

**IN DEFENSE OF  
TRUTH AND UNITY  
OF THE  
SERBIAN ORTHODOX CHURCH**

**I. THE DIOCESES OF THE SERBIAN ORTHODOX CHURCH IN THE UNITED STATES OF AMERICA AND THEIR BISHOPS ARE STEADFASTLY AND INDIVISIBLY UNITED WITH AND ARE AN INTEGRAL PART OF THE SERBIAN ORTHODOX CHURCH (PATRIARCHATE).**

1. Allegations regarding a supposed “secret plan” or “covert effort” by the bishops of the Dioceses of the Serbian Orthodox Church in the United States to separate said dioceses from the Serbian Orthodox Church (Patriarchate) (the “SOC”) and to place the dioceses under the jurisdiction of the Patriarchate of Constantinople, the OCA or any other hierarchical structure have no factual support and are completely false.
2. The present bishops of the three Dioceses of the SOC in the United States – His Grace Bishop Longin of New Gracanica-Midwestern America; His Grace Bishop Maksim of Western America; and His Grace Bishop Irinej of Eastern America – have been steadfast in their support of unity in the SOC, and by both their words and deeds have strengthened our three dioceses’ ties to the SOC.
3. The attacks that have been made on our bishops have appeared mainly in Serbian-language yellow journalistic tabloids, on overseas phantom websites which we have discovered are hosted in Serbia, Cyprus and Russia, and on social media, including in paid daily advertisements on social media in six countries. The “articles,” postings, and advertisements, for the most part, are written anonymously or by authors who are not known to be active members/stewards of any Serbian Orthodox parish in the United States. These attacks appear to be intended for one purpose only: to disturb and divide the peace and unity of the Dioceses of the SOC in the United States and the faithful of those dioceses.
4. The only so-called “support” that has been offered for these baseless and false attacks are either complete falsities (e.g. fake Wikipedia biographies and Twitter profiles) and/or egregiously erroneous interpretations of various official documents (e.g. misquotes of statements from the bishops or intentionally incorrect “legal analyses” and misinterpretations of documents such as articles of incorporation or deeds) (see below). The level of error in these supposed “analyses” is so striking that they can only be the product of intentional malice towards the SOC and its faithful in the United States.

**II. THE LEGAL ANALYSIS AND WORK THAT BEGAN IN 2015 TO NORMALIZE AND CREATE THE SECULAR NON-PROFIT ENTITIES OF THE DIOCESES OF THE SOC IN THE UNITED STATES BRINGS THOSE DIOCESES IN LINE WITH ORTHODOX CANON LAW AND BEST PRACTICES UNDER SECULAR AMERICAN LAW, AND STRENGTHENS THE UNITY OF THE DIOCESES OF THE SOC IN THE UNITED STATES WITH THE SOC (PATRIARCHATE).**

1. According to the Holy Canons of the Orthodox Church, ultimate authority over a diocese, its monasteries and other diocesan real estate resides in the office of the duly-appointed diocesan bishop – not the bishop personally, but the **“Office of the Bishop,”** as exercised by the person who is appointed to hold that office. The bishop appoints clergy and laity to assist in the oversight and operation of the diocese and its monasteries and other real estate. Conversely, under the laws of the United States, a religious organization must also exist as a secular legal entity (such as a corporation) in order to own property and conduct other business. To comply with the Holy Canons, any secular legal entity created under American law to own diocesan property and conduct diocesan business must be structured so that it is controlled by the office of the diocesan bishop duly-appointed by the Holy Assembly of Bishops of the SOC.
2. In 1921, the Holy Assembly of Bishops of the SOC created a single diocese, which had jurisdiction over all parishes and other institutions of the SOC in the United States and Canada (the “Original American-Canadian Diocese”). In 1935, St. Bishop Mardarije established a secular corporation under Illinois law so that the Original American-Canadian Diocese could own property and transact day-to-day business. In keeping with the Holy Canons, the incorporating document for this secular legal entity stated that the corporation was controlled by the office of the diocesan bishop, duly appointed by the Patriarch of the SOC, and that the diocesan bishop alone had the power to appoint the trustees and officers of said corporation.
3. In May 1963, the Holy Assembly of Bishops of the SOC rendered a decision to divide the Original American-Canadian Diocese into three regional dioceses. While this decision addressed issues of internal/religious hierarchical governance, the Holy Assembly of Bishops May 1963 decision did not address the resulting three dioceses’ existence as legal entities under American law. Because the three dioceses did not proceed to establish corresponding secular corporate entities under American law, a number of issues relating to the dioceses’ secular legal entities arose that have persisted for several decades. One of the biggest issues pertained to how the dioceses owned diocesan properties, including but not limited to monasteries. The situation varied from property to property: some properties were owned in the name of the original secular corporation established by St. Bishop Mardarije (see below), while others were owned in the name of an entity that was dormant or had no secular legal existence, and still others were owned in the individual names of now-deceased bishops. The resulting situation was inconsistent with the Holy Canons, and was far outside the norm for how hierarchical church entities hold and own real property under American law.

