Photios National Shrine
  13. Young Adult League
- C. Honorary Members: The President of Leadership 100, President of the Faith Endowment, AHEPA President, as well as others who shall be non-voting members, may be appointed to the Council by the Archbishop. The number of Honorary Members shall not exceed ten (10) and they will serve for a period concurrent with the Council during whose term they are appointed.

- D. All lay members of the Council shall be in good standing in a Parish as described in Article 18, Sections 1 through 3.
- E. Term: The members of the Council, excepting Past Presidents, shall serve for a term beginning at the conclusion of each Congress until the conclusion of the next succeeding Congress or until their successors shall be elected or appointed, whichever is later. The terms of the Ex Officio voting members shall coincide with their term of office in their organization.
- F. Service as a member of the Council is an ecclesiastical ministry and as such constitutes a high honor. For this reason, all voting members of the Council shall execute the Disclosure Statement (attached hereto as **Addendum A-1**) pursuant to the Disclosure Policy (attached hereto as **Addendum A**) prior to assuming their office.
- G. Compensation/Reimbursement: No Council member shall be compensated for his or her services nor shall any member receive reimbursement from the Archdiocese for any expenses incurred in connection with their service as a Council member.
- H. Proxies: No proxies shall be permitted.
- I. Cessation of Membership: Any member of the Council may be suspended or dismissed by the Archbishop or cease to be a member for the following reasons:
  - 1. Unexcused absence from two (2) consecutive meetings of the Council.
  - 2. Conduct unbecoming a member of the Council or inconsistent with the directives and objectives of the Council or not in good standing in his or her Parish as specified in Section D. above.
  - 3. At the discretion of the Archbishop if the member is his appointee.
  - 4. In the event a member is suspended or dismissed for reasons stated under number 2 and that member is on the Council by virtue of his or her office in a Metropolis or by virtue of election by his or her Local Assembly, the Metropolitan in question must concur in the action taken.
  - 5. The submission of a letter of resignation to the Archbishop by a Council member.
  - 6. Failure or refusal to execute a Disclosure Statement as provided in Subsection F. above.
- J. Vacancy: In the event of the resignation, or inability of any member of the Council to serve for any reason, the Archbishop, with respect to his appointees or with respect to the Archdiocesan District or the Metropolitan from whose jurisdiction the member serves, may appoint a successor to serve for the unexpired term.

**Section 3: Officers and Duties:**

A. Officers: The Council shall have the following Officers:

- 1. President: The Archbishop is the President and Chairman and presiding officer of the Council. He convenes meetings of the Council, of the Executive Committee 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.
2. Vice President: a lay person who, upon designation by the Archbishop, shall preside at the meetings of the Council and the Executive Committee. The Vice President shall serve as the Corporate Vice President of the Archdiocese with such authority and powers as are provided for under applicable law. The Vice President shall also undertake such other responsibilities as may be assigned by the President.
  3. Secretary: who shall be responsible for the maintenance and distribution to the proper parties of the minutes of all meetings of the Council, the Executive Committee and of the Congress and shall serve as Corporate Secretary of the Archdiocese with such authority and powers as are provided for under applicable law.
  4. Treasurer: who shall serve as an ex-officio member of the Finance and Audit Committees and shall also serve as the Corporate Treasurer of the Archdiocese with such authority and powers as are provided for under applicable law.
- B. Election: Except for the Archbishop, the Officers of the Council shall be elected from among the members of the Council as nominated by the Archbishop. The Officers shall be elected at the first meeting of the Council following the Congress and shall serve until the next such election.
- C. Vacancy: In the event of a vacancy in any of the foregoing offices, the Archbishop shall appoint the successor.
- D. Term Limits: Neither the Vice President nor the Treasurer shall serve in his or her respective office for more than six (6) consecutive years unless the Archbishop waives this restriction.

**Section 4: Executive Committee:**

- A. Membership: In addition to the Archbishop the following are members of the Executive Committee:
1. The Members of the Synod
  2. The Vice President, Secretary and Treasurer of the Council
  3. Up to six (6) additional members of the Council to serve on the Executive Committee whom the Archbishop may designate, one of which will be the Chairman of the Finance Committee.
  4. Ex-Officio Members without a vote:
    - a. The Chancellor of the Archdiocese
    - b. The Executive Director of Administration of the Archdiocese
- B. Duties: The Executive Committee shall:
1. Have in the interim, between meetings of the Council, all of its authority, excluding legislative and investment powers; provided, however, that it shall have investment powers with respect to the day to day management of the operating funds of the Archdiocese.
  2. Review all matters of a temporal and financial nature of concern to the

- Archdiocese and analyze, study, and propose plans and procedures which will respond to the matters as presented as well as recommend the manner of resolving or effectuating same.
3. Concern itself with such issues as may be presented from time to time by the Archbishop, the Vice President or by designation of the Council or of the Congress.
  4. Retain such outside professionals and experts as it may deem necessary to assist it in its duties.
  5. Prepare the proposed budget with the Archbishop, the Finance Committee and the appropriate heads of the departments of the Archdiocese, for presentation to the Archdiocesan Council, for recommendation to the Congress.
  6. Formulate together with the Archbishop, the agenda for the meetings of the Council and of the Congress.
  7. Present a report, at each Archdiocesan Council meeting, updating the Council on the Executive Committee's activities between Council meetings.
- C. Directors: The members of the Executive Committee shall be the Directors of the Corporate entity of the Archdiocese as may be required by applicable law.
- D. Meetings: Regular meetings of the Executive Committee shall be held at least quarterly as designated and scheduled by the Archbishop. Additional meetings may be called by the Archbishop or a majority of the voting members of the Executive Committee.
- E. Minutes: Minutes of the meetings of the Executive Committee shall be distributed to the members of the Council within thirty (30) days after their acceptance by the Executive Committee. Matters pertaining to personnel or to litigation may be redacted from the minutes.

**Section 5: The Standing Committees and Duties:**

- A. Each Standing Committee is a joint committee of the Synod and of the Council. The Hierarchy who is the Chairman of each corresponding Synodal Committee is the presiding Hierarchy of the Standing Committee of the Council.
- B. The Chairpersons and membership of the Standing Committees of the Council shall be as follows:
  1. In addition to the presiding Hierarchy, any Hierarchy may serve on a Standing Committee as he or the Committee may deem appropriate.
  2. The Chairpersons shall be appointed by the Archbishop in consultation with the Executive Committee.
  3. The Chairperson of the Finance Committee shall be a member of the Executive Committee.
  4. Each Committee shall have no less than five (5) members who are members of the Council and may have other persons serve on the Committees without vote who are not members of the Council.
  5. The Archdiocese staff persons who are responsible for each of the areas of interest of a Standing Committee shall serve as ex-officio members without a vote.

C. Standing and Other Committees:

The charges of the Standing Committees and such other committees as may be established by the Council shall be approved by the Council. The Standing Committees shall be the Finance Committee, the Administration Committee and the Audit Committee.

D. Ex-Officio Members:

Each Standing Committee shall include as ex-officio members without a vote, those Archdiocesan staff persons who are responsible for each of the areas of interest of the Standing Committee in question. In addition, persons who are not members of the Council may be non-voting members of Committees if approved by the Chairperson.

E. Standing Committee Rules:

Each standing Committee may adopt Rules of Procedure for the conduct of its business insofar as such rules do not conflict with the Charter or these Regulations.

**Section 6: Advisory and Consultative Role in Hierarchical Elections**

A. Procedure for Obtaining and Reporting Results of Consultative Process:

1. Each member of the Council shall be requested to provide his or her advice, in writing, regarding his or her recommendation of the person(s) for election to Hierarchical Office.
2. The Secretary of the Synod and the Chancellor of the Archdiocese (or, in the event one or both are eligible candidates, their substitutes, as designated by the Archbishop) and the Consultation Secretary, who shall be appointed by the Archbishop and who is a licensed attorney (collectively the "Consultation Committee"), shall administer the Advisory Process. The Advisory Process shall include, but not be limited to:
  - a. Notifying the members of the Council that their advice is being sought;
  - b. Providing appropriate privilege and security for the consultation process;
  - c. Designating the time limit within which the responses must be received;
  - d. Requiring that each response shall be supported by the reasons for the statements made and signed by the person making the response;
  - e. Requesting that the Archdiocese and every Metropolis in which a candidate for hierarchical office has served make available to it all files pertaining to the candidate;
  - f. Requesting information from any other jurisdiction or communion in which the candidate may have served;
  - g. Reviewing the files provided to it in order to compile a complete biography of the candidate's qualifications. In a case where the candidate's record identifies any material issues that pose a reasonable impediment to the candidate's serving in a hierarchical capacity, further administrative review will be required. In conducting this administrative review, the Consultation Committee shall have the right to interview any persons and to request any additional information from the Archdiocese, the Metropolises and/or any other persons or entities as it may deem necessary.
3. Following the foregoing, the Consultation Committee shall:

- a. Compile and analyze the responses in a summary report in order to reflect the number received, the sources, and disposition of any unfavorable comments received with respect to any candidate, including copies of all of the comments.
  - b. Submit the summary report of the Advisory Process to the Synod.
4. Except as provided otherwise herein, the Consultation Committee shall treat personnel files as confidential and shall disclose the information contained in such files only to the Synod and the Legal Counsel of the Archdiocese if it deems it necessary.

B. Election of the Archbishop:

1. The provisions of Section 6.A. above shall be followed and, the Consultation Committee shall:
  - a. Assist the Synod and the Executive Committee of the Council in evaluating the responses and determining the candidate(s) for inclusion in the Advisory Opinion for submission to the Holy Synod of the Ecumenical Patriarchate.
  - b. Prepare the Advisory Opinion which consists of the names recommended by the Synod and the Archdiocesan Council in a form and format for submission to the Holy Synod ("Summary Report"). The list of candidates should include no fewer than five (5) names, listed in alphabetical order.
2. A special delegation shall be designated to submit the Advisory Opinion to the Holy Synod of the Ecumenical Patriarchate in person. The delegation shall be comprised of the following:
  - a. Three (3) members of the Synod designated by it but not a member of the Synod or other person who may himself be designated as a candidate in the Advisory Opinion;
  - b. The Vice President of the Council and two (2) additional members of the Council designated by the Executive Committee; and
  - c. The Secretary of the Consultation Committee.
3. The delegation shall report to the Council in writing on the substance of its discussions with the Ecumenical Patriarchate within ten (10) days of their conclusion.

C. Election of Metropolitans:

1. Qualifications:
  - a. The provisions of Section 6.A. above shall be followed.
  - b. In every regular meeting of the Synod and in consultation with the Council, the Synod shall review and modify through additions and deletions the list of those eligible for the offices of Metropolitan and Auxiliary Bishop. Those individuals serving as Auxiliary Bishops are automatically included on the list for the office of Metropolitan by virtue of their office.

- c. The qualifications described in Article 14 of the Charter shall be the basis for consideration of a candidate and the “period of sufficient service in the Archdiocese” shall be determined by the Synod.
- d. The members of the Council shall be requested to provide consultative advice with respect to each eligible person, including those whose name has not previously appeared on the list of eligible candidates, no less than thirty (30) days prior to each regular meeting of the Synod. The request for such advice shall be sent to each member of the Council by the Secretary of the Synod.
- e. The responses shall be distributed to the members of the Synod in such form and manner as may be deemed appropriate by the Synod and the Consultation Committee.
- f. The list of eligible persons shall be transmitted to the Ecumenical Patriarchate by the Synod for ratification.
- g. Following ratification by the Ecumenical Patriarchate, the list and/or any updates thereto is published in the *Orthodox Observer* together with a request for comments concerning any of the individuals to be sent in writing to the Consultation Committee.

2. Nominations:

- a. Within forty (40) days following a vacancy in the see of a Metropolis, the Archbishop shall convene the Synod, for the purpose of nominating, after soliciting the opinion of the members of the Council, three (3) persons.
- b. The provisions of Section 6.A. above shall be followed except that the Hierarchical Office for which the nominations are to be made will be stated.
- c. The names of the three (3) persons nominated by the Synod together with the summary report of the Council described in Section 6.A.3. pertaining to those persons shall be transmitted to the Ecumenical Patriarchate.
- d. One of the three (3) nominees shall be elected by the Patriarchate to fill the vacancy in the designated Metropolis.

