

Secular Franciscan Order

Lady Poverty Region #68

Governance Guidelines

Revised May 15, 2011

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Lady Poverty Region #68
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Secular Franciscan Order Lady Poverty Region #68 Governance Guidelines

MISSION STATEMENT OF THE LADY POVERTY REGION: The Lady Poverty Region of the Secular Franciscan Order supports, encourages, and guides the fraternal and evangelical life of the fraternities within it.

VISION STATEMENT OF THE LADY POVERTY REGION: Through Scripture, Tradition, Prayer, and Liturgy, Lady Poverty Region cultivates the integration of the human, Christian, and Franciscan identity of her Franciscan family and promotes Apostolic action by encouraging and supporting their efforts for justice, peacemaking and care of creation in the world and the Church. (Approved May 17, 2008)

Section I

The Regional Fraternity (GC61-64: NS 21)

1. The Name of the Regional Fraternity is Lady Poverty Region.
2. The Lady Poverty Region Fraternity is an organic union officially established by the National Fraternity consisting of all the local fraternities, newly forming groups and emerging communities. The given geographic area is Western Pennsylvania, West Virginia, and designated portions of Maryland and Ohio.
3. The Regional Fraternity is represented most fully by the Regional Fraternity Council.
4. Regional Fraternity Guidelines may be amended by a 2/3rd vote plus one of all attending members of the Regional Fraternity Council. (NS 29.1)
5. The Common Fund of the Regional Fraternity is supported financially by the canonically established local fraternities. The Regional Fraternity Council shall determine the annual contribution made from the Common Fund of the local fraternity, based on the number of the professed active members, both temporary and permanent per GC 30.3 and NS 18.7.
6. The Name of the Regional Newsletter is La Pobrecita.

Section II The Regional Fraternity Council

1. The Regional Fraternity is represented most fully at the Regional Fraternity Council. The Regional Fraternity Council has legislative, deliberative, and elective powers.
2. All duties and responsibilities of the Regional Fraternity Council and Regional Executive Council (REC) are directed by the General Constitutions, Articles 62-64 and the National Statutes, Articles 22-25.
3. The Regional Fraternity Council is composed of the Regional Executive Council, including the Conference of Regional Spiritual Assistants, and the ministers or authorized delegates from each local Fraternity and the conference of spiritual assistants.
4. The Regional Fraternity Council suggests and approves policies to be implemented by the Regional Executive Council.
5. The Regional Fraternity Council shall elect the Regional Executive Council at a Chapter of Elections in accordance with the General Constitutions, Articles 76-84 and the National Statutes Articles 10-15.
6. The Regional Fraternity Council shall meet at least once a year to promote the life of the Regional Fraternity and the local Fraternities.
7. Notice and agenda of the Regional Fraternity Council meeting shall be given in writing by the Regional Minister at least one month prior to the meeting.
8. Fifty percent (50%) plus one (1) of the attending voting membership of the Regional Fraternity Council constitutes a quorum for conducting official business at any meeting. (NS9.1)
9. The common fund of the Regional Fraternity is supported financially by its canonically established local Fraternities.^[4] The Regional Fraternity Council shall determine the annual contribution made from the common fund of each local Fraternity for each of those professed members as delineated in chapter seven Article 31, 33, and 38 of the present guidelines.

Section III The Regional Executive Council

1. The Regional Fraternity is animated and guided by the Regional Executive Council. The Regional Executive Council shall include:
 - a) Regional Minister
 - b) Regional Vice-Minister
 - c) Regional Secretary
 - d) Regional Treasurer
 - e) Regional Formation Director
 - f) Regional Councilors as deemed necessary according to the Constitution, GC 49 and NS 62.
 - g) The Conference of Regional Spiritual Assistants
 - i. (NS 21.3 NS 23.2)
2. The rules of order for the meeting of the Regional Executive Council shall be Robert's Rules of Order or Sturgis: The Standard Code of Parliamentary Procedure.
3. The Regional Executive Council is bound by the following conditions:
 - a) The Regional Minister may not serve concurrently as the Minister of a local Fraternity.
 - b) The Regional Treasurer may not serve concurrently as the Treasurer of a local Fraternity.
 - c) A member of the Regional Executive Council may not hold more than one (1) office on the Regional Executive Council.
 - d) The Secretary, Treasurer, and Councilors, while normally elected positions may be appointed in the case of a vacancy.
 - e) In case of a vacancy of Minister or Vice Minister follow the provisions of NS15 and provisions of GC 81.1 and 81.2.
4. The Conference of Regional Spiritual Assistants is made up of one (1) representative from each of the friar Obediences, which are represented within the Region (as of 2005: OFM Cap.; OFM.; TOR)
5. The role of the Regional Executive Council is:
 - a) To be of service to the Regional Secular Franciscan Membership.
 - b) To carry out the decisions of the Regional Fraternity Council;
 - c) To make fraternal and pastoral visits to local fraternities as required every three (3) years, and according to the provisions of general and particular law;
 - d) To review and strongly recommend initial and ongoing formation in local fraternities;

