

STATUTES OF THE PRESBYTERAL COUNCIL

of the Diocese of Beaumont

(Rev. 9-21-07)

PREAMBLE

The local church is a communion of service in which all members—bishop, priests, deacons, religious, and laity—participate in the priestly, prophetic, and pastoral office of Jesus Christ. By reason of their ordination, the priests exercise these roles in a unique fashion, evident in their sacramental and pastoral ministries. On this basis, they share in a special way the shepherding role of the Bishop in caring for the local church.

The Presbyteral Council is a collective expression of the minds and hearts of the priests of the diocesan church. It is a forum for the mutual open reflection, prayerful discernment, and dialogue between the diocesan Bishop and the priests of the diocese.

Conscious of their responsibility to the diocesan vision of a collaborative Church, aware of the bonds of unity and affection among all the People of God of this diocese, committed to the promotion of a collegial and ecumenical spirit in the local church, seeking to strengthen unity amidst diversity among all the People of God of our diocese, and in conformity with the Code of Canon Law, the Bishop and priests of the Diocese do hereby commit themselves to service of the People of God and the presbyterate of the Diocese of Beaumont by constructive and critical deliberation and consultation through the forum of the Presbyteral Council.

ARTICLE I: NAME

The name of this consultative body shall be “The Presbyteral Council of the Diocese of Beaumont.”

ARTICLE II: PURPOSE

In representing the priests of the diocese, the Council shall:

1. Assist the diocesan Bishop in the decision-making process as a consultative body, according to the norms of law, specifically in the following areas where consultation is required (c. 127):
 - The decision to convene a diocesan synod (c. 461 § 1)
 - The establishment, suppression, or notable alteration of parishes (c. 515 § 2)
 - The allocation of offerings made by the faithful for parochial services and the remuneration of clerics for the same (c. 531)
 - The determination that there should be a pastoral council in each parish (c. 536)
 - The decision to build a new church (c. 1215 § 2)
 - The decision that a church, no longer able to be used for worship, be relegated to profane use (c. 1222 § 2)
 - The exercise of his right to impose a moderate tax on public juridic persons subject to him (c. 1263)
 - The proposing of a list of a standing group of pastors (Pastor Consultants) from whom he will choose two to assist him in the removal or involuntary transfer of a pastor (cc. 1742 § 1; 1745, 2º; 1750)
 - The deliberation of other matters that the Bishop wishes to bring to the Council.
2. Search for ways and means of promoting the pastoral welfare of the People of God entrusted to the bishop in collaboration with the members of the presbyterate.
3. Promote greater communication, cooperation, and collaboration between the Bishop,

- priests, and diocesan offices & agencies of the diocese.
4. Foster the bond of fraternity among all priests and promote a consciousness of their unity with the Bishop.

ARTICLE III: MEMBERSHIP AND SELECTION

Section 1: The Council will be composed of the Bishop, five (5) elected diocesan (incardinated) priests, one (1) elected religious order priest, three (3) *ex-officio* members (the Vicar General, the pro-Vicar General, and the Judicial Vicar), and two (2) appointed members.

Section 2: Election Process: The elected members shall be chosen in the following manner:

- a. The diocesan priests shall elect five (5) of their number to fill five positions on the Council.
- b. The Chairman of the Presbyteral Council or his designated delegate will mail to each diocesan priest a list of the diocesan priests eligible for election. Each priest may nominate two (2) priests for each position that is to be filled. The nominations will then be returned to the Chairman or his delegate. The two priests receiving the most votes for each vacant position will become the nominee(s) for the vacant position(s).
- c. The Chairman of the Presbyteral Council or his designated delegate will mail a ballot to each diocesan priest, listing the two nominees for each vacancy. Each voter will indicate his choice of one priest for each vacancy. Ballots will then be returned to the Chairman or his delegate. The nominee(s) receiving the most votes will be elected. In the case of a tied vote, a subsequent balloting will be necessary. In the case of a second tied vote, the senior by ordination shall be elected.
- d. To be eligible for election to and continued membership on the Council, a diocesan priest must be incardinated in the Diocese and appointed to a position of service within the Diocese.
- e. Diocesan priests appointed by the Bishop to service outside the Diocese shall have the right to vote in elections, but they shall not be eligible for election.
- f. The religious order priests shall elect one of their number to fill one (1) position on the Council according to the same process stated in b and c above.

