

CONSTITUTION  
OF THE  
BULGARIAN EASTERN ORTHODOX CHURCH  
DIOCESE OF THE UNITED STATES OF  
AMERICA AND CANADA

**ARTICLE I**  
**FUNDAMENTAL PROVISIONS**

Section 1. The name of the organization is the Bulgarian Eastern Orthodox Church – Diocese of the United States in America and Canada, and is also known as the Bulgarian Diocese of Toledo – Orthodox Church of America (hereinafter referred to as the "Bulgarian Diocese").

Section 2. The Bulgarian Diocese acknowledges and accepts the Orthodox Church in America as the sole Autocephalous Orthodox Church in America and the Bulgarian Diocese recognizes that the canonical jurisdiction of the Orthodox Church in America includes the Bulgarian Diocese and its parishes. The Bulgarian Diocese shall be governed as a district administrative unit in accordance with its own Constitution, customs, and traditions.

Section 3. The fundamental guideposts of the Bulgarian Diocese shall be: the Holy Scriptures, the rules and precepts of the Apostles, the Canons and the decisions of the Ecumenical and Regional Councils, the Statute of the Orthodox Church in America, and the Constitution of the Bulgarian Diocese.

Section 4. The Bulgarian Diocese juridically is a religious body enjoying all rights and privileges granted by the law of the United States of America and Canada. The Bulgarian Diocese is a hierarchical church and includes all parishes and communities, churches and cathedrals, chapels, monasteries, cemeteries, and other religious organizations which belong to and are members of the Bulgarian Diocese.

Section 5. The canonical jurisdiction of the Orthodox Church in America over the Bulgarian Diocese manifests itself as follows:

(a) The Bulgarian Diocese receives the Holy Chrism and the Holy Relics from the Primate of the Orthodox Church in America;

(b) The Name of the Primate of the Orthodox Church in America will be elevated during the Divine Services by the Bishop of the Bulgarian Diocese;

(c) The Synod of Bishops of the Orthodox Church in America is the highest spiritual authority in all canonical matters;

(d) The Primate of the Orthodox Church in America upon canonical examination and confirmation of the Holy Synod of Bishops of the Orthodox Church in America will consecrate the Bishop-elect of the Bulgarian Diocese;

(e) The Synod of Bishops of the Orthodox Church in America in its judicial session is the Court of Final Appeals in all cases originating in the Disciplinary Courts of the Bulgarian Diocese;

(f) All complaints against the person of the Bishop of the Bulgarian Diocese are within the competence of the Synod of Bishops of the Orthodox Church in America.

(g) The Bishop of the Bulgarian Diocese is an ex-officio member of the Synod of Bishops of the Orthodox Church in America and enjoys all the rights and privileges of the Diocesan Bishops.

(h) There is no intermediary administrative authority between the Primate of the Orthodox Church in America and the Synod and the head of the Bulgarian Diocese.

(i) The Bulgarian Diocese shall participate in the All-American Councils with delegates in the same proportion as any other participating Diocese.

(j) The external and ecumenical relations of the Bulgarian Diocese shall be conducted through active participation in the Central Department of Eternal Affairs of the Orthodox Church in America.

(k) The Bulgarian Diocese shall fully participate through official appointees of its governing bodies in the works of all departments and commissions established by the Orthodox Church in America for the general welfare, progress and mission of the Church.

## **ARTICLE II**

### **AIMS**

The aims of the Bulgarian Diocese are:

(a) To preserve and propagate the Eastern Orthodox Christian Faith in its purity and fullness in accordance with the teaching of our Savior and Lord, Jesus Christ, as it is transmitted to us by the Holy Apostles and the Fathers of the Holy Eastern Orthodox Catholic Church.

(b) To educate morally and religiously the faithful and elevate them to a position of good Orthodox Christians and loyal citizens of the United States of America and Canada.

(c) To perform religious practices and services; to instruct parishioners by religious addresses and sermons; to operate Sunday Schools for the study of the Orthodox Faith.

(d) To see that each Parish and church has its regular Priest, church readers and singers, as well as to see to the training of future clergy, singers and readers of the churches of the Bulgarian Diocese.

(e) To see to the observance of good order and religious dignity in the Churches, their public halls and schools, and to encourage the construction of new ones wherever it might be necessary.

(f) To encourage the development of philanthropic and other benevolent activities.

### **ARTICLE III** **DIOCESAN PRELATE**

Section 1. The Bulgarian Diocese shall be guided in its spiritual and administrative life by the Diocesan Bishop, who is the Diocesan Prelate and Head of the Bulgarian Diocese (the "Bishop"), and by the Spiritual Council of the Bulgarian Diocese (the "Spiritual Council"(see Article IV hereunder)). The Bishop shall have full authority and hierarchal power in matters of faith, morality, priesthood and pastoral service. He shall rule the Bulgarian Diocese with the assistance of: the Spiritual Council; the Trustees of the Bulgarian Diocese; the annual conferences of the Bulgarian Diocese; and the Diocesan Congress – Sobor.

