

Regulations for the Administration of Parish Temporal Affairs in the Roman Catholic Diocese of Erie *(as approved by Presbyteral Council, 03/20/06 and promulgated by the Bishop of Erie, 09/05/2007)*

1.0 General Regulations

- 1.1 These diocesan regulations presuppose and supplement prescriptions of the *1983 Code of Canon Law* and any other prescriptions issued by the Apostolic See, the United States Conference of Catholic Bishops, and all other laws or norms of the Roman Catholic Church.
- 1.2 These diocesan regulations also presuppose and supplement the prescriptions pertaining to the administration of parish temporal affairs issued by the Bishop of Erie, including but not limited to the *Parish Financial Practices Manual of the Diocese of Erie* (January 2001), *Norms for the Parish Finance Council* (August 2000), *Policy on Coordinating Fundraising Activities in the Diocese of Erie* (April 1997), *Diocese of Erie Deposit and Loan Fund* (April 1992), *Decree on Administration of Ecclesiastical Goods in the Diocese of Erie* (August 1985).
- 1.3 Any customs, practices, or previous norms which are contrary to the universal law of the Roman Catholic Church and these diocesan regulations are suppressed.
- 1.4 The Bishop of Erie alone, after consulting the appropriate consultative bodies, including the Presbyteral Council and the Diocesan Finance Council, may amend or add to these diocesan regulations in whatever form that is legitimate according to the universal law of the Catholic Church (canons 391, 1276 §2).
- 1.5 The Bishop of Erie alone may give an authentic interpretation of diocesan regulations (canon 16 §1).
- 1.6 Dispensations from these diocesan regulations may be given only by the diocesan bishop or the vicar general or episcopal vicars within their competence (canons 87 §1, 88, 89) or by any other lawfully appointed delegate of the diocesan bishop.
- 1.7 The Bishop of Erie is responsible, either personally or through his delegate, for urging and directing the observance of these diocesan regulations (canon 392).

2.0 Purpose of these Regulations

- 2.1 Temporal goods are acquired, retained, administered, and alienated by juridic persons of the Roman Catholic Church in pursuit of its proper ends or purposes, which include: ordering divine worship, providing for the

- decent support of the clergy and other ministers, and exercising works of the apostolate and works of charity (canon 1254 §§1-2).
- 2.2 Each parish in the Roman Catholic Diocese of Erie as a distinct juridic person is able to acquire, retain, administer, and alienate its own temporal goods (canons 515 §3, 1255-1256).
 - 2.3 The temporal goods of each parish are always to be used for the purposes for which they are acquired and are governed by the universal laws of the Roman Catholic and the particular laws of the Diocese of Erie and individual parish statutes.
- ### **3.0 Parishes**
- 3.1 A parish is a definite community of the Christian faithful established on a stable basis within a diocese. 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).
 - 3.2 As a general rule and with due regard for those parishes which are established on the basis of language, nationality, or some other pastoral reason, Catholics in the Diocese of Erie belong to the parish within whose territory they reside. They should be registered and participate in that parish (canon 518). Special cases should be accommodated if possible.
 - 3.3 Those communities of the Catholic faithful in the Diocese of Erie that gather together for worship and works of the apostolate in those structures designated as missions, chapels or oratories are not to be considered parishes or quasi-parishes (as in canon 516), nor are they constituted as distinct juridic persons.
 - 3.4 Only the diocesan bishop may establish, suppress or alter a parish after consulting the presbyteral council (canon 515 §2).
 - 3.5 According to the *1983 Code of Canon Law*, each legitimately established parish in the Diocese of Erie is constituted as a juridic person by the law itself (canon 515 §3), with certain rights and duties determined by that law, including the right to acquire, retain, administer, and alienate temporal goods (canon 1255).
 - 3.6 The property of each parish in the Diocese of Erie is held in trust by the Bishop of Erie for the benefit of that parish. In order to take care that the ownership of parish property is protected by valid methods in civil law, a Declaration of Trust is to be made for each parish, thereby establishing a Charitable Trust for each parish according to the laws of the Commonwealth of Pennsylvania (canon 1284 §2, 2^o).

