



# Diocese of Cheyenne

Office of the Bishop

## DECREE

The effective administration of the temporal goods of a parish is an important function of the Pastor to whom the parish has been entrusted.<sup>1</sup> The Parish Finance Council is an essential institute to assist the pastor in fulfilling his fiscal responsibility to his parish.<sup>2</sup> The Parish Pastoral Council is considered so indispensable that the universal law of the Catholic Church mandates that each and every parish have its own finance council.<sup>3</sup> Canon 1276 of the 1983 code requires that I exercise vigilance over the public juridic persons subject to me and this includes insuring the parishes of the diocese properly utilize finance councils. To this end, after having heard the Diocesan Finance Council on October 19, 2010, and by virtue of my authority as diocesan bishop, I enact these statutes for Parish Finance Councils and abrogate all others.

In addition, canon 1281 §2 of the 1983 code requires me, after having heard the Diocesan Finance Council, to determine which acts constitute extraordinary administration for public juridic persons subject to me that do not have statutes defining acts of extraordinary administration. Parishes of the Diocese of Cheyenne do not have statutes defining acts of extraordinary administration, and therefore need this determination. After having consulted the Diocesan Finance Council on October 19, 2010 and based upon their advice, I have defined extraordinary acts of administration in the new Statutes for Parish Finance Councils.

Pastors are reminded that the Parish Finance Council is a separate consultative body distinct from the Parish Pastoral Council.<sup>4</sup> A single council, therefore, cannot be utilized as both the finance and pastoral councils.

In addition, although the lay directors of the parish corporation serve as members of the Parish Finance Council, meetings of the Finance Council do not satisfy the requirement of Wyoming law for meetings of the directors of the parish corporation. Pastors are, therefore, reminded they need to observe the requirements of Wyoming law regarding the responsibilities

<sup>1</sup> See *Codex Iuris Canonici auctoritate Ioannis Pauli PP. II promulgatus [CIC]* (Vatican City: Libreria Editrice Vaticana, 1989) cc. 532 and 1279.

<sup>2</sup> See *CIC*, cc. 532; 537; 1280 and 1281-1288.

<sup>3</sup> See *CIC*, cc. 537 and 1280.

<sup>4</sup> See *CIC*, cc. 536 and 537; Congregation for the Clergy, et al., instruction *Certain Questions Regarding the Collaboration of the Non-Ordained Faithful in the Sacred Ministry of Priests*, August 15, 1997, art. 5 §2: AAS 89 (1997) 868.

and meetings of the board of directors of the parish corporation in addition to the requirements of canon law.

These statutes become effective October 19, 2010, the Feast of the North American Martyrs.

Given in Cheyenne this 19<sup>th</sup> day of October 2010.



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The Most Reverend Paul D. Etienne, DD, STL  
Bishop of Cheyenne



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Carol DeLois  
Chancellor

# THE DIOCESE OF CHEYENNE



## STATUTES OF PARISH FINANCE COUNCILS

October 19, 2010  
Feast of the North American Martyrs

### I. Purpose

The purpose of the Parish Finance Council is to give assistance and counsel in the fiscal management of the Parish to the Pastor,<sup>1</sup> and the Pastor is to seek the opinion and assistance of the Council.<sup>2</sup> The Parish Finance Council recommends to the Pastor an annual budget, reviews periodic and annual financial reports, to provide advice to the Pastor on matters required by canon law, and to perform other tasks required by canon law.<sup>3</sup> The Parish Finance Council is a distinct and separate body from the Parish Pastoral Council.<sup>4</sup>

### II. Membership and Terms of Office

A. In order to serve as a member of the Parish Finance Council, a person must be:

1. A fully initiated Catholic;<sup>5</sup>

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<sup>1</sup> The equivalent to a "Pastor" in canon law are the Moderator, when the pastoral care of the parish has been assigned to a team of priests *in solidum* (see *Codex Iuris Canonici auctoritate Ioannis Pauli PP. II promulgatus [CIC]* (Vatican City: Libreria Editrice Vaticana, 1989) cc. 517 §1; 543 §2, 3°), or when there is no pastor or the Pastor is impeded from functioning, the Parochial Administrator, the senior Parochial Vicar by assignment, or the Priest Director (see *CIC*, cc. 517 §2; 533 §3; 539-540; 541; 548 §2; 549).

<sup>2</sup> See *CIC*, cc. 532; 537; 1280; 1281-1288; Congregation for Bishops, Directory for the Pastoral Ministry of Bishops *Apostolorum Successores*, March 9, 2004 (Vatican City: Libreria Editrice Vaticana, 2004) nn. 189 c); 210.

<sup>3</sup> See *CIC*, cc. 222 §1; 532; 537; 1261 §2; 1262; 1267 §2; 1280; 1281 §2; 1284 §2, 1° and 2° 6° and 8°, and §3; 1287; 1288; 1291-1297' 1308-1310; *Apostolorum Successores*, nn. 188; 189 b) and c); 210; 221 e); United States Conference of Catholic Bishops, decree *Complementary Norm for Canon 1262*, promulgated June 8, 2007, effective August 15, 2007: (<http://www.usccb.org/norms/1262.htm>); idem, decree *Complementary Norm for Canon 1292 §1*, promulgated and effective on March 31, 2010, n. 3: (<http://www.usccb.org/norms/1292-1.htm>); idem, decree *Complementary Norm for Canon 1297*, promulgated June 8, 2007, effective August 15, 2007, n. 3: (<http://www.usccb.org/norms/1297.htm>).