Section 2. The Bishop shall have the following rights and duties:

(a) He shall act as teacher and counselor of the clergy and the people of his Diocese, both by his words and by his deeds.

(b) He shall keep, protect, support, and propagate the Orthodox Faith.

(c) He shall see to the proper and correct preaching of the Faith by the clergy and to the spiritual and religious enlightenment of the faithful.

(d) He shall teach and guide the clergy and the faithful by oral and written instructions to lead a life of peace and love and to advance in devotion and moral purity.

(e) He shall instruct and encourage the clergy and the laity to practice acts of mercy and charity.

(f) He shall see to the adequate, uniform and regular performance of the religious services, to the observance of devotion and reverence during the religious exercises; and he shall work for the betterment of church singing.

(g) He shall encourage and bless the efforts that are being laid for the construction and reparation of churches; chapels and monasteries, and shall see that they are designed and decorated in the proper Orthodox ecclesiastical pattern.

(h) He shall sanctify and consecrate churches, chapels, and monasteries.

(i) He shall see that all churches and monasteries are supplied with the necessary ritual vestments, church books, icons, and other articles used in the religious services, and that they are kept tidy and in proper order.

(j) He shall ordain and assign worthy men as Parish Priests and other church help that may be needed by the Bulgarian Diocese.

(k) He shall assign his substitutes and representatives, the abbots of monasteries and other churchmen for special duties.

(l) He shall meet regularly, but not less than quarterly, with the Spiritual Council and not less than three times with the Trustees of the Bulgarian Diocese during each year.

(m) He shall call the annual conference of the Bulgarian Diocese once a year.

(n) He shall visit each Parish of the Bulgarian Diocese at least once a year.

(o) He shall receive gifts and trusts willed to the Bulgarian Diocese and shall use and manage them according to the instructions expressed in the will with the cooperation of the Spiritual Council and the Trustees of the Bulgarian Diocese.

(p) He shall be duty bound to initiate court and spiritual litigation against the clergy and laity of his Diocese who have violated the discipline of the Church, being guided in that respect by the Statute of the Orthodox Church in America (the "OCA Statute") and the Agreement between the Orthodox Church in America and the Bulgarian Eastern Orthodox Church, Diocese of U.S. and Canada, dated December 20, 1976 (the "Agreement"), and by the regulations for the conduct of lawsuits of his competency in the spiritual courts.

(q) He shall appoint, as the needs of the Bulgarian Diocese might require it, persons in the following positions: Protosyngel (Chancellor), Secretary, and other church service men.

(r) He shall discharge all the duties required of him by the Church Canons, the OCA Statute, the Agreement, and the Constitution of the Bulgarian Diocese.

(s) The Bishop who is the Head of the Bulgarian Diocese shall not be absent from the Diocesan Territory for a period longer than a month. The consent of the Spiritual Council shall be required for a leave of absence longer than a

month. In both these instances the functions of the Bishop shall be assigned by him temporarily to his Protosyngel (Chancellor).

(t) The Bishop shall be guided by his conscience in Diocesan relations with the other Orthodox or non-Orthodox Christian Churches; but he shall always have in view the interest and defense of the Orthodox Faith in general.

(u) The Bishop shall see to the implementation of the present Constitution of the Bulgarian Diocese, and the decisions of its Sobor – Congress, of its annual conferences, and of its Spiritual Council.

Section 3. The Bishop shall be entitled to adequate financial support from the Bulgarian Diocese and an official residence and household.

Section 4. The Office of the Bishop shall be deemed vacant upon the occurrence of any one of the following:

- (a) Death;
- (b) Retirement or resignation;
- (c) Permanent physical and/or mental incapacity, upon the medical certification of at least two physicians chosen by the Spiritual Council;
- (d) Unauthorized absence from the Bulgarian Diocese for a period of one year;
- (e) Deposition for heresy, as determined and verified by the Holy Synod of the Orthodox Church in America upon and by due canonical process.

Section 5. In the event of a vacancy in the Office of the Bishop, his successor shall be appointed, as follows:

(a) The Spiritual Council and the Diocesan Board of Trustees shall meet and declare the Office of the Bishop vacant and shall announce such vacancy to the Holy Synod of the Orthodox Church in America, and the Diocesan Parishes. The Holy Synod of the Orthodox Church in America shall then investigate the announcement and make a determination as to vacancy.

(b) Within a reasonable amount of time after the date of vacancy in the Office of Bishop has been officially declared by the Holy Synod of the Orthodox Church in America, the Spiritual Council and the Diocesan Board of Trustees shall meet in session for the purpose of placing nominations for the office.

(1) Any nominee for the Office of Bishop must satisfy all the requirements of the Holy Canons pertaining to this highest of all ecclesiastical offices. In addition, it is preferable (but not necessary) that the nominee have completed a course of study in a

"Graduate School of Orthodox Theology" and be conversant in the English language.

