

**UNIFORM BY-LAWS FOR MISSION COMMUNITIES OF  
THE ORTHODOX CHURCH IN AMERICA  
*DIOCESE OF THE MIDWEST***

**ARTICLE I  
THE MISSION COMMUNITY**

**Section1: THE MISSION, ITS NAME, AND ITS CREATION**

The Mission of Annunciation of the Virgin Mary in Saint James, Missouri (hereinafter “the Mission Community,” “the Mission,” or “the Community”) has been created and established by decree of the Bishop of the Diocese of the Midwest of the Orthodox Church in America in accord with the canon law and ecclesiastical discipline of the Orthodox Church. It exists as an ecclesial community exclusively under the jurisdiction and authority of the Bishop of the Diocese of Midwest, Orthodox Church in America (The Statute of the Orthodox Church in America, Article X, Section 3), from whom it receives its mandate and prerogative to exist as an Orthodox mission community. For civil administrative purposes alone, the Mission has been chartered/incorporated as a not-for-profit religious association within the State/Commonwealth of Missouri. This incorporation, as a matter of civil law, in no way creates or presumes administrative autonomy or independence from the hierarchical authority, jurisdiction or administration of the Bishop of the Diocese of Midwest, Orthodox Church in America.

**Section 2: THE COMMUNITY.**

As a Mission Community of the Diocese of the Midwest of the Orthodox Church in America, the Mission exists as a local Orthodox Christian community for the purpose of worshiping God in accord with the Holy Scriptures and the Tradition of the Holy Orthodox Church, to guide its members to union with God by providing Christian formation, religious education, opportunities for Christian stewardship and service, and charitable assistance. As a Mission Community, its members are committed to promote the Gospel as preached and lived by the Holy Orthodox Church.

**Section 3: MEMBERSHIP.**

- a. The term “member of the community” is defined as a person fulfilling the requirements and qualifications established for parish membership by The Statute of the Orthodox Church in America, Article X, Section 5, a, or as subsequently amended.
- b. The term “voting member” is defined as a person who fulfills the qualifications of both paragraphs a and b of Article X, Section 5 of the Statute of the Orthodox Church in America, or as subsequently amended.
- c. A person who was a “voting member” in another parish or community of The Orthodox Church in America and who has officially transferred membership to this Mission Community shall have full “voting member” status. Voting membership in two parishes or mission communities is not permitted.
- d. Adhering to the Holy Scriptures and the Church’s Tradition, the duty of all members of the mission is to seek the knowledge of God and union with Him through Jesus Christ and the Holy Spirit; to express that unity with God in all religious, moral, family, and social endeavors. This is most evidently expressed through regular attendance at the Divine Services, frequent reception of the Holy Gifts in the Eucharist, living as faithful stewards of God’s gifts by the offering of time, talent, and material resources, and in doing all that is possible to promote unity and brotherly concern among the members of the Community.

- e. The Mission Council, together with the Priest-in-Charge, shall initiate any action to remove from voting membership that person who violates the doctrine or canons of the Orthodox Church or who obstructs those decisions rendered by the majority of the membership or diocesan authority or who causes such disruption as to adversely affect the life of the Community. Any action to remove the right of voting membership shall be referred to the competent diocesan authority.

#### **Section 4: GOVERNING AUTHORITY.**

The worship, community life, organization, and administration of the Mission Community are subject to the canon law and ecclesiastical disciplinary tradition of the Orthodox Church, the Statute of the Orthodox Church in America, the By-laws of the Diocese of the Midwest, of which it is a subordinate body and the administrative decisions of the Diocesan Bishop.

#### **Section 5: ADMINISTRATION.**

- a. The Priest-in-Charge, as head of the Community by virtue of the ecclesiastical authority vested in him, shall guide and supervise all ministries and shall be the chief administrator of all business and other activities within the Community in cooperation with those who are so designated to exercise supervisory roles in the Community. The Priest-in-Charge is responsible to the Diocesan Bishop for the life, well being, and general administrative concerns of the community.
- b. The Priest-in-Charge shall be assisted in the work of administration by the duly elected and installed members of the Mission Council.
- c. In the case that a difficulty should arise between the Priest-in-Charge and the Council, the matter shall be referred to the appropriate diocesan authority. The decision of the appropriate diocesan authority shall be deemed final.
- d. In the case that a vacancy in the office of Priest-in-Charge occurs, the Diocesan Bishop shall determine and appoint a replacement who shall oversee the administration of the Mission.

