

SAMPLES OF ACTS ON THE LOCAL LEVEL

1. Spending of monies – which involves the vote of the Local Council:
This information is being communicated to your Local Treasurer. If the amount is more than can be approved by the council, and needs to be approved by the Provincial Team or General Council use the “expenditures needing approval” form on p. II-31.

The Local Council of the Community of _____ (city and state) _____ approved an expenditure of money in the amount of _____ for repairs on the roof of the convent.

2. Approval of the community budget:
This information is being communicated to your Local Treasurer.

The Local Council approved the community budget for the 20___/20___ fiscal year.

SAMPLE

SPRINGFIELD
ROMAN CATHOLIC
URSULINE CONVENT
OF ST. JOSEPH

Act No. 1/05

The Local Council of the Community of _____ (*city and state*)
approved an expenditure of money in the amount of \$18,000 for repairs on the
roof of the convent.

Vote: _____ Yes _____ No _____ Abstain

Done at the Ursuline Convent, Springfield, Illinois. _____
Date

Local Prioress

(Seal)

Local Secretary

**CONDUCTING THE AFFAIRS OF THE RELIGIOUS INSTITUTE IN COUNCIL
AND CONDUCTING THE BUSINESS OF THE CORPORATION
WITHIN ITS CORPORATE STRUCTURE**

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	RELIGIOUS INSTITUTE (RI)	CORPORATION (CIVIL)
I. LEGAL STATUS	Collegial public juridic person recognized by competent ecclesiastical authority whose members take vows as required by the Constitutions of the Institute (Canon 573-746)	Civil or religious not-for-profit corporation incorporated under appropriate state statute; person under civil law. [Canon Law requires use of civil law structures to protect church assets and to hold title to property.]
II. GOVERNING DOCUMENTS (Define duties and authority)	<p style="text-align: center;">Constitutions and Directory</p> <p><u>Constitutions</u></p> <ul style="list-style-type: none"> • Nature, end and spirit of R.I. • Governance of R.I. • Admission of candidates and formation of members • Obligations and rights of R.I. and members • Apostolate of R.I. • Separation of members from R.I. • Approved by R.I. and CICL or diocesan bishop <p><u>Directory, Policies, Procedures</u></p> <ul style="list-style-type: none"> • Norms by which R.I. is governed • Directory needs approval of chapter • Policies and procedures need approval of council 	<p style="text-align: center;">Articles (Charter) and Bylaws (Code of Regulations)</p> <p><u>Articles</u></p> <ul style="list-style-type: none"> • General and specific purposes • Indemnification of directors and officers • 501(c)(3) requirements • Dissolution clause <p><u>Bylaws</u></p> <ul style="list-style-type: none"> • Specific responsibilities of Board of Directors • Procedures for valid corporate acts • Committee structure • Designation of officers

	RELIGIOUS INSTITUTE (RI)	CORPORATION (CIVIL)
III. GENERAL PURPOSES	<ul style="list-style-type: none"> • Profess evangelical counsels • Live a common life • Share assets • Undertake certain works of charity • Follow the same set of directives - rule 	<ul style="list-style-type: none"> • Further and promote charitable, religious, educational purposes [purpose must meet 501(c)(3) requirements of Internal Revenue Code] • Support the works of public charity of R.I. • Receive and administer funds for religious and charitable purposes
IV. SPECIFIC PURPOSES	<ul style="list-style-type: none"> • Carry out the particular purpose(s) of the R.I. according to Constitutions, Directory and Canon Law 	<ul style="list-style-type: none"> • Carry out business and administer property and assets of R.I. according to the Articles, Bylaws and corporate law
V. GOVERNING BODY	Major Superior and Council; chapter when in session (elected by membership according to Constitutions)	Board of Directors (self perpetuating)
VI. FORMALITIES	<p style="text-align: center;">Council Meetings</p> <ul style="list-style-type: none"> • Separate agenda • Separate minutes • Annual reports • Periodic meetings • Financial reports 	<p style="text-align: center;">Board of Director Meetings</p> <ul style="list-style-type: none"> • Separate agenda • Separate minutes • Annual reports • Annual and regular meetings • Proper notices • Election of officers • Annual budget/audit financial statements • Corporate seal

