The

STATUTES

of the

Ukrainian Catholic Eparchy

of

St. Josaphat in Parma

The modes with the Met

M. Rev. Robert M. Moskal, DD

19 August, 1994

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FORWARD

After a long period of deliberation and consultation with the Presbyteral Council, on April 29, 1994, the Most Reverend Robert M. Moskal, Eparch of Saint Josaphat's Ukrainian Catholic Diocese in Parma, Ohio, announced the convening of The Eparchial Assembly in accord with the Code of Canons of the Eastern Churches.

Since the main purpose of this gathering — in accord with the wishes of the Presbyteral Council as well as the clergy of the eparchy — was to promulgate Eparchial Statutes, a commission for this purpose was formed in the persons of Reverend Monsignor George Appleyard, Reverend Peter Waslo, Reverend Mark Morozowich and Sister Elizabeth Bertoldi, OSBM. Over a period of one year the commission labored together in five lengthy sessions to coordinate and deliberate. The Eparch, wishing to have input from the clergy, religious and laity, had the final draft circulated. On August 3, 1994, in a ten hour session at Sheptytsky Arms in Pittsburgh, Pennsylvania, the Eparch together with the commission finalized the statutes. The Eparch expressed his admiration and gratitude to the members of the commission as well as to Joan Fedora whose invaluable secretarial services at the computer were patiently accurate and laudable.

In accord with the Code of Canons of the Eastern Churches in addition to the clergy, deacons, religious priests and sisters in the eparchy along with their respective Protohegumen and Protohegumena, fifteen elected delegates of the laity were invited to take part in this eparchial assembly on Friday, August 19, 1994. These delegates are Joan Marie Bodak (Austintown, Ohio); Josephine Michajlenko (Cleveland, Ohio); Dr. Michael Pap (Solon, Ohio); John Terlesky (Youngstown, Ohio); Oryst Liscynesky (Parma, Ohio); Leroy F. Grimm, Jr., Esquire (Pittsburgh, Pennsylvania); Rose Ann Kuczycki (Pittsburgh, Pennsylvania); Olga Manasterski (Aliquippa, Pennsylvania); Theodore Stecko (Lyndora, Pennsylvania); Stephen Zinski (Carnegie, Pennsylvania); David Hodowanetz (Latrobe, Pennsylvania); George Casper (North Port, Florida); and John Gawaluch (Saint Petersburg, Florida). An invitation was extended to one representative observer from each parish in the eparchy.

Then on August 19, 1994 at the celebration of the Akathistos in honor of the Theotokos-Bohoroditsya, the Eparch, faithful to the mandates of the Second Vatican Council, especially in its decrees regarding the Eastern Catholic Church, seeking to apply the Gospel Message to our present needs, concerns and aspirations, and endeavoring to adapt the laws of the Universal Church and Ukrainian Church to our local Church so as to better serve the faithful, promulgated the Statutes for the eparchy from the altar of Saint Josaphat's Ukrainian Catholic Cathedral in Parma, Ohio, to have effect from September 1, 1994.

The priests, deacons and laity prayed that all may receive this eparchial law as an aid to good order and to that renewal of mind and heart which will result in a more perfect expression of the saving love of God.



Українська Католицька Епархія св. свщм. Йосафата у Пармі Ukrainian Catholic Diocese of St. Josaphat in Parma

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DECREE OF PROMULGATION

I, Robert Michael Moskal, by the grace of God and Blessing of the Apostolic See and the Sacred Synod of the Hierarchs of the Ukrainian Church, by the authority vested in me, promulgate the following statutes of the First Eparchial Assembly as they appear in this book. I decree and order that these Statutes will have the force of law for the entire Eparchy from the first day of September, in the year of Our Lord 1994, the Feast of the Indiction, the 6502nd year since the creation of the world.

In the Name of the Father, and of the Son, and of the Holy Spirit. Amen.

Robert M. moskel

Robert M. Moskal Bishop of Saint Josaphat's Eparchy

Given at Parma on the Nineteenth day of August, 1994, the Eleventh Year of the Eparchy.

Throw a. Angree
Rev. Msgr.Thomas A. Sayuk
Notary



Preliminary Norms

- 1. These statutes are binding on the clergy, religious and lay people within the Ukrainian Eparchy of Saint Josaphat in Parma as of September 1, 1994.
- 2. All previously promulgated statutes which are contrary to these statutes are abrogated. It is the responsibility of the protopresbyter (dean) to see that these directives are implemented in each of the parishes in his area, and that he is the first to implement them in his own.
- 3. Customs contrary to the contents of these statutes are to be abolished.
- 4. Pastors are to see to it that matters in these statutes which affect their faithful are brought to their attention.
- 5. Each presbyter is to be supplied with a copy of these statutes and a second copy is to be kept with the parish records in such a way that it can be easily consulted. At least one additional copy is to be accessible to the faithful.
- 6. An action which is contrary to a prohibition contained in these statutes is not thereby null and void.
- 7. In case of doubt, either of fact or interpretation, the eparch is the sole authentic interpreter of, and the sole authority to amend, these statutes.
- 8. Whenever the permission of the eparch is required by the statutes, it must be obtained in writing. Any permission given orally by the eparch must be reduced to writing and remanded to the chancery for authentication within 10 days.
- 9. The clergy, religious and faithful of the eparchy, keeping in mind the salvation of souls and the good of the Church, are to offer suggestions for revision and new matters which seem to them important for inclusion in the statutes. Revisions and suggestions are to be sent to the eparchial commission or the eparch.
- 10. These statutes should be reviewed each year by an eparchial commission to be established by the eparch for the specific purpose of evaluating their effectiveness and modifications. Anyone may at any time submit suggestions to this commission for consideration.

SECTION ONE

Membership and Enrollment

(Title II CCEO & CIC)

- 11. In virtue of canon 7 CODE OF CANONS OF THE EASTERN CHURCHES (hereafter CCEO), membership in the Church is acquired by baptism.
- 12. In general, formal transfer to another Church *sui iuris* is to be discouraged. Any member of the Catholic Church may participate in the spiritual and liturgical life of any other Catholic Church *sui iuris*. Even on a permanent basis this does not effect a transfer to another Church *sui iuris*.
- 13. For a valid transfer to another Church *sui iuris*, or to return to the former Church *sui iuris* after a lawful transfer, the permission of the Apostolic See is required.
- 14. A person may request transfer to another Church *sui iuris* for any of the following reasons:
 - A. desire to enter the seminary or a religious community of a different Church sui iuris;
 - B. the return to the Church *sui iuris* of one's ancestors:
 - C. family unity;
 - D. enhancement of the Christian life in an individual or particular circumstance for the salvation of one's soul.
- 15. The person requesting a transfer must:
 - A. be an active participant in the parish to which he/she is requesting transfer for at least one year;
 - B. have good reasons for requesting the transfer;
 - C. understand fully the matter of the request;
 - D. have the intention of remaining in the new Church sui iuris permanently;
 - E. request the transfer freely.

Procedures

16. To petition for a transfer to this Church *sui iuris*, this procedure is to be followed. (cf. Addendum).

- A. The person requesting the transfer must discuss the issue with the pastor of the intended Church *sui iuris*.
- B. The requesting person must write a formal petition to the eparch in which he/she gives the following:
 - 1) name and address;
 - date and place of birth;
 - 3) the name of the Church *sui iuris* in which he/she is currently a member and from which he/she is seeking a transfer;
 - marital status;
 - 5) brief summary of his/her spiritual journey leading to this request;
 - 6) reasons for requesting the transfer;
 - statement of freedom in making the decision;
 - 8) family situation;
 - a) children under 14 years of age listed in the petition (their baptismal certificates must be included);
 - b) parents' agreement to the transfer;
 - 9) signature of the adult petitioner;
 - 10) statement of understanding the permanence of the transfer.
- C. The petition must include a copy of the person's baptismal certificate issued within the last six months.
- D. The person's intended pastor must write to the eparch stating his reasons for supporting the petition; or, if the pastor feels the reasons for requesting the change are not bona fide and earnest, or contrary to the truth, refuting the stated reasons.
- E. The intended pastor shall mail two (2) copies of the petition, the baptismal certificate(s) and his own letter to the eparch.
- F. The eparch shall review the petition and the pastor's recommendation. If the eparch considers the transfer to be justified, he shall send a letter affirming the petition, and a copy of the petition, to the proper diocesan bishop of the petitioner in whose territory that person resides.

- G. The diocesan bishop shall review the petition and respond to the eparch in writing giving his response to the petition.
- H. If both bishops agree to the transfer, the eparch can issue a decree of transfer with the presumed permission of the Holy See.
- I. If the diocesan bishop of the petitioner does not give consent, the eparch may petition the Holy See for approval.
- J. The eparch shall send the decree to the pastor. The transfer takes effect at the moment the declaration is made (and signed if required) before the local hierarch or proper pastor, or a presbyter delegated by either, and two witnesses, unless the rescript provides otherwise. A liturgical celebration is not to accompany this act nor may it even be executed in a public manner.
- K. The pastor shall record the transfer in the parish baptismal register in the current order without giving a rubrical number. The decree and signed declaration are to be kept in the parochial archives. A copy of the signed declaration is to be sent to the chancery if required.
- L. The pastor/administrator is to send to the Church of baptism a notification of the transfer.
- M. To ensure that the transfer has been duly noted on the baptismal certificate, the person transferring is advised to write to the church of baptism requesting a copy of the baptismal certificate.

Transfer For Marriage

- 17. In accordance with canon 33 CCEO, an Eastern Catholic wife is at liberty to transfer to the church of her husband at the celebration of or during their marriage. When the marriage has ended, she can freely return to her original Church *sui iuris*.
- 18. In accordance with canon 112#2 CIC (Latin Code) a Latin spouse -- husband or wife -- may transfer if he or she declares at the time of marriage, or during marriage, that he or she is transferring to the Church *sui iuris* of the other spouse. The following procedure for the transfer shall be observed:
 - A. The person must make the statement in writing and sign the statement before the proper cleric and two witnesses.
 - B. This statement must be kept with the marriage file.
 - C. A notation must be made in the sacramental register for matrimony.

D. The pastor/administrator must notify the church of baptism.

Transfer After Marriage

- 19. With regard to a married couple, a husband who wishes to transfer to this Church sui iuris must submit a petition to the eparch. If the wife is of the same Church sui iuris as the transferring husband, she may transfer at that time with him, or at a later date during the marriage.
- 20. If it is the wife who is submitting a petition, and the husband is of the same Church *sui iuris*, he must still submit his own individual petition if he also desires to transfer with her.
- 21. Children who have not completed their fourteenth year are automatically transferred with their parents. If only one parent transfers, both parents must mutually agree to the transfer of the children, or the Church *sui iuris* of the father prevails. Children fourteen and over must apply for themselves.

SECTION TWO

The Eparchy

(Title VII CCEO)

- 22. To insure the stability and continuity of its mission, the spiritual and temporal patrimony of the church is the responsibility of all Christian faithful members. In particular, the eparch is responsible for overseeing the functioning of the church with the cooperation of the presbyters and the faithful.
- 23. The clergy and the faithful are to cooperate in the fulfillment of the mission of the church to evangelize the world. This task is accomplished both by the common prayer life of the local Christian community and the establishing of ministries and facilities to carry out the apostolate.

The Corporation

- 24. The parish is a definite community of the Christian faithful established on a stable basis in the eparchy, whose pastoral care is entrusted to a pastor (Canon 279 CCEO).
- 25. The church possesses the right of caring for its faithful and this entails the maintenance of parish buildings and temporal goods which facilitate the functioning of the local Christian community. (Cf. 1007 CCEO)

- 26. As a legal entity the eparchy is entitled *The Ukrainian Eparchy of St. Josaphat in Parma*.
- 27. All properties of the eparchy are legally owned by: The Eparch of St. Josaphat Ukrainian Catholic Diocese in Parma, Ohio, his successors and assigns in office, duly appointed by the Holy See of Rome, in trust for St. Josaphat Ukrainian Catholic Diocese in Parma, Ohio, a religious corporation under Ohio State Law.
- 28. Only the eparch himself can legally contract for the corporation.
- 29. Every transaction regarding property, whether real estate, construction, purchase of major equipment and/or expenditures over five thousand dollars (\$5,000) needs the written approval of the eparch.

Curial Duties and Responsibilities

Appointments and Terms

- 30. The eparch freely appoints members to the eparchial curia for specific responsibilities.
 - The members of the curia are: protosyncellus (vicar general), syncellus (eparchial vicar), judicial vicar, eparchial consultor, econome (eparchial finance officer) and council for economic affairs; chancellor, eparchial judges, promoter of justice and defender of the bond, notaries and other individuals assigned by the eparch for properly fulfilling the offices of the eparchial curia. (canon 243 CCEO).
- 31. With due regard for the provisions of the canon 271 CCEO, the eparch determines the term of office of all curia appointments.

Protosyncellus

32. The protosyncellus (vicar general) assists the eparch in the ordinary governance of the eparchy. In the absence of the eparch (or by delegation of the eparch) the protosyncellus utilizes his vicarious powers to provide continuity in the governance of the eparchy.

Syncellus

33. A syncellus (eparchial vicar), may be appointed to fulfill certain tasks as determined by the eparch within a specific territory of the diocese.

Chancellor

34. The chancellor maintains the curial offices and preserves the acts of the curia. He assists the eparch in the daily affairs of the office and oversees the maintenance of the archives of the eparchy.

Econome or Eparchial Finance Officer

- 35. The econome (eparchial finance officer) is appointed for a term of four (4) years and:
 - A. oversees the finances of the eparchial curial offices;
 - B. coordinates the functioning of the financial council;
 - C. oversees the financial affairs of the parishes in the eparchy.
- 36. The econome must account for his/her administration to the eparch at least once every six months.

Eparchial Financial Council

- 37. The finance council is to prepare an annual budget for the whole eparchy for the coming year and to review last year's receipts and debits.
- 38. The financial council is to supply the eparch with financial expertise to assist him and the financial officer with the stewardship of diocesan funds.

The Presbyteral Council

39. The presbyteral council is constituted by, and operates under, its own bylaws. (cf Addendum)

Eparchial Consultors

- 40. The consultors have a term of five years, and they must be members of the presbyteral council at the time of their appointment.
- 41. The eparch is to consult with them in the suppression and establishment of parishes within the eparchy. They are to assist him in decisions of great importance concerning matters of the eparchy.
- 42. Upon the death of the eparch, the consultors act in accordance with canon 271.5 CCEO.

Other Offices

Protopresbyters

43. The protopresbyter (dean) is the local moderator of a designated district within the eparchy. He is to ensure the quality of ministry given in each of the parishes in his district. His duties are detailed in canon 278 CCEO.

- 44. The protopresbyter is bound to visit each parish within his territory every year. He is bound to meet with the pastor/administrator and with the pastor's advisory council (i.e. "parish council," hereafter PAC). He is entitled to remuneration for actual travel expenses.
- 45. The protopresbyter must render a report to the eparch on the condition of the parish within thirty days of his visit to the parish. The report shall disclose:
 - A. whether Divine Liturgy and other liturgical services are celebrated in accord with the liturgical customs of the Church;
 - B. the good appearance of the church and sacred furnishings and the custody of the Eucharist;
 - C. the good appearance, cleanliness and maintenance of the rectory;
 - D. a detailed report on the financial books accompanied by an audit conducted by an independent, competent accountant;
 - E. the general comments of the PAC.
- 46. He is to exhibit fraternal care for the presbyters in his district to insure that they are able to avail themselves of the various opportunities for growth and spiritual enrichment available to them. Also, in the case of illness, he is to see that they are properly cared for.
- 47. The protopresbyter is to expedite transfers, verifying the inventory of the parish holdings; and reviewing the financial records to insure accuracy, even if he must consult an accountant.

Pastoral Responsibility

Financial Accountability

- 48. The People of God, lay people and clergy, return a portion or tithe of their income for the support of the Church on a local, eparchial, synodal and universal level.
- 49. The eparch, the eparchial econome, pastors and administrators have the obligation of using this gift wisely and are called to render an accounting of its use to the faithful as a sign of good stewardship.
- 50. The calendar year shall be the fiscal year for the eparchy and the parishes/missions.

Eparchy

- 51. The eparchial econome will publish a financial report of the eparchy each calendar year.
- 52. The financial report will be published and distributed to all parishes and missions by March 15th.

Parishes and Missions

- 53. The pastor/administrator must prepare a financial report of the previous calendar year for distribution to the parishioners by March 1st.
- 54. The annual financial report will contain the parish income and disbursements; the checking account balance and the balance of all other accounts as of December 31st. This report is to include all accounts which actually bear the tax identification number of the parish regardless of the various individual societies or separate funds which may exist.
- 55. A copy of this annual financial report must be sent to the eparch by March 1. Along with this report the names of all who have received the sacraments of initiation during the same period must be submitted.

Inventories

- 56. Every parish/mission is to have an inventory of the physical goods which belong to it.
- 57. Each separate building shall have its own detailed inventory by room.
- 58. The inventory is to be updated every June 1 and sent to the Chancery office by June 15.
- 59. Each presbyter is to have an inventory of personal possessions that he has with him in the rectory, which is to be updated every June 1.
- 60. A sealed copy of this inventory is to be kept in the chancery office. The envelope will only be opened in the case of death or abandonment of position. Unless it can be proved otherwise, property not listed on the personal inventory will be considered parish property.
- 61. In virtue of canon 284 CCEO, the eparch appoints pastors, whose duties are enumerated in canon 288 to 294 CCEO inclusively.
- 62. In virtue of canon 284.3 CCEO the pastor possesses stability in his office.

- 63. In the removal or transfer of pastors, canons 1389 1400 CCEO are to be observed unless something else is established by particular law approved by the Apostolic See.
- 64. The pastor/administrator is responsible for overseeing all aspects of administrative operations, while not necessarily completing all of the tasks personally.
- 65. The responsible administration of the finances, physical plant, real estate, and legal issues which are the direct responsibility of the pastor/administrator in conformity with all civil and ecclesiastical laws.
- 66. The financial obligations of the pastor/administrator include:
 - A. keeping accurate financial records;
 - B. preparing a budget;
 - C. managing cash flow;
 - D. managing the parish assets;
 - E. complying with all requirements, both of civil and ecclesiastical law.
- 67. The pastor/administrator must look after the physical maintenance of the parish property by ensuring that the facilities are in working order and that the grounds are in proper repair.
- 68. The pastor/administrator is solely responsible for:
 - A. initiating recommendations to the eparch regarding sale, acquisition or lease of real estate:
 - B. filing for property tax exemptions on qualified property and timely payment on non-exempt parish properties.
- 69. To insure the safety of the people and the assets of the parish, the pastor/administrator shall see that the grounds are maintained in a safe condition, free of obstacles and hazards.
 - A. He shall see to the prompt removal of snow in order to insure safe passage on sidewalks and stairs. Pastors should be aware of local municipal ordinances in this regard.
 - B. He shall see that ample lighting is provided at night around the public areas of the church, rectory, convent, etc., and that windows and doors are secured.