4. The irregular situation that existed from 1963 exposed the SOC to various risks and costs. Because no separate secular legal entities were created for the individual dioceses, all of the dioceses were at risk of legal liability from injuries that occurred at any property of any one diocese. The lack of clarity over the true beneficial owners of properties also created significant risk. For example, one monastery property in the Eastern American Diocese which had been titled individually to a bishop who had died several years earlier, without ever having been transferred to anyone, was conceivably subject to being lost to the state.
5. Failure to title and hold properties in appropriate tax-exempt secular legal structures also left the dioceses exposed to significant tax liabilities. In the Eastern American Diocese alone, according to diocesan records in existence, the diocese and its faithful paid as much as \$500,000 (if not more) in real estate taxes on the former diocesan headquarters in Edgeworth, Pennsylvania between 1974 and 2001; approximately \$140,000 in real estate taxes on the former diocesan headquarters in Mars, Pennsylvania between 2001 and 2015; and over \$50,000 in real estate taxes on the former diocesan headquarters in Warren, New Jersey between 2015 and 2017. Because a non-profit corporate entity of the diocese was created in 2017, the Eastern American Diocese, for example, has been relieved from paying \$56,000 per year in real estate taxes on the current diocesan headquarters in New Rochelle, New York.
6. With these concerns in mind, in December 2015, the then-bishops of the Dioceses of the SOC in the United States – His Grace Bishop Mitrophan of the Diocese of Eastern America; His Grace Bishop Longin of the Diocese of New Gracianica-Midwestern America; His Grace Bishop Maksim of the Diocese of Western America (along with His Eminence Metropolitan Amphilohije, who was then the Administrator of South-Central America) – authorized the start of legal work to normalize the manner in which the dioceses conducted day-to-day business and owned property under American law. James Serritella and his Chicago, Illinois-based law firm of Burke, Warren, MacKay & Serritella were retained to perform this work. Mr. Serritella has had a relationship with the SOC (Patriarchate) since the 1970s, and is one of the preeminent legal experts in the United States in the representation of churches and religious organizations.
7. Mr. Serritella and his law firm were tasked with devising a secular legal model **only for the Diocesan real properties** (monasteries, episcopal residences, etc.) in the United States, so that: (a) the structures would be in line with the best legal practices for hierarchical churches in the United States, in line with the Holy Canons; (b) control of diocesan property would be tied even closer to the SOC (Patriarchate); (c) the dioceses' exposure to legal liability would be limited; and (d) tax exemptions to which our dioceses were entitled could be obtained.

8. Based on advice from Burke Warren MacKay & Serritella, a model was developed through which each diocese and its monasteries would establish not-for-profit corporate entities under the laws of the state in which the diocese or monastery is based, through which the diocese or monastery at issue could conduct their secular business. As explained in each of the entities' articles of incorporation (which are publicly filed and publicly accessible records), ultimate authority in each of these secular entities resides in the "**Office of the Bishop**" for the diocese involved, and the "**Office of the Bishop**" is clearly set forth as being controlled by the Holy Assembly of Bishops of the SOC through the Holy Assembly's power to appoint and remove bishops to that office. The articles of incorporation of the entities make clear that the ruling bishop is the one who was duly-appointed by the Holy Assembly of Bishops of the SOC, and that if the Holy Assembly of Bishops appoints a new bishop, that new bishop will assume authority over the entity. These entities are served by directors and officers, appointed by the duly-appointed bishop, to provide governance and management to the corporation. This model is similar to the legal structure of the secular corporate entity St. Bishop Mardarije established for the Original American-Canadian Diocese back in 1935, but per the advice of legal counsel, it is built upon modern non-profit corporation laws adopted by the American states. This model is employed by other hierarchical churches in the United States today.
9. Once these diocesan-controlled secular non-profit legal entities were created, per the advice of legal counsel, diocesan properties and monasteries held under the irregular post-1963 structures would be transferred through deed conveyances to the new secular non-profit legal entities. (These deeds, too, are publicly filed and publicly accessible records.) These transfers do not give any individual who serves as a bishop personal ownership of these properties. Rather, for each entity, the bishop serves as the legal head of the entity holding the property unless or until the Holy Assembly of Bishops of the SOC appoints a new bishop for a diocese, in which case that new bishop will assume authority over the entity and the property that entity holds. Each entity enjoys a limitation of legal liability separate from the other entities and, where appropriate, can seek relief from property taxes.
10. Suggestions that this corporate normalization work has been undertaken in order to separate the Dioceses of the SOC in the United States from the SOC (Patriarchate) are completely false. As explained above, exactly the opposite is true: The dioceses and their secular non-profit legal entities are tied more closely to the SOC (Patriarchate) than at any time in the last 57 years. Moreover, this structure is now preserved in publicly-filed, publicly-accessible non-profit corporation records; and unlike other types of corporate entities, non-profit corporations typically cannot be extinguished, merged or transferred without state attorney general and/or court approval. Equally false are claims that the corporate normalization work has been undertaken by our current bishops in an attempt by them to extract personal gain from diocesan properties, or that the corporate normalization would yield such an outcome. In summary, diocesan property is now held by non-profit corporations controlled by a Diocesan Bishop duly-appointed by the Holy Assembly of