#### **Section 6: FISCAL YEAR**

For the purposes of administration, the fiscal year of the Mission shall be January 1 – December 31 of the calendar year.

#### **Section 7: STEWARDSHIP OBLIGATIONS**

Each year, the Mission shall remit to the Diocesan Treasurer its financial obligations to the Diocese of the Midwest and to the Orthodox Church in America, as duly established and as required by The Statute of the Orthodox Church in America, Article X, Section 6.

## **ARTICLE II**

### **LEADERSHIP**

#### **A. CLERGY LEADERSHIP**

##### **Section 1: ASSIGNMENT OF THE PRIEST-IN-CHARGE.**

The Priest-in-Charge is assigned, transferred, or removed by the Diocesan Bishop by virtue of the authority of his office and in accordance with the canons, ecclesiastical procedure, and needs of the Community and the diocese.

##### **Section 2: THE PRIEST-IN-CHARGE AND OTHER ASSIGNED CLERGY.**

- a. Parish clergy are assigned, attached, transferred, or removed by the Diocesan Bishop by virtue of the authority of his office and in accordance with canon law, ecclesiastical procedure, and the needs of the mission and the diocese.
- b. The Priest-in-Charge, as the leader of the Community, is the spiritual father and teacher of his flock and the chief celebrant of the Community's worship. He teaches and edifies those who have been entrusted to his pastoral care and assures that all activities within the Community serve to build up the Body of Christ. No activities within the Community can be initiated without his knowledge and approval, neither should he do anything pertaining to the Community without the knowledge of his community especially those members of the Community serving in elected positions, so that always and everywhere there may be unity, mutual trust, cooperation, and love (OCA Statute, Article X, Section 4).
- c. Any member of the clergy assigned or attached to The Mission cannot be removed or leave his assignment without the express permission of the Diocesan Bishop.
- d. The Mission shall be responsible for the support of its clergy as determined at the time of the assignment or as subsequently amended and approved by the Diocesan Bishop or his delegate.

##### **Section 3: AREAS OF CLERGY RESPONSIBILITY.**

The Priest-in-Charge of the Community shall:

- a. serve the liturgical and sacramental needs according to the Typikon of the Orthodox Church in America;
- b. preach the Word of God in accord with the Tradition of the Orthodox Church;
- c. instruct those entrusted to his care in the tenets of the Orthodox Faith;
- d. implement and oversee the religious education of the Community;
- e. supervise the ministry of additional clergy who may be assigned or attached to the Community by the Diocesan Bishop;
- f. preside at all Community Meetings and attend all Council meetings;
- g. maintain all records of baptisms, chrismations, marriages, deaths, and burials, issue copies of the same, and report the statistics annually to the Diocesan Bishop;

- h. represent the Community to the Diocesan Bishop and the local dean, to any diocesan or national bodies, including the All American Council and the Diocesan Assembly, as well as to any other church or community organizations or bodies;
- i. oversee the implementation of the decisions of the All-American Councils, of the diocesan assemblies, as well as the directives of the Diocesan Bishop;
- j. supervise the work of all ministry committees; and
- k. forward the minutes of the annual meeting to the Diocesan Bishop as well as present to him the names of those duly elected to Mission Council for the Diocesan Bishop's confirmation.

#### **Section 4: VACANCY.**

Upon the death, retirement, or transfer of the Priest-in-Charge, the vacancy in office may be filled on a temporary basis by the Diocesan Bishop until the office is filled on a permanent basis.

#### **Section 5: COMPENSATION.**

The Priest-in-Charge is to be compensated by the Community, the amount and terms of such compensation shall be determined prior to the time of his assignment and shall conform to current diocesan guidelines concerning compensation and benefits for clergy.

### **B. LAY LEADERSHIP**

#### **Section 1: MISSION MINISTRY COMMITTEES.**

- a. Recognizing that all the baptized are called to work together in building up the Body of Christ, members of the Community shall be called upon to share their time and talents with the Community in various areas of community life and ministry. Those who serve in the various ministries and ministerial activities of the Community shall be organized into "Ministry Committees." These Committees shall consist of those who serve in a given area of ministry and shall work in cooperation with the Priest-in-Charge. Typically ministries would include: religious education, stewardship, outreach, charities, fellowship, mercy.,
- b. The work, purpose, and goals of the Ministry Committees shall be reviewed each year at the annual Community Meeting in the form of a written or oral report prepared and presented by the coordinator of that Ministry Committee.
- c. The coordinator of each ministry shall be the person designated for that role by the Priest-in-Charge after consultation with those who serve in that area of ministry. The coordinator shall work with the Priest-in-Charge in determining the scope of the ministry and shall be responsible to report all ministry activities to the Priest-in-Charge as well as to fellow members of the Council at monthly meetings.
- d. The number of official ministries and ministry committees shall be subject to review at the annual meeting. Any additions or reduction in the number of ministry committees shall be determined by vote at the annual meeting, upon recommendation of the Priest-in-Charge and the Mission Council.