D. Election of Auxiliary Bishops:

1. The Synod, with the consent of the Archbishop, shall determine the necessity for the election of an Auxiliary Bishop for service in the Archdiocese.
2. The procedure for consultation by the Council in the nomination of candidates for Auxiliary Bishops shall be the same as for the nomination of candidates for the office of Metropolitan except that in case of approval for the election of an Auxiliary Bishop for a specific Metropolis, the local Hierarchy has the right to propose up to three (3) candidates for the position. His recommendation(s) shall be noted on the list of eligible candidates prior to the commencement of the Advisory Process.

**Section 7: Advisory and Consultative Role Regarding Metropolises**

The Archdiocesan Council shall have a consultative role relative to the number, seat and boundaries of each Metropolis as recommended by the Synod.

## **Section 8: Meetings, Quorum and Voting**

### **A. Meetings:**

1. The first meeting of each Archdiocesan Council shall be held following the conclusion of the Congress for the purpose of electing its Officers, establishing its Committees and otherwise organizing its structure for the forthcoming term.
2. Dates: The Council shall hold Regular Meetings at least twice in each year in the fall and in the spring. A schedule of meetings for the forthcoming two (2) year term shall be provided to the members at the first meeting.
3. Place: The location(s) of the meeting(s) shall be set by the Archbishop in consultation with the Executive Committee.
4. Additional or Special Meetings of the Council may be called by the Archbishop for any specific purpose, which purpose shall be stated in the notice of Meeting.
5. Executive Session: Meetings of the Council shall be closed whenever matters involving human resources or litigation are the subject of discussion or action or upon request of the Archbishop or whenever the Council votes by a majority of two-thirds (2/3) to move into Executive Session.
6. Notice:
  - a. No less than thirty (30) days written notice of Regular Meetings, including the agenda and such materials as are pertinent to the items on the agenda, shall be given to the members of the Council.
  - b. Such notice as may be appropriate under the circumstances shall be given to the members of the Council for any Special Meeting.

**B. Communications:** Regular communications from the Archdiocese to each Council Member via e-mail, or other medium where necessary, shall be provided which shall include information concerning matters which are within the responsibility of the Council.

**C. Quorum:** Forty percent (40%) of the voting members of the Council shall constitute a quorum for the conduct of business.

**D. Voting:** Each voting member of the Council shall be entitled to cast one (1) vote on any matter put to a vote. No proxies shall be permitted. A majority of the number of voting members present and voting at any meeting shall be required to act upon any matter put to a vote unless the matter being voted upon requires a greater majority under any applicable laws or rules of procedure.

## **Section 9: Amendments and Procedure to Amend Archdiocesan Regulations**

**A. Procedure:** These Regulations may be amended by a vote of two-thirds (2/3) of the members present and voting at any Regular or Special Meeting of the Council, provided that notice of any such proposed amendment(s) shall be given to the voting members in writing no less than thirty (30) days prior to the meeting at which the proposed amendment(s) will be presented for consideration.

- B. **Effective Date:** Excepting for the provisions of Article 5, Section 2, these Regulations shall be effective immediately upon their adoption on an interim basis and submitted for their approval by the Ecumenical Patriarchate. Any amendments hereto, again excepting Article 5, Section 2, subsequently adopted will become effective on an interim basis upon their adoption by the Council unless otherwise provided.

## **ARTICLE 6 ARCHDIOCESAN PRESBYTERS COUNCIL**

**Section 1:** The purpose of the Archdiocesan Presbyters Council is to serve the needs of the Archdiocese and to enhance and promote the mission of the Priests, their diakonia (ministry), spiritual growth and development.

**Section 2:** The Archdiocesan Presbyters Council shall be comprised of two Priests from each Metropolis elected by their respective Metropolis Clergy Syndesmos at each Congress for a term of two years expiring at the end of the following Congress.

**Section 3:** A meeting of the Archdiocesan Presbyters Council shall be convened at least twice each year by the Archbishop and/or the president of the Archdiocesan Presbyters Council with the approval of the Archbishop.

## **ARTICLE 7 AMENDMENT OF THE CHARTER**

**Section 1:** The Charter, granted by the Ecumenical Patriarchate, regulating the affairs of the Archdiocese as an ecclesiastical institution may be amended in its entirety or in part.

**Section 2:** Recognizing the Patriarchate's canonical authority relative to Charters and recognizing that the Patriarchate also has granted to the Archdiocese the right to request amendments to the Charter, a proposal for amendment may be submitted by the Eparchial Synod or the Council, for inclusion on the agenda of the Congress. Following such submission, an *ad hoc* Committee shall be appointed by the Archbishop to review any proposed amendments and make any recommendations thereon to the Council. Following a review of the proposed amendment(s) as well as the recommendation(s) of the *ad hoc* Committee and upon the approval of the Council by three-fourths (3/4) of the voting members of the Council present and voting, any such proposed amendments shall be placed on the agenda of the Congress for action.

**Section 3:** Approval of any proposed amendment(s) must be by a vote of two-thirds (2/3) of the present and voting delegates to the Congress.

**Section 4:** Following approval by the Congress of any proposed amendment to the Charter, it shall be submitted by the Synod, within ninety (90) days, through its President the Archbishop, to the Patriarchate for approval in its entirety or in part.

**Section 5:** An amendment to the Charter shall become effective upon the date of its approval by the Patriarchate. No further action by the Congress shall be required.

**PART TWO**  
**UNIFORM METROPOLIS REGULATIONS**

**ARTICLE 8**  
**ORGANIZATION**

**Section 1:** In addition to his offices as Archbishop of America and as president of the Synod, the Direct Archdiocesan District is headed by the Archbishop, and each Metropolis of the Archdiocese is headed by a Metropolitan who is a member of the Holy Eparchial Synod of the Archdiocese.<sup>1</sup>

**Section 2:** Each Metropolis shall hold annually, or on such other schedule as approved by the Local Assembly, but in no event later than twelve (12) months prior to the forthcoming Congress, a Regular Assembly of all Parishes within the Metropolis or in special session as may be determined by the Metropolitan.

**Section 3:** Each Metropolis shall have a Local Council and a Local Philoptochos Board, as well as such organizations as may be determined by the Metropolitan.

**Section 4:** Each Metropolis shall have local ministries and institutions governed by the applicable Regulations of the Archdiocese.

**ARTICLE 9**  
**GOVERNANCE OF THE METROPOLIS**

**Section 1:** Each Metropolis of the Archdiocese is governed and administered in accordance with the Faith, Tradition and Holy Canons of the Church together with the provisions of the Charter, these Regulations and the decisions of the Synod and of the Congress.

**Section 2:** Each Metropolis is incorporated under applicable civil law pursuant to uniform Articles of Incorporation and Bylaws provided by the Archdiocese.

**Section 3:** Until such time as “Uniform Bylaws” are provided by the Archdiocese to the Metropolises, the Uniform Metropolis Regulations, as may be amended from time to time, shall be deemed the Metropolis Bylaws.

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<sup>1</sup> Because the Archbishop is also the presiding Hierarchy of the Direct Archdiocesan District, the term Metropolitan when used throughout this Uniform Metropolis Regulations shall also apply to the Direct Archdiocesan District, unless stated otherwise.

**ARTICLE 10**  
**RESPONSIBILITIES AND RIGHTS OF THE METROPOLITAN**

**Section 1:** Each Metropolitan within his ecclesiastical district and the Archbishop in his Direct Archdiocesan District have the rights and responsibilities of a Bishop in accordance with the Holy Canons and the long established life, praxis and order of the Church as well as the provisions of this Charter, including the exclusive right to occupy the throne behind the altar (*Synthronon*).

**Section 2:** Among other rights and responsibilities, each Metropolitan:

- A. Attends meetings and participates in the work of the Synodal Committees, as a member of the Eparchial Synod.
- B. Reports to the Archbishop to whom he forwards an annual report on the diakonia and spiritual well being of his Parishes, and informs the Priests, the Local Council, and his Parishes of these matters.
- C. Ordains, assigns and transfers Clergy within his Metropolis, by virtue of the authority of his office and in accordance with the Canons, Charter and ecclesiastical procedures.
- D. Distributes to the Parish Priests the Holy *Myron* (Chrismation Oil), received from the Ecumenical Patriarchate, through the Archbishop and issues the ecclesiastical licenses and certificates for all sacraments within the Metropolis.
- E. Has his *pheme* (Bishop's Anthem) canonically chanted during the Divine Liturgy.
- F. Presides at the Spiritual Court of the First Instance.
- G. Receives from each Priest in his Metropolis a yearly report of his ministry.
- H. Issues the final decision on any problem which may arise between a Parish Priest and the Parish Council.
- I. Ratifies elections of the Parish Councils and may grant special permission to the President or Treasurer of a Parish Council to serve in such office for more than six consecutive years.
- J. In the event he declines to ratify the election of one or more of the persons elected to the Parish Council, he shall state his reason for such action and shall direct the Parish to conduct a special election to fill the vacancy(ies) thus created. He may appoint persons to serve as interim members of the Parish Council until such election is held. In the event he declines to ratify the election of a majority or more of the members of a Parish Council, he shall first consult with the Archbishop, except in a situation in which a Parish does not meet its Total Commitment financial obligation and/or reporting requirements as set out in Article 34, Section 8.
- K. May dismiss any member of the Parish Council from office whenever in his judgment there is sufficient cause for such action, as specified in Article 24, Section 5.A. In the event he needs to remove a majority or more of the members of a Parish Council, he shall first consult with and obtain the consent of the Synod. In the event of any such removal, the Metropolitan shall appoint an interim Parish Council or interim members thereof, designate the time when elections may be scheduled to fill the vacancy(ies) thus created and determine whether any person(s) removed from office may be a candidate(s) for office.
- L. Receives annually from each Parish Council a financial statement for the ensuing year as well as a budget and balance sheet for the prior year certified by the Parish Audit Committee.

- M. Approves the purchase, sale, lease, mortgaging or other encumbrance of the real property of a Parish. (See Article 16, Section 3 for procedure.)
- N. Receives and reviews all applications for permission to organize a new Parish and may grant such permission after reviewing the information provided, consulting with existing neighboring Parishes and otherwise obtaining and reviewing such information as he deems appropriate. Upon the issuance of an Ecclesiastical Charter by the Archdiocese, he shall assign a Priest to the Parish. (See Article 20)
- O. Has the responsibility and authority to recommend to the Archbishop revocation of the Ecclesiastical Charter of a Parish in the event that he deems it necessary.
- P. Will oversee each Parish in his Metropolis, evaluating its life and progress, advising it and ensuring its conformity with the faith, tradition, and holy canons of the Church, together with the provisions of the Charter and these Regulations.

## **ARTICLE 11 LOCAL (METROPOLIS) CLERGY-LAITY ASSEMBLIES**

**Section 1:** Except for dogmatic or canonical issues, the Local Assembly concerns itself with matters affecting the life and growth of the Parishes and communities within the Metropolis. It deals with matters of common concern including the uniform governance of the Parishes, educational programs, financial programs, and philanthropic concerns as well as with the better organization and effectiveness of the Parishes. The Local Assembly also submits proposals and recommendations to the Archdiocese for submission to the next Congress.

**Section 2:** It meets annually, or on such other schedule as approved by the Local Assembly, but in no event later than twelve (12) months prior to the forthcoming Congress, or in special session as may be determined by the Metropolitan.

**Section 3:** The convenor and presiding officer (President) of the Local Assembly shall be the Metropolitan or his designee. The Secretariat shall be appointed by the Chair.

**Section 4:** The Local Assembly is comprised of the Metropolitan, the Chancellor of the Metropolis, the members of the Local Council, the Vice President of the Metropolis Philoptochos Board, members of the Archdiocesan Council within the Metropolis and Clergy and lay Representatives of the Parishes.

**Section 5:** Each Parish shall be represented by four (4) representatives, each having one vote and shall include:

- A. The Parish Priest;
- B. The President of the Parish Council, and in his or her absence the Vice President, or in his or her absence any member of the Parish Council designated by it; and
- C. Two members of the Parish elected by the Parish Assembly.

