

UNIFORM CONSTITUTION
OF THE PARISHES OF THE ALBANIAN ORTHODOX ARCHDIOCESE IN AMERICA, INC

ARTICLE I
FOUNDATION AND NAME OF THE PARISH

This parish is organized as a religious entity, indissolubly connected with the Albanian Orthodox Archdiocese in America (herein after referred to as "Archdiocese" which includes the Bishop, Chancellor and the Archdiocesan Council) and incorporated, under the name of the Albanian Orthodox Church of Saint _____, in the City of _____, State (Commonwealth) of _____. This parish is established and maintained with the permission of the above-mentioned Archdiocese and in accordance with its Constitution and By-laws. The following constitution has been adopted by this parish and confirmed by the Bishop of the Albanian Orthodox Archdiocese in America, Inc. This constitution shall be observed in the conduct of all affairs of the parish.

ARTICLE II
PURPOSES

The purposes for which this parish exists are the following:

- A. The preservation and propagation of the Orthodox Christian Faith, the celebration of the Divine Services, adherence to the Sacred Canons, and the observance of church discipline in accordance with the Holy Scriptures and Sacred Tradition as formulated by the Seven Ecumenical Councils and the local councils, as they are interpreted and legislated by the Eastern Orthodox Church.
- B. The use of the Albanian and English languages in the Divine Services and the cultivation of the religious and moral life of the communicants and members of this parish by means of schools, sermons, books, and religious services celebrated by clergy in good standing with the Albanian Orthodox Archdiocese and the Orthodox Church in America.
- C. The building and maintenance of a church and other edifices for Divine Services.
- D. The providing of social and charitable services according to the teachings of the Orthodox Christian Faith.

ARTICLE III

DURATION OF THE PARISH

The duration of this parish shall be one of continuous existence to manage its affairs and deal with its property in perpetuity, subject to dissolution as provided in Article XVIII.

ARTICLE IV

PARISH MEMBERSHIP

- A. Orthodox Christians who accept the jurisdiction of the Albanian Orthodox Archdiocese in America and who have attained the age of eighteen (18) years and who accept the canonical authority of the Albanian Orthodox Archdiocese in America, its constitution and by-laws, and who satisfy the dues or pledges as established from time to time shall be eligible for membership in this parish and shall possess the right to vote, the right of electing and being elected, and the right to participate in the affairs of this parish.
- B. Any person who does not accept or obey the authority or the constitution of this Archdiocese cannot become or cannot continue as a member of this parish and has no right to vote in the meetings or to participate in the governance of this parish.
- C. No person can become or continue to be a member of this parish
 - 1. If (s)he has been convicted of unlawful acts, unless (s)he has repented and been forgiven
 - 2. If (s)he persists in a public moral scandal
 - 3. If (s)he has misappropriated monies or properties of this parish, unless (s)he has made restitution and been forgiven
 - 4. If (s)he has not paid his membership dues/pledge or any other parish financial obligation for one year or more.
- D. A member who has been a member in good standing of another parish becomes a member of this parish upon presentation of a letter from his or her previous parish, signed by its parish priest.

ARTICLE V

PARISH CLERGY

A. Assignment of the Clergy:

1. The clergy of this parish will be appointed by the bishop after a request from the parish council and a majority vote at a special general meeting of the parish. The salary and benefits of the priest or assistant priest will be determined by the parish council prior to his appointment.
2. In this constitution the word "priest" shall generally mean "parish priest," unless it is clear by its context that it refers to other than the priest-in-charge, and the words "assistant priest" shall mean "assistant parish priest."
3. The amounts to be paid to clergy for salary and their use of residence and utilities by agreement with the clergy shall be fixed by the parish meeting, subject to the approval of the Diocesan Authority and reviewed from time to time by the Parish Council. Raises in salary and benefits shall be with the consent of the parish membership, decided at a general parish meeting. These shall not be decreased without the permission of the Diocesan Authority. All gifts to the clergy in acknowledgement of their services are to be retained by them.
4. The priest maintains the parish records, including records of baptisms, weddings and funerals as well as the official church seal.
5. In the case of the priest's resignation, transfer or removal, he shall deliver the parish records and archives to the Dean (refer to Archdiocesan by-laws) or his delegate and in the case of resignation or removal shall forfeit his rights and responsibilities over the Parish.
6. Whenever the priest is appointed or transferred, he is entitled to receive reasonable travel and moving expenses from the parish to which he has been assigned.