<sup>4</sup> See *CIC*, cc. 536 and 537; Congregation for the Clergy, et al., instruction *Certain Questions Regarding the Collaboration of the Non-Ordained Faithful in the Sacred Ministry of Priests*, August 15, 1997, art. 5 §2: AAS 89 (1997) 868.

<sup>5</sup> See *CIC*, cc. 149 §1; 205.

## Statutes of Parish Finance Councils

2. Outstanding in firm faith, good morals, and prudence;<sup>6</sup>
  3. Free of any canonical penalties or impediments including an irregular marriage;<sup>7</sup> and,
  4. Selected according to the norms that follow.<sup>8</sup>
- B. The Parish Finance Council shall be composed of not less than five (5) but not more than fifteen (15) members. The exact number is to be determined by the Pastor, or his equivalent in canon law.
- C. The Pastor freely appoints three (3) to thirteen (13) members of the council.<sup>9</sup>
1. Appointed members are to be baptized Catholics, skilled in financial affairs and civil law, and of outstanding integrity;<sup>10</sup>
  2. Appointed members cannot be related to the Pastor up to the fourth degree of consanguinity or affinity;<sup>11</sup>
  3. If the Parish has one or more Mission Church Communities, which do not have their own Parish Finance Councils, then at least one member is to be appointed from each Mission.
  4. Appointed members serve for a term of three (3) years. Upon the completion of a term, they may be appointed for additional terms. Terms may be either concurrent so that all the appointed members assume office at the same time or staggered so that each year no more than a third (1/3) of the appointed members are new members.
  5. The Pastor may fill a vacancy at anytime, and the newly appointed member serves for the remainder of the unexpired term.
- D. Two (2) of the members are *ex officio* voting members, namely, the two (2) Lay Directors of the parish civil corporation.

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<sup>6</sup> See *CIC*, c. 149 §1.

<sup>7</sup> See *Certain Questions Regarding the Collaboration of the Non-Ordained Faithful in the Sacred Ministry of Priests*, art. 5 §2: *AAS* 89 (1997) 868; *Catechism of the Catholic Church*, 2d ed. (Washington, DC: United States Catholic Conference, 2000) n. 1650.

<sup>8</sup> See *CIC*, c. 537.

<sup>9</sup> See *CIC*, c. 157.

<sup>10</sup> See *CIC*, cc. 149 §1; 204 §1; 205; 492 §1.

<sup>11</sup> See *CIC*, cc. 108-109; 492 §3.

- E. A member loses membership on the Parish Finance Council by:
1. The notification to the member by the Pastor of the expiration of the member's term;<sup>12</sup>
  2. The loss of membership on the Board of Directors of the Parish;
  3. The acceptance by the Pastor of a letter of resignation;<sup>13</sup>
  4. Removal by the Pastor because the member has lost domicile in the Parish, has failed to attend three (3) consecutive meetings without a reasonable excuse, has entered into an irregular marriage, has lost the clerical state, has publicly defected from the Catholic faith or from the communion of the Church, is a cleric who has attempted marriage even if only civilly, or other grave reasons;<sup>14</sup>
  5. The privation of office as the penalty for the commission of an ecclesiastical offense when imposed according to the norms of the penal laws of the Catholic Church;<sup>15</sup> and,
  6. Death.
- F. When a Parish has no resident Pastor and a Parish Life Coordinator, or when a Pastoral Associate has been assigned to assist in the pastoral care of the Parish, the Parish Life-Coordinator or the Pastoral Associate serves as an *ex officio*, non-voting member.<sup>16</sup> The Parish Life Coordinator or Pastoral Associate does not count toward the fifteen (15) member limit.

### III. Officers

- A. The President of the Parish Finance Council is the Pastor, or the Moderator of a team of priests who pastor a Parish *in solidum*.<sup>17</sup> The President or his delegate presides over the meeting.
- B. If the Pastor is prevented from exercising his pastoral office in the Parish due to captivity, exile, banishment, incapacity, ill health or some other cause, the Parochial Administrator or the senior Parochial Vicar by assignment presides over the Parish Finance Council.<sup>18</sup>

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<sup>12</sup> See *CIC*, cc. 184 §§1 and 3; 186.

<sup>13</sup> See *CIC*, cc. 184 §§1 and 3; 187-189.

<sup>14</sup> See *CIC*, cc. 184 §§ 1 and 3; 192-194; *Certain Questions Regarding the Collaboration of the Non-Ordained Faithful in the Sacred Ministry of Priests*, art. 5 §2; *AAS* 89 (1997) 868; *Catechism of the Catholic Church*, n. 1650.

<sup>15</sup> See *CIC*, cc. 184 §§1 and 3; 196.

<sup>16</sup> See *CIC*, c. 517 §2.

<sup>17</sup> See *CIC*, cc. 517 §1; 532; 537; 543 §2, 3°.

<sup>18</sup> See *CIC*, cc. 533 §3; 539-540; 541; 548 §2; 549.

- C. If the office of Pastor is vacant, the Parochial Administrator, the senior Parochial Vicar by assignment, or the Priest Director presides over the Parish Finance Council.<sup>19</sup>
- D. The President may appoint a Chairperson and a Vice-Chairperson. Each serve for a one (1) year term and each may be reappointed. The Chairperson, or when absent or unable, the Vice-Chairperson, at the discretion of the President, moderates the meeting of the Parish Finance Council. When the President desires, the Chairperson, or when absent or unable, the Vice-Chairperson assigns tasks to individual members, or to committees to assist the full Council in its work.
- E. The President will appoint an individual, normally from the Parish Staff, to serve as Executive Secretary. The Executive Secretary will see to the distribution of agendas, and preparatory materials for meetings, the arrangements for the location and other items needed for meetings, the accurate recording of minutes and attendance, the archiving of minutes and other documents in the Parish archives, the distribution according to the directions of the President of the minutes to members and others, and any other matter necessary for the effective operation of the Parish Finance Council. The Executive Secretary may utilize the assistance of others to fulfill the responsibilities of this position.
- F. The Parish Finance Officer or Bookkeeper serves as support personnel to the Parish Finance Council.