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VII. RESPONSIBILITIES OF GOVERNING BODY	<ul style="list-style-type: none"> • Administrator of ecclesiastical goods (Book II, Title II, Art. 3 and Book V, Code) • Perform acts of ordinary and extraordinary administration - alienation (transfer of property) • Obtain permissions of competent authority <ul style="list-style-type: none"> > Generalate level - receive requests for approval from provinces; request necessary approvals from CICL > Province level - approve and make requests to generalate • Attend to issues/matters as determined by Constitutions and/or Directory • Preserve official records of a non-current nature in Congregation archives • File reports as requested by appropriate canonical authority 	<ul style="list-style-type: none"> • Receive gifts, bequests, grants in name of R.I. and in accordance with applicable Canons • Make contracts • Sue and be sued • Receive state or federal grants • Approve merger or dissolution of corporation • Hold property • Purchase or lease real and personal property • Sell, convey, dispose of real and personal property • Receive, take title to and use proceeds of stock, bonds, etc. • Keep corporate files, correct and complete books and records of accounts, transactions and minutes of the proceedings of the Board of Directors and its committees • Preserve official records of a non-current nature in administrative archives • File reports with state/federal governments • Hire, fire employees and administer personnel policies consonant with local, state and federal laws <ul style="list-style-type: none"> e.g. > Civil Rights Laws > Immigration Reform and Control Act > Fair Labor Standards Act > Internal Revenue Code

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VIII. MINUTES	<p>Council Minutes</p> <p>Should reflect actions taken on:</p> <p><u>Canonical Issues</u></p> <ul style="list-style-type: none"> • Admission of candidates • Admission to novitiate • Admission to vows • Exclaustration • Transfer • Readmission • Dismissal • Dispensation • Permissions for alienation <p><u>Personnel Issues</u></p> <ul style="list-style-type: none"> • Education • Sabbatical leave • Placement <p><u>Sponsored Apostolates</u></p> <ul style="list-style-type: none"> • Canonical approvals • Membership responsibilities • Board of Directors <p><u>Reports</u></p> <ul style="list-style-type: none"> • Committees • Task forces • Planning <p><u>Patrimony of the Institute</u></p> <ul style="list-style-type: none"> • Purchasing • Alienating 	<p>Board of Directors Minutes</p> <ul style="list-style-type: none"> • Should reflect quorum present • Should follow requirements of state law re notice (date, time, place of meeting) or waiver of notice • Should note minutes of previous meeting reviewed, approved, signed by secretary or president of Board • Should note passage of corporate resolutions required by banks, state or federal requirements, e.g. open bank accounts, change authorized signatures on accounts • Should reflect passage of all corporate resolutions • Other corporate matters <ul style="list-style-type: none"> > Taxes > Budget > Property - sale, purchase, improvement > Leases > Loans > Amendment of articles or bylaws > Approval of merger or dissolution
IX. CANONICAL REQUIREMENTS WITH CIVIL LAW IMPLICATIONS	<ul style="list-style-type: none"> • Patrimony • Cession of administration of property • Wills 	<ul style="list-style-type: none"> • Taxes • Power of attorney • Must meet requirements of state statute

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X. DOCUMENTS	<ul style="list-style-type: none">• Personnel files<ul style="list-style-type: none">> Wills> Cession instruments> Health records• Archives<ul style="list-style-type: none">> Council meeting minutes> Personnel files of dispensed and deceased members	<ul style="list-style-type: none">• Property files<ul style="list-style-type: none">> Deeds> Appraisals> Surveys> Mortgages> Leases• Financial files<ul style="list-style-type: none">> Audits> Budgets> Reports• Contracts