- C. He shall take all reasonable measures to prevent accidents by seeing that the property is regularly inspected, using an insurance self-checklist; and shall provide for proper insurance coverage levels and types, in consultation with the diocesan insurance department. He shall report all accidents, injury, serious illness or death to the proper agencies and inform the chancery.
- 70. The pastor has the responsibility of maintaining the proper legal status of the parish with due regard to all federal, state and local laws including those affecting personnel.
 - A. He must properly report to the chancery and insurance carrier all incidents or probable violations that may lead to litigation;
 - B. He shall refer news media to the chancery office in the event of threatened litigation of a public and potentially scandalous nature;
 - C. He shall not engage in partisan politics in the name of the parish lest he endanger its tax exempt status.
- 71. It is strongly recommended that alcoholic beverages not be served on parish property nor at parish functions.

Pastor's Advisory Council

72. The Body of Christ is to act in mutual communion in the furthering of the salvific work of the Church. The mission of the Church is both the responsibility of the pastor/administrator and of the lay people who work together to realize this noble task. According to canon 295 CCEO: "In the parish there are to be appropriate councils dealing with pastoral and economic matters, according to the norm of the particular law of its own Church *sui iuris*."

Particular Norms

- 73. Each parish will have a pastor's advisory council (henceforth PAC) which will be concerned with spiritual, pastoral, educational, financial and social needs of the parish.
- 74. The ex-officio members of the PAC are the pastor, the parochial vicar(s) the pastoral associate(s), and the deacon(s) as well as the director of religious education.
- 75. The lay members of the PAC are nominated by the pastor for a three year term and are to be confirmed by the eparch. At the inception of the board, staggered terms may be arranged for ongoing continuity. It is advised that the pastor ask for recommendations for these positions from the congregation.

- 76. Depending on the size or needs of the parish, the lay members of the PAC should be formed with no less than three nor more than nine in number who shall include both genders, the various ministries of the parish and various age groups.
- 77. Those nominated to the PAC are to be:
 - A. regular communicants who attend Liturgy;
 - B. active parishioners involved in the life of the community caring for physical and spiritual needs;
 - parishioners eager to support and promote the parish's spiritual, educational, charitable, financial, and social life by their direct involvement;
 - D. people who are respected by the parish community.
- 78. The pastor is *ex officio* chairman of the PAC. A secretary is to be elected, or appointed by the pastor, to take the minutes of the meetings which are then to be entered into the files of the parish.
- 79. For social functions, when the lay people as a group may wish to express themselves, a representative of the PAC may be selected from the lay members.
- 80. The PAC meets regularly at least quarterly under the chairmanship of the pastor.
- 81. The decisions of the PAC are advisory only, and not binding on the pastor or the parish.
- 82. The eparch will meet with the PAC during his canonical visitation. He will also review the minutes of the PAC and sign the latest copy.
- 83. The protopresbyter, during his annual visit, will also meet with the PAC in order to derive a balanced view of the parish.
- 84. The pastor/administrator may also elect to have a separate parish financial board. This parish financial board is to be appointed at the pastor/administrator's discretion and is to have a consultative role only.
- 85. The PAC and the parish financial board, if one exists, ceases with the transfer of the pastor/administrator. The new pastor/administrator may elect to retain them for a temporary period or establish an entirely new board.

Parish Archives

86. The records of the parish are the means of recording important events in the life of individuals within the parish and the life of the parish itself. Therefore, the

pastor/administrator has a grave responsibility to preserve and update the books and documents of the parish. He shall maintain the following:

- A. sacramental register containing, baptism, chrismation, and Eucharist reception into the Church by profession of faith; transfer of ritual churches; and marriage;
- B. death register;
- C. sick call register;
- D. a file for each marriage with the proper documentation contained in it;
- E. a cemetery register and plot map if the parish maintains its own cemetery;
- F. a file with chancery protocol correspondence pertaining to the life of the parish;
- G. a file of official letters from the pastor to parishioners;
- H. Sunday bulletins;
- I. all documents pertaining to real estate and the property of the parish;
- J. all documents pertaining to buildings,
- K. a file containing minutes of the PAC and financial board, if it exists;
- L. an account of income and expenditures for each year, as well as yearly financial reports for a period of seven years unless local law prescribes otherwise;
- M. all financial records [savings books, canceled checks, bank statements, etc.];
- N. the current parish/mission inventory;
- O. the parish census a current list of names, addresses, and phone numbers of parishioners;
- P. copies of Our Priestly Ministry;
- Q. copy of the Code of Canons for the Eastern Churches;
- R. copy of the Eparchial Statutes;

Political Activity Guidelines

87. In order to protect the parish's tax-exempt status, it is essential that federal regulations regarding political activities be observed. It is therefore important that each parish and mission take care to follow the instructions given below. If a religious or charitable corporation participates in a political campaign, it not only loses tax exemption on all its properties, but its members are denied the right to take a deduction for their contributions to that religious or charitable corporation.

Political Endorsements

- 88. Neither the pastor/administrator nor any member of the parish may endorse a political candidate in the name of the parish/mission.
- 89. While a presbyter has the obligation to preach on moral issues, he may not encourage votes for or against any candidate by means of a sermon, parish bulletin, or sample ballot. This includes indirect statements, such as labeling a candidate.
- 90. The rental of parish facilities for political activities is to be discouraged and never to be construed as an endorsement. The facilities must be rented for the normal fee and this fee may not be waived or donated so that these services might be construed as a donation to the political candidate or function.
- 91. Campaign posters may not be displayed on church property. Campaign literature is not to be distributed on church property except in conjunction with the rental of the hall, and then never by the church staff.

Candidate's Appearances

- 92. The appearance of a politician who actually holds office in conjunction with a social function of the church is not a "meeting". However, if a parish meeting is held on church or other tax exempt property owned by the eparchy or parish where a candidate is to appear, all other candidates must be given a reasonable opportunity to appear at the same meeting.
- 93. If reasonable notice is not given to all other candidates to appear at such a meeting, it is required to give equal opportunity at a later time to the omitted candidate(s).

Special Collections

Cf. presbyteral council decisions

94. Special collections within the parish for its own needs are made at the discretion of the pastor or administrator.

- 95. No organization or *ad hoc* group is permitted to collect alms in any church of the eparchy (its hall or other buildings, or at any site being used, even temporarily, for a church function) without the written permission of the eparch.
- 96. Alms collected with the permission of the eparch are to be sent to the chancery, which will forward them to the organization for whom they were collected.
- 97. A presbyter is free to donate the offering at *myrovannya* to a worthy cause at his own discretion, and he may announce this intention beforehand.
- 98. The permission of the pastor or administrator is sufficient for worthy organizations to seek alms on the steps of the church (outside the building). By civil law, organizations cannot be prevented from collecting alms on the public pavement (sidewalk) in front of, or near, a church unless a hazard is created.
- 99. In addition to the monthly Alumnaticum-Cathedraticum, the monthly collection taken up for the support of the eparchy, assessments, etc. the following special collections, as well as all those mandated by the eparch, shall be taken up in every parish within the eparchy at the stated time:

Purpose or title

When collected:

For The Church in Need	First Sunday in Lent
For the Holy Land	Good Friday
For the Seminary Fund	Easter
Peter's Pence	Sunday nearest June 29
The Canonization of Ukrainian Saints	First weekend in November
Retired Priests (optional)	December 6
For the Seminary Fund	Christmas

Visitations of the Eparch

- 100. The eparch will visit each parish in the eparchy not less than once in five years.
- 101. The purpose of the visit is:
 - A. to examine the spiritual, educational and membership growth of the parish since the last canonical visitation;
 - B. to provide the eparch with an opportunity to meet with the clergy and the faithful to discuss the life of the parish on an individual and informal basis;
 - C. to meet with the pastor regarding his own personal concerns;
 - D. to meet with the PAC to discuss the general state of the parish;

- E. and to review all parish archives and insure that they are maintained in proper condition.
- 102. The eparch will celebrate liturgy in the parish and preach to the faithful.

Guidelines for Accepting Gifts of Real Property

- 103. In general, property which is encumbered by liens, debts, or other environmental liabilities is to be declined unless the eparch decrees otherwise.
- 104. Property is to be free from donor-imposed restrictions concerning its use. In accordance with canon 1045 #3 CCEO, if property is offered for a specific purpose, the pastor/administrator may not accept it without the written permission of the eparch.
- 105. Any proceeds from the sale of property which the owner requests to be given to a specific parish or eparchial need must be honored.
- 106. The name in which real property is titled is: To the most Reverend (N.) Bishop of St. Josaphat Ukrainian Catholic Diocese in Parma, Ohio, his successors and assigns in office, duly appointed by the Holy See of Rome, in trust for St. Josaphat Ukrainian Catholic Diocese in Parma, Ohio, a religious corporation under Ohio State Law.
- 107. The subsequent sale or use of donated property must have the written permission of the eparch.

Guidelines for the Purchase and Sale of Property

- 108. The pastor/administrator shall meet with the PAC and the financial board (if it exists) to:
 - A. study the needs of the parish with regard to its further growth and development;
 - B. study how the proposed property, its purchase or sale, furthers that growth and development;
 - C. review the specifications, zoning, and asking or selling price for the property;
 - D. and review the financial reports of the parish in the past three years, as well as the current year, to determine the viability of the purchase or sale;
 - E. obtain an independent appraisal of the property.
- 109. Having completed this process, the pastor then sends the necessary documents to the eparch for his review. These documents are to include:

- A. a letter from the pastor explaining the reasons for the transaction and a review of the aforementioned process;
- B. a report of the findings of the PAC;
- C. the parish financial reports for the last three years and the report for the current fiscal year.
- 110. The eparch shall then review the information and, if he indicates favorably, stipulate the appropriate procedure to take.

Rectory

- 111. All presbyters (pastors, administrators and parochial vicars) are to reside in the rectory or designated house supplied by the parish or ministry unless the eparch permits them to live elsewhere.
- 112. Presbyters are to be provided with comfortable and private living quarters that are simple, clean and properly furnished.
- 113. Presbyters are to be hospitable to their brother clergy by making their rectories available to them.
- 114. The clergy residing in the rectory are to oversee its cleanliness and upkeep. The parish shall provide a cleaning person to maintain the rectory regularly.
- 115. Presbyters are not to have unchaperoned minors frequenting their living quarters.
- 116. Presbyters are not allowed to have minors, outside of blood relatives, stay in the rectory overnight unless accompanied by their parents.
- 117. When a presbyter is transferred, he is to see that his successor will have all the necessary amenities in the residence and insure that it is clean and orderly.
- 118. Regular maintenance is to be performed on the parish house, which includes painting, replacing carpeting, replacing furnishings when needed etc..
- 119. Other than his wife and children, no lay person (relatives, friends or acquaintances) of a presbyter are to live in the rectory with the presbyter, without the written permission of the eparch.
- 120. Relatives of the presbyter are not to be employed by the parish without the permission of the eparch.
- 121. Presbyters are entitled and encouraged to have guests visit and even stay overnight, as long as this is not a permanent situation and lasts no more than a month, without the eparch's written permission.

Building Guidelines

New Construction

- 122. The pastor shall meet with the PAC to discuss the necessity of the proposed building and a building committee shall be formed.
- 123. The pastor together with the PAC (or building committee) shall then study the feasibility of this building, taking into account the financial situation of the parish, zoning requirements, city codes, and so forth.
- 124. This preliminary information is then to be presented to the eparch for his written permission to proceed with the more specific details of the project.
- 125. Once this permission is received, the pastor and the PAC (or the building committee if one was formed, or one that is formed now), is to proceed with a more formal proposal outlining projected costs and the selection of an architect.
 - A. At least three candidates should be interviewed.
 - B. The recommended architect's name is then submitted to the eparch for his approval.
 - C. If approved, the pastor may then hire the architect; if denied, the interview process must begin again so that another choice may be presented.
- 126. The architect shall review the PAC's (or committee's) proposal and then prepare design documents or preliminary drawings for the PAC (or committee).
- 127. Upon approval by the pastor, a complete set of documents shall then be presented to the PAC (or committee).
- 128. After the PAC (or building committee) has reviewed the drawings, written recommendations shall be sought from the eparch.
- 129. Once written approval has been received, the architect is to proceed by preparing design development documents and these must be approved by the pastor and the eparch.
- 130. Having received the necessary approvals, the architect then prepares construction documents, "working drawings," and an itemized statement of costs.
- 131. With the endorsement of the pastor and the building committe (or PAC if none exists), permissions must once again be sought from the eparch.
- 132. When the necessary permissions have been granted, the construction bidding phase begins:

- A. the architect shall assist in the preparation of bidding information,
- B. assist in attaining at least three line item bids.
- C. and he shall summarize and submit recommendations.
- D. The chosen contractor must be bonded and provide a performance bond and a maintenance bond for at least a one year period.
- E. The approval of the eparch must be secured in writing.
- 133. The construction shall proceed in this fashion:
 - A. The pastor shall require from the contractor construction insurance covering both the parish and eparchy.
 - B. The architect shall provide administration of the contract and will represent the parish and the eparchy.
 - C. The architect will regularly visit the job site and report on progress.
 - D. The architect will determine the schedule of payments to the contractor.
 - E. The architect is bound to report work not conforming to the specifications of the contract.
 - F. The architect will answer and mediate disputes in the field between owner, contractor, and subcontractor(s).
- 134. After construction the following must be accomplished:
 - A. The architect must obtain all necessary inspection and certificates for occupancy from the local government.
 - B. During the contractor's one year guarantee period, the architect must be available for consultation regarding use and operation of the facility.
 - C. The architect shall conduct a ten month inspection to determine if guaranteed items need attention, and see to their correction by the contractor or responsible party.

Remodeling

- 135. Remodeling which involves substantive physical construction must follow the procedure for building guidelines.
- 136. Remodeling which changes the use of an area, or involves worship space, requires prior written approval of the eparch.

Demolition

- 137. The approval of the chancery must be obtained for the planned demolition of any structure.
- 138. A decree from the municipal government is sufficient in the case of an emergency.
- 139. The pastor must secure demolition insurance from the contractor.

Guidelines for Establishing Missions and Parishes

Establishment of a community

- 140. The core group of Ukrainian Catholics interested in committing themselves spiritually and financially to the possible establishment of a mission must first be identified.
- 141. The community is to send a letter to the bishop asking for a presbyter to visit them, perhaps even regularly (depending upon the availability of a presbyter, given the proximity of physical location).
- 142. Pending the report of the presbyter and the regularity of services, the community is established as a non-canonical community of the closest local Ukrainian Catholic parish with a separate financial accounting system. The sacramental records are kept at the aforementioned local parish.
- 143. If after five years there is no significant growth, the community is disbanded.
- 144. No specific name is to be given to the community.

Establishment of a Canonical Mission

- 145. To establish a canonical mission the core group must number at least twenty (20) active families.
 - A) There must be a presbyter or deacon available to the group to provide worship every Sunday.
 - B) There must be sufficient potential for development and growth of the community.
 - C) The community must be financially solvent and able to support travel expenses and stipends for the presbyter.
- 146. If the conditions in the above statute are met, the presbyter and the community petition the eparch for canonical status as a *mission*. The documentation must include the community's statistics showing its physical, spiritual, and financial growth since its inception, and its future projections for growth.

- 147. The college of eparchial consultors shall review the evidence and render an opinion.
- 148. If the eparch makes a decision to establish a mission canonically, he shall determine the name of the mission after having consulted with the local community, and he shall appoint a presbyter to minister part time.

The Mission

- 149. The presbyter is to establish a mission council, or advisory board, in conformity with these statutes. The members of that board are then to work collaboratively toward the building up of the community.
- 150. The mission shall begin and maintain its own sacramental register.
- 151. When financially feasible, the mission is to purchase suitable property for future development for a church, rectory and meeting facility in accordance with these statutes.
- 152. A normal worship schedule shall be maintained each Sunday and Holy Day of obligation.
- 153. If after five years there is no significant growth, the status of the mission will be reviewed.
 - A) If it is to be closed, the sacramental register is to be kept by the mother parish or chancery. The mission financial accounts are the property of the eparchy.
 - B) If it is to remain open, it will be evaluated in another two years.

Establishment as a Parish

- 154. To be established canonically:
 - A) A proposed parish must show sufficient evidence of maturity in the realm of spiritual, physical and financial growth.
 - B) The number of active family units must be at least 25.
 - C) The mission must be financially capable of:
 - 1) paying the salary, sustenance and benefits of a full time presbyter;
 - 2) meeting all its financial obligations;
 - 3) setting aside money in a savings account;

- 4) establishing a center for worship and activities;
- 5) providing a residence for the presbyter.
- 155. When the presbyter/administrator, in conjunction with the mission council (or advisory board), deems that these conditions are met, the eparch is to be petitioned for canonical establishment as a parish.
- 156. The eparch shall present the information to the college of eparchial consultors for their consent.
- 157. The eparch shall inform the pastor/administrator of his decision. If favorable, he then designates the name of the new parish.

SECTION THREE

The Clergy

(Cf. Title X of the CCEO, canons 323 et ff.)

Continuing Education and Formation

- 158. In the Church we distinguish between major and minor orders. Major orders include bishops, presbyters (priests) and deacons; others are considered minor orders. For the purpose of these statutes the term clergy will refer to those in major orders unless otherwise noted.
- 159. In accordance with canon 372 CCEO, the presbyter and deacon are to engage in personal study and reflection regarding their ministry, and are encouraged to participate in clergy formation programs. For this purpose one thousand (\$1000) dollars per year (not to be accumulated) shall be provided from their source of salary for ongoing education allowance (OEA).
- 160. In accordance with canon 369 CCEO, although it is desirable that clerics make frequent retreats, the secular clergy are obliged to make a retreat at least once every three years. They shall not be prevented from making at least one annual retreat. The full and actual cost of the retreat is to be paid from the OEA funds by voucher.
- 161. The presbyters (and assigned deacons) are to attend the semi-annual eparchial meetings and conferences. Travel and conference expenses are to be paid by the parish or mission. They shall also participate in meetings and activities of their respective protopresbytery (deanery) and offer full cooperation to the protopresbyter (dean). Travel to meetings of the protopresbytery is not reimbursed. The cost is covered by the monthly automobile allowance.