#### IV. Meetings

- A. The Parish Finance Council will meet in regular session at least four (4) times a year, according to the schedule published by the President and delivered to each member. At the discretion of the President, additional meetings may be scheduled or called. All members, however, are to be personally notified of the meeting at least forty-eight (48) hours in advance. In order for a meeting to be convened there must be a majority of the members of the Parish Finance Council present.<sup>20</sup> The agenda for each meeting is to be set by the President. The Parish Finance Council cannot meet without the President or his delegate attending.<sup>21</sup>
- B. When canon law requires the advice of the Parish Finance Council for an action to be valid, an actual meeting of the council is desirable. When this is not possible, consultation by a conference call, video conferencing, or other electronic means is permitted so long as the members can actively participate in the discussions and interact with one another, thus preserving the collegial nature of the consultation. When conducting a meeting through electronic means is not possible and the matter is urgent, the consultation may be conducted by mail, electronic mail, or facsimile; but if at least a

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<sup>19</sup> See *CIC*, cc. 517 §2; 533 §3; 539-540; 541; 548 §2; 549.

<sup>20</sup> *CIC*, c. 119, 2<sup>o</sup>.

<sup>21</sup> *Certain Questions Regarding the Collaboration of the Non-Ordained Faithful in the Sacred Ministry of Priests*, art. 5 §3: *AAS* 89 (1997) 868.

third (1/3) of the members of the council desire a meeting, then the matter must be delayed until a meeting to discuss the matter can be convened, which is to be done as soon as possible. Advice constitutes the recommendations of the members of the council. A vote is to be taken and recorded in the minutes in order to document the consensus of the council.<sup>22</sup> The results of a consultation conducted without a meeting are to be recorded in the next meetings minutes.

- C. When necessary and appropriate in the judgment of the one moderating the meeting, *Robert's Rules of Order, Newly Revised* will be followed.
- D. Members of the Parish Finance Council are to be provided the materials necessary to adequately prepare for each meeting, are to appropriately prepare themselves for each meeting,<sup>23</sup> and are offer their opinions sincerely.<sup>24</sup>
- E. The President can require that matters discussed be kept confidential and secret.<sup>25</sup>
- F. The President, when appropriate, is to make public the actions and deliberations of the Parish Finance Council.

## V. Competence

- A. As assistants to the Pastor in the administration of the ecclesiastical goods of the Parish,<sup>26</sup> the Parish Finance Council has the following functions:
  - 1. To recommend to the Pastor an annual budget for the Parish, its school(s), its mission(s), and its other institutions by composing a plan for the coordination of resources and expenditures;<sup>27</sup>
  - 2. To examine periodic and annual financial reports of the Parish, its auxiliary organizations, its school(s), its mission(s), and its other institutions;<sup>28</sup>
  - 3. To perform, based on Diocesan norms, the following administrative tasks:
    - a. Supervising the investment and use of common funds;
    - b. Monitoring compliance with investment policies;
    - c. Monitoring compliance with personnel policies;

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<sup>22</sup> *CIC*, c. 127 §1.

<sup>23</sup> *CIC*, c. 126.

<sup>24</sup> *CIC*, c. 127 §3.

<sup>25</sup> *Ibid.*

<sup>26</sup> See *CIC*, cc. 532;537; 1280.

<sup>27</sup> See *CIC*, c. 1284 §3; *Apostolorum Successore*, n. 189 b).

<sup>28</sup> See *CIC*, cc. 1284 §2, 8°; 1287; *Apostolorum Successore*, n. 189 b).

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- d. Reviewing and revising insurance valuation of property;
  - e. Developing and monitoring administrative guidelines; and,
  - f. Other matters assigned to the Council on an *ad hoc* basis.
4. To meet with the Bishop of Cheyenne or his representative when he is conducting a pastoral visit to the parish.<sup>29</sup>
- B. As advisors to the Pastor, the Pastor is to hear the Parish Finance Council concerning the following:
1. Risk management;<sup>30</sup>
  2. Extraordinary acts of administration,<sup>31</sup> namely:
    - a. Accepting or refusing an inheritance, bequest, donation, or foundation which has conditions or long-term obligations attached to it;<sup>32</sup>
    - b. Purchasing real estate and/or a building, or accepting an inheritance, bequest, or donation of real estate or a building;
    - c. Sale or alienation of real estate and/or a building valued below the minimum amount set in accord with canon 1292 §1 by the United States Conference of Catholic Bishops for alienation of stable patrimony public juridic persons subject to the diocesan bishop;
    - d. Capital expenditures valued over the amount set by the Bishop of Cheyenne or his successors for public juridic persons under his authority;
    - e. Construction, remodeling, or demolition valued over the amount set by the Bishop of Cheyenne or his successors for public juridic persons under his authority;
    - f. Establishing a Catholic parish cemetery;
    - g. Establishing a Catholic parish school or other institute; and,
    - h. Engaging in litigation in the secular *forum*.<sup>33</sup>

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<sup>29</sup> *Apostolorum Successore*, n. 221 e).

