



UISG CANADIAN CONSTELLATION

Chapters vs. Assemblies: Governance Options for Canadian Religious Institutes

Abstract

As we come together virtually for our meetings, the rationale for requesting permission from CICALSAL to allow congregations to hold Assemblies vs. Chapters may be only a symptom of some of the significant issues Canadian religious institutes are currently grappling with, including dwindling membership and few if any, viable personnel options for congregational leadership. Are there other ways for us to collectively, discern God's call to newness?

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1. INTRODUCTION

In the summer of 2020, the English Constellation of UISG requested that I continue our conversation on Assemblies/Chapters begun at our November 2019 UISG meetings, and offer an update on available canonical services. I am pleased to share with you some canonical and personal reflections on this and other topics which we may wish to consider as we examine alternative congregational reorganizational strategies for Canadian religious institutes. To assist us in our discussions, I would like to review some highlights that Fr. Frank Morrisey and I presented at the 2018 Legal Education Forum on the topic of Chapters/Assemblies.

As we come together virtually for our meetings, I would like to suggest that the rationale for requesting permission from CICLSAL to allow congregations to hold Assemblies vs. Chapters is only a symptom of some of the real issues Canadian religious institutes are currently grappling with, including dwindling membership and few, if any, viable personnel options for congregational leadership. This reflection will include:

- Chapters and Assemblies
- The Current Reality: Reading the Signs of the Times
- Current Canonical Congregational Options
- Ensuring Economic Structures Continue
- Foundations for Dialogue
- Closing Reflections.

It is my hope that this overview will spark further conversation and consideration of ways in which we can support each other in continuing the charism of consecrated life in our Church and in our world into the future.

2. CHAPTERS VS. ASSEMBLIES

The General Chapter is an important event in the life of a Religious Institute. While the members may recognize this as a graced moment in the Institute's history, it can be subject to many pressures, both from within and outside of the Institute, both rational and irrational.

Canon 631 mentions five responsibilities of the Chapter:¹

a) **Protection** of the patrimony of the Institute including an assessment of its fidelity to its charism and mission (see also Canon 578);²

b) **Promotion** of renewal in the Institute. Such renewal must take into account the nature of the Institute, its purposes, its spirituality, its character, and its sound traditions.

c) **Election** of the supreme moderator and council. The Constitution will determine the eligibility conditions,³ as well as the number of councilors to be elected. The treasurer and secretary are elected in some Institutes; in other situations they are named after the Chapter by the general superior with the consent of the Council.⁴

d) **Deal with major cases**, such as the initial and permanent training of the members in preparation for apostolic availability (for example the opening of new foundations), possibilities of unions or mergers with other Institutes, financial administration, the spiritual life of the community and so on;

e) **Review of Rules**. In addition to changes in the Constitution, the Chapter may approve changes in other books, such as directories, establish policies, express desires of the congregation, and other matters. Members are required to obey the decisions of the Chapter.

¹ Can. 631 §1. The general chapter, which holds supreme authority in the institute according to the norm of the constitutions, is to be composed in such a way that, representing the entire institute, it becomes a true sign of its unity in charity. It is for the general chapter principally: to protect the patrimony of the institute mentioned in can. 578, promote suitable renewal according to that patrimony, elect the supreme moderator, treat affairs of greater importance, and issue norms which all are bound to obey.

§2. The constitutions are to define the composition and extent of the power of a chapter; proper law is to determine further the order to be observed in the celebration of the chapter, especially in what pertains to elections and the manner of handling affairs.

§3. According to the norms determined in proper law, not only provinces and local communities, but also any member can freely send wishes and suggestions to a general chapter.

² Can. 578 All must observe faithfully the mind and designs of the founders regarding the nature, purpose, spirit, and character of an institute, which have been sanctioned by competent ecclesiastical authority, and its sound traditions, all of which constitute the patrimony of the same institute.

³ Can. 625 §1. The supreme moderator of an institute is to be designated by canonical election according to the norm of the constitutions.

⁴ Can. 636 §1. In each institute and likewise in each province which is governed by a major superior, there is to be a finance officer, distinct from the major superior and constituted according to the norm of proper law, who is to manage the administration of goods under the direction of the respective superior. Insofar as possible, a Finance officer distinct from the local superior is to be designated even in local communities.