Bishops (including but not limited to property that was previously held in particular Bishops' names) and is ultimately controlled by the SOC (Patriarchate) through control of the **Office of Bishop**. Therefore, no present or future bishop has any personal interest in or over any diocesan property.

11. As part of the corporate normalization project discussed above, Burke, Warren, MacKay & Serritella was also asked to review the 1935 Illinois Corporation established by St. Bishop Mardarije and to advise as to whether it would be in the best interests of the church to maintain and/or update that entity to meet modern legal standards. After the 1963 decision to divide the single diocese into three dioceses, the original 1935 Illinois corporation established by St. Bishop Mardarije's was not extinguished, but rather its purpose changed, and it became the repository for the activities of the "Central" bodies – e.g., the committees and initiatives that were shared by all of the regional dioceses (Episcopal Council, Central Church Council, St. Sava School of Theology, etc.). In 1984, the Illinois Corporation had been renamed "*Serbian Orthodox Church in the USA and Canada.*" from "*Serbian Eastern Orthodox Diocese for United States of America and Canada,*" to reflect that it is the corporate entity for joint activities of all of the dioceses.
12. Burke Warren MacKay & Serritella made two recommendations with respect to the 1935 Illinois Corporation which were adopted. First, the Illinois Corporation had been formed in 1935 pursuant to a 19<sup>th</sup> century Illinois statute providing for the creation of "religious" corporations for churches to use to accomplish their secular activities. Our outside lawyers advised that the Illinois statute is outdated, as are similar statutes in other states of that era e.g. the State of New York. Therefore, based on the advice of our outside legal counsel, on June 6, 2017, the 1935 Illinois Corporation was converted to an Illinois not-for-profit corporation. This conversion/election did not extinguish the original corporation created by St. Bishop Mardarije; it only changed the Illinois statute under which the corporation is governed. Second, in April 2017, upon the advice of outside legal counsel, the name of the 1935 Illinois Corporation was changed from "*Serbian Orthodox Church in the USA and Canada.*" to "*Serbian Orthodox Dioceses in the United States of America.*" As noted above, when it was established by St. Mardarije, it was called "*Serbian Eastern Orthodox Diocese for United States of America and Canada.*" At no point was it named the "*Serbian Orthodox Church in North and South America.*" The name change was recommended by outside counsel to be able to obtain liability insurance in the United States, which was difficult if the corporate name included Canada (or South America), and for liability reasons, so that we would not be responsible for liabilities in Canada (or South America) and vice versa. "Dioceses" as opposed the "Church" was also thought to reflect that we are a part of the Serbian Orthodox Church (Patriarchate) – that is, a constituent, integral part of the one and only Serbian Orthodox Church (Patriarchate), and not a church onto ourselves, separate from it.
13. Because the Illinois Secretary of State website identifies the "conversion date" of the corporation as its "incorporation date," certain writers on the internet and social media – none of whom appear to be licensed attorneys in the United

States – have asserted that this entity was newly-created in 2017 and was part of some “secret plan” or “covert effort” by the bishops to take the SOC dioceses in the United States into schism from the Serbian Orthodox Church (Patriarchate). This assertion is completely false. All that was done was to convert an existing corporation, which has existed since 1935, to bring it under more modern law governing non-profit corporations and to change its name yet a third time for secular administrative purposes. Indeed, a significant benefit to the 1935 Illinois Corporation’s conversion to a modern Illinois not-for-profit corporation is that the corporation’s governing documents, which previously had been hidden in the Lake County, Illinois Clerk of the Court’s archives, are now completely transparent and accessible on the internet website of the Illinois Secretary of State, hence negating any alleged “secret plan”.

14. None of this corporate normalization work has any impact on individual parishes of the Dioceses of the SOC in the United States, or on any properties owned by individual parishes. No part of this work changes the way any individual parish owns property. The corporate normalization work only impacts properties owned by the dioceses themselves (such as diocesan headquarters and monasteries).