162. The presbyter and deacon shall support eparchial goals and programs and assist in eparchial efforts by personal involvement, and lend such support as strengthens the fraternity of the clergy. They shall show a willingness to support programs and activities which serve the good of the whole Church in the eparchy.

Deacons as Such

- 163. In accord with the CCEO, the deacon is an ordained cleric, enrolled in an eparchy, and as such, is a member of the clergy of that eparchy.
- 164. Deacons and presbyters should foster a genuine respect for each other and for the integrity of their two distinct ministries.
- 165. Presbyters shall accept, support and affirm the ministerial role of the deacon. Deacons shall likewise accept, support and affirm the ministerial role of the presbyter.
- 166. Deacons are to abide by the priority of God, family, occupation, and ministry.
- 167. A married deacon is to be a dedicated and loving husband and father and thus set an example to the Faith Community of Christian family living.
- 168. Each deacon is encouraged to have a spiritual director and to care for his own spiritual life.
- 169. Deacons are to take opportunities for spiritual growth and continuing education.
- 170. The deacons, as an ordained cleric with the faculties of the Eparchy of St. Josaphat in Parma, are assigned to a particular parish as co-workers with the pastor in ministering to the needs of that parish.
- 171. The deacon, as a co-worker with the pastor, is to be involved in the life of his parish.
 - A. While the pastor is the one ultimately responsible for the parish, he and the deacon (with the parochial vicar(s), if there are any) form the pastoral team of the parish.
 - B. The eparch along with the pastor decide the particular role that the deacon will have in helping to animate and direct the parish. The pastor cannot inhibit the deacon from exercising his liturgical role at any time.
 - C. The deacon is to exercise his ministry in those areas assigned him, e.g. religious education (baptismal, catechumenate, marriage preparation); visiting the sick, coordinating altar servers, moderating specific parish organizations, etc.

- 172. The deacon receives no fixed financial remuneration unless the eparch determines otherwise.
- 173. The wife of a deacon should support her husband in his role as a minister of the Church.

Liturgical Role of the Deacon

- 174. The deacon's primary ministry is liturgical, but not limited to this ministry, and should include other forms of service.
- 175. The deacon assigned to a particular parish has a right to participate actively in his particular capacity as deacon in all liturgical services celebrated within the parish. The proper place of the deacon is at the altar, not seated in a pew as a lay person.
- 176. The deacon may, in absence of a presbyter, celebrate typica, vespers, matins, parastas, paraklis, moleben and akathist.
- 177. The deacon cannot celebrate the Divine Liturgy (even as a "dry Mass," i.e. omitting the anaphora), chrismation, matrimony, or the anointing of the sick without a presbyter, nor may he confer baptism (except in the case of emergency) because these Holy Mysteries, by their very nature, must be celebrated by a presbyter.
- 178. The deacon may assist with the distribution of Holy Communion and, in agreement with the pastor and with a mandate from the eparch, may preach.

Visiting Deacons

- 179. Any deacon ordained for the eparchy, or having faculties of this eparchy or another eparchy, is welcomed to exercise his diaconal ministry in any parish of the eparchy with the permission of the local pastor.
- 180. If there are many deacons, they are to vest and take their place either in the sanctuary, or if there is insufficient room in the sanctuary, in the front pew.

Requesting a Deacon from Another Parish

- 181. When a presbyter wishes to have the services of a deacon from another parish in a specific instance, he shall contact the pastor of the deacon's parish with the request.
- 182. Before a deacon can function in another parish, he must have the permission of the pastor where he is assigned.
- 183. If the deacon must travel a great distance, the requesting pastor shall pay the traveling expenses of the deacon from parish funds.

Enrollment and Service in the Eparchy

Enrollment

- 184. In accordance with canon 360 CCEO, non-enrolled presbyters and deacons are eligible to request enrollment into the Eparchy of St. Josaphat in Parma after serving a minimum of three years in the full service of this eparchy. The petitioner shall write to the eparch stating that he seeks enrollment into the Eparchy of Saint Josaphat in Parma.
- 185. With reference to canon 360.2 CCEO before completing five years of service in this eparchy, any cleric from another eparchy may apply for enrollment in writing. If enrollment is refused, the cleric will either return to his own eparchy or religious community or, if permitted by the eparch, continue to work in the Eparchy of St. Josaphat in Parma. Such a presbyter must have proper authorization from his own eparchial bishop or religious superior to continue working for the Eparchy of St. Josaphat in Parma.
- 186. In accordance with canon 366 CCEO, the following documentation is to be supplied by the petitioner to the eparch before the request for enrollment is reviewed:
 - A. A personal history, including date and place of birth, family history, schools attended and degrees received, special talents or skills in the ministry, significant illnesses, any physical and/or emotional problems, and any other pertinent information.
 - B. A ministerial history, including the date and place of ordination, an account of assignments held, reason for transfers, etc.
 - C. The petition as such, which shall include these elements:
 - 1. the reasons for requesting enrollment in this eparchy;
 - 2. the reasons for leaving the former eparchy or religious community
 - 3. some indication of the types of assignments for which he feels suited;
 - 4. some indication of the types of assignments for which he feels unsuited;
 - 5. a signed statement that he has never been arrested or convicted of a crime, whether felony or misdemeanor; or if he has, a detailed explanation of each and every occurrence;

- 6. a decree of release or a letter from the bishop of his former eparchy granting the petitioner permission to seek enrollment into this eparchy (*cf* canon 366.4 CCEO);
- 7. certification of health from doctors (including a physician and psychiatrist or psychologist) appointed by this eparchy. With due regard for civil law, this certification will also verify freedom from chemical dependency, provide the results of HIV testing, and attest to the general psychological health of the petitioner.
- 187. The eparch shall request the personnel files of the petitioner from his previous bishop or religious superior.
- 188. A letter from the protopresbyter (dean) of the area, or a designated local presbyter, is to be sent to the eparch providing an evaluation of the priestly and ministerial skills of the petitioner as a co-worker in the eparchy.
- 189. The final decision on the request for enrollment is the responsibility of the eparch after consultation with the Eparchial College of Consultors.

Serving with Bi-ritual Faculties

- 190. A presbyter who already enjoys bi-ritual faculties and who offers to use them to serve as a visiting presbyter within the eparchy shall present a copy of the rescript directly to the eparch. If the eparch is convinced that the presbyter is knowledgeable in the rites and traditions of the Ukrainian Church and approves his offer, the presbyter is free to serve anywhere in the eparchy until his faculties lapse or he is notified that his services are no longer requested.
- 191. A presbyter who does not yet enjoy bi-ritual faculties, but who wishes to obtain them through this eparchy, shall appeal with the permission of his own diocesan bishop to the eparch who shall see that he is properly trained for service. Bi-ritual faculties through this eparchy will not be granted for use in circumstances other than the parochial service to the People of God within this eparchy, and not for private devotion or personal ministry, such as a house of prayer.

Right and Obligations of Clerics

Pastoral Ministry

192. As mandated by canons 367 & 379 CCEO, by virtue of sacred ordination the eparch, (auxiliary bishops(s)), presbyters (priests) and deacons are to work together to build up the Kingdom of God within the eparchy. Thus they shall be united by a bond of brotherhood and prayer. Presbyters and deacons should strive to cooperate with the eparch and each other.

Personal Spirituality

- 193. The presbyter or deacon should be recognized as a man of faith who is able to communicate his faith to others in the performance of his ministry. He must find in his personal prayer, in his participation in the liturgical life of the church and in his ministry to the people in his charge, the means of spiritual growth. He must provide spiritual leadership which demonstrates and utilizes belief, prayer, and a deep sacramental life as motivating, sustaining influences. He must deepen his personal commitment to Christ through reading, reflection, forgiveness, study and prayer.
- 194. To this end, each presbyter is entitled to one day each month for prayer and recollection in seclusion, and it shall not be considered as a day off or a vacation day. These days of recollection cannot be accumulated.

Liturgical Ability

- 195. Presbyters and deacons should demonstrate a willingness, and an ability, to celebrate reverently, and with dignity, the liturgical services of the Ukrainian Catholic Church. The liturgical services of the Church are to be celebrated in accord with the provisions of canon law, the Ruthenian recension, the directives issued by the Synod and the eparch.
- 196. Presbyters and deacons should be able to prepare, and effectively deliver, homilies on the Word of God.
- 197. Presbyters and deacons are to assume a leadership role in the formation of the prayer life of the parochial community.
- 198. Presbyters and deacons are to be concerned with the continuation of their own priestly or diaconal ministry by fostering vocations to the priesthood, diaconate, and religious life.

Pastoral Abilities

- 199. Presbyters and deacons should demonstrate concern for the sick, the poor, the alienated, the distressed, the disadvantaged, and the unchurched.
- 200. Presbyters and deacons should be accessible to people in times of stress and crisis, and sensitive and concerned in the way they organize services to meet individual and community needs.
- 201. Presbyters and deacons should provide individual and family counseling within the limitations of their skills and time. Needs beyond this should be referred to other community agencies and services.

- 202. Presbyters and deacons should provide leadership and promote cooperation with the PAC and other parish groups.
- 203. Presbyters and deacons should demonstrate their ability to exercise the pastoral office of unifying the community.

Parish Administration

- 204. As the pastor (or administrator, one who in virtue of canons 298 and 299 takes his place on a temporary basis), the presbyter shall strive:
 - A. to build a Faith Community;
 - B. to organize parish work, and to assign and supervise it in an effective manner, while promoting teamwork and coordination among the pastoral staff (if there is one), and among parish volunteers and organizations;
 - C. to make decisions based on his own reflection and the input of others in view of the particular needs of the community;
 - D. to keep the sacramental register and parish census current;
 - E. to discharge satisfactorily the usual management responsibilities of program planning and operation, parish finances, plant maintenance, budget planning, fund raising, etc.
- 205. Clerics are reminded that the Church's social teaching on justice requires fairness and equity when dealing with employees. Salary and benefits should be provided in accord with the employee's responsibilities and in view of the prevailing market values for such work.
- 206. Clerics must provide their own vehicles. It is not the responsibility of the hierarch, the parish, or lay people to do so.

Physical Safety and Precautions

- 207. Special precaution is to be taken by everyone to insure against physical harm to anyone.
- 208. Those in charge shall see to it, or depute another to insure that:
 - A. strangers are not given entry into the church, rectory or convent at night;
 - B. strangers coming to the door at night are treated with the utmost caution;

- C. the charitable works done within and by the parish are handled in a routine and orderly (scheduled) manner, and that strangers coming to the door at other times be referred to the local Catholic Charities or other agencies;
- D. no staff person indicate, by word or deed, that money is being kept in the rectory or convent;
- E. a request for a sick call at night by an unknown person be fulfilled at the hospital, or only in the presence of medical or emergency service personnel. Under no condition should a presbyter go alone to an unknown or even unfamiliar destination.

Compensation of Presbyters

- 209. In accordance with canon 390 CCEO, each eparchial presbyter and religious having an assignment in the eparchy has the right to that salary, sustenance, benefits and other compensation to which he/she is entitled as established by the eparch.
- 210. A presbyter shall accept the salary, sustenance, benefits and other compensation due to him unless, with the bishop's written permission, he freely chooses to accept nothing or a reduced sum, provided he does not lack the necessities of food, clothing and shelter.
- 211. If a presbyter, without the eparch's written permission, fails to accept his salary, sustenance, benefits and other compensation within one year of its becoming due to him, he thereby renounces his right to whatever he did not accept, and cannot thereafter seek it under any title from the parish, the eparch or the eparchy.
- 212. The same provision will apply to a presbyter who returns his accepted salary, sustenance, benefits, or other compensation to the parish in the form of a loan without the eparch's knowledge and written permission. The lender must assert his claim annually; if not, this same money will be considered as given entirely as a gift for the use of the church, and cannot be recovered.
- 213. Where the combined salary and sustenance shall impose a serious financial burden upon his parish, the presbyter is to present this matter to the eparch for resolution.

Salary Scales

214. Resident pastors and administrators of one parish, be they diocesan or religious presbyters, are to receive \$700.00 base salary monthly. Presbyters who minister to two or more parishes or institutions shall have their base salary determined by the bishop directly.

Automatic Increments

- For 0 4 years of service there is no increase in the base salary.
- For 5 9 years of service there is a \$50.00 increase in the base salary.
- For 10 14 years of service there is a \$50.00 increase in the base salary.
- For 15 24 years of service there is a \$50.00 increase in the base salary.
- For 25 30 years of service there is a \$50.00 increase in the base salary.
- For 31 or more years of service there is a \$50.00 increase in base salary.
- 215. Resident parochial vicars, be they diocesan or religious presbyters, are to receive \$550.00 as their base salary monthly and automatic incremental increases the same as pastors and administrators.
- 216. Presbyters are not to receive advances on their salary.

Food and Automobile Allowance

- 217. Resident pastors, administrators and parochial vicars shall receive, in addition to their salaries, the sum of \$300.00 monthly for on site food and \$250.00 monthly for automobile allowance.
- 218. Presbyters are not to receive advances on their food and automobile allowances.

Taxes

219. Diocesan presbyters are responsible for filing and paying their own federal, state and local income taxes from their own personal funds. No parish funds are to be used.

Social Security

220. The church cannot make contributions or payments toward Social Security. Only the presbyter himself can make these payments. The parish shall not reimburse for Social Security.

Other Benefits

Retirement

221. Each presbyter after retirement, who is eligible may apply for sustenance assistance (hereafter "retirement assistance") in accord with the statutes of St. Josaphat's Sacerdotal Society. (cf Addendum).

- 222. In accordance with canon 297 CCEO, section 2, all presbyters and deacons may submit their resignation to the eparch at the age of seventy (70), and are asked to do so at the age of seventy-five (75).
- 223. It is the right of the eparch to accept or refuse the request for retirement.
- 224. Retired presbyters and deacons are encouraged to remain close to the Lord and His People by celebrating the Divine Liturgy whenever possible according to their proper liturgical role.
- 225. Upon retirement, presbyters and deacons are to keep the chancery informed of their addresses.

Early Retirement

226. The need for early retirement will be determined by the eparch after conferring with the requesting presbyter and his physicians. Such presbyters are eligible for early retirement assistance according to the statues of the Sacerdotal Society. The sum granted for early retirement is determined in the manner as provided in the Statutes of St. Josaphat's Sacerdotal Society. (cf Addendum)

Health Insurance

227. The presbyter's source of salary shall provide the required contribution to the diocesan medical plan.

Automobile Insurance

- 228. The presbyter's source of salary shall provide his automobile insurance, but for one vehicle only.
- 229. Each presbyter must file a copy of his automobile insurance policy with the chancery within 30 days of its renewal.
- 230. The insurance shall provide maximum coverage, and provide for one million (\$1,000,000) dollar liability.

Ongoing Education Allowance

231. The source of income for the presbyter shall provide an allowance of up to one thousand (\$1,000) dollars per year for continuing education and retreat expenses. These funds must be accounted for by a voucher system. These funds are in addition to any mandated clergy conferences.

Vacation

- 232. Pastors, administrators and parochial vicars are entitled to one month's paid vacation, in accordance with canon 392 CCEO.
- 233. If a presbyter is to be absent for more than one week, or from Saturday afternoon to Sunday afternoon, he is to notify the chancery, and submit the name of his substitute.
- 234. Spiritual retreats, days of recollection, clergy conferences, absences for ongoing education are not counted as vacation days or free days.
- 235. Presbyters are to be in their assigned parish on Holy Days of obligation and during the Great Fast.
- 236. Vacation time not taken cannot be transferred to another year or traded in for a salary.
- 237. In view of the debilitating effects of stress in contemporary parochial life, and admitting the need for periodic academic updating, presbyters shall have the opportunity to apply for a sabbatical of up to twelve (12) months every ten (10) years. The purpose of the sabbatical must be submitted in writing to the eparch for approval.

Telephone

- 238. The parish is financially responsible for all telephone charges.
- 239. The presbyter must reimburse the parish for his own personal long distance calls.

Last Will & Testament

- 240. Within three months of ordination or enrollment, every diocesan presbyter shall make a Last Will and Testament, in a form valid under civil law and complying with the laws of the state in which it is being made. (cf Addendum)
- 241. The testator shall appoint one or more executors of his estate, preferably clerics in good standing.
- 242. If the testator wishes to bequeath a certain sum to be used for Divine Liturgies, the following statement should be included:

I hereby direct my executor, hereinafter named, that this bequest shall be paid free from any inheritance, estate, legacy or succession tax, and that any such tax which might be levied thereon shall be paid out of the residue of the estate.

- 243. It is advisable to have contained in the Will, or in a letter preserved together with the Will, a list of property, e.g. bonds, bank accounts, real estate, an inventory of personal possessions found in the rectory or other residences. It is advisable that the letter also contain a list of persons, with their addresses and phone numbers, who ought to be informed of the testator's death.
- 244. A copy of the Will must be furnished to the eparch in a sealed envelope bearing the presbyter's name, date, and the name of the executor, and is to be opened only on the demise of the presbyter.
- 245. Personal priestly vestments, sacred vessels and the like, should be willed to another presbyter or to the church for proper disposition.
- 246. The Will should be revised periodically to conform with changes in possessions or changes in family or beneficiaries. In doing this, the testator must revoke all previous wills.
- Each time the Will is changed or updated, a copy of the changed or updated Will shall be given to the eparch in a sealed envelope bearing the presbyter's name, date, and the name of the executor. The previous copy, if any, shall be returned to the testator.
- 248. Presbyters are urged to remember the needs of their eparchy in their wills.
- 249. Clerics are not permitted to write a will for anyone other than another cleric. They should not act as executors of a Last Will & Testament for anyone except another cleric or an immediate relative.

The Death of a Presbyter or Deacon

- 250. Each presbyter and deacon should have a letter in his personnel file in the eparch's office stating his desires regarding his funeral. Any changes or updates should be forwarded to the eparch in writing.
- 251. At the time of a presbyter's death, the rectory (actual private living quarters as opposed to the office and other public areas which might be part of the structure) shall be sealed by the protopresbyter or the one appointed by him or the bishop himself.
- 252. With regard to personal property, in accordance with canon 359 CCEO, no relatives, friends, or agents of the eparchy or parish, shall be allowed in the rectory without the expressed permission and presence of both the protopresbyter (or the one designated by him or the bishop) and the executor of the estate.

- 253. With all due regard and care for the prescriptions of civil law, the bishop and the protopresbyter will honor the arrangements of the deceased presbyter or deacon while taking into account the desires of his immediate family.
- 254. If possible, the main funeral should be celebrated in the parish to which the deceased presbyter or deacon was last assigned.