**Section 6:** Each representative to the Assembly shall be in good standing in a Parish as described in Article 18, Section 1.

**Section 7:** Each representative to the Assembly shall:

- A. Be entitled to one (1) vote on any issue put to a vote. No proxies shall be permitted.
- B. Provide a written report of the proceedings of the Assembly together with copies of any written reports that were distributed, to their Parishes, at the Parish Assembly immediately following each Local Assembly.

**Section 8:** Parishes shall be notified in writing no later than ninety (90) days in advance and be provided with an agenda no later than sixty (60) days in advance of the convening of the Local Assembly.

**Section 9:** Any Parish having items it wishes considered at the Congress or Local Assembly shall:

- A. First submit them to the Parish Assembly for approval, and if approved
- B. Send a copy of the approved items together with the necessary documentation to the Metropolis, following which it
- C. May present them on the floor of the Local Assembly for consideration and, if approved by the Local Assembly, they shall be included in the items submitted to the Archdiocese.

**Section 10:** If the Local Assembly does not meet within one (1) year prior to the forthcoming Congress or within sufficient time for the submission of issues as specified herein, the Parishes in that Metropolis may submit their proposals and recommendations to the Local Council for consideration providing that such proposals and recommendations have been approved by the Parish Assembly of any such Parish and that proof of such approval accompanies the submission. Upon approval by the Local Council and within the time provided for in Section 12 of this Article, the issues shall be submitted to the Archdiocese.

**Section 11:** In order to assist the Archdiocese in preparing the agenda of the Congress, each Local Assembly shall submit items for inclusion in the agenda together with the reasons therefor to the Archdiocese within thirty (30) days after they have been approved by the Local Assembly, and not later than ninety (90) days before the convening of the Congress.

**Section 12:** At the Local Assembly held within the designated period prior to the Congress, except for the Vice President of the Local Council and the Chancellor of the Metropolis who are *ex officio* members, the members from the Metropolis to the Archdiocesan Council for the term commencing at the conclusion of the forthcoming Congress shall be elected. In the event of a vacancy pertaining to the *ex officio* or elected members of the Council from the Metropolis, the Metropolitan shall designate a successor to serve the balance of the term involved and advise the Archdiocese, accordingly.

## **ARTICLE 12 LOCAL (METROPOLIS) COUNCILS**

**Section 1:** The Local Council is the advisory and consultative body to the Metropolitan and is concerned with the life and growth of the Metropolis, its ministries, institutions and financial condition.

**Section 2:** The Local Council shall be comprised of the Metropolitan, the Chancellor, eight (8) Clergy of the Metropolis and eight (8) Laity elected by the Local Assembly as a whole, as well as appointees by the Metropolitan from the Clergy and Laity totaling no more than eight (8) persons. Legal Counsel for the Metropolis may attend meetings of the Local Council, at the request of the respective Hierarch. Its members shall serve for a two-year term commencing at the conclusion of each Congress.

**Section 3:** The appointed members of the Local Council serve at the pleasure of the Metropolitan and may be removed by him at any time with a proper explanation. The elected members of the Local Council may be removed for any of the reasons specified in the Regulations pertaining to the members of the Archdiocesan Council. (See Article 18, Sections 1 through 3). All voting members of the Local Council shall execute the Disclosure Statement (attached hereto as **Addendum A-2**) pursuant to the Disclosure Policy (attached hereto as **Addendum A**) prior to assuming their office.

**Section 4:** Meetings and Interim Authority:

- A. The Local Council shall be convened at least twice annually by the Metropolitan as well as in special session as he may determine, together with the reason(s) therefor.
- B. The Local Council exercises interim authority in lieu of the Local Assembly when:
  - 1. So convened by the Metropolitan; and
  - 2. Advised as to the purpose and necessity therefor.

**Section 5:** In addition to the Metropolitan as President, the Local Council shall have a Vice President, who shall be a lay person, a Secretary, a Treasurer and such additional officers as nominated by the Metropolitan and elected at the first meeting of the Local Council following the Congress. Neither the Vice President nor the Treasurer shall serve in their respective offices for more than six (6) consecutive years, unless the Metropolitan waives this restriction.

**Section 6:** Standing and Other Committees: The charges of the Local Council standing committees and such other committees as may be established by the Local Council shall be approved by the Local Council. The standing committees shall be the Executive Committee and the Audit Committee.

## **ARTICLE 13 METROPOLIS CLERGY SYNDESMOS**

**Section 1:** The purpose of the Metropolis Clergy Syndesmos is to serve the needs of the Metropolis and to enhance and promote the mission of the Priests, their diakonia (ministry), spiritual growth and development.

**Section 2:** The Metropolis Clergy Syndesmos shall be comprised of all the clergy of the Metropolis.

**Section 3:** A meeting of the Metropolis Clergy Syndesmos shall be convened at least twice a year by the Metropolitan and/or the president of the Metropolis Clergy Syndesmos in consultation with the Metropolitan.

**ARTICLE 14**  
**PROPERTY OF THE METROPOLIS**

**Section 1:** In the event of any purchase, sale, lease, mortgaging or other encumbrance of any real property of a Metropolis and pursuant to the prior approval of the Local Assembly and the Local Council, the Metropolis, through the Metropolitan, shall submit a written request including all documentation as may be appropriate and required to the Archdiocese for approval. In the case of the acquisition of realty, the acquisition of realty with an existing structure or the construction of a church edifice or other buildings, a request for the approval of the Archdiocese shall be submitted to the Archdiocesan Council, which shall review the request and render its decision in writing within thirty (30) days of the receipt of the request or the receipt of the last information which may be required, whichever is later. In the event that no decision is rendered within such time, the consent shall be deemed to have been granted.

**Section 2:** All transfers of money or other property to a Metropolis shall be deemed to be gifts unless, prior to the transfer, the Metropolis acknowledges in writing that said transfer is a loan.

## **PART THREE**

### **UNIFORM PARISH REGULATION**

#### **CHAPTER ONE PARISH AND PARISH ORGANIZATION**

##### **ARTICLE 15 PARISH**

**Section 1:** The Parish is the local eucharistic community of the Church in a given locality; organized under the jurisdiction of the Archdiocese whose ecclesiastical authority is its canonically consecrated Hierarchy. Locally, the Parish is headed by a canonically ordained and duly appointed Priest. The assignment of such appointed Priest shall bind the Parish to the Archdiocesan Regulations, Uniform Metropolis Regulations and Uniform Parish Regulations with the same force and effect as if the same were formally approved and adopted by the Parish.

**Section 2:** The aims and purposes of the Parish are to keep, practice and proclaim the Orthodox Christian Faith pure and undefiled.

**Section 3:** Parishes shall be governed in accordance with the holy canons, the Archdiocesan Charter and Regulations promulgated thereunder, and, as to canonical and ecclesiastical matters, by the decisions of the Holy Synod of the Ecumenical Patriarchate and the Eparchial Synod of the Archdiocese. In accordance with the Charter, 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, as interpreted by the practice of the Ecumenical Patriarchate.

**Section 4:** The diakonia (ministry) of the Parish will include proclaiming and teaching the Gospel in accordance with the Orthodox Faith; sanctifying the faithful through God's grace in worship, the Divine Liturgy and the other sacraments; enhancing its parishioners' spiritual life; and adding to the numbers of the faithful by receiving persons into the Church through instruction, baptism and/or chrismation. In addition, 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 Archdiocese.

**Section 5:** The Parish shall conform faithfully to the worship, sacramental life, doctrines, canons and discipline of the Church. It shall also adhere to the Archdiocesan Charter, the Regulations and all Hierarchical encyclicals.

**Section 6:** Any non-conformance with the foregoing shall be dealt with in accordance with the provisions of the canons. The Archbishop, upon the recommendation of the local Metropolitan, shall have the authority to revoke the ecclesiastical charter of a Parish, if, in his judgment, there is sufficient cause for such action. In each such case, notice of the revocation, stating the cause for such action, shall be forwarded to the Parish Council in writing.

**Section 7:** The Parish shall furthermore abide by the decisions of the Clergy-Laity Congresses irrespective of whether it was represented thereat, the administrative determinations of the Archdiocesan Council, and such interim legislation as may be adopted between Congresses by the Archdiocesan Council.

**Section 8:** Each Parish shall be known as the (name) Greek Orthodox Church of (locality). Each Parish shall use the authorized logo of the Archdiocese and the name of the respective Archdiocesan District/Metropolis on its stationery and publications, in accordance with the Archdiocesan Graphics Standards Manual.

## **ARTICLE 16 PARISH PROPERTY**

**Section 1:** The Church edifice and other buildings constituting Parish property shall be used in accordance with the Charter 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 Article 15.

**Section 2:** 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 civil law. [The personal property shall only include property which is deemed to be real estate or which may create a lien upon real estate under the provisions of local law or any provisions of the Internal Revenue Code.] The Parish Council, in consultation with the Priest, shall administer such property for the benefit of the Parish.

**Section 3:** The Parish may purchase real 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 Assembly duly called (with at least ten (10) days prior written notice) for that purpose, provided that approval from the respective Hierarch is received, as follows:

- A. The Parish's request for approval to the respective Hierarch shall be in writing and shall include the following documents:
  - 1. A copy of the notice of the Parish Assembly certifying the date of mailing;
  - 2. A copy of the minutes of the Parish Assembly signed by the Priest, Chairman and Secretary of the Assembly;
  - 3. A survey of the realty and improvements, if any;
  - 4. A description of the surrounding area, including its relationship to other Parishes, if any;
  - 5. Financial statements as to the financing of the property/project including, but not limited to, the cost, the manner and terms of purchase, and the contemplated sources of income for payment and maintenance thereof; and

6. Such other information as shall be pertinent or as may be requested by the respective Hierarchy.
- B. The respective Hierarchy shall consult with the Archdiocesan District/Metropolis Council in reviewing the Parish's request and may also appoint an *ad hoc* committee comprised of persons with expert knowledge and experience in finance, real estate, building construction and such other matters to advise him and the Local Council executive committee in their review. In the event that the respective Hierarchy determines that additional information is needed from the Parish in order to appropriately review its request, he shall request any such information from the Parish within fifteen (15) days of receipt of the Parish's submission.

**Section 4:** Parishes shall maintain the architectural, iconographic and artistic integrity of all Church edifices in accordance with Orthodox tradition. For that reason, Parishes shall submit to the respective Hierarchy, for his prior approval related to aesthetic and dogmatic concerns, all preliminary plans for:

- A. The erection of a church structure or other Parish building;
- B. Any major structural alteration to an existing church structure or other Parish building; or
- C. The iconography or any appointments of a Church structure.

All final plans shall also be submitted to the respective Hierarchy for his prior approval.

A Hierarchy's review and approval under this Section shall be limited solely to aesthetic and dogmatic issues and no review by the Hierarchy shall be deemed to extend to or constitute a review or approval of engineering, architectural or mechanical plans, state or local safety or building code compliance or any other structural matter.

**Section 5:** All special contributions, bequests, gifts, and devises beyond Stewardship shall be used by the Parish only for the purposes for which they were made.

**Sections 6:** Based on the recommendation of the local Metropolitan, that a Parish is in heresy, schism, or defection from the Archdiocese, the Archbishop may declare the Parish in canonical disorder and may assume the administration of the Parish and control of its properties until the Archbishop, in consultation with the Metropolitan, declares the Parish to be in canonical order. In the event that the Archbishop, in consultation with the Metropolitan, determines that the Parish cannot be restored to canonical order, the title to properties shall vest in the Archdiocese. If under applicable law, title may not vest automatically in the Archdiocese, title shall vest in an ecclesiastical corporation controlled by the group of parishioners that the Archdiocese determines remains loyal to it.

**Section 7:** In the event that a Parish is deemed to be in canonical disorder and title to the Parish properties is vested in the Archdiocese, the Archbishop and the respective Hierarchy are authorized to sign any deed or other document as may be necessary.

## **ARTICLE 17 CLERGY**

**Section 1:** The Priest by virtue of his canonical ordination and assignment heads and administers the Parish and exercises on its behalf the 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. 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 respective Hierarchy and will submit a report of their ministry to him at least annually. The Eparchial Synod shall determine the format for these reports.