B. Rights and Duties of the Clergy:

1. The parish priest is entrusted by the Archdiocese with the duties of teaching the rules of the Orthodox Faith and of Christian life, of celebrating public divine services and rites according to the ecclesiastical order, of administering the Holy Sacraments and of guidance in Christian life. He is responsible before God and the Archdiocesan authority for the whole life and activities of his parish, its spiritual growth and enlightenment, its orthodoxy and moral progress.
2. Besides his pastoral and liturgical duties, the execution of which is guided by his priestly oath and conscience, and by the archdiocese through the dean, it is the duty of the priest and other members of the parish clergy to look after decorum in church, the beauty of the edifice, the establishment of the parish library, the organization of the church school and to take an active part in the work of the parish council.
3. It is the duty of the clergy to keep and maintain exact metrical records and such other records as may be required by the civil authorities, and to report to the archdiocesan authority with respect to these matters, at such times and on such forms as directed by the dean.
4. The priest serves as intermediary in dealings of the archdiocesan authority with the parish and visa versa on all parish matters.
5. The priest is ex-officio a member of the parish council and of all committees of this parish. He participates in all meetings without a vote and expresses opinions for the record and attests to, along with the chairperson and the secretary, the minutes of all meetings of the parish council, of all general meetings, and all documents approved by the parish council.
6. The parish priest, in accordance with his office, retains full authority over the celebration of all Divine Services and the personnel connected with said services, including but not limited to the choir, acolytes, and cantors; religious education within the parish; and all spiritual affairs of the parish. He is responsible in these areas only to the bishop or his delegate.

7. The priest is accountable to the bishop for the performance of his own religious duties as well as those of any and all assistant clergy assigned or attached to the parish.
8. The priest and the parish council shall cooperate in full harmony for the wellbeing of the parish, as a father with his children.
9. The priest shall cooperate with the parish council for the economic welfare of the parish by reminding the parishioners of their financial responsibilities toward the Church.
10. The priest shall in cooperation with the parish council establish the schedule of all religious services.
11. If any misunderstanding arises between the priest and the parish council or the members of the parish which cannot be resolved amicably, the question will be referred to the bishop or his delegate for resolution.
12. The full-time priest is entitled to an annual vacation period of two weeks with full salary plus an additional week with full salary for every five years of service in this Archdiocese or, after five years of service in the OCA if two years are served in the Archdiocese, to a maximum of five weeks, provided he has obtained written permission from the bishop to absent himself from the parish. The annual vacation time shall be mutually agreed upon by the priest and the parish council.
13. The priest shall not absent himself from the parish without prior arrangement with the parish council and the Archdiocese, granted in writing.
14. In the event of serious illness or disability, the priest shall be entitled to full salary and benefits for a period of up to three months (90 days) payable by the parish.

ARTICLE VI
INCOME

- A. The sources of income which this parish will utilize to fulfill the above-mentioned purposes are:
 - 1. collections, and other free-will offerings
 - 2. sale of religious articles and other related items
 - 3. membership dues and/or pledges
 - 4. scheduled fees
 - 5. tuition
 - 6. bequests through wills, trusts and other similar contributions
 - 7. investment income
 - 8. other income sources as approved by the parish from time to time.
- B. This parish, acting through its elected representatives, will set the amount of all the above listed fees, dues, and charges.

ARTICLE VII
PROPERTY

The properties which assist the parish in the fulfillment of its mission are:

- A. The Holy Temple, sacred vessels, and in general all the buildings and articles necessary for the celebration of the Divine Services, worship, charitable activities, and religious education of parish members, bonds, securities, any personal or real property, cemeteries, chapels, and every other property necessary for the purposes of the parish.
- B. All personal and real property of the parish shall be administered according to this constitution and the civil law(s) of the state in which the parish is located.
- C. The parish council shall maintain the real and personal property of the parish, except for the sacred vessels and other items, which shall be cared for by the parish priest.
- D. In case any property of the parish is sold partially or entirely, according to law, the amount of the sale shall be duly accounted for by the parish to the Archdiocese. No loan, mortgage, sale, transfer, or other alienation of property shall be made contrary to the stated charitable and religious purposes of the parish or civil law.