<sup>30</sup> See *CIC*, c. 1284 §2, 1° and 2°; *Apostolorum Successore*, n. 189 c).

<sup>31</sup> *CIC*, c. 1281 §2; *Apostolorum Successore*, nn. 188; 189 c).

<sup>32</sup> See *CIC*, c. 1267 §2.

<sup>33</sup> See *CIC*, c. 1288.



3. The undertaking of a parish fund raising campaign in accord with canon 1262, the complementary norms for canon 1262 approved by the United States Conference of Catholic Bishops with the recognition of the Holy See, and the norms approved for the Diocese of Cheyenne;<sup>34</sup>
4. The utilization of unrestricted donations and bequests whose value exceeds the amount set by the Bishop of Cheyenne or his successors for public juridic persons subject to the diocesan bishop;<sup>35</sup>
5. Investing excess funds after expenses are met;<sup>36</sup>
6. The sale or alienation (conveyance, gift, or other transfer of ownership) of parochial stable patrimony valued at or over the minimum amount set in accord with canon 1292 §1 by the United States Conference of Catholic Bishops with the *recognitio* of the Holy See for alienation of stable patrimony of public juridic persons subject to the diocesan bishop;<sup>37</sup>
7. A transaction where the parochial patrimonial condition can be worsened and the value of the parochial property involved in the transaction is at or above the minimum amount set in accord with canon 1292 §1 by the United States Conference of Catholic Bishops with the *recognitio* of the Holy See for alienation of stable patrimony of public juridic persons subject to the diocesan bishop;<sup>38</sup>
8. The leasing of ecclesiastical goods owned by a parish when the market value of the goods to be leased exceeds the amount set by the Bishop of Cheyenne or his successors for public juridic persons under his authority, or the lease is to be for one (1) year or longer;<sup>39</sup> and,
9. Requesting the commutation of pious wills by the appropriate ecclesiastical authorities.<sup>40</sup>

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<sup>34</sup> See *CIC*, cc. 222 §1; 1261 §2; 1262; United States Conference of Catholic Bishops, decree *Complementary Norm for Canon 1262*, promulgated June 8, 2007, effective August 15, 2007: (<http://www.usccb.org/norms/1262.htm>); *Apostolorum Successore*, nn. 188; 189 c).

<sup>35</sup> See *Apostolorum Successore*, nn. 189 c); 210.

<sup>36</sup> See *CIC*, c. 1284 §2; 6°.

<sup>37</sup> See *CIC*, cc. 1291-1994; 1296; United States Conference of Catholic Bishops, decree *Complementary Norm for Canon 1292 §1*, promulgated and effective on March 31, 2010, n. 3: (<http://www.usccb.org/norms/1292-1.htm>); *Apostolorum Successore*, nn. 188; 189 c); 210.

<sup>38</sup> See *CIC*, c. 1295; see also *CIC*, cc. 1291-1994; 1296; United States Conference of Catholic Bishops, decree *Complementary Norm for Canon 1292 §1*, promulgated and effective on March 31, 2010, n. 3: (<http://www.usccb.org/norms/1292-1.htm>); *Apostolorum Successore*, nn. 188; 189 c); 210.

<sup>39</sup> See *CIC*, c. 1297; United States Conference of Catholic Bishops, decree *Complementary Norm for Canon 1297*, promulgated June 8, 2007, effective August 15, 2007, n. 3: (<http://www.usccb.org/norms/1297.htm>); *Apostolorum Successore*, nn. 188; 189 c); 210.

<sup>40</sup> See *CIC*, cc. 1308-1310; *Apostolorum Successore*, nn. 188; 189 c); 210.

**VI. Individual Assignments and Committees**

- A. Individual members of the Parish Finance Council can be assigned tasks to complete between meetings in order to assist the full Council in its work.
- B. From time to time, the Parish Finance Council can form committees to assist the full Council in its work.

**VII. Experts and Others**

In order to better assist the Pastor, the Parish Finance Council may seek the services of experts and of others.

**VIII. Adoption and Amendment**

- A. These Statutes shall be adopted by decree of the Diocesan Bishop and are effective for all parishes in the Diocese of Cheyenne.<sup>41</sup>
- B. These Statutes shall be amended by decree of the Diocesan Bishop and will be effective for all parishes in the Diocese of Cheyenne.<sup>42</sup>

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<sup>41</sup> *CIC*, c. 537.

<sup>42</sup> *Ibid.*

**APPENDIX A**  
**Diocese of Cheyenne**  
**Diocesan Norms**

**I. Amount set by Diocesan Bishop or his successors requiring the Advice of the Parish Finance Council and the Authorization of the Ordinary or Bishop**

\$25,000 effective April 4, 2005

**APPENDIX B**  
**United States Conference of Catholic Bishops**  
**Complementary Norms**

**I. Norms for Fundraising, Canon 1262**

*Decree of Promulgation<sup>43</sup>*

*United States Conference of Catholic Bishops*  
*United States of America*

**Canon 1262**

*On November 13, 2002, the members of the United States Conference of Catholic Bishops legitimately approved complementary legislation for the implementation of canon 1262 of the Code of Canon Law for the dioceses of the United States. The action was granted recognitio by the Congregation for Bishops in accord with article 82 of the Apostolic Constitution Pastor Bonus and issued by Decree N. 778/2005 of the Congregation for Bishops signed by His Eminence Giovanni Battista Cardinal Re, Prefect, and His Excellency Most Reverend Francesco Monterisi, Secretary, and dated May 2, 2007.*

Wherefore, and in accord with the prescripts of canon 1262, the United States Conference of Catholic Bishops decrees that the following norms shall govern fund-raising appeals to the faithful for Church support:

Motivation

1. Fund-raising appeals are to be truthful and forthright, theologically sound, and should strive to motivate the faithful to a greater love of God and neighbor.
2. Fund-raising efforts are to be for defined needs.
3. The relationship of trust between donor and fund-raiser requires that
  - a. funds collected be used for their intended purposes;
  - b. funds collected are not absorbed by excessive fund-raising costs.
4. Donors are to be informed regarding the use of donated funds and assured that any restrictions on the use of the funds by the donor will be honored.