#### **Section 2: THE COUNCIL.**

- a. The Mission Council shall assist the Priest-in-Charge in the administration of the life and work of the Community. Its primary areas of responsibility are to assure that the Community is united in faith and love and lives as the Body of Christ in its own locale. (OCA Statute, Article X, Section 7, d). The Council, in cooperation with the Priest-in-

Charge, shall oversee the work of the mission ministry committees. These appointments are to be reviewed annually. The Priest in Charge, along with the ministry coordinators, shall join with elected officers in the administration of the Mission. Their several duties are listed in paragraph II.B.7 ("Council Responsibilities") below.

- b. The Officers of the Council shall be the President (the Priest-in-Charge), the Vice-Chair, the Secretary, and the Treasurer. The Vice-Chair, Secretary and Treasurer shall be elected for a three year term of office."

### **Section 3: ELECTIONS AND TERMS OF OFFICE.**

The term of office of all Council officers shall be for three years, No one may be reelected to the Council for a second three-year term.

### **Section 4: CONFIRMATION AND INSTALLATION.**

- a. Upon adjournment of the annual meeting, the Priest-in-Charge shall notify the Diocesan Bishop, in writing, of the results of the election and request confirmation of said election\*. This is to be done not later than seven (7) days after the annual meeting.
- b. Upon confirmation of the election, the Priest-in-Charge shall install the members of the Council according to the approved formula.

### **Section 5: REMOVAL FROM THE COUNCIL.**

- a. All Council members must remain members of the Community in good standing as defined in Article I, Section 3, in order to serve on the Council. Failure to retain such membership carries the penalty of automatic dismissal from the Council.
- b. All Council members are to attend all Council meetings during their term of office. Excessive unexcused absences from Council meetings may render a member subject to dismissal.
- c. The Council initiates all procedures for the dismissal of its members.
- d. The Diocesan Bishop or the district dean may intervene in cases in which a Council member is subject to dismissal for causes stated in a) or b) of this Section of the By-laws.

### **Section 6: VACANCIES.**

In the case that a vacancy occurs on the Council, the vacancy shall be filled by the members of the Council who shall elect a replacement for the remainder of the vacated term. This election shall be subject to confirmation by the Priest-in-Charge.

### **Section 7: COUNCIL RESPONSIBILITIES**

The members of the Council, working in cooperation with the Priest-in-Charge, shall:

- a. be responsible for the various areas of administration, each in keeping with his or her area of expertise or ministry within the Community, as determined each year at the beginning of the new term of office;
- b. assist the Priest-in-Charge in oversight of special Community projects;
- c. report on their respective areas of responsibility at the monthly meetings of the Council and at the annual Community meeting;
- d. perform other such duties as may be required or requested by the needs of the Community;

- e. provide for the implementation of the decisions, resolutions, and decrees of the Diocesan Assembly and the All-American Council.

## **ARTICLE III**

### **MEETINGS**

#### **A. THE ANNUAL MEETING AND SPECIAL MEETINGS**

##### **Section 1: ANNUAL MEETING.**

An annual meeting of the voting members of the mission shall be held on the first Sunday of the month of November for the purpose of reviewing the life and ministry of the Mission Community during the previous year, the electing of members of the mission Council in accord with these By-laws, and for the transaction of such other business as may come before it. Should circumstances preclude convoking the annual meeting at its appointed time, an alternate date agreed upon by the Priest-in-Charge and the Mission Council can be selected. In such a case, the publication of the change of date is subject to the requirements for the announcement of the regularly scheduled annual meeting. Delegates to the Diocesan Assembly and to the All-American Councils will be selected at the time of the Annual Meeting.