- E. The parish council shall have no power to purchase mortgage, sell, alienate or assign real or personal property without the consent of the members of the parish, obtained by two-thirds (2/3) majority vote at a meeting of the general assembly of the parish convened upon notice in writing as confirmed by the Archdiocese.
- F. In the case that the parish is dissolved, its personal and real property and whatever arises from their acquired rights, will be disposed of by the parish council within two(2) years from the effective date of dissolution. Disposal of these assets will be for a religious purpose with the approval of and under the supervision of the Archdiocese. In the event that any assets are not disposed of within two (2) years, it shall revert to the Albanian Orthodox Archdiocese in America. The Archdiocese will then utilize or dispose of the property in a manner in keeping with the religious mission and purpose of the Archdiocese.
- G. In the case of heresy or schism, all such property shall be retained by that part of the parish which remains loyal to the Albanian Orthodox Archdiocese in America, and in the case that all members of the parish fall into heresy or schism, all parish properties, both real and personal, shall succeed to the Albanian Orthodox Archdiocese in America Inc.
- H. Any sign, placard, or poster which identifies the church structure shall declare thereon its affiliation with the Albanian Orthodox Archdiocese in America and the Orthodox Church in America.

ARTICLE VIII
CANON LAW

This parish shall be governed in accord with the Canon Law of the Orthodox Church, the Constitution and By-laws of the Albanian Orthodox Archdiocese in America, Inc. and the Statute of the Orthodox Church in America, as provided for in the 1971 Agreement between the Autocephalous Orthodox Church in America and the Albanian Orthodox Archdiocese in America, Inc.

ARTICLE IX
ECCLESIASTICAL AUTHORITY

This parish recognizes unconditionally and irrevocably as its ecclesiastical authority, the Albanian Orthodox Archdiocese in America. The priests of this parish will elevate in the Divine Services the name of the bishop of this archdiocese and the primate of the Orthodox Church in America.

ARTICLE X
RELATIONSHIP OF THE PARISH TO THE ARCHDIOCESE

- A. The parish shall have total canonical dependence on the Archdiocese and the diocesan bishop.
- B. In all issues which the parish itself cannot resolve, the parish shall refer to the Diocesan Bishop or to the person or body he appoints.
- C. The parish shall send delegates to the annual and special assemblies of the archdiocese.
- D. The decisions of these assemblies shall be binding upon this parish.
- E. If there is any question concerning the meaning of any section of this constitution, the parish shall accept the interpretation of the Archdiocese.

ARTICLE XI
THE PARISH COUNCIL

- A. The secular affairs of the parish shall be administered by a parish council of seven members who shall serve for a minimum of one year or for multi-year terms on a staggered basis as determined by the parish.
- B. The parish council shall administer the secular affairs of the parish under the supervision of the Archdiocese.
- C. The parish council shall hold a regular monthly meeting and extraordinary or special meetings whenever a majority of the council deems it necessary.
- D. The parish council implements the Archdiocesan constitution, fulfills its duties toward the Archdiocese, toward members of the parish, and the community at large.
- E. The parish council and/or priest shall refer all unresolved issues or concerns to the Archdiocese for interpretation or resolution.

- F. The parish council, in consultation with the priest, shall appoint and dismiss all non-ecclesiastical personnel such as secretary, custodian or other laity not directly associated with religious services as deemed necessary.
- G. The parish council shall appoint sub-committees from among members of the parish for special purposes. These sub-committees are directly responsible to the parish council.
- H. The parish council shall monitor parish income, provide receipts, and pay by check the personnel of the parish and all the expenses of the parish institutions as provided by the budget, as well as fees fixed by the Convention of the Archdiocese.
- I. The parish council shall maintain the parish buildings in good condition.
- J. The parish council shall always cooperate with the parish priest in making necessary preparations for religious services and keep order during the services.
- K. The parish council, if necessary, may incur obligations on behalf of the parish beyond the amount of the budget not to exceed \$2,000.00 in any budget line item. In the event of higher amounts it shall obtain the approval of the parish membership at a general meeting or extraordinary meeting called for this purpose.
- L. The Parish Council shall attend the Divine Services, on a regular basis, thus setting a good example for others.
- M. The parish council shall transfer to the new council, upon the installation of its members, all property and records of the parish in order and harmony.

ARTICLE XII
FISCAL YEAR

The fiscal year of the parish shall begin on the first day of October and end on the last day of September each year.

ARTICLE XIII
ELECTIONS

- A. Election to the parish council shall be held annually during the month of October.
- B. Thirty days before the election, the parish council shall hold a meeting and confirm the list of members in good standing who shall have the right to vote and be elected to office.
- C. In order to have the right to vote and be elected to office, a member must be registered as a member of the parish at least sixty (60) days prior to the election.