**III. THE JULY 2019 SABOR MADE NO DECISIONS THAT CHANGED THE CONSTITUTION THAT GOVERNS THE DIOCESES OF THE SOC IN THE UNITED STATES OR THAT COULD LEAD TO THOSE DIOCESES SEPARATING FROM THE SOC (PATRIARCHATE).**

1. Reports and “analyses” that have appeared in the Serbian yellow-journalist press, on Serbia-based, Cyprus-based and Russian-based websites, and on social media, claiming that a “new” constitution was adopted at the July 2019 Church Assembly-Sabor (which took place at St. Sava Monastery in Libertyville and New Gracanica Monastery in Third Lake, Illinois) are false.
2. The Constitution that governs the Dioceses of the SOC in the United States was promulgated in 2007 by the Holy Assembly of Bishops. When it was printed and distributed in 2008, it was titled “Constitution of the Serbian Orthodox Church in North and South America.” Said Constitution requires that a “regular” Church Assembly-Sabor be convened by the Bishops every five years (the 2008 printing says every three years; the switch to five years was requested by the Episcopal Council and approved by the Holy Assembly of Bishops).
3. The July 2019 Sabor was a “regular” Sabor. The most recent prior “regular” Sabors were held in Alhambra, California in 2014 and in Canton, Ohio in 2009.
4. The official call/invitation to the July 2019 Sabor was made by the “Episcopal Council of the Serbian Orthodox Dioceses in the United States of America, Canada and Central & South America.” (The original is attached in its entirety as Attachment 2).
5. A year before the July 2019 Sabor, in May 2018, the three bishops of the Dioceses of the SOC in the United States (His Grace Bishop Longin of New

Gracanica-Midwestern America, His Grace Bishop Maksim of Western America, and His Grace Bishop Irinej of Eastern America) attended the Holy Assembly of Bishops' annual meeting in Belgrade, Serbia. The Holy Assembly of Bishops is the highest legislative, administrative, and judicial body of the Serbian Orthodox Church.

6. Among the many issues that were raised at the 2018 Belgrade meeting of the Holy Assembly of Bishops, the three bishops from the United States submitted a written memorandum-proposal to territorially arrondate, i.e. limit the Constitution so that it pertains to, and governs only, the dioceses of the SOC in the United States. The need for this territorial limitation was driven by the above-described corporate normalization of the dioceses of the SOC in the United States, and was recommended by the SOC's legal counsel, Burke, Warren, MacKay & Serritella, and by the Legal Risk and Compliance Committee of the Central Church Council. Even though the Constitution is an ecclesiastical document and does not directly address secular legal rights and obligations under American law, many parts of the Constitution potentially could be misinterpreted and misused to impose secular legal obligations/liabilities on the SOC dioceses in the United States stemming from activities in the Diocese of Canada and the Diocese of Buenos Aires and South-Central America, and vice versa. Practically speaking, having an ecclesiastical Constitution that includes territories outside the United States creates significant obstacles to obtaining appropriate and cost-effective liability insurance (property/casualty, directors' and officers', etc.), thereby putting the assets of each of the dioceses in the United States at risk. Such a situation would defeat the entire purpose of all of the corporate normalization work described above.
7. Furthermore, territorially limiting the Constitution to the dioceses of the SOC in the United States also reflects the reality that the Diocese of Canada and the Diocese of Buenos Aires and South-Central America operate completely separately from the dioceses of the SOC in the United States in both an ecclesiastical and legal sense. The Diocese of Canada operates under its own governing document, called a "Statute," which was approved by the Holy Assembly of Bishops in 1995, and is both an ecclesiastical and secular legal governing document. Likewise, the Diocese of Buenos Aires and South-Central America, has its own "Statute" that is separate and distinct from the Constitution and has established a secular legal identity under the laws of Argentina.
8. Finally, the Diocese of Canada has not consistently participated financially in the treasury established by the Central Church Council to conduct joint ministries among the SOC dioceses on the former territory of the Original America-Canadian Diocese (the "Central Treasury") since the Diocese of Canada was separated from the Eastern American Diocese in 1983. After the promulgation of the Canadian "Statute" in 1995, the Canadian delegates to subsequent Sabors presented legal opinions which stated that it was against Canadian law for the Diocese of Canada to pay "assessments" to the Central Treasury.