- e) To foster contact with other branches of the Franciscan family within the Region;
 - f) To represent Secular Franciscans with other church or civil organizations, and to promote mutual relationships with other such organizations when appropriate;
 - g) To be a voice in the public forum for Secular Franciscans;
 - h) To preside over and witness elections of local fraternities.
6. The Regional Executive Council shall meet at least four times each year, at a time and in a place determined by its membership
 7. Notice of time and place and agenda of the Regional Executive Council Meetings shall be given in writing by the Regional Minister at least one month prior to the meeting.
 8. Special meetings may be called at the request of the Regional Minister or at the written request of 2 or more of the members of the Regional Executive Council.
 9. Fifty (50%) percent plus one (1) of the Regional Executive Council members constitutes a quorum for doing official business at Regional Executive Council Meetings.
 10. The Common Fund of the Regional Fraternity shall be used to pay all expenses incurred by the members of the Regional Executive Council when on official business; including travel, food, and other essential expenditures. Local fraternities shall provide a stipend on occasions of fraternal visits and elections.
 11. The Regional Executive Council may communicate and conduct business electronically, per NS 23.6.

Section IV The Regional Officers

1. The Regional Minister is the chief executive officer of the Regional Fraternity.
 - a) The Regional Minister shall carry out the duties of his/her office as determined by the provisions of general and particular law.
 - b) In addition to the duties prescribed by norms of the Secular Franciscan Order, the Regional Minister shall preside at the meetings of the Regional Executive Council. The Regional Minister is the spokesperson for the Regional Fraternity in all contacts with other church and civil organizations as well as with the general public.
2. In addition to the duties assigned by general and particular law, the Regional Vice Minister performs such duties as the Regional Council may designate.

3. The Regional Secretary distributes and keeps all records of the minutes of both the Regional Executive Council and Regional Council; preserves the important documents and correspondence of the Regional Fraternity; assists the Regional Minister in sending out announcements of forthcoming meetings of the Regional Executive Council and the Regional Council; and performs such other duties as the Regional Executive Council requests.
4. The Regional Treasurer keeps accounts of all money and has the oversight of the property of the Regional Fraternity, unless otherwise determined by the Regional Executive Council.
 - a) The treasurer deposits all funds of the Regional Fraternity in such bank accounts as the Regional Council designates. All accounts of the Regional Fraternity are to be in the name of the Regional Fraternity, and have three (3) members of the Regional Executive Council as signers on the accounts.
 - b) The Regional Treasurer pays out money, by check only, as the business of the Regional Fraternity may require, on the order of the Regional Executive Council. All expenditures over \$250 require approval of the Regional Executive Council.
 - c) The Regional Treasurer will submit an annual budget to both the Regional Executive Council and the Regional Council for their review and approval at the annual meeting.
 - d) The Regional Treasurer shall make Financial Reports for acceptance at each regular meeting of the Regional Executive Council and Regional Council.
 - e) An audit shall be conducted once a year by an independent professional accountant or two Professed Members selected by the Regional Executive Council who do not currently serve on the Executive Council.
5. The Formation Director (FD) provides assistance to local fraternities and their formators with respect to initial and on-going formation programs, resources and policies of both the Regional Fraternity and NAFRA. The FD will also provide training support as needed or requested by the ministers of the local fraternities within the region. Lastly, the FD will carry out the specific duties prescribed by the Regional Minister and Council.
6. The Councilors provide information, assistance and support for the local fraternities in the specific areas designated by the Regional Executive Council. In addition, they carry out their specific roles in support of the Regional Council and its activities.

Section V Regional Standing Committees and Appointees

The activities of all commissions and committees of the Region are subject to the direction and approval of the Regional Executive Council.

- A. Finance Committee
 1. The Finance Committee shall be composed of the Regional Treasurer as Chair, the Regional Minister as ex-officio member, and a variable number of members appointed by the Regional Executive Council.
 2. This committee shall prepare a proposed budget for presentation to the Regional Fraternity Council, and propose the allocation of funds for charitable and emergency purposes.

- B. Formation Commission
 1. The Formation Commission shall be composed of the Regional Formation Director as Chair, the Regional Spiritual Assistant(s) and a variable number of members appointed by the Regional Executive Council.
 2. The duties of this Commission shall include:
 - a) Provide, implement, and promote initial and on-going formation programs.
 - b) Provide assistance in making formation workshops and retreat programs available throughout the Region.
 - c) Promote establishment of Regional formation teams.
 - d) Investigate and recommend to the Regional Council means for promoting the Secular Franciscan Order.

- C. Newsletter Editorial Board
 1. The Newsletter Editorial Board shall be composed of the Newsletter Editor, the Regional Minister as ex-officio member, one of the Regional Spiritual Assistants, and one additional member appointed by the Regional Executive Council.
 2. The duties of this Board shall be to review draft versions of the Lady Poverty Region newsletter, *La Pobrecita*, and to provide editorial guidance to the Newsletter Editor.

- D. Leadership Committee
 1. The Leadership Committee shall be composed of the Regional Minister as Chair, the Regional Spiritual Assistant(s) and a variable number of members appointed by the Regional Executive Council.
 2. This Committee implements sound leadership principles in the Region by:
 - a) Designing and presenting leadership programs for fraternity ministers, fraternity councils, and future leaders.