**Section 2:** Clergy entering the Archdiocese from the Holy Cross School of Theology, or otherwise, shall be initially placed by the Archbishop in consultation with the respective Hierarchy. Clergy are assigned or transferred by the respective Hierarchy within his Archdiocesan District/Metropolis by virtue of the authority of his office and in accordance with the canons, ecclesiastical procedure and the needs of the Archdiocesan District/Metropolis. Clergy may be transferred between Metropolises in accordance with the provisions of the Archdiocesan Charter, Article 16, "Assignment and Transfer of Clergy." Prior to the assignment or transfer of a Priest, the respective Hierarchy(s) shall inform all affected Parish Councils of the assignment/transfer upon consultation with the respective Priest and the respective Parish Council.

- A. In accordance with the canons and ecclesiastical procedure, neither the Parish Council nor the Parish Assembly is authorized to dismiss a Priest.
- B. All transfers and assignments and changes in a Priest's status shall be reported to the Archdiocese in a timely manner.

**Section 3:** 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 related personnel. He shall determine the usage of all sacred vessels and appointments. He shall personally maintain the register books for all marriages, baptisms, chrismations, and funerals that take place at the Parish. In addition, the Priest must submit registry records and completed ecclesiastical marriage licenses to his respective Hierarchy in a timely manner. He shall also promptly submit all required civil marriage licenses and documents to the appropriate governmental authorities in a timely manner.

**Sections 4:** When transferred, reassigned or removed, the Priest shall deliver to his respective Hierarchy or his successor as may be appropriate: 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 the respective Hierarchy, his successor and the Parish Council.

**Section 5:** Where more than one Priest is assigned to a Parish, the head of the Parish Clergy is the Presiding Priest. Any other Clergy shall be directly responsible to him. The assignment of additional Clergy to a Parish shall be made by the respective Hierarchy in consultation with the Presiding Priest.

**Section 6:** When a Priest must be reassigned for any reason, the respective Hierarchy will make every effort to give him another assignment. In the event that a Priest is removed without cause, or cannot perform his priestly duties, and has not arbitrarily refused reassignment, the Archdiocese will provide for maintenance of his current remuneration and benefits, until he is reassigned, provided he does not refuse reassignment.

**Section 7:** Subject to canonical tradition, in the event that the service of a Priest in a Parish is interrupted for any reason and he cannot be reassigned by the respective Hierarchy, the Priest shall have the right to request to appear before the Synodical Committee on Clergy Affairs for resolution of his case. In the event of the dismissal of a Priest for canonical reasons the rule of Spiritual Court shall apply.

**Section 8:** The Archdiocesan Council and the Archdiocesan Benefits Committee will establish remunerative standards for the Clergy. These standards, for the following year, shall be sent to each Parish annually, by September 30.

- A. After the review and approval of the respective Hierarchy, each Parish shall be obliged:
1. To assume the moving and travel expenses when a Priest is assigned to a Parish.
  2. To compensate the Priest appropriately according to the established remunerative standards for the Clergy as found in the Clergy Compensation Plan.
  3. To provide a housing allowance or a parish house including the payment of all utilities for such parish house. This designation is to be in the form of a Parish Council resolution and should be designated in advance of payment.
  4. To provide the family Orthodox Health Plan Coverage (or single coverage as applicable).
  5. To pay the full cost of existing Social Security (FICA/SECA) coverage at the full self-employment rate.
  6. To either purchase or lease an automobile for use by the Priest and cover all related expenses.
  7. To defray all expenses incurred in attending Clergy-Laity Congresses or Local Assemblies.
  8. To provide for an annual vacation period of fifteen (15) calendar days, plus an additional week for each five (5) years of ordained service (up to a maximum of five (5) weeks), regardless of the amount of time served in his current Parish. Prior to absenting himself from his Parish, a Priest shall obtain written permission from the respective Hierarchy.
  9. To provide for a paid sabbatical of three (3) months after six (6) years of continuous service in the same Parish.
- B. No Parish shall reduce, withhold or adversely alter a Priest's remuneration without the consent of the respective Hierarchy.

**Section 9:** Should a Priest become seriously ill or disabled while in the service of a Parish, he shall be compensated fully by the Parish during such illness for a period of at least three (3) months and at fifty percent (50%) for the next three (3) months.

**Section 10:** At every reasonable and practical opportunity, as approved by the respective Hierarchy, each Priest shall be encouraged to pursue his ongoing education by attending workshops, seminars and appropriate continuing education programs. The Parish, if approved by the Parish Council, shall subsidize the cost of such education and the Priest will receive his remuneration during this period.

**Section 11:** It shall be mandatory for each Priest to join and maintain current his participation in the Archdiocesan Pension Program and the Orthodox Health Plan in accordance with the provisions of said program/health plan.

## **ARTICLE 18 PARISHIONERS**

**Section 1:** Every person who is baptized and 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; participate regularly in the holy sacraments; 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.

A parishioner in good standing practices all the religious and moral duties as described in this Section 1. At a minimum, a parishioner in good standing must: be eighteen years of age or over; be current in his or her stewardship and other financial obligations to the Parish, abide by all the regulations herein stated and the Parish Bylaws; and cooperate in every way towards the welfare and well being of the Parish. (Stewardship is recommended to be ten percent (10%) of one's annual income as stated in Holy Scripture to help meet the financial obligations of the Parish, the Metropolis and the Archdiocese.)

**Section 2:** Any person wishing to be a parishioner in good standing in more than one Parish must remit his or her Stewardship financial obligation to each Parish as stated in Section 1 of this Article. A parishioner wishing to move from one Parish to another must present a letter of transfer from the Priest of the Parish from which he or she is moving stating that he or she is in good standing.

**Section 3:** No person shall be deemed a parishioner in good standing while: not adhering to the standards outlined in Sections 1 and 2 of this Article; retaining affiliation in an Orthodox Parish which defies the jurisdiction or the ecclesiastical authority of the Archdiocese; being a member of or practicing a non-Orthodox faith or other religion; and deliberately disregarding and transgressing the moral law of the Church.

**Section 4:** The Priest shall judge any cases of special circumstances justifying the waiver of a parishioner's stewardship financial obligations.

**Section 5:** A parishioner in good standing has the right to attend, participate and vote at Parish Assemblies, as well as to vote in Parish Council elections. Each such

parishioner may also be nominated for election to the Parish Council or to represent the Parish at a Local Assembly or the Congress.

**Section 6:** An Orthodox Christian parishioner in good standing at his or 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. A parishioner may serve as a sponsor in another Parish by presenting a letter of good standing from his or her home Parish Priest.

**Section 7:** Each Parish shall maintain a Parish Record which shall 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 19 PARISH MINISTRIES AND ORGANIZATIONS**

**Section 1:** All Parish ministries and organizations shall be under the guidance and supervision of the Priest.

**Section 2:** A communicant under 18 years of age may be a member of any Parish youth organization, irrespective of whether his or her parents are parishioners in good standing of the Parish, upon approval of the Priest.

**Section 3:** Each Parish shall endeavor to have at least the following ministries: Chanter(s); a Choir; Acolytes; a Sunday (Catechetical) School; a Greek Language/Cultural School; chapters of the Greek Orthodox Youth of America (GOYA), Young Adult League (Y.A.L.), a Junior Orthodox Youth (JOY) program; a chapter of the Ladies Philoptochos Society; an Outreach and Evangelism Ministry; and such other ministries as are necessary to meet the spiritual and cultural needs of the Parish.

**Section 4:** The Bylaws of any Parish organizations shall comply with the Charter and Regulations and shall be subject to the approval of the Priest, Parish Council and the respective Hierarchy.

## **ARTICLE 20 ORGANIZING NEW PARISHES**

**Section 1:** New Parishes shall be organized according to the following procedure: When a Hierarchy determines that an area of his Archdiocesan District/Metropolis 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 Archdiocese. The committee shall assist the Orthodox Christian communicants in the area and provide sufficient evidence to satisfy the respective Hierarchy that a Parish can be supported in that locality. The prospective Parish shall form an Organizational Committee including at least the following subcommittees:

- A. A Planning Committee to study, analyze and formulate an overall program and prepare a proposed budget for the Parish;
- B. A Fund-Raising Committee;
- C. A Real Estate Committee to investigate, select and arrange for buildings and other facilities for the Parish's immediate needs; and
- D. A Stewardship/Membership Committee to prepare a complete list of the families and number of adults/children to be served by the Parish.

**Section 2:** Upon receipt of an application for permission to organize, the respective Hierarch shall provide the proposed Parish with a copy of the Archdiocese's Articles of Agreement for Organization of Parishes. The respective Hierarch shall consult with existing Parishes in the applicable geographic area. If the respective Hierarch decides, in his discretion, to grant permission to organize, he or his representative shall call an organizational meeting of those who signed the application. He or his representative shall preside at the organizational meeting. During the organizational meeting, an interim Parish Council shall be elected to serve until such time as the Parish is fully organized and accepts these Regulations. Together with his recommendation, the respective Hierarch shall submit to the Archdiocese copies of:

- A. All correspondence between the Metropolis and the Parish;
- B. All documents submitted by the proposed Parish;
- C. The minutes of the organizational meeting; and
- D. Any other pertinent information.

**Section 3:** Upon acceptance by the new Parish of the Archdiocesan Articles of Agreement for Organization of Parishes, the Charter, and these Regulations, and together with the recommendation of the respective Hierarch, the Archbishop will grant to the new Parish an ecclesiastical charter.

**Section 4:** The Priest and the interim Parish Council shall be authorized, by virtue of the issuance of the ecclesiastical charter, to take all necessary steps to incorporate the Parish. The Parish's Articles of Incorporation/Articles of Organization and Bylaws, shall conform to all Archdiocesan requirements for such documents and shall be filed with the Archdiocese for review and approval prior to any other use or filing.

**Section 5:** After the legal incorporation of the Parish, a Parish Council shall thereafter be elected, for a full term, in the manner prescribed in these Regulations.

**Section 6:** Any failure to comply with this Article may subject the Parish to revocation of its ecclesiastical charter under the provisions of Article 15, Section 6.

**Section 7:** The respective Hierarch will assign a Priest to a new Parish, if one is available. The respective Hierarch will serve new Parishes, which do not yet have a permanent Priest; Parishes, which are in the process of organizing; and existing Parishes with fewer than fifty (50) families of the faithful in remote locations. An ecclesiastical charter shall not be granted to a new Parish except as specified in these Regulations.

**ARTICLE 21  
ORGANIZATION AND PARISH BYLAWS**

**Section 1:** All Parishes must maintain and file Articles of Incorporation/Articles of Organization, Bylaws and/or other applicable corporate documents. All such documents shall comply with Archdiocesan requirements as such requirements may be amended, from time to time, by the Archdiocese. Parish Bylaws shall incorporate these Regulations by reference and may also include such additional provisions as shall be deemed necessary, by the Parish Assembly, to meet local needs. However, in the event of a conflict between a Parish's Articles of Incorporation/Articles of Organization, Bylaws or any other Parish document and these Regulations, the provisions of these Regulations shall govern. In the event that the Bylaws of a Parish do not specifically incorporate all of these Regulations by reference, they shall be deemed to do so.

**Section 2:** Upon the assignment of a Priest by the respective Hierarch, the Parish accepts and agrees to comply with the Charter and Regulations of the Archdiocese. A Parish's Articles of Incorporation/Articles of Organization, Bylaws and any other applicable corporate documents shall be submitted to the Archdiocese through the Metropolis for review and approval. 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 Archdiocese's and/or respective Archdiocesan District/Metropolis' 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 22  
NON-VIABLE PARISHES**

**Section 1:** When it is determined by the Parish Council that the Parish is incapable of sustaining itself and wishes to be dissolved, a Parish Assembly shall be called. If three-fourths (3/4) of the existing parishioners in good standing favor such dissolution or in the event that a Parish has been disbanded and a Parish Assembly cannot be called, the Archbishop in consultation with the respective Hierarch shall have the authority to declare the said Parish dissolved or disbanded and its properties shall devolve to the Archdiocese. The Archdiocese, in consultation with the respective Hierarch, shall apply the net proceeds of any property sale for the benefit of a Parish(es) in the same Archdiocesan District/Metropolis.