- 3.7 Only the Bishop of Erie may establish, alter or terminate a Parish Charitable Trust.
- 3.8 With due regard for these diocesan regulations and the norms of the 1983 Code of Canon Law, the administration of the temporal affairs of a parish is governed by parish statutes (canon 1257 §1). In order to be valid, parish statutes must be approved in writing by the diocesan bishop (canon 117).

4.0 Pastors

- 4.1 The priest who has been appointed pastor by the diocesan bishop is the proper pastor of a parish and is responsible for the pastoral care of the Catholic faithful of that parish and is responsible for conducting the temporal and legal affairs of the parish (canons 519, 527, 532).
- 4.2 The priest appointed administrator of a parish by the diocesan bishop (canon 540) and the priest appointed moderator of a parish by the diocesan bishop (canon 517) have the same rights and duties of a pastor with regard to pastoral care and temporal and legal affairs of that parish.
- 4.3 The priest who has been legitimately appointed to a parish under the title of pastor, or administrator, or moderator is *ex officio* the administrator of the Parish Charitable Trust as established in the declaration of trust (canon 1279 §1).
- 4.4 The pastor or priest who is *ex officio* the administrator of the Parish Charitable Trust may not initiate or respond to any litigation on behalf of the Parish Charitable Trust unless written permission has been given by the diocesan bishop (canon 1288).
- 4.5 Each parish is to have only one pastor, administrator, or moderator (canon 526 §2).
- 4.6 Due to a lack of priests or other pastoral circumstances, a priest may be appointed by the diocesan bishop as the proper pastor, administrator, or moderator of more than one parish (canon 526 §1).
- 4.7 Any person who is not the pastor, administrator, or moderator of a parish, including other priests, deacons, or laypersons, may be authorized to conduct temporal or legal affairs of a parish only when said person is granted that authority in writing by the diocesan bishop, or by written authorization issued by the pastor in specific instances according to parish statutes.

5.0 Parish Finance Council

- 5.1 A finance council must be established in each parish (canon 537).
- 5.2 The number of persons who are to serve on the parish finance council and their qualifications and manner and length of appointment are determined according to the diocesan *Norms for the Parish Finance Council* and parish statutes.
- 5.3 The parish finance council is advisory to the pastor who is the administrator of the temporal affairs of the parish. In accord with the diocesan *Norms for the Parish Finance Council* and parish statutes the pastor presides over the parish finance council with the assistance of a member of the parish finance council whom the pastor appoints as Moderator.
- 5.4 The parish finance council advises the pastor about all financial and temporal matters according to diocesan regulations and the statutes of the parish.
- 5.5 The parish finance council must be consulted in the preparation of the annual parish budget and the annual financial report of the parish that is communicated to the parish and submitted to the diocesan Office of Financial Services according to the *Parish Financial Practices Manual of the Diocese of Erie*.
- 5.6 The parish finance council is to be consulted in those acts of acquisition, alienation or encumbrance of parish property according to the diocesan *Norms for the Parish Finance Council*.
- 5.7 Minutes of the meetings of the parish finance council are to be recorded according to parish statutes.

6.0 Parish Pastoral Council

- 6.1 A pastoral council must be established in each parish (canon 536).
- 6.2 The number of persons who are to serve on the parish pastoral council and their qualifications and manner and length of appointment are determined according to norms issued by the Bishop of Erie and the parish statutes.
- 6.3 In accord with the diocesan *Norms for the Parish Finance Council*, the Moderator of the parish finance council is to be an *ex officio* member of the parish pastoral council.

- 6.4 The parish pastoral council is advisory to the pastor who is the administrator of the temporal affairs of the parish. The pastor presides over the parish pastoral council either personally or through one approved by the pastor from among the members of the parish pastoral council.
- 6.5 The parish pastoral council advises the pastor about all matters concerning planning, coordinating, and promoting pastoral activity in the parish according to diocesan regulations and the statutes of the parish.
- 6.6 Minutes of the meetings of the parish pastoral council are to be recorded according to parish statutes.