- b) Providing and updating handbooks on practical administrative procedures and on leadership principles for the fraternity ministers and fraternity councils.
- E. Youth and Young Adult Commission
1. The Youth and Young Adult Commission shall be composed of an appointed Chair, one of the members of the Conference of Regional Spiritual Assistants, a variable number of members of the Regional Executive Council, and a variable number of members appointed by the Regional Executive Council.
 2. This Commission promotes the Franciscan charism among youth in collaboration with the Regional Executive Council.
- F. Justice, Peace and the Integrity of Creation (JPIC) Team
1. The Justice, Peace and the Integrity of Creation (JPIC) Team shall be composed of an appointed Chair, one of the members of the Conference of Regional Spiritual Assistants, a variable number of members of Regional Executive Council, and a variable number of members appointed by the Regional Executive Council.
 2. The JPIC Team fosters and implements Justice, Peace and the Integrity of Creation in the region by:
 - a) Writing an article in the La Pobrecita to foster and encourage involvement in the work of the JPIC team
 - b) Promoting the work of the National JPIC Team
- G. The Regional Web-Master
1. The Regional Web-Master (RWM) serves for a three year term and is appointed by the REC.
 2. The RWM receives payment for services and expenses he/she incurs, and is approved and paid by the REC.
 3. The duties of the RWM are as follows:
 - a) maintains communication with the REC personally or through a designated REC liaison;
 - b) keeps web information up-to-date. The REC liaison communicates approved changes that the REC may choose to add or delete from the web-site;
 - c) keeps confidential the web-site log-in and password. The REC secretary and other REC members may receive the log-in and password as the REC designates; this information may be shared only with the approval of the REC;
 - d) maintains the host (server) contract and provides the REC secretary with a copy of the contract. The web-master does a periodic review of the contract and makes recommendations to the REC concerning the contract as needed;

- e) responds to questions, comments and requests from users of the web-site. The web-master communicates important questions/ requests/comments to the REC personally or through the liaison for review by REC;
- 4. The RWM gives an annual report to REC personally or through the REC liaison. The report should include recommendations, information on site-use, possible re-design of site, up-dates and similar issues.
- 5. The qualifications for the service of RWM:
 - a) Preferably a professed secular Franciscan but another qualified person could serve.
 - b) Must have the skills needed to perform the service of web-master; i.e. computer skills, skills in developing, designing, updating web-sites in a competent manner;
 - c) Must have access to a computer, e-mail and internet. The computer needs to be capable of the programming necessary to design and update the web-site;
 - d) Must recognize copyright restrictions, know about the web-site host and their reliability, how large the web-site can be and any other matters relating to web-site maintenance.

H. The Regional Archivist/Historian

- 1. The archivist is appointed by the REC. He/she should possess some experience as an archivist and/or historian. The archivist should have good organizational skills as well as good writing skills. The REC will offer any necessary financial compensation for expenses that may accrue in the process of archiving our regional material;
- 2. The REC will develop guidelines for the archivist and our membership concerning the materials to be kept in the archives of the region. Information from our national archivist can help in this regard.
- 3. The archivist will communicate with the region and its fraternities concerning materials that are to be kept in our archives and materials to share with the national archives. They will be kept in a place designated by the REC in consultation with the archivist;
- 4. The archivist should have access to a computer and the internet as well as to our web-site. The individual will need to be skillful in the ability to use a computer and the necessary computer programs.
- 5. The following materials constitute the Regional Archives:
 - a) General Materials
 - i. Constitutions
 - ii. Statutes
 - iii. Guidelines
 - iv. Registers or directories of Regional membership
 - v. Establishment Documents
 - b) Recorded Histories of Individuals or Region

- i. Regional Newsletters
- ii. Photographs
- c) Regional Fraternity
 - i. Annual Minister's Meeting Agendas & Minutes
 - ii. Annual Financial Reports & Budgets
 - iii. Annual Reports to NAFRA
 - iv. Election Results
 - v. Visitation Reports
 - vi. Spiritual Assistants (documents of assigned SA's)
- d) Local Fraternity Information
 - i. Active Fraternity
 - a. Establishment Document
 - b. Official Registers (old)
 - c. Annual Reports to Region
 - d. Visitation/Election Reports
 - e. Pertinent Historical Correspondence
 - f. Annual Financial Reports/Budgets
 - g. Checkbook registers
 - ii. De-activated Fraternity (items a through f, listed above, plus)
 - h. Inventory of Property
 - i. List of Membership
 - j. History Binder
- e) Correspondence: All correspondence should be evaluated and only kept if it has historical or establishment relevance to fraternity and/or members.

Section VI Geographic Areas (Clusters)

1. Cluster Defined: A Cluster is a loose association of Fraternities situated in a more or less contiguous geographical area within the Region. Lady Poverty Region is divided into four fraternity clusters by geographic location: central, eastern, southwest, and northwest. The clusters were renamed for qualities St. Francis exemplified: Eastern: Cluster of Perfect Joy; Southwest: Cluster of Compassion; Central: Cluster of Love; Northwest: Cluster of Goodness. Fraternities within these clusters often invite the other fraternities in their cluster to join them for events such as retreats or days of reconciliation.
2. Purpose of the Clusters: The Clusters are formed to assist the Regional Fraternity in promoting and advancing the Franciscan charism among the members of the Fraternities in each Cluster. Obviously, it is a lot easier to initiate or promote activity or activities for advancing Franciscan charism, where there is a group that is lot smaller and a lot less unwieldy than the entire Regional Fraternity.