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<sup>43</sup> United States Conference of Catholic Bishops, decree *Complementary Norm for Canon 1262*, promulgated June 8, 2007, effective August 15, 2007: (<http://www.usccb.org/norms/1262.htm>).

Competent Ecclesiastical Authority

5. Institutes of consecrated life and societies of apostolic life require approval of the respective competent major superiors and the diocesan bishop to solicit funds; diocesan entities require approval of the diocesan bishop to solicit funds; other Catholic entities and organizations require the approval of the diocesan bishop to solicit funds.
6. Approval for fund-raising by the competent authority is to be given in writing with reference to the purpose for which the funds are being raised, the time frame, and the methods to be used in raising them.
7. Oversight of fund-raising programs is to be maintained by competent authority through periodic review and, where necessary, appropriate sanction.
8. Competent major superiors of institutes of consecrated life and societies of apostolic life are to submit to the diocesan bishop of the place where the fund-raising originates periodic reports on the fund-raising programs and the apostolic activities they support.

Accountability

9. Fund-raisers are to provide regular reports to competent authority on the extent to which promises expressed or implied in the solicitation of funds have been fulfilled.
10. Fund-raising reports are to be prepared in scope and design to meet the particular concerns of those to whom the reports are due:
  - a. the governing body and membership of the fund-raising organization;
  - b. the competent authorities who approved and monitor the fund-raising effort;
  - c. the donors to the organization;
  - d. the beneficiaries of the funds raised.
11. Annual fund-raising reports are to provide both financial information and a review of the apostolic work for which the funds were raised. They are to set forth, at the least, the amount of money collected, the cost of conducting the fund-raising effort, and the amount and use of the funds disbursed.

Procedures

12. Funds beyond operating expenses are not to be accumulated or invested by a fund-raising office, but are to be turned over to the appropriate office for allocation and investment.

13. Special care is to be taken to see that ethical business relationships are maintained by fund-raisers with suppliers of goods and services.
14. Contracts between a religious fund-raiser and commercial suppliers and consultants are to insure that control over materials, designs, money and general operations remain in the hands of the religious fund-raiser.
15. Agreements are not to be made which directly or indirectly base payment either to the commercial firm or to the religious fund-raiser on a percentage basis.

Oversight

16. Competent authority is to ensure that fund-raising organizations:
  - a. make available fund-raising reports to benefactors on a regular basis or upon reasonable request;
  - b. provide their governing bodies with an annual financial statement prepared in accordance with generally accepted accounting principles and, where size warrants, by a certified public accountant.
17. In response to formal complaints, competent authority is to promptly investigate charges, remedy abuses and, when necessary, terminate the fund-raising program.

As President of the United States Conference of Catholic Bishops, I hereby decree that the effective date of this decree for all the dioceses of the United States Conference of Catholic Bishops will be August 15, 2007. Given at the offices of the United States Conference of Catholic Bishops in the city of Washington, the District of Columbia, on the 8th day of June, in the year of our Lord 2007.

Most Reverend William S. Skylstad  
Bishop of Spokane  
President, USCCB

Reverend Monsignor David J. Malloy  
General Secretary, USCCB

**II. Norms for Diocesan Acts of Extraordinary Administration, Canon 1277**

***Decree of Promulgation<sup>44</sup>***

***United State Conference of Catholic Bishops  
United States of America***

**Canon 1277**

*On November 13, 2007, the members of the United States Conference of Catholic Bishops legitimately approved complementary legislation for the implementation of canon 1277 of the Code of Canon Law for the dioceses of the United States. In accord with article 82 of the Apostolic Constitution Pastor Bonus, the action was granted recognitio by the Congregation for Bishops in a decree dated December 19, 2009 (N. 778/2005), and signed by His Eminence Giovanni Battista Cardinal Re, Prefect, and Monsignor Giovanni Maria Rossi, Subsecretary.*

Wherefore, the United States Conference of Catholic Bishops, in accord with the norm of canon 1277, decrees that the following are to be considered acts of extraordinary administration, the canonical validity of which requires the diocesan bishop to obtain the consent of the diocesan finance council and the college of consultors:

1. Initiating a program of financing by the issuance of instruments such as bonds, annuities, mortgages, or bank debt in excess of the minimum amount set in accord with canon 1292 §1.
2. Resolving an individual or aggregate claim(s) by financial settlement in excess of the minimum amount set in accord with canon 1292 §1.
3. Engaging in the regular management or operation of a trade or business that is not substantially related to the performance of the religious, spiritual, educational, or charitable purposes of the Church, for the purpose of generating income to carry on such activities.
4. Entering into any financial transaction or contractual agreement, the terms of which address matters involving an actual or potential conflict of interest for the diocesan bishop, auxiliary bishop(s), vicar(s) general, episcopal vicar(s), or diocesan finance officer.

As President of the United States Conference of Catholic Bishops, I decree that the effective date of the norms for all dioceses of the United States Conference of Catholic Bishops will be April 5, 2010.