**Section 2:** The respective Hierarch has the authority to recommend revocation of the ecclesiastical charter of a Parish in the event he deems the Parish to be non-viable.

**ARTICLE 23  
MERGER OF PARISHES**

**Section 1:** 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 Assemblies for each Parish shall be duly called, with at least ten (10) days written notice. A quorum must be present at each Parish Assembly. Approval of the merger shall require the approval of all Parish Assemblies by two-thirds (2/3) vote

of the Parishioners present and voting at the Parish Assemblies. The consent of the respective Hierarchy shall also be required for the merger of Parishes.

## **CHAPTER TWO PARISH COUNCIL**

### **ARTICLE 24 PARISH COUNCIL**

**Section 1:** To serve on a 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 all aspects of life. The Parish Council shall consist of the Priest, as the head of the Parish, and a number of elected lay members fixed by the Parish Bylaws or by local statute according to the needs of the Parish. The Parish Council is responsible to the Parish Assembly and to the respective Hierarchy for conducting all Parish affairs in keeping with the mission, aims and purposes of the Church as set forth in the Charter and these Regulations. The Parish Council shall be deemed to mean also Board of Trustees or Board of Directors when such designations are required by local statute. The Priest shall be a non-voting member of the Parish Council.

**Section 2:** The officers of the Parish Council shall be a President, a Vice President, a Secretary, a Treasurer, and such other officers as the Parish Bylaws require.

**Section 3:** The members of the Parish Council are elected for a term not to exceed three (3) years by the parishioners in good standing.

**Section 4:** No employee of the Parish may serve on the Parish Council, the Board of Auditors, or the Board of Elections.

**Section 5:** 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.

he respective Hierarchy.

- 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 Archdiocese; (3) does not recognize the duly constituted ecclesiastical authorities of the Metropolis or Archdiocese; (4) is guilty of a serious moral transgression; or (5) has violated his or her affirmation of office; or (6) has engaged in actions which do not further the administrative or spiritual well being of the Parish, the Metropolis or the Archdiocese.
- B. In the event that the Priest believes that the removal of a Parish Council member is required for one of the reasons listed in subsections (1) through (5) above, the Priest shall submit his recommendation, in writing, for the removal of the member to the respective Hierarchy.

- C. If, the respective Hierarchy, upon the recommendation of the Priest, 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 subsections (1) through (5) above, the respective Hierarchy shall render a decision regarding the matter and shall notify the Priest and Parish Council of such decision. If any member(s) of the Parish Council is (are) removed, the matter shall not be brought before a Parish Assembly.
- D. Prior to removing all or a majority of the members of a Parish Council for any reason(s) during the same twelve (12) month period, the respective Hierarchy shall consult with and obtain the consent of the Synod.
- E. When an individual or individuals are removed from the Parish Council by the respective Hierarchy, the vacancy(ies) created shall be filled through direct appointment by the respective Hierarchy, with a recommendation from the Priest and Parish Council, 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 Hierarchy may determine, but in no event longer than twelve (12) months.

**Section 6:** Members of the Parish Council must attend Parish Council meetings. No proxies are permitted. To the extent permitted by applicable law, 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 or her office upon prior notice to the member and the majority vote of the Parish Council.

**Section 7:** Except as specified above with respect to removals by the respective Hierarchy, a vacancy on the Parish Council shall be promptly filled by the Parish Council by electing a successor therefor 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 at which officers are elected, the vacancy shall be filled after the election of Parish Council officers.

**Section 8:** All newly appointed members who fill a vacancy of the Parish Council, must attend a Parish Council Seminar to be conducted by the Priest prior to taking the affirmation of office and assuming the duties of their position.

## **ARTICLE 25 ELECTION OF PARISH COUNCIL**

**Section 1:** Members of the Parish Council shall be elected by parishioners in good standing of the Parish in accordance with the Regulations and the Parish Bylaws. The election of the members of the Parish Council shall be held no earlier than the first Sunday in November, and no later than the second Sunday in December.

**Section 2:** 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 or her life in accordance with the Faith and canons of the Church. The Priest determines whether the Parishioners are in canonical and financial good standing as specified in Article 18, Sections 1 through 3.

**Section 3:** Candidates for election to the Parish Council shall be nominated in accordance with the provisions of the Parish Bylaws.

- A. All candidates shall attend a seminar conducted by the Priest prior to the election at which the Priest shall discuss and explain to the candidates the Uniform Parish Regulations, and the significance of the affirmation of office.
- B. At the discretion of the respective Hierarchy, such seminar may be held locally or regionally, provided that candidates are given appropriate advance notice and more than one reasonable opportunity to attend the seminar in a location within close proximity to the applicable Parish.
- C. In the event that an otherwise eligible candidate(s) cannot attend the scheduled seminar(s) for justifiable cause, the Priest shall meet privately with such individual(s) to provide the seminar.
- D. At the conclusion of the seminar all candidates must sign a statement acknowledging that they understand the Regulations and will abide by them and the affirmation of office. If a candidate for the Parish Council does not attend a seminar and sign the statement, his/her name shall be deleted from the list of candidates.

**Section 4:** A parishioner in good standing and duly enrolled in the Parish Record but delinquent in his or her Parish stewardship obligations for the current year may vote in the election by meeting his or her stewardship obligation prior to the election, unless Parish Bylaws have established alternate deadlines in this regard. If a Parishioner is delinquent for more than the current calendar year, he or she may vote in the Parish Council elections only if he or she has met his or her unfulfilled stewardship financial obligations at least thirty (30) days prior to the date of the elections.

**Section 5:** A new parishioner of the Parish may vote in the election if he/she has become a member in good standing at least three (3) months prior thereto.

**Section 6:** Parish Bylaws may provide for absentee balloting only in the case of elections of the Parish Council. Such ballots must be in the hands of the Board of Elections not later than the commencement of voting and shall be opened and tabulated with the ballots personally cast. No proxies shall be allowed.

**Section 7:** Elections shall be held at a place on Parish premises previously announced by the Board of Elections and voting shall be by secret ballot. Voting shall begin after the conclusion of the Divine Liturgy and shall terminate on the same day at such time as determined by local Parish Bylaws.

**Section 8:** The election results shall be entered in the minutes of the first Parish Council meeting, showing the number of votes cast for each candidate, and shall be signed by each member of the Board of Elections. The candidates receiving the greatest number of votes shall be declared elected for the ensuing term, subject to ratification by the respective Hierarchy. 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 respective Hierarchy. The tied candidates, if otherwise found to be qualified, may be provisionally approved by the respective Hierarchy if he ratifies the election results and the elected individual may, upon his/her election, take the affirmation of office and participate in the election of officers.

**Section 9:** Any parishioner in good standing of the Parish questioning the validity of any election may, within five (5) days after such election, lodge a written protest with the respective Hierarchy. Such protest shall be signed by the questioning parishioner and at least four (4) other parishioners in good standing and shall list in detail all the reasons for the protest. In the event that a protest is filed and such protest is upheld and deemed valid, the respective Hierarchy will declare the protested election void and a new election will be ordered. The decision of the respective Hierarchy thereon shall be final.

**Section 10:** 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 Parish Council elections and the election of officers, the members of the incoming Council shall, after the election of officers, elect a new member from among the Parish's parishioners in good standing to fill the vacancy.

**Section 11:** In the event that an insufficient number of candidates shall be nominated for election to the Parish Council, or the number nominated is equal to the number of vacancies, the election of those nominated shall take place in accordance with the election procedures established by these Regulations. The Parish Council, after the ratification and the taking of office of any new members, and the election of officers shall proceed to fill any vacancies on the Council from among the Parish's 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 respective Hierarchy, serve the term that a member duly elected by the Parish would have served.

## **ARTICLE 26 RATIFICATION OF ELECTION OF PARISH COUNCIL AND AFFIRMATION OF OFFICE**

**Section 1:** No earlier than five (5) and not later than eight (8) days after the election is held, the Priest shall forward the results to the respective Hierarchy. 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 Regulations and the Parish Bylaws. It shall be confirmed that the Parish has met its financial obligations to the Archdiocese including the Total Commitment and the Archdiocese Benefits Program Assessment.

**Section 2:** The election will not be considered final until receipt of ratification by the respective Hierarchy, following the process described in Section 1 above. The affirmation 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 affirmation of office.

**Section 3:** After ratification of the election has been received from the respective Hierarchy, a special ceremony shall be held at the close of the Divine Liturgy in which all the members of the Parish Council shall take the affirmation of office jointly. In the event that a member elected to the Parish Council is not present for the affirmation of office, the Priest shall administer the affirmation to such member at the first Parish Council meeting, prior to the election of officers. The affirmation shall be administered by the Priest and shall be repeated by all the members of the Parish Council. The affirmation of

office shall be administered no later than the second Sunday in January. Until such time, the prior Parish Council shall continue to fulfill the responsibilities of the Parish Council.

**Section 4:** Each member or member-elect of the Parish Council is obliged, without exception, to execute the Disclosure Statement (attached hereto as **Addendum A-3**) pursuant to the Disclosure Policy (attached hereto as **Addendum A**) prior to assuming his/her office and to take the following affirmation of office and thereafter subscribe his/her name thereto:

- A. "I, (name) do solemnly affirm that I will uphold the dogmas, teachings, traditions, holy canons, discipline, worship and moral principles of the Greek Orthodox Church, as well as the Charter and Regulations of the Greek Orthodox Archdiocese of America, and that I will fulfill faithfully and sincerely the duties and obligations required of a member of the Parish Council. So help me God."
- B. A person declining to execute his/her Disclosure Statement and/or to affirm and subscribe to the affirmation of office shall not be a member of the Parish Council and his or her office shall be deemed vacant.

**Section 5:** In the event the respective Hierarch declines to ratify the election of one or more of the persons elected to a Parish Council, he shall state his reason for such action and shall direct the Parish to conduct a special election to fill the vacancy(ies) thus created. He may appoint person(s) to serve as interim members of the Parish Council until such election is held. In the event the respective Hierarch declines to ratify the election of a majority or more of the members of a Parish Council, he shall first consult with the Archbishop.

## **ARTICLE 27 ELECTION OF PARISH COUNCIL OFFICERS**

**Section 1:** Following the administering of the affirmation of office, the Parish Council shall promptly convene to elect its officers under the chairmanship of the Priest who shall not vote. No absentee ballots or proxies shall be permitted.

**Section 2:** 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 respective Hierarch.

**Section 3:** In the event that the office of the President of the Parish Council shall become vacant, the Vice President or if more than one the First Vice President, shall assume the office of the President. Any other office, which may become vacant, shall be filled by election of the Parish Council.

## **ARTICLE 28 MEETINGS OF PARISH COUNCIL**

**Section 1:** The Parish Council shall generally hold regular meetings at least once a month, and special meetings whenever the Priest, the President, or a majority of the Parish Council shall deem it necessary.

**Section 2:** A majority of the members 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.

**Section 3:** The minutes of the meetings of the Parish Council shall be signed by the Priest, the President and the Secretary.

## **ARTICLE 29 DUTIES OF PARISH COUNCIL**

**Section 1:** The members of the Parish Council shall attend the Divine Liturgy 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. Utilize the Stewardship material provided by the Archdiocese to implement and expand the Parish Stewardship program and ministries;
- D. Prepare budgets for the Parish's administration and ministries and collect the revenue of the Parish;
- E. Provide for the Priest's remuneration and benefits in accordance with the Clergy Compensation Plan of the Archdiocese;
- F. Provide financing for the salaries of the Parish personnel;
- G. Provide financial resources for the Parish's administration and for the Parish's spiritual, educational and other ministries and expenses;
- H. Buy, sell or mortgage Parish property, subject to the approval of the Parish Assembly and the provisions of these Regulations;
- I. Provide for payments and assessments for support of the Archdiocese as fixed by the Congresses;
- J. Submit to the respective Hierarch and the Archdiocese, at the end of each year, the financial statement of the Parish for that year (certified by the Parish's Board of Auditors) and the Parish budget for the ensuing year;
- K. Submit annual Parish profile reports that may be required by the Archdiocese and the respective Archdiocesan District/Metropolis; and
- L. Adhere to the Charter, the Regulations and decisions promulgated at the Congresses.