(2) According to the Holy Canons, candidates who are not already in the episcopal rank can be nominated only from among the monastic or celibate clergy or laymen.

(3) If at the moment of his nomination he is a layman or a celibate Priest or widowed Priest, he shall pronounce at least the first monastic vows (rasophoria).

(4) No Diocesan Bishop of the Orthodox Church in America shall be a candidate for nomination.

(c) The Spiritual Council and the Board of Trustees shall submit the name or names and the supporting documents of the nominees to the Primate of the Orthodox Church in America and the Holy Synod of the Orthodox Church of America for canonical examination.

(d) Upon the approval of a nominee or nominees by the Holy Synod of the Orthodox Church of America, the Spiritual Council shall call the Diocesan Congress - Sobor into special session for the purpose of electing the Bishop. The written convocation shall list the name(s) of the nominee(s).

(e) The Diocesan Congress - Sobor, convened for the purpose of electing the Bishop, shall be presided by (1) the Locum Tenens appointed by the Primate of the Orthodox Church in America, or (2) if he is unable to be present, by the leader of the Spiritual Council, or (3) if the leader of the Spiritual Council is unable to so serve, then by another member of the Spiritual Council as nominated by the Diocesan Congress - Sobor. A nominee for the Office of Bishop may not preside at this session.

(f) No nomination from the floor for the Office of Bishop shall be in order nor shall such nomination be accepted.

(g) The election for the Office of Bishop shall take place according to the following procedure:

(1) All voting shall be by secret ballot;

(2) One single name shall be written on the ballot. Any ballot with more than one name written on it shall not be counted. The nominee receiving a majority of votes of the members present and entitled to vote shall be declared elected. The same procedure shall apply in the case of a single nominee;

(3) In the event there are three or more nominees and no one receives a majority of votes of those present, the name of

the nominee receiving the smallest number of votes shall be eliminated from the next ballot. This procedure shall be followed until a single nominee receives a majority;

(4) If no nominee receives the majority as required above, the electoral session shall be adjourned and the Office of Bishop shall remain vacant. The Diocesan Board of Trustees shall then re-institute the procedure of nomination as provided by this Constitution;

(5) The tellers, for the purpose of recording, shall certify to the Secretary of the Diocesan Congress – Sobor the results of the balloting. The number of votes cast for any nominee shall not be publicly announced.

(h) Immediately after the nomination, the Primate of the Orthodox Church in America and the Holy Synod shall be notified by forwarding to them the minutes of the electoral session, certified by the presiding officer and the secretary;

(1) Upon approval of the candidate by the Primate of the Orthodox Church in America and the Holy Synod, he shall be summoned to a session of the Holy Synod for the canonical election;

(2) If the candidate is not approved by the Primate of the Orthodox Church in America, the Holy Synod, the Spiritual Council and Diocesan Board of Trustees shall then re-institute the procedure of nomination as provided by this Constitution.

(i) If the Bishop-Elect of the Bulgarian Diocese is not yet in the episcopal rank, the date of his consecration shall be set with the concurrence of the Primate of the Orthodox Church in America. After the consecration, or if the Bishop-Elect is already in the episcopal rank, the date of installation shall set with the concurrence of the Primate of the Orthodox Church in America. The installation of the newly-consecrated Bishop shall take place in the Bulgarian Diocese and shall be officiated by the Primate of the Orthodox Church in America or by a senior Hierarch of the Holy Synod appointed by him.

#### **ARTICLE IV**

#### **THE DIOCESAN SPIRITUAL COUNCIL**

Section 1. The Spiritual Council of the Bulgarian Diocese consists of the Bishop, who presides over it, and only those senior Priests of the Bulgarian Diocese appointed by the Bishop.

Section 2. The Spiritual Council assists the Bishop in all his rights and obligations.

Section 3. During the time the Office of the Bishop is vacant, and only during such time, all spiritual and administrative affairs within the competence of the Bishop shall, to the extent allowable by Canon Law, automatically devolve to the Spiritual Council. During such period of time, the Spiritual Council shall be under the leadership of the Protosyngel (Chancellor), or if there is none, the senior Priest of the Spiritual Council. Any powers or duties that do not fall within the competence of the Spiritual Council by operation of Holy Canon Law shall fall with the Locum Tenens of Bulgarian Diocese.

## **ARTICLE V**

### **THE DIOCESAN BOARD OF TRUSTEES**

Section 1. The Diocesan Board of Trustees shall have charge of all the secular affairs of the Bulgarian Diocese.