2.1 Replacing the General Chapter with an Assembly

Due to the age of the members, some communities find themselves in a situation in which they are no longer able to hold a General Chapter. They then ask the Holy See (in the case of an Institute of Pontifical Right) for permission to substitute a General Assembly for the Chapter. As you will see in the chart below, the purpose of the Chapter and the Assembly are different.

	Chapter	Assembly
Nature and Purpose	Collegial, decision-making	Consultative, makes recommendations that would require authorization of the competent authority of the institute.
Norms & Procedures	Formalized	Flexible
Participation	Appointed by law and elected Quorum defined	Voluntary Quorum not defined
Juridical Authority	May establish law and congregational directions. Election of leadership.	Will not normally elect leadership. Does not normally consider major issues.

While CICALSAL appreciates the dilemma in which some congregations find themselves, here are five recent responses by the Holy See on this subject. You will note an evolution in their thinking, **especially the fact that they have attached the substitution of an Assembly for the General Chapter to the appointment of an ecclesiastical assistant who is exterior to the Institute.**

(1) 29 October 2013 (Prot. N. 111-1/19998)

After a careful review of the proposed changes and the reasons justifying this request, we are pleased to approve the new reading of article X, Y, and Z.

The Assembly participation list is formed and calls upon the direction of the Holy Spirit... The Assembly consists of all the Sisters who can and who wish to participate. All the professed Sisters who have made perpetual vows are eligible, unless excluded under the law... The participating assembly meets every two years to elect the person who will serve as the major superior... It will elect two councillors... If necessary, the Institute may appeal to another Institute to assume the functions of government when it is no longer possible to find people within the Institute in question.

(2) 15 January 2015 (Prot. N. 29690/2014)

We are grateful to Fr. “X”, who will be available to help, cordially assist, and provide spiritual support which will be important and appreciated.

However, Sister, we are not convinced that the solution (substituting an Assembly for the General Chapter and the designation of assistants) responds to our request. Indeed, it would be better to find a person who, while being experienced, can also accompany the Institute without too much difficulty for several years on a spiritual level (according to our information, Fr. “X” would be 83 years old), while available to support the Institute on a spiritual level, but not able to offer direction on governance and management of temporal goods.

This dicastery continues to reflect and to research in order to find the solution most appropriate for this Institute without excluding the possibility of the appointment of a diocesan bishop, as this has already been done in similar cases. Whatever it is, the dicastery wishes to stand at your disposal, available for you to contact us at any time to assist you.

Because the community asked to no longer elect councillors but to name them, the answer reads as follows:

The Dicastery can appoint as general councillors of your Institute, religious of the Institute of the Sisters of St. “X”.

(3) 6 May 2015 (Prot. N. 30871/2015)

With regard to the replacement of the General Chapter by a General Assembly, we believe that it is still too early to approve this option, given that the next General Chapter should occur in 2019.

Furthermore, considering your particular situation, this dicastery would like to appoint an apostolic assistant to accompany you in the government of the Institute. Such a measure does not prevent you from exercising your office of general superior of the Institute according to proper and universal law, but allows you to benefit from a close pastoral presence. This assistance could, as you suggest, serve as a liaison with this Dicastery. In addition, when the sisters are no longer able to assume responsibility for governance of the Institute, the Assistant may appoint an Apostolic Commissioner....

(4) 10 May 2016 (Prot. N. Q 14-1/2002):

... Re: the third point, of the General Assembly replacing the General Chapter, we cannot approve the text as it is written currently, even if your aim and motivation are justified. Because the General Chapter is the supreme organ of authority in the Institute, it cannot be deleted. However, your Chapter may vote for an amendment of the Constitution providing for participation of all perpetually professed members in the General Chapter, and permitting the general superior, with the consent of her Council, to identify and excuse those Sisters who are not able to participate in the Chapter due to failing health.

Your particular situation can also be presented to our department, who can then identify canonical options to accompany those Institutes who are struggling to assume their independence, and who also need to rely on outside assistance, including the appointment of an Apostolic Assistant.