3. Animation of the Cluster: A Cluster is animated by a Cluster Coordinator chosen from among the members of the Fraternities in the Cluster. The manner that the Cluster Coordinator is chosen is left entirely to the members of the Fraternities in the Cluster. In addition to the Cluster Coordinator, a member of the Regional Executive Council is appointed by the Regional Executive Council, to be a Co-Coordinator of the Cluster.

The Cluster Coordinator and the Co-Coordinator is not to be considered as another layer of governance authority between the Fraternity Councils of the member Fraternities and the Regional Executive Council. The only purpose of their positions is to provide some leadership to the Cluster.

The Cluster Coordinator runs all Cluster meetings. Only in the absence of the Cluster Coordinator, does the Co-Coordinator run the meeting or meetings.

The main function of the Co-Coordinator appointed by Regional Executive Council is not to act as an overseer but to act as an 'idea resource' person for the Cluster. He or she can make suggestions, but the members of the Fraternities in the Cluster make the decision to adopt or not to adopt the suggestion or suggestions.

4. Cluster Activities: All activities decided upon by the Cluster are to be deemed as such, as Cluster activities. The presence of the Co-Coordinator appointed by the Regional Executive Council does not make any Cluster activity a Regional Fraternity activity, even if such activity came as a suggestion from the Co-coordinator. All Cluster activities are run or managed by the members of the Fraternities in the Cluster with the help from the Co-Coordinator, if necessary. All Cluster activities are primarily for the benefit of the members of the member Fraternities. However, it is strongly encouraged that the Cluster invites to its activities, Fraternities from the other Clusters. This act of inviting other Fraternities, however, shall not and does not make the Cluster activity to a Regional Fraternity activity.
5. Funding for Cluster Activities: Funding for all Cluster activities is the sole responsibility of the Cluster. It is strongly recommended that before a Cluster decides on any activity, the member Fraternities should decide or, at least, come to a consensus, as to how to finance the proposed activity. It is perfectly possible that the Cluster will not have any standing fund to finance the initial expenses that an activity may require. In this case, the Cluster Coordinator, with the approval of the member Fraternities, may request, in writing, the Regional Executive Council to advance the necessary funds. Such funds advanced to the Cluster by the Regional Fraternity is to be paid back to the Regional Fraternity within a period of three (3) months and not more than five (5) months after the conclusion of the activity.

All funds advanced to the Cluster from the funds of the Regional Fraternity are to be made by check payable to the Cluster Coordinator by the Treasurer of the Regional Fraternity. The Cluster Coordinator is responsible in disbursing the funds to cover the expenses of the Cluster for its activity or activities. Individual members of the Cluster

who might have advanced personal funds for Cluster expenses are to submit their claim or claims for reimbursement to the Cluster Coordinator, not to the Treasurer of the Regional Fraternity. The Cluster Coordinator is responsible for paying back the Regional Fraternity any fund or funds advanced to the Cluster. Whenever practicable, the Cluster is to ask all participants in any activity to share the expenses equally.

6. Coordination with the Regional Executive Council: To avoid conflict with any Regional activity planned or proposed by the Regional Executive Council, the Cluster Coordinator consults the Secretary of the Regional Executive Council with regard especially to the date or dates and the nature of the proposed activity or activities.
7. Reporting to Regional Executive Council: Expenses incurred by the Cluster are not to be reported to the Regional Fraternity represented by the Treasurer even if funds were advanced from the Regional Fraternity to the Cluster. The Co-Coordinator is to report informally to the Regional Executive Council the result or results of all activity or activities undertaken by the Cluster. Particular attention should be given to such things as how the Cluster initiated, managed, and funded the affair. It would also be pertinent to point out especially the difficulties that the Cluster had to contend with and how these difficulties were resolved. All these could be shared with the other Clusters for their guidance.

Section VII Membership

1. Professed Members

a) Active Members:

- i. one who participates both by attending fraternity meetings and by providing financial support to the community, or;

b) Excused Active (see General Constitutions (hereafter GC) Art. 53.3)

- i. one who has been excused from attending fraternity meetings, either on a temporary or permanent basis, but does provide financial support to the community, or;
- ii. one who neither attends meetings nor supports the community financially, but who the fraternity has excused from such obligations.
- iii. Excused members are professed members of a fraternity who, for good reason have been excused from one or more of the obligations of Secular Franciscans.
- iv. A Professed member may be excused from attendance at the monthly meeting because of extenuating family obligations, work obligation, poor health or distance.

