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THE SERBIAN ORTHODOX DIOCESE  
OF NEW GRACANICA-MIDWESTERN AMERICA

D No 722/11  
November 11, 2011

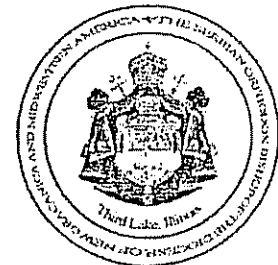
ALL CLERGY AND BOARDS OF CHURCH-SCHOOL CONGREGATIONS  
AND MISSIONARY PARISHES OF THE DIOCESE  
OF NEW GRACANICA AND MIDWESTERN AMERICA

In accordance with the decision of the Diocesan Assembly of the Diocese of New Gracanica and Midwestern America, held on April 8-9, 2011, that all church congregation and parishes in our diocese have a common Addendum – By-Laws, and in accordance with the decision of the Assembly that the text should be edited and corrected, the Diocesan Council has organized for the text to be corrected, and this version was accepted at its regular session held on September 17, 2011. The corrected text of the Addendum is being provided to you to be accepted by the annual assemblies. This acceptance is dependent on the certain specifications of each church congregation and parish.

Your Annual Assembly should accept this Addendum at its next regular session, having added all the necessary changes pertinent to your Church-School Congregation's needs. All priests have been sent an electronic version of the Addendum (in DOC format) in order for these changes to be made electronically. Once your Church-School Congregation's Annual Assembly has accepted the adjusted Addendum, it is to be sent back to the Diocesan Administrative Board so that the changes your Church-School Congregation has made will be ratified.

In advance, we thank you for your cooperation in this matter and bestow upon you the blessing of God.

Bishop of New Gracanica and Midwestern America





*Serbian Orthodox Church in North and South America*

*Serbian Orthodox Diocese  
of New Gračanica and Midwestern America*

**Local Regulations (By-Laws) of the  
[Mission Parish, Church-School Congregation]  
of  
[Saint, Holy]\_\_\_\_\_**  
**Serbian Orthodox Church**  
**Located in [City], [State], USA**

Local Addendum/Supplement to:  
SOCNSA Constitution  
SOCNSA Uniform Rules and Regulations  
SOCNSA General Rules and Regulations

## 1. Name, Location/Territory, History, Antimension, Relics

1.1. The name of this [Mission Parish, Church-School Congregation] is [Saint, Holy] \_\_\_\_\_ Serbian Orthodox Church.

1.2. This [Mission Parish, Church-School Congregation] is located in [City], [State], USA and was assigned the following canonical territory by the Diocesan Bishop and the Diocesan Administrative Board (Act No \_\_\_\_):

[insert canonical territory]

1.3. This [Mission Parish, Church-School Congregation] was established in the Year of our Lord \_\_\_\_\_ [insert unique historical facts including but not limited to relevant acts of Diocesan Bishop, Diocesan bodies, etc.]

1.4. The Holy Antimension used for the Holy Services was entrusted to the [Parish Priest, Administrator] of this Parish by His [Grace, Eminence] [Bishop, Metropolitan] in the Year of our Lord \_\_\_\_\_ (Act No \_\_\_\_).

1.5. The Holy Relics in the Holy Altar of the Parish Church are of Saint \_\_\_\_\_ and were enshrined by His [Grace, Eminence] [Bishop, Metropolitan] in the Year of our Lord \_\_\_\_ \_ \_ \_

## 2. Status

2.1. This [Mission Parish, Church-School Congregation] is ecclesiastically, juridically and canonically an integral part of the Serbian Orthodox Diocese of New Gracanica and Midwestern America, one of the Serbian Orthodox Dioceses which comprise the Serbian Orthodox Church in the North and South America, an integral part of the Serbian Orthodox Church (Patriarchate), with its See in Belgrade, Serbia.

2.2. This [Mission Parish, Church-School Congregation] is under the direct jurisdiction and authority of the Diocesan Bishop and the Diocesan Governing Authorities/Bodies of the Serbian Orthodox Diocese of New Gracanica and Midwestern America, with its See at New Gracanica Monastery in Third Lake, Illinois.