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<sup>44</sup> United States Conference of Catholic Bishops, decree *Complementary Norm for Canon 1277*, promulgated March 3, 2010, effective April 5, 2010: (<http://www.usccb.org/norms/1277.htm>).

Given at the offices of the United States Conference of Catholic Bishops, in the city of Washington, the District of Columbia, on the 3rd day of March, in the year of our Lord 2010.

Francis Cardinal George, O.M.I.  
Archbishop of Chicago  
President, USCCB

Reverend Monsignor David J. Malloy  
General Secretary, USCCB

### III. Norms for Minimum and Maximum Alienation Sums, Canon 1292 §1

#### *Decree of Promulgation<sup>45</sup>*

*United States Conference of Catholic Bishops  
United States of America*

#### Canon 1292 §1

*On November 13, 2002, the members of the United States Conference of Catholic Bishops approved complementary legislation for the implementation of canon 1292 §1 of the Code of Canon Law for the dioceses of the United States. The action was granted recognitio by the Congregation for Bishops in accord with article 82 of the Apostolic Constitution Pastor Bonus, issued by a Decree (Prot. N. 296/84) of the Congregation for Bishops, dated June 3, 2003, and signed by His Eminence Giovanni Battista Cardinal Re, Prefect, and His Excellency Most Reverend Franciscus Monterisi, Secretary. On March 31, 2004, a subsequent Decree with the same Protocol Number was issued granting recognitio to the norms ad biennium. Through subsequent Decrees, dated January 31, 2006 and March 31, 2008, again with the same aforementioned Protocol Number, the same Congregation decreed the extension of its previously granted recognitio for two additional two-year periods. By means of a Decree, dated March 31, 2010 (Prot. N. 778/2005), signed by His Eminence Giovanni Battista Cardinal Re, Prefect, and His Excellency Most Reverend Manuel Monteiro de Castro, Secretary, the Congregation for Bishops granted definitive recognitio to the following defined sums.*

Wherefore, and in accord with the prescripts of canon 1292 §1, the United States Conference of Catholic Bishops decrees that:

1. The maximum limit for alienation and any transaction which, according to the norm of law, can worsen the patrimonial condition is \$7,500,000 for Dioceses with Catholic populations of half a million persons or more. For other Dioceses the maximum limit is \$3,500,000 (cf. can. 1295).

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<sup>45</sup> United States Conference of Catholic Bishops, decree *Complementary Norm for Canon 1292 §1*, promulgated and effective on March 31, 2010: (<http://www.usccb.org/norms/1292-1.htm>).



2. The minimum limit for alienation and any transaction which, according to the norm of law, can worsen the patrimonial condition is \$750,000 for Dioceses with Catholic populations of half a million persons or more. For other Dioceses the minimum limit is \$250,000.
3. For the alienation of property of other public juridic persons subject to the Diocesan Bishop, the maximum limit is \$5,000,000 and the minimum limit is \$25,000 or 5% of the prior year's ordinary annual income, whichever is higher.

As President of the United States Conference of Catholic Bishops, I hereby decree that these norms are effective immediately for all dioceses of the United States Conference of Catholic Bishops.

Given at the offices of the United States Conference of Catholic Bishops, in the city of Washington, the District of Columbia, on the 31st of March, in the year of our Lord 2010.

Francis Cardinal George, O.M.I.  
Archbishop of Chicago  
President, USCCB

Reverend Monsignor David J. Malloy  
General Secretary, USCCB

#### **IV. Norms for Leasing Ecclesiastical Goods, Canon 1297**

##### ***Decree of Promulgation<sup>46</sup>***

***United States Conference of Catholic Bishops  
United States of America***

##### **Canon 1297**

*On November 13, 2002, the members of the United States Conference of Catholic Bishops legitimately approved complementary legislation for the implementation of canon 1297 of the Code of Canon Law for the dioceses of the United States. The action was granted recognition by the Congregation for Bishops in accord with article 82 of the Apostolic Constitution Pastor Bonus and issued by Decree N. 778/2005 of the Congregation for Bishops signed by His Eminence Giovanni Battista Cardinal Re, Prefect, and His Excellency Most Reverend Francesco Monterisi, Secretary, and dated May 2, 2007.*

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<sup>46</sup> United States Conference of Catholic Bishops, decree Complementary Norm for Canon 1297, promulgated June 8, 2007, effective August 15, 2007: (<http://www.usccb.org/norms/1297.htm>).

Wherefore, and in accord with the prescripts of canon 1297, the United States Conference of Catholic Bishops decrees that the following norms shall govern the leasing of Church property:

1. Prior to leasing of ecclesiastical goods owned by a diocese, the diocesan bishop must hear the finance council and the college of consultors, when the market value of the goods to be leased exceeds \$400,000.
2. Prior to leasing of ecclesiastical goods owned by a diocese, the diocesan bishop must obtain the consent of the finance council and the college of consultors when the market value of the property to be leased exceeds \$1,000,000 or the lease is to be for 3 years or longer.
3. The valid leasing of ecclesiastical goods owned by a parish or other public juridic person subject to the governance of the diocesan bishop requires consent of the diocesan bishop when the market value of the goods to be leased exceeds \$100,000 or the lease is to be for 1 year or longer.
4. The valid leasing of ecclesiastical goods owned by a pontifical institute of consecrated life or society of apostolic life requires, in addition to the consent of the competent major superior and council, the nihil obstat of the diocesan bishop when the market value of the property to be leased exceeds \$1,000,000 or the lease is to be for 3 years or longer.