Section 2. The number of the Diocesan Board of Trustees shall be seven. It shall be composed of two Priests and four laymen. Of the two Priests, one shall be appointed by the Bishop (or the Spiritual Council if the Office of Bishop is vacant), and the other shall be the elected Diocesan clergy member of the Metropolitan Council of the Orthodox Church in America. Of the four laymen, three shall be elected at the Annual Conference and one shall be the elected Diocesan lay member of the Metropolitan Council of the Orthodox Church in America. The Trustees shall serve for a term of three years and shall be allowed to succeed themselves only once, including the clergy. No more than one lay Trustee shall serve from the same Parish at the same time.

Section 3. The Diocesan Board of Trustees shall elect from among their number their own officers: Vice-President, Secretary, Treasurer, Property Manager, and Councilors. The Bishop is the presiding officer of the Board of Trustees. The officers of the Board of Trustees and their duties are defined as follows:

**PRESIDENT:** The Bishop is the presiding officer of the Diocesan Board of Trustees. He prescribes the agenda and calls the meetings of the Diocesan Trustees. It shall be the duty of the Bishop to conduct the sessions of the Diocesan Trustees. He, together with the secretary, signs the correspondence of the Diocesan Board of Trustees; and represents the Board of Trustees whenever necessary, or appoints some of the Trustees to represent him. He keeps the Diocesan seal.

**VICE-PRESIDENT:** The Vice-President replaces the president in his duty of conducting the sessions of the Diocesan Board of Trustees whenever that may be necessary. He cannot convene a meeting.

**SECRETARY:** The secretary of the Diocesan Board of Trustees, under the supervision of the president, conducts the correspondence of the Board of Trustees; keeps the archives of the Diocesan Trustees; writes the minutes for the sessions of the Board of Trustees; and keeps the record of the member parishes and prepares the data for the reports of the Diocesan Board of Trustees, except that of the finances.



**TREASURER:** The Treasurer takes care of the receipts and expenditures of the Bulgarian Diocese. For every sum received, he issues a regular receipt from the receipt book which must be stamped with the Diocesan seal; and for every sum spent, he issues a check or has a proper receipt. He shall not keep more than \$300 of petty cash of the Diocesan money. He deposits all Diocesan money in an established bank in the city or its vicinity of the Diocesan headquarters. In order that money may be withdrawn from the Diocesan checking or saving accounts at the bank, signatures of the president (the Bishop) and/or the secretary, and the treasurer are needed. The treasurer must have the approval of the Board of Trustees for expenditures exceeding the sum of \$600 not budgeted. It shall be the duty of the treasurer to prepare the financial report of the Bulgarian Diocese for the sessions of the Diocesan Board of Trustees.

**PROPERTY MANAGER:** It shall be the duty of the Property Manager to keep correct inventory of all Diocesan movable and immovable properties. To properly inform the Diocesan Trustees of the need for repair of any of the Diocesan property, in other words, to maintain all Diocesan property in clean and orderly fashion. He shall keep a written inventory of all Diocesan property.

**COUNCILORS:** The two remaining members of the Diocesan Board of Trustees shall act as Councilors at all times. They shall have equal rights and obligations as the rest of the Board of members. In case of emergencies or for any other reason, they shall assume the duty of any of the other officers assigned to them by the decision of the Board of Trustees or the Bishop.

**AUDITING BOARD:** Along with the election of the Board of Trustees, an Auditing Board composed of three members shall be elected at the Annual Conference. The Auditing Board shall scrutinize the financial activities of the Board of Trustees and shall examine the books of the treasurer and property manager at least every six months. The Auditing Board will give an annual report in writing to the Annual Conference. In case the Auditing Board finds any irregularities in the accounts of the treasurer or the property manager, it shall report its findings to the Bishop and the Trustees of the Bulgarian Diocese in a meeting called for such purpose.

Section 4. The Diocesan Board of Trustees shall be responsible for the following:

- (a) It shall manage the property and funds of the Bulgarian Diocese.
- (b) It shall prepare the Diocesan Annual Budget and set the Bishop's salary.
- (c) It shall submit the financial report for the preceding year.
- (d) It shall collect all the revenue of the Bulgarian Diocese against receipt for same and disburse by check all expenditures for the Bulgarian Diocese.

Section 5. The agenda for the meetings of the Diocesan Board of Trustees shall be prescribed by the Bishop.

Section 6. The Diocesan Board of Trustees shall have power to purchase, mortgage, sell or assign real or personal property owned by the Bulgarian Diocese. The Trustees shall report such activities to the Diocesan annual conference.

Section 7. No meeting of the Board of Trustees shall be lawfully constituted unless three lay members and the Bishop are present and in attendance.

## **ARTICLE VI** **THE DIOCESAN ANNUAL CONFERENCES**

Section 1. The Bishop shall call the Annual Conference each year during the month of June. The parishes and the church communities shall be represented at these conferences by their Parish Priest and one legally elected delegate. Each Parish or church community must have fulfilled its annual financial obligation to the Bulgarian Diocese before the delegates will be recognized by the Annual Conference.

