

Church Ministries / Commissions

Commission on Canons and Statutes

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Accomplishments/Progress Since the 13th All-American Council

On October 23, 2003, during the fall session of the Holy Synod of The Orthodox Church in America, the Commission on Canons and Statutes requested a blessing to begin work on a revision of the existing Statute of the Orthodox Church in America. The Holy Synod gave its blessing to begin work on a comprehensive review of the Statutes as they currently exist in light of canon law (as well as the spirit of canon law), the structures of the governing documents of other autocephalous Churches, being mindful of the civil law of the United States, Canada, and Mexico, to which The Orthodox Church in America is accountable, and of the actual life of The Orthodox Church in America.

The members of the Statute Revision Commission were subsequently appointed by His Beatitude, Metropolitan Herman. These include the members of the Commission on Canons and Statutes as well as other appointees recommended by diocesan hierarchs. A working committee of the commission was also appointed by His Beatitude, Metropolitan Herman, consisting of the V. Rev. David Brum and the Rev. Alexander Rentel. This committee immediately began its work within the parameters outlined by the Holy Synod.

The committee completed the first step in this work with the preparation of a first draft of the proposed statute revision. This first draft was presented to the members of the Holy Synod for their review at its spring 2004 meeting. At that time, the working committee also requested that the members of the Holy Synod review the first draft and provide their written comments or suggestions for inclusion in the second draft.

The working committee collected and collated the comments of the members of the Holy Synod and prepared a second draft that was distributed to the members of the Holy Synod at its October 2004 meeting.

In the process of reviewing the existing Statute, the working committee realized that a comprehensive revision process would be more involved than initially projected. The committee members regularly encountered questions that were either outside the scope of the committee's authority to answer or which needed further research. Additionally, the need to establish consistency between articles, the search for precise canonical and statutory language, and the removal of contradictions proved to be a time consuming task. In light of this, the working committee has only progressed through two draft revisions of the extant Statute and the creation of one new draft article.

Therefore, with the blessing of His Beatitude, Metropolitan Herman, the Working Committee requested the Holy Synod for a delay in the proposed statute revision, originally anticipated to take place at the 14th All-American Council, until the 15th All-American Council. The Working Committee requested this delay with the expectation that the additional time dedicated to the revision process will insure a document that has been prepared with the full participation of the Holy Synod and the review of canonical and civil law experts. The Holy Synod gave its blessing to this request.

It is to be noted that the "Property Held in Trust" resolution adopted at the 13th All-American Council remains in force until such time that the Statute is amended.

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Plans for the Future

The working committee has begun consultation with appropriate experts for the creation of the other new articles anticipated to be included in the revised Statute.

As part of the ongoing revision process that now has as its goal a final presentation at the 15th All-American Council, a third draft will be prepared for presentation to the Holy Synod and the full membership of the Statute Revision Commission.

It is anticipated that a workshop on the statute revision process will be included in the scheduled activities of the 14th All-American Council.

Accountability

The Commission works under the guidance of the Metropolitan's Office and the Holy Synod of Bishops.