(5) 20 April 2017 (Prot. N. M. 164-1/2017):

After reviewing the proposed text carefully, and due to the specific circumstances of your Institute, this Dicastery hereby approves changes to the constitutions in response to your request received by mail. As a result, the next Chapter will be replaced by the General Assembly, which will be celebrated in the summer of 2020.

In situations similar to yours, this dicastery has also encouraged Institutes to seek help beyond their walls, in the church, in order to have assistance in governing the Institute which has become too burdensome for the members, and to ensure respect of all persons within the Institute as well as the proper charism of consecrated life.

For this purpose, it is possible to consider affiliation with another Institute with more demographic resources (a union or a canonical merger is possible in principle, but without going so far, we can consider appointing as a superior of your Institute, a superior of another Institute, if it is difficult to find an experienced and competent person to take over governance of your Institute when it becomes necessary (in this case you can apply for example, to the bishop of the place, who may delegate a person closer and more available, such as a priest or another religious). These measures may be progressive, to allow mutual knowledge between your Institute and the person who will be of assistance to you....

2.2 Rationale for Considering Assemblies vs. Chapters

Some congregations begin to consider seeking approval from CICALSAL as the congregational demographics and energies decline. However, this is only one step in examining a

much larger issue: the need for structural reform for religious institutes in Canada. Seeking the approval of the Holy See to hold assemblies vs. chapters might be considered as akin to putting one's "finger in the dyke." Would it be more appropriate to reconsider the structures which would support the continuation of the charism of consecrated life in Canada (vs. the charism of individual congregations) into the future? God's Spirit is most frequently discerned in reading the "signs of the times."⁵ To assist us on our journey of identifying and assessing the world in which we live, we will examine demographic trends of religious institutes in North America.

3. THE CURRENT REALITY: READING THE SIGNS OF THE TIMES

There was a day, not so many years ago, that most of us sitting in this room would never have dreamt that the Religious Institutes that worked in collaboration with diocesan bishops, and founded ministries to care for the needs of immigrants flooding to Canada in the mid-18th and early 19th centuries in our dioceses, would one day be forced to come to a decision to shut their doors. Yet, this is exactly what was prophetically noted in *Perfectae caritatis*⁶ on the renewal and adaptation of Religious which notes that if no "reasonable hope of further development" is evident within the Institute, the Holy See should forbid the acceptance of novices, and that such Institutes should be "absorbed into already existing, more vigorous communities which have the same purpose and spirit."⁷ Institutes that share similar charisms, belong to the same religious family or share similar constitutions and apostolates, were encouraged to form federations or unions.⁸ In some instances when leadership within a Religious Institute is unable or unwilling to consider alternative configurations, the Holy See could choose to intervene in the internal governance of an Institute and forbid acceptance of novices as well as mandating absorption of the members into another Institute.⁹

⁵ See H. NOUWEN, M. CHRISTENSEN and R LAIRD, *Discernment: Reading the Signs of Daily Life*, New York, HarperOne, 2013.

⁶ See SECOND VATICAN COUNCIL, Decree on the Up-to-Date Renewal of Religious Life *Perfectae caritatis*, 28 October 1965, in *AAS*, 58 (1966), pp. 702-712, English translation in FLANNERY 1, pp. 385-401, no. 204 (= *PC*).

⁷ E. McDONOUGH, "Mergers, Unions, Federations and Confederations," in *Review for Religious*, 63 (2004), 204 (= McDONOUGH, "Mergers").

⁸ See *PC*, no. 22, 946.

⁹ See McDONOUGH, "Mergers," 205.