Allegations of Clerical Sexual Misconduct

- 255. Reports of inappropriate behavior on the part of a presbyter or deacon which threaten the health and well-being of anyone must be carefully investigated by the eparch or his delegate. The arbitration board of the presbyteral council is the normal agency for this investigation.
- 256. If the case, however, deals with sexual misconduct, the eparch shall proceed in this fashion:
 - A. the person(s) making the allegations must be interviewed in an atmosphere that will ensure justice and fairness to all concerned (cf. canons 23, 1452, & 1454 CCEO);
 - B. the accused must also be interviewed;
 - C. confidentiality must be maintained, and only necessary participants will be involved in the process;
 - D. the requirements of local civil law must be observed.

Admitted Inappropriate Behavior

- 257. When inappropriate behavior is admitted by a presbyter/deacon, the eparch, taking into consideration the demands of justice and the good of all involved:
 - A. will have the accused's assignment terminated, and forbid him activities involving contact with parishioners and other persons (especially minors) except under appropriate safeguards when necessary.
 - B. He shall send the accused for immediate psychiatric evaluation, whose health benefits shall remain intact.
 - C. He may have the accused placed under proper supervision to ensure no recurrence of such behavior. When professionally recommended, the offender will continue in an ongoing therapeutic program for as long as necessary.
- 258. Pastoral assistance is to be offered to any victims of such inappropriate behavior. Compassion, the keynote to Christ's Gospel, is to be the guiding principle.

Denial of Inappropriate Behavior

- 259. When the accusations of such behavior are denied by the presbyter/deacon:
 - A. the accused is to be informed of the investigation which the eparch is bound to conduct in accord with the prescriptions of the canons 1468-1470 CCEO and placed on administrative leave of absence.
 - B. At the same time the presbyter/deacon is to be informed of his right to canonical advice, as well as his right to a trial conducted in accordance with canons 1104 s2 1185 CCEO & ff.
 - C. The presbyter/deacon shall be reminded of his right to counsel from a civil attorney.
 - D. If the presbyter/deacon remains firm in his denial of the accusation presented against him, the eparch will conduct an investigation in accord with the procedure in canons 1468-1470 CCEO, unless the accused chooses to have a canonical trial.
- 260. In situations where the accused has exercised his right to a canonical trial, the decision of the court will bring the matter to a close as far as the Church is concerned.
- 261. In situations in which the eparch conducts an investigation, after he has collected sufficient evidence, he shall decide:
 - A. whether to declare the innocence of the accused and thus close the case, or
 - B. whether to initiate a process for inflicting or declaring a penalty which takes the form of an extra-judicial decree (canon 1486 CCEO) or a judicial penal process (canon 1472 CCEO ff).

Miscellaneous

262. In accordance with canon 385.2 CCEO, clerics shall not engage in, or be involved in, legal or business transactions. Clerics must not make loans, even from their personal finances.

SECTION FOUR

Lay People

[Title I Canons 7-26 and 399-409]

Lay People in General

- 263. With due reference to the rights of the lay people enumerated in canons 7-26 CCEO, lay people are encouraged to elicit from their ministers the fulfillment of those rights, especially regarding the ministration of the Divine Mysteries, Christian education/formation, and suitable homilies.
- 264. Retreats for the lay people are to be strongly encouraged, and the clergy shall endeavor to promote the participation of their parishioners in such retreats.
- 265. The lay people are to be given proper roles in the administration and functioning of the church as their particular talents warrant.

Membership In A Parish

- 266. Each of the faithful is a member of the parish in which he/she has a domicile or quasi-domicile and has a strict obligation to support that parish.
 - A. Whenever a new parish is created, the faithful living within the boundaries of that new parish are required to belong to the newly created parish, unless grave reason requires that an individual family or person remain in the original parish.
 - B. In dubious cases, reference must always be made not only to the domicile of the party in question, but also to the parish in which the person(s) in question is/are registered to determine jurisdiction, especially in the case of marriage.
- 267. Mindful of the obligation to support that Faith Community both morally and financially, one should regularly attend one's own parish church. However, the obligation of assisting at the Divine Liturgy on Sunday may be fulfilled in any Catholic church and even on occasion an Orthodox church.
- 268. All the faithful enjoying income of any sort are obliged to contribute to the support of their local parish, their local eparchy, the Patriarchal Church and the Apostolic See, so that these might continue their works of charity and the fostering of the Christian life.
 - A. A just percentage of that income should be given by all except the very poor, who may be constrained to give less; and those of means, who are morally encouraged to give more.

B. The faithful are entitled to an annual report from their parish listing the amount they donated for that fiscal year.

Monks, Nuns, and Other Religious as well as Other Institutes of Consecrated Life

(Title XII in CCEO)

- 269. Inasmuch as the religious state is to be encouraged and promoted by all, pastors should bring to the attention of the faithful the example of those consecrated in the evangelical counsels.
- 270. Religious, especially those who work with the faithful in the eparchy, must show by their own example the blessedness of that consecrated life in the Lord so as to witness by deed as well as word to the teachings of the Lord Jesus.
- 271. Presbyters are to be docile and open to the workings of the Holy Spirit in the People of God so as to recognize the works of the Spirit who, from time to time, urges certain souls to unite in some way for a common good that would bring blessings for the Church. Pastors must be open to new ways, and encourage individuals to seek the counsel of the eparch in determining the possibility of:
 - A. establishing a new congregation, male or female; (canon 506 CCEO);
 - B. founding a secular institute, male or female (canon 63 CCEO ff.);
 - C. discovering new gifts of consecrated life as entrusted to the Church by the Holy Spirit, so as to aid in the founding of even new societies of apostolic life for men or women. (cf. canons 570-572 CCEO).

Catholic Lay Organizations

- 272. Although the faithful are free to associate and form associations, no cleric, nor any ecclesiastical institution, may establish a society of a religious nature, or allow such a society to be established as a unit or affiliate of the parish or ecclesiastical institution, unless the consent of the eparch has been obtained.
- 273. The pastor and other parochial ministers are not only to observe and oversee the Catholic organizations affiliated with the parish, but also to take an active part in them and to foster the growth and development of those organizations.
- 274. In accordance with canon 620 CCEO, the primary goal of all Catholic organizations is the spiritual enrichment of its members. The spiritual directors of these organizations must see to it that this goal is always primary and that activities are conducted so that the goal may be duly achieved.

- 275. No organization will be given official status within the eparchy unless it includes within its ruling body a cleric or consecrated religious person who will serve as the spiritual director.
 - A. The spiritual director shall be appointed by the eparch of that eparchy, and not by election of the members.
 - B. The spiritual director is to comment on the spiritual impact of all proposals in any meetings of the whole body, as well as its executive committee or board of officers.
- 276. All books, documents, and files of the organization are to be made available to the spiritual director at all times.
 - A. The association should have competent people audit the financial books.
 - B. The spiritual director shall review the books and files of the organization at least once every two years, preferably once a year.
- 277. The statutes, by-laws and other pertinent documents of the association must be approved by the bishop and kept on file in the chancery.
- 278. Only Catholics who strive to live an exemplary life are to be the officers of these organizations.
- 279. The formal dissolution of these organizations is the competence of the local eparch alone.
- 280. Catholics are forbidden to join organizations which contradict the teachings of the Catholic Church and/or work against the Church.

SECTION FIVE

MINISTRY OF THE WORD OF GOD

(Title XV CCEO)

Religious Instruction

Preaching

281. The ministry of the Word is carried out in many ways according to the various needs of those who hear and the special gifts of those who preach:

- A. Following the proclamation of the Scriptures a homily should be preached, no matter how brief, which draws upon the sacred texts to nourish the assembly with divine truth. On the occasions of baptism, marriage and funerals, a homily should be preached.
- B. On Sundays and Holy Days of obligation throughout the year, an instructional homily is to be given at each scheduled Divine Liturgy.
- 282. In the Eparchy of Saint Josaphat in Parma, there is a Director of Religious Education and a Catechetical Commission appointed by the eparch.
- 283. It is the responsibility of this group to prepare, implement and supervise programs of Christian education i.e. Lector Training Program. These programs are to cover all areas and levels of Christian life, from the young child to the aged and those with special needs.

284. Programs are to be:

- A. <u>formational</u> -- while imparting information, the programs will focus on forming mature Christians who can witness to their faith in every aspect of their lives;
- B. <u>developmental</u> -- seeking to allow for a faith development which is based on recognized ability patterns and response patterns for each level, thereby providing for continual growth;
- C. <u>Eastern Christian</u> -- expressing the Christian faith which is founded first and foremost on our relationship with Jesus Christ, according to the traditions of the Ukrainian Church.
- 285. Since parochial schools aid in the teaching ministry, such schools, even of another parish, should be subsidized by the children's parish as long as the children continue to participate actively in the life and worship of their home parish.
- 286. Special attention is to be given to the proper training of adult catechists in each parish of the eparch. In every parish there are to be a sufficient number of catechists who have undergone formation and willingly cooperate with the pastor in helping with the religious education of the faithful, especially the young.
- 287. Instruction must be given on the observances of the Ukrainian Church, training the faithful (especially the youth and young adults) to participate actively in the celebration of the Divine Liturgy and other liturgical services.
- 288. Pastors are urged to arrange adult discussion clubs and inquiry classes in their parishes. These are to be open, not only to the members of the parish, but also interested non-parishioners.

- 289. The faithful should be instructed to look for the proper ecclesiastical approval, normally printed on the first pages of a book dealing with religion and morality, in all such published materials which they intend to purchase, to read, or, especially, from which to teach.
- 290. It is the primary and grave responsibility of parents to insure the proper training and nurturing of the faith of their children. Parents must provide a home situation inspired by love and devotion to God and neighbor. The home is the first school of faith for children; without a Christian home environment religious education programs may have little effect.

Evangelization

Evangelization is the grace and vocation proper to the Church, it is her deepest identity. For the Church, born of the evangelizing activity of Jesus and the Twelve, is born again on Pentecost as an evangelizer to continue the mission. She exists in order to evangelize. This movement from being evangelized to evangelizing describes the pilgrimage of every Christian. (Pope Paul VI, Evangelii Nuntiandi, 1974)

- 291. All of the Christian Faithful have the obligation to evangelize. They do this by:
 - A. the witness of a profoundly Gospel way of life;
 - B. bringing the Word of the Gospel to those whom they encounter, and
 - C. participating in formal or specialized forms of evangelization according to each one's situation under the direction of competent ecclesiastical authority.
- 292. In the work of evangelization, attention is to be given to evangelizing:
 - A. the active Catholics of the eparchy;
 - B. those who are luke-warm or have fallen away from the practice of their faith;
 - C. the unchurched, and
 - D. those in missionary areas in our country and abroad.
- 293. Schools and catechetical programs shall incorporate evangelization in their instructional materials.

Ecumenism

Concern for restoring unity pertains to the whole Church, faithful and clergy alike. It extends to everyone, according to the ability of each, whether it is to be exercised in daily Christian living or in theological and historical studies. This very concern already reveals to some extent the bond of brotherhood existing among all Christians, and it leads toward that full and perfect unity which God lovingly desires. (Unitatis Redintegratio #5, Second Vatican Council)

All presbyters, deacons, religious and lay people should avail themselves of the document on the Unity of the Churches issued by His Beatitude, Cardinal Myroslav (Lubachivsky) on April 7, 1994. This document, and the other documents spoken of therein, will help in the forming of a sincerely genuine bond between the faithful of different Christian Churches, especially between Catholics and Orthodox.

- 294. Eparchial and parish ecumenical activities, especially during the Week of Prayer for Christian Unity in January, are encouraged.
- 295. Activities should be planned in which other Christians can cooperate, including projects for charity and social justice, as well as activities for the observance of civil occasions and holidays.

SECTION SIX

The Sacraments in General

(Cf. Title XVI, CCEO)

- 296. Since the Sacraments, the Holy Mysteries, are the same for the whole Church, even though the manner of celebrating them might differ from one faith community to another, the regulation of public worship is entrusted to competent authority. No ecclesiastical person can add to, remove, or modify that which was established by this authority.
- 297. The ministers should celebrate the sacraments, and especially the Divine Liturgy, according to the prescriptions of the Byzantine Ukrainian tradition and with the active participation of the faithful.
- 298. All liturgical ministers of our Church *sui iuris*, but especially eparchs and presbyters, shall keep to the authentic Byzantine liturgical tradition. No eparch, presbyter or deacon is empowered to appropriate the customs and traditions alien to our own original liturgical heritage, especially those which came to us from other liturgical traditions, even though they may be beautiful, pious and praiseworthy.

- 299. Every presbyter is obliged to follow the rules of our church confirmed by the Apostolic See or included in the official liturgical books, or in the instructions of the eparch, in the administration of the sacraments or in the other divine services, as these are taught and interpreted by recognized experts and authors.
- 300. All bishops, presbyters and deacons are to use the books and texts, in any language, approved by the Holy Synod of our church in the celebration of the Divine Liturgy and other services.
- 301. Catholic ministers licitly administer the sacraments only to Catholic Christians, who--likewise--licitly receive them only from Catholic ministers.

If necessity demands it, or genuine spiritual advantage suggests it, and provided that the danger of error or indifferentism is avoided, it is permissible for Catholic Christian faithful, for whom it is physically or morally impossible to approach a Catholic minister, to receive the sacraments of penance, Holy Eucharist and the anointing of the sick from non-Catholic ministers in whose churches these sacraments are valid.

In similar circumstances, Orthodox Christians may be admitted to these sacraments in our parishes as well as other non-Catholic Christians. The following guidelines, however, are to be observed as regards non-Catholic Christians other than Orthodox Christians:

- A. the person manifests in some way a faith in the mystery (sacrament) in conformity with the authentic teaching of the Catholic Church;
- B. the person-believer experiences a serious spiritual need for the Eucharistic sustenance;
- C. this person is unable to have recourse to a minister of his/her own community,
- D. and this person asks for the sacrament of his/her own accord.
- E. In all of the above instances, Christian baptism must be a fact beyond a doubt.

If this inter-communion with our Church (specific faith community) is something that is a frequent matter, and in the judgment of a prudent presbyter the above conditions are present, a request for inter-communion should come from the presbyter dealing with the individual. This request should be addressed to the Eparch, indicating the fulfillment of the conditions. A letter from the individual may also accompany the presbyter's petition.

- 302. The ministers and servers, as well as all participants, shall take care that the words of divine services are said or sung in a clear and dignified manner. Those in charge must see to it that the vestments, vessels and appointments for worship are of suitable material, and that they are clean and presentable.
- 303. Without prejudice to other precepts, the clergy may accept those stipends and gifts presented by the faithful except on the occasion of the celebration of the sacrament of penance, when it is forbidden to do so. It is absolutely forbidden to make any kind of monetary payment a condition for the administration of a sacrament. Even the mere appearance of trafficking in the sacraments must be strictly avoided.

BAPTISM

Holy Baptism is the basis of the whole Christian life, the gateway to life in the Spirit (vitae spiritualis ianus), and the door which gives access to the other sacraments. Through Baptism we are freed from sin and reborn as sons and daughters of God; we become members of Christ, are incorporated into the Church and made sharers in her mission. Baptism is the sacrament of regeneration through water in the word.

This sacrament is called <u>Baptism</u>, after the central rite by which it is carried out: to baptize (Greek <u>baptizein</u>) means to "plunge" or "immerse"; the "plunge" into the water symbolizes the catechumen's burial into Christ's death, from which he/she rises up by resurrection with him, as a "new creature" (2 Cor. 5,17: Gal 6,15; cf. Rom 6,3-4; Col 2,12).

This sacrament is also called "the washing of regeneration and renewal by the Holy Spirit." for it signifies and actually brings about the birth of water and the Spirit without which no one "can enter the kingdom of God". (Titus 3,5: Jn 3.5). (Catechism of the Catholic Church 1213, 1214 and 1215)

Baptism is God's most beautiful and magnificent gift... We call it gift, grace, anointing, enlightenment, garment of immortality, bath of rebirth, seal, and most precious gift. It is called gift because it is conferred on those who bring nothing of their own; grace since it is given even to the guilty; Baptism because sin is buried in the water; anointing for it is priestly and royal as are those who are anointed; enlightenment because it radiates light; clothing since it veils our shame; bath because it washes; and seal as it is our guard and the sign of God's Lordship. (St. Gregory of Nazianzu, Oratio 40, 3-4: Pg 36, 361C.

Ministers & Candidates

304. When a candidate is in imminent danger of dying anyone may baptize, but ordinarily a presbyter or bishop baptizes in accordance with the following directives.

- 305. Without prejudice to other prescriptions of law, the child of Ukrainian Catholic parents is to be baptized in the Ukrainian Catholic Church by the couple's rightful pastor or his proper delegate. Only the local hierarch, and not the pastor, can grant permission for the child to be baptized in other than his or her own proper Church sui iuris. An illegitimate child is baptized in the Church sui iuris of its mother.
 - For those born of a mixed rite marriage, the prescriptions of the law must be carefully followed.
- 306. Except where the candidate is preparing for marriage to a Catholic spouse, a presbyter must obtain the permission of the eparch to receive an adult convert (age 14 or older), or to baptize and chrismate an adult candidate.
- 307. Before the Mystery of Baptism may be administered, the candidate (if an adult), or the parents (if the candidate is an infant or very young child), must participate in the course of catechetical instruction mandated by the eparch's office. In the case of a child-candidate, the sponsors are strongly urged to participate in the preparation.
 - To facilitate this, parents are to notify their pastor when they first know they are expecting a child so that the catechesis can be given in ample time before the baptism.
- 308. After the celebration of baptism, even for an infant, a *neophyte* (i.e. a newly baptized individual) is required to participate in ongoing catechetical formation, in accordance with the ancient tradition of the church.
 - The parent(s) of an infant, as well as the sponsor(s), are required to participate in the follow-up program mandated by the eparchy.
 - Upon reaching the age of moral discretion (normally at eight (8) years of age), a youngster must participate in catechesis in preparation for the Mystery of Reconciliation (confession or penance), and the parents, baptismal sponsors and official witnesses are obligated to insure this participation.
- 309. A presbyter shall never refuse to baptize a child or an adult in danger of death. Otherwise, with the permission of the eparch, baptism may be postponed for sufficient reason, such as a defect of faith or practice in the parents. In the case of parents who are simply lax, the child may be baptized provided the sponsors, or some other family member, gives reasonable assurances that the child will receive proper catechetical formation in the faith.
- 310. If a presbyter of the Ukrainian Church should baptize a child who rightfully belongs to another Church *sui iuris*, he shall send all the pertinent information to the proper pastor as soon as possible. Conversely, if a pastor learns that one of his subjects has been baptized by a cleric of another Church *sui iuris*, he shall inquire

- about the matter immediately and request that the pertinent information be forwarded to him as soon as possible.
- 311. Those being baptized shall have at least one sponsor, preferably of the same gender. The custom of a second sponsor, of the opposite or of the same sex, may be maintained. The sponsor is qualified for this office if he or she:
 - A. has received the three sacraments of initiation, i.e. baptism, chrismation, Holy Eucharist;
 - B. lives a life in harmony with the Catholic faith;
 - C. is not under canonical penalty;
 - be so designated by the candidate or the parents;
 - E. has the intention to carry out the responsibilities of the office and be mature enough to undertake the responsibility, as the occasion offers, of helping the parents rear the child to profess the Church's Faith, and to show this by living it;
 - F. and is not the parent or the spouse of the candidate.

