

MEMORANDUM:

**TO HIS BEATITUDE, METROPOLITAN +JONAH,
MEMBERS OF THE NEW YORK AND NEW JERSEY DIOCESAN COUNCIL,
CLERGY & LAITY OF THE DIOCESE OF NEW YORK AND NEW JERSEY
(ORTHODOX CHURCH IN AMERICA)**

FROM: DIOCESAN SEARCH COMMITTEE

**SUBJECT: FINAL REPORT ON NOMINATION PROCESS AND
SELECTION FOR DIOCESAN HIERARCH**

17 AUGUST 2009

Your Beatitude, Very Reverend and Reverend Fathers, and Faithful of the Diocese,

Glory to Jesus Christ!

We, the members of the Diocesan Search Committee, have labored with a profound sense of humility and responsibility in performing the most difficult task assigned to us by His Beatitude, Metropolitan +Jonah and the lay and clergy members comprising our Diocesan Council: to review all candidates submitted to us through an open, inclusive process, and to evaluate and submit nominees for the consideration of all the faithful of our diocese and for election by the delegates to the upcoming Extraordinary Diocesan Assembly to convene at Clifton NJ on August 31st. We cannot adequately express our joy in the outpouring of cooperation and engagement we have experienced as so many names – all truly worthy of our sincere and earnest consideration – were presented to us. Nor can we overstate our gratitude to all who have bestowed upon us, unworthy as we are, the immeasurable gifts of confidence and trust that were essential in bringing our labors to completion. Through your prayers, may we accomplish that which is well-pleasing to God.

It would be perilous to ignore the fact that our Orthodox Church in America – and our Diocese -- has been through several years characterized by failures in administrative structures, financial stewardship, with suspicions, accusations, violations of trust, and (most damaging of all) a disturbance in the mutual love, communion, and conciliarity that must be the foundation of our relationships as the Body of Christ. All of the pain and anger associated with this past must be (as we pray in the final absolution) “consigned to oblivion” if we have any chance of moving forward in this nomination and election process. We must exhibit the requisite faith, hope, and love – and the conciliarity arising from these – or our labors will be in vain, unworthy of a blessing, and to our condemnation. For this reason, we set forth to do our work as openly, transparently, inclusively, and in as conciliar a manner as possible. Some, we know, will criticize us – individually or corporately – and poorly judge our faithfulness and success in doing what we, in fact, set out to do. This, truly, saddens us. The best we can offer here is a brief discussion and explanation of the issues we faced, what we did, and why we did it. We owe that to you, our brethren in Christ.

Issue: Clericalism

There is a very damaging, false notion that the laity are detached from the clergy, and that the clergy are significantly “different” from the laity. A superior/inferior model can arise and if it does, or when it does, the Church suffers greatly. We lose the Lord’s mandate that “it must not be so among you.” The alienation of laity and clergy poisons us. It is corrosive; it must not be the case! The clergy are those ordained – by the “Axios” of the Hierarchy, brother clergy, and laity -- with a particular scope of liturgical function and responsibility. They must carry out their sacred priestly vocation in the midst of the whole Church within a structure of accountability. In particular, the priests and deacons are accountable to the bishop for their stewardship of the life of the parishes. However, all members share responsibility for the Body, with uniquely different talents, abilities, and levels of functional accountability. The priests and bishops are accountable for each member of the Body by their ordination; they are accountable to one another and for one another in priestly brotherhood; laity are accountable, in like manner, for their brothers and sisters in Christ, for one another, the good-estate of their parish, their priest, their deacon, the children, and so on. We are all accountable because our love for one another – and our unity in Christ – demands this of us. Therefore, we made every attempt and used every means at our disposal to communicate with everyone in our diocese – laity and clergy equally – all things pertinent to our work. We hope that as more detailed information is discussed in the following paragraphs, you will understand why some things were not revealed, discussed openly, or remain confidential. It should be noted that two official memoranda (July 15 and July 27) were addressed to all the clergy and laity of the diocese, and sent by email to every parish priest for full dissemination to the faithful of every parish. Any breakdown in communication at the parish level was not within our control and we deeply regret any circumstance in which a faithful member of our diocese was left uninformed and unengaged. We believe our actions acknowledged that every member of the Church – the Body of Christ -- is vitally important; each must have a voice, and each must be heard. We did what was in our power and within our control to make this a reality as we did our work. We beseech our brethren of the diocese of New York and New Jersey to purge all vestiges of the “priest vs. laity,” “we and they” cynicism and suspicion so we can further develop the life of the whole Church, and facilitate participation by more and more members of the Church in the process of true conciliarity.