## 3. Governing Documents

3.1. This [Mission Parish, Church-School Congregation] is governed by the Constitution, Uniform Rules and Regulations and General Regulations of the Serbian Orthodox Church in the North and South America.

3.2. This [Mission Parish, Church-School Congregation] is also governed by these Local Regulations (By-Laws). However, these Local Regulations (By-Laws) are merely a Local Addendum/Supplement to the three governing documents identified in 3.1. Should there ever be an inconsistency between these Local

Regulations (By-Laws) and the governing documents named in 3.1, the governing documents identified in 3.1 prevail.

3.3. These Local Regulations (By-Laws) have no force or effect until and unless they are approved by the Diocesan Bishop and the Diocesan Administrative Board.

3.4. Once approved by the Diocesan Bishop and the Diocesan Administrative Board, these Local Regulations (By-Laws), together with the governing documents identified in 3.1, automatically supersede and replace any and all previous bylaws, regulations, charters, articles, etc. which may have existed from the founding of the [Mission Parish, Church-School Congregation].

#### **4. Special Local Procedural and Operational Provisions**

4.1. The [Mission Parish, Church-School Congregation] is allowed to have special local procedural and operational provisions which are consistent with governing documents identified in 3.1 and which meet the unique needs/circumstances of the (Mission Parish, Church-School Congregation).

4.2. Special Local Provisions related to Annual Assembly and Special Assemblies

(The following provisions are mandatory; other provisions may be proposed in the draft presented to the Diocesan Bishop and the Diocesan Administrative Board]

4.2.1. The quorum for both the Annual and Special Assemblies of this [Mission Parish, Church-School Congregation] shall be a simple majority of the parishioners in good standing. In the event that a quorum is not attained, the relevant provisions of the Uniform Rules and Regulations shall apply.

4.2.2. The Annual Assembly shall be held each year during the month of December.

4.2.3. [The Annual Assembly and any Special Assembly of this Mission Parish is informational only, since the Mission Parish Trusteeship is appointed by the Diocesan Bishop and the Diocesan Administrative Board, who are the only administrative authorities of the Mission Parish]

4.3. Special Local Provisions related to [Executive Board, Mission Parish Trusteeship]

[The following provisions are mandatory; other provisions may be proposed in the draft presented to the Diocesan Bishop and the Diocesan Administrative Board]

4.3.1. Regular meetings of the [Executive Board, Mission Mission Parish Trusteeship] are held monthly. Special meetings of the [Executive Board, Mission Mission Parish Trusteeship] are held as needed

4.3.2. In addition to the officers of the [Executive Board, Mission Mission Parish Trusteeship] identified in the governing documents named in 3.1, this [Mission Parish, Church-School Congregation] shall also have \_\_\_\_\_

members at large who shall be members of the [Executive Board, Mission Mission Parish Trusteeship]

4.3.3. The (Executive Board, Mission Mission Parish Trusteeship) shall be authorized to appropriate funds for some unforeseen need, necessity or emergency not to exceed the amount of \$ \_\_\_\_\_ if such needs have not been previously anticipated in the budget of the Church-School Congregation adopted at the Annual Assembly. In the event that the need or emergency should exceed the above limit, the [Executive Board, Mission Mission Parish Trusteeship] shall be required to act in accordance with the relevant provisions of the Uniform Rules and Regulations.

4.3.4. The [President, Trusteeship Co-Chair] of the [Executive Board, Mission Mission Parish Trusteeship] must be at least twenty-five (25) years old. The remaining members of the [Executive Board, Mission Mission Parish Trusteeship] and those of the Audit Committee must be at least eighteen (18) years old.

4.3.5. The mandate of office of the [Executive Board, Mission Parish Trusteeship] shall be from Annual Assembly to Annual Assembly.

4.3.6. The term limit for the offices of [Executive Board, Mission Parish Trusteeship] President, Secretary, Treasurer and Financial Secretary for more than \_\_\_\_ consecutive years in any one of these offices.

