



Updated &

Alphabetized

## Word Bank March 2023

This Word Bank was first developed following the meetings held with leadership and membership in the initial phases of this project and updated as additional words/terms surfaced in our conversations. These terms are meant to be used as a resource in more clearly defining various aspects of establishing an Association for Shared Canonical Governance such as the Statutes.

### ASSETS & LIABILITIES

--**ASSETS** are the properties and/or financial accounts, owned by a person or company, regarded as having value and available to meet debts, commitments, or legacies; anything that can be converted to cash.

--**LIABILITIES** are the things for which someone is responsible, especially a debt or financial obligation; anything that is owed.

**ASSOCIATION ASSEMBLY** – is the highest authority in the Association and is convoked ordinarily every three years

**ASSOCIATION LEADERSHIP** – consists of the Association President and the Executive Committee

**ASSOCIATION EXECUTIVE COMMITTEE** – consists of the Association members elected to serve as the officers of the Association.

**COMMISSARY** -- the Church's term for a person or entity who is appointed to represent either the Vatican or a diocesan bishop in a particular matter/situation; at the time of appointment the scope of the duties given to the person or entity is specified.

--Religious institutes<sup>1</sup> which are no longer able to elect their own leadership can petition

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<sup>1</sup> The word "institute" is the umbrella term used in this listing for the various types of religious entities for living religious life described in the Church's canon law. You are welcome to substitute "congregation" for "institute" as you move through the list since the OPSCC is made up of congregations, one that is pontifical and four that are diocesan.

the Vatican (if pontifical) or the bishop (if diocesan) for a commissary to be appointed to serve as their leadership; an institute is free to nominate a particular person/entity for this role but cannot appoint a commissary itself.

--Religious congregations which are no longer able to hold chapter and/or elect their own leadership can petition the Vatican (if pontifical) or the bishop (if diocesan) for a commissary

to be appointed to serve as their leadership; an institute is free to nominate a particular person/entity for this role but cannot appoint a commissary itself.

-- Specifics on how a congregation prepares for and petitions for the appointment of a Commissary will be developed by the member congregations working collaboratively within the Association.

**CORPORATION** -- an association of individuals, created by civil law or under the authority of the civil law, with a continuous existence independent of the existences of its members, and powers and liabilities distinct from those of its members.

-- USA civil law requires that canonical entities, including religious institutes, need to set up civil corporations to manage their assets and business (this management includes ordinary and extra-ordinary administration as described below).

-- A non-profit recognized as a 501(c) (3) corporation comes under a particular set of civil norms which are beneficial to the work of the non-profit. Ex. a 501(c) (3) corporation has tax exemption.

--A religious institute can create additional corporation(s) to handle its ministries; at the time setting up a corporation, the institute decides what assets will belong to it; additional assets can always be added.

**COVENANT** -- in general this is an agreement, usually formal, between two or more persons or entities to do or not do something specified.

**CANONICAL COVENANT** -- an agreement between an institute facing serious limitations in being able to handle its canonical governance and/or its corporation responsibilities (civil management) with another party; this agreement can be solely for handling civil management (in part or entirely) or can be solely for handling canonical governance or can be for both civil management and canonical governance; when the agreement entails canonical governance the approval of either the Vatican (if pontifical) or of the bishop (if diocesan) is required to be implement it.

*Note: no two canonical covenant agreements are the same for the agreements are developed to fit the situation of the institute seeking it.*

**DICASTARY FOR INSTITUTES OF CONSECRATED LIFE AND SOCIETIES OF APOSTOLIC LIFE (DICLSAL)** – a department of the Roman Curia in the Vatican responsible for matters related to religious life.