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- v. An excused member is not freed from other obligations such as praying some daily office, wearing the external sign of the Order (the Tau) [NAFRA Statutes, Art. 16.4.], and contributing to the fraternity common fund.
 - vi. Under special circumstances, if a member's income is extremely meager s/he may be excused from contributing to the common fund.
 - vii. Excused status should be reviewed and renewed annually.
 - viii. Excused members are part of the fraternity membership and are reported on the Region's annual report.
2. Temporary Provisions (GC article 56 and 57) affects status in the Local Fraternity (example; Fair Share is not required in the case of "Lapsed"), but membership in the Order is not affected. Temporary Provisions involve exclusion from the meetings and activities of the fraternity, including the right of active and passive voice, and other obligations approved by the local Fraternity council)
- a) Lapsed Members (Temporary Voluntary Withdrawal -- GC Art 56)
 - i. Professed Secular Franciscans, who do not attend meetings, nor support the community financially, and who, after personal invitations to return to fraternity, reject or ignore the invitation, will be termed lapsed and will not be carried on the fraternity's membership rolls nor be reported as members of NAFRA. (cf. – GC 56.1 and 56.3)
 - b) Temporary Suspension – (GC Art 56.2 and 57)
 - i. Temporary Punitive action (suspension cf. – GC 56.2)
 - ii. Reinstatement (cf. GC 57.1 and 57.2)
3. Definitive Provisions (GC Art 58) constitute withdrawal and/or removal from the Secular Franciscan Order
- a) Definitive Provisions
 - i. Voluntary Definitive Withdrawal (GC Art 58.1)
 - ii. Decree of Dismissal (GC Art 58.2,3, 4) for serious causes, rejection of the Faith and/or defection from ecclesial communion. The local council must request this action from the council of the next higher level of Fraternity. The higher Fraternity will issue the Decree of Dismissal if warranted.
 - iii. Decree of Dismissal contains the inherent right of Appeal to the Fraternity above the council who issues the decree. (GC Art 59)
4. Affiliate Members (NAFRA Statutes Art. 18 #13)
- a) Affiliation with a local fraternity
 - i. Those who, without belonging to the SFO, wish to participate in its life and activities (see GC Art. 53.5 and 103.1) according to Franciscan principles and teachings may be welcomed by the local fraternity, so as to make their

communion living and effective. Individuals wishing to become affiliates should make their desire known by a written request to the local fraternity council, which makes a decision regarding the request.

- ii. These affiliate brothers and sisters will have no juridical bond with the Secular Franciscan Order and are, therefore persons welcomed to love and be loved “as a gift of the Lord and an image of Christ” (SFO Rule Art. 13). They may share the experiences and activities of the fraternity, without the right to vote.
- iii. In order that the identity of the fraternity not be altered, the number of affiliates may not exceed 40% of the number of active professed members of a fraternity.
- iv. Regional councils have the right to establish their own guidelines for the acceptance of affiliates.

Section VIII

Relations with the National Fraternity

1. Pastoral and Fraternal Visitations are to be requested by the REC as per the General Constitutions Article 63.2.g.
2. The Regional Minister is a member of the National Fraternity Council with voting rights (NS 8.3) The Regional Minister is to attend the NAFRA meetings with the travel expenses paid from the Regional Common Fund.
3. The Regional Fraternity contributes annually to the common Fund of the National Fraternity (NS 25.3)

Section IX

Establishing a New Fraternity – Phase I: Newly Forming Groups

The provisions set forth in pages B8 through B10 of the *Handbook for Spiritual Assistance to the Secular Franciscan Order* (2005) shall constitute the manner of establishing a New Fraternity and the Newly Forming Group.

Section X

Establishing a New Fraternity – Phase II: Developing Emerging Communities

The provisions set forth in pages B10 and B11 of the *Handbook for Spiritual Assistance to the Secular Franciscan Order* (2005) shall constitute the manner of establishing Emerging Fraternity.

Section XI

Establishing a New Fraternity – Phase III: Canonically Establishing a Fraternity

The provisions set forth in pages B11 and B12 of the *Handbook for Spiritual Assistance to the Secular Franciscan Order* (2005) shall constitute the manner of establishing Emerging Fraternity.

Section XII

Reactivating an Established Fraternity

The provisions set forth in pages B17 and B18 of the *Handbook for Spiritual Assistance to the Secular Franciscan Order* (2005) shall constitute the manner of establishing Emerging Fraternity.

Section XIII

Options for a Struggling Fraternity

COMMENT: A fraternity can struggle to survive in a number of ways. If it is determined that it can no longer actually survive as a functioning fraternity, there are a number of options open to the members and the fraternity itself. Some possibilities are listed here. (HAS – B13)

1. The members of a struggling fraternity may have the fraternity de-activated and transfer their membership to an active fraternity and become fully participating members of that fraternity.
2. The members of a struggling fraternity may have their fraternity de-activated, transfer their membership to an active fraternity, participate in the activities of that fraternity, but maintain some self-autonomy by gathering occasionally on their own, in accordance with article 34 of the SPO General Constitutions.
3. The members of the struggling fraternity may have their fraternity de-activated, transfer to an active fraternity, but establish themselves as a cell or satellite of an active fraternity in the spirit of article 34 of the SFO General Constitutions and according to the norms or guidelines established by the regional fraternity. They may have one of their members attend the council meetings of the active fraternity as a non-voting member, representing the needs of the cell or satellite.

Article 34

Where the situation and the needs of the members require it, sections or groups which gather members sharing particular needs, common interests, or the same choices, may be established within the fraternity under the guidance of the one council.