4.3.7 The [Executive Board, Mission Parish Trusteeship] shall specify the duties of the First and Second [Vice Presidents, Trusteeship Vice Chairs].

4.3.8. The [Executive Board, Mission Parish Trusteeship] appoints and removes the administrative and supporting personnel needed to operate this [Mission Parish, Church-School Congregation]. The [Executive Board, Mission Parish Trusteeship] determines the duties and responsibilities of said personnel. The work of said personnel shall be reviewed annually by the [Executive Board, Mission Parish Trusteeship] and the Annual Assembly of this [Mission Parish, Church-School Congregation].

#### 4.4. Special Local Provisions related to Parishioners

[The following provisions are mandatory, other provisions may be proposed in the draft presented to the Diocesan Bishop and the Diocesan Administrative Board]

4.4.1. Parishioners in good standing are those Orthodox Christians who have satisfied those requirements and obligations set forth in the governing documents identified in 3.1, as well as any supplemental financial/stewardship obligations promulgated by the Annual Assembly this [Mission Parish, Church-School Congregation].

4.4.2. The Parish Priest shall certify that the parishioner has met his spiritual/sacramental obligations. This certification must be attained before

the parishioner can participate in the administrative life of this [Mission Parish, Church-School Congregation].

4.4.3. The [Executive Board, Mission Parish Trusteeship] shall certify if the parishioner has fulfilled his/her financial/stewardship obligations and requirements. This certification must be attained before the parishioner can participate in the administrative life of this [Mission Parish, Church-School Congregation].

4.4.4. With respect to a parishioner's financial/stewardship obligations toward this [Mission Parish, Church-School Congregation], it is duty of the parishioner to know whether or not they are "in good standing." The [Executive Board, Mission Parish Trusteeship] Financial Secretary when asked by the parishioner has a duty to inform the parishioner whether the parishioner is either current or delinquent with respect to his/her financial/stewardship obligations.

4.4.5. A parishioner who loses his/her "in good standing" status by failing to fulfill his/her spiritual/sacramental obligations may only be reinstated at the discretion of the Parish Priest (consistent with 4.4.2 above).

4.4.6. A parishioner who loses his/her "in good standing" status by failing to fulfill his/her stewardship/financial obligations may only be reinstated by decision and certification of the [Executive Board, Mission Parish Trusteeship] (consistent with 4.4.3 above).

4.4.7. An individual whose request to be recognized as a parishioner has been rejected by the Parish Priest, or a parishioner who has lost his/her "in good standing" status and whose effort to be reinstated has been rejected by either the Parish Priest or the [Executive Board, Mission Parish Trusteeship], has the right to appeal to the Diocesan Council. A written petition must be submitted to the Diocesan Administrative Board through the [Executive Board, Mission Parish Trusteeship], which has an obligation to submit the same to the Diocesan Administrative Board. The decision of the Diocesan Administrative Board shall be final.

4.4.8. A parishioner serving in the armed forces or attending school full time may be exempted from their financial/stewardship obligations by the [Executive Board, Mission Parish Trusteeship]. A formal petition must be submitted by the parishioner.

4.4.9. A parishioner in dire financial circumstances may be exempted from their financial/stewardship obligations by the [Executive Board, Mission Parish Trusteeship]. A formal petition must be submitted by the parishioner.

## **5. Committees**

5.1. The Annual Assembly of this [Mission Parish, Church-School Congregation] may create committees to perform specific functions.

- 5.2. The duration of a committee shall be until the next Annual Assembly.
- 5.3. A committee shall have a chairperson and the requisite number of members elected by the Annual Assembly.
- 5.4. Vacancies in a committee occurring during the year are filled by the [Executive Board, Mission Parish Trusteeship].
- 5.5. Committees make monthly reports to the [Executive Board, Mission Parish Trusteeship] and shall make an annual report of their work to the Annual Assembly.