The Governing Board of the Annual Conference shall consist of the Bishop who shall be chairman of the Conference; two clergy appointed by the Bishop; and two laymen elected by the delegates to the Conference. Parishes or church communities which cannot send delegates shall give their proxies with written instructions to the Bishop who can name delegates to represent the absent parishes or church communities. These delegates shall have the right to vote according to the written instructions from the Parish they represent.

Section 2. The Diocesan Board of Trustees shall always be in attendance at the Diocesan Annual Conference and each trustee shall have full right to vote on all issues at the Annual Conference.

Section 3. The agenda of the Diocesan Annual Conference shall be prepared by the Bishop assisted by the Spiritual Council. Each year the following items shall be scheduled for consideration:

- (a) Report by the Bishop on the state of the Bulgarian Diocese.
- (b) Report by the Trustees on the financial status and all properties of the Bulgarian Diocese.
- (c) Approval of the budget for the following year.
- (d) Report by the delegates on the life and the conditions in the parishes represented at the meeting.
- (e) Miscellaneous.

Section 4. The Diocesan Annual Conference shall not be competent in the amendment of any article of this Constitution. Amendments shall be made only at a Church Congress. – Sobor

## **ARTICLE VII**

### **THE DIOCESAN CONGRESS – SOBOR**

Section 1. The Diocesan Congress – Sobor, is the sole and highest legislative body of the Bulgarian Diocese. It shall be called for all occasions which the Bishop and the Spiritual Council feel to be of the greatest importance; such as by way of illustration and not limitation, Constitutional Amendments, and election of Bishop. The Spiritual Council shall determine the time and place of convocation as well as the agenda thereof.

Section 2. Any amendment to the Constitution of the Bulgarian Diocese cannot contradict any of the terms of the OCA Statute or the Agreement.

Section 3. The Bishop shall mail or cause to be mailed a written notice informing each Parish and church community of the date, time, place, and all proposed changes and amendments of the Constitution, regulations, and the agenda of the forthcoming Diocesan Congress – Sobor at least sixty days (60) before the convening of such congress. Each Parish and church community upon receipt of such notification shall call a general meeting to elect the necessary delegates.

Section 4. Each Parish and church community shall be represented at the Diocesan Congress – Sobor by the following:

(a) The Parish Priest.

(b) Two legally elected lay delegates who shall be empowered with the necessary credentials properly authenticated by the president and the secretary of the Parish board of trustees and the Parish Priest. If there is no Parish Priest, the credentials shall be authenticated by the Bishop.

Section 5. At all sessions of the Diocesan Congress – Sobor (including those convened for the purpose of electing the Bishop), two-thirds (2/3) of all members of the Diocesan Congress – Sobor shall constitute a quorum. If a quorum cannot be met, the Diocesan Congress – Sobor shall be adjourned for thirty (30) days, after which time a quorum shall consist of one-half plus one ( $1/2 + 1$ ) of all the members of the Diocesan Congress – Sobor.

Section 6. Each Parish or church community shall have fulfilled its annual financial obligation to the Bulgarian Diocese before the delegates will be recognized by the Congress – Sobor.

Section 7. The Governing Board of the Diocesan Congress – Sobor, shall consist of the Bishop, who is the chairman of the Congress – Sobor; two clergy appointed by the Bishop, and two laymen elected by the delegates of the Congress – Sobor.

Section 8. All legislative authority is vested in the Diocesan Congress – Sobor. Except as provided herein, all decisions of the Congress – Sobor shall be carried by a two-thirds (2/3) majority.

Section 9. The decisions taken at the Diocesan Congress – Sobor, shall be binding upon all parishes and church communities and shall become effective immediately after minutes of the Congress – Sobor, have been signed by the Bishop.

Section 10. The purely church and spiritual matters of the Faith and Religious Discipline shall be within the competency of the Bishop and the Spiritual Council.

## **ARTICLE VIII** **PARISHIONERS**

Section 1. Parishioners are those who, by virtue of their Baptism and Chrismation, are members of the Body of Christ and strive to live in accordance with their high calling as Orthodox Christians. No one can be a member of the Parish if he openly betrays the teaching of the Orthodox Church, or if he leads a life or acts in a manner condemned by the Holy Canons as incompatible with the name of Orthodox Christian. A "voting member" of the Parish is a member at least eighteen years of age, who partakes of the Sacraments of Confession and Holy Communion in his home Parish at least once a year; has belonged to the Parish for a period as may be fixed by the Parish; and regularly fulfills such financial obligations as may be established by the All-American Councils, Diocesan Conferences, and Parish.

Section 2. No person shall be accepted for membership in a Parish while retaining membership in a non-Christian religion, or in a non-Orthodox Christian denomination, or in an Orthodox Parish which defies the jurisdiction or the ecclesiastical authority of the Bishop, or who deliberately disregards and transgresses the moral law as may be determined by the Spiritual Council.