Section 3: Time of Elections: The elections shall normally be conducted during the months of May-June, and the new members will attend their first meeting in September.

Section 4: *Ex-Officio* Members: The Vicar General, Pro-Vicar General, and Judicial Vicar shall be *ex-officio* voting members of the Council.

Section 5: Chancellor: In the event that a priest is named Chancellor of the Diocese, that priest shall serve as an *ex-officio* voting member of the Council. If the Chancellor is not a priest, that person shall serve as a consultant to the Council and be the recording secretary.

Section 6: Appointed Members: The Bishop shall appoint two (2) priests, who may be either diocesan or religious order, to be voting members of the Council.

ARTICLE IV: TERMS OF OFFICE

Section 1: Each elected and appointed member will hold office for a three-year term. The terms will be staggered. The *ex-officio* priests will serve as long as they hold their respective appointed offices.

Section 2: Elected and appointed members will be eligible to serve for two consecutive terms and will begin serving September 1.

Section 3: In the event of a vacancy of an elected position on the Council, the other nominee shall serve the remainder of the vacated term and will be eligible for election to serve another two full terms in succession. In the event of a vacancy of an appointed position, the Bishop shall appoint another priest, either diocesan or religious order, to fill the remainder of the vacated term.

ARTICLE V: OFFICERS

Section 1: The officers of the Council will consist of the President, a Chairman, a Vice-Chairman, a Secretary (if a priest), and such additional officers as the Council may elect.

Section 2: President: The President of the Council shall be the diocesan Bishop. The President shall have the right to call meetings of the Council, to preside over meetings of the Council, to place matters of concern on the agenda of the Council, to accept or reject (except where otherwise provided by canon law) the results of the Council's deliberations, and to promulgate officially decisions arising there from.

Section 3: Chairman: The Chairman shall preside at meetings of the Council not presided over by the President. He shall have an active voice and vote in the Council's deliberations. He shall supervise the annual elections of the members in conjunction with the bishop's office and keep lists of those nominated, but not elected, and notify alternates wherever vacancies have occurred. He shall suggest agenda items. He shall perform all duties incident to the office of Chairman and such other duties the President delegates and these Statutes prescribe.

Section 4: Vice-Chairman: The Vice-Chairman shall assume the duties of the Chairman when the Chairman is absent or otherwise impeded.

Section 5: Secretary: A priest Chancellor who is an *ex-officio* member of the Presbyteral Council shall serve as Secretary to the Council. If the Chancellor is not a priest, that person shall be the recording secretary, but shall not be an officer of the Council. The (recording)Secretary shall record and prepare the minutes of the Council, obtain the written approval of the President, and distribute them to the presbyterate in a timely manner.

Section 6: Election, Tenure, Vacancies, and Removal:

- a. The voting members of the Council will annually elect the Chairman and Vice-Chairman at the beginning of the September meeting, under the presidency of the Bishop. Officers so elected shall assume their duties immediately. No member may hold more than one office.
- b. The Chairman and Vice-Chairman are elected for a term of one year, and they may be elected to an additional consecutive term.
- c. Those elected will hold office until the next annual election and thereafter until the Council elects their successors.
- d. In the event that a vacancy occurs in the office of Chairman, the Vice-Chairman will automatically serve the unexpired term of Chairman. In the event of any other vacated office, it will be the duty of the Council to elect another member of the Council to serve the unexpired term.

- e. Any officer who does not fulfill attendance requirements (i.e. Article VI, Section 1) or actively participate in the work of the Council is subject to removal.

ARTICLE VI: MEETINGS

Section 1: Regular Meetings: The regular meetings will be held five (5) times a year on an annual schedule determined by the President and the Chairman. No meetings are scheduled during July and August.