It is the responsibility of the baptizing presbyter, together with the person giving the instructions for Christian Initiation, to assist parents in selecting qualified and suitable sponsor(s).

312. It is permissible to have a non-Catholic of an Eastern Church act as the second sponsor, in conjunction with a Catholic as first sponsor. Practicing members of other ecclesial bodies may act as official witnesses along with a Catholic sponsor.

Reception Into The Church

313. A baptized non-Catholic who has completed fourteen years of age, or a child of minor age with the non-Catholic parent's consent, may be received into full communion with the Catholic Church.

The following regulations apply:

- A. a member of the Christian faithful from an Eastern non-Catholic Church is to be received into the church with only the profession of faith;
- B. a member of the Christian faithful from other non-Catholic Churches is to be received into the Church with the profession of faith, the sacrament of reconciliation, chrismation (if necessary) and the Eucharist.

- C. If the fact of baptism, or the validity of it, remains in doubt after prudent investigation, the candidate shall make a profession of faith, be conditionally baptized and chrismated (either conditionally or absolutely), admitted to penance and then admitted to Holy Communion.
- D. All receptions shall be recorded in the baptismal register, even when baptism was not administered.
- 314. In accordance with canon 35 CCEO, (and preserving their right to petition the Apostolic See for a transfer to another Church *sui iuris*,) apostates are received back into the Church they left, and baptized non-Catholics are received into their corresponding Church *sui iuris*. They may choose any presbyter for reception; however, the one entering the Church must be received in accordance with canon 37 CCEO in a parish church in whose register the reception is to be recorded, along with any indications of sacraments administered, etc. If the one received is validly married to a Catholic, the parish of the domicile of the spouse shall be notified by letter immediately. Otherwise, the facts of the marriage of one validly married and received into the Church shall be recorded in the baptismal register along with notification of reception.

All receptions into the Church, whether of non-Catholics or of apostates, shall be recorded in the baptismal register (even though baptism was not administered) without, however, assigning a rubrical number.

- 315. Except when a person entering the Church is in danger of death, or when an unmarried or widowed non-Catholic is entering the Church before contracting marriage with a Catholic, the permission of the eparch is needed to receive that individual into the church. In the case of an individual preparing to marry a Catholic, after the one entering the Church has been received, and the proper entry made in the register, a copy of it shall be forwarded to the chancery.
- 316. If a person desiring entrance into the Church and has never been baptized, the person is to be baptized after catechetical instruction and with no other profession of faith than that contained in the rite of the catechumenate: be chrismated and given the Eucharist together.
- 317. Whenever a validly married convert is received into the Church, the facts of this marriage (entered into either before or outside the Church) shall be recorded in the baptismal register along with the record of conversion.

The Rites of Initiation

The sacraments of Christian initiation - Baptism, Chrismation, and the Eucharist - lay the foundations of every Christian life. "The sharing in the divine nature given to men through the grace of Christ bears a certain likeness to the origin, development, and nourishing of natural life. The faithful are born anew by Baptism, strengthened by the

sacrament of Chrismation, and receive in the Eucharist the food of eternal life. By means of these sacraments of Christian initiation, they thus receive in increasing measure the treasures of the divine life and advance toward the perfection of charity." Paul VI, apostolic constitution, <u>Divinae consortium naturae</u>: AAS 63 (1971) 657.

- 318. In case of an emergency, baptism may be celebrated anywhere at any time by anyone. In ordinary circumstances, unless serious reason indicates otherwise, baptism together with chrismation and Holy Eucharist is to be administered in the church during the celebration of the Divine Liturgy at the Sunday assembly. It is especially appropriate to celebrate this mystery during the paschal vigil, as well as on the Saturday of Lazarus, Theophany, Christmas and Pentecost. The rules for incorporating the celebration into the liturgy as issued by the eparch in the published text of the rite shall be followed.
- 319. Every parish is to have a baptismal font in accord with the prescriptions of the Byzantine Churches. The preferred method of baptism in our Church is triple immersion, and this should be explained carefully to the faithful from time to time.

Even if triple effusion (pouring) must be used for some reason, the baptismal font must still be employed for the blessing of the water and the mingling with the oil of catacumens.

Both the water for baptism and the oil for catechumens must be blessed for each celebration of the mysteries. These elements are to be disposed of reverently by pouring them afterwards into the sacrarium or onto the ground in a place where people do not walk (e.g. a flower bed), or the oil may be burned.

320. Even if her offspring did not survive, the rite of "churching," or welcoming back a woman after parturition, shall be encouraged and celebrated when she first appears again in church (and especially in conjunction with the sacraments of penance and Holy Communion) or at the baptism of the child (if it survived). The non-Catholic wife of a Catholic husband may be churched if she desires.

Recording the Initiation

321. A presbyter who has care of a parish is obliged to keep the register of baptism, chrismation and Holy Eucharist, and reception accurately, no excuse withstanding, by making the entries immediately after the rites.

After administering baptism, the following data must be legibly recorded in the register at once:

A. the legal names of the baptized;

- B. the father's given name and surname along with the mother's given name and maiden name (cf. below):
- C. the given names and surnames of the sponsors;
- D. the date and place of the neophyte's birth;
- E. the date of baptism, chrismation and Holy Eucharist: (If they were administered separately and in different places, this shall be indicated.)
- F. the given name and surname of the one who administered baptism. If the sacrament was conferred in danger of death, this shall be indicated, along with the date when the ceremonies were supplied.

The presbyter shall indicate clearly if the parents are living in an invalid marriage or outside of marriage completely. If the latter case, the name of the father is usually not recorded unless he has publicly admitted paternity. If the parents are later married, or have their marriage convalidated, this fact must also be recorded in the same place where the baptism was first registered.

- 322. In giving a baptismal certificate, only that information is to be conveyed which is essential for the purpose of that particular document. Material of a sensitive nature is conveyed only in those certificates being used in the internal forum, and these shall be mailed directly to the competent church authorities who have requested them.
- 323. If baptism is administered without chrismation, the minister must list the reason in the annotations column of the register, e.g.: the lack of sacred myron.
- 324. In the case of conversions, the protocol number of the letter granting permission is to be recorded under annotations.
- 325. A transfer from another Church sui iuris to this one shall likewise be recorded.

CHRISMATION WITH SACRED MYRON

In the Old Testament the prophets announced that the Spirit of the Lord would rest on the hoped-for Messiah for his saving mission. The descent of the Holy Spirit on Jesus at his baptism by John was the sign that this was he who was to come, the Messiah, the Song of God. He was conceived of the Holy Spirit; his whole life and his whole mission are carried out in total communion with the Holy Spirit whom the Father gives him "without measure."

This fullness of the Spirit was not to remain uniquely the Messiah's, but was to be communicated to the whole messianic people. On several occasions Christ promised this outpouring of the Spirit, a promise which he fulfilled first on Easter Sunday and then more strikingly at Pentecost. Filled with the Holy Spirit the apostles began to proclaim

"the mighty works of God," and Peter declared this outpouring of the Spirit to be the sign of the messianic age. Those who believed in the apostolic preaching and were baptized received the gift of the Holy Spirit in their turn.

"From that time on the apostles, in fulfillment of Christ's will, imparted to the newly baptized by the laying on of hands the gift of the Spirit that completes the grace of Baptism. For this reason in the Letter to the Hebrews the doctrine concerning Baptism and the laying on of hands is listed among the first elements of Christian instruction. The imposition of hands is rightly recognized by the Catholic tradition as the origin of the sacrament of Chrismation, which in a certain way perpetuates the grace of Pentecost in the Church."

Very early, the better to signify the gift of the Holy Spirit, an anointing with perfumed oil (chrism) was added to the laying on of hands. This anointing highlights the name "Christian," which means "anointed" and derives from that of Christ himself whom God "anointed with the Holy Spirit." This rite of anointing has continued ever since, in both East and West. For this reason the Eastern Churches call this sacrament Chrismation, anointing with chrism, or myron which means "chrism."

- 326. The Holy Mystery of Chrismation shall be celebrated immediately after baptism proper to every person who belongs to our Church *sui iuris*.
- 327. Those entering full communion from the Eastern non-Catholic Churches shall not, as a rule, be reconfirmed with chrism unless there is doubt regarding the validity of the first chrismation. Those from other ecclesial bodies shall be chrismated with sacred myron as part of their reception into the church.
- The eparch shall consecrate the *holy myron* (chrism) every year on Holy and Great Thursday and have it sent to the pastors of his jurisdiction as soon as possible. Upon receiving the new myron, the pastors shall burn the old supply (and if it was kept in cotton, flush the ashes in the sacrarium or else, mixed with water, pour them on the ground in a place where people do not walk). The vessel in which the chrism was kept shall be wiped clean before the new myron is poured into it. The holy myron is to be placed in an honorable position in a repository (*kivot*) either on the prothesis or diakonikon. It may be kept in the *artophorion* (tabernacle) itself but it is not to be left on some remote shelf in the sacristy. The customary offering shall be sent to the chancery.

I. THE HOLY EUCHARIST

The Unbloody & Reasonable Sacrifice of Christ

The holy Eucharist completes Christian initiation. Those who have been raised to the dignity of the royal priesthood by Baptism and configured more deeply to Christ by Chrismation participate with the whole community in the Lord's own sacrifice by means of the Eucharist.

"At the Last Supper, on the night he was betrayed, our Savior instituted the Eucharistic sacrifice of his Body and Blood. This he did in order to perpetuate the sacrifice of the cross through-out the ages until he should come again, and so to entrust to his beloved Spouse, the Church, a memorial of his death and resurrection: a sacrament of love, a sign of unity, a bond of charity, a Paschal banquet 'in which Christ is consumed, the mind if filled with grace, and a pledge of future glory is given to us."

The Eucharist is "the source and summit of the Christian life." The other sacraments, and indeed all ecclesiastical ministries and words of the apostolate, are bound up with the Eucharist and are oriented toward it. For in the blessed Eucharist is contained the whole spiritual good of the Church, namely Christ himself, our Pasch."

"The Eucharist is the efficacious sign and sublime cause of that communion in the divine life and that unity of the People of God by which the Church is kept in being. It is the culmination both of God's action sanctifying the world in Christ and of the worship men offer to Christ and through him to the Father in the Holy Spirit."

Finally, by the Eucharistic celebration we already unite ourselves with the heavenly liturgy and anticipate eternal life, when God will be all in all.

In brief, the Eucharist is the sum and summary of our faith: "Our way of thinking is attuned to the Eucharist, and the Eucharist in turn confirms our way of thinking."

1. Frequency of Celebrating the Eucharist

- 329. The number of Eucharistic Liturgies celebrated daily in a church or chapel shall depend on the need of the faithful or the community and not on the number of presbyters available. Whenever several presbyters intend to serve the Divine Liturgy at approximately the same time, they shall concelebrate. In the case of a funeral or a wedding, one other Liturgy may be celebrated in addition to the one for the community. It is forbidden to celebrate more than one Divine Liturgy at the same time in the same space (church, crypt, etc.) at different altars.
- 330. Unless the number of languages which must be utilized in the service or the sermon demands it, only as many Liturgies shall be scheduled on any Sunday or Holy Day in one place as the number of the faithful requires.
- 331. The presbyter who has received from the hierarch a pastoral assignment thereby receives permission to officiate for a second Divine Liturgy in those circumstances anticipated by the general law. To officiate for a third Divine Liturgy on the same day the special permission of the hierarch is needed. This permission may be presumed in individual instances, but can be granted permanently only in exceptional circumstances.
- 332. The faithful are to be informed in advance by appropriate public announcement of the day and time of each and every Divine Liturgy which the pastor is obligated to

offer "for the people and their intentions," as well as for those services for which he has accepted a stipend and which he has agreed to celebrate on a specific day.

Besides each and every Sunday of the year, the faithful are to participate at Divine Liturgy on the following Holy Days of obligation:

- A. January 1 Circumcision of Our Lord
- B. January 6 Theophany of Our Lord (Epiphany)
- C. March 25 Annunciation of the Mother of God
- D. Forty days after Easter Ascension of our Lord
- E. August 15 Dormition of the Mother of God
- F. December 8 Immaculate Conception
- G. December 25 Nativity of Our Lord

The obligation for January 1, March 25, August 15, and December 8 is dispensed only if the feast occurs on a Saturday or Monday; the obligation remains when these feasts occur on any other day of the week. In all cases, regardless of the day of the week the presbyter or administrator remains bound to celebrate the Divine Liturgy and to offer it "for the people" (pro populo).

- 333. In every parish once each year the Divine Liturgy shall be offered for the repose of the presbyters who were assigned to serve the People of God there. The parishioners shall be informed of the date and time of the service, as well as the names of the departed presbyters and bishops for whom the service will be offered. It is permissible to offer a binated Liturgy for this purpose.
- 334. Presbyters are permitted to concelebrate in other Liturgies, in addition to the one they serve, for the purpose of enhancing the solemnity of the day or the occasion. The rules governing bination stipends still applies.
- 335. It is preferred that small religious communities, or small groups of the faithful, take part in the Divine Liturgy of the parish on Sundays and Holy Days rather than in their own separate celebration, and thus unite themselves more closely with the whole People of God.
- 336. In as much as the liturgical day usually begins in our tradition at sundown, the Divine Liturgy of Sunday and festival holy days, as well as for other days named by the eparch, may be celebrated from the previous evening (but not before 4 o'clock in the afternoon) and throughout the day itself.

337. If the Divine Liturgy is celebrated in the evening, it may be celebrated with vespers. In this case the order of vespers is followed until the prokimen, when the order of the Divine Liturgy commences with the readings.

2. The Place Where the Divine Liturgy is Celebrated

- 338. Ordinarily the Eucharist is to be celebrated in a church or approved chapel.
- 339. For a suitable reason and with the permission of the eparch, a presbyter may celebrate the Eucharist in a church or building of a non-Catholic ecclesial community.
- 340. For the public celebration of the Eucharist in some place outside the church building the presbyter must obtain the prior permission of the eparch. This permission may be presumed when the number of the faithful who desire to take part in the service is too large for the church building.
- 341. Whenever another local Catholic bishop has given his consent for the celebration of the Eucharist in a hospital, prison, school or any other public or private secular institution, our presbyters may also celebrate the Divine Liturgy there for the faithful of our church.

3. The Preservation of the Authentic Liturgical Practice in the Eucharist

- 342. Pastoral ministers shall teach altar servers and practice with them the rites and responses of the Divine Liturgy and other services. Such servers, adults if this is feasible, shall vest in the sticharion in accordance with the original tradition of our church. The sticharion is cut and fashioned differently for different ministers. It may be cut more fully for deacons and other ministers including servers. The sticharion shall reach to the ankles, and its sleeves to the wrists. Cassocks, as well as the vestments of altar servers of other liturgical traditions, shall be discontinued.
- 343. Adult women and girls may be assigned prominent auxiliary roles in the divine services, in conformity with the instruction of the eparch.
- 344. During the divine services, all ministers of the altar shall use the vestments, vessels and instruments which correspond to our authentic tradition.
 - A. The usual vestment of a bishop is the sakkos (although he may replace it with the phelonion), over which he wears omophorion. He wears all the other vestments of a presbyter, and the miter.
 - B. The presbyter shall wear all parts of the vestments prescribed by the liturgical books, including the epimanikia (cuffs) and the zone (belt). There is no obligation to wear the cassock under the sticharion.

- C. The deacon shall wear a sticharion with simple decoration. It shall reach to the ankles and its sleeves to the wrists. The cassock is not obligatory, and the use of an alb under the sticharion is forbidden. The deacon shall also wear epimanikia (cuffs) and a deacon's orarion folded as customary.
- D. The subdeacon, whether an ordained cleric or a layman shall wear a simple sticharion similar to that of the deacon, and an orarion without any crosses or inscriptions, folded in the usual manner. An ordained subdeacon receives Holy Communion outside the sanctuary at the solea.
- 345. The sacred vessels used in the Divine Liturgy shall comply with the form used in the Byzantine tradition. The chalice shall be shaped in such a way that the particles of the Communion can be removed with a spoon easily. The diskos shall be sufficiently wide and high with a base, with its edges turned up, so that it can be carried in the hand in the same manner as the chalice. The sacred vessels shall be covered with three veils: one for the diskos, one for the chalice and one larger veil, the aer, which must cover both together.

4. Celebration by Other Presbyters

- 346. Even though validly ordained, a non-Catholic presbyter may not be permitted to take part in the Divine Liturgy, and may not even be present at the altar vested in his liturgical garb. He may be present within the sanctuary in his clerical garb, however.
- With respect to the celebration of the Divine Liturgy in parish churches, shrines, chapels of convents, seminaries or other buildings or institutions by a presbyter who does not belong to the eparchy or to a religious house in the eparchy, the following rules shall apply:
 - A. Pastors and rectors of churches may permit a presbyter known to them, but who is not assigned to their church, to celebrate in their church or chapel if they are morally certain that such a presbyter is in good standing with his ecclesiastical superior.
 - B. The pastor or rector shall demand from a presbyter unknown to him proper identification, such as a <u>celebret</u> or some document of appointment, prepared in accordance with accepted examples of official form, and not more than one year old.
 - C. A presbyter unknown to the pastor or administrator, and who is unable to identify himself with proper documents, may not be permitted to celebrate divine services.

D. Presbyters from Poland and the former Soviet Union must always obtain faculties to preach and hear confessions in this eparchy directly from the eparch.