The valid leasing of ecclesiastical goods by any public juridic person requires the consent of the Holy See when the market value of the goods exceeds \$5,000,000.

As President of the United States Conference of Catholic Bishops, I hereby decree that the effective date of this decree for all the dioceses of the United States Conference of Catholic Bishops will be August 15, 2007.

Given at the offices of the United States Conference of Catholic Bishops in the city of Washington, the District of Columbia, on the 8th day of June, in the year of our Lord 2007.

Most Reverend William S. Skylstad  
Bishop of Spokane  
President, USCCB

Reverend Monsignor David J. Malloy  
General Secretary, USCCB

# GLOSSARY

## ACTS OF ADMINISTRATION

Acts of administration are divided into two types, ordinary and extraordinary. *Ordinary acts of administration* include whatever is necessary for the preservation and regular management of the ecclesiastical goods. They are actions which occur daily or periodically (e.g. monthly, quarterly, yearly), and are absolutely necessary for the customary transaction of business such as the payment of current bills and wages, the making of ordinary repairs, the collection or disposal of earnings, the deposit and withdrawal of funds, the collection of receivables, the making of required sales and purchases. *Extraordinary acts of administration* refer to those actions that are not included in the concept of ordinary management or exceed its limits and extent. Such acts do not occur regularly but, rather, in exceptional or even unforeseen cases and are of greater importance. For dioceses, these acts are determined by the National Conference of Catholic Bishops. For public juridic persons subject to the diocesan bishop these acts are determined by their statutes or, in the absence of such a determination, by the diocesan bishop after consulting the diocesan finance council.

## AD HOC

Latin term meaning literally “for this.” Generally refers to a specific project or task of limited duration.

## AFFINITY

Being related to another person by marriage.

## ALIENATION

The transfer of ownership of property from one person (physical or juridic) to another.

## CANON LAW

See Ecclesiastical Laws.

## CODE OF CANON LAW

In 1917 the Catholic Church for the first time codified its laws for the Latin (Roman) Catholic Church. This work was called the *Codex Iuris Canonici Pii X Pontificis Maximi Iussu Digestus Benedicti Papae XV Auctoritate Promulgatus*

(1917 Code of Canon Law). Upon the completion the 1917 Code, a process was begun but not completed to codify the laws of the Eastern Catholic Churches due to the Second Vatican Ecumenical Council. Following the Council a process was begun to revise the laws of the Catholic Church in the light of the Council. In 1983 this process was completed for the Latin Catholic Church and in 1990 this process was completed for the Eastern Catholic Churches. These codifications of laws are called *Codex Iuris Canonici Auctoritate Ioannis Pauli PP. II Promulgatus* (1983 Code of Canon Laws) and *Codex Canonum Ecclesiarum Orientalium Auctoritate Ioannis Pauli PP. II Promulgatus* (1990 Code of Canons of the Eastern Churches).

**COMMUTATION**

The change or moderation of a pious will.

**CONSANGUINITY**

Being related to another person by blood.

**DIOCESAN BISHOP**

The bishop to whom the care of the diocese has been entrusted. (c. 376).

**DIOCESAN NORMS**

Church laws enacted for the diocese by the Diocesan Bishop or the Holy See (see cc. 7; 8 §2; 12 §§2-3; 13; 135 §§1-2; 331; 333 §1; 381 §1; 391). These laws are promulgated with a general decree (cc. 29-30).

**DIRECTORS**

Every Parish and some Missions are incorporated under the laws of the State of Wyoming as church corporations or nonprofit religious corporations (see WYOMING STATUTES, §§ 17-8-101 to 17-8-107 and §§ 17-19-101 to 17-19-1807). These corporations have five directors consisting of the diocesan bishop (president), the vicar general (vice-president), the pastor (secretary/treasurer) and two lay people from the Parish or mission. Directors are responsible for the management of the Wyoming law corporation. Directors were formerly referred to as "Trustees."

**ECCLESIASTICAL GOODS**

A translation of the Latin term *bona ecclesiastica*. Ecclesiastical goods are the property belonging to the Catholic Church. They are the property owned by the Parish, Parish school, and other Parish institutions.

**ECCLESIASTICAL LAWS**

The legislation, norms, or ordinances of the Catholic Church. Ecclesiastical laws include the universal law of the Catholic Church, the particular law of Churches *sui iuris*, the particular law of groupings of Latin dioceses (approved by national conferences of bishops or plenary councils for national groupings of dioceses and reviewed by the Holy See; approved by provincial councils and reviewed by the Holy See), the particular law of a diocese, the proper law of institutes of consecrated life and societies of apostolic life, and liturgical law. Ecclesiastical laws are sometimes referred to as Canon Law.

**ECCLESIASTICAL OFFENSE**

An act which violates a precept of canon law.

***EX OFFICIO***

Latin term literally meaning "by office." Generally refers to a person obtaining a position by virtue of his or her office.

**LOCAL ORDINARY**

Local ordinary is understood to mean, in addition to the Roman Pontiff and the diocesan bishop, others who, even if only on an interim basis, have been placed over the diocesan church, as well as those who possess ordinary general executive power in the diocese, namely, vicars general and episcopal vicars (c. 134 §§1 and 2).

**MODERATOR**

A Moderator is the coordinator of a team of priests *in solidum* who directs the pastoral ministry conducted by the team, answers to the Bishop for the team, and represents the parish(es) in all juridic matters (see cc. 517 §1; 543 §2, 3°).