7.0 Parish Institutions, Organizations and Affiliates

- 7.1 Property and assets of parish institutions (including schools and cemeteries) and organizations (including clubs, societies, sodalities and fraternities) established by the parish which are authorized to conduct activities under the federal employer identification number of the parish are considered to be property of the parish. Property and assets of any other organization or affiliate, even if the ecclesiastical name of the parish is used in the title of that organization are not property owned by the parish trust.
- 7.2 The administration of property and assets of parish institutions and organizations which are considered parish property are subject to these diocesan regulations and the other prescriptions which are presupposed and supplemented as stated above in numbers 1.1-1.2.
- 7.3 Each parish institution and organization is to have its own statutes by which the administration of the temporal affairs of these parish institutions and organizations are also governed. The statutes of parish institutions and organizations must be approved by the pastor after consulting the diocesan bishop or his delegate.

8.0 Records and Documents

- 8.1 An inventory of parish property is to be made annually and carefully preserved in the parish archives with an authentic copy submitted for preservation in the archives of the diocesan Office of Financial Services (canon 1284 § 2, 9°).
- 8.2 An inventory of the personal property of each cleric or religious assigned to a parish is to be maintained and revised annually, with an authentic copy of that inventory to be kept by the local dean (vicar forane).

- 8.3 The documents and records under civil and canon law on which the property rights of the parish are based are to be carefully preserved in the parish archives with authentic copies submitted for preservation in the archives of the diocesan Office of Financial Services (canon 1284 § 2, 9^o).
- 8.4 Documents and records of parish property which are no longer valid should be preserved in the historical archives of the parish and the diocese.
- 8.5 Each parish must keep well organized records of income and expenditures, with current balances and financial reconciliation, according to the *Parish Financial Practices Manual of the Diocese of Erie*.
- 8.6 All parish records and documents must be preserved in a safe place which is reasonably protected from fire, theft and other dangers (canon 535 §4).
- 8.7 All parish records and documents shall be available for inspection by the diocesan bishop or his delegate (canon 535 §4).
- 8.8 Each parish must have its own official seal (canon 535 §3).
- 8.9 The pastor is responsible for maintaining and preserving all parish records, documents and the parish seal (canons 535, 1284).

9.0 Acquisition, Alienation, Encumbrance of Property

- 9.1 The pastor or the priest with authority equivalent to the pastor shall have authority to purchase, sell, or lease property, or to borrow money or enter any contract which involves encumbrance of parish property with written permission from the diocesan bishop. All diocesan regulations, policies, and requirements for such acts must be observed. No other person has authority to conduct such transactions on behalf of a parish without written authorization from the diocesan bishop.
- 9.2 Parish property or facilities may be rented, leased, or provided without charge, on an occasional basis, to individuals, groups, or organizations, for non-parish functions or activities only upon written authorization from the pastor according to parish statutes and provided that all applicable provisions of diocesan norms are observed.
- 9.3 Parish property or facilities may be rented, leased, or provided free of charge, on an ongoing or long-term basis, to individuals, groups, or organizations, for non-parish functions or activities only upon written authorization from the pastor and written authorization of the diocesan bishop or his delegate, according to parish statutes and provided that all applicable provisions of diocesan norms are observed.

- 9.4 Parish property or facilities may not be rented, leased or provided free of charge, even on an occasional basis, to any individual, group, or organization, for any function or purpose which, in the judgment of the diocesan bishop, is contrary to the teachings and mission of the Catholic Church.
- 9.5 Notice of any wills, bequests, or trusts whether by an act *inter vivos* or by an act *mortis causa* must be reported immediately to the diocesan bishop or his delegate (canon 1302).
- 9.6 No wills, bequests, or trusts whether by an act *inter vivos* or by an act *mortis causa* may be accepted for the benefit of a parish without the written permission of the diocesan bishop or his delegate (canon 1301).
- 9.7 Wills, bequests, or trusts legitimately accepted for the benefit of the parish are to be fulfilled diligently according to the intention of the donor (canon 1300). Also, the prescriptions of civil law are to be observed (canon 1299 §2).
- 9.8 A copy of any and all wills, bequests and trusts for the benefit of the parish is to be preserved in the parish archive with a copy furnished to the diocesan Office of Financial Services to be kept in the diocesan archive.
- 9.9 No pious foundation of any kind or any amount for the purpose of investing funds for celebrating Masses for the intention of the donor may be accepted without the written permission of the diocesan bishop or his delegate (canon 1304).
- 9.10 Endowment funds may be established by a parish for the benefit of the parish or parish institutions or organizations only upon written permission from the diocesan bishop.