**ENTITY**-- in general this is something that has a real existence, a thing.

**CANONICAL ENTITY FOR RELIGIOUS LIFE** -- a way of life formally approved by either the Vatican (a pontifical institute) OR the diocesan bishop (a diocesan institute within this bishop's diocese); the three categories of canonical entity for religious life recognized in canon law are:

--**RELIGIOUS INSTITUTE** (includes congregations and monasteries) is "...a society in which members, according to proper law, pronounce public vows, either perpetual or temporary which are to be renewed... and lead a life of brothers or sisters in common." See canons 607-709 for the norms governing this way of religious life.

--**SECULAR INSTITUTE** is way of life in which the members "...living in the world, strive for the perfection of charity and seek to contribute to sanctification of the world, especially from within." See canons 710-730 for the norms governing this way of religious life.

--**SOCIETY OF APOSTOLIC LIFE** is a way of life, while resembling institutes of consecrated life, in which "...their members without religious vows, pursue the apostolic purpose proper to [it] and, leading a life in common as brothers and sisters according to their proper manner of life, strive for the perfection of charity through the observance of constitutions." See canons 731-746 for the norms governing this way of religious life.

**FEDERATION** -- in general, to provide for spiritual and pastoral support and sharing of ideas a group of religious institutes can form a federation; there are two types of federations in the Church:

-- Formally approved federation has statutes approved by CICLSAL; if the approved statutes specify, the federation leadership can exercise authority over its member institutes in some matters.

--Informally approved federation has its statutes created and approved by the membership but not sent to CICLSAL for approval; each of the member institutes retains its full autonomy. Ex. Dominican Federation

**JURIDIC PERSON** -- moral persons or subjects in canon law with obligations and rights which correspond to their nature and can exercise juridic acts; see cc. 113-123 for more details; sometimes the initials of "PJP" are used when referring to a public juridic person (one type of juridic person).

Examples of public juridic persons in the Church:

- (a) by nature the Catholic Church and the Apostolic See;
- (b) by decree institutes of consecrated life, societies of apostolic life, secular institutes, dioceses, parishes.

## LAW

**CANON LAW** (often referred to as the Universal Law of the Catholic Church) -- is the internal ecclesiastical law, or operational policy, governing the Catholic Church.  
-- a canon is a brief statement of a norm approved by the Pope.

**CIVIL LAW** -- is the code of civil laws within a given geographic area; it gives individuals and civilly recognized entities obligations and rights, such as allowing everyone the freedom to own property

**COMMON LAW** -- is law that is not written down as legislation and has evolved into a system of rules based on precedent. This is a rule that guides judges in making later decisions in similar cases. The common law cannot be found in any code or body of legislation, but only in past decisions.

**CRIMINAL LAW** -- is the system of civil law concerned with punishment of those who commit crimes.

**UNIVERSAL LAW OF THE CATHOLIC CHURCH** -- contains the concepts of legal, legitimate actions, whereby those principles and rules for governing human beings' conduct which are most universal in their acceptability, their applicability, translation and philosophical basis, are therefore considered to be most legitimate.

-- based on the Code of Canon Law and expanded by any additional Vatican documents publishes

## MAJORITY

**SIMPLE MAJORITY (OR RELATIVE MAJORITY)** -- is to receive a majority in which the highest number of votes cast exceeds the second highest number while not constituting an absolute majority

**ABSOLUTE MAJORITY** -- is to receive a vote total that is at least one over half of all the votes  
cast.

**MANAGEMENT** -- the handling of an institute's assets and business through its civil corporation(s); management in canon law is described in two categories:

—**Ordinary Administration** which is the day-to-day operations that do not require special permission (developing the budget and overseeing it, paying normal bills, making normal deposit of salary, donation checks, purchase of normal supplies, etc.)

—**Extraordinary Administration** which are operations beyond day-to-day activities requiring special permission from the leadership. (Ex. this category is where the sale of property is often handled depending on the value of the sale.)

