

# **Questions and Answers**

## **on the Application of the Recent Legislation on Fund-raising**

### **Diocese of Bismarck – March 2018**

1. What is the general purpose or intent behind the legislation?
  - The intention includes the provision of proper oversight by the Diocesan Bishop regarding all efforts at fund-raising within the Diocese of Bismarck, the proper vetting and authorization of Catholic fund-raising efforts by Catholic entities (including the solicitation of funds by priests and deacons for their personal, religious, or charitable projects), the prevention of even the perception of misuse of fund-raising efforts, and to bring the policy of the Diocese of Bismarck into conformity with national legislation from the United States Conference of Catholic Bishops from 2002
  
2. To whom is one to direct a request for permission?
  - To the Diocesan Bishop at his Chancery address, marked “Attn: permission for fund-raising”
  
3. Which organizations fall under this legislation?
  - Parishes (or oratories and chapels; parish-based organizations such as altar-societies, youth groups, cemeteries, any linked foundations, trusts, endowments, etc.)
  - Chapters of Catholic organizations (such as Knights of Columbus councils, Catholic Daughters courts, etc.)
  - Diocesan Offices (those listed on pp. 6-8 of Diocesan Directory), with the exception of the Fiscal Office, Stewardship and Resource Development Office, and the Planned Giving Office
  - Diocesan-related organizations and programs (those listed on pp. 8-9 of Diocesan Directory), with the exception of the North Dakota Conference of Churches
  - Schools and Institutions (those listed on pp. 35-37 of Diocesan Directory), with the exception of the North Dakota State Penitentiary and the Youth Correctional Center
  
4. Are there persons who fall under this legislation, regardless of affiliation with any Catholic organization listed above?
  - Yes. All clerics (priests or deacons) who have an assignment and faculties from the Diocesan Bishop of Bismarck and who primarily minister within the diocese are especially obligated to this policy.
  
5. Are there exceptions to this legislation?
  - Yes, organizations excluded include those indicated in #3 above. As per the original decree on Fund-Raising, parishes have exempted any ordinary collections, God’s Share Appeal and approved national collections

6. What is a request for permission?
  - It is an official letter (on letterhead from the organization or person concerned) requesting in writing from the Diocesan Bishop permission to legitimately carry out fund-raising activities. Individual requests are for individual fund-raising activities, while a collective request is for multiple fund-raising activities
7. Is there a template available for a request for permission?
  - Yes. Cf. attached. Eventually available on the diocesan website
8. What kind of reply to my request for permission can be expected?
  - A written response for permission or denial can be expected by regular mail from the Diocesan Bishop. This may be a separate letter from the Diocesan Bishop or simply the original request letter itself with his notation. The reply must be archived by the requesting person/organization. Permissions for indefinite fund-raising efforts (cf. #24 below) are valid for 12 months, while those with specific time-frames, by the nature of their limited scope of time, are valid through the time-frame specified in the request for permission
9. If a person or organization is already in the midst of raising funds for a specific project or within a capital campaign, is a request for permission required under the new policy?
  - Yes -- but indicate in the request for permission the fact that such an effort is already in progress, in the planning stages, etc.
10. May one request for permission include multiple fund-raising efforts?
  - Yes
11. Can one request for permission be made annually, to include all anticipated fund-raising efforts?
  - Yes. In fact encouraged is an annual request for permission to the Diocesan Bishop from each organization or person giving a comprehensive list that includes all anticipated fund-raising efforts for the coming year. Efforts of any and all parish-based organizations can be included in a parish's annual request for permission. However, if the fund-raising effort accompanies a capital project, the request for permission for fund-raising is to be included with the resolution beginning that project (cf. "Resolution Procedure" dated November 15, 2010)
12. Does the legislation include fees used to cover parish expenses, such as those charged for catechesis (e.g. CCD registration fees, etc.) or sacramental preparation (e.g. pre-marriage preparation, confirmation classes, wedding reservations, etc.) or for acts of service (e.g. funeral luncheons, etc.)?
  - No
13. In what way does this legislation affect worthy non-Catholic non-profits (those not included in the diocesan-related organizations and programs listed on pp. 8-9 of Diocesan Directory), who may solicit financial assistance from or through Catholic organizations or their members (e.g. special collections or bulletin announcements, etc.)?