Section 3. The religious, moral and social duties of a parishioner are to apply the tenets of the Orthodox faith to his or her life and activities; to attend the Divine Liturgy and other services of worship faithfully on Sunday and Holy Days; to keep the rules and fasts of the Orthodox tradition; to receive frequently the sacraments of Penance and Holy Communion; to train and teach the young according to the faith and spirit of Orthodoxy, to respect the clergy, the ecclesiastical authority, and all governing bodies of the Church; to be obedient in matters of faith and ecclesiastical order; and to cooperate in every way towards the welfare and prosperity of the Parish and the success of its sacred mission.

Section 4. The obligations of a Parish member are to pay such regular membership dues and special assessments as the Parish General Membership Meeting may establish.

Section 5. The rights of the Parish member are to attend all regular and special Parish meetings, to take part in its discussions and to vote therein, and be elected a member or officer of the Parish Board of Trustees or Council, and in such position to take part in the administration of the Parish and in the direction of its life and activity.

Section 6. In an event that a parishioner, as described in section one of this article, cannot participate as a regular Parish member, such person may benefit from the Holy Sacraments of the Church as a communicant, but without the privilege to vote or to be elected to govern the Parish.

## **ARTICLE IX** **PARISHES AND CHURCH COMMUNITIES**

Section 1. New parishes and church communities, outside of those now comprising the Bulgarian Diocese, may be established in such cities and countries as the need arises for same. Any established Parish or church community of the Orthodox Church not presently in the Bulgarian Diocese may apply to join the Bulgarian Diocese. The establishment and acceptance of such parishes and communities shall be decided by the Bishop, the Spiritual Council, and the Annual Conference.

Section 2. Each Parish of the Bulgarian Diocese shall submit its bylaws to the Bishop and the Spiritual Council for approval. Any article of the local bylaws in conflict with this Constitution or the Statutes of the Orthodox Church in America shall be made to conform.

Section 3. The Parish or Parish corporation is the sole owner of all Parish property, assets, and funds. In administering them, however, the parishioners and the officers elected by them must always remember the religious nature, purposes, and goals of the Parish and act as trustees of God's, not man's, property. The Parish, as the whole Church, serves God and cares for God's work in the world, and all decisions concerning Parish property must be inspired by that care and by the spiritual needs of the Church. If the Parish is abolished, its property is disposed of following the provisions of the Parish bylaws. If no such provisions exist, the property is at the disposition of the Bulgarian Diocese. In all cases, the sacred and untouchable items: the Holy Antimension, the Tabernacle, and the Sacred Vessels, must be surrendered to the Bishop.

Section 4. In the event of dissolution of the Parish or church community, the real and personal property thereof, including all proprietary interests derived from rights acquired, shall devolve to the Bulgarian Diocese.

Section 5. The Bulgarian Diocese shall do with the property as it deems advisable; and the property or its proceeds, if the property is sold, shall be held in trust for a period of five (5) years.

Section 6. Should the dissolved Parish or church community again be restored and incorporated within the Bulgarian Diocese, in accordance with this Constitution, within the five year limitation, then the Bulgarian Diocese shall restore the property, or the proceeds of the property, to the said Parish or church community.

## **ARTICLE X** **PARISH PRIEST**

Section 1. The Parish Priest, by virtue of his canonical ordination and appointment, is the Predstoyatel (the presider) of a Parish or church community and heads the local Parish of the Diocese. He has the right and the duty to perform all religious services in the Parish. He must

follow and respect dogmas, Holy Canons, Teachings and Traditions of the Orthodox Church, as well as the directives of the Bishop.

Section 2. The Parish Priest shall have the following spiritual duties and administrative functions in addition to those directed by the Bishop:

(a) To conduct the Sunday and Holyday services in the Parish regularly and properly; to perform the religious services, and to cater to the spiritual needs of his parishioners;

(b) To preach the Word of God in its purity by sermons and other messages;

(c) To arrange religious lectures in the Orthodox Faith for the enlightenment of his parishioners;

(d) To take care of and to keep in good order the records of baptisms, weddings, funerals, and to select the teachers for the religious education (Sunday School) of the Parish for inspection by the Bishop;

(e) To maintain the dignity of his personal and family life, so as to be an exemplary spiritual pastor of his Parish;

(f) To be concerned for the proper church life in his Parish and to be eager in the maintenance of reverence and cleanliness in the temple;

(g) Commemorate the name of the Bishop during the religious services;

(h) Promote the religious education of the parishioners, in conjunction with the Parish Board of Trustees;

(i) Established, with the Parish Board of Trustees, the date and the time of religious services. All schedules shall conform with tradition, dogma and directives from the Bishop;

(j) Administer the Holy Mysteries (Sacraments) and officiate at all religious services requested by parishioners;

(k) Preside over the Parish Board of Trustees except in cases when the Bishop is present, or whenever a representative of the Diocese is delegated for this purpose;

(l) Be a member of the Parish Board of Trustees as a matter of right, "ex officio";

(m) Be the head of the Parish Office, in which capacity he shall be entrusted with the care, custody and control of the archives of the Parish, together with the official Parish Seal, baptismal, chrismation, marriage and burial records;

(n) Be responsible and care for all books, vestments, objects of veneration, and the sacred untouchable items; the holy Antimension, the tabernacle, and the sacred vessels used in the church services and ritual.