Issue: Responsibility

There are two related attitudes that constitute unseemly baggage from the past: temptations that have afflicted the Church and distorted her life and, indeed, her conciliarity. Both stem from an abrogation of responsibility. **Clericalism** arises, in part, from an abrogation of responsibility by the laity in the affairs of the church, with the clergy taking over (or, in some cases, seizing) all functions. Even the loss of the traditional ministerial role of the diaconate and the true pastoral role of the episcopate with the concentration of all ministry, administration, and decision-making in the priests is a form of clericalism. In like manner, the second attitude -- **trusteeism** -- comes from a refusal of the clergy to accept their responsibility for the non-liturgical aspects of parish life, resulting in the total appropriation of these matters by lay leaders. Hence, the fragmentation takes hold and festers. This results in priests being responsible for what happens “in the altar” with the parish council assuming responsibility for everything else in the Church. One accurate way to diagnose

such examples of fragmentation in the life of a parish is “dysfunctional.” Both clericalism and trusteeism result in a breakdown of conciliarity. The result of both is a body that limps (at best) or is unable to stand (at worst). What we must finally acknowledge is this: the integrity of clergy and lay responsibility in a structure of accountability is critical. “Conciliarity” can be shown in shared responsibility with distinct levels of function and accountability. In both of the dangerous reductions, function and authority become identified with power. And, power with status; and status with importance; and importance with value. There inevitably comes, by the prompting of the evil one, tremendous resentment and mistrust by disenfranchised persons. If we are honest, we must confess that too often, and in too many places, this has cursed us. Both the clergy and laity must recognize and joyously embrace their areas of function and responsibility; supporting one another in love as they fulfill their callings and vocations. The rector of a parish, or the bishop of a diocese, has ultimate accountability for every aspect of the life of the community under his care: liturgical, spiritual, financial, legal, and administrative. But he cannot do it alone; he must not attempt to do it alone as (in liturgical analogy) he must also never celebrate the Holy Eucharist in isolation from others. It must be done with true inclusion and cooperation of the laity. To paraphrase, the image used by Saint Paul concerning the body is very valuable: *the eye is not the foot, which is not the hand; there are parts more or less presentable, more or less private. Yet it takes all the parts working together, doing what they are supposed to be doing. All have to be united to the Head – Jesus Christ -- the real Leader of the Church.*

Issue: Parochialism

It is sad, but true, that our diocese – for various reasons and over a long period of time – has created an environment in which parochialism often became the status quo in parishes. There is no need to affix blame here; from the parish perspective this was a matter of necessity. In the absence of active and engaged involvement from a hierarchical authority and the resulting lethargy in diocesan functions, is it any wonder that individual parishes would act primarily in their own best interests and see these interests as being the most important work of the Church? How could they do otherwise? Why would they have reason to think otherwise? As much as the clergy might teach and preach about “the larger Church” of which we are all members, most of our faithful (including the lay leadership in parish councils, choirs, teachers, etc.) do not have any tangible experience of this “larger Church” beyond an occasional fleeting visit by a hierarch, and that (in most cases) on a once-in-five years, once-in-ten years, or “so long ago no one remembers” timeframe. One layperson put it this way: “Father, I don’t know how the Church is supposed to be organized, but in my experience of 24 years it seems to be a very loosely connected association of independent churches.” The fullness of the Church and the wonderful relational terms we use regarding her – one, holy, catholic, apostolic, conciliar – are for the most part, and in the actual experience of parish life, theoretical. It must be said, in fairness, that there are a good number of parishes that have done a fine job in making connections with sister parishes in their area, often going beyond the boundaries of the OCA. This is, by God’s grace, a very good thing. So too, it is a blessing to see that some parishes reach out into their local communities and offer acts of philanthropy and assistance to those in need. These “outreaches” should continue and must be encouraged. However, the icon of a diocese of parishes gathering around their archpastoral shepherd in mutual faith, hope,

