



## GREEK ORTHODOX ARCHDIOCESE OF AMERICA

---

December 3, 2013

Mr. David A. Feiss  
Assistant District Attorney  
Milwaukee County  
821 W. State Street  
Safety Bldg, Room 405  
Milwaukee, WI 53233-1485

Re: Greek Orthodox Archdiocese of America

Dear Mr. Feiss,

Thank you for your November 4<sup>th</sup>, 2013 letter seeking clarification from the Archdiocese. While our general counsel is preparing a more detailed, historical, response for you regarding the hierarchical nature of the Orthodox Church, it was felt that I should respond to you with a brief answer to your question.

Simply put, there is no provision in the Greek Orthodox Archdiocese of America that would allow for funds bequeathed to a local Parish to be redirected or managed by the Archdiocese or a local Metropolis. Those funds would remain the property and assets of the local Parish and would be managed according to the provisions of the bequest and at the direction of the Parish.

There is nothing in the Orthodox Church practice that would allow the Archdiocese or the local Metropolis to interfere with the assets of a Parish except where a parish goes into schism or has become non-viable. The very limited circumstances where the Archdiocese or Metropolis can interfere with local Parish assets are clearly identified in our Archdiocese Regulations. These can be found on our website at <http://www.goarch.org/archdiocese/documents/upr>.

If you have any additional questions, please feel free to contact me anytime at 212-570-3566 or at [jerry@goarch.org](mailto:jerry@goarch.org).

Sincerely,

Jerry Dimitriou  
Executive Director

EXHIBIT C



## GREEK ORTHODOX ARCHDIOCESE OF AMERICA

---

December 16, 2013.

Mr. David A Feiss  
Assistant District Attorney  
Milwaukee County  
821 W. State Street  
Safety Building, Rm 405  
Milwaukee, WI 53233-1485

Dear Mr. Feiss:

Mr. Jerry Dimitriou has referred to me your letter of December 2, 2013, with reference to the canonical and civil authority of a Bishop of the Greek Orthodox Archdiocese of America ("GOA") to direct the use of, expenditure of, or any other disposition of, assets of a parish of the GOA, especially testamentary or intervivos transfers for the benefit of a parish. I write to you as General Counsel of the GOA.

NO BISHOP, METROPOLITAN, OR ARCHBISHOP HAS ANY AUTHORITY TO DIRECT THE USE OF, EXPENDITURE OF, OR ANY OTHER DISPOSITION OF, THE ASSETS OF ANY PARISH OF THE GOA, INCLUDING TESTAMENTARY OR INTERVIVOS TRANSFERS FOR THE BENEFIT OF A PARISH, EXCEPT UNDER THE EXTREMELY LIMITED CIRCUMSTANCES DESCRIBED BELOW. NOR IS THERE ANY POST FACTO AUTHORITY TO AUTHORIZE, SANCTION OR APPROVE ANY IMPROPER USE OF SUCH TRANSFERS.

I think a word on the history of the GOA may be helpful. There are significant differences between the Greek Orthodox Church and the Roman Catholic Church. The Greek Orthodox Church is structurally closer to the Episcopal Church. The first Greek Orthodox parish in the United States was formed in 1864. Over the succeeding years, as more and more immigrants arrived, more parishes were formed throughout the United States. There were no Bishops here at that time. In 1922, the Ecumenical Patriarchate in Constantinople, our highest spiritual authority, sent a Bishop (known as a Metropolitan) to organize the, by then, over 100 parishes into an Archdiocese and several Dioceses. The Patriarchate granted a charter, incorporated the Archdiocese in New York and appointed an Archbishop, Alexander. Later, the Archdiocese was divided into units known as Metropolises and the Bishops of each Metropolis became Metropolitans of the Archdiocese, with an Archbishop in New York. The Archbishop presides over the Eparchial Synod, which is the ecclesiastical instrument of governance of the Archdiocese (Archdiocesan Charter, Article 4).