## 6. Auxiliaries

- 6.1. This [Mission Parish, Church-School Congregation] has the following auxiliary organizations:
  - 6.1.1. [Circle of Serbian Sisters, Women's Auxiliary]
  - 6.1.2. [Brotherhood, Men's Club]
  - 6.1.3. [Choir]
- 6.2. An auxiliary organization is created and dissolved by the Annual Assembly of this [Mission Parish, Church-School Congregation], which also promulgates its original organizational regulations as well as amendments to the same, all of which must be submitted to the Diocesan Bishop and the Diocesan Administrative Board for approval (as required by the governing documents identified in 3.1).
- 6.3. Each auxiliary organization shall submit a comprehensive annual report (including but not limited to a financial report) to the [Executive Board, Mission Parish Trusteeship] and Annual Assembly for approval.
- 6.4. All tangible and intangible assets of an auxiliary organization are the property of this [Mission Parish, Church-School Congregation] and are only under the temporary stewardship of the auxiliary organization. All such assets must be inventoried and cannot be alienated without the consent of the Annual Assembly. The Annual Assembly may in its discretion set a maximum amount to be held by the auxiliary organization in its treasury. If such a limit is set by the Annual Assembly, at the end of each fiscal year, the auxiliary organization must transfer those funds which exceed said maximum amount to the treasury of this [Mission Parish, Church-School Congregation].
- 6.5. At the discretion and under the control of the [Executive Board, Mission Parish Trusteeship], an auxiliary organization may be allowed to use of the building and facilities of this [Mission Parish, Church-School Congregation].
- 6.6. At the discretion of the [Executive Board, Mission Parish Trusteeship], a representative of an auxiliary organization may be invited to attend and participate in [Executive Board, Mission Parish Trusteeship] meetings, but shall not have the right to vote.

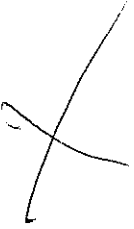
- 6.7. By virtue of his position, the Spiritual Advisor (Duhovnik) of each auxiliary organization is the Parish Priest. The Parish Priest must be informed of all auxiliary organization meetings and must be invited to attend and participate in same.
- 6.8. Youth organizations (including but not limited to folklore groups and sports teams) are not considered auxiliary organizations and are by their nature part of the educational program of this [Mission Parish, Church-School Congregation] and as such are under the direct jurisdiction and control of the Diocesan Bishop, his local educational designee, the Parish Priest, and the Diocesan Department of Education.
- 6.9. Serbian patriotic, national and fraternal organizations (or their local branches/chapters) are not auxiliaries of this [Mission Parish, Church-School Congregation]. At the discretion and under the control of the [Executive Board, Mission Parish Trusteeship], such organizations may be allowed to use of the building and facilities of this [Mission Parish, Church-School Congregation].

## 7. Property

- 7.1. The governing documents identified in 3.1 contain provisions which define and govern the ownership, administration and disposition of the real and personal property of this [Mission Parish, Church-School Congregation].
- 7.2. This [Mission Parish, Church-School Congregation] is a religious body created by and subject to the Diocesan Bishop and the Diocesan governing authorities. In order to more easily achieve its mission under the laws of the State of \_\_\_\_\_, this religious body, i.e. this [Mission Parish, Church-School Congregation] has organized a corporation under the Laws of the State of \_\_\_\_\_ Code \_\_\_\_\_ et seq) which is named the "\_\_\_\_\_ Corporation" (the "State of \_\_\_\_\_ Corporation"). This State of \_\_\_\_\_ Corporation was incorporated on \_\_\_\_\_ and has the corporation number \_\_\_\_\_. This State of \_\_\_\_\_ Corporation is merely the corporate arm of the [Mission Parish, Church-School Congregation] and, as such, this State of \_\_\_\_\_ Corporation is subject to the discipline, rules and regulations of the [Mission Parish, Church-School Congregation], the Diocesan Bishop, the Diocesan governing authorities and the Serbian Orthodox Church, which has been recognized by the Supreme Court of the United States of America as a "Hierarchical Church," whose decisions are final and binding under US law and are not subject to inquiry and interpretation by US secular authorities and courts. *Serbian Orthodox Diocese v. Milivojevich*, 426 U.S. 696 (1976). As required by the governing documents identified in 3.1, the documents of the State of \_\_\_\_\_ Corporation (Charters, Articles of Incorporation, Deeds and By-Laws), must be in agreement with governing documents identified in 3.1 and that any and all such provisions which are inconsistent with the governing documents identified in 3.1 are of no force and effect.

