

The Church, the People of God

The Church established by Jesus Christ has continued to bring his message of salvation to all peoples for almost 2,000 years. At no time in the recent history of the Church has the laity assumed such an active role in the mission of the Church as they are assuming today. In the Diocese of Ogdensburg, the future of the Church demands the on-going participation not only of the clergy and religious, but also of the laity, for...

Gathered together in the People of God and established in the one Body of Christ under one head, the laity - no matter who they are - have, as living members, the vocation of applying to the building up of the Church and to its continual sanctification all the powers which they have received from the goodness of the Creator and from the grace of the Redeemer. (Dogmatic Constitution on the Church, #33)

The faith life of most Catholics is centered in the parish. Here they worship God, enrich their lives as they hear his Word, and seek their salvation as they participate in the life of God's people. Here the Christian Faithful are led by their Pastor¹ and share with him the labors of the vineyard.

A parish is a definite community of the Christian faithful established on a stable basis within a particular church: the pastoral care of the parish is entrusted to a pastor as its own shepherd under the authority of the diocesan bishop. (Canon 515. #1)

In the Diocese of Ogdensburg, Parish Pastoral Councils, Parish Finance Councils, Parish Trustees, and in some parishes and regions Parish or Inter-parochial School and Catechetical Boards, share in the work of the parish by assisting the Pastor in decision making.

Decision Making and Consultation in the Church

Authority in the Church exists for "the building up of the Body of Christ" in worship, witness, and service. Decision making and consultation are aspects of the larger management task of defining and promoting authentic Christian Life. Collegial structures such as Pastoral and Finance Councils are well suited for Church governance, because they embody the Christian values of mutual respect, shared vision, priorities and responsibility, and a common acceptance of obedience to God's will.

Pastoral and Finance Councils should contribute to the appropriate and effective governance of the parish. Among Council members, this calls for shared vision, commitment, readiness to dialogue, and a conviction that in unity there is truth. The interaction of members of these Councils becomes a means of manifesting Christian values.

While there are many different groups to assist in decision making in the Church today, they have one thing in common and that is the relationship between the Pastor and those whom he consults.

¹ In This document, the word "Pastor" also refers to the Parish Administrator (priest) of Canon 539 and the Pastoral Administrator (deacon, religious, or lay person) of Canon 517 #2.

The purpose of consultation is to reach the best possible decision and to implement it most effectively in the present circumstances. To say that consultation is merely to seek advice is belittling the process. To say that enough votes carry the day is to ignore the hierarchical nature of church governance and the place of Pastors. The process of consulting in the Church might better be called "shared responsibility" or "shared decision making."

Consultation in the Church is far different from corporate decision making. We believe that the Holy Spirit guides the Church. It is important that prayer be a part of the process. Meetings should begin with prayer and all participating should be conscious of the presence of the Holy Spirit and open to His prompting. This openness must extend to the Spirit present in others participating in the consultation.

The Pastor as chairperson directs and helps the decision making process by promoting the discussion, explaining the issues, evaluating and clarifying positions, presenting reasons for and against, indicating other courses of action, reacting to tentative conclusions, refining the course of action, and eventually helping the group to reach a consensus on how to proceed. However, in matters of divine or ecclesiastical law, or in diocesan law and policy, the Pastor and the Council have the responsibility of implementing these and are not free to go against them.

The process may involve compromise, but compromise seems too often to connote watering something down so that everyone can embrace it and agree. Rather, the word "consensus" better connotes the process by which persons exchange viewpoints and reasons, beginning perhaps with opposing viewpoints but, by listening, discussing, and modifying positions, arrive at a consensus as to the best position, taking into consideration the insights of the Pastor and also the contributions of those consulted.

Members of the group, the Pastors and those consulted, must be able to communicate effectively. They must be able to present their insights but also able to really listen to, appreciate, and understand the insights of others. We must help ourselves if we expect the Holy Spirit to help us.

Honest and open discussion, listening to and challenging one another, can often help reach a consensus which may not be an individual's initial or even concluding personal preference but the "consensus preference" in view of the developing thought of the leader and the opinions of others.