**Section 2:** All personnel employed by the Parish including schoolteachers, are engaged or discharged by the Parish Council with the consent of the Priest.

**Section 3:** The Priest and Parish Council shall be responsible for all personnel employed by the Parish. In addition, the Priest and the Parish Council shall be responsible for the Parish's adherence with all applicable personnel and volunteer policies promulgated by the Archdiocese.

**Section 4:** 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.

**Section 5:** The Priest and Parish Council and its officers may exercise any additional authority, consistent with the Charter, Regulations and the Parish Bylaws.

## **CHAPTER THREE PARISH ADMINISTRATION AND FINANCE**

### **ARTICLE 30 PARISH ADMINISTRATION**

**Section 1:** The Priest as head of the Parish, by virtue of the ecclesiastical authority vested in him, shall guide and oversee the Parish. The Priest together with the Parish Council is responsible to the respective Hierarchy for the whole life and activities of his Parish.

**Section 2:** Each Parish shall be administered by the Priest and Parish Council cooperatively.

**Section 3:** All committees or boards of the Parish, except for the Board of Elections and the Board of Auditors, shall be under the jurisdiction of the Priest and Parish Council.

**Section 4:** 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 respective Hierarchy.

### **ARTICLE 31 PARISH ASSEMBLY**

**Section 1:** A Parish Assembly may be convened for matters other than those involving canonical and dogmatic issues. 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.

**Section 2:** Notice of a Parish Assembly shall be mailed 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.

**Section 3:** A Parish Assembly consists of parishioners in good standing of the Parish who have met their stewardship obligations to the Parish in accordance with the Parish Bylaws. A person whose name appears on the Stewardship rolls but who is in arrears in the payment of his/her stewardship obligations may take part in the Parish Assembly by meeting such stewardship obligations on or before the date of the meeting. If a Parishioner is delinquent for more than the current calendar year, he or she 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 three months. The Priest shall be a non-voting participant of the Parish Assembly.

**Section 4:** The quorum for a Parish Assembly under local By-laws shall be as high as possible in such number of parishioners in good standing as its By-laws may determine. If a quorum cannot be achieved, no vote can be taken. If a quorum is not present, the Parish Assembly shall be called a second time within twenty-one (21) days. At such time, decisions may be taken by the number of parishioners in good standing present, with the exception of matters pertaining to the purchase, sale or encumbering of Parish property, in which case a quorum of parishioners in good standing shall be required.

**Section 5:** Proxies shall not be permitted at a Parish Assembly.

**Section 6:** Regular Parish Assemblies shall be convened by the Priest and the Parish Council, at least twice each year, at dates fixed by the Parish Council.

**Section 7:** Special Parish Assemblies shall be held when the Priest and/or Parish Council deem it necessary. Subject to Section 1 above, a special Parish Assembly may be convened. In addition, and except as otherwise prohibited by these Regulations 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 shall be convened. Any such petition must be submitted to the Priest and the Parish Council stating the purpose for the meeting.

**Section 8:** The Chairman of the Parish Assembly shall be elected by the parishioners in good standing present.

**Section 9:** The Secretary of the Parish Assembly shall be appointed by the Chairman and shall record the minutes of the Assembly. The minutes of the Parish Assembly shall be signed by the Priest, the Chairman and the Secretary of the Parish Assembly.

## **ARTICLE 32 BOARD OF ELECTIONS**

**Section 1:** The Board of Elections shall consist of no fewer than three (3) members elected at a Regular Parish Assembly within the same year as the election from among those who are not candidates for election to the Parish Council. Immediate family members of candidates and incumbent Parish Council members are not eligible to serve on the Board of Elections.

**Section 2:** The Board of Elections shall, in cooperation with the Parish Priest, verify the eligibility of the list of candidates, notify all eligible Parishioners concerning the elections, supervise the elections and tabulate and report the results. The Priest shall be advised of all meetings of the Board of Elections, which he may attend if he so desires. The Priest shall certify that all the candidates are Parishioners in good standing as specified in Article 19, Sections 1 and 2.

**Section 3:** A vacancy on the Board of Elections shall be filled by the Parish Council by electing a successor therefor from among the parishioners in good standing who are not candidates for election to the Parish Council.

### **ARTICLE 33 BOARD OF AUDITORS**

**Section 1:** The Board of Auditors shall consist of at least three parishioners none of whom are members of the Parish Council. The Board of Auditors shall be elected at the last Parish Assembly preceding an election from among those who have not served on the Parish Council for the year being audited and who are not candidates for election to the Parish Council. The Board of Auditors shall have the financial competency to properly execute its responsibilities.

**Section 2:** The Board of Auditors shall audit financial records of the prior year and prepare a report of such audit for presentation to the Parish Assembly. After review by the Parish Assembly, the Parish Council shall transmit copies of the final audit to the respective Hierarch and the Archdiocese.

**Section 3:** A vacancy on the Board of Auditors shall be filled by the Parish Council by electing a successor therefor from amongst the parishioners of the Parish in good standing for the unexpired portion of the term of such vacancy.

### **ARTICLE 34 PARISH FINANCES AND ARCHDIOCESAN TOTAL COMMITMENT**

**Section 1:** The Parish Council shall be the custodian of all Parish funds.

**Section 2:** The Parish fiscal year shall be the calendar year. At the first Parish Assembly of each year the Parish Council shall present a financial report detailing all income and expenses for the preceding year.

**Section 3:** The budget for the ensuing year shall likewise be submitted for approval by the Parish Assembly at the last regular meeting of the prior year.

**Section 4:** The Parish budget shall include appropriations for sending its delegates to the Clergy-Laity Congresses and Local Assemblies.

**Section 5:** The Parish Budgets must include a line item for Archdiocesan Total Commitment, which shall be calculated in accordance with the decisions of the most recent Congress.

**Section 6:** Full disclosure of each Parish's finances and support through the Total Commitment program are critical to the operation of the Archdiocese and the fulfillment of its mission and ministries. The respective Hierarch is responsible for ensuring that each Parish in his Archdiocesan District/Metropolis submits the financial records

required under these Regulations and meets its Total Commitment to the Archdiocese, as required under these Regulations. As such, he has the authority to take such measures and to impose such financial and other restrictions, as he deems necessary and appropriate to enforce the Parish's obligations.

**Section 7:** Parish Financial Statements must be forwarded to the Archdiocese and Metropolis no later than May 15<sup>th</sup> 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 Assemblies.
- 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 Archdiocesan 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. Submit the Parish's Financial Statements and complete copies of all insurance policies currently in force for the Parish.

**Section 8:** Each Parish is required to meet the Total Commitment financial obligations and financial reporting requirements as outlined in Section 5 of this Article.

- A. In the event a Parish does not submit the required financial records to the Archdiocesan District/Metropolis within thirty (30) days of receipt of a written request for such records, the Parish's commitment may be raised twenty-five percent (25%) from the previous year's amount. No meetings or discussions with a Parish will be held until such records are received.
- B. Each Parish must remit monthly to the Archdiocese the portion of its Total Commitment allocation for Archdiocesan and Metropolis needs as determined by the Clergy-Laity Congress and the respective Hierarch.
- C. Failure to remain current in the Parish's Total Commitment and Archdiocesan Benefits Assessment prevents ratification of Parish Council elections. Parish Council elections will not be ratified until the year's commitment is met or agreed arrangements are approved by the respective Hierarch.
- D. If a Parish refuses to remit its Total Commitment, the Archdiocesan District/Metropolis may conduct a certified audit of the Parish at the Parish's expense.
- E. If a Parish is delinquent in its Total Commitment to the Archdiocese for the prior year, the Parish's delegates will not be allowed to vote at the Clergy-Laity Congress unless authorized otherwise by the respective Hierarch, as specified in Article 4, Section 6.

**Section 9:** Notwithstanding the other provisions of Article 34, Section 5, the respective Hierarch shall have the authority to make special provisions in the matter of a Parish's Total Commitment financial obligations to the Archdiocese, as he deems

necessary and appropriate. The Archdiocese shall be notified of all such special provisions made by a respective Hierarch.

**Section 10:** All transfers of money or other property to a Parish shall be deemed gifts unless, prior to the transfer, the Parish Council acknowledges in writing that said transfer is a loan.

## **PART FOUR**

### **ARTICLE 35 DISPUTE RESOLUTION PROCEDURES**

**Section 1:** Disputes that involve ecclesiastical, theological, canonical, Church governance or Church property issues and that pertain to the life of the Parish or Church community shall be governed by the Dispute Resolution Procedures attached hereto as **Addendum B**.

## **PART FIVE**

### **ARTICLE 36 AMENDMENT OF REGULATIONS AND OFFICIAL TEXT**

**Section 1:** These Regulations may be amended as provided in the Archdiocesan Charter, Article 22 and such amendments shall become effective immediately following their ratification by the Ecumenical Patriarchate. In the event that no response is received from the Ecumenical Patriarchate within ninety (90) days following receipt of the amendments by it, the amendments shall be deemed approved. Following their approval, the Regulations as amended, must be faithfully and firmly adhered to by all the Parishes, whether or not they were represented at the Congress, and regardless of whether they voted with the minority.

**Section 2:** The English Text of these Regulations shall be deemed for all purposes the official text.

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1 **ADDENDUM A**

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3  
4 **GREEK ORTHODOX ARCHDIOCESE OF AMERICA**

5  
6 **CONFLICTS DISCLOSURE POLICY (“Policy”)**  
7 **FOR MEMBERS OF THE ARCHDIOCESAN, METROPOLIS AND PARISH**  
8 **COUNCILS**  
9

10 Members of the Archdiocesan Council, the Metropolis (Local) Councils and the Parish  
11 Councils, herein referred to collectively as “Council(s)” and “Council Member(s)” of the Greek  
12 Orthodox Archdiocese of America (“Archdiocese”)<sup>1</sup> are entrusted with sacred responsibilities  
13 which affect the whole of the Archdiocese. All such individuals shall honor that trust, with  
14 honesty, competence and care in managing the affairs of the Archdiocese and, as Council  
15 Members, shall always act in the best interests of the Archdiocese.

16 The purpose of this Policy is to set forth procedures for properly disclosing and  
17 addressing conflicts of interest.

18 A “Conflict” exists when the financial or other interests of a Council Member, or a  
19 member of his/her immediate family, compete or conflict with the interests of the Archdiocese.  
20 For example, this includes situations in which an individual’s judgment is or may be influenced  
21 by considerations of personal gain or benefit to that individual, or his/her immediate family, or  
22 when participation in a decision creates the appearance of a conflict of interest, whether or not  
23 such a conflict actually exists.

24 Prior to or at the commencement of a new term of a Council, each Council Member shall  
25 be given a copy of this Conflicts Disclosure Policy and shall sign the applicable Conflicts  
26 Disclosure Statement (as attached hereto as Addenda A1-A3).

27 If, at any time, an Archdiocesan Council or Metropolis Council member discovers that  
28 he/she may have a Conflict, he/she shall immediately report it to the President, Vice President  
29 and Secretary of the Council. If at any time, a Parish Council Member discovers that he/she may  
30 have a Conflict, then he/she shall immediately report it to the Parish Priest, as well as to the  
31 President and Secretary of the Parish Council.

32 The determination of whether a Conflict exists shall be made, in the case of an  
33 Archdiocesan Council Member or Metropolis Council Member, by the President, Vice President  
34 and Secretary. In the case of a Parish Council Member, the determination shall be made by the  
35 Priest, Parish Council President and Parish Council Secretary and their determination shall be  
36 disclosed to the Parish Council at its next meeting. The minutes of the meeting shall reflect when  
37 the Conflict was disclosed and the final determination on the matter. At any time, the Priest or  
38 any member of the Parish Council may request a review by the respective Hierarch, whose  
39 determination shall be final.

40 If it is determined that a Conflict exists, the affected Council Member may not vote or  
41 otherwise participate in the matter in which he/she has a Conflict. The foregoing shall not  
42 preclude the Council Member from making a brief statement or answering any questions the  
43 Council may ask. In no event shall the affected Council Member be present or participate in any  
44 deliberations on the matter or be present when the vote on the matter is taken.