At the same time as Religious Institutes have responded to the Church's call for renewal and adaptation, they have experienced a period of breakdown. Vocations to Religious Institutes have dwindled.¹⁰ Some sociologists have suggested that the growth of Religious Institutes, which peaked in the mid 20th century, was merely a sociological anomaly.¹¹ Others have suggested that all organizations, be they religious or secular, enjoy a natural lifecycle,¹² with an average lifespan of 300 years.¹³ Fully mature organizations do have the capacity for renewal, which usually includes realignment of key aspects of their identity and mission in response to internal and external organizational pressures.¹⁴

The decline in vocations should not surprise us. Religion in the public sphere has seen a marked decline.¹⁵ In 2013, Pew research noted the percentage of Canadians who identified as Catholic had dropped from 47% to 38% over the past four decades, while Protestant traditions saw an even more dramatic decline from 41% to 27%.¹⁶ Twenty-nine percent of Canadians born between 1967 and 1986 claim no religious affiliation as of 2011. The decline in nuns in North America¹⁷ and the rise of the “nones”¹⁸ (no religious affiliation), reflects this drop in religious commitment in the Canadian public.

¹⁰ Ibid.

¹¹ See P. WITTEBERG, *The rise and decline of Catholic Religious Orders: A Social Movement Perspective*, Albany, NY, State University of New York Press, 1994.

¹² See J. KIMBERLY and R. MILES, *The Organizational Life Cycle: Issues in the Creation, Transformation, and Decline of Organizations*, San Francisco, Jossey-Bass, 1980.

¹³ See C. VAN DAM, C., T. SPONSELEE, and A. LEYS, “Explorations on the ‘Completion’ of Religious Institutes, in *RCRI Bulletin*, 8 (2012), 9-27, https://www.marianites.org/uploads/files/newsletters/2012_Fall_Bulletin.pdf (19 July 2019) (= VAN DAM et al).

¹⁴ See A. HEREFORD, *Navigating Change: The Role of Law in the Life-Cycle of a Religious Institute*, St. Louis, Religious Life Project, 2014, 102, Kindle ed.

¹⁵ See B. ALLEN, “From sacred to secular: Canada set to lose 9,000 churches, warns national heritage group,” 10 March 2019, *CBC News*, <https://www.cbc.ca/news/canada/losing-churches-canada-1.5046812> (22 July, 2019).

¹⁶ See Pew Research Centre, “Canada’s Changing Religious Landscape,” 27 June 2013, <https://www.pewforum.org/2013/06/27/canadas-changing-religious-landscape/> (22 July 2019) (= Pew Research).

¹⁷ See I. PERITZ, “Quebec’s dwindling number of Catholic nuns spells end of era in province,” in *The Globe and Mail*, 25 July 2018, <https://www.theglobeandmail.com/canada/article-quebecs-dwindling-number-of-catholic-nuns-spells-end-of-era-in/> (8 July 2019).

¹⁸ See K. OAKES, “What can nuns and ‘nones’ learn from one another,” in *America*, (4 September 2018), <https://www.americamagazine.org/faith/2018/09/04/what-can-nuns-and-nones-learn-one-another> (22 July 2019).

The Centre for Applied Research in the Apostolate (CARA) in the United States noted the decline in all vocations including the priesthood, diaconate, and religious life since Vatican II. In 1970, religious Sisters in the United States numbered 160,931. In 2018, that number decreased to 44,117, a decline of 73%.¹⁹ The members of these Institutes are aging (age 60 and over).²⁰ Religious Institutes in Canada have seen similar declines in membership.²¹ From 1975 to 2019, the decline in numbers of religious serving the Church decreased by 80%.²²

Year	Number of Religious Men and Women in Canada
1975	55,180
2004	22,471
2010	19,235
2013	16,626
2015	13,126
2018	12,220
2019	11,054

Congregational leaders have begun to shift their focus from much needed apostolates of service in the Church to care of their members as they age.²³ In 2018, CARA again surveyed members of Religious Institutes to assess attitudes, priorities, and needs in relation to mission, ministry, charism, prayer, spirituality, community life, vocation promotion, initial formation, ongoing formation and collaboration.²⁴ The statistics revealed some sobering realities. Eighty

¹⁹ CENTER FOR APPLIED RESEARCH IN THE APOSTOLATE (CARA), Frequently Requested Church Statistics, <https://cara.georgetown.edu/frequently-requested-church-statistics/> (22 July 2019).

²⁰ See CARA, “Report on Recent Vocations to Religious Life in the U.S.: Executive Summary” in *Origins* 39 (2009-2010), 198 (= CARA).

