

DIOCESAN BYLAWS COMMITTEE REPORT

Your Eminence Archbishop Michael, Reverend Clergy and Lay Delegates,

Glory to Jesus Christ! Glory forever!

As detailed in the Statute of The Orthodox Church in America, approved at the 18th All American Council on July 21, 2015, Article XVIII, Dioceses, parishes, monasteries, institutions, offices, and organizations of the Church shall review their governing documents and administrative practices and conform them to the Statute by December 31, 2017. Should a conflict arise following the effective date, November 1, 2015, between or among presently governing documents and this Statute, this Statute shall govern.

In January 2016, His Eminence Archbishop Michael charged the Diocesan By-Laws and Legal Committees with the task of reviewing existent By-Laws of the Diocese of New York and New Jersey to identify where our By-Laws diverged from The Statute of The Orthodox Church in America, and prepare the revisions that will bring them into conformity with The Statute of the Orthodox Church in America.

The Diocesan By-Laws and Legal Committees have extensively reviewed our Diocesan By-Laws and made necessary recommendations and corrections to bring our governing document into compliance with The Statute of The Orthodox Church in America. These revisions have been reviewed by canon lawyers, legal advisors, Diocesan Council and Archbishop Michael.

The vast majority of the revisions involved providing consistency in grammar, syntax and proper titles for diocesan clergy, officers and institutions of the Diocese; aligning the Diocesan By-Laws to terminology consistent with The Statute; clarifying the reference apparatus; adding section numbering where none existed in the present By-Laws; adding headings in certain places for ease of reference; and incorporating the decisions of the 16th All-American Council and the Diocesan Assembly of 2015, concerning the Annual Parish Financial Obligation that has been dutifully and obediently codified, and changed from the "head tax" to the biblical method of proportional giving.

Since being directed by Archbishop Michael with the revision of the Diocesan By-Laws in January 2016, the Diocesan By-Laws and Legal Committees have met over 40 times in face to face meetings, teleconferences, and through extensive email communications. Each proposed revision was measured against The Statute of The Orthodox Church in America, the Articles of Incorporation of the Diocese of New York and New Jersey, and civil laws, as they pertain to not-

for-profit corporations in the states of New York and New Jersey, by the Diocesan legal counsel and canon law advisors.

In keeping with our present Diocesan By-Laws, the Revised By-Laws have been reviewed and approved with corrections, by the Diocesan Council, at its meeting on May 17, 2017; and with those corrections incorporated, had been sent to the parishes for their review and input.

On May 22, 2017 His Eminence, Archbishop Michael, sent a letter to the parishes of the Diocese of New York and New Jersey, announcing the introduction and distribution of the proposed Revised Diocesan By-Laws, and His Eminence noted that the proposed Revised Diocesan By-Laws were to be presented for discussion at the Diocesan Parish Council Conferences, which, indeed, took place. His Eminence further informed the parishes that any questions or desired changes relating to the proposed Revised Diocesan By-Laws must be made to the Diocesan Chancery no later than September 15, 2017.

It must be noted that the changes reflect fidelity to The Statute and several other resolutions passed by the Diocesan Assembly since the 16th All American Council, and established canonical practices of our Diocese. These changes and corrections were unanimously approved by the Diocesan Council and endorsed by His Eminence, Archbishop Michael, after careful review and corrections by canon lawyers and Diocesan legal advisors.

The proposed revised Diocesan By-Laws are now being presented at this Diocesan Assembly, November 1, 2017 at SS. Peter and Paul Church in Endicott, New York for an up or down vote as an entire document, not Article by Article. Upon its acceptance and effective date, this Diocesan Bylaws will replace and supplant all previous versions, which shall then stand repealed.

We want to express our gratitude to the members of our Diocesan By-Laws and Legal Committees and consultants for their extensive work and commitment:

Rev. Fr. James Worthington, Secretary of the Diocesan By-Laws Committee
Michael Genute Jr., Esq., General Counsel of the Diocese of New York and New Jersey
Bishop Daniel, Chairman of the Commission on Canons and Statute of The OCA
Deacon Alexander Anderson, Member of the Diocesan By-Laws Committee
Honorable Judge Christopher Simser, General Counsel to the Diocesan Legal Committee
Honorable Judge E. R. Lanier, Esq., General Counsel to The Orthodox Church in America

In addition, we would also like to express our gratitude to the large number of clergy and faithful of the Diocese who have provided comments and suggestions after the discussion at the Parish Council Conferences, and the final distribution of the Revised Diocesan By-Laws to the parishes. It was truly a conciliar process!

Very Rev. Alexey Karlgut, Chairman of the Diocesan By-Laws and Legal Committees

On behalf of the Diocesan By-Laws Committee, Diocesan Legal Committee, and the Diocesan Council, Rev. Fr. James Worthington, Secretary of the Diocesan By-Laws Committee, places the following motion on the floor of the 2017 Diocesan Assembly:

**MOTION TO ADOPT THE REVISED BY-LAWS OF
THE DIOCESE OF NEW YORK AND NEW JERSEY**

Whereas, Article XVIII of the Statute of the Orthodox Church in America, adopted by the All American Council meeting in Atlanta, Georgia, on July 21, 2015, states: “Dioceses, parishes, monasteries, institutions, offices, and organizations of the Orthodox Church in America shall review their governing documents and administrative practices and conform them to this Statute;” and

Whereas, the existing By-Laws of the Diocese of New York and New Jersey have been reviewed, with revisions having been made to bring them into compliance with the Statute of the Orthodox Church in America, and which revisions have been reviewed by canonists and Diocesan legal advisors; and

Whereas, on May 17, 2017, in accordance with the Diocesan By-Laws, these proposed Revised By-Laws were approved by the Diocesan Council for distribution to all of the Diocesan Parishes for their review and input, in anticipation of their presentation at and approval by the Diocesan Assembly on November 1, 2017; and

Whereas, on May 22, 2017 His Eminence MICHAEL, Archbishop of New York and New Jersey, sent a letter to the parishes of the Diocese announcing the introduction and distribution of the proposed Revised Diocesan By-Laws, and His Eminence noted that the proposed Revised Diocesan By-Laws were to be presented for discussion at the Diocesan Parish Council Conferences, which, indeed, took place; and

Whereas, in the above-cited letter, His Eminence, Archbishop MICHAEL, further informed the parishes that any questions or desired changes relating to the proposed Revised Diocesan By-Laws must have been submitted to the Diocesan Chancery no later than September 15, 2017; and

Whereas, upon its effective date and approval by the Diocesan Assembly, the proposed Revised Diocesan By-Laws shall become the Diocesan By-Laws and will replace and supplant all previous versions which shall then be repealed;

IT IS HEREBY MOVED that the Revised Diocesan By-Laws, having been distributed to all Diocesan parishes, and with the approval of the Diocesan Council, and the blessing of Archbishop MICHAEL, and duly presented before the Diocesan Assembly, be adopted by the Diocesan Assembly of the Diocese of New York and New Jersey, convened in plenary session on November 1, 2017, At Saints Peter and Paul Orthodox Church in Endicott, New York, under the omophorion of His Eminence MICHAEL, Archbishop of New York and New Jersey.