45 A lay employee of: a) the Archdiocese shall not serve as a member of the Archdiocesan  
46 Council; b) the Metropolis shall not serve as a member of the Metropolis Council; or c) a Parish  
47 shall not serve as a member of the Parish Council.  
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<sup>1</sup> “Archdiocese” as used herein includes the Archdiocese, the Direct Archdiocesan District, the Metropolises and the Parishes.

1 **ADDENDUM A-1**

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3 **GREEK ORTHODOX ARCHDIOCESE OF AMERICA**

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5 **Conflicts Disclosure Policy Statement - Archdiocesan Council**

6  
7 For Members of the **Archdiocesan Council** of the Greek Orthodox Archdiocese of America  
8 (“Council”):  
9

10 I, \_\_\_\_\_, understand that my role as an Archdiocesan Council member is  
11 one of sacred honor and trust and, as such, will act, at all times, in the best interests of the  
12 Archdiocese.  
13

14 I have received and read a copy of the Conflicts Disclosure Policy of the Archdiocese. I agree to  
15 abide by the Policy. I affirm that, to the best of my knowledge, I am not engaged in any activity  
16 or business, or have any other association that would pose a financial or other conflict with the  
17 best interests of the Archdiocese, except as has been disclosed, in writing, to the President, Vice  
18 President and Secretary of the Archdiocesan Council.  
19

20 If I become aware of any conflict that arises after the date of this affirmation, I will immediately  
21 disclose that conflict, in writing, to the individuals specified above.  
22

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24  
25 Date: \_\_\_\_\_, 200\_\_                      Signature: \_\_\_\_\_  
26 Please Print Name: \_\_\_\_\_  
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**ADDENDUM A-2**

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**Conflicts Disclosure Policy Statement – Metropolis (Local) Council**

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For Members of the **Metropolis**<sup>1</sup> (Local) Council of the Greek Orthodox **Metropolis** of \_\_\_\_\_ (“Council”).

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I, \_\_\_\_\_, understand that my role as a Metropolis Council member is one of sacred honor and trust and, as such, will act, at all times, in the best interests of my Metropolis and the Archdiocese.

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I have received and read a copy of the Conflicts Disclosure Policy of the Archdiocese. I agree to abide by the Policy I affirm that, to the best of my knowledge, I am not engaged in any activity or business, or have any other association that would pose a financial or other conflict with the best interests of my Metropolis, except as has been disclosed, in writing, to the President, Vice President and Secretary of the Metropolis Council.

If I become aware of any conflict that arises after the date of this affirmation, I will immediately disclose that conflict, in writing, to the individuals specified above.

Date: \_\_\_\_\_, 200\_\_      Signature: \_\_\_\_\_  
Please Print Name: \_\_\_\_\_

Metropolis Council Conflicts Disclosure Statement 10/29/05

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<sup>1</sup> The term “Metropolis” as used herein includes the Direct Archdiocesan District & the term “Metropolitan” includes the Archbishop with respect to said District.

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**ADDENDUM A-3**

**Conflicts Disclosure Policy Statement – Parish Council**

For Members of the **Parish** Council of the Greek Orthodox Church  
\_\_\_\_\_ (“Council”)

I, \_\_\_\_\_, understand that my role as a Parish Council member is one of sacred honor and trust and, as such, will act, at all times, in the best interests of my Parish and the Archdiocese.

I have received and read a copy of the Conflicts Disclosure Policy of the Archdiocese. I agree to abide by the Policy. I affirm that, to the best of my knowledge, I am not engaged in any activity or business, or have any other association that would pose a financial or other conflict with the best interests of my Parish, except as has been disclosed, in writing, to my Priest and to the President and Secretary of the Parish Council.

If I become aware of any conflict that arises after the date of this affirmation, I will immediately disclose that conflict, in writing, to the individuals specified above.

Date: \_\_\_\_\_, 200\_\_      Signature: \_\_\_\_\_  
Please Print Name: \_\_\_\_\_

## **ADDENDUM B**

### **DISPUTE RESOLUTION PROCEDURES**

*When any of you has a grievance against another, do you dare to take it to court before the unrighteous instead of taking it before the saints? . . . In fact, to have lawsuits at all with one another is already a defeat for you (I Corinthians 6:1,7).*

*Forbearing one another, and forgiving one another, and if anyone has a complaint against another, just as Christ forgave you, so should you also forgive. And with all these things have love, which is the bond of perfection. And let the peace of Christ govern your hearts; for that end, you are called in One Body; and be thankful to Christ (Colossians 3:13-15).*

In all Disputes that involve ecclesiastical, theological, canonical, Church governance or Church property issues and that pertain to the life of the Parish or Church community, each Parish and Party shall adhere to the following Dispute Resolution Procedures. These procedures include mechanisms for resolving grievances and mediating conflicts, providing an ultimate process for the disposition of Disputes. As these Dispute Resolution Procedures do not displace the Holy Canons and Traditions of the Church, they shall serve as a critical adjunct authority, providing a sole and exclusive remedy for the resolution of Disputes, thereby preserving the peace in the Church.

#### **I. DEFINITIONS**

Except as otherwise specifically defined below, all capitalized terms herein shall have the meanings ascribed to them in the “Definition of Terms” section of the Regulations.

##### **a. APPEAL**

A review of the Determination rendered pursuant to a First Level Review. Except as otherwise specifically provided for herein, a Determination rendered pursuant to an Appeal shall be deemed final.

##### **b. CONFLICT OF INTEREST**

Consistent with the provisions of the Archdiocese’s Disclosure Policy, a conflict of interest may exist when the interests or concerns of any person involved in providing a Review or Appeal under these Dispute Resolution Procedures (or the interests or concerns of such person’s immediate family or any organization to which such person has a duty) may be seen as competing or conflicting with the goal of providing a fair and impartial resolution of a Dispute. (Any question as to whether a Conflict of Interest exists, for purposes of these Dispute Resolution Procedures, shall be decided in accordance with the terms of Section IV.o. below.)

##### **c. DETERMINATION**

A decision made under these Dispute Resolution Proceedings that sets forth the manner in which a Dispute shall be resolved.

**d. DIRECT JURISDICTION**

The authority to directly review and render a final determination regarding a Dispute.

**e. DISPUTE**

Any grievance, conflict, disagreement or dispute between or among Parties that requires mediation or resolution and that involves ecclesiastical, theological, canonical, Church governance or Church property issues and that pertains to the life of the Parish or Church community. (Any question as to whether a matter constitutes a Dispute, for purposes of these Dispute Resolution Procedures, shall be decided in accordance with the terms of Section IV.m. below.)

**f. DISPUTE RESOLUTION PROCEDURES**

The processes and procedures for addressing, mediating and resolving Disputes, as described herein.

**g. FIRST LEVEL REVIEW**

An initial review of a Dispute, as specifically designated herein.

**h. LOCAL COUNCIL DISPUTE RESOLUTION PANEL**

A three-person panel appointed by the respective Hierarchy from among the members of the respective Direct Archdiocesan District/Metropolis Council (“Local Council”), to serve during the term of the Local Council, and to have the authority to hear and resolve Disputes as set forth in these Dispute Resolution Procedures. Such panel shall include, as voting members, one Priest and two lay persons (one of whom shall, preferably, be an attorney). The Chancellor of the respective Archdiocesan District/Metropolis shall serve, ex officio, as a non-voting member of the panel. The Chair of the panel shall be appointed by the respective Hierarchy. No person with a Conflict of Interest may serve as a member of the panel; in the event of a Conflict of Interest with respect to a specific Dispute, the respective Hierarchy shall appoint a person to serve, for that specific Dispute, in the place of the panel member with the conflict.

**i. PARISHIONER**

A person baptized and/or chrismated according to the rites of the Orthodox Church, as specified in Part Three, Chapter One, Article 18 of the Regulations. For purposes of these Dispute Resolution Procedures, the term shall include all such persons who are or have been a part of the Archdiocese, whether or not they are in “good standing” in any Parish. The term Parishioner shall also include, for purposes of these Dispute Resolution Procedures, a member of a Parish Council.

**j. PARTY**

Any person(s) and/or entity(ies) engaged in a Dispute under these Dispute Resolution Procedures.

**k. REVIEW**

A review of a matter (other than an Appeal) provided for under these Dispute Resolution Procedures.

## II. DISPUTE RESOLUTION PROCESS

### **a. Disputes relating to two or more Parishioners (within the same Parish or within two or more Parishes in the same Archdiocesan District/Metropolis)**

1. In the event of a Dispute between two or more Parishioners (within the same Parish or within two or more Parishes in the same Archdiocesan District/Metropolis), the Parishioners shall meet, in good faith, with the Priest(s) of the applicable Parish(es), who shall attempt to resolve the Dispute in a pastoral manner.

2. If the Dispute remains unresolved:

(a) and the Parishioners are from the same Parish, the matter shall be submitted to the Executive Committee of the Parish Council (or, if no Executive Committee exists, to the officers of the Parish Council and the Priest) for a First Level Review and Determination. (For purposes of this Section II.a.2.(a), the Priest shall be considered a member of the Executive Committee/officers of the Parish Council.) No Parish Council member with a Conflict of Interest may participate in the resolution of the Dispute.

(b) and involves Parishioners of different Parishes (within the same Archdiocesan District/Metropolis), the Dispute shall be submitted to the Local Council Dispute Resolution Panel for a First Level Review and Determination.

3. A Parishioner dissatisfied with the Determination of the Executive Committee (or officers) of the Parish Council or, if applicable, the Local Council Dispute Resolution Panel, may submit an Appeal to the respective Hierarch. The Determination of the Hierarch shall be final.

### **b. Disputes (within the same Archdiocesan District/Metropolis) relating to two or more Priests; two or more Parishes; a Priest and a Parishioner; a Priest and a Parish Council; or a Priest and a Parish Assembly**

1. Disputes involving: (a) two or more Priests; (b) two or more Parishes; (c) a Priest and a Parishioner; (d) a Priest and a Parish Council; or (e) a Priest and a Parish Assembly, within the same Archdiocesan District/Metropolis, shall be under the Direct Jurisdiction of the respective Hierarch and his Determination shall be final. (In reaching a Determination, the respective Hierarch may seek assistance as set forth in Sections IV.c. and IV.f. below.)

2. Disputes involving Priests, Parishes, Parish Councils and/or Parish Assemblies under the jurisdiction of two or more Hierarchs shall be under the Direct Jurisdiction of the Eparchial Synod and its Determination shall be final.

3. In no event shall any Dispute included under this Section II.b. be submitted to a Parish Council or to a Parish Assembly for consideration.

**c. Disputes relating to a Parishioner and a Parish Council or to a Parishioner and a Parish Assembly**

1. In the event of a Dispute between (a) a Parishioner and a Parish Council; or between (b) a Parishioner and a Parish Assembly, the Parties shall meet, in good faith, with the Priest, who shall attempt to resolve the Dispute in a pastoral manner.
2. If the Dispute remains unresolved, the matter shall be submitted to the Chancellor of the respective Archdiocesan District/Metropolis for a First Level Review and Determination.
3. A Party dissatisfied with the Chancellor's Determination may request an Appeal to the Local Council Dispute Resolution Panel.
4. The recommendation of the Local Council Dispute Resolution Panel shall be forwarded to the respective Hierarchy for his Review and approval. The recommendation of the Local Council Dispute Resolution Panel shall be considered a final Determination unless the respective Hierarchy determines, in his sole discretion, within sixty (60) days of the date he receives the recommendation of the Local Council Dispute Resolution Panel, that further review is warranted. In such event, a further Appeal shall be conducted directly by the Hierarchy and his Determination shall be final. (Without limiting any other provisions of these Dispute Resolution Procedures, the Hierarchy may take into account all information previously provided to the Local Council Dispute Resolution Panel, as well as any additional information deemed relevant by the Hierarchy in his sole discretion.)

**d. Other Disputes**

Disputes not addressed in either these Dispute Resolution Procedures or otherwise in the Regulations shall be under the Direct Jurisdiction of the respective Hierarchy and his Determination shall be final, provided that any Dispute involving more than one Archdiocesan District/Metropolis shall be under the Direct Jurisdiction of the Eparchial Synod.