and love – laboring together in Christ’s vineyard – must not only be our desire, it must become our reality. If not, we teach and preach a vision of the Church that “is in vain” or, God forbid, we simply stop preaching it altogether in the face of “reality” and sacrifice a fundamental and foundational truth of what we have been called, ordained, and commissioned to be -- Body of Christ. Today our diocese, in the process of this hierarchical nomination and election process, is at the crossroads of challenge and opportunity. The easy way of decrying the past and settling for the status quo with pessimism and cynicism must be denounced; rather, we hope that you, brethren, will recall and renew the image of the Church in all of her fullness and seek to look toward to the days when we shall, indeed, be a diocese of parishes united to our hierarch in a real, perceptible, and observable manifestation of what it is to be the “larger Church”: one, holy, catholic, apostolic ... conciliar.

Issue: Conciliarity

Conciliarity does not mean democracy. Conciliarity is not about majority or plurality; it is not about voting and referendums. Neither is conciliarity opposed to utilizing democratic principles, voting, etc. when deemed appropriate. It is about wholeness and mutuality. Its root concept is found in the Russian word, *Sobornost*. This refers to both conciliar structure (councils) and catholicity (wholeness or integrity). It can only happen when each part of the conciliar structure has complete integrity in its own personal life and its communal life within the Church; when each is working in the proper order to build up the whole. Each “responsibility” has to be functioning in “accountability” for it to participate in the whole. Thus, the bishops must take full responsibility and be accountable to one another and to the Metropolitan, as well as to the entire Body of laity and clergy, for the stewardship of their diocese or area of responsibility. The Metropolitan has to accept full responsibility to maintain the unity of the whole, the Holy Synod of Bishops locally, and in relationship with Synods of other Orthodox Churches world-wide. The Metropolitan must be accountable to the Holy Synod of Bishops for his stewardship of the office entrusted to his care. Every order or function of the Church -- Diocesan Councils, Metropolitan Council, Diocesan Assemblies, and the All American Councils -- must be accountable to the structures above them, beside them, and supporting them. We should expand our discussion of this to every area and aspect of life in the Church, and to every person be they laity or clergy, but for the sake of brevity let it suffice to say that the extension of conciliarity to every member of the Church is fundamental. In short, conciliarity involves responsibility and accountability in mutual love *of all and for all*. To imagine that such conciliarity is possible without inclusion, respect, dialogue and cooperation is madness.

Issue: The Search Committee Members

Several inquiries were offered, without malice or guile, as to why we (specifically) were selected to be the Search Committee and why there are no lay representatives on the Search Committee. These are, we agree, valid and good questions. Here's the most direct and accurate answer we can provide:

Firstly, the composition of the Search Committee was the decision of His Beatitude, Metropolitan +Jonah as our Locum tenens. He did so with the unanimous consent of the elected members (clergy and laity) of the

Diocesan Council representing the parishes of New York and New Jersey. The members of the Search Committee are the duly installed Deans of the three diocesan deaneries (New Jersey, New York, and New York City), each elected by the clergy of their respective deaneries, and the Chancellor of the Diocese installed by Metropolitan +Jonah. Secondly, there are considerations in the process of evaluating potential nominees to the high office of hierarch that are extremely personal and of a confidential nature. To be thorough and conscientious, the Search Committee needed to consider a multitude of factors involving personal records and matters requiring documentation often including (but not limited to): police background investigations, psychological screenings, official diocesan records, moral character, intellectual capacity, misconduct, disciplinary actions, references, etc. It seems wise and prudent, therefore, that persons with pastoral and administrative experience – with a functional and sacred understanding of the seal of a confession -- be given the charge to conduct a thorough search of candidates to this high office. True, a layperson(s) could be enlisted and, probably by sworn affidavit of consent, promise to hold all matters in absolute confidentiality. However, in the case of certain crimes or misconducts – and perhaps even in a civil case of slander or liable -- this would most likely not be sustainable in a court of law. Moreover, if a lapse of confidentiality did occur regarding any confidential matter (positively or negatively reflecting on an individual) the Church would have little or no recourse or definitive disciplinary action in the case of a layperson as opposed to a member of the clergy. Even the civil courts have maintained the complete nature of "privileged communication" among clergy, and military chaplains (clergy) have been protected against being compelled to divulge privileged communications in federal courts. In addition, should it be considered odd or inappropriate that a potential chief shepherd would be interviewed and evaluated by the parish shepherds whom he would lead along with their flocks? During the search process, as constituted, there was interaction and cooperation between laity and clergy: laity provided many of the names for consideration, and laity were (whenever appropriate) interviewed. And, now the laity will comprise the vast majority of persons in parishes deliberating and prayerfully considering the recommendations of the Search Committee. **The laity will, as disseminated by the parish priests, obtain this letter and the attached biographies of those nominated for the high office of diocesan hierarch. All the clergy of our diocese (the parishes) will receive this letter by email simultaneously as it is released to His Beatitude and the members of the Diocesan Council. We expect every parish priest to do their part in ensuring the openness, inclusivity, and conciliarity of this process as we move forward.** When we gather for the Extraordinary Diocesan Assembly, the laity should represent a 50% share of the voting delegates. We do believe, brethren, that we “have it right” this time. If there is a better way and lessons are to be learned, may God help us to use our experience in guiding those who will follow us.