10.0 Collection, Deposit, and Investment of Funds

- 10.1 Each pastor is responsible for collecting the regular offerings of the Catholic faithful on Sundays and Holy Days and depositing those offerings in the parish operating account(s).
- 10.2 Each pastor is responsible for taking up all the special collections that are authorized annually or on special occasions by the diocesan bishop. No one in authority on the parish level is permitted to take up any other special collection without permission from the diocesan bishop.
- 10.3 No pastor or anyone representing a parish may require or collect any fee for parish services or functions of any kind (whether pastoral, sacramental,

educational, social, or administrative) unless it is in accord with approved norms in the *Parish Financial Practices Manual of the Diocese of Erie* and parish statutes, or prior written approval has been given by the diocesan bishop.

- 10.4 The safeguards for counting and depositing the income of the parish and parish institutions and organizations must be observed according to the *Parish Financial Practices Manual of the Diocese of Erie*.
- 10.5 No pastor or any other person may deposit in any financial institution, or retain in a safe deposit box, or otherwise hold or retain in one's own name or any other name other than the name of the parish, any funds, securities, or valuables belonging to the parish of any sort.
- 10.6 No pastor or any other person may deposit one's personal property or valuables of any sort in any parish account in any financial institution, or in the safe deposit box of any parish.
- 10.7 Excess funds of a parish or parish institution or organization shall be deposited in the *Parish Deposit and Loan Fund of the Diocese of Erie* in accord with diocesan norms.
- 10.8 Investment of parish or parish institution or organization funds may not be made in securities, options or any instruments which involve risk that would violate the so-called "prudent investor rule."

11.0 Budget and Bookkeeping

- 11.1 All parishes and parish institutions and organizations will operate on a fiscal year beginning on July 1 of each year and terminating on June 30.
- 11.2 An orderly budget process for all parishes and parish institutions and organizations should begin in February of each year in order to provide for the necessary consultation with the parish pastoral council and parish finance council and the consultative boards or committees for parish institutions or organizations.
- 11.3 The annual parish budget, including budgets for parish institutions and organizations must be submitted to the diocesan Office of Financial Services by May 31, and published within the parish according to the prescriptions of the *Parish Financial Practices Manual of the Diocese of Erie*.
- 11.4 The annual parish financial report must be submitted to the diocesan Office of Financial Services by August 31, and published within the parish

according to the prescriptions of the *Parish Financial Practices Manual of the Diocese of Erie*.

- 11.5 The annual parish financial report must bear the signature of the pastor or the priest who is parish administrator or moderator, and the members of the parish finance council.

12.0 Maintenance and Insurance of Parish Property

- 12.1 With the diligence of a good householder, pastors are responsible for the maintenance, supervision, and management of parish property (canon 1284).
- 12.2 In addition to the regularly scheduled inspections of parish property by the diocesan facilities and risk manager and/or the insurance plan administrator, pastors should see to it that regular maintenance inspections be conducted in order to keep parish property in good repair.
- 12.3 Questions concerning maintenance, supervision and management of parish property should be referred to the diocesan Office of Facilities and Risk Management, especially with regard to compliance with applicable regulations of local, state, and federal government.
- 12.4 Property and casualty insurance on all parish property, and workers compensation coverage must be carried through the insurance plan arranged by the diocesan Office of Financial Services. Additional insurance must be obtained by the renter before any agreement is made for rental of parish property or facilities by any individual, group, or organization for non-parish functions or activities, according to norms in the *Parish Financial Practices Manual of the Diocese of Erie*.
- 12.5 All motor vehicles which are owned by the parish or a parish institution or organization must be covered by adequate insurance through the protected self-insurance plan arranged by the diocesan Office of Financial Services. Motor vehicles which are property of clergy or other persons are not insured by this plan.
- 12.6 Personal property of clergy assigned in a parish is insured according to the limits established by the diocesan self-insurance plan arranged by the diocesan Office of Financial Services.