

## DIOCESAN FINANCE COUNCIL GLOSSARY OF CANONICAL TERMS

*Acts of Extraordinary Administration:* Actions taken by the diocesan bishop that exceed the regular or routine administration of the diocese. These acts are defined by the USCCB. They include such matters as the establishment of a foundation or endowment, acceptance or rejection of major donations, major construction projects, certain lawsuits, etc. Beyond a certain financial level, these acts must be presented to the Diocesan Finance Council for their consent. Some major matters need the further permission of the Apostolic See.

*Acts of Ordinary Administration:* Actions taken by the diocesan bishop in the course of the regular administration of the diocese. They include such matters as regular payment of bills and payroll, reception of ordinary donations, regular maintenance of buildings, etc.

*Alienation of property:* The canonical term for transfer or conveyance of ownership of ecclesiastical property. The property in question is from the patrimony of the diocese, that is, its stable or fixed property like land and buildings. Beyond a certain financial level, these acts of alienation must be presented to the Diocesan Finance Council for their consent. Some major matters need the further permission of the Apostolic See. The USCCB provides an annual calculation of the levels of alienation requiring consultation, consent, referral to the Vatican.

*Apostolic See:* The pope or the curial offices of the Vatican. The various offices have assigned responsibilities. Property matters are referred to the Congregation for Clergy.

*Autonomous Pious Foundation:* Funds which are permanently restricted for church purposes such as works of piety, of the apostolate, or of charity.

*Bination/Trination Fund:* A priest is expected to say only one Mass a day. If need requires he may celebrate more than one (maximum of two on weekdays and three on Sundays). Celebration of more than one Mass is referred to as bination or trination. Regardless of how many Masses a priest celebrates in a given day, he may retain the offering (stipend) for only one Mass. Any offerings for additional Masses are to be directed to the use(s) specified by the diocesan bishop.

College of Consultors: The College of Consultors is a canonically required group in every diocese. Canon law dictates what matters must be referred to the College, frequently the same matters that must be referred to the Diocesan Finance Council. In some cases, their consultation must be obtained; in other cases they act in a deliberative manner and their consent is required. The diocesan bishop may seek the counsel of the Consultors on other matters of import and pastoral concern.

Contracts: Provided their provisions are not contrary to divine or canon law, the civil laws governing contracts and the voiding of contracts are to be observed as regards church property.

Deans (Vicars Forane): A Dean is a priest appointed by the diocesan bishop to have special concern for a designated portion of the diocese. Among other responsibilities, the Dean promotes and coordinates pastoral activity in the region and serves in a supportive capacity in relation to the priests of that region.

Decree: A decree is an administrative act issued by someone in authority in which either a decision is given or a provision made. A precept is one form of decree which serves as a directive to an individual to do or omit some act. A penal precept is a decree which imposes action or prohibits action by an individual under threat of penalty for failure to comply.

Diocesan Curia: Structures and persons who assist the diocesan bishop in his governance of the diocese, particularly guiding pastoral action, conducting general administration, and exercising judicial power.

Diocesan Finance Council: A canonically required body with responsibility for financial oversight of diocesan finances. Certain functions are defined in canon law, specifying when the diocesan bishop is required to consult them and when he is required to obtain their consent before taking action.

Diocesan Finance Officer: A canonically required ecclesiastical office in every diocese. The diocesan finance officer has responsibilities defined in canon law, is appointed by the diocesan bishop for five year terms, and works closely with the Diocesan Finance Council.

Dispensation: A dispensation is a relaxation, or non-application, of a law in a given instance, by one who has authority to do so, for the pastoral good of the individual(s) affected.

Ecclesiastical Office: An ecclesiastical office is a stably established function, constituted by divine or ecclesiastical law, exercised for a spiritual purpose. The components of the office are defined by the law or by a decree of the establishing authority.

*Eparchy*: The equivalent of a diocese in eastern rite churches.

*Fund Raising*: Raising of funds is a permitted activity for the diocese to obtain the financial support to fulfill its mission. The Conference of Bishops issues norms governing fund raising by ecclesiastical entities.

*Juridic Person*: Parallel to a corporation at civil law, a canonical juridic person is the subject of rights and obligations, has the capacity for ownership and administration of property (separable from the physical persons who are connected with it), and is governed by canon law. Juridic persons are established *ipso iure* or by decree of competent authority. There are public and private juridic persons in the Church. The property of a public juridic person, such as a diocese, is considered ecclesiastical property and is subject to the norms of canon law.

*Laicization*: The process by which a cleric is returned to the lay state. This process may be voluntary or imposed as a penalty. The intervention of the Holy See is required in every case.

*Leasing Norms*: Canon law requires that the Conference of Bishops issue norms governing the leasing of church-owned property. The value of the property being leased controls the kind of consultation or consent required of the Diocesan Finance Council (and the College of Consultors).

*Local Ordinary*: A category of ecclesiastical offices. diocesan bishops, vicars general, and episcopal vicars are all local ordinaries.

*Merger / Consolidation*: The process by which two or more juridic persons are joined. In some instances one juridic person is merged into another so that only one of the two remains. In other cases, the merger may result in the configuration of an entirely new juridic person. The assets and liabilities of the prior juridic persons transfer to the new. In cases involving the merger of parishes, prior consultation with the Council of Priests is required.

*Moderator of the Curia*: Under the authority of the diocesan bishop, a moderator of the curia coordinates the work of the diocesan curia.

*Mortgage*: To mortgage church-owned property that is valued at a designated amount is considered an act of extraordinary administration and requires the consultation or consent of the Diocesan Finance Council (and the College of Consultors).

*Oath of Office*: Persons who are appointed to ecclesiastical offices in the diocesan curia are obliged to take an oath of office. The oath contains the promise to fulfill their office faithfully and maintain the appropriate confidentiality demanded by their role (e.g., an ecclesiastical judge is not to make public the facts internal to a nullity case).

*Particular Law:* In addition to the universal law of the Church as found in the Code of Canon Law and other legislative texts, particular law is that which is issued by one with legislative authority to be applicable to a specified people or place, such as a diocese. Particular laws are presumed to be territorial unless they are explicitly issued for specified persons.

*Pious Trust:* A gift of property of any kind, the proceeds of which are to be dedicated to Church purposes. The pious trust is held by a person, either physical or juridic, who is responsible for its safekeeping, administration, and distribution.

*Retirement Benefits:* Universal and particular law regulate the retirement benefits owed certain persons. For priests, the diocesan bishop is to ensure that a system, such as a pension plan, is securely in place to provide support in their old age. Requirements for retirement benefits for bishops are designated by the Conference of Bishops, reviewed every five years, and paid by the diocese from which he retired.

*Statutes:* The organizing documents for a church entity that defines their purpose, membership, governance, and methods of operation. Statutes are issued by an individual or group possessing legislative authority and are governed by the canonical norms on laws.