**MEMBER OF A CONGREGATION OF THE ASSOCIATION** -- a congregation who has canonically voted (in Chapter) to become a part of the Association

**ORDINARILY** -- an adverb denoting usually, in a normal way, but allows for a variation when necessary

**PATRIMONY OF AN INSTITUTE** —the goods in funds, properties, securities in any form, and the spiritual heritage which belong to an institute (its nature, end, spirit and character according to the intent of the founders and the institute’s sound traditions); the leadership must take special care not to put the institute’s patrimony in unnecessary adverse business situations to avoid destabilizing its way of life.

**PROPER LAW** — this is the document of a particular institute, i.e. the constitutions, that governs its way of life and binds the members; it has been formally approved by either the CICLSAL or the diocesan bishop.

**SHARED CANONICAL GOVERNANCE** -- is a means by which member congregations create an Entity that elects a Major Canonical Superior and Council and holds a General Chapter. This will enable each member congregation to remain viable until their last member dies.

**SUPPRESSION OF A RELIGIOUS INSTITUTE** -- the action by either the diocesan bishop (if a diocesan institute) or CICLSAL (if a pontifical institute) to terminate the existence of a religious institute; seldom done except when there are no more members or when entering into a merger/union.

**TREASURER** -- is a person appointed to administer or manage the financial asset and liabilities of a society, company, local authority, or body.

-- a position that could be incorporated into the job description of the CFO; could also be held by a qualified lay person

## **Frequently Asked Questions (FAQ)**

**Updated December 2021**

### **Introduction to the FAQ**

The task force has continued to develop responses to the Frequently Asked Questions (FAQ) it receives at meetings held with leadership and membership in Phases I through IV of this project. During each phase, additional questions surfaced and have been added to the FAQ. These answers are meant to be used as a resource to understand the working text of the Association's Statutes for Shared Canonical Governance.

#### **1. What is the OPSCC?**

The OPSCC (Dominican Sisters in Committed Collaboration) is a non-canonical structure created by six Dominican congregations of vowed women religious in the Northeast to promote Dominican life and mission.

#### **2. What Congregations participate in the OPSCC?**

Amityville, Blauvelt, Caldwell, Hope, Maryknoll, Sparkill.

#### **3. What congregations are considering participating in the Shared Governance Model?**

Amityville, Blauvelt, Caldwell, Hope, Sparkill.

#### **4. Who are the members of the Task Force?**

One leader and one member from each of the five congregations and the facilitator.

Amityville:	Beth McGarvey and Diane Morgan
Blauvelt:	Terry Rickard and Ellenrita Purcaro
Caldwell:	Lena Picillo and Pat Tavis
Hope:	Catherine Walsh and Pat Magee
Sparkill:	Sheila Brennan and Grace Hogan

**5. How did this Task Force come to be?**

The Task Force was called for in the Apr. 11, 2019 statement from the OPSCC leadership and was affirmed by the OPSCC leadership on Sept. 23, 2019. (See Appendix for this statement) They then moved forward to appoint the Task Force which began its work on Nov. 13, 2019.

**6. While we may not be coming together as “one” right now, will this happen eventually?**

Keep in mind the statement from OPSCC leadership in April 2019: “The model will be one in which each participating congregation would maintain its own identity; no merger or union is being considered.”

During the OPSCC process of meeting to discuss shared canonical governance, several factors must be considered: capacity of each congregation to hold Chapter; capacity to elect leadership; management needs; and demographics. The model being proposed will address these realities.

**7. How are we leaning into one another to move into the future?**

This process, including distribution of updates after each Task Force meeting and creation of a shared common prayer, is bringing to the fore the reality and the unknown of moving into shared canonical governance. It may be good to ask members what it is we need to do to have a better sense of knowing each other.

**8. I am a Sister in a local community. How is a shared canonical governance structure going to affect me?**

One way will be to grow in appreciation and understanding of the 5 congregations in OPSCC.

Another way will mean learning how the new structure functions and how we will be in relationship with one another.