In some cases, no such "consensus preference" can be reached. In this case the Pastor still benefits from sharing in decision making and is rendered prepared to present the final decision better and more effectively because the position has been challenged and subjected to examination. In such cases, in order to assist the Pastor in making the decision a voting procedure may be needed to determine the prevailing opinion of the Council. When this process is followed the Pastor will have tested his tentative decision and feel more secure in it. Those consulted will have had the opportunity to point out and present other viewpoints. When the final decision is made, it is up to the group which has shared in the decision making process to support it fully.

The consultative process should allow others to be heard and their opinions expressed as provided for in the fundamental law of the revised Code (Canons 208-223). The Pastor has the responsibility to explain the matters open to consultation; those consulted have the obligation to listen and respect these thoughts, but they have the right to express their opinions.

Parish Pastoral Councils

Although the Second Vatican Council did not formally establish Parish Pastoral Councils, the documents do emphasize that one of the chief principles of the work of the Church is that the laity should assume tasks which belong to their vocation in the Church and the world. This was meant to strengthen existing Church structures.

The Council did recommend Diocesan Pastoral Councils:

It is highly desirable that in each diocese a pastoral council be established over which the diocesan Bishop himself will preside and in which specially chosen clergy, religious and lay people will participate. The function of this council will be to investigate and to weigh matters which bear on pastoral activity, and to formulate practical conclusions regarding them. (Decree on Bishops' Pastoral Office, #27)

In the years following the Vatican Council many Parish Pastoral Councils were established in view of this recommendation. The concept of "shared responsibility" was developed reflecting the fact that God's truth, which provides for the guidance of the Church, comes not only through the hierarchy or leaders but also through the people. Pastoral Councils ideally allowed pastor and parishioners to reflect together on the work of the parish and discern what is needed to carry out the mission of the parish. However, too often financial and related matters seem to have served as the focus of the attention of Parish Pastoral Councils.

The revised Code of Canon Law in 1983 provided more formally for Parish Pastoral Councils:

- 1 *After the diocesan Bishop has listened to the Presbyteral Council (Council of Priests) and if he judges it opportune, a pastoral council is to be established in each parish; the pastor presides over it, and through it the Christian faithful along with those who share in the pastoral care of the parish in virtue of their office give their help in fostering pastoral activity.*
- 2 *The pastoral council possesses a consultative vote only and is governed by norms determined by the diocesan Bishop (Canon 536).*

The purpose of a Parish Pastoral Council is to assist the parish and its pastor in ministry to the people of the local community. William Dalton, Professor of Canon Law at St. Kiernan's College, Kilkenny, Ireland, uses the following definition:

... a representative body of the faithful working in close collaboration with the priests of the parish, with a view to furthering the mission of Christ and his Church in this corner of the Lord's vineyard It is collegiality in action at (the) parish level. (Parish Councils or Parish Pastoral Councils⁷, Studio Canonica, 22, 1988, p. 175)

More specifically, the Council

- provides leadership and direction in formulating and carrying out the goals and objectives of the pastoral activity of the parish;
- assists in developing a spiritual unity in the local parish through enhancing participation in the life of the parish on the part of all the faithful;

- participates in identifying and organizing the apostolic activities by which the particular parish meets the specific needs of its people.

In short, the Council helps the Pastor set policies, establish goals and priorities, plan the means of achieving the goals, and produce a plan of action.

The Pastoral Council primarily treats pastoral matters. Financial matters as they affect pastoral matters should be a responsibility of this Council in conjunction with the Parish Finance Council.

The Parish Pastoral Council operates as a collegial body, relying for its success on a spirit of trust among its own members and collaboration for the good of the community. It should be truly representative, reflecting geographic, economic, social, ethnic, and age groups of the parish, and including persons of special pastoral expertise.

I ESTABLISHMENT OF PARISH PASTORAL COUNCILS

For the good of each parish and the Diocese as a whole, Pastoral Councils are to be established in each parish of the diocese but one Council for a parish and mission is sufficient. A Pastoral Council is one of the best means for developing lay participation and assuring that the varied talents of parishioners are utilized in an appropriate way. When parishes share one pastor they may have separate Councils which may meet together for common concerns, or they may have one Council for both parishes if both agree.