9. As a result of the above points (all contained in the formal memorandum-proposal submitted to the Holy Assembly of Bishops), the Holy Assembly of Bishops in May 2018 rendered the following decisions (the original is attached in its entirety hereto as Attachment 1):
- “Adopt the proposal of the Right Reverend Bishop Longin of the Diocese of Midwestern America, the Right Reverend Bishop Maksim of the Western American Diocese and the Right Reverend Bishop Irinej of the Eastern American Diocese, and, pursuant to Article 13.8(15) and Article 33 of the Constitution of the Serbian Orthodox Church in North and South America (confirmed by the Decision of the Holy Assembly of Bishops HAB No. 8/MIN. 91 of May 22, 2007) **approve the territorial restriction of the Constitution exclusively to the Serbian Orthodox Dioceses in the United States of America.**
  - With this in mind, the present Episcopal Council of the Serbian Orthodox Church in North and South America is to be renamed the **Episcopal Council of the Serbian Orthodox Church for North, Central and South America,** with the highest hierarchical authority of the Serbian Orthodox Church in the region.
  - Kindly request of the respective Council of Bishops to take all necessary measures in regards to certain regulations and competences in the aforementioned Constitution. In addition, as per the approved restriction to implement the necessary amendments to this Constitution (including the limitation of authority of the Central Church Council to the United States), promptly inform the Holy Synod of Bishops of the same. The Holy Synod of Bishops will then submit the amended version of the Constitution to jurisdiction of the Holy Assembly of Bishops for the final confirmation.
  - In view of the emerging situation in the Americas, it is worth noting that the Diocese of Canada continues to be governed by its own Statute (approved by the Decision of the Holy Assembly of Bishops, HAB No. 53/MIN. 217/11)” (*emphasis added*).
10. All of the bishops of the SOC – including but not limited to His Grace Bishop Mitrophan of Canada and His Grace Bishop Kirilo of Buenos Aires and Central-South America – assented to the above Holy Assembly of Bishops constitutional territorial limitation decision when it was rendered in May 2018.
11. The July 2019 Sabor in the US was the first Sabor held since the Holy Assembly of Bishops May 2018 territorial limitation decision was announced.
12. The July 2019 Sabor made only one substantive decision, which was related to the issue of the minimum salary for parish priests.

13. No decisions of any kind were rendered at the July 2019 Sabor related to the Constitution. Rather, the proceedings relating to the Constitution occurred as follows:

- The May 2018 territorial limitation decision of the Holy Assembly of Bishops was read in its entirety to the delegates.
- An updated printing of the Constitution was distributed to the delegates. The updated printing of the Constitution was necessitated because the last printing took place in 2008. Since 2008, amendments were made to the Constitution by the Church Assembly-Sabors in 2009 in Canton, Ohio and in 2014 in Alhambra, California and by the Holy Assembly of Bishops.
- The updated printing of the Constitution also included the language taken verbatim from the May 2018 decision of the Holy Assembly of Bishops limiting the territory of the Constitution exclusively to the **“Serbian Orthodox Dioceses in the United States of America.”**
- The overwhelming majority of the delegates present had no questions about, or objections to, the updated printing of the Constitution.
- A few delegates, primarily clergy, questioned the change in the name from “Church” to “Dioceses.” It was explained that the change from “Church” to “Dioceses” was taken verbatim from the May 2018 decision of the Holy Assembly of Bishops and was proposed in order to reflect our desire to demonstrate that we are not a local church unto ourselves, but precisely “Dioceses” of the Serbian Orthodox Church (Patriarchate) – that is, a constituent, integral part of the one and only Serbian Orthodox Church (Patriarchate).
- A few lay delegates expressed a desire to have a vote on the updated printing of the Constitution, and they were told that no vote was to be taken on this subject because the matter was a decision of the Holy Assembly of Bishops, which is a higher body than the Church Assembly-Sabor. One clergy delegate expressed that the Holy Assembly of Bishops had usurped a right that belonged to the Sabor. It was explained to these delegates that, according to canon law and the governing documents of the Serbian Orthodox Church as a whole, the Holy Assembly of Bishops is the highest legislative authority. Therefore, the Holy Assembly of Bishops was fully and unequivocally within its right to promulgate the territorial limitation, especially since the limitation was proposed by the Bishops from the affected territories. According to the canons of the Orthodox Church in general and the constitutional provisions of the Serbian Orthodox Church, an arrondissement, i.e. a territorial change/limitation of a diocese, can take place only at the proposal of the ruling bishop or with his consent. Prior territorial changes were all done **first and exclusively by the Holy Assembly of Bishops**, without any voting by the laity and clergy delegates of the