STIPENDS FOR THE DIVINE LITURGY AND OTHER SERVICES

- 348. The offering presented along with a request for the celebration of a Divine Liturgy, panachyda, parastas or other ritual prayers, does not represent payment for the performance of the divine services but rather is an alms for the partial livelihood of the presbyter.
- 349. The pastor is obliged to offer the Divine Liturgy for his parishioners without any separate remuneration on all Sundays and Holy Days of obligation.
- 350. The presbyter may accept offerings for the celebration of a second or even a third Divine Liturgy on the same day, but the stipend must be forwarded to the bishop's chancery no later than the end of the month in which the obligation was satisfied for the charity designated by the eparch.
- 351. A presbyter who is a member of a community of consecrated life, and to whom the parish was entrusted, may forward the offerings received for Divine Liturgy to his superiors for the education of candidates to that religious community.
- 352. The pastor may accept a foundation for celebrating the Divine Liturgy only with the prior consent of the bishop. This applies to members of communities of consecrated life to whom a parish is entrusted.
- 353. The donor of the endowment of the foundation shall be informed that it will be accepted under these conditions:
 - A. It will be received only for the duration of twenty-five years.
 - B. The capital of the endowment will be forwarded by the pastor to the bishop's chancery so that it can be deposited in a secure financial institution, and the interest returned to the parish annually until the 25th year.
 - C. After 25 years the endowment will be given to the eparchial seminary or another diocesan institution, with the obligation to include in its prayers for its benefactors the intention of the original foundation as well.
- 354. Every church must have and keep a separate register for foundations for Divine Liturgy, panachyda, akathistoi, etc., even though their number is small. The following information must be entered:
 - A. the full name and address of the donor, and the date the foundation was established;

- B. the intention and the conditions with respect to the date and circumstances for the celebrations as stipulated by the donor and accepted by the pastor;
- C. the date and number of the decision of the bishop's chancery by which the foundation was confirmed;
- D. the full name of the presbyter who has satisfied the obligation each time, and the date of the celebration;
- E. the dates for these foundation Divine Liturgies must be posted in the sacristy in a suitable manner;
- F. and, finally, the pastor must inform the eparch's office in writing when the obligation of the foundation Divine Liturgy is satisfied.
- Each intention and the offering received for the celebration of a Eucharistic Liturgy (as well as for parastas, panachyda, akathist, etc.) shall be recorded at once in a special hard bound book, the **Register of Intentions** (Mass Stipend Book). It is forbidden to record requests for the aforesaid intentions solely on so-called "Mass Cards," or on separate pieces of paper, or even in another book.
- 356. The following information must be recorded accurately and fully in the **Register** of Intentions:
 - A. the full name of the donor;
 - B. the day when the intention was received;
 - C. the number and kind of services requested;
 - D. conditions and circumstances for celebration as stipulated by the donor;
 - E. the date when the obligation was satisfied, or the name of the presbyter to whom it was transferred;
- 357. The following are required to keep a Register of Intentions:
 - A. every rector and pastor, to record requests for services in their respective churches;
 - B. parochial vicars for recording requests for services in their non-official capacity and which are not recorded in the parish **Register of Intentions**;
 - C. chaplains of religious institutes, as well as the lay superior of the house if requests were received which were not recorded with the chaplain;

- D. presbyters on other than pastoral assignments;
- E. presbyters holding no office, whether retired or not.
- 358. With the exception of members of exempt clerical religious institutes, all presbyters attached to, or merely residing in, a given parish, shall submit the **Register of Intentions** for inspection on the occasion of a canonical visitation by the eparch, the protopresbyter, or some other representative of the eparch.
- 359. No presbyter may retain more stipends for the Divine Liturgy than can be satisfied within one year by himself and the other presbyters attached to the parish, contrary stipulations or concessions by the donors not withstanding.
 - A. In accepting stipends for the Divine Liturgy, a presbyter shall calculate judiciously the number he will be able to satisfy within one year, taking into account the number:
 - 1. he is already bound to celebrate;
 - 2. he expects to receive during the next twelve months, in view of past experience;
 - 3. he, and the other presbyters attached to the church, will be able to celebrate during the next twelve months.
 - B. If this account exceeds what can be satisfied within one year, the presbyter shall inform any prospective donor accordingly, and propose that he be allowed to transmit the stipends to some other presbyter or church, or to the eparch's chancery. If this proposal is not agreeable to the donor, the presbyter may not accept the stipend and shall suggest that the donor return at some later time. The pastor or presbyter maintaining a **Register of Intentions** may not honor a donor's request that the stipends be held by the presbyter for a longer time.
- 360. Pastors shall inform the faithful that there are other presbyters available for celebrating their intentions, such as those assigned to institutions of the eparchy such as the seminary, the bishop's chancery, and retired presbyters as well. He shall ask them to agree to have their requests for the celebration of the Divine Liturgy forwarded to such presbyters.
- 361. Money received as offerings for Divine Liturgy, parastas, moleben, panachyda, and any service which cannot be discharged within one month shall not be converted for the clergy's use but shall be deposited in a local bank in a so-called joint checking account from which money can be withdrawn either by the pastor or by "The Ukrainian Catholic Bishop of St. Josaphat in Parma." If the pastor is transferred to another assignment, he shall have his name on the account changed

- to that of his successor, and, in the event of death, provide that the bishop can effect the change.
- 362. Upon transfer to a new assignment, a presbyter may take with him only those offerings which he received in a private capacity and those for which he has obtained the explicit consent of the donor.
- 363. The practice in some parishes whereby the several assigned presbyters accumulate the stipends for all divine services in the course of a month and then share them among themselves equally without consideration of kind or number (which can differ because of funerals or other duties) is hereby declared praiseworthy.

II. THE HOLY EUCHARIST

As the Mystery of Christ Present With Us

1. The Eucharistic Fast

- 364. The People of God, clergy and lay people alike, are permitted to take some food and drink, including alcoholic beverages, up to one hour before the reception of Holy Communion. Water as well as medicine and vitamins, may be taken anytime. People in precarious health, or in danger of death, may take solid and liquid nourishment and medicine at any time. People confined to hospital or health care facilities may take communion at any time, even without fasting.
- 365. A presbyter who is to celebrate two or three Divine Liturgies, or other Eucharistic services, on the same day may take some food before the second or third service even though an hour will not elapse between the services.

2. The Reception of Holy Communion

1. Frequency

- 366. The People of God are urged to receive the Body and Blood of the Lord each time they participate devoutly in the Divine Liturgy, but not more than twice each day, unless they come into danger of death, when they may receive the Eucharist again as Viaticum.
- 367. The faithful may receive Holy Communion at any Eucharistic Liturgy celebrated by any presbyter of any Catholic church anywhere.
- 368. The faithful are permitted to receive Holy Communion at a Liturgy at which they are occasionally present celebrated by a validly ordained non-Catholic presbyter of an Eastern church on condition that this cannot be reasonably construed as a sign of apostasy from the Catholic Church and that this has been permitted by the authorities of the non-Catholic church.

- 369. When it is not possible to have the ministrations of a Catholic presbyter, the faithful are urged--especially when in danger of death--to receive Holy Communion from any validly ordained presbyter whatever.
- 370. Every member of the People of God admitted to the sacraments of penance and the Divine Eucharist is obliged to receive Holy Communion at least once a year during the season of Great Fast and Paschaltide, that is, from the Monday which follows the Sunday of Cheesefare to Ascension Thursday, inclusively.
- 371. Along with the ancient discipline of our Church, and in accordance with the prescription of canon 710 CCEO, infants and very young children are initiated into the Church by the reception of three sacraments together: baptism, chrismation (confirmation) and Holy Communion.
 - However, if a child was not admitted to Holy Communion at baptism and has reached the age of reason, the child will be admitted to Holy Communion only after appropriate instruction. Such children must present a certificate of baptism and chrismation unless they were received in the church where they shall be admitted to Holy Communion. Children who are members of our Church but have not received chrismation shall be chrismated before receiving Holy Communion. No one may be admitted to Holy Communion unless it is certain that he or she has been properly baptized.
- 372. In accordance with the policy to be set by the eparch, children are to be admitted to the sacrament of penance at a suitable age. This act is to be observed with great solemnity, and is to mark a child's growing responsibility for his or her own personal moral life and conduct.
- 373. Without prejudice to canon 361 CCEO, infants and young children who have been admitted to Holy Communion at baptism and chrismation may receive Holy Communion at every Divine Liturgy. They may be communicated with consecrated wine alone if this is expedient.
- 374. Holy Communion may be administered outside the Divine Liturgy to people who did not participate in the Divine Liturgy that day.
 - 2. The Form for the Administration of Holy Communion
- 375. Holy Communion is usually distributed under the form of leavened wheat bread and true grape wine.
- 376. At a Divine Liturgy with an especially large number of participants, rather than placing a large number of chalices on the Holy Table, one or more carafes of wine may be set there with the one chalice and other chalices may be filled from them before the distribution of the sacrament.

- If the number of chalices required for the distribution of the sacrament is insufficient, goblets of crystal or glass may be used.
- 377. The custom of distributing Holy Communion to the faithful by means of a spoon shall be maintained unless, because of danger from a contagious disease, the eparch permits that the bread be suitably cut and then dipped by the presbyter with his fingers into the cup and placed directly into the mouth of the communicant.
- 378. People of any age or condition who for any reason are unable to receive the Eucharist in the customary form may receive it in the form of Wine alone. Similarly for sufficient reason the Eucharist may be imparted as Bread alone.
- 379. The wheat bread for the celebration of the Divine Liturgy is to be freshly baked. If it is to be preserved by refrigeration, especially freezing, it shall be soft and pliant, and thereby easily eaten and swallowed. Obviously, for the reserved Sacrament the consecrated Particles must be dried.
- 380. Holy Communion is to be received standing at the solea. The communicants shall approach the minister one after the other.

3. The Minister of Holy Communion

- 381. In accordance with the tradition of our Church, the bishop and presbyter are the usual ministers of Holy Communion. A deacon may distribute Holy Communion.
- 382. In unforeseen circumstances, when the proper minister, for any reason, is unable to distribute Holy Communion himself, he may delegate for this occasion (in this order of preference) an ordained subdeacon or lector, a male or female religious, or a respected lay person.
- 383. The eparch may delegate lay people to distribute Holy Communion on a continuous basis on condition that:
 - A. the number of communicants at the specific service is large and therefore would unduly prolong the service;
 - B. the presbyter is unable to attend to this himself because of infirmity;
 - C. such lay people are approved individually in advance by the eparch.

3. The Liturgy of Presanctified Gifts

- 384. The celebration of the Liturgy of Presanctified Gifts, for which an intention may be made and a stipend accepted, shall be regulated by the following norms:
 - A. it may be celebrated on any weekday of the Great Fast, but shall be celebrated in every church with a resident presbyter at least on

- Wednesdays and Fridays, as well as the first three days of the Holy and Great Week;
- B. the obligation binds all the presbyters of a given parish *in solidum*, in accordance with the assignment made by the pastor;
- C. and as a rule it is forbidden to schedule other services which would make the celebration of the Liturgy of Presanctified Gifts impossible.
- D. The eparch may dispense from this obligation in instances when it is alleged that it cannot be observed.
- 385. On other week days of the Great Fast, the celebration of Typica (*Obidnitsya*) with the distribution of Holy Communion, for which an intention may be made and a stipend accepted, is preferred to the celebration of the Divine Liturgy of St. John Chrysostom.

III. THE HOLY EUCHARIST

As The Food For The Dying And The Comfort Of The Sick

- 386. Presbyters assigned to parishes are obliged to administer Holy Communion and the other sacraments to their parishioners admitted to hospitals and such institutions within the boundary of their parish and beyond it as well. If the institution is situated in another parish, and it is too far for the proper pastor to go, a local pastor of our Church *sui iuris* is obliged to administer the sacraments when notified, even though not impossible for the proper pastor to do so.
 - Presbyters are obliged to visit and to minister to their parishioners confined in hospitals, nursing homes and similar institutions even outside the imminent danger of death.
- 387. Presbyters of the parish may not routinely entrust the duty of administering the sacraments to their sick parishioners to a presbyter or other minister of another Catholic church, except in case of urgency, distance or absence of the local presbyter of our Church *sui iuris*.
- 388. Holy Communion shall be taken at least once a month to those who cannot come to church, to the bedfast and confined, etc. in their homes. It is a serious duty of all presbyters of the parish to offer their services to such faithful without any reluctance.
- 389. When the number of people who wish to receive Holy Communion in their homes is greater than can be accommodated by the presbyters and deacons of the parish, lay people of both sexes may be appointed, with the prior approval of the bishop, to bring the Sacrament to these faithful.

- 390. Sick and infirm people may receive Holy Communion more often, and even daily, with the help of a member of the household who is present at the Divine Liturgy in church. After suitable instruction, this member of the household may receive a Particle of the Holy Gifts at or after the Divine Liturgy in a suitable container and carry it to the sick person. The names of those carrying to the sick shall be submitted to the chancery.
- 391. Every parish ought to organize an apostolate of men and women for the purpose of visiting members of the parish community who are confined in hospitals and other similar institutions, as well as those homebound or bedridden.
- When Holy Communion is brought to the sick at home, other members of the family and those in attendance may receive the Eucharist at the same time.

IV. RESERVATION OF THE HOLY EUCHARIST

- 393. The Eucharist is reserved in the *artophorion* (tabernacle) primarily for the administration of Holy Communion to the sick and especially as viaticum for the dying.
- 394. The Holy Eucharist is reserved in the form of bread either in the artophorion placed in the center of the Holy Table, or else in a pyx shaped like a dove and suspended over the Holy Table, or in a *kivot* set on the prothesis, or in some other traditional and suitable way. It shall not be reserved at a "side altar" in the body of the church, etc.

Only in case of manifest necessity shall the Eucharist be reserved in the sacristy.

If the artophorion is set in the center of the Holy Table, it must have the form which evolved in our tradition, and it shall be of such height and design as not to obstruct the visual field between the congregation and the clergy at their seats behind the Holy Table

395. The consecrated Bread must be dry, and not exposed to humidity mildew or mold. It shall be inspected at least every two weeks and changed monthly. It must be changed on Holy Thursday of each year without fail.

RECONCILIATION

(Confession or Penance)

396. Individual and integral confession with absolution constitutes the ordinary way by which the Christian faithful aware of serious sin is reconciled with God and the Church. Only physical or moral impossibility excuses one from confession in this manner. In such instances, reconciliation can take place in other ways. Any of

- the faithful, conscious of being in a state of serious (mortal) sin, must have recourse to the reconciliation of the Church as soon as possible, without delay.
- 397. In each parish there shall be set times, convenient for the people, when the presbyters shall be available for confession. At other times no presbyter shall refuse a reasonable request for this sacrament.
- 398. In accordance with canon 725 CCEO any presbyter can validly and licitly absolve any penitent in danger of death from any sin. All bishops may administer this sacrament anywhere. Presbyters, to act validly otherwise, must be given the faculty to celebrate this sacrament by a special grant of the eparch, or by appointment to an office which presupposes it. Any presbyter granted the faculty to celebrate this sacrament may do so everywhere provided a local hierarch in a specific place does not expressly exclude him.

By virtue of his office, every pastor, and the one who takes his place, has iurisdiction to celebrate reconciliation.

However, in accordance with canon 728 CCEO, absolution for the direct violation of the sacramental seal and for the sin of attempting to absolve an accomplice in a sin against chastity is reserved to the Apostolic See, except in the circumstances enumerated in canon 729 CCEO. In accordance with canon 730 CCEO, absolution of an accomplice in a sin against chastity is invalid except in danger of death. The absolution of a sin of procuring a completed abortion is reserved to the eparch.

- 399. At least during the Great Fast and the Fast of Philip (Advent), especially in parishes served by only one or two presbyters, an outside or extraordinary confessor shall be made available for the faithful. The visit of such a confessor shall be announced in advance.
- 400. The policies of the eparch shall be followed with regard to the introduction of children to this most important sacrament, by an age and in circumstances he shall determine best. When parents estimate that their children are sufficiently endowed with the power of moral decision and reasoning as to make the sacrament fruitful, they should present them for reconciliation. In every case children are to be prepared for this sacrament with suitable catechetical instruction.
- 401. As a sacrament, the rite of confession is worthy of dignity and piety in its celebration. The presbyter should vest in rason and epitrachelion to administer it, especially when it is celebrated at a scheduled time and in the church. When a presbyter is approached spontaneously for this ministry he should conduct it with as much dignity and decorum as possible.

402. The space in which confessions are heard should be private and sound-proof, suitable for this sacrament. If this mystery is celebrated in the open air on the occasion of pilgrimage, etc., or before an icon in the church, etc., care must be taken that no one is within earshot of the minister and the penitent. The secrecy and confidentiality of this sacrament must be preserved above all other considerations, and reconciliation for a deliberate violation of it is administered only by the Apostolic See. This requirement binds the minister, an interpreter (if one was deemed necessary) and anyone to whom knowledge of the sins from confession comes in any way, even by accident.

In accordance with canon 734 CCEO a confessor is absolutely prohibited to use the knowledge gained in confession when it might harm the penitent, even if every danger of revelation is excluded.

Penitential Fasting

403. As each Christian is called to ongoing repentance and amendment of life, the ancient practice of fasting is to be maintained. All those from 14 to 59 years of age, inclusively, must abstain from meat on Holy Saturday and each and every Friday of Lent (the Great Fast), as well as Christmas Eve, December 24 and Theophany Eve, January 5. These faithful must also abstain from meat and all dairy food (including milk, eggs, cheese, etc.) on the first day of the Great Fast (the Monday which follows Cheesefare Sunday) and on Holy and Great Friday. Pregnant and nursing mothers, the ill and infirm, those who work at hard physical labor and the very poor are excused.

The eparch can dispense all the faithful of the eparchy as well as any individuals for a good reason from any of these fasting prescriptions. A pastor may also dispense individual parishioners for a good reason. He cannot, however, dispense the entire parish.

MARRIAGE

1. Pastoral Care of the Faithful

The position of the eparchy regarding matrimony is contained in a separate book entitled Marriage Policy of the Diocese of St. Josaphat in Parma and these policies, promulgated in September, 1992, are not abrogated and remain in force.

- 404. Pastors shall instruct their parishioners on the sacrament of matrimony and on all the moral and legal requirements for a valid, lawful, and successful marriage:
 - A. by preaching and teaching adapted to youths and adults concerning the meaning of Christian marriage and the obligations of spouses to each other: (This shall include the primary right and obligation which parents

- have of doing all in their power to see to the physical, religious, moral, social, and cultural upbringing of their children.)
- B. by personal preparation of the couple preparing for the married state;
- C. by providing assistance to the couple so they may come to lead a holy and spiritually fulfilled life daily in their families.
- 405. If a Catholic marries a non-Catholic or a non-Christian, it is the duty of the pastor to insure these marriages are given support to become firm in the sacramental, spiritual and social life of the parish.
- When a couple approaches a presbyter to be married and one party is still in a valid marriage, the presbyter should counsel and instruct the parties to wait until a decree of nullity for that preceding marriage has been granted by the proper marriage tribunal.