Once a Pastoral Council has been formed in a parish and its constitution approved, it is not to be disbanded with a change of pastors. When necessary its constitution may be changed with the approval of the Bishop. It is desirable for the Constitution and bylaws to be fairly simple. They must conform to the norms in this document.

II GUIDELINES FOR PARISH PASTORAL COUNCILS

The following guidelines govern the establishment and operation of Parish Pastoral Councils.

- A The Pastoral Council is to include the following among its members: the Pastor or Administrator, both lay trustees, representatives of other clergy in the parish, representatives of any religious in the parish, and lay members of the Christian Faithful.
- B The Christian Faithful serving on the Pastoral Council should consist of elected and appointed members and be broadly representative of the entire parish. The majority are to be elected. Members should be Catholics who have received the Sacrament of Confirmation.
- C It is suggested that the representatives of the lay people should number between six and twelve.
- D Terms of office and method of election are to be specified in the constitution or bylaws of each Pastoral Council.
- E All parishioners of high school age and above are eligible to vote in local Pastoral Council elections.

- F The Pastor is to be the presiding officer of the Pastoral Council (cf. Canon 536 #1). He may delegate the vice chairperson to preside. The Pastor does not vote. Unless the Pastor has previously agreed to abide by the Council's decision in a given matter, he gives or withholds approval to the Council's decision.
- G A vice-chairperson is to be chosen from among Council members. A secretary is to be chosen and may be a Council member or a non-member.
- H The Council is to meet on a regular basis, and at least four times a year. Meetings are to be held only with the Pastor present.
- I All meetings are open to all parishioners and invited guests, except for executive sessions.
- J An agenda is to be prepared and published before each meeting. Minutes of each meeting are to be kept and made available within the parish.
- K Committees may be established to carry out the responsibilities of the council in specific areas. Suggested committees include: Spiritual Life and Worship, Education and Religious Education, Vocations, Parish Social Life, Building and Maintenance, Stewardship, and Social Action. When two or more parishes have one Council, there should be a general committee for each parish.

Parish Finance Councils

One of the practical structures of consultation as called for in the principles of the Second Vatican Council was established by the revised Code of Canon Law which calls for each parish to have a Parish Finance Council:

Each parish is to have a finance council which is regulated by universal law as well as the norms issued by the diocesan bishop: in this council, the Christian faithful, selected according to the same norms, aid the pastor in the administration of parish goods with due regard for the prescription of Canon 532 (Canon 537).

The Pastor represents the parish in all parochial affairs in accord with the norm of law and sees to it that the goods of the parish are administered in accord with Canons 1281-1288 (Canon 532). These canons explain that the Pastor must act as a good steward in taking care of goods, collecting and investing monies, paying bills, keeping books, issuing reports, maintaining inventories, and requesting the permission of the Bishop as required.

Canon 537 is the sole canon in Canon Law governing Parish Finance Councils. However, there is a parallel in the provisions for the Diocesan Finance Council (Canons 492-494) which call for members truly skilled in financial affairs as well as civil law and outstanding in integrity. Their responsibilities include preparation of a diocesan budget of revenues and expenditures and a review of the annual report of receipts and expenditures. Corresponding responsibilities are asked of a Parish Finance Council.

The Parish Finance Council is meant to provide the Pastor or Administrator with trusted advisors who will assist with their expertise in making prudent decisions in a spirit of Christian Stewardship. It is

important to note that while the Parish Pastoral Council should represent a cross-section of parish members, the Parish Finance Council members should be chosen for their expertise.

