

# DIOCESE OF THE MIDWEST

## Diocesan Bylaws

*(Approved 1996)*

- I. The Diocese of the Midwest (hereinafter referred to as Diocese) is comprised of faithful Orthodox Christians united in local worshipping communities (hereinafter referred to as Parishes) within the territory assigned to it by the Holy Synod of Bishops of the Orthodox Church in America. It is a non-profit corporation chartered under the laws of the State of Illinois.
  - A. The Corporate Officers shall be: Diocesan Bishop as President, Chancellor as Vice President, Diocesan Secretary as Secretary, and Diocesan Treasurer as Treasurer.
  - B. A candidate for Bishop is nominated, elected, consecrated and/or installed as described in the Statute of the Orthodox Church in America (OCA), Article VI, Sections 9-11. The Diocesan Chancellor, Secretary, and Treasurer are appointed by the Bishop, as described in the Statute of the OCA, Article VI, Section 4, part 1. (Also see Article VIII, Section 6.)
  - C. The Bishop shall preside at the Diocesan Assembly and at the Diocesan Council meetings. The Bishop may appoint Vice Chair(s) at Diocesan Assemblies and Diocesan Council meetings.
  - D. The Bishop is the keeper of the corporate seal.
  - E. The Chancellor shall act as a liaison between the Diocesan Bishop and deans, clergy, parishes and Diocesan departments and committees. He is responsible for implementing the decisions of the Bishop, Diocesan Assemblies, Council, Bishop's Council, and any departments and committees. He will co-ordinate overall operation of the Chancery office and together with the Bishop be responsible for administration of the Diocese and its concerns.
  - F. The Secretary shall be responsible for:
    1. Keeping an accurate record of all Diocesan Council meetings and all Diocesan Assemblies;
    2. The notification of all parishes of all such meetings;
    3. Performing such other duties as may be assigned by the Diocesan Bishop, Bylaw, and decision of the Diocesan Assembly or Council.
  - G. The Treasurer shall be responsible for:
    1. Overseeing the receipt, safekeeping, and proper disbursement of all money and other property of the Diocese entrusted into his care, according to the direction of the Diocesan Assembly or Diocesan Council;
    2. Providing a financial statement at the Diocesan Assembly and at such other times as may be requested by the Diocesan Council. The annual financial statement shall be audited and certified as provided in the Rules of Procedure;
    3. Having a complete account of the finances of the Diocese on books which shall be and remain the property of the Diocese;
    4. Such other duties as may be assigned by the Bishop, Bylaws, Rules of Procedure, and decision of the Diocesan Assembly or Council.

- H. The execution of contracts, not included in the Diocesan Operating budget, and authorized by the Diocesan Council may be accomplished with the signature of one of the following: The Bishop, Chancellor, Treasurer, or Secretary.
  - I. The establishment of financial accounts and payment of funds may be accomplished with no less than two signatures of the following: The Bishop, Chancellor, Treasurer, or Secretary.
- II. The Annual Diocesan Assembly is the annual corporate meeting. It is held on the first Monday, Tuesday, and Wednesday in October and conducted in accordance with the provisions of the Statute of the Orthodox Church in America. (See Appendix No. 1.) The time of the Assembly may be changed for cause by the Bishop or Diocesan Council, with thirty (30) day notice to Diocesan Parishes and Clergy. Extraordinary Assemblies may be convoked as described in the Statute of the OCA, Article VII, Section 4. The Diocesan Assembly shall elect:
- A. One (1) Clergy Vice Chairman and one (1) Lay Vice Chairman.
  - B. Diocesan Council Representatives:
    1. There shall be ten (10) people, [five (5) clergy and five (5) lay elected at-large]. Each year at the annual Diocesan Assembly, two (2) clergy and two (2) lay representatives will be elected. A term in office on the Diocesan Council is three (3) years.
    2. The length of consecutive service as an elected member of the Diocesan Council is six (6) years. A one (1) year sabbatical is required before running again for election to the Diocesan Council.
  - C. Diocesan Representatives to the Metropolitan Council:
    1. There shall be two (2) representatives, one (1) clergy and one (1) lay, elected at the Diocesan Assembly. These representatives shall be elected at the Diocesan Assembly their three-year terms being staggered. Representatives to the Metropolitan Council are members of the Diocesan Council ex officio. The term of newly elected representatives shall begin with the first Metropolitan Council meeting of the new calendar year.
  - D. Auditing Committee:
    1. The Auditing Committee shall consist of three (3) members elected at-large for a three (3) year term. One member shall be elected at the annual Diocesan Assembly each year.
    2. The senior member (the person in the final year of his term) shall be the Chairman.
    3. The Auditing Committee shall review the financial operations of the Diocese and make a written report to the Diocesan Assembly; this report shall be mailed to the parishes (30) days prior to the annual Diocesan Assembly.
  - E. Advisory committees may be established by the Bishop or by the Diocesan Council with the Bishop's approval as deemed necessary.
  - F. Assistants to the Secretary and Treasurer. If it is deemed necessary to have