Section 3. The Parish Priest is the head of the Parish. No activities in the Parish can be initiated without his knowledge, approval, and blessing; neither should he do anything pertaining to the Parish without the knowledge of his parishioners and Parish organs elected by them, so that always there may be unity, mutual trust, cooperation, and love.

Section 4. The Parish Priest shall have final authority over the church school.

Section 5. To be free from material preoccupations and wholly committed to his sacred ministry, the Priest must be compensated by the Parish he serves, and the amount of his compensation shall be clearly agreed upon at the time of his appointment. It shall be determined by the Parish membership in conformity with the standard of living in the community. If a dispute should arise, the Bishop shall be asked to mediate.

Section 6. The Parish Priest shall not absent himself from the Parish without the consent and prior arrangement of the Bishop and the Parish Board of Trustees.

Section 7. The Parish Priest or the Parish Board of Trustees shall not invite or accept a clergy of any rank to officiate in their church without the consent and prior arrangement of the Bishop.

Section 8. A Parish Priest may be transferred from one Parish to another with the blessing of the Bishop and the approval of the Spiritual Council. The process for the request shall conform to the following:

(a) Concerns about the pastorate of the Parish Priest should be registered with and through the Parish Board of Trustees;

(b) Representatives of the Parish Board of Trustees shall meet with the Parish Priest to discuss the concerns and together, work and strive to overcome the concerns;

(c) Should the concerns communicated continue and/or grow the Parish Board of Trustees, by a majority vote, shall send written communication to the Bishop, documenting not only the concerns but the actions and efforts taken to resolve the concerns;

(d) In kind, the Bishop shall respond within thirty (30) days to the Parish Board of Trustees with guidance in resolving the concerns;

(e) Should efforts continue to be fruitless and the concerns persist, the Parish Board of Trustees, by a 2/3 majority vote, shall write to the Bishop invoking a "Request for Transfer." Documentation of the vote and minutes of the Parish Board of Trustees meeting shall accompany the request;

(f) Upon receipt of the "Request for Transfer" the Bishop shall respond to the Parish Council within sixty (60) days, indicating available dates by which he or his duly appointed representative will visit, in person, the Parish. The purpose of the visit, by the Bishop or his duly appointed representative shall be to meet with the members of the Parish Board of Trustees, all authorized auxiliaries, those members in good standing who request a private audience, and the Parish Priest to discuss the concerns of the Parish;

(g) Upon meeting with the above mentioned parishioners, auxiliaries and Parish Priest, the Bishop shall respond, in a timely manner, either in person to the Parish Council, or in writing, concerning any actions to be taken in regard to the "Request for Transfer";

(h) Should the "Request for Transfer" be denied, the Parish may petition the Bishop after a period of one (1) year from the time of his denial.

Section 9. The Office of the Parish Priest shall be deemed vacant if any of the following occurs:

(a) Death;

(b) Retirement or resignation;

(c) Permanent physical and/or mental incapacity, upon the medical certification of at least two physicians;

(d) Deposition for heresy, as determined and verified by the Holy Synod of the Orthodox Church in America upon and by due canonical process.

(e) Transfer or removal of the Priest by the Bishop.

When retired, resigned, transferred or removed from a Parish, the Priest shall turn over to his Dean or upon written direction of the Bishop to the Parish Council all records of the Parish Office, all registers and an inventory of all furnishings, sacred vessels, liturgical books, vestments and all other property entrusted to him under these By-Laws.

Section 10. In the event of a vacancy in the Office of Parish Priest, his successor shall be appointed, as follows:

(a) The Parish Board of Trustees shall call within thirty (30) days a meeting for the purpose of deciding the remuneration being offered.



(b) The Parish Board of Trustees shall inform the Bishop about the remuneration offered by the Parish Board of Trustees by forwarding to the Bishop a certified copy of the meeting minutes.

(c) Upon the determination that a candidate to the vacant Office of Parish Priest is available, the Bishop shall issue the Decree of Appointment, thereby appointing a Parish Priest to the Parish.

## **ARTICLE XI**

### **FINANCIAL SUPPORT OF THE DIOCESE**

Section 1. Each Parish of the Bulgarian Diocese will financially support the Bulgarian Diocese as follows; by way of illustration and not limitations:

- (a) Regular assessments from the parishes of the Bulgarian Diocese.
- (b) Extra fees on behalf of the Bulgarian Diocese from weddings, funerals and baptisms or any other means deemed appropriate.
- (c) Gifts and trusts, made specifically for the benefit of the Bulgarian Diocese.