The following guidelines offer a framework for the establishment and operation of Finance Councils in the Diocese of Ogdensburg:

- A In accordance with the Code of Canon Law, each parish must have a Parish Finance Council. A mission may have its own Finance Council.
- B The Parish Finance Council does not administer the goods of the church. The Pastor or Administrator represents the parish in temporal matters. The Parish Finance Council assists the pastor in making decisions in the administration of the goods of the parish.
- C When two or more parishes are served by the same pastor, each should have its own Finance Council since there are matters that affect each parish such as the annual financial report, annual budgets, maintenance of buildings, etc. Common meetings may be held to build collaboration among churches thus linked and to consider common matters.
- D The Finance Council cannot be an isolated group. Since pastoral work is primary in the parish, the Finance Council must relate to and work with the Pastoral Council as well as with the School Board and/or Catechetical Board, if such exist. Membership of the Lay Trustees on both the Pastoral Council and the Finance Council should facilitate such collaboration. In larger parishes, additional members may likewise serve on both councils. In smaller parishes, the membership of both Parish Councils may be the same.
- E The Finance Council is established by the pastor. It may function informally without bylaws or constitution or, if the need arises, such may be developed by the Finance Council, temporarily implemented by the Pastor, and eventually submitted to the Bishop for approval.
- F Membership:
 - 1 The Parish Finance Council should have between three and six lay members in addition to the Pastor.
 - 2 Members are appointed by the pastor in writing for a specific term. Three years is recommended. Terms should be staggered. It is recommended that no member should serve more than two consecutive terms. A member may be replaced by the Pastor for a just cause.
 - 3 Lay Trustees are to be ex officio members of the Finance Council.
 - 4 Members should be Catholic adults, active in the parish, free of conflicts of interest, skilled in matters such as finance, administration, management, and endowed with an overall knowledge of parish life and sensitive to pastoral values.
- G Responsibilities:
 - 1 The pastor may preside or ask a member to chair a meeting or part thereof. The Pastor does not vote but makes the final decision. Minutes should be kept.
 - 2 The Council should meet at least twice a year to formulate the parish budget and to review the parish financial report. Other meetings may be called as needed.
 - 3 The Pastor should consult with the Council concerning any expenditure of parish funds that requires the permission of the Chancellor (currently over \$10,000).

- 4 The Pastor should consult the Council concerning investment of parish funds observing the diocesan guidelines for investment of surplus funds in the Diocesan Deposit and Loan Fund, and in the case of endowments and similar funds, in the Diocesan
- 5 , the Diocesan Trust Fund, and Cemetery Endowed Care Fund.
- 6 The Pastor should consult the Council on proposals to buy or sell real property.
- 7 The Council should be active in the preparation of the parish budget taking into consideration the goals and objectives established by the Parish Pastoral Council and parish and inter-parochial School and Catechetical Boards where such exist.
- 8 The Council should carefully review the annual parish financial report and assist in the preparation and explanation of the annual report presented to the parishioners. This may be done in conjunction with Stewardship Sunday.
- 9 The Finance Council or a building and grounds committee of the Finance or Pastoral Council should develop a plan to address preventative maintenance of parish buildings and grounds, provide for necessary safety measures for parishioners, employees, and buildings, and plan for long term improvements of parish sites.
- 10 The Council should be versed in the principles of Christian Stewardship and assist in the parish stewardship program as well as needed special fundraising efforts.
- 11 The Council should assist the Pastor in formulating parish personnel and benefit policies for lay employees, observing diocesan regulations. The Pastor, however, is responsible for personnel supervision, although he may delegate this to a business manager.

Parish Trustees

Unlike Finance Councils which are mandated by the revised Code of Canon Law and Pastoral Councils which are encouraged by the Code, Lay Trustees are not called for by the Code but rather by New York State Civil Law. New York State Law basically includes provisions for the incorporation of various churches which implement the governance of these churches according to their own internal laws, when individual churches (parishes) are incorporated in New York State as non-profit, religious corporations. However, trustees share in the duties and obligations of administrators of temporal goods. Accordingly, trustees have the obligation to help the pastor in respecting the intention of donors (C. 1267(3)), to use civilly valid methods to protect ecclesiastical ownership of its property (C. 1284(2)(2)); observe civil and canon law on all transactions (C. 1284(2)(3)); to assist in the collection of revenues and payment of debts (C. 1284(2)(4 & 5)); to assist in the preparation of annual budgets and reports, and assist in presenting an accounting to the faithful of the use made of donations received (C. 1284(2)(8) and 1284(3). *See* Morrisey, Fr. Francis, *Trustees and Canon Law*, in *Health Progress* (November-December, 2002). Because trustees take part in the administration of ecclesiastical temporal goods, they are bound to fulfill their duties in the church's name and in accord with the norm of law, both civil and canonical. *Id.* The role of the trustee is to assist the pastor in providing resources for the pursuit of the parish's proper ends, such as the ordering of divine worship, providing proper support for clergy and pastoral workers, and perform apostolic and charitable works, especially toward the needy. *Id.*