2. Prenuptial Investigation

407. Before setting a definitive date for the celebration of marriage, all those intending to contract marriage shall notify their pastor at least six months before the marriage is to take place.

3. Prenuptial Instructions

408. Before the wedding is celebrated, instructions should be given to the parties.

These may be given by the presbyter himself or he may refer the parties to PreCana, Engaged Encounter, or any church approved marriage preparation course.

4. Proofs of Baptism

- 409. In preparation for marriage the fact of baptism shall be proved according to the following principles:
 - A. unless the baptism is recorded in the baptismal register of the parish where the prenuptial investigation is to be conducted, Catholics must produce a certificate of baptism not older than six months, since an annotation on the certificate as copied from the baptismal register has some bearing on the free status of the person in question;
 - B. non-Catholics who claim to be baptized, should provide a baptismal document or statement providing proof;
 - C. but if no record can be found to verify a person's baptism, a sworn statement by someone who witnessed the event or has knowledge of the baptism can be used. The statement must include the name of the person who was baptized, the name of the person who performed the baptism,

when and where it was performed, when and how this knowledge came to be known by the witness.

5. Proofs of Chrismation

- 410. Care should be taken to see that the Catholic parties preparing for marriage receive, if they have not done so already, the sacrament of chrismation before the marriage takes place.
 - A. Ukrainian Catholics who were baptized in another Church *sui iuris* shall be confirmed before the marriage if they have not been chrismated already.
 - B. Catholics of other Churches *sui iuris* should be counseled to receive the sacrament as soon as possible.
 - C. It is not necessary to demand proof of the reception of the sacrament of chrismation if a party does not have a certificate. A single statement of the party is acceptable for evidence.
 - D. Non-Catholics may have received chrismation according to their church's laws and customs. No proof or evidence is needed and the presbyter doing the investigation need not be concerned with this.

6. Reception of Eucharist

411. If both parties to the marriage are Catholic, the presbyter blessing the marriage shall instruct them to receive the sacraments of reconciliation and Eucharist.

7. Ceremony

- 412. The rites, ceremonies and prayers contained in the *Trebnyk* (Book of Needs) must be observed exactly in all marriage ceremonies. The marriage ceremony replaces the enarxis of the Liturgy.
- 413. The Divine Liturgy should be celebrated along with the blessing of the marriage when possible.
- 414. No one is to be refused marriage if no offering can be made or if the parties are unable to afford the fees for dispensation or permissions.

ANOINTING THE SICK

415. In that the holy mystery of anointing the sick affords spiritual strengthening and even sometimes physical healing to those who receive it, members of the family of an individual who becomes seriously sick or debilitated (or the person who cares for such an individual) should summon the presbyter for the administration

of this sacrament along with the rites of confession and Holy Communion. If the sick person is in danger of death this is a most serious obligation.

On the other hand, pastors shall not wait until called to visit or administer these rites, but shall approach the ill as soon as they learn of their condition. For those grievously ill they must do so immediately, while those less in danger should be tended to as soon as possible.

- 416. While it is not primarily the presbyter's duty to inform a seriously ill person that he or she is dying, a presbyter must not hide the fact from a false sense of compassion but must provide the sick person every opportunity to be at peace with God.
- 417. If a sick person is absolved conditionally because the illness precludes speech, the presbyter shall return as soon as the penitent can speak to hear his or her confession in the proper manner.
- 418. If a presbyter is called to administer the anointing of the sick, Holy Communion or confession to someone in danger of death who is not his subject, he shall celebrate these mysteries and then notify the proper pastor immediately.
- 419. When circumstances allow, a communal celebration of the anointing of the sick should be held in which the chronically ill who can be present avail themselves of this mystery of grace. The proper subject of this sacrament is one who is in danger, (but not necessarily the throes) of death from any cause, including a chronic disease of a vital organ or simply old age. Individuals with chronic conditions may be anointed for ailing health once a month. If the condition worsens the sacrament should be received immediately even if a month has not elapsed.

On Holy Wednesday, special occasions, and during pilgrimages, this service may be administered to the faithful in general.

- 420. The tradition of several presbyters administering this sacrament together should be maintained, whether in a communal parochial setting or even in the home of a seriously ill person.
- 421. A list of the sick shall be maintained in every parish for quick and easy reference, and a special kit for the presbyters to administer this sacrament shall also be properly maintained. This kit shall contain a pyx for transporting the Blessed Eucharist, a spoon for administering it, a vial for wine and small chalice if necessary. It shall also contain a vial of oil for the sacrament of the sick, some sanitary cotton, a small container of holy water, an epitrachelion, hand cross, lention and eliton ("purificator and corporal") and a book with the rites, Scriptures and other prayers appropriate for the sick and dying.

In sizable parishes where there is more than one presbyter or Eucharist minister several kits should be available. Those for the Eucharistic minister need not contain oil, cotton, epitrachelion, hand cross and such items which are used only by a presbyter.

- 422. Each parish shall maintain a register where a record is made of all ministrations to the more grievously ill, especially the celebration of the anointing of the sick.
- 423. A presbyter should not act as a witness to any legal act being performed during the broad course of his ministrations. Indeed, he should not act in such a capacity for anyone in his pastoral care at any time. He should not give his opinion on the disposition of temporal goods to anyone for whom he is providing pastoral care during illness.
- 424. Always bearing in mind that charity and kindness should be the policy at times of sorrow in the life of the faithful, liturgical funerals shall be accorded to all not barred otherwise by law. The Rite of Christian Burial is to be celebrated and a Eucharist may be added. A homily should be preached.
- 425. No one, especially the clergy, must ever make the occasion of a funeral an opportunity to collect back dues or monies of any kind from the faithful. Those who do subject themselves to ecclesiastical penalty.
- 426. Pastors from time to time should instruct the faithful on the teachings of the Church in regard to the burial of the dead. Through ecclesiastical funeral rites the Church asks spiritual assistance for the departed, honors their bodies, and at the same time brings the solace of hope to the living. The Church earnestly recommends that the pious custom of burying the bodies of the dead be observed; it does not, however, forbid cremation unless it has been chosen for reasons which are contrary to Christian teaching.
- 427. According to canon 876.3 CCEO, those who choose cremation for their bodies, unless such a choice was made for reasons contrary to the conduct of Christian life, are to be granted an ecclesiastical funeral, provided that it does not obscure the preference of the Church for the burial or entombment of bodies and that scandal is avoided. The policy or procedure of our eparchy is the following.
 - A. When someone makes a request for cremation, the pastor should prudently ascertain that this was done without contempt for Catholic doctrine, in which case cremation is permitted.
 - B. If all appears to be in order, the pastor may permit the cremation, but the following regulations **must** be put in place for an ecclesiastical funeral.
 - 1. The parastas service (at the funeral home or other house) is to be celebrated in the presence of the body *prior* to cremation. Parastas

- panachyda may not be celebrated over ashes, for the liturgical sign loses its effectiveness.
- 2. If the cremation is to take place after all funeral rites (including the reception of the body into the church), there is no restriction. However, should someone insist on cremation so that it takes place for any reason prior to the completion of the funeral rites, the ashes are not to be brought into the church under any circumstances. The services may and should be celebrated without the ashes in church.
- 3. It is the preference of the Church that the ashes are to be interred in consecrated ground. Ashes shall never be scattered but should be interred, entombed or reserved appropriately.

HOLY ORDERS

- 428. The ordination of an individual to minor orders and diaconate shall be made in the parish where the candidate was baptized and where he maintains his domicile. Ordination to the presbyterate shall be conferred in the cathedral. The Liturgy of Thanksgiving, customarily served by a newly ordained presbyter in his native parish, shall be celebrated with great solemnity. The arrangements for this Liturgy are to be decided between the newly ordained and his pastor with the collaboration of the family and the parish.
- 429. Before advancement to major orders, the candidate shall make a spiritual retreat of no less than five (5) continuous days.
- 430. Everyone, but especially the clergy, has a strict obligation to report, in a proper and discreet manner to the proper ecclesiastical authorities, any actual conduct (and never simple hearsay or rumor) in those preparing for sacred ordination which might indicate that these candidates are not suitable for the exercise of the ministry.

UKRAINIAN CATHOLIC DIOCESE OF ST. JOSAPHAT IN PARMA

STATUTES OF THE PRESBYTERAL COUNCIL

PREAMBLE

Through the Lord Jesus Christ, High Priest of the New Covenant, and by the action of the Holy Spirit sent by the Father, bishops and priests are united in the one ministry of Christ. Truly, the sacred trust within the ministerial priesthood, although hierarchically graded, makes brothers of bishops and priests. The presbyteral brotherhood is not merely one of mind and heart but is also a sacramental reality. Such intimacy is unique in that a brotherhood is formed among priests under the leadership of a Bishop within the boundaries of a Diocese. Ordination brings a person into a sacred relationship with the Bishop and people to whom he will minister.

The Vatican Council II reminds us that "all priests together with bishops share in the one and same priesthood and ministry of Jesus Christ that the very unity of their consecration and mission requires their hierarchical communion with the order of bishop." (Vat. II, PRIESTS, #7)

It is within the scope of the Church today for Bishops and priests to exercise that reality of one brotherhood in Christ for the sake of enhancing their common ministry to the People of God. "Therefore on account of this communion in the same priesthood and ministry, bishops should regard priests as brothers and friends." (Vat. II, PRIESTS, #7)

To maximize good ministry in the name of Christ, and to insure the proper spiritual climate for the Spirit to pervade the hearts of all believers, it is the mind of the Church to establish presbyteral councils. "In order to put these ideals into effect, a group or senate of priests representing the presbytery should be established. It is to operate in a manner adapted to modern circumstances and needs, and have a form and norms to be determined by law. By its counsel, this body will be able to give effective assistance to the bishop in his government of the diocese." (IBID)

In light of the promulgation of the Eastern Code of Canon Law, September 30, 1990, and with respect to canon 264 of that same promulgation, the bishop hereby establishes within the Eparchy of St. Josaphat in Parma, a Presbyteral Council as the principal consultative body according to the norms of the following statues which have been approved by His Grace Bishop Robert Moskal, D.D., Ukrainian Catholic Diocese of St. Josaphat in Parma.

STATUTES OF THE PRESBYTERAL COUNCIL UKRAINIAN CATHOLIC DIOCESE OF ST. JOSAPHAT IN PARMA

ARTICLE I - NAME

The name of the body shall be THE PRESBYTERAL COUNCIL OF THE EPARCHY OF SAINT JOSAPHAT IN PARMA FOR UKRAINIAN CATHOLICS.

ARTICLE II - PURPOSE

The purpose of the PC is to assist the Bishop in his pastoral work in the Eparchy for the general good of the People of God under his pastorship. Such shall be done by the collaborative voice of members representing the presbyterate according to the norms of common and particular law.

Canon #1

The Bishop or the Bishop in concord with the PC may establish specific purposes for the PC in relation to the evolution of time.

Canon #2

Specific purposes of the PC shall be outlined by the Bishop in concord with the PC. A majority vote shall be taken to embrace a specific purpose which has been proposed by either the Bishop or the PC.

Canon #3

Specific purposes may be at anytime introduced by the Bishop.

ARTICLE III - COMPETENCY

The PC is a body comprised of the Bishop, elected and appointed member priests, priests appointed by the Bishop who hold special ministries in the Diocese. This representation is twofold; first, to the bishop as a consultative body and second, to the priests who are represented by it.

Canon #4

The Bishop may bring to consultation any matters of pastoral concern which he feels free to discuss. Such matters may include diocesan policy, procedures, programs, which best serve the interest of the Diocese.

The PC, in keeping with the norms of common law, merely exercises a consultative vote in all deliberations with the exceptions of matters explicitly mandated by Church law. The PC can never act without the Diocesan Bishop. He alone can make public those things which have been discussed in council.

Canon #6

The PC may propose for deliberation matters of pastoral concern in the form prescribed by these statutes.

ARTICLE IV - MEMBERSHIP

Membership to the PC will be chosen from those diocesan or religious priests who in good standing serve the Diocese in whatever capacity they have been appointed.

Canon #7

Membership shall include those ex officio members:

Bishop Vicar General Chancellor Econome

Three members appointed by the Bishop;

Six members elected by the presbyterate;

Active Directors of Diocesan Ministries.

Canon #8

Elections shall take place every three years at the annual meeting of the presbyterate in May. A candidate may serve for two terms of office. He may succeed himself only by general vote of the presbyterate.

Canon #9

A Candidate having completed two or more terms may be appointed to the PC by voice of the Bishop.

Canon #10

Those priests serving the Diocese in any capacity and in good standing are allowed to vote for members to the PC.

Canon #11

A vacancy of office shall be filled by a majority voice of the PC who shall either by letter or by special meeting fill the vacant office.

ARTICLE V - ELECTIONS TO THE PRESBYTERAL COUNCIL

Canon #12

Nominations may either be submitted to the secretary in writing prior to the election, or submitted to the secretary at the annual Presbyteral meeting.

Canon #13

Voting shall take place by secret ballot under the auspices of three PC members appointed by the Chairperson.

Canon #14

Proxy votes may be given to another member of the presbyterate in the form of written letter that such is his intention.

ARTICLE VI - OFFICES AND ELECTIONS IN PRESBYTERAL COUNCIL

Canon #15

The following are a list of offices within the PC.

The President - Ex Officio - The Bishop

Chairperson

Assistant Chairperson

Secretary

Canon #16

Election to Chairperson, Assistant Chairperson, and Secretary shall take place yearly at the first meeting of the new year. Elections are by two-thirds majority with all members of the PC exercising one vote.

Nominees shall be made at the table and a vote by secret ballot shall be taken. Rescinding of secret ballot and a vote of acclamation can be taken by two-thirds majority of those present.

Canon #18

In the absence of a member a proxy vote may be taken in writing describing the intention of the absent member.

ARTICLE VII - MEETINGS

Canon #19

Meetings shall be held three times a year. Notification of time, place and date shall be mailed to PC members thirty days before. Members who are unable to attend are asked to tender to the PC a notification of absence.

Canon #20

A substitute delegate to a meeting may be made by a member enabling the delegate to vote by proxy.

Canon #21

A Special Meeting may be called either by:

The Diocesan Bishop

By a two-thirds majority of PC members either in writing, or by acclamation, in acceptance by the Diocesan Bishop.

Canon #22

A Special Meeting should take place within thirty days of notification through writing. A indication should be given for the purpose of the special meeting exacting in general terms the parties to the concern and other information which would serve for better collaboration.

ARTICLE VIII - ARBITRATION BOARD

The Diocesan Bishop may appoint no less than three members to intervene for him in the case of disputes or conflicts within the Diocese. At the discretion of the Diocesan Bishop intervention and confrontation may be deemed necessary by him in the form of a Board of Arbitration.

The Arbitration Board serves as a healing process. Disputes or conflicts are introduced by the Diocesan Bishop. Conflict and crisis recognition may be placed before the eyes of the Diocesan Bishop from many source, however, it is the responsibility of the Diocesan Bishop, if he so deems it proper, to formally recognize any conflict within his Diocese.

Canon #24

The Diocesan Bishop may appoint for a term of three years a Board of Arbitration who will intervene for the Diocesan Bishop when appointed.

Canon #25

The Diocesan Bishop shall meet with the members of the Arbitration Board before any intervention takes place.

Canon #26

Appointed to the Arbitration Board shall be one member who will act as Main Mediator. Other members shall assist in the process of intervention.

Canon #27

The Arbitration Board shall hold its meetings in the Chancery notwithstanding the elements of time and distance. All parties to the conflict shall be given thirty days notice of the meeting in any specified area of conflict or crisis.

Canon #28

The Arbitration Board shall submit to the Diocesan Bishop a written report to the Diocesan Bishop reflecting the assessment of the conflict and offering the possible options in healing a conflict. The report should be made within ten days of the meeting. Resolution of the conflict may be given the Board at the next following meeting of the PC.

Canon #29

The Diocesan Bishop may appoint other members of the PC to the Arbitration Board who may interview parties to the conflict. Results from these interviews may be presented to the Board of Arbitration at least ten days before a meeting of parties to the conflict.

In case of pastors, or administrators, who have been confronted with neglect of parochial duty, problems of personal behavior, dereliction of priestly office, or grave scandal, they may be represented by a priest advocate who will intervene in behalf of the one confronted.

Canon #31

In the case of overwhelming evidence against those confronted with reference to C. #30., the Arbitration Board will recommend removal from office. Such recommendation will be made by the Main Mediator in writing to the Diocesan Bishop within ten days of the meeting.

Canon #32

The Diocesan Bishop shall within ten days make known to the confrontee in writing the recommendation of the Arbitration Board. The confrontee has ten days to appeal any recommendation of the Arbitration Board.

Canon #33

If a confrontee wishes to appeal the recommendation of the Arbitration Board he may do so in writing to the Diocesan Bishop who will either appoint three independent members of the PC, or three priests of his own choosing to review the case. An appellate decision is to be made within thirty days of the initial appeal.

Canon #34

After an appellate decision has been recommended, the Diocesan Bishop is to render the final decision in review of the recommendations of the Arbitration Board.

Canon #35

The Diocesan Bishop may intervene at anytime during the process of the Arbitration Board and take action in any case in behalf of any pastor or administrator.



S T A T U T E S OF ST. JOSAPHAT'S DIOCESAN SACERDOTAL SOCIETY

The Name and Purpose

- 1. The primary purpose of this society is to provide subsistence to elderly priests. It does not include payment of benefits to priests who become temporarily disabled before they reach the retirement age set by this plan. Priests who become totally disabled are considered under Article 17 of these statutes.
- 2. The plan to provide these benefits, hereby created, shall be known as "St. Josaphat's Diocesan Sacerdotal Society Plan", hereafter referred to simply as "Plan."

Membership

- 3. All priests under the age of sixty and incardinated in the Ukrainian Catholic Diocese of St. Josaphat in Parma, Ohio,; as well as religious priests assigned to a position in the diocese by mandate of the Bishop and who have no pension program, quality for membership.
- 4. By the term "priests" these statutes understand bishop(s) and presbyters ("priests") who are incardinated in the Ukrainian Catholic Diocese of St. Josaphat in Parma, Ohio; or as described in Article 3.

Officers of the Society and Administrators of the Plan

5. The plan shall be administered by a Board of Directors which shall consist of seven members, namely:

The diocesan bishop (or his assignee by canon law) who shall be president;

The diocesan econome;

A Secretary-Treasurer, who shall be elected by the members;

Four (4) additional directors, who shall be elected by the members.