assistants to the Secretary or the Treasurer, the Bishop shall appoint such persons as needed.

- G. The clergy and lay person receiving the next highest number of votes after vacancies on the Council have been filled are considered to be alternates who would fulfill the remainder of a vacant term of a Diocesan Council member or Diocesan Representative to the Metropolitan Council. In case of need, the Bishop may also appoint a temporary replacement until the next Diocesan Assembly.
  - H. The Diocesan Assembly shall establish the fiscal year and annual Diocesan assessment. (cf. Statute of the OCA, Article VII, Sec. 3, d.)
  - I. Removal from the Diocesan Council
    - 1. All Diocesan Council members must continue to fulfill the qualifications for membership in the Council, as mandated by the Diocesan Assembly, during their entire tenure of office. Members of the Council whose membership status in a Diocesan parish changes due to Sacramental participation, etc. are subject to removal.
    - 2. Council members whose parish membership changes because of a move outside the boundaries of their parish and the Diocese must resign their position.
    - 3. Three (3) absences from Diocesan Council meetings between Diocesan Assemblies may be considered a resignation from the Diocesan Council.
    - 4. All actions regarding removal are subject to the final decision of the Diocesan Bishop.
  - J. A Nominating Committee of three (3) members shall be selected by the Diocesan Council. The members of the Committee are not to be candidates for election.
  - K. The duties of the Nominating Committee shall be:
    - 1. To compile a list of candidates nominated by members of the Assembly prior to the election session;
    - 2. To maximize the number of candidates running for open positions;
    - 3. Not to endorse or recommend any candidate for election.
  - L. Nominations from the floor shall be accepted. Voting is by secret ballot.
  - M. One must be an accredited delegate of and present at the Diocesan Assembly to be nominated.
  - N. All parishes are required to meet the financial obligations for the Diocesan Assembly (i.e., registration fees) for a minimum of one (1) clergy and one (1) lay delegate.
  - O. All parishes are required to be current with their Central Annual and Diocesan Annual Assessments in order to have delegates seated at the Annual Diocesan Assembly.
- III. The Diocesan Council is the corporate board of Directors. The Diocesan Council shall be composed of:
- A. Voting members:
    - 1. Ruling Bishop and any Auxiliary Bishops;

2. Diocesan Chancellor;
  3. Diocesan Secretary;
  4. Diocesan Treasurer;
  5. Five (5) clergy (Priests and/or Deacons) and five (5) laity;
  6. Representatives to the Metropolitan Council [one (1) clergy and one (1) lay].
- B. Non-Voting members:
1. Deans;
  2. Editor of The Vigil;
  3. Department and committee chairmen
- C. The Bishop (and any Auxiliaries) and the Chancellor are “Ex-officio” voting members of the Council.
- IV. In the event of any conflicting provisions, the corporation and Statute of the Orthodox Church in America shall take precedence over those of the Diocese. The corporation and Bylaws of the Diocese shall take precedence over that of the parishes.
- V. If the Diocese is dissolved or ceases to exist, all assets held in the name of the Diocese shall become the property of the Orthodox Church in America.
- VI. These Bylaws can be amended by a two-third (2/3) vote at a Diocesan Assembly with the proviso that the exact text of any proposed amendment be mailed with the approval of the Bishop to all parishes for distribution to their members at least 30 days prior to the meeting.

#### Appendix No. 1 – The Statute of the Orthodox Church in America

These bylaws were approved at the 36<sup>th</sup> Diocesan Assembly of the Diocese of the Midwest in Dayton, Ohio held October 7-9, 1996.