Such groups give themselves specific norms relative to their meetings and activities, firmly remaining faithful, however, to the requirements which arise from membership in the one

fraternity. National statutes may establish criteria suitable for the formation and functioning of these sections or groups. SFO General, Constitutions - Article 34

Article 18

5. Establishment of sections or cells

- a. Should one or more groups desire to establish permanent sections within a local fraternity based on particular needs or common interests, they may do so subject to the direction of the Local Fraternity Council (cf SFO General Constitutions - article 50.2d), so long as they continue to participate fully in the Local Fraternity's fraternal and apostolic life. The Regional Fraternity will receive notice of the formation of such groups.*
- b. Such sections remain subject to the Local Fraternity as constituent parts of it. (cf. General Constitutions - Article 34)*

Section XIV

Deactivating an Established Fraternity

1. When a canonically established fraternity no longer has the viability and stability to maintain its Secular Franciscan life, fraternity, and mission, it may be declared deactivated by the Provincial Spiritual Assistant of the friar province to which the fraternity is bonded.
2. A canonically established fraternity can be de-activated for any one or more of the following reasons:
 - a) it no longer has at least five active professed members to allow for a minimum of a complete elected council (SFO Rule 21 & 22, SFO Gen. Const., 46.2 & 49.1);
 - b) it no longer has regular fraternity meetings (a minimum of eight per year) for a period of three years (SFO Rule 24, SFO Gen. Const., 53);
 - c) it no longer participates in the activities of the Regional Fraternity nor cooperates with the Regional Executive Council (SFO Rule 24, SFO Gen. Const. 30.2 & 61.1 & 93.2);
 - d) it no longer contributes to the common fund or supports the higher level of fraternity (SFO Rule 25, SFO Gen. Const 30.3);
 - e) it has not had a new perpetual profession for at least three years (SFO Rule 23, SFO Ritual p. 24);
 - f) it has not sought a pastoral or fraternal visitation for at least five years (SFO Rule 26, SFO Gen. Const. 92.2);
 - g) it no longer has a sense of its Franciscan ecclesial and apostolic mission as a fraternity (SFO Rule 22, SFO Gen. Const. 1.3 & 3.3 & 50).

3. The official de-activation of a fraternity happens in the following manner:
 - a) The Conference of Regional Spiritual Assistants takes the initiative to conduct a pastoral visitation and the Regional Executive Council takes the initiative to conduct a fraternal visitation;
 - b) The Regional Executive Council discerns whether to approach the Provincial Spiritual Assistant of the friar province to which the fraternity is bonded and records its discernment in its minutes as a result of the findings of the visitations;
 - c) The Regional Minister communicates in writing the request and advice of the Regional Executive Council to that Provincial Spiritual Assistant;
 - d) The Provincial Spiritual Assistant of the friar province to which the fraternity is bonded issues the decree of de-activation to the fraternity Minister with copies to the Regional Minister and the local bishop.
4. When a fraternity is de-activated;
 - a) provision will be made with the help of the Regional Executive Council for the remaining members to transfer their membership to the nearest active fraternity [(cf. SFO Gen. Const. 55) See Art. 5 below];
 - b) the goods of the fraternity, its library and records are acquired by the Regional Executive Council and kept in the regional fraternity's archives (SFO Gen. Const. 48.1);
 - c) the common fund and other assets are either to be disposed of according to the decision of the remaining members or are put in a interest-bearing escrow account managed by the Regional Executive Council (Canon 122-123);
 - d) a copy of the document of establishment (with the date of deactivation recorded on it) and a copy of the last list of active members are to be sent to the archives of the friar province to which the fraternity is affiliated and to the archives of the regional fraternity, and to the archives of the appropriate diocese.
5. Attaching a Disintegrating Fraternity to an Active Fraternity

A disintegrating fraternity (one which would fall under the qualifications for deactivation according to the General Constitutions) that does not wish to completely disband could attach itself to an active fraternity in a variety of ways:

 - a) The members of the disintegrating fraternity may have their own fraternity de-activated, transfer their membership to the active fraternity, and become full participating members of that fraternity.
 - b) The members of the disintegrating fraternity may have their own fraternity de-activated, transfer their membership to the active fraternity, participate ordinarily in that fraternity's activities, but may maintain some self-autonomy by meeting occasionally (perhaps quarterly) on their own, in accordance with Article 34 of the General Constitutions.

- c) The members of the disintegrating fraternity may have their own fraternity deactivated, transfer their membership to the active fraternity, and may establish themselves as an autonomous satellite or cell community of the active fraternity in the spirit of Article 34 of the General Constitutions and according to the norms or guidelines established by the regional fraternity.

Section XV

Suspending a Canonically Established Fraternity and individual fraternity members

1. A canonically established fraternity can be suspended for the following reasons:
 - a) the repeated and prolonged or habitual default of the members in their corporate obligations for life in fraternity of observance of the Rule or fidelity to the Franciscan charism (SFO Gen. Const. 56.2); (e.g., lack of visitations and/or elections; nonpayment of Fair Share; lack of participation at regional or national level; lack of apostolic action, etc.);
 - b) serious opposition or obstinacy toward the mandates of the SFO Rule, General Constitutions, and particular statutes (SFO Gen. Const 56.2);
 - c) the communal public rejection of the faith or the communal defection from ecclesial communion (SFO Gen. Const. 58.3);
 - d) a communal act which is grave, external, imputable, officially documented and juridically proven (SFO Gen. Const. 58.2).
2. The suspension of the fraternity is officially incurred in the following manner:
 - a) The Conference of Regional Spiritual Assistants takes the initiative to conduct a pastoral visitation, and the Regional Executive Council takes the initiative to conduct a fraternal visitation.
 - b) As a result of the visitation, if the reason for suspension is not corrected by dialogue and personal presence, the Regional Executive Council issues three warnings signed by the Regional Minister and the president of the Conference of Regional Spiritual Assistants, each one at least three months after the preceding.
 - c) If the warnings produce no positive results, the Regional Executive Council discerns whether to request suspension from the Provincial Spiritual Assistant of the friar province to which the fraternity is bonded and records its discernment in its minutes.
 - d) the Regional Minister communicates in writing the request and advice of the Regional Executive Council to that Provincial Spiritual Assistant.
 - e) The Provincial Spiritual Assistant of the friar province to which the fraternity is bonded enacts the decree of suspension and sends it to the fraternity Minister with copies to the Regional Minister and the local bishop.