Church Assembly-Sabor to amend the Constitutional paragraphs which define the name and territorial scope of the affected dioceses (e.g. the 1963 division of the American-Canadian Diocese and the creation of three dioceses, Midwest, East-Canada and West; the 1983 separation of the Canada from the Diocese of Eastern America and the creation of the Diocese of Canada; the 2009 creation of the Libertyville-Chicago Metropolitanate from the Midwest Metropolitanate; the 2009 creation of the New Gracanica-Midwestern American Diocese; the 2011 dissolution of the Libertyville-Chicago Metropolitanate and the merger of its territory into the New Gracanica-Midwestern American Diocese). In 1995, the Holy Assembly of Bishops promulgated the “Statute” of the Diocese of Canada, which completely altered our Constitution, without any input whatsoever from the then-USA and Canada Church Assembly-Sabor. An excellent discussion of this power of the Holy Assembly of Bishops is contained in the article “*A Reflection on the Arrondation of the Constitution of the Serbian Orthodox Church In North And South America,*” which has been posted on the “central” website since August 2019: [https://www.serborth.org/news\\_190807\\_1](https://www.serborth.org/news_190807_1)

- V. Rev. Dr. Milos Vesin suggested that a more appropriate title/name for the document would be “Constitution of the Dioceses of the Serbian Orthodox Church in the United States of America.”
14. Between the July 2019 Sabor and September 2019, concerns were conveyed to the Holy of Synod of Bishops – the “executive arm” of the Holy Assembly of Bishops – about the July 2019 Sabor having taken place in the absence of Their Graces Bishop Mitrophan and Bishop Kirilo and about the updated printing of the Constitution that was distributed at the Sabor.
15. The result was a formal decision of the Holy Synod of Bishops, dated 25 September 2019 (the original is attached in its entirety hereto as Attachment 3):
- “To render void all decisions of the Church Assembly of the Serbian Orthodox Church in North and South America brought forth without the participation of His Grace Bishop Kyr Mitrophan of Canada and His Grace Bishop Kyr Kirilo of Buenos Aires and South-Central America, which concern the structure of the Serbian Orthodox Dioceses on that territory.
  - Also, to oblige the Episcopal Council of the Serbian Orthodox Church in North, Central and South America, in accordance with the precepts of Article 18.9) of the still valid Constitution of the Serbian Orthodox Church in North and South America, to summon an extraordinary convocation of the Church-National Assembly of North and South America, and at that convocation to carry out the above Decision of the Holy Synod of Bishops.

- At the same time, to request of the above-mentioned Council to abide by the third paragraph of the Decision of the Holy Assembly of Bishops, HANo. 45/min. 1717 of May 7, 2019 [*sic* 2018], and in a timely manner inform the Holy Synod of Bishops of the measures which it plans to undertake ‘with regard to the specific regulations and competencies of the above-mentioned Constitution, **and in regard to the approved limitation**, for the sake of executing the necessary changes to this Constitution’, the executed text of which, thereafter, will be submitted to the competency and **final confirmation** of the Holy Assembly of Bishops”(*emphasis added*).
16. The bishops of the Dioceses of the SOC in the United States, as members of the Episcopal Council, have implemented the September 2019 decision of the Holy of Bishops, in that the Episcopal Council has called an extraordinary Church Assembly-Sabor on February 28-29, 2020 in Clearwater, Florida. We welcome that the extraordinary Sabor will be attended by His Holiness Patriarch Irinej, as well as by His Grace Bishop Jovan of Sumadija (as a representative of the Holy Synod).
  17. To further allay the concerns that were voiced to the Holy Synod of Bishops after the July 2019 Sabor, the title of the “central website” ([www.serborth.org](http://www.serborth.org)) was changed to “Serbian Orthodox Church in North, Central and South America,” which is consistent with the May 2018 Holy Assembly of Bishops decision, which states that there shall continue to be an “*Episcopal Council of the Serbian Orthodox Church in North, Central, and South America*.” The Episcopal Council has consistently referred to itself with this name since the May 2018 decision of the Holy Assembly of Bishops (See, e.g. the invitation to the July Sabor, Attachment 2). All of the above is further evidence that the allegation, that the territorial limitation of the Constitution to the United States was somehow intended to “extinguish” the name “*Serbian Orthodox Church in North and South America*,” is totally and completely false.
  18. In further implementation of the September 2019 decision of the Holy Synod of Bishops, it is our understanding that the bishops of the Dioceses of the SOC in the USA will be submitting the 2019 updated printing of the Constitution to the Holy Assembly of Bishops for review and “**final confirmation**” at the upcoming May 2020 meeting in Belgrade, Serbia. It is our hope that the Holy Assembly of Bishops will proceed to “**confirm**” the updated printing at its May 2020 session, for all of the reasons set forth above. We fully recognize the Holy Assembly of Bishops’ right and ability to make any changes/amendments to the updated printing. In retrospect, perhaps distributing the updated printing of the Constitution to the delegates of the July 2019 Sabor before that printing had been “**finally confirmed**” by the Holy Assembly of Bishops was a premature step and has caused confusion. Yet, from a different perspective, we believe that the aim of distributing the updated printing was to be transparent, by informing the delegates to the July 2019 Sabor of the steps that had been taken by the Holy Assembly of Bishops. Nonetheless, the 2019 updated printing of the Constitution is in complete compliance with the May 2018 Holy Assembly of Bishops decision which approved the territorial

limitation of the Constitution to only the United States and is completely consistent with canon law and the governing documents of the SOC.