- D. At a meeting of the parish council at least one month prior to the annual meeting, the council shall appoint a nominating committee consisting of three (3) council members and the parish priest as an ex-officio member which shall prepare for presentation to the annual meeting a slate of willing, qualified candidates.
- E. Any member of the parish in good standing who seeks candidacy for an office on the parish council has the option to submit his or her intention in a written petition addressed to the secretary of the council and/or a nominating sub-committee. Additional candidates may be nominated by a nominating sub-committee appointed by the parish council or from the floor during the election.
- F. The parish council shall announce to the parish membership at least two (2) weeks in advance, the date, time, and place of the annual meeting and election.
- G. The election shall take place by secret ballot unless there is no contest for the position being filled. In such case, a voice vote or show of hands will suffice.
- H. The results of all elections shall be entered in the book of records of the parish, showing the number of votes that each candidate has received. The candidates who have received the greater number of votes shall be declared elected for the next term. Within five days, the results of the election shall be communicated to the bishop and chancellor through the parish priest. The bishop shall notify the parish of his approval or rejection of any or all of those elected. In the case of rejection, reasons therefore shall be noted.
- I. By the fourth Sunday following the election, confirmation of the election by the bishop having been obtained, a special ceremony shall take place after the Divine Liturgy, attended by members of both the old and new councils. The new council members shall take an official oath in the presence of the parishioners. The priest shall administer the oath. The oath will take the following form:

"I do solemnly promise and affirm that I will be faithful to the constitution, doctrine, canon law, administration, discipline, worship, traditions, customs, and rules of the Albanian Orthodox Archdiocese in America, and that I will be obedient to its authorities, and that I will loyally perform my duties as an officer of the parish council for which I have been elected, without prejudice, without favor, and to the best of my ability. So help me God."

- J. The newly installed officers shall sign the oath in the book of records with a verification that the oath was administered by the priest.
- K. Officers who refuse to acknowledge and carry out their positions in such a manner shall be subject to removal by recommendation of the parish council and as ratified by the Archdiocese.
- L. After assuming office, the elected officers shall hold an organizational meeting and elect a chairperson, a vice-chairperson, treasurer and secretary of the parish council, record the election and sign it in the book of records. The former parish council shall deliver the archives to the new parish council and the members of both councils shall sign a record of the act.
- M. Any member shall have the right within seven days after the election to make a written complaint against the validity of the elections, through the parish council, or if necessary to the Archdiocese. Thereupon, the parish council in consultation with the Archdiocese, shall settle the disputed election and declare those duly elected to office.
- N. No salaried employee of the parish may serve as a member of the parish council.

ARTICLE XIV

VACANCIES AND REPLACEMENT OF OFFICERS

- A. The Archdiocese may declare a vacancy on the parish council;
 - 1. When the election is declared illegal or void.
 - 2. All parish council members shall continue to fulfill the qualifications for membership in the parish council during their entire tenure of office. Failure to retain such membership shall result in automatic dismissal from the council.
 - 3. All parish council members will be expected to attend all council meetings during their tenure of office. The absence of any council member for three (3) consecutive meetings without the prior approval of the parish council shall render him/her subject to dismissal.

4. Any council member who, during his/her tenure of office, engages in negligent, incompetent or immoral conduct in his/her parish duties, shall be subject to dismissal.
 5. Although the parish council in consultation with the parish priest initiates all dismissal procedures, the bishop, through the dean, may intervene in cases in which a council member becomes subject to dismissal for the causes stated in a, b, c, or d of this section of Article XIV.
- B. The parish council may declare that the office of a member of the council is vacant when a member of the council resigns or dies.
- C. New members of the parish council shall be recruited by the parish council in consultation with the parish priest from among members of the parish who have been in good standing for at least sixty (60) days.
- D. Such appointees shall hold their office until the next annual Parish Meeting.

ARTICLE XV

THE RIGHTS, DUTIES AND RESPONSIBILITIES OF OFFICERS

A. Chairperson shall have the authority:

1. To convene the meetings of the parish council and of the parish membership, in accordance with this constitution.
2. To open and adjourn the meetings of the parish council.
3. To submit the agenda, in consultation with the parish priest, for all meetings.
4. To develop the agenda for semi-annual, annual and any extraordinary meetings in consultation with the parish priest and parish council members.
5. To conduct the discussions, recognize the speakers, give them the floor, or deny it to them for just cause.
6. To put motions to a vote.
7. With the secretary and the parish priest, to sign all necessary records and documents of the parish. The chairperson shall sign checks along with the treasurer or other authorized signatories.

8. To supervise the treasury and church office.
9. To perform every duty with which he or she is entrusted by the parish council.

B. Vice Chairperson shall have the authority:

1. To exercise all the rights, duties and responsibilities of the chairperson whenever (s)he replaces or serves on behalf of the chairperson.