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7.3. In the event that another corporate entity (not identified in 7.2) has heretofore been or shall hereafter be established under state or provincial or local law for the purpose of holding title to real or personal property which de-facto or equitably properly belongs to this (Mission Parish, Church-School Congregation) or which de-facto or historically was purchased by, maintained by, operated by and used by this [Mission Parish, Church-School Congregation] and/or its parishioners as a church, church hall, parish home, picnic grounds, cemetery, cultural center or otherwise, then, notwithstanding the fact that title to such property is nominally held in the name of such corporate entity, said property shall be deemed to be property owned by this [Mission Parish, Church-School Congregation]. At all times, such corporate entity shall hold such property irrevocably in trust for the benefit of this [Mission Parish, Church-School Congregation]. The articles of incorporation, by-laws and any other substantive corporate instruments shall be amended to provide that all persons who are members of this [Mission Parish, Church-School Congregation] shall immediately and automatically be deemed to be members of said corporate entity and the duly elected [Executive Board, Mission Parish Trusteeship] and officers of this [Mission Parish, Church-School Congregation] shall automatically be deemed to be the sole directors and officers of said corporate entity. Such corporation has heretofore been and shall hereafter continue to be deemed a corporate arm of this [Mission Parish, Church-School Congregation]. This (Mission Parish, Church-School Congregation) and the Diocesan Council shall have concurrent jurisdiction and authority to enforce the provisions of this paragraph in any secular court of law against such corporate entity and those persons acting in concert therewith who refuse to comply with the provisions of this paragraph. In addition, upon charges brought by the Diocesan Bishop, the Diocesan Council or any member in good standing of this [Mission Parish, Church-School Congregation], the Diocesan Ecclesiastical Court shall have the full power to discipline and punish any person refusing to comply with the provisions of this paragraph in accordance with all church canons, laws, rules and regulations.

7.4. With respect to US federal tax status, the Serbian Orthodox Church in North and South America has received a US Group Tax Exemption under IRS Code 501 (c) (3). All Serbian Orthodox Dioceses, Monasteries, Church-School Congregations and Parishes in the United States of America, including but not limited to this [Mission Parish, Church-School Congregation], the State of \_\_\_\_\_ Corporation identified in 7.2, and any other corporate entity which eventually becomes identified in 7.3, are covered by this Group Tax Exemption and, therefore, all contributions to this [Mission Parish, Church-School Congregation] and its related corporations are tax exempt pursuant to the provisions of IRS Code 501 (c) (3).

## 8. General Provisions

8.1. All Assemblies (Annual, Special), [Executive Board, Mission Parish Trusteeship] meetings and Committee meetings shall be conducted in accordance with Roberts Rules of Order, to the extent that said Rules of Order do not conflict with the governing documents identified in 3.1.

8.2. The descriptive headings in these Local Regulations (By-Laws) are for convenience only and are not to be considered determinative of the meaning and intent of the provisions there under. In all instances, the language of the specific provisions of these Local Regulations (By-Laws) controls.

8.3. These Local Regulations (By-Laws) were drafted in English, which is the official version for all purposes. Should these Local Regulations (By-Laws) be translated into Serbian, the Serbian translation is not controlling.

## **9. Amendments**

9.1. These Local Regulations (By-Laws) may be amended at either an Annual Assembly or at a Special Assembly summoned specifically for that purpose.

9.2. Said Annual or Special Assembly must be duly summoned as prescribed by the governing documents identified in 3.1.

9.3. The proposed amendments must be promulgated by a vote of two-thirds (2/3) of the parishioners in good standing in attendance and then submitted for approval by the Diocesan Bishop and the Diocesan Administrative Board.

9.4. The proposed amendments have no force or effect until and unless they are approved by the Diocesan Bishop and the Diocesan Administrative Board.