19. Even the updated text of the 2019 printing of the Constitution leaves no question that the Dioceses of the SOC in the United States are and will remain tied inextricably to the Serbian Orthodox Church (Patriarchate). This is manifestly demonstrated by Article 1 of the updated printing of the Constitution, which unequivocally states: ***“The Serbian Orthodox Dioceses in the United States of America are a Religious Body of Orthodox Christians, and canonically and hierarchically are an integral part of the autocephalous Serbian Orthodox Church with its See in Belgrade, Serbia.”***

*Prepared by the following persons with the intent and hope that publication of the above facts will lead to an efficient and, above all, peaceful Extraordinary Church Assembly-Sabor on 29 February 2020:*

**Milan Mrkal**, Member of the Central Church Council and Vice President of the Diocesan Council of the Eastern American Diocese

**Dr. Debra Tasic**, Member of the Central Church Council and Vice President of the Diocesan Council of the Western American Diocese

**Michael Kosanovich**, Member of the Central Church Council and Vice President of the Diocesan Council of the New Gracanica-Midwestern American Diocese

**Ron Radakovich**, Member of the Central Church Council and its Communications Committee

**Luka Erceg**, Member of the Central Church Council, its Legal Risk & Compliance Committee and its Communications Committee

**Jeff Gray**, Member of the Central Church Council and its Communications Committee

**Ljubiša Miličić**, Member of the Central Church Council and its Legal Risk & Compliance Committee

**Prof. Leon Lysaght**, Member of the Legal Risk & Compliance Committee of the Central Church Council

**Dušica Protić**, Member of the Legal Risk & Compliance Committee of the Central Church Council

**Andrew Muha**, Member of the Legal Risk & Compliance Committee of the Central Church Council

# ATTACHMENT 1



**THE HOLY SYNOD OF BISHOPS  
OF THE SERBIAN ORTHODOX CHURCH**  
No. 762/Min. 523  
21 May 2018  
IN BELGRADE

YOUR GRACE,

The Holy Assembly of Bishops, at its meeting on May 7/24 2018, HAB No. 45/MIN.171, rendered the following Decision:

"Adopt the proposal of the Right Reverend Bishop Longin of the Diocese of Midwestern America, the Right Reverend Bishop Maxim of the Western American Diocese and the Right Reverend Bishop Irinej of the Eastern American Diocese, and, pursuant to Article 13.8(15) and Article 33 of the Constitution of the Serbian Orthodox Church in North and South America (confirmed by the Decision of the Holy Assembly of Bishops HAB No. 8/MIN. 91 of May 22, 2007) approve the territorial restriction of the Constitution exclusively to the Serbian Orthodox Dioceses in the United States of America.

With this in mind, the present Episcopal Council of the Serbian Orthodox Church in North and South America is to be renamed the Episcopal Council of the Serbian Orthodox Church for North, Central and South America, with the highest hierarchical authority of the Serbian Orthodox Church in the region.

Kindly request of the respective Council of Bishops to take all necessary measures in regards to certain regulations and competences in the aforementioned Constitution. In addition, as per the approved restriction to implement the necessary amendments to this Constitution (including the limitation of authority of the Central Church Council to the United States), promptly inform the Holy Synod of Bishops of the same. The Holy Synod of Bishops will then submit the amended version of the Constitution to jurisdiction of the Holy Assembly of Bishops for the final confirmation.

In view of the emerging situation in the Americas, it is worth noting that the Diocese of Canada continues to be governed by its own Statute (approved by the Decision of the Holy Assembly of Bishops, HAB No. 53/MIN. 217/11)."

Predicated upon the Decision of the Holy Synod of Bishops recorded under the above-mentioned number and date, we are pleased to inform Your Grace concerning the same, kindly asking that you proceed as expeditiously as possible, with the execution of this Decision.