The Selection Process

We must state, for the record, that without exemption there were **no** limitations, directives, or candidates imposed on the Search Committee from any external source of leadership in the Church: the Metropolitan, the Holy Synod, the Central Church Administration of the OCA, or others. No manipulation of the candidates or the workings of the Search Committee was attempted from within the diocese of New York and New Jersey. If such intervention had been attempted, we would report it to you; we pledged to one another that any such interference would not be tolerated to any degree. We did become painfully aware, however, of intentional attempts to ridicule, condemn, and interfere in the deliberations of our diocese from a notable Internet site originating outside of the borders of our diocese. For better or worse, such things spawn and multiply on the Internet, and many things were posted on various sites and blogs regarding our work and the upcoming work of the Extraordinary Diocesan Assembly. We feel it appropriate to admit and report our disdain and disappointment in the fostering of intrigue, conjectures, unfounded opinions, and just plain old-fashioned “gossip” that was – and, no doubt, will be – the sum and substance of persons foreign to our conciliar body (the diocese of New York and New Jersey) thrown into the Internet wind in an attempt to sway or influence the outcome of our nomination and selection process. Such is not a conciliar principle amongst brothers dwelling in unity. We call upon ourselves, and all of you, to flee the temptation to engage in such unproductive and spiritually dimming “twittering.” There’s a time and place for true and rational discourse; then there’s gossip and a self-serving, self-aggrandizing clamor for attention. We trust you to know the difference and act accordingly, and we denounce as false any and all reports contrary to what we have explained here as our motivation and our procedures as a Search Committee.

A Summary of Actions

The Search Committee, in an effort to make the process as conciliar and all-inclusive as possible, sent out several e-mail communications to all the clergy and the parishes within the Diocese soliciting names for nomination as well as communicating the processes by which candidates would be evaluated and nominated. We felt strongly that all the clergy and laity in our diocese should have an influential voice in the search process, and that the nominee(s) submitted to the Extraordinary Diocesan Assembly and subsequently to the Holy Synod of Bishops for canonical election should truly represent the mind and heart of the faithful of the diocese. We diligently sought to honor both the sincerity of the candidates presented to us and the personal dignity and confidentiality of each nominee.

In numerous meetings the committee reviewed, discussed and deliberated concerning all the candidates submitted to us. All of them! We obtained and reviewed all relevant and available biographical information in an effort to come to a decision as to the final nominees presented to Diocesan Council and to Extraordinary Diocesan Assembly on August 31st, 2009. In all, 40 names were submitted for us to consider. The candidates are located in the United States, Russia, Canada, and Greece; representing **nine OCA Dioceses** (New York/New Jersey, Washington DC, Midwest, Western Pennsylvania, Alaska, Canada, West, Romanian, Bulgarian); and **six jurisdictions** (OCA, Russian, Greek, Serbian, Carpatho-Russian, and ROCOR). They included:

- 1 Bishop Elect
- 1 Retired Bishop
- 33 Priests (various ranks: monastic, celibate, widowed)
- 2 Deacons
- 2 Non-ordained Monks
- 1 Layman

In addition to the mandates of Holy Canons and the Statutes of the Orthodox Church in America, the following criteria for evaluation were established through extensive and careful deliberation:

- 1) character, demeanor, and competence to fervently strive to know, guide, care, and pray for those committed to his care with paternal love
- 2) breadth of Orthodox theological education and secular education
- 3) pastoral experience (minimum 10 years)
- 4) administrative experience and demonstrated effectiveness
- 5) psychological and physical stability
- 6) communication skills
- 7) ability to promote witness, evangelization, and church growth ministries

Each candidate was exhaustively considered, discussed, and evaluated. This was an effort to evaluate and recommend. It was neither competitive nor comparative. Each candidate was given an individual evaluation in regard to the criteria established. Our goal was to identify those who met the criteria. We were uninterested in either ranking the nominees or making a recommendation as to our preference in a 1, 2, 3 manner. This was not our charge or task. Rather, we wanted to present those nominees to the Extraordinary Diocesan Assembly whom we could, in good and clear conscience, recommend based upon our review and evaluation.

The Search Committee had wanted to recommend two names to the Extraordinary Diocesan Assembly to avoid any dilution of the vote which would deny any nominee from receiving either the two-thirds vote required for a first ballot nomination of a single candidate, or the 40% required on the second and last ballot for two names to be submitted to the Holy Synod of Bishops for election. At that time, there were five candidates identified for recommendation by the Search Committee using the criteria set forth. They were (in order of rank and seniority):

His Grace, Bishop Seraphim (Sigrist)
Igumen Irene (Rochon)
Archpriest Michael Dahulich
Archpriest David Mahaffey
Archpriest David Brum

Five candidates were identified, instead of two, due to the possibility that any of them might decline to be considered for, or accept the nomination as, Bishop of New York and New Jersey. Recently, Igumen Irene (Rochon) and His Grace, Bishop Seraphim (Sigrist) have withdrawn their names from consideration and declined to be nominated.

Therefore, the Search Committee, following in-depth interviews with the candidates, resolved to present all three remaining candidates as **nominees for the office of Bishop of New York and New Jersey to be voted on at the Extraordinary Diocesan Assembly on August 31st:**

(by date of ordination to the Priesthood)

Archpriest Michael Dahulich (Ordained, 1973)
Archpriest David Mahaffey (Ordained, 1993)
Archpriest David Brum (Vested, 1997)

In addition, at the Extraordinary Diocesan Assembly nominations will be accepted from the floor as required by paragraph 4 of the “INSTRUCTIONS CONCERNING THE ELECTION OF THE RULING BISHOP,” approved by the Lesser Synod of Bishops on March 10, 1972 and revised by the Lesser Synod of Bishops on April 21, 1972:

The Chairman shall call on the Nominating Committee to present the names of the candidates. Names may be added from the floor, but there shall be no speeches in support or criticism of any candidates. If any nominee is non-eligible in virtue of the Holy Canons or the Statutes, the Locum tenens shall announce it and his ruling shall be duly recorded in the minutes. Once the nominations are closed, the list of names of candidates shall be placed before the Assembly and voting commences.

Biographies of Archpriest Michael Dahulich, Archpriest David Mahaffey, and Archpriest David Brum are being sent as attachments along with this memorandum. We fervently urge all clergy and laity of the Diocese of New York and New Jersey to give them diligent reading, study and prayerful reflection in preparation for the Extraordinary Assembly.

In a separate email attachment, all clergy of the diocese will receive the procedures that will be followed during Extraordinary Diocesan Assembly. It is imperative that all clergy and lay delegates to the Assembly study them in advance and bring them to the Assembly.

With this communication, we have completed our work. We wish to express our gratitude to all the members of our diocesan family as we request your prayers for our diocese, the nominees, and the delegates to the Extraordinary Diocesan Assembly to convene on August 31st at Holy Assumption Church, Clifton NJ.. May we gather with faith, hope, and love where the grace of the Holy Spirit will assemble us, and together discern and accomplish the will of God.

In Christ our Lord,

The Members of the Search Committee

Archpriest Joseph Lickwar	(Diocesan Chancellor)
Archpriest Alexey Karlgut	(Dean, New York State Deanery)
Archpriest Samuel Kedala	(Dean, New Jersey Deanery)
Archpriest Wiaczeslaw Krawczuk	(Dean, New York City Deanery)