3. When a fraternity is suspended:
 - a) provision will be made with the help of the Regional Executive Council for the fraternity members to transfer their membership to the nearest active fraternity (cf. SFO Gen. Const. 55) unless:
 - i. Article 56.2 of the General Constitutions is to be followed for the temporary suspension of individual members of the fraternity from life in the fraternity.
 - ii. Article 58 (nos. 2, 3, & 4) of the General Constitutions is to be followed for the definitive dismissal of individual members of that fraternity from the Secular Franciscan Order.
 - b) The goods of the suspended fraternity, its library and records are acquired by the Regional Executive Council and kept in the regional fraternity archives (SFO Gen. Const. 48.1);
 - c) The common fund and other assets of the suspended fraternity are to be frozen in an interest-bearing escrow account managed by the Regional Executive Council (Canon 122-3);
 - d) A copy of the document of establishment (with the date of suspension recorded on it) and a copy of the last list of active members are to be sent both to the archives of the friar province to which the fraternity is bonded, to the archives of the regional fraternity, and to the archives of the diocese;
 - e) The local ordinary of the diocese where the fraternity has been established is to be notified by the Provincial Spiritual Assistant of the suspension and the reasons for it.

Section XVI Per Capita (Fair share)

1. The Per Capita refers to an amount of money which each fraternity contributes to the Common Fund of the Region in order that the Region Administration may meet its operation expenses and for the Region's Fair Share contribution to the National Fraternity.
2. The amount of money needed to operate the Region Administration each year is planned out and itemized by the Regional Treasurer, who when needed may be assisted by up to three members appointed by the Regional Executive Council (The Regional Budget Committee). This tentative budget is then submitted to all of the Fraternity Ministers at the annual Council of Minister's Meeting. At this time, it is amended or adjusted and then voted on by the Council of Minister's.
3. The money needed to meet this budget is raised by asking the fraternities of the Region to contribute some share toward the total amount needed, in proportion to the size of each fraternity's membership.

4. It should be made completely clear that this amount comes to the Region from the fraternity. It is taken from the fraternity's Common Fund.

Section XVII Financial Assistance Guidelines for Spiritual Assistants

Local Spiritual Assistant

1. The ordinary monthly stipend for a local Spiritual Assistant (when not a member of the fraternity) would include:
 - a) travel expenses at the approved mileage rate for attending the council meetings and fraternity gatherings;
 - b) where possible, the ordinary one-time ministry "supply" offering used in the diocese of the fraternity for meetings attended;
 - c) reimbursement for receipts submitted for office or ministerial supplies.
2. The ordinary monthly stipend for a local Spiritual Assistant (when a member of the fraternity) would include:
 - a) travel expenses at the approved mileage rate for attending council meetings;
 - b) reimbursement for receipts for office or ministerial supplies.

Regional Spiritual Assistant:

1. The ordinary regular stipend for each Regional Spiritual Assistant from the Regional Council would include:
 - a) travel expenses at the going mileage rate for attending the meetings of the Regional Executive Council;
 - b) an average of the ordinary one-time ministry "supply" offering used in the dioceses covered by the Regional Fraternity for meetings attended;
 - c) reimbursement for receipts submitted for office or ministerial supplies.
2. The special stipend for pastoral visits and for witnessing elections would include:
 - a) travel expenses;
 - b) a common offering agreed upon by a Regional Council for the fraternities in the Region.

Section XVII Choosing a Spiritual Assistant

1. The initiative for choosing a “suitable and well prepared” Spiritual Assistant may come from either the fraternity itself or from the friars providing spiritual assistance.
 - a) The council of a local fraternity:
 - i) first, takes the initiative in requesting from the Provincial Spiritual Assistant of the Province to which the fraternity is bonded a “suitable and well prepared” Spiritual Assistant if:
 - (a) it is without an appointed Spiritual Assistant of any sort whatsoever, or;
 - (b) there are concerns about spiritual assistance unresolved after dialog with the Spiritual Assistant at the fraternity level, or;
 - (c) the current Spiritual Assistant is moving on and a replacement is to be found.
 - ii) then, informs the Regional and Provincial Spiritual Assistants of the need for a local Spiritual Assistant and, when possible, submits the name and background of the candidates(s) to be appointed.
 - iii) finally, awaits the appointment of the local assistant by the appropriate Provincial Spiritual Assistant (a local fraternity council does not decide upon, obtain the services of, contract with, hire, or appoint a Spiritual Assistant on its own authority).
 - b) The appropriate friars
 - i) may take the initiative in seeking out a “suitable and well prepared” Spiritual Assistant for a local fraternity when:
 1. the Regional or Provincial Spiritual Assistant is aware of a vacancy in spiritual assistance and no initiative is taken on the part of the local fraternity
 2. an outgoing Spiritual Assistant has recommended replacement
 3. a particular problem requires the intervention of the Provincial or Regional Spiritual Assistant.
 - ii) must consult with the council of the local fraternity needing assistance as to whether the proposed Spiritual Assistant is both acceptable as a person and suitable for the needs of the fraternity
 - iii) first have to obtain the clearance of the appointee’s religious or diocesan superior if the candidate is a member of the diocesan clergy or a member of a religious institute other than one’s own province (even friars of the same obedience)

- iv) have to ascertain, for the appointment of a lay SFO member, whether the appointee has the qualifications and experience in SFO spirituality and mission as indicated in #9 (below - under certifying SA)
- v) appoint the Spiritual Assistant according to the statutes or traditions in force within a particular friar province, always keeping in mind that any appointment is ultimately –either in person or by delegation – the responsibility of the friar Provincial Minister.