Your Grace's brother in Christ,

FOR THE PRESIDENT OF  
THE HOLY SYNOD OF BISHOPS  
Bishop of Sumadija, Member  
*//signed//* +JOVAN

// SEAL //

# ATTACHMENT 2



## EPISCOPAL COUNCIL Serbian Orthodox Dioceses in the United States of America, Canada and Central & South America

P.O. Box 519, Libertyville, Illinois 60048

E.C. No. 1/19  
March 20, 2019

### SUMMONS TO THE REGULAR CHURCH ASSEMBLY *[SABOR]*

In accordance with Article 18 of the Constitution of the Serbian Orthodox Church in North and South America, We hereby summon to its regular session, the **Church Assembly *[Sabor]*** of the Serbian Orthodox Dioceses in the United States of America, to be held at the facilities of **New Gracanica Monastery, 35240 W. Grant Ave., Third Lake, Illinois 60046, Saturday, July 13 through Tuesday, July 16, 2019.** As the *Sabor* will begin in the afternoon on July 13, delegates should arrive by that morning and plan to stay until the afternoon of July 16. According to a decision of the Episcopal Council, all priests are required to be in attendance for the Sunday Liturgy on July 14 at St. Sava Monastery in the presence of the incorrupt relics of St. Mardarije.

Enclosed you will find a Credentials Form which each Congregation Board is required to fill out for its 3 participants and return with a registration fee of **\$250 per person made payable to the “Diocese of New Gracanica and Midwestern America”** and mailed to the 2019 *Sabor* Committee c/o New Gracanica Monastery, P.O. Box 371, Grayslake, IL 60030. The registration fee includes all meals and the Grand Banquet. All completed credential forms with registration fees must be submitted by June 15, 2019, so that each participant receives the necessary documents for the *Sabor*.

In accordance with the provisions of the Constitution, the following are participants to this Assembly:

- Diocesan Bishops
- Active and retired clerics of both orders
- Members of the Central Church Council
- Members of the Diocesan Councils
- Two (2) delegates from every Church-School Congregation in good standing. One of these is ex-officio the President of the Executive Board of the Congregation (or his alternate Vice President), and the other is the elected delegate of the Church-School Congregation.
- Two (2) representatives of each Diocesan Federation of Circles of Serbian Sisters.
- One (1) representative of the School of Theology

Additionally, we ask that each parish sends a high school delegate to participate in *Sabor* activities. (More information regarding youth participation to follow.)

The theme of the 22nd *Sabor* is **“800 Years of Autocephaly of the Serbian Orthodox Church: Endowed by God, Treasured by the People”** and will center on this historic anniversary and how it relates to our life in the Orthodox Church as a whole. Our guest of honor and main speaker during the *Sabor* will be **His Eminence Metropolitan Kallistos (Ware) of Diokleia**, the world renowned Orthodox theologian and professor.

We ask every Church-School Congregation to encourage its active representation and participation in all aspects of these important gatherings of our Church. The 22nd *Sabor* is an important and joyful gathering of the Church and will give us the opportunity to work together for the good of the future of our Serbian Orthodox Church in this country.

With the blessing of God,

Bishop of New Gracanica and Midwestern America, President of the Episcopal Council

# ATTACHMENT 3



**THE HOLY SYNOD OF BISHOPS  
OF THE SERBIAN ORTHODOX CHURCH  
No. 995 & 1009/Min. 638  
25 SEPTEMBER 2019  
IN BELGRADE**

YOUR GRACE,

The Holy Synod of Bishops, at its meeting under the above number[s] and date, rendered the following Decision:

“To render void all decisions of the Church Assembly of the Serbian Orthodox Church in North and South America brought forth without the participation of His Grace Bishop Kyr Mitrophan of Canada and His Grace Bishop Kyr Kirilo of Buenos Aires and South-Central America, which concern the structure of the Serbian Orthodox Dioceses on that territory

Also, to oblige the Episcopal Council of the Serbian Orthodox Church in North, Central and South America, in accordance with the precepts of Article 18.9) of the still valid Constitution of the Serbian Orthodox Church in North and South America, to summon an extraordinary convocation of the Church-National Assembly of North and South America, and at that convocation to carry out the above Decision of the Holy Synod of Bishops.

At the same time, to request of the above-mentioned Council to abide by the third paragraph of the Decision of the Holy Assembly of Bishops, HANo. 45/min. 1717 of May 7, 2019, and in a timely manner inform the Holy Synod of Bishops of the measures which it plans to undertake ‘with regard to the specific regulations and competencies of the above-mentioned Constitution, and in regard to the approved limitation, for the sake of executing the necessary changes to this Constitution’, the executed text of which, thereafter, will be submitted to the competency and **final confirmation** of the Holy Assembly of Bishops.”

Concerning the above decision of the Holy Synod of Bishops, We are pleased to inform Your Grace, kindly submitted for your information and further relevant procedure.

Your Grace’s brother in Christ,

PRESIDENT OF THE  
HOLY SYNOD OF BISHOPS  
ABM and Serbian Patriarch  
*//signed//* **+IRINEJ**

*// SEAL //*