



ARCHDIOCESE OF SAINT PAUL AND MINNEAPOLIS

CLERGY BULLETIN

December 7, 2011

2nd Revision

**MINIMUM AND MAXIMUM LIMITS FOR FINANCIAL ADMINISTRATION INCLUDING
CORPORATE ACTION**

Reverend and dear Fathers,

On March 31, 2010, new USCCB complementary legislation regarding canon 1292 §1 of the *Code of Canon Law* came into effect. This legislation establishes the new minimum and maximum limits for alienation of property and other notable transactions by public juridic persons subject to the local bishop, which includes parishes, schools, and other institutions. A copy of the decree of promulgation is attached.

As a result of the promulgation of this legislation, I have determined that changes are necessary to Archdiocesan particular law as it relates to alienation of property and other important transactions by parishes and other institutions. Prior to this time, parishes and institutions were required to seek a proxy for civil corporate action when the financial amount of a transaction was in excess of \$30,000. In order to bring this amount into harmony with the new complementary norms, I am lowering that amount to \$25,000, effective immediately.

Therefore, effective immediately, financial transactions by parishes, schools, and institutions which are in excess of \$25,000 are no longer considered acts of ordinary administration, and consequently prior to completing such transactions the consent of the Archbishop must be sought and received. In addition, for alienation of property worth more than \$25,000 as well as other transactions which, according to the norm of the law, can worsen the patrimonial condition of the parish, school, or institution to a corresponding amount¹, the consent of the Archbishop as well as the Archdiocesan Finance Council and the College of Consultors is required.


Transactions which could worsen the patrimonial condition of the juridic person may include initiating a program of financing by the issuance of instruments such as bonds, mortgages or incurring other debt. It may also include the transfer of rights such as easements, liens and options. In this Archdiocese it also includes resolving an individual or aggregate claim(s) by financial settlement in excess of \$25,000.

Transactions which require the consent of the Archbishop will normally require a proxy for civil corporate action. In cases involving the alienation of property or other transactions which can worsen the patrimonial condition of the public juridic person, additional information will be required and parishes, schools, and other institutions should contact the Chancery prior to presenting the request for approval to determine what documentation will be sufficient for those purposes. Every effort will be made to return a timely response to the request. However, parishes, schools, and other institutions should be aware that the required consultations may take several weeks to complete.

Given at Saint Paul, Minnesota, this 7th day of December, in the year of Our Lord 2011. All things to the contrary notwithstanding.



The Most Reverend John C. Nienstedt
Archbishop of Saint Paul and Minneapolis



Jennifer Haselberger
Chancellor for Canonical Affairs

ⁱ The complementary legislation establishes as the minimum limit \$25,000 or 10% of the prior year's ordinary annual income. However, for the purpose of clarity, the particular law in this Archdiocese caps acts of ordinary administration at \$25,000, and also requires a proxy for any transaction in excess of \$25,000. Therefore, the 10% criteria is not applicable.



Office of the President

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Most Reverend Timothy M. Dolan
Archbishop of New York
President

United States Conference of Catholic Bishops United States of America

DECREE OF PROMULGATION

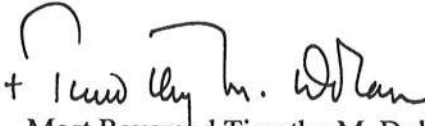
On November 13, 2002, the Latin Church members of the United States Conference of Catholic Bishops approved complementary legislation for the implementation of canon 1292, §1 of the *Code of Canon Law* for the dioceses of the United States. The action was granted recognition by the Congregation for Bishops in accord with article 82 of the Apostolic Constitution *Pastor Bonus*, issued by a Decree (Prot. N. 296/84) of the Congregation for Bishops, dated June 3, 2003, and signed by His Eminence Giovanni Battista Cardinal Re, Prefect, and His Excellency Most Reverend Franciscus Monterisi, Secretary. On March 31, 2004, a subsequent Decree with the same Protocol Number was issued granting recognition to the norms *ad biennium*. Through subsequent Decrees, dated January 31, 2006 and March 31, 2008, again with the same aforementioned Protocol Number, the same Congregation decreed the extension of its previously granted *recognitio* for two additional two-year periods. By means of a Decree, dated March 31, 2010 (Prot. N. 778/2005), signed by His Eminence Giovanni Battista Cardinal Re, Prefect, and His Excellency Most Reverend Manuel Monteiro de Castro, Secretary, the Congregation for Bishops granted definitive recognition to the following defined sums. A subsequent Decree, dated May 10, 2011, with the same aforementioned Protocol Number, signed by His Excellency Most Reverend Manuel Monteiro de Castro, Secretary, and His Excellency Most Reverend Giovanni Maria Rossi, Subsecretary, granted definitive recognition to the sums defined in norm 3 of the complementary legislation.


Wherefore, and in accord with the prescripts of canon 1292, §1, the United States Conference of Catholic Bishops decrees that:

1. The maximum limit for alienation and any transaction which, according to the norm of law, can worsen the patrimonial condition is \$7,500,000 for Dioceses with Catholic populations of half a million persons or more. For other Dioceses the maximum limit is \$3,500,000 (cf. can. 1295).
2. The minimum limit for alienation and any transaction which, according to the norm of law, can worsen the patrimonial condition is \$750,000 for Dioceses with Catholic populations of half a million persons or more. For other Dioceses the minimum limit is \$250,000.
3. For the alienation of property of other public juridic persons subject to the Diocesan Bishop, the maximum limit is \$3,500,000 and the minimum limit is \$25,000 or 10% of the prior year's ordinary annual income, whichever is higher.

As President of the United States Conference of Catholic Bishops, I hereby decree that these norms are effective immediately for all dioceses of the United States Conference of Catholic Bishops.

Given at the offices of the United States Conference of Catholic Bishops, in the city of Washington, the District of Columbia, on the 1st of December, in the year of our Lord 2011.


+ Timothy M. Dolan
Most Reverend Timothy M. Dolan
Archbishop of New York
President, USCCB


Reverend Monsignor Ronny E. Jenkins
General Secretary, USCCB



CONGREGATIO PRO EPISCOPIS

FOEDERATARUM CIVITATUM AMERICAE SEPTENTRIONALIS

De Conferentiae Episcoporum decreti generalis recognitione

DECRETUM

Exc.mus P.D.Timotheus Michael Dolan, Conferentiae Episcoporum Foederatarum Civitatum Americae Septentrionalis Praeses, ab Apostolica Sede postulavit ut summarum maximae et minimae bonorum alienandorum modificatio (can. 1292 § 1, Codicis Iuris Canonici) pro publicis personis iuridicis Episcopo dioecesano subiectis, rite recognosceretur

Congregatio pro Episcopis, vi facultatum sibi articulo 82 Constitutionis Apostolicae "Pastor Bonus" tributarum et collatis consiliis cum Congregatione pro Clericis, summas, pro publicis personis iuridicis Episcopo dioecesano subiectis, ratas habet, id est:

summam maximam - \$ 3.500.000

uti minimam, maiorem inter \$ 25,000 et centesimas decimas partes ordinarii annui proventus.

Datum Romae ex Aedibus Congregationis pro Episcopis, die 10 mensis Maii anno 2011.

+ Emmanuel Monteiro de Castro
A. Secr.
Joannes M. Neri
Subsecr.