Section XIX Transferring *Altius Moderamen*

Transferring a Fraternity to the *Altius Moderamen* of another Friar entity involves the following:

1. The Local Minister:

- a) with the consent of the Council of the fraternity (or emerging community) wishing to transfer to the care of another friar province of the same obedience to that of another jurisdiction – writes to the Provincial Spiritual Assistant of the province to which the fraternity wishes to bond itself, detailing the reasons for the transfer to another entity and providing copies of pertinent documentation and correspondence, particularly a copy of the Document of Establishment or a verification or affidavit of canonical establishment.
 - b) with the consent of the council of the fraternity (or emerging community) wishing to transfer to the care of another friar province of the same obedience or to that of another jurisdiction – asks the Regional Minister and the Conference of Regional Spiritual Assistants to write letters of recommendation to the Provincial Spiritual Assistant of the friar province to which the fraternity desires to transfer its bonding.
 - c) with the consent of the council of the fraternity (or emerging community) wishing to transfer to the care of another friar province of the same obedience or to that of another jurisdiction – informs the friar province of the origin of its desire to transfer bonding, detailing the reasons for the move.
2. The Provincial Spiritual Assistant of the friar province to which the fraternity is bonded writes to the Provincial Spiritual Assistant of the province to which the fraternity desires to transfer bonding, giving his consent to the transfer.
3. If the Provincial Spiritual Assistant of the friar province to which the fraternity desires to transfer its bonding accepts this transfer of *altius moderamen* after having consulted with the friar Provincial Minister, then he issues an official letter, in the name of the friar Provincial Minister, to accept the responsibility of *altius moderamen* for the fraternity and appoints a Spiritual Assistant for the fraternity.

Section XX Pastoral and Fraternal Visitations

1. Operation of visitations:
 - a) Since each Fraternity is ultimately responsible for its spiritual and temporal development, each fraternity should request a Pastoral and Fraternal Visitation from the Regional Vice Minister 3 months prior to the due date (Rule #26).
2. Goals of the visitation (Rule #26):
 - a) --to promote fidelity to the Franciscan Charism;
 - b) --to promote observance of the Rule;
 - a) --to promote support in the life of the Fraternity.
3. Ways to achieve the above goals through a visitation:
 - a) --by helping the Fraternity to evaluate itself;
 - b) --by providing inspiration and information;
 - c) --by providing an experience of unity with the Region and the Order.
4. Stipends
 - a) The stipend and travel expenses for both the Fraternal and Pastoral Visitors will be provided.
 - b) As of 2006 the approved stipend for Lady Poverty Region is \$50 per visitor and mileage reimbursement which is based on the current IRS allowance.

Section XXI Chapters of Election

1. The Local Fraternity meets for the purpose of electing its Council once every three years. The Chapter will follow the norms presented in the SFO governing documents and these Regional Guidelines.
2. At least **three months** prior to the Chapter of Elections, the Local Fraternity Minister, with the approval of the Local Fraternity Council, shall advise the Regional Minister and the Regional Spiritual Assistant of the date of the proposed Chapter and respectfully request that they provide a presider and an ecclesial witness.
3. At least **three months** prior to the Chapter, the Local Fraternity Council shall appoint a Chair for a Nominating Committee which will present a slate of nominees to the members of the Local Fraternity. This presentation shall be made approximately **one** month prior to the date of the Chapter.

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4. Nominating committee members generally are not permitted to be nominated for office.
5. Nominees for Local Fraternity Minister, Vice-Minister and Formation Director must be permanently professed for three (3) years.
6. Nominees for all other positions must be professed for no less than one (1) year.
7. Individuals who transfer from one Local Fraternity to another are precluded from being elected to the Council of the Fraternity they have transferred into until they have been with that Fraternity for at least twelve (12) months.
8. A member who has been absent from Fraternity life for a majority of the twelve (12) months prior to an election shall not be considered for nomination to serve as Minister, Vice-Minister or Formation Director. *See SFO General Constitutions, Article 30 and Article 53.3.*
9. It is the responsibility of the Nominating Committee and the presider of the Chapter of Elections to assure that the requirements for nomination have been met.
10. Absentee nominees are permitted *provided* they have submitted in writing their willingness to accept nomination for a specific position (or positions) and their willingness to serve, if elected.
11. The Regional Spiritual Assistants may delegate the Local Spiritual Assistant as ecclesial witness at a Chapter of Elections on the Local level.
12. An out-going Minister cannot be elected Vice-Minister.
13. It is strongly recommended that the out-going minister not serve in any position of a new Council.