- The burden of requesting permission from the Diocesan Bishop lies with the pastor, chaplain, or canonical representative, or a legitimate delegate of the Catholic organization through which any solicitation may be made by a non-Catholic non-profit
14. How does this affect Catholic schools and the chaplains assigned thereof?
- Requests for permission for fund-raising efforts for the school in general is to be made by the administration, whereas requests for permission for fund-raising efforts for the exclusive use of the chaplain within in his duties is to be made by the chaplain
15. Does the legislation include individual and unsolicited gifts/bequests to priests or deacons?
- No
16. May a concerned person request proof of authorization by the Diocesan Bishop for a specific fund-raising activity?
- Yes – such proof is to be archived and made available upon request by the fund-raising organization
17. What is a final report?
- This is document that summarizes the fund-raising effort at completion and provides accountability to the public at large and to the Church. The final report is to be submitted to the Finance Officer of the diocese generally after the completion of the fund-raising activity or event. A final report always includes as attachments copies of a) the request for permission and b) a copy of the response of the Diocesan Bishop to this request.
18. Can one final report include multiple fund-raising efforts?
- Yes
19. Can one final report be made annually, to collectively include all fund-raising efforts concluded during the year?
- Yes. In fact encouraged of each organization or person falling under this legislation is an annual final report (coinciding with the annual fiscal report already required of many parishes, etc.) to the Finance Officer of the diocese that includes all of their concluded fund-raising efforts from the past fiscal year, each activity being itemized. Concluded efforts of any and all parish-based organizations can be included in a parish's annual final report as well. While final reports of individual efforts are welcome at any reasonable time after completion, at no time should any concluded fund-raiser not have been finally reported to the Finance Officer of the diocese beyond the start of the fiscal year (July 1<sup>st</sup>)
20. Is there a due date for final reports on individual efforts?
- Yes – cf. #19 above
21. Is there a due date for final reports on multiple efforts?
- Yes – cf. #19 above

22. Are indirect expenses to be included in a final report?
- No
23. Are periodic reports necessary during a fund-raising activity?
- No – provided that the activity has a specific time frame indicated in the request for permission
  - Yes – annually in the case of indefinite activity (cf. #24 below)
24. Is there a template available for a final report?
- Yes. Cf. template the end of this document.
25. What does one do in the case of indefinite solicitation of funds, such as those institutions with departments or positions focused exclusively on planned giving, resource development, etc.?
- Such organizations are obligated to make a request for permission on an annual basis before the beginning of each fiscal year (July 1<sup>st</sup>), and to provide a periodic report on an annual basis after the end of each fiscal year.
26. Who will assess and monitor the annual reports?
- The Finance Officer of the Diocese of Bismarck
27. Can we expect a response to our final report (individual or collective) from the Finance Officer?
- Generally, no. A request to clarify or discuss any details will be up to the discretion of the Finance Officer.
28. Can requests for permission for the coming year and final reports from the past year be melded together?
- No.
29. What sources were used in this legislation?
- Sources include the universal law of the Code of Canon Law (CIC canons 1254-1310), the complementary norms/legislation regarding canon 1262 by the United States Conference of Catholic Bishops dated November 13, 2002, as well as the Statutes and Appendices of the Second Synod of the Diocese of Bismarck Dated November 10, 2016.
30. Are there consequences to not following this policy?
- Yes – as personally determined by the Diocesan Bishop

*(Organizational or Personal Letterhead)*

## **REQUEST FOR PERMISSION For Fund-Raising**

*(Date)*

Your Excellency:

*(Organization or person)* respectfully request(s) your permission to carry out a fund-raising activity/event as approved by the Second Synod of the Diocese of Bismarck.

*Purpose: (beneficiary; anticipated monetary goal when applicable; whether includes a capital project; title of fund-raiser when applicable; etc.)*

*Time frame: (date or intended beginning and ending dates; whether indefinite; already in progress after promulgation of legislation; etc.)*

*Methods: (e.g. appeal from pulpit; direct appeal by mail; personal visits to homes; free-will offering; assistance by fund-raising organizations; etc.)*

Please do not hesitate to call me at \_\_\_\_\_ in the case you have any questions or concerns. I look forward to your written response at your earliest convenience.

Praying for your every blessing, we (I) remain

Sincerely in Christ,

*/Signature/*

*(Canonical Representative of Organization or Person or Delegate)*

*(Organizational or Personal Letterhead)*

## **FINAL REPORT For Fund-Raising**

*(Date)*

Dear Finance Officer of the Diocese of Bismarck:

*(Organization or person)* respectfully submits this final report for a concluded fund-raising activity/event as approved by the Second Synod of the Diocese of Bismarck. Attached to this report are copies of the a) letter of request for permission and b) Bishop Kagan's written indication of his permission.

Amount collected: *(specific monetary amount; general description of material donations; estimated value of goods; etc.)*

Cost of fund-raising efforts: *(direct costs only; etc.)*

Amount and use of funds already disbursed: *(itemized when necessary; ect.)*

Fulfillment of any restrictions: *(if any have been accepted; indications of their fulfillment; etc.)*

Please do not hesitate to call me at \_\_\_\_\_ in the case you have any questions or concerns.

Sincerely in Christ,

*/Signature/*

*(Canonical Representative of Organization or Person or Delegate)*

Encl (2)