##### **Section 2: SPECIAL MEETINGS.**

Special meetings for the voting members of the Community may be convoked by the Priest-in-Charge, the Council, after having conferred with the Priest-in-Charge, or the Diocesan Bishop or his delegate. Such special meetings may be held only after a reasonable time has passed to allow for the notification of all voting members of the Community.

##### **Section 3: ANNOUNCEMENT OF MEETINGS.**

The annual meeting and any special meetings are to be announced from the ambo for three consecutive Sundays prior to the determined date. The agenda of all such meetings is to either be posted in a conspicuous place or distribute to all voting members of the Community. In any meeting which has as part of its agenda capital expenditures, the purchase, sale, mortgage, lease, or encumbrance of real property of the Community or amendment of these By-laws, the notice shall specify the matter or matters to be acted upon at said meeting.

##### **Section 4: MEETING LOCATION**

All parish meetings shall be held on church premises unless otherwise decided by the Priest-in-Charge and the Council.

##### **Section 5: QUORUM.**

A Quorum will consist of 25% of the total number of members-in-good-standing. The quorum required for the transaction of community business at its annual or other specially convoked meetings shall be a majority of the number of persons listed as members. In the absence of a quorum at the Annual Meeting, the Meeting may be adjourned to a time determined by the majority of voting members present at that meeting. At the Adjourned Meeting, those in attendance shall constitute a quorum. These provisions for an Adjourned Meeting shall not apply to any Special Meeting or to any business matters at the Annual Meeting pertaining to amending these By-laws or to the acquisition or alienation of community property or to capital expenditures. In those instances, the quorum requirements outlined in this section must be applied.

##### **Section 6: VOTING.**

- a. A simple majority vote by those voting members present shall determine the decision of any community or Council meeting, except as provided in b, below.

- b. The agenda will be posted or distributed to Community membership on the Sunday prior to the meeting. Only business which has been placed on the posted agenda prior to the meeting may be voted upon as an action item.
- c. Meetings of the Council shall be open to general mission membership unless otherwise announced by the Priest-in-Charge. If so invited, members of the Community present at Council meetings may participate in discussion.

## **B. THE DIOCESAN ASSEMBLY, THE ALL AMERICAN COUNCIL, AND OTHER MEETINGS AND ASSEMBLIES.**

- a. The election of delegates to the annual Diocesan Assembly and to the All-American Council shall be subject to the appropriate provisions of the Diocesan By-laws and the Statute of the Orthodox Church in America.
- b. The nomination or assignment of delegates or representatives to church or community meetings or assemblies shall be made by the Priest-in-Charge after conferring with the Council, as appropriate.

## **ARTICLE IV** **MISSION PROPERTIES**

### **Section 1: TITLE OF OWNERSHIP.**

The Mission is the sole owner of all its properties, assets, and funds, subject to the following Sections of this Article, the Canon Law of the Orthodox Church, the By-laws of the Diocese of the Midwest of the Orthodox Church in America, the Statute of the Orthodox Church in America, the canonical tradition and practice of the Orthodox Church, and the determination of the Holy Synod of Bishops of the Orthodox Church in America.

### **Section 2: DOCUMENTS AND POLICIES.**

All policies of "Insurance" shall be registered in the name of the corporation which shall be listed as the sole beneficiary. All deeds, policies, and other legal documents shall be maintained in a safe and secure place.

### **Section 3: REAL PROPERTY.**

The Mission may purchase or receive real property to sell, mortgage, lease, or otherwise encumber its real property upon approval of at least a two-thirds majority of voting members present at the Annual Meeting or a Special Meeting convened for the purpose, at which a quorum is present, due notice having been given, on a resolution presented by the Priest-in-Charge and the Mission Council, and subject to final approval of the Diocesan Bishop. However, in no event shall such action be taken without the approval of less than twenty (20) percent of all voting members of the Community.

### **Section 4: SPECIAL BEQUESTS.**

As far as possible, all special bequests, gifts, and devises should be used by the Mission for the purpose for which they were made. Such intention shall be received in written form from the donor. In the event that the purpose of such gift, devise, or bequest is not feasible or cannot otherwise be honored, an alternate use may be determined by the Priest-in-Charge and the Council only after consultation with the donor or the estate representative.