Section 2: Addressing the Council: Any priest desiring to address a meeting of the Council is to notify the Chairman no less than ten (10) days prior to the next Council meeting. Granting the right to address the Council rests with the President. Depending on the items placed on the agenda, the President may invite Pastoral Office staff or other individuals to attend a meeting of the Council for the purpose of providing information. This information will assist the members in their deliberations and recommendations.

Section 3: Special meetings: The President may call special meetings.

Section 4: Quorum: A simple majority (i.e. one more than half) of the voting members of the Council is necessary for the transaction of business at meetings. A majority of those present will be sufficient for any decision or election unless otherwise stated in these Statutes.

Section 5: Rules of Procedure: As a norm, the Council shall strive toward consensus and other modes of Christian decision-making with due regard for these Statutes, the provisions of Canon Law in specific cases, "Robert's Rules of Order, Revised", and any special rules of order the Council may adopt.

Section 6: Agenda: The President and Chairman shall prepare the agenda and distribute it to all members of the Council in advance of the meeting.

Section 7: Minutes: After the President has approved and signed the minutes, the (recording)Secretary will distribute them to all diocesan and religious order priests appointed to the Diocese and others so designated.

Section 8: Attendance: Attendance and absences will be noted and recorded in the minutes. To be "excused" a member who will not be in attendance is to contact the President or the Chairman in advance of the meeting. Any member of the Council, other than an *ex-officio* member, who is absent from three consecutive meetings will cease to be a member, unless the Council excuses him.

Section 9: If Canon Law requires the consultation (advice) of the Presbyteral Council (i.e. Article II, #1), an actual meeting is desirable. If this is also not possible, necessity may require that consultation be by mail, e-mail, or fax. If some of the members of the Council desire a meeting to discuss the matter, the meeting shall be called as soon as possible (c. 127 §1).

ARTICLE VII: COMMITTEES

The Council may provide for standing and *ad hoc* committees as are necessary to carry on the work of the Council. The duties of the committees are specified by the Council. Committee members shall be appointed by the Chairman and confirmed by the Council.

ARTICLE VIII: FINANCES

The operating budget for the Council shall be prepared by the Vicar General and be included in the diocesan budget preparation process and ultimately be approved by the diocesan bishop. The diocesan operating budget shall provide for necessary funds to cover the expenses of the Council.

ARTICLE IX: AUTHORITY

Section 1: The Council enjoys a consultative vote, yet the Bishop is to listen to the Council in matters of greater moment, but he needs its consent only in cases expressly defined by law (c. 500 §2).

Section 2 Convoking the Council: The President convokes the Council, presides over it, and determines the questions and proposals that the Council will receive, discuss, decide, and recommend (c. 500 §1).

Section 3: Relationship to Authority: The Council is never able to act without the Bishop (c. 500 § 2).

Section 4: Cessation of Authority: When the See is vacant, the Council ceases, and the College of Consultors assumes the duties of the Council (c. 500 §2).

ARTICLE X: COLLEGE OF CONSULTORS

The College of Consultors shall be appointed in writing as a group (*in solidum*) by the diocesan Bishop from among the voting members of the Presbyteral Council. The number is to be not less than six (6) nor more than twelve (12)--specifically, an odd number--and the group is appointed for a term of five (5) years (c. 502). The College of Consultors shall operate with its own statutes.

ARTICLE XI: AMENDMENTS

These Statutes may be amended by a two-thirds vote of the members of the Council, provided that, prior to the voting, the proposed amendment has been submitted in writing at a previous meeting of the Council and published in the minutes. To take effect, any amendment must be approved by the Bishop.

These revised Statutes will take effect on the day that the Bishop approves them, as evidenced by his signature hereto, and they will then rescind and revoke the previous Constitutions (i.e. the 1988 and 1992 Constitutions).

Approved on September 21, 2007

By: Most Rev. Curtis J. Guillory, S.V.D.
Bishop of Beaumont