**e. Spiritual Court Proceedings**

Nothing herein shall limit or prohibit a Hierarchy or the Eparchial Synod, in his/its sole discretion, from convening a Spiritual Court(s), for any reason, in accordance with the Holy Canons and Traditions of the Church and the provisions of the Charter. Nothing in these Dispute Resolution Procedures shall be deemed to affect, in any way, the jurisdiction or actions of a Spiritual Court.

### **III. DISPUTES INVOLVING HIERARCHS / CHANCELLORS**

**a. Disputes Involving Chancellors**

All Disputes involving a Chancellor, acting in his capacity as Chancellor of an Archdiocesan District/Metropolis, shall be under the Direct Jurisdiction of the respective Hierarchy.

**b. Disputes Involving Hierarchs**

Notwithstanding anything to the contrary herein, and except as set forth in Section III.a. above and Section III.c. below, all Disputes involving a Hierarch shall be under the Direct Jurisdiction of, and addressed by, the Eparchial Synod, in accordance with the provisions of Canon law.

c. Subject to canonical tradition, in the event that the service of a Priest in a Parish is interrupted for any reason and he cannot be or is not reassigned by the respective Hierarch, the Priest shall have the right to request that the matter be heard by the Synodal Committee on Clergy Affairs, which committee shall be convened to hear the case and to seek to mediate a resolution. The Synodal Committee on Clergy Affairs shall be chaired by a Metropolitan (other than the Hierarch involved in the matter) and shall also include five (5) Priests, two (2) of whom shall be chosen by the Hierarch involved in the matter, and three (3) of whom shall be chosen by the Eparchial Synod from among clergy serving in a Metropolis/Archdiocesan District other than the one in which the Priest involved in the matter is located. The Synodal Committee on Clergy Affairs shall meet and review the matter and provide a recommendation to the Synod within sixty (60) days of the date the request is submitted to the committee. In the event of the dismissal of a Priest for canonical reasons, the rules of Spiritual Court shall apply in accordance with canonical tradition, the Charter and these Regulations.

**IV. RULES OF PROCEDURE**

Reviews conducted under these Dispute Resolution Procedures shall be conducted in accordance with the Holy Canons and Traditions of the Church. Formal rules of secular courts shall not apply. However, without limiting any other provision of these Dispute Resolution Procedures, the following rules shall be followed, except as may be specified otherwise by the Hierarch of the respective Archdiocesan District/Metropolis.

**a. Process for Requesting a Review**

A request by a Party for a Review or Appeal under these Dispute Resolution Procedures shall: (a) be made in writing to the person(s)/entity before whom the Review or Appeal is sought; (b) include a copy to the Chancellor of the respective Archdiocesan District/Metropolis; (c) be signed by the Party making the request; and (d) include a summary of the issue to be reviewed and/or the Determination to be appealed (together with any relevant documentation). Any request for an Appeal must be submitted, in accordance with the above requirements, within sixty (60) days of the date the underlying Determination was received by the Party requesting the Appeal.

**b. Eparchial Synod/ Hierarch/ Chancellor Right to Initiate a Review/ Appeal**

Notwithstanding the provisions of Section IV.a. above, the Synod or a Hierarch or Chancellor of the respective Archdiocesan District/Metropolis may, in its/his sole discretion, invoke these Dispute Resolution Procedures with respect to a specific Dispute, even if no request for a Review/Appeal under these Dispute Resolution Procedures is received from the affected Parties. In such event, the Synod/Hierarch/Chancellor shall notify the affected Parties, in writing, that the Dispute Resolution Procedures are being invoked and shall provide them with a copy of the Dispute Resolution Procedures.

**c. Eparchial Synod/ Hierarch/ Chancellor Right to Appoint Representatives**

The Eparchial Synod, a Hierarch or a Chancellor involved in providing a Review/Appeal may, at its/his sole discretion, appoint one or more representatives, panels or committees to assist in the review and resolution of a Dispute. A Hierarch may appoint the Chancellor of the respective Archdiocesan District/Metropolis as his designee to assist in the resolution of any matters under the Direct Jurisdiction of the Hierarch. The Eparchial Synod may designate one or more of its members to render a Determination on its behalf.

**d. De Novo Review**

All Reviews/Appeals shall be conducted on a de novo (new review) basis.

**e. Evidence/ Format of Review / Witnesses**

No formal rules of evidence shall apply to these Dispute Resolution Procedures. The person(s) or entity responsible for conducting a Review or Appeal under these procedures may prescribe the agenda/format of the Review/Appeal and may allow such evidence and other information as they/it deem relevant to be introduced by the Parties. Such responsible person(s) or entity shall have the sole right to disallow the introduction of evidence/information if they/it deems the evidence/information to be irrelevant to the issue under review/appeal and may also determine whether witnesses, in addition to the Parties, may present evidence or other information.

**f. Expert and Technical Assistance**

Any person(s) or entity (including, but not limited to, the Eparchial Synod, a Hierarch, a Chancellor, a Local Council Dispute Resolution Panel or an Executive Committee (or officers if there is no Executive Committee) of a Parish Council) charged with conducting a Review/Appeal under these Dispute Resolution Procedures may call upon experts and technical and other advisors to assist in the resolution of the Dispute. (These may include, but shall not be limited to, legal counsel, financial auditors and accountants.) Parties shall be required to disclose to such experts/advisors all information reasonably requested by the experts/advisors.

**g. Recordings of Proceedings / Privacy of Deliberations**

Except as may be prohibited by applicable law, recorded or stenographic records of testimony or evidence provided under these Dispute Resolution Procedures may be made, at the sole discretion of the person(s) or entity responsible for conducting a Review or Appeal, provided that all Parties shall be advised of the recording. Notwithstanding the foregoing, no recording shall be made of the deliberations of any person(s) or entity responsible for rendering a Determination. All such deliberations shall be conducted in private. The affected Parties shall not be present and the deliberations shall include only the persons specified in these Dispute Resolution Procedures as being responsible for rendering a Determination (and, as may be necessary, such representatives/experts/advisors as are specified in Sections IV.c. and IV.f. above).

**h. Majority Vote/Quorum**

All Determinations made by an Executive Committee (or officers if no Executive Committee) of a Parish Council, Local Council Dispute Resolution Panel or other committee/panel that may be appointed under these Dispute Resolution Procedures shall be made by a majority vote of members present and voting. No Determination may be rendered unless a quorum of, as

applicable: (a) at least seventy five percent (75%) of the Executive Committee (or officers if no Executive Committee) of a Parish Council; or (b) one hundred percent (100%) of a Local Council Dispute Resolution Panel or other applicable committee/panel is present during the Review/Appeal proceedings.)

**i. Language Needs**

In conducting all Reviews/Appeals under these Dispute Resolution Procedures, reasonable efforts shall be made to accommodate the language needs of the Parties.

**j. Representation of Parties**

Except as may be specifically approved otherwise, in advance, in the sole discretion of the person(s)/entity providing the Review/Appeal, a Party must represent himself/herself in any proceedings taking place under these Dispute Resolution Procedures and may not be accompanied by any advocate, representative or other individual.

**k. Location of Review/Appeal**

It shall be at the sole discretion of the person(s)/entity providing the Review/Appeal to determine whether: (a) proceedings will take place in person or telephonically; and (b) whether any specific Party must present its case in person (or telephonically) or whether it may present its case (together with relevant evidence/documentation) in writing. In the event that one or more Parties is required to attend a Review/Appeal in person, reasonable efforts shall be made to provide the Review/Appeal in a geographic location that is acceptable to all Parties involved. However, no travel or other reimbursement shall be made to any Party as a result of expenses incurred under these Dispute Resolution Procedures. (To the extent that travel is required, the person(s) or entity charged with conducting the Review/Appeal under these Dispute Resolution Procedures shall be entitled to reimbursement for reasonable travel expenses.)

**l. Communication of Determinations**

All Determinations made under these Dispute Resolution Procedures shall be: (a) in writing; (b) signed by the person(s) or entity rendering the Determination; and (c) provided to all affected Parties and to the Chancellor and Hierarch of the respective Archdiocesan District/Metropolis. In addition, a copy of all Determinations rendered by a Local Council Dispute Resolution Panel shall be forwarded by the respective Hierarch to the Eparchial Synod.

**m. Determination of Whether a Dispute Exists**

Any question as to whether a matter constitutes a Dispute, for purposes of these Dispute Resolution Procedures, shall be decided by the person(s) or entity charged, hereunder, with providing the First Level Review (or having Direct Jurisdiction) of the applicable matter and, in the event of continued disagreement, by the respective Hierarch, whose decision shall be final.

**n. Decision of Whether a Review/Appeal Will Be Granted**

Except as may be required otherwise by the respective Hierarch, in the event that a request for a Review/Appeal is denied under this Section IV.n., or, in the event that no response to a request for a Review/Appeal is issued within sixty (60) days after the request is received, the most recent prior Determination (if any) shall stand as the final Determination on the matter.

**o. Determination of Whether a Conflict of Interest Exists**

Any question as to whether a Conflict of Interest exists, for purposes of these Dispute Resolution Procedures, shall be decided by the respective Hierarchy, whose decision shall be final.

**p. Confidentiality**

Unless confidentiality is expressly waived in writing by the Parties, any person or Party involved in any proceeding under these Dispute Resolution Procedures shall keep these matters confidential and shall not disclose, in whole or in part, any record, testimony, evidence, information or material obtained or generated by or through this process, except as necessary to consult with experts/advisors, prepare for a Review or Appeal, or to administer these Dispute Resolution Procedures. Final written Determinations rendered by the Eparchial Synod, a Hierarchy, a Chancellor, a Local Council Dispute Resolution Panel or an Executive Committee (or officers if there is no Executive Committee) of a Parish Council, shall be published only to the Parties involved and to the Eparchial Synod, Hierarchy and Chancellor as set forth in Section IV.i. above. A final Determination (either in whole or in part), or a summary of a final Determination, may be made public only upon the express waiver of confidentiality given by the Parties as set forth above, or upon the express written authorization of the Eparchial Synod or Hierarchy.

**q. Enforcement**

Nothing herein shall be deemed to preclude the respective Hierarchy or Eparchial Synod from taking all reasonable steps to enforce Determinations rendered under these Dispute Resolution Procedures.

**r. Fees and Costs**

Parties shall generally be responsible for their own expenses involved in the application of these Dispute Resolution Procedures. However, because each situation is unique, the respective Hierarchy shall have the discretion to apply an equitable distribution of fees and costs on a case by case basis.

## **V. INCONSISTENCY AND WAIVER OF PROVISIONS**

a. Notwithstanding anything to the contrary contained herein, all Disputes involving the removal of a Parish Council member(s) shall be subject to the provisions of Part Three, Chapter Two, Articles 24-26 and Part Two, Article 10 of the Regulations.

b. Notwithstanding anything to the contrary contained herein, all Disputes involving the assignment of a Priest and related matters shall be subject to the provisions of Part Two, Article 10 and Part Three, Chapter One, Article 17, of the Regulations and Section III.c. above.

c. Except as specified otherwise herein, in the event of an inconsistency between these Dispute Resolution Procedures and other provisions of the Regulations (e.g., provisions related to removal of a Parish Council member), the terms of such other provisions shall govern.

d. In the event that a waiver of these Dispute Resolution Procedures (or a portion thereof) is deemed required by the respective Hierarchy for theological or canonical reasons, or is necessary to promote spiritual healing within the Church, such waiver may be granted by the respective Hierarchy; provided, however, that in the event that such Hierarchy is directly involved in the Dispute, the waiver may be granted only by the Eparchial Synod.

## **VI. NO APPLICATION TO MATTERS INVOLVING SEXUAL MISCONDUCT**

All matters involving sexual misconduct shall be governed by the Archdiocese's Statement of Policy Regarding Sexual Misconduct By Clergy (and, as applicable, any other Archdiocesan policies or procedures addressing sexual misconduct by laypersons) and shall not be subject to these Dispute Resolution Procedures.

## **VII. INVOCATION OF THE HOLY SPIRIT**

It is understood that the life of the Church may be affected by discord and dissension among its faithful. Therefore, in implementing these Dispute Resolution Procedures, all those involved, including, but not limited to, those charged with rendering Determinations and otherwise assisting in the resolution of Disputes, are fervently urged to invoke the guidance of the Holy Spirit and pray for spiritual resolution and healing.

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