### **Section 5: DEFECTION.**

This Mission Community is part of the Orthodox Church in America and a subsidiary body of the Diocese of the Midwest subject to the spiritual, moral, religious, and administrative authority of the

Bishop of the Diocese of the Midwest and to his canonical rights of governance. In the event that the Mission, either as a religious body or as a corporation, should decide to withdraw itself from the spiritual, moral, religious, or administrative authority or jurisdiction of the Bishop of the Diocese of the Midwest of the Orthodox Church in America, or in any way or manner from the Orthodox Church in America, its property and assets shall be disposed of in accordance with the provisions of Section 6 below. In the event that a group of members decides to withdraw from the spiritual, moral, religious, or administrative authority or jurisdiction of the Bishop of the Diocese of the Midwest of the Orthodox Church in America, or in any way or manner from the Orthodox Church in America, that segment of members of the Mission Community which chooses to remain under the jurisdiction and authority of the Bishop of the Diocese of the Midwest of the Orthodox Church in America shall retain full title to all Mission assets and property.

## **Section 6: DISSOLUTION.**

- a. This Mission may be dissolved or suppressed by the decision of the Mission Community subject to the ratification of the Diocesan Bishop. Only the Diocesan Bishop shall have the power to dissolve, suppress, close, or otherwise alter or change the canonical status of the Mission. Upon the dissolution or suppression of the Mission, the sacred liturgical items, such as the Antimension, the Tabernacle, and the Sacred Vessels shall be delivered directly to the Diocesan Bishop or his delegate.
- b. If the Mission is dissolved, suppressed, or closed by the Diocesan Bishop, its real property, funds, and other assets shall be disposed of in one of the following manners 1) and 2) below, to be decided upon by a two-thirds majority of the voting members present at a meeting, properly and duly convened for this express purpose. In the event that the Mission shall possess more than one real property, they may be treated separately for the purposes of 1) and 2) below:
  - 1) All real property, funds, and assets shall be transferred to the Diocese of the Midwest of the Orthodox Church in America, provided that any obliges affected by such a transfer shall consent to the same; or
  - 2) After all encumbrances have been satisfied, all real property *may* be sold and the resulting funds, as well as any and all other Mission funds and liquid assets shall be distributed, subject to the approval of the Diocesan Bishop, to institutions or charities of the Orthodox Church in America.

## **ARTICLE V**

### **AMENDMENTS, REGULATIONS, AND GENERAL PROVISIONS**

#### **Section 1: AMENDMENTS.**

These By-laws may be altered or amended by a two-thirds majority vote of the voting members in attendance at the Annual Meeting at which a quorum is present or at a Special Meeting convened at which a quorum is present, provided that timely written notice is given to the membership specifying the proposed addition, change, or amendment. All amended changes or additions so proposed shall not become effective unless approved by the Diocesan Bishop.

#### **Section 2: AMENDMENTS IN DIOCESAN BY-LAWS AND THE STATUTE OF THE ORTHODOX CHURCH IN AMERICA**

Any amendments, changes, or alterations in the Diocesan By-laws of the Diocese of the Midwest of the Orthodox Church in America or in The Statute of the Orthodox Church in America as quoted or contained within these By-laws shall be effected within the same immediately upon their approval by the competent Church Authority or Body.



### Section 3: PROCEDURES.

For matters not covered by these By-laws, the Mission may enact procedures and regulations to meet the need of a particular situation within the Community. Such additional procedures and regulations must be presented to the Diocesan Bishop for his approval before they become effective.

### Section 4: SCOPE OF RIGHTS.

Notwithstanding any provisions contained herein or any provisions that might be assumed from civil law concerning not-for-profit religious associations or religious corporations, nothing in these By-laws shall be deemed to have granted any individual members of the Mission Community any rights, as members of the present corporation, that are in conflict or at variance with those recognized by canon law, the Statute of the Orthodox Church in America, or the By-laws of the Diocese of the Midwest

### Section 5: CHANGE OF CANONICAL STATUS

In the case that this Mission Community receives a change in its canonical status and is established as a parish of the Diocese of the Midwest, these By-laws shall remain in effect as the governing document of the new parish until such time as the By-laws of the parish community are approved by the Diocesan Bishop.

### Section 6: ADOPTION.

These By-laws were accepted and ratified in conformity with the voting procedures set forth herein on April 3, 2016, at which the required quorum was present, the Community Members having been duly notified, and shall become effective upon the approval of His Grace, Paul. They revoke, supplant, and replace any and all By-laws, corporate or otherwise, previously in effect.

Approved

Fr. Joel Wilson (signature) 4/3/16 Date  
Priest In Charge

+ Paul (signature) 4/6/16 Date

+ Bishop of Chicago and the Midwest

PAUL GASSIOS