**PARISH LIFE COORDINATOR**

A Parish Life Coordinator is a deacon, brother, sister or lay person to whom a participation in

the exercise of the pastoral care of a parish is entrusted when there is a dearth of priests (see cc. 517 §2; 528-537). A Parish Life Coordinator is to have a graduate degree or its equivalent. Parish Life Coordinators are appointed and removed by the Diocesan Bishop.

## **PAROCHIAL ADMINISTRATOR**

A Parochial Administrator is a priest who substitutes for a Pastor when the office of Pastor is vacant or when the Pastor is prevented from exercising his pastoral office due to captivity, exile, banishment, incapacity, ill health, or some other cause (c. 539). A Parochial Administrator has the same duties and rights of a Pastor, is not to do anything to prejudice the rights of the Pastor, and is to render an account to the Pastor upon fulfilling his function (c. 540).

## **PAROCHIAL VICAR**

A Parochial Vicar is a priest who serves as a co-worker of the Pastor in performing the pastoral care of a parish (c. 544). A Parochial Vicar can be assigned to assist in fulfilling the entire pastoral ministry on behalf of an entire parish, a definite part of the parish or a certain group of the Christian faithful of the parish. He can also be assigned to assist in fulfilling a certain type of ministry in several parishes concurrently (c. 545). When the office of Pastor becomes vacant, or the Pastor is prevented from exercising his pastoral duties, the senior Parochial Vicar by appointment notifies the local ordinary and assumes the governance of the parish (c. 541).

## **PASTOR**

A Pastor is a priest who is the proper shepherd of the parish entrusted to him, exercising the pastoral care in the community entrusted to him under the authority of the diocesan bishop in whose ministry of Christ he has been called to share; in accord with the norm of law, he carries out for his community the duties of teaching, sanctifying and governing, with the cooperation of other presbyters or deacons and the assistance of lay members of the Christian faithful (see cc. 519; 521 §1). Normally, a Pastor is to have the pastoral care of only one parish; however the

care of several neighboring parishes can be entrusted to the same Pastor due to a dearth of priest or in other circumstances (c. 526 §1).

**PASTORAL ASSOCIATE**

A Pastoral Associate is a deacon, brother, sister or lay person who assists the Pastor in the pastoral ministry of a parish (see c. 519). A Pastoral Associate may be assigned to a particular ministry or may participate in the entire pastoral ministry of the parish according to his or her state (see c. 545 §2). In a parish where there is not a resident Pastor, a Pastoral Associate may participate in the entire pastoral ministry of the parish according to his or her state. A Pastoral Associate is to have an undergraduate degree or its equivalent and be skilled in pastoral ministry. Religious and lay persons are appointed and removed by the Pastor. Deacons are appointed and removed by the Diocesan Bishop.

**PRIEST DIRECTOR**

A Priest Director is the priest who supervises the pastoral care in a parish where a participation in the pastoral care has been entrusted to a Parish Life Coordinator when there is a dearth of priests. A Priest Director has the powers and faculties of a Pastor (c. 517 §2).

**PATRIMONIAL CONDITION**

The overall economic condition as rooted in the stable patrimony.

**PIOUS WILL**

Property given for a pious cause such as the support of the Church's ministers or works of the sacred apostolate or of charity. A pious will can be a gift *inter vivos*, an annuity, or a gift *mortis causa*, such as a last will and testament.

**PUBLIC JURIDIC PERSON**

An artificial person, distinct from all natural persons or material goods, constituted by competent ecclesiastical authority for an apostolic purpose, with a capacity for continuous existence and with canonical rights and duties like those of a natural person conferred upon it by law or by the authority which constitutes it, and is given a mission by hierarchical authority to act in the name of the

Church and under the supervision and direction of the hierarchy.

## **STABLE PATRIMONY**

The stable patrimony comprises those ecclesiastical goods which, either by their very nature or by explicit designation, are destined to remain in the possession of the parish, parish school(s), parish mission(s) or other parish institutions for a long or indefinite period of time in order to provide a secure financial basis for the future. Stable patrimony can be divided into four general categories: (1) real estate (e.g. land and buildings); (2) non-fungible personal property (e.g. tangible movable property that is not consumed by its use, e.g. automobiles, furniture, books, equipment); (3) long-term investments in securities (e.g. equities, bonds and treasury notes held over two (2) years); (4) restricted funds, such as funds, no matter their composition, set aside for specific purposes, e.g. pension funds, building funds, educational endowments. The stable patrimony is to be either explicitly or implicitly designated. Implicit designation occurs when property is acquired with the intention of retaining it for a long or indefinite time. Traditionally such implicit designation includes real property such as land, churches and other buildings, and personal property like books, furniture and art. Explicit designation occurs when property is designated to be stable patrimony by the administrator or other legitimate authority of the public juridic person. The stable patrimony does not include the general operating funds of the parish, parish school(s), parish mission(s) or other parish institutions. Goods constituting the stable patrimony are to be inventoried in the parish and diocesan archives (see cc. 486; 536 §4 and §5; 1283, 2° and 3°).

## **TEAM OF PRIESTS *IN SOLIDUM***

A team of priests *in solidum* is two or more priests to whom the pastoral care of one or more parishes has been entrusted (c. 517 §1). Each priest is responsible for the pastoral care of the parish(es), and has all the faculties of a pastor (see cc. 542, 3°; 528-530; 534; 543). A



## **Statutes of Parish Finance Councils**

Moderator, however, is appointed by the Diocesan Bishop to direct the pastoral care performed by the team, to answer to the bishop, and to represent the parish(es) in all juridic matters (see cc. 517 §1; 543 §2, 3°). There can be only one Moderator (c. 526 §2).