EXHIBIT D

The parishes came first, the Bishops followed. From the beginning, all parishes were separately incorporated by the local parishioners. Each parish had a board of trustees or directors who were elected by a parish assembly. This continues to be true today with respect to all of the approximately 525 parishes of the GOA, with the exception of the Cathedral in New York City where the Archbishop appoints the Trustees (and one unique parish in New York that serves as a national shrine). Even the Cathedral owned its own property from its incorporation in 1906, until the early 1960's, when the parishioners voted to convey the property to the Archdiocese.

Each parish owns its own property, both real and personal. We are not like the Roman Catholic Church where the Bishop, as a corporate sole (in most states) owns the parish and all its assets. I refer you to the Archdiocesan Charter and Parish sections of the Archdiocesan Regulations ("UPR") which can be found at [www.goarch.org](http://www.goarch.org). There are very limited circumstances under which a Metropolis or the Archdiocese can interfere with the ownership of parish property. Under Article 16, section 6 of the UPR, if a parish goes into heresy, schism, defection or other canonical disorder, the Archdiocese can intervene and take control of the parish and its assets until the parish is restored to canonical order. This is consistent with United Supreme Court cases involving hierarchical churches (*Kedroff v. St. Nicholas Cathedral* 344 U.S. 94 (1952); *Serbian Orthodox Church v. Milivojevich* 426 U.S. 696 (1976).) This provision has never invoked in the ninety year history of the Archdiocese. The only other instance is when a parish becomes defunct (UPR Article 22). Also, a Parish must get Diocesan approval in order to sell or mortgage its real property (UPR Art 16). **IN SUM, THERE IS NO RIGHT ON THE PART OF THE ARCHDIOCESE OR THE METROPOLIS TO INTERFERE WITH THE ASSETS OF A PARISH** or to direct how testamentary or inter vivos dispositions favoring a parish can be used. Thus the structure of the Archdiocese differentiates it from the Roman Catholic Church and *State v. Burckhard* 592 N.W. 2d 523 (1999) is not applicable to the situation at hand.

I am admitted to the New York Bar, the Southern and Eastern District of the Federal Court, the US Court of Appeals for the Second Circuit and the United States Supreme Court. I am a graduate of Yale College and Yale Law School and practiced with White & Case in New York for over twenty years.

I hope this letter answers your questions. If I can be of further assistance, please do not hesitate to contact me at (917) 903-3737. Thank you for your attention to this important matter.

Very truly yours,



Emanuel G. Demos  
General Counsel



## GREEK ORTHODOX ARCHDIOCESE OF AMERICA

BY EMAIL AND OVERNIGHT MAIL

November 12, 2014

David A. Feiss  
Assistant District Attorney  
Milwaukee County Office of the District Attorney  
Safety Bldg., Room 405  
821 W. State Street  
Milwaukee, WI 53233-1485

RE: State of Wisconsin v James Dokos

Dear Attorney Feiss:

The Greek Orthodox Archdiocese of America (the "Archdiocese") has received your November 5, 2014 letter to Steven Biskupic and has asked the Legal Committee of the Archdiocese to respond to your request.

Please be advised that it is the Archdiocese's policy and practice to cooperate with governmental authorities in their investigation and constitutional litigation of criminal matters. While the Archdiocesan dispute resolution policies and procedures address certain internal disputes and disagreements, they were never intended to replace, nor should they be deemed to limit, any criminal investigation. The Archdiocese rejects any contention that its dispute policies and procedures, or any other Archdiocesan policies, preclude litigation of the above referenced matter.

Sincerely,

Catherine Bouffides Walsh  
Legal Committee Chair

Cc: Bishop Andonios of Phasiane, Chancellor  
Jerry Dimitriou, Executive Director  
Dimitrios Moschos, Attorney  
Helen Bender, Attorney  
Steven Biskupic, Attorney

EXHIBIT F