C. Secretary shall have the authority:

1. To attend all meetings of the parish council and all general parish meetings and to serve as the keeper of all parish minutes and correspondence not including metrical records, ie. baptism, wedding, funerals, etc., which are the responsibility of the parish priest.
2. To keep the accounts of the parish in cooperation with the treasurer.
3. To transfer all records, correspondence, etc. to his or her successor in good order.
4. Along with the chairperson and the parish priest, to sign every necessary document of the parish.
5. In case the secretary of the parish council is unable to carry out his or her duties, the parish council may appoint an assistant secretary, with a salary if deemed advisable. The assistant secretary shall not be eligible to vote as an officer unless he or she is a member of the parish in good standing.

D. Treasurer shall have the authority:

1. To keep the monies of the parish and deposit them in the name of the organization in a banking institution as designated by the parish council.
2. To keep account books of income and expenses, independent of those kept by the secretary.
3. To sign all checks along with the chairperson or other authorized signatories.
4. To properly insure the monies and properties of the parish and to pay the fees or premiums for such policies of insurance.
5. To transfer all records and property of the parish over to his or her successor in order and to have him or her sign for the same in the record book.

6. In case the treasurer is unable to carry out his or her duties, the parish council shall appoint an assistant treasurer with a salary, if deemed advisable. The assistant treasurer shall not be eligible to vote as an officer unless he or she is a member of the parish in good standing.

ARTICLE XVI
PARISH MEETINGS

The general meetings of the parish shall be made up of the regular members of the parish in good standing, and shall be called by the chairperson of the parish council twice a year; during the month of March and during the month of October. These meetings shall proceed as follows:

- A. All meetings shall begin with a prayer led by the parish priest.
- B. Minutes of the meeting shall be kept in the record book and signed by the chairperson, secretary, and the parish priest.
- C. A book of attendance shall be kept in which the names of the members in attendance are recorded.
- D. The secretary shall read the roll call of those present to determine the majority by which decisions can be validly made.
- E. The secretary shall read the minutes of the previous meeting which shall be approved after any necessary changes have been made.
- F. The meeting shall address any unfinished business of the previous meeting.
- G. The meeting shall elect two lay delegates and one alternate for the Archdiocesan Assembly. Attendance at the Archdiocesan Assembly by the delegates shall be mandatory.
- H. The meeting shall discuss and vote upon the budget submitted by the parish council and shall submit an approved copy of the budget to the Archdiocese.
- I. The meeting may amend this constitution only in accordance with the decisions of the Archdiocesan Assembly.
- J. No specified quorum shall be required at the meetings, but a quorum may be decided from time to time by the parish.
- K. Extraordinary meetings shall be called by the chairperson of the council with the approval of a simple majority of

the council, or at the request of one-third (1/3) of the regular members. Members shall be given at least ten (10) days notice prior to such meetings.

- L. The semi-annual and extraordinary meetings of the parish shall be presided over by the (*current*) chairperson of the parish council, except the annual meeting held in October, which shall be presided over by a chairperson of the day, elected by the members attending that meeting, as determined by them.

ARTICLE XVII

SEAL

The seal of the parish shall bear in its center the icon of the patron saint of the church, with the name of the parish, and shall be maintained by the parish priest in the parish office.

ARTICLE XVIII

DISSOLUTION OF THE PARISH

In any time that the parish council determines that the parish cannot be maintained, it shall petition the Archdiocese to declare the parish suppressed. All parish properties shall then be disposed of in accordance with Article VII, section F of this constitution.

ARTICLE XIX

REVISIONS OF THE CONSTITUTION

Articles of this constitution dealing with canonical matters shall not be subject to revision. Articles dealing with secular affairs which have any relation to the discipline, rights of the clergy, and security of the parish property may be revised by the Archdiocese. Articles dealing purely with secular matters may be revised by the general meeting of the members by a (2/3) vote, with the permission of the Archdiocese, and the revised articles shall take effect upon the written approval of the Archdiocese.

ARTICLE XX
HISTORY OF AMENDMENTS

This is the Uniform Constitution of the Parishes of the Albanian Orthodox Archdiocese in America, Incorporated, as amended by the Sub-Committee on Amendments and approved by the Archdiocesan Council on June 8th 1960 in Boston, Massachusetts, and as further amended by

- The Annual Convention - Boston, MA - July 4, 1962
- The Annual Convention - Boston, MA - July 4, 1971
- The Annual Convention - Philadelphia, PA - Sept 8-9, 1972
- The Annual Convention - Jamestown, NY - October 17, 1986.
- The Annual Convention - Detroit, MI - October 4, 1989
- The Annual Assembly - Natick, MA - October 15, 1999.
- The Annual Assembly - Worcester, MA - October 13, 2000.