A Roman Catholic Church is incorporated in New York State by filing a certificate of incorporation executed by the Bishop of the Diocese, the Vicar General, and by the Pastor or Administrator of the Church, together with two lay persons who have been selected by these three officials (Bishop, Vicar General and Pastor) or by a majority of them. These five people constitute the Trustees of the Church. In the Diocese of Ogdensburg and throughout New York State each parish and

mission church has its own civil corporation. The certificate of incorporation of a religious corporation is filed in the office of the Clerk for the county in which the church is located.

The term of office of the Lay Trustees is one year according to New York State Law. They are chosen annually by the Bishop, Vicar General, and Pastor or Administrator, or by a majority of them. In this matter, Administrator refers to the Parish Administrator who takes the place of the Pastor, not the Pastoral Administrator (cf. page 2, footnote 1). This form of civil Roman Catholic Church governance has remained basically the same in New York State since the Civil War era.

New York State Law carefully spells out the functions of the trustees as follows:

- A No act or proceeding of the trustees shall be valid without the sanction of the diocesan Bishop or in his absence, without the sanction of the Vicar General or Administrator of the Diocese (Religious Corporations Law, 91). Under civil law, any action having a material impact on the structure of the parish, its property or financial condition requires an act of the trustees in the form of a resolution or unanimous consent, and also requires the consent of the Diocesan Bishop, Diocesan Administrator or Vicar General.
- B The mortgage, long term lease or sale of Roman Catholic Church real property requires the approval of two-thirds of the trustees (Not-for-profit Corporation Law, 509); that is, four of the five trustees, the consent of the Bishop apart from his vote as one of the trustees, and civil court permission (Religious Corporations Law, 12(3)). This is to ensure that the investment of the parishioners is protected in real property transactions and a fair price is obtained.
- C If a Roman Catholic parish is to be divided and a new parish established, property owned by the old parish within the new parish may be transferred to the new parish by the Bishop himself apart from the trustees, with or without compensation, as long as other civil procedures are followed (Religious Corporations Law 90).
- D Trustees of a Roman Catholic Church may invest funds only with the *Consent* of the Bishop, or in his absence, the Vicar General or Administrator of the Diocese (Religious Corporations Law, 5-a).

In the Diocese of Ogdensburg in addition to the civil responsibilities outlined above, the following rules apply to Lay Trustees of parishes:

- A The annual term is from February 15 to February 15.
- B An individual trustee should serve only three successive terms from the time of the adoption of these guidelines.
- C All adult lay members, both men and women, who have received the Sacrament of Confirmation, can be considered for appointment as trustees.
- D Parish Lay Trustees shall serve ex officio as members of the Parish Pastoral Council and the Parish Finance Council.

- E The Pastor and Lay Trustees shall meet formally at least once a year to sign the annual church financial report. Formal minutes of Parish Trustee meetings shall be kept in a bound book.

7/1/14

APPENDIX A

Inter-Parish Boards and Parish Committees

The Diocese of Ogdensburg has established policies for inter-parish boards that represent the parishes involved in a multi-parish program and for a religious education committee of the parish council for the single parish program. Chapter IV of the Handbook For Coordinated Programs deals with such boards; exploring their needs, nature and purpose, organization, and function. This handbook is available from the Department of Christian Formation.

Catholic School Boards (Parish and Central)

The Diocese of Ogdensburg through the Department of Education has established Guidelines for Catholic School Boards. These Guidelines and accompanying materials are available from the Diocesan Department of Education. This Department is available to make presentations to School Boards upon request.