²¹ See M. KRAMAREK and M. GAUTIER, Recent Vocations to Religious Life in Canada: A Report for the National Association of Vocation and Formation Directors, Washington, CARA (2018) (= NAVFD Report).

²² See CRC Statistics, <https://www.crc-canada.org/en/who-are-we/statistics/> (5 Aug 2019).

²³ See J. TOBIN, “What Are We Missing? What Should We Say?” in *Origins* (2010-2011), 201 (= TOBIN, “What Are We Missing”).

²⁴ CENTRE FOR APPLIED RESEARCH IN THE APOSTOLATE, “Religious Life Research,” <https://cara.georgetown.edu/services/religious-Institutes/>, 2019 (8 July 2019).

percent of those congregations surveyed had no professions of perpetual vows in religious life in 2018.²⁵ One internationally recognized canonist has noted approximately one Religious Institute per month is dissolved.²⁶ “Concerns about the declining number of vocations, aging and overworked religious, ministerial burnout and loss of an authentic religious spiritual life were major issues for the Church’s hierarchy in the first half of the 20th century. This was not simply a post-Vatican II phenomenon”²⁷

3.1 Assessing our Current Reality in Faith

The current reality which most Religious Institutes are facing, offers an opportunity for both Religious Institutes and societies of apostolic life to redesign their path, develop new rules, and identify new forms of involvement, focusing on positive experiences and rejecting negative ones. This is a time for discernment and new envisioning. Only from a stance of trust versus resignation, can Religious Institutes better face the difficulty of the present moment.

In 2014, Pope Francis proclaimed a year to recognize and celebrate the gift of consecrated life to the Church and the world.²⁸ This celebration was coincident with the 50th anniversary of the Dogmatic Constitution on the Church, *Lumen gentium*,²⁹ which included a chapter entitled “Religious,” and the decree *Perfectae caritatis*,³⁰ on the renewal of religious life. The aims of this year were initially proposed by St. John Paul II at the dawning of the third millennium and based on his post-synodal apostolic exhortation *Vita consecrata*:³¹ “You have not only a glorious history

²⁵ T. DO and M. GAUTIER, “Women and Men professing Perpetual Vows in Religious Life: The Profession Class of 2018: Report to the Secretariat of Clergy, Consecrated Life and Vocations United States Conference of Catholic Bishops, CARA, <https://cara.georgetown.edu/ProfessionClass2018.pdf>, January 2019 (8 July 2019).

²⁶ Private conversation with Fr. Francis Morrisey, OMI.

²⁷ M. CONFOY, “Religious Life in the Vatican II Era. ‘State of Perfection’ or Living Charism?” in *50 Years On. Probing the Riches of Vatican II*, D. SCHULTENOVER (ed.), Collegeville, Liturgical Press, 2015, Kindle ed., 393.

²⁸ See FRANCIS, Apostolic Letter To all consecrated People on the Occasion of the Year of Consecrated Life *Scrivo a voi: Ad personas consecrates occasione Anni Vitae Consecratae dictati*, 21 November 2014, *AAS*, 106 (5 December 2014), 935-947, English translation in *Origins*, 44 (2014-2015), 482-488, no. 2, 483.

²⁹ See SECOND VATICAN COUNCIL, Dogmatic Constitution on the Church *Lumen gentium*, 21 November 1964, in *AAS*, 57 (1965), pp. 5-75, English translation in FLANNERY1, pp. 1-95.

³⁰ See *PC*.

³¹ See ST. JOHN PAUL II, Post-synodal Apostolic Exhortation on Consecrated Life *Vita consecrata*, 25 March 1996, in *AAS*, 88 (1996), pp. 378-486, English translation in *Origins*, 25 (1995-1996), pp. 681-719, no. 110.

to remember and to recount, but also a great history still to be accomplished! Look to the future, where the Spirit is sending you in order to do even greater things.” Using human logic, if the future is based on the past, the role of Religious Institutes in the church into the future would appear to be less than robust. From the perspective of faith, all things are possible with God. As Yahweh promised to the Israelites, “I am making all things new.”

What is the newness through which God is inviting consecrated life to be expressed in new ways?

The Church in her wisdom, recognized it would not be easy to move from administration of well-known