Section 2. The finance committee as appointed at each Diocesan Annual Conference or at the Diocesan Congress – Sobor, shall set the annual assessments and extra fees for each Parish.

Section 3. The Diocesan Financial Year will begin on the first day of June and end on the last day of May each year. All parishes must meet their financial obligations toward the Bulgarian Diocese within the fiscal year.

Section 4. The financial contributions of the Bulgarian Diocese to the Orthodox Church in America shall be mutually determined from time to time as agreed by both parties.

## **ARTICLE XII**

### **GENERAL PROVISIONS**

Section 1. The Bulgarian Diocese shall have a circular seal with the following inscription around: "Bulgarian Eastern Orthodox Church – Diocese of the United States of America and Canada" In the center of the seal there shall be inscribed: the Holy Bible, a Miter, and double and triple candlesticks.

Section 2. Any problem, which is not within the scope of the present Constitution, may be solved in the spirit of this Constitution and by the provisions of the fundamental guiding principles of the Bulgarian Diocese, and by consultation to the OCA Statutes and the Agreement (both attached hereto as Exhibits A and B, respectively).

Section 3. The Bishop, the Spiritual Council, and the Diocesan Board of Trustees shall be responsible for the publishing of a Diocesan periodical bulletin and other necessary pertinent material.

## GENERAL UNIFORM PARISH REGULATIONS

(As ratified by the Seventh Annual Conference and authorized by the Second Diocesan Congress - Sobor).

Section 1. The election of the members of the Parish Board of Trustees (Parish Council) or Church Committee shall be held on any Sunday in November. Only the regular Parish members of good standing shall have the right to vote and to be elected.

Section 2. The election meeting for the Parish Board of Trustees shall be held at a place on Parish premises previously announced by the Parish Governing Body and voting shall be by secret ballot personally cast.

Section 3. Within seven (7) days after the election of the Parish Board of Trustees, the Priest shall forward the result to the Bishop for review and ratification. The Priest shall at the same time verify in writing that all candidates were qualified and that the election was conducted in accordance with the regulations of the Bulgarian Diocese and the Parish bylaws.

Section 4. The election will be ratified upon receipt of the verification hereinbefore provided for in the absence of the filing of any protest thereto. In the event that a protest is filed within 15 days and such protest is upheld, the Bulgarian Diocese<sup>1</sup> will declare the protested election void and a new election will be ordered. Such a protest must be filed in writing within the specified period directly to the Bishop with a copy to the respective Parish Priest.

Section 5. On the last Sunday in December, and after ratification of the election has been received from the Bulgarian Diocese,<sup>2</sup> the installation of the newly elected members of the Parish Board of Trustees shall take place, administered by the Parish Priest.

Section 6. Each member of the newly elected Parish Board of Trustees is obliged, without exception, to take the following oath jointly:

"I (NAME), do solemnly swear that I will uphold the dogma, teaching, traditions, holy canons, worship and moral principles of the Holy Eastern Orthodox Church, as well as the constitution, discipline and regulations of Bulgarian Diocese of Toledo – Orthodox Church of America, and that I will fulfill faithfully and sincerely the duties and obligations required of a member of the Parish Board of Trustees. So Help Me God."

Section 7. The Parish Board of Elections shall consist of at least three and not more than five members elected at the Parish Assembly preceding an election.

Section 8. The Board of Elections shall in cooperation with the Priest and the Parish Board of Trustees check the list of candidates-nominees, notify all eligible members concerning the elections, supervise the elections, and tabulate and report the results.

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<sup>1</sup> The Bishop and the Spiritual Council

<sup>2</sup> The Bishop and the Spiritual Council

Section 9. The nominees or candidates for the Parish Board of Trustees must comply with Article VIII of this Constitution.

Section 10. When transferring from one Parish to another, the parishioner shall present to the Priest of the new Parish a letter of transfer signed by his or her former Priest.

Section 11. Each Parish shall be administered by the Priest and the Parish Board of Trustees. The Priest as head of the Parish (Predstoyatel) by virtue of the ecclesiastical authority vested in him, shall guide and oversee the total Parish programs, with the advice and consent of the Parish Board of Trustees, and shall be ultimately responsible for the whole life and activities of the Parish.

Section 12. Final architectural plans for the erection of a church building or interior renovation shall be submitted to the Spiritual Council for review and the Bishop for his blessing.

Section 13. In the Event of heresy, schism, or defection from the Bulgarian Diocese, as determined by the Diocesan Ecclesiastical authority, the segment of the Parish which remains loyal to the Bulgarian Diocese of Toledo – Orthodox Church of America shall retain title to the Parish property.

Section 14. Each Parish Priest is entitled to the minimum of three (3) weeks annual vacation with full pay after securing first permission from the Bishop and the consent of his Parish Board of Trustees. In the event that the Priest is incapacitated to take a vacation on account of pressing Parish work or lack of substitute, he shall then receive the extra payment of his salary for a half a month.