**9. When will we be able to talk about a specific model of shared canonical governance?**

Possible models are in draft form and are under revision as the Task Force continues its work. The plan is that during October the draft model(s) will be presented to membership and leadership for consideration and input.

**10. Will we be able to retain some practices of our own congregations such as jubilees, wakes & funerals?**

Initially each congregation will maintain its traditions regarding celebrations of jubilees, wakes and funerals. As collaboration continues and we learn from each other, leadership and membership can discern desired changes.

**11. Who will be responsible for oversight of the sponsored ministries?**

That depends upon the governance structure that is in place for each of the sponsored ministries as well as the governance structure created for the new Entity. Much of this is not yet worked out. What is clear is the creation of a new Entity for shared canonical governance does not mean that anything automatically must happen with the sponsored ministries.

**12. If a congregation has a province or another region, how will this affect the process of moving into shared canonical governance?**

The structure and proper law of the province or region will have to be considered in relation to the congregation. If there are questions, they need to be addressed before the shared governance model is adopted by a congregation.

**13. How do we understand the question of “capacity” related to our members?**

Members need sufficient comprehension of the matters under consideration, the willingness to study difficult questions openly, and the ability to deal with complex issues.

**14. Are there congregations beginning to create a shared governance model?**

As included in the Introduction to this document, 9 religious congregations formed the Wisconsin Religious Collaborative for the purpose of sharing resources and professional expertise in finance, management, pastoral care, governance, and other areas in order to sustain mission and meet the needs of individual religious institutes in Wisconsin and their members. Shared canonical governance has not yet been addressed.

**15. What information is available regarding our demographics?**

This journey to shared canonical governance is motivated by our desire to foster



Dominican life and mission. This desire includes realization of our demographics. Please see the Appendix for U.S. Dominican Sisters Census Profiles 2020-2040. The graphics indicate Sisters over/under 70 years of age in the US Dominican women's congregations.

#### **16. How will the model of shared canonical governance be implemented?**

The OPSCC leadership will determine the process of implementation.

#### **17. Why is the Association a canonical model and not a civil one?**

The Task Force was charged by the OPSCC Leadership to create a shared canonical governance model. Being a civil entity solely will not address the OPSCC Leaders' desired end of addressing the call for developing shared canonical governance among its member congregations. To address this call requires establishing a canonical model for shared governance. The reason this charge calls for the creation of a canonical model is that every congregation in the OPSCC has been established as a canonical entity. It is essential that the shared governance model enjoy the same status with its privileges and protections as our individual congregations have since our founding.

Because we are aware of smaller potential leadership pools, one of the duties the Association would be to have the ability, if the need arises, to assume the canonical leadership of one or more of its member congregations. In order to be appointed as the Commissary for these member congregations, the Association needs to have been established as a canonical entity.

The Association will also need to be a civil corporation, often referred to as a 501c3 entity in USA civil law, since it will be conducting business within the USA and have assets. Also, it may be asked by a member congregation to manage its assets. However, the Association's civil corporation will be independent of the civil corporations the member congregations have set up.

The major benefits for the Association being canonically recognized include:

- Recognition as having Catholic Identity and as part of the public life of the Church
- Acknowledgement of its mission centrality within the works of the Church and the world
- Expression of a collective prophetic voice in the Church speaking truth to power
- Canonical entities in the United States are granted tax exemption status for their civil corporation
- Eligibility for the Association to petition to be appointed the Commissary for individual member congregations if the need arises

- Establishment of an approved entity in which the member congregations can plan collaboratively and provide for their future as they continue to evolve

#### **18. Will the Association have a governing document?**

Yes, the congregations founding the Association will draft its governing document called Statutes which will need to be approved by the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life [CICLSAL] at the Vatican. The approved Statutes will describe the purpose of the Association and the scope of responsibilities its Leadership has.