Four (4) alternate directors shall be elected by the members. They shall substitute at meetings for any of those four directors who cannot be present. In the event of the death, resignation or retirement of a director, one of the four alternates shall be chosen by the Board to serve in his place until the next annual meeting. At that time the members shall elect a new director to finish the unexpired term.

At all meetings a quorum of seven (7) must be present, i.e., the total constitution of the Board.

The term of office for those other than the president and diocesan econome shall be five (5) years. Directors may be re-elected for successive terms.

In deciding issues before the Board, each director has only one vote. No one on the Board has veto power. Decisions are passed validly by a simple majority of the Board, unless otherwise specified in these statutes.

6. The Secretary-Treasurer, in consultation with the Board of Directors, may convene meetings whenever necessary. The Board of Directors may hold closed meetings whenever necessary. Open meetings may be called over and above the annual meeting. The Secretary-Treasurer must give notice of the meeting.

An annual meeting of the members shall be convened each May at a time and place considered feasible by the Board. The Secretary-Treasurer shall be responsible for conducting elections. Sixty (60) days before an annual meeting at which elections shall take place, the incumbent Secretary-Treasurer shall elicit from the members nominations for the positions of secretary-treasurer, the four additional directors, as well as the four alternate directors. These nominations shall be voted upon at the annual meeting by secret ballot. Two members, appointed by the Board, shall act as tellers for the election.

7. The funds of the Plan shall be managed by the Board. The Board shall decide how to invest the funds in interest bearing securities, which must be limited to those securities approved for similar trusts under the laws of the State of Ohio, the site of the diocesan see. In no case shall the Board of Directors enter into or engage in transactions (outside the scope mandated for an institution) which is defined as a prohibited transaction by Section 503 (c) of the Internal Revenue Code of 1954, as amended.

Cash shall be withdrawn on the signatures of the Diocesan Econome together with the Secretary-Treasurer.

- 8. The funds of the Plan shall be obtained from payments made by parishes, missions and such institutions in the diocese which enjoy the services of a priest.
- 9. Every parish or institution shall make a monthly payment to the Plan. The amount of this payment shall be determined by the Board. The payment must be made from the parish even if a priest does not reside there because he is entrusted with the administration of two or more parishes, or is compelled to reside elsewhere for whatever reason.
- 10. The obligation to make payments is imposed as a canonical obligation by the diocese upon each parish or institution and not upon the priest himself. However, the priest shall be held responsible for the regular payment of these sums by the respective parish or institution.

The bishop, for just cause, may reduce the amount of payment, or excuse certain missions, parishes, or institutions from these payments and he shall inform the Board of Directors of his decisions "for a just cause" to reduce the amount of payment.

- 11.. The Board may consider other ways of acquiring funds, especially if the number of priests increases significantly over the number of parishes. However, any other way of acquiring funds must be approved by an absolute majority of the members present at a legitimate meeting.
- 12. Priests who leave the eparchy temporarily, or more permanently, for service in another eparchy or extra-diocesan assignment, or for whatever reason (i.e. a leave of absence) before the retirement age specified by this plan, are then personally obligated to make the monthly contribution towards the Plan, or arrange to have it made for them, or forfeit membership in the Plan. If they elect to remain in the Plan, they are considered members of the Plan with a voice and vote at meetings.

A priest, wishing to return to the Plan, may do so after arranging with the Board of Directors to pay arrears for the time absent from payments at the current rate of interest that the fund is drawing on its securities. In case of hardship, the Board of Directors has discretionary power to forgive or to adjust all payments of arrears of individual members.

Benefits

- 13. A member is entitled to receive benefits from the Plan beginning with the month following his seventieth (70th) birthday, irrespective of whether he is at that time in the active service of the diocese or not, provided he has qualified in accordance with the other articles of these statutes. In the same way, a member may obtain early retirement at the age of sixty-five (65) provided the bishop has given his consent. In such cases the monthly payment shall be prorated in accordance with the number of years of service/payment to the Plan.
- 14. To be eligible for benefit payments from this Plan, the priest must have served at least twelve(12) full years in/for the Diocese of St. Josaphat in Parma. (Since this diocese was canonically established from the Archdiocese of Philadelphia on December 3, 1983 by the Holy See, service in the Archdiocese of Philadelphia before that date will be counted as service in this eparchy.)
- 15. The amount of the monthly benefit payment to priests shall be prudently determined by the Board in accordance with the available funds and using this formula: monthly full payment times years of service, divided by 35. The Board is always obliged to preserve an adequate capital fund for future members.
- 16. The Board shall give each member a complete written report on the financial status of the Plan each year.
- 17. Any member who, while in active service in/for the diocese, claims total permanent disability in order to receive benefits from the Plan, must be receiving total disability benefits paid under the United States Social Security disability requirements. Moreover, in order to qualify for total disability benefits from the Plan, the member must demonstrate that he does not draw any wages from any ecclesiastical institution. The amount of the benefit payment to a

totally disabled priest, over and above the amount paid for retirement, will be determined on an individual basis by the Board.

- 18. In the event of a division of the diocese, the priests who will be assigned to the new diocese can continue to belong to this Plan on the same conditions as other members or, as a body, they may opt to initiate their own Plan. In this latter case, the funds of this Plan shall be fairly divided in accord with their availability and that proportion actually contributed by the parishes and institutions of the new diocese.
- 19. No benefits under this Plan shall be subject in any manner whatsoever to alienation, sale, transfer, assignment, pledge, attachment or encumbrance of any kind.
- 20. These Statutes can be changed only at an annual meeting with the consent of an absolute majority of members present. Priests who have retired from service in the diocese have no vote or voice in changing these Statutes. Moreover, in order to make a change in Statute, a member must submit his proposal to the Secretary-Treasurer of the Plan with the signatures of at least five (5) other qualified voting members no later than the last day of January prior to the convening of the annual meeting. The Secretary-Treasurer, in turn, is obliged to communicate the proposal in writing within seven (7) days of submission to all members.

No amendment shall deprive any participant, retired or participant, or disabled participant, of any vested rights to which he is entitled under the articles of this Plan.

No amendment shall provide for the use of the funds for any purpose other than for the benefits of the participants.

No amendment shall cause any funds contributed to this Plan to revert to, or be made available to, the Diocese of St. Josaphat in Parma.

These Statutes were approved at a meeting held at Saints Peter and Paul Ukrainian Catholic Church in Ambridge, Pennsylvania, October 18, 1988 with the following priests in attendance:

+ Robert Rev. Msgr. Leo Adamiak Rev. George Appleyard Rev. Oryst Balaban Rev. Michael Bliszcz Rev. Michael Derbish, OFM Rev. James Griffiths Rev. Paul Guthrie, OFM Very Rev. Robert Hnatyshyn Rev. Anthony Kubacki Rev. Jaroslaw Mychajlenko Very Rev. Michael Nestor Rev. Msgr. Michael Poloway Rev. James Poorman Rev. John Ropke Rev. Msgr. Thomas Sayuk Rev. Msgr. Richard Seminack Rev. Msgr. John Stevensky Very Rev. Dr. Ivan Tylawskyj Rev. Peter Waslo Rev. Wolodymyr Woloszczuk Rev. Walter Wysochansky Rev. Steven Zarichny

AMENDMENTS

- *1). Section 5, paragraph 1, shall henceforth read:
- 5. The plan shall be administered by a Board of Directors which shall consist of seven members, namely:

The diocesan bishop (or his assignee by canon law) who shall be president; The diocesan econome:

A Secretary-Treasurer, who shall be elected by the members, and a substitute Secretary-Treasurer (who shall take the place of the Secretary-Treasurer as needed).

Four (4) additional directors, who shall be elected by the members.

(This amendment was unanimously approved at the Annual Meeting on May 1, 1990)

*2). Section 6, paragraph 2, shall henceforth read:

An annual meeting of the members shall be convened each May at a time and place considered feasible by the Board. The Secretary-Treasurer shall be responsible for conducting elections. Sixty (60) days before an annual meeting at which elections shall take place, the incumbent Secretary-Treasurer shall elicit from the members nominations for the positions of secretary-treasurer, a substitute secretary-treasurer, the four additional directors, as well as the four alternate directors. These nominations shall be voted upon at the annual meeting by secret ballot. Two members, appointed by the Board, shall act as tellers for the election.

(This amendment was unanimously approved at the Annual meeting on May 1, 1990)

EXAMPLES OF A PETITION FOR CHANGE OF CHURCH SUI IURIS

(Name)

(Date)

CHANGE OF RITE

Holy Father

I, (Name), (Address), was baptized as an infant in the Latin Church in (Name and address of church). (cf. enclosed baptismal certificate). While my father belonged to the Latin Church, my mother belonged to the Ukrainian Church, and she brought me up in this Church. I received the Sacraments and was instructed in the faith at (Name and address of church).

In 1943 I married (Name of spouse), a Catholic of the Ukrainian rite. We were married in the Ukrainian Church of (Name and address of church). Our three children: (Names and dates of birth), were baptized in the Latin Church (cf. baptismal certificates enclosed) in accordance with the law of the church. I and the whole family, however, continued to frequent exclusively the Ukrainian church.

Since another child will soon be born to us, I would like legally to belong to the Ukrainian Church. I am therefore, humbly submitting this petition for a transfer to the Ukrainian Church.

Your Holiness' servant in Christ,

(Signature)

EXAMPLE OF A FORWARDING LETTER

(Chancery Address)

(Date)

Enclosed please find the petition of (Name of petitioner) for a transfer of church sui juris.

As his parish priest, I would like to confirm the assertions as true and sincere. He and his family are exemplary Catholics and active members of this congregation.

(Signature of pastor)

Enclosures: Petition and 4 Baptismal certificates

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EXAMPLE OF DECLARATION OF ACCEPTANCE

I, the undersigned (Name), declare hereby to accept the rescript of the Congregation for the Oriental Church of (Date), (Protocol #), in virtue of which my request for a transfer to the Ukrainian Church sui juris was granted by the Holy Father. I will consider myself from this day on as belonging to the Byzantine Rite of the Catholic Church.

(Signature of petitioner)

(Date) (Place)

Before us:

(Signature of Pastor)

(Signature of witness)

(Signature of witness)

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EXAMPLE OF NOTIFICATION OF CHANGE OF RITE

(Date)
(Name)
(Address)
Reverend and dear Father,
This is to notify you that the following Catholics, who were baptized in your church, received permission from the Congregation of the Oriental Church by rescript of (Date), (Protocol #), to transfer to the Ukrainian Catholic Church sui juris
Would you be so kind as to record the transfer at the margin of the baptismal recording in compliance with Canon 37:
(List of names, dates of baptism)

(Signature of pastor)

Sincerely yours in Christ,

EXAMPLE OF LAST WILL AND TESTAMENT

	I, the Reverend		of the city of	and county
of			, being of sound and	
hereb	y make this my Las	t Will and Testam	ent, hereby revoking any and	d all Wills by me
hereto	ofore made at any ti	me.		
	Item 1. I desire th	at my body be bur	ried at	Cemetery in
		I desire t	that the arrangements for my	funeral and burial be
	made by		<u>-</u> 4	
	Item 2. I direct m	y executors, hereir	nafter named, to pay all my j	ust debts and funeral
	expenses, to arrar	ige to have	Divine Liturgies offer	red for my soul and my
	intentions.			
	I hereby direct m	y executor, hereina	after named, that this beques	st shall be paid free from
	any inheritance;	estate, legacy or su	accession tax, and that any su	ach tax levied thereon
	shall be paid out	of the residue of th	ne estate.	
	Item 3. I give, de	vise and bequeath		

I hereby direct and authorize my executors, hereinafter named, to sell all my real estate, not herein otherwise devised, as soon as may conveniently be done after my decease, and to convey the same to the purchaser or purchasers thereof. The proceeds of said estate I declare and direct shall be considered and disposed of as constituting part of my personal estate.

I hereby nominate and appoint	to be the	
executor of this my Last Will and Testament, and in the case of his	refusal or unavailability,	
and I free them from any bo	nds they would have to	
furnish as executors of my Last Will and Testament.		
In witness thereof I have hereunto set my hand and seal at _		
this, 19		
	(Seal)	
Signature		
Signed, sealed, published and declared by the testator, as for his La presence of us	st Will and Testament in the	
(Witness signature)		
(Witness signature)		
(Witness signature)		

A SHORT GLOSSARY OF TERMS (which appear in this booklet)

Antimension From the Latin or later Greek ("in place of" "the table"), it is the small printed

cloth into which relics of the saints are sewn and which is solemnly consecrated by the bishop to be used as an altar. The evolution of this device is quite

complicated.

Archimandrite From the Greek words "leader of" "the fold," the title of a monastic officer

who has charge of a large monastery or a confederation of smaller ones. The title is sometimes bestowed as an honor on a deserving celibate priest.

Artophorion From the Greek words "to carry or hold the bread," it is the little chest or

cupboard usually kept in the center of the Holy Table and used to reserve the Holy Eucharist. It is sometimes called *kivot* in Slavonic, and is the equivalent of

the tabernacle ("tent") or the Latin Church.

Bishop The highest rank in Holy Orders among the clergy, a bishop provides teaching and

governance in the Church.

Chrism A Greek word denoting a mixture of olive oil and assorted spices blessed

solemnly by the bishop on Holy Thursday and used to administer the sacrament of

chrismation (confirmation). It is also called myron in Slavonic.

Deacon From the Greek word meaning "servant," this is the thind rank among the clergy

after the bishop and presbyter. While bishops and presbyters are sometimes

referred to as "priests," the deacon is not.

Diocese From the Greek word for a province or area under government administration.

Diskos The Greek word for a disk or plate, it is the dish which holds the bread for the

Eucharist.

Enarxsis The Greek for "beginning with," this word denotes the little office of antiphons

which is used at the beginning (in reality before) the Eucharistic Liturgy of the

Byzantine Church.

Eparch A Greek word indicating the bishop who governs a local Church or eparchy,

equivalent to the Ordinary, or ruling bishop, of a Latin diocese. While every

eparch is a bishop, not every bishop is an eparch.

Eparchy The territory and administration of a local Church, usually governed by an eparch.

Epimanikia Probably from the Greek words "upon the loose (ends)," this word designates the

cuffs worn by those in major orders. These were originally cords or strings used to tie up the loose ends of the sleeves of the bishop's tunic when he officiated for the

Liturgy. The Slavs call them narukavnytsy ("on the hands").

Epitrachelion From the Greek words "around the neck," it denotes the long band of cloth,

adorned with seven crosses, and worn by bishops and presbyters as part of their

priestly garb. It is considered a priest's badge of office.

Exarch In the Ukrainian Church, someone appointed to govern a Church or community

but who is either not a bishop or else not designated the permanent bishop. In some of the Byzantine Churches an exarch is the representative of the patriarch.

Exarchate The territory or community under the supervision of an exarch.

Hegumen The Greek word for "leader," it is used in monastic organizations for the

one in charge of a monastery or religious community. In some of the Byzantine Churches the title is bestowed as an honor on a celibate priest. The feminine form is

hegumenitsa or hegumena.

Iliton The Greek word *eilyton* designats the cloth which is found at the center of the

Holy Table in which the antimension is sometimes folded. In prevailing Ukrainian useage at the moment the antimension is left beneath the upper altar cover (the *indition*, *pronounced in-DI-ti-on*), and the iliton is kept simply as an addition cloth to catch particles of the Eucharist which might fall from the diskos.

It corresponds to the Latin corporal.

Kivot The Slavonic word for a chest or little cupboard, used to designate an ambry.

Lention (LEN-ti-on) From the Greek, it is a small towel or napkin used for the

celebration of the Divine Liturgy to wipe the chalice rim and the lips of the communicants when necessary. Traditionally it is red in color, but white is also

used, and it corresponds to the Latin purificator.

Mitre (Also spelled miter in English), this word, adopted from Persian, means a cap,

and refers to the richly ornamented hat worn by the bishop during certain rites. Its

use is sometimes conceded to worthy priests as an honor.

Myron Cf. chrism.

Omophorion Probably from the Greek words "carried in the same way," it refers to the wide

band of fabric (originally pure wool) worn over the shoulders of a bishop as the distinctive sign of his office. Originally the badge of a professional philosopher

(hence, teacher), it is said to represent the lost sheep.

Orarion A long band of fabric worn by deacons and subdeacons as a sign of their office.

Probably from the Greek word ora meaning care, or need.

Parish From the Greek words "around (outside) the house," the word designates a

subdivision within an eparchy or diocese, or the territory around a church.

Panachyda A Slavonic corruption of the Greek words for "all night," (pan nychtis), the word is now

used by Ukrainians to denote a short memorial service.

Presbyter A Greek word meaning "elder," and sometimes translated less accurately as

"priest," this is the second rank among the clergy after the bishop.

Phelonion The ample outer garment worn by presbyters and sometimes by bishops.

Protohegumen Meaning "first leader" in Greek, it is a monastic term used to designate the

presiding leader in a monastic or religious confederation. Cf. hegumen.

Protopresbyter Meaning "first priest" in Greek, this title is used either for the priest in change of

a subdivision in the eparchy (a dean), or else this title is bestowed as an honor

upon a deserving presbyter.

Protosyncellos "The first among those with (him in) the cell" refers to the eparch's chief

collaborator, and is the equivalent of the Latin term vicar general. Cf. syncellos.

Pyx From the Latin word for "box," it is either a small container for transporting the

Eucharist to the sick, or a somewhat larger device, usually hung over the Holy

Table, for reserving the Blessed Sacrament.

Sakkos From the Greek word for a sack or bag, an ample tunic worn by officials in the

Byzantine court now worn by bishops at the celebration of the Eucahrist.

Solea "The base," hence the raised platform which constitutes the portion of the

church where the Eucharist is offered.

Sticharion From the Greek word for a pole or a line, it is a tunic worn by all those who

minister at the altar, although it is cut someone differently for bishops and priests

who must wear it beneath other garments.

Syncellos From the Greek "with (him in) the cell," a title borrowed from monastic

organization and used for a close collaborator with the bishop, who at one time

was almost always a monk. Today the title is used primarily of someone

delegated by the eparch for a specific task, and is the equivalent of the Latin title

episcopal vicar.

Typica The Greek name for a service originating in the Palestinian monastic movement.

The prayers were said before the main meal when Holy Communion was received and thus "typified" the Eucharistic Liturgy. The Slavs call this obidnitsya (obid

meaning dinner).

Zone The Greek word for a belt, which the Slavs call poyas, and worn as part of

the vestments of the bishop, priest and sometimes, in some groups, the subdeacon.