Resolution of the [Mission Parish, Church-School Congregation] of  
[Saint, Holy] of  
[City], [State], USA  
Adopting Local Regulations (By-Laws)

We, the Parishioners in good standing of the [Mission Parish, Church-School Congregation] of [Saint, Holy] Serbian Orthodox Church of [City], [State], gathered at a duly called [Annual, Special] Assembly, held on the Feast of \_\_\_\_\_, 201\_, hereby resolve, state and decide as follows:

1. We are loyal sons and daughters of the Serbian Orthodox Church and as such recognize and follow the tenets, traditions, and teachings of the Serbian Orthodox Church, as prescribed by the Holy Assembly of Bishops. We hereby expressly subject ourselves and agree to be bound by the discipline, rules and usage of the Serbian Orthodox Church in the North and South America as set forth in the Constitution, the Uniform Rules and Regulations and General Regulations of the Serbian Orthodox Church in North and South America.
2. We understand and agree that this [Mission Parish, Church-School Congregation] is and shall remain an integral part of the Serbian Orthodox Diocese of New Gracanica and Midwestern America, and we expressly reject and waive on our behalf and on the behalf of all future parishioners of said [Mission Parish, Church-School Congregation], any ability to unilaterally withdraw from said Diocese (or any future Diocese of the Serbian Orthodox Church which would have geographical jurisdiction over this [Mission Parish, Church-School Congregation]), recognizing that such a withdrawal would be completely inconsistent and contrary to the canon law and order of the Serbian Orthodox Church.
3. We hereby promulgate these Local Regulations (By-Laws) as an Addendum/Supplement to the Constitution, the Uniform Rules and Regulations and General Regulations and hereby submit these Local Regulations (By-Laws) for approval by the Bishop of the Serbian Orthodox Diocese of New Gracanica and Midwestern America and agree that they will have no force and effect until said approval takes place. Furthermore, we agree that any amendment thereto must also be approved by the Bishop of the Serbian Orthodox Diocese of New Gracanica and Midwestern America.
4. As set forth in said Local Regulations (By-Laws), all previously adopted regulatory enactments (Charters, Articles of Incorporation, Deeds and By-Laws) of this [Mission Parish, Church-School Congregation], enacted and promulgated for any reason, once said Local Regulations (By-Laws) are approved by the Diocesan Bishop and the Diocesan Administrative Board, shall be null, void, and of no effect legal or otherwise, upon this Congregation, and all acts done or taken there under shall be null and void ab initio.
5. We resolve and agree that, in the event of any dispute among the parishioners of this [Mission Parish, Church-School Congregation], those parishioners whose

allegiance and loyalty remains with the Serbian Orthodox Church, as determined by the Episcopal Council of the Serbian Orthodox Church of the North and South America, shall continue to administer and to enjoy full and complete possession and control of all property both tangible and intangible, personal, and real, of this [Mission Parish, Church-School Congregation].

6. We agree, in the event of any intra-congregational dispute either relating to the matters of faith, morals, administration, or relating to property, to be subject to and bound by the Constitution, the Uniform Rules and Regulations and General Rules and Regulations of the Serbian Orthodox Church in the North and South America
- 7 All future parishioners, in order to be in good standing and in order to be allowed to participate in the administrative life of this [Mission Parish, Church-School Congregation], shall be required to agree to the provisions of this Resolution. This agreement shall be manifested in writing.

\_\_\_\_\_  
Presiding Officer of Assembly

\_\_\_\_\_  
Fr. \_\_\_\_\_, Parish Priest



**Administrative Board of the  
Serbian Orthodox Diocese  
of New Gracanica and Midwestern America**

**No.** \_\_\_\_\_ 20 .

Third Lake, IL

The attached Local Regulations (By-Laws) of the [Parish, Church-School Congregation of St. \_\_\_\_\_ Serbian Orthodox Church of \_\_\_\_\_, \_\_\_\_\_, with the included official corrections, are hereby approved confirmed, and become effective under the above number and date.

PRESIDENT  
DIOCESAN ADMINISTRATIVE BOARD

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BISHOP OF NEW GRACANICA AND MIDWESTERN AMERICA