#### **19. How will the Association Leadership be chosen?**

The makeup of the Association Leadership will be described in the Association's governing document (its Statutes). For example, it is possible that at the beginning the Association's Prioress and four councilors will be chosen by the member congregations. Each congregation will determine how and who is chosen from their congregation to serve on this first Leadership. The Association Prioress may be elected by the member congregations or chosen by the five who are elected to its Leadership. Then, following the first selection of Leadership, the Association may decide to keep the selection of its next Leadership the same or to revise it. The particulars on the selection of the Association Leadership will be worked out by the member congregations as they draft the governing document.

#### **20. What will be the scope of authority of the different levels of Leadership within the Association and its member congregations?**

Initially the Association Leadership will possibly function more as a coordinating group much as the present Core Committee of OPSCC functions. For example, they could be given the responsibilities to oversee the Justice Office, the grant process, and ongoing formation activities. The Association Leadership would always have the responsibility to urge the member congregations to pay attention to any changes occurring in their capacities to handle their governing duties and ask the Association for assistance if needed.

Local leaders (*the elected leadership of each congregation*) continue their canonical responsibilities as stated in their individual Constitutions until they would decide to give some and/or all of these to the Association Leadership. If a member congregation begins to move towards needing to request the Association Leadership to take over some of its Local Leadership responsibilities, the Association Leadership will have to organize itself to do so. For example, through a mutual agreement between the requesting member congregation and the Association, the authority for specific areas in a member congregation would be transferred to the Association Leadership as of a certain date.

#### **21. Will the Association be a Pontifical or a Diocesan Entity?**

The Association will need the approval of CICLSAL to make it a pontifical entity since it will have a number of member congregations. However, each member congregation remains as it was founded, either pontifical or diocesan.

Each of the diocesan member congregations may need either the approval or at least the input of its diocesan bishop to join the Association. Since the Association will be a pontifical entity, membership in it will provide the diocesan congregations an additional protection from their diocesan bishops entering into their affairs should that be needed in the future.

**22. Does joining the Association impact the assets of each member congregation?**

The assets of each member congregation remain fully with that congregation. Membership in the Association does not change this. Each member congregation has the right and duty to determine how its assets are to be used and even how they are to be dispersed whenever its members no longer need them.

**23. What happens to the Associates of a member congregation when it joins the Association?**

Associates of a member congregation remain with their congregation and will function according to how each member congregation has them functioning. This is true even if a member congregation needs to request that the Association Leadership be named its commissary.

**24. Does the appointment of a Commissary need canonical permission?**

Commissary is the Church's term for a person or entity who is appointed to represent either the Vatican or a diocesan bishop in a particular matter/situation. At the time of appointment, the scope of the duties given to the person or entity is specified.

Religious institutes which are no longer able to elect their own Leadership can petition the Vatican (if pontifical) or the bishop (if diocesan) for their governing authority to be suspended (*this means no longer hold chapter and elect leadership*) and to have a commissary appointed to serve as their Leadership. An institute is free to nominate a particular person/entity for this role but cannot appoint its own commissary.

A member congregation would be able to petition CICLSAL or its diocesan bishop that the Association's Leadership be appointed as its commissary.

**25. Can a congregation join the Association later or do all congregations desiring to be members of the Association have to join at same time?**

Only those congregations who choose to be part of founding the Association will be able to shape it from the ground up. This means that the spirit and structure of the Association will be in the hands of the foundering members.

After foundation should a congregation approach the Association seeking to become a member, the Association will have a process for weighing this request. There is no obligation that the Association must agree to admit a new congregation even if it is of the same spiritual family.

**26. Why may each member congregation need to amend its constitutions to join the Association?**

This is not a black-white issue, meaning one size does not fit all the member congregations. Keep in mind that since the Association is a vehicle of shared canonical governance and the constitutions of each member congregation need to permit this to happen.

At the beginning of the Association, it will depend on the content of each member congregation's constitutions whether anything needs to be amended to join the Association. For example, the Association may decide that would be beneficial for all its member congregations to be on the same cycle for holding their chapters, length of their terms of office, and whether or not Local Leadership can serve two consecutive terms of office. If this is decided, member congregations may need to amend their constitutions on these matters. Or, if the Association would begin to assume more responsibilities of canonical governance for one of the member congregations, its constitutions may need to be amended to allow for this transfer of authority.

**27. Why are there ordinarily three councilors after the first election?**

The draft Statutes allow for the Association Chapter to determine the number of councilors. As the number of vowed members of each member congregation decreases, it may be determined a smaller number serving in the Association leadership can meet the needs of the member congregations.

**28. What are the Association's financial goods?**

That is to be determined. Initially, if it is decided that member congregations pay dues to belong to the Association, that would be the beginning of the Association's finances.

**29. Can someone in the leadership of a member congregation serve in the leadership of the Association?**

Yes, unless stated otherwise in the Statutes or Directory.

**30. Could the Association Leadership call an extraordinary chapter?**

The Association Prioress and Council have the authority to convene an Extraordinary Chapter if deemed necessary.

**31. How does a member congregation determine the appropriate time to choose a commissary?**

A member congregation needs to petition CICALSAL or its Bishop/Cardinal to appoint a commissary when it is no longer able to elect its own leadership. The member congregation may recommend that the Association leadership be appointed as its commissary, but it is the role of the CICALSAL/Bishop/Cardinal to name the commissary.

**32. Can the ecclesiastical authority say "NO" (not approve) to a recommendation by a member congregation to appoint the Association as its commissary?**

Yes, but there is no example of such a refusal of any congregation's recommendation for whom to appoint as its commissary happening. The pattern has been that the ecclesiastical authority is in agreement with any congregation's recommendation if the appropriate explanation is provided.

**33. Can the ecclesiastical authority take control of a congregation's leadership and/or finances?**

The proper ecclesiastical authority could only take control of a congregation's leadership or finances if there is a serious violation of that congregation's Constitutions or canon law. For this to happen the proper ecclesiastical authority should inform a congregation of its violation and allowed appropriate time to correct the matter.

**34. Is it required that whoever is appointed as a commissary has to be familiar with religious life?**

Up to this point CICLSAL has only appointed a religious, a religious congregation, a bishop, or priest to serve as a commissary of a congregation, stating that a lay person cannot serve in this role.

**35. What happens to a member congregation's archives if it petitions that the Association be appointed its commissary?**

If a member congregation requests assistance with its archives from the Association prior to needing to petition for a commissary, the Association will provide the assistance requested. A member congregation will be urged to make long-term arrangements for the future of its archives prior to petitioning for a commissary. Otherwise, once the Association is in the role of commissary for a member congregation, it will need to make the necessary decisions about the archives honoring as much as possible the preference of the given member congregation.

**36. On what matters connected to the Association does a member congregation need to seek the approval of its ecclesiastical authority?**

There is no approval from its ecclesiastical authority needed to join the Association. A member congregation only needs the approval of its ecclesiastical authority to:

- Make changes in its Constitutions, after the consent of its Chapter, which might be required for membership by the Association's Statutes or Chapter Acts  
Note: such changes will depend on the wording of its Constitutions and could possibly not be necessary for a given congregation
- Transfer one or more critical civil and/or canonical responsibilities to the Association to handle if such approval is required by its Constitutions,  
Note: It will depend on what is prescribed in its Constitutions whether the decision to make the transfer of such a civil and/or canonical responsibility needs first the consent of its Chapter or not.
- Petition made by an affirmative vote of its Chapter for the Association to be appointed its commissary.

**37. Will there be some type of representation for Associates and Dominican Youth in the Association?**

Member congregations are free to continue their current relationships with their Associates and Dominican Youth. It is envisioned that these two groups will remain connected to the member congregations where they make their initial commitment/ affiliation. Also, it

expected that the current interaction of these two groups across the OPSCC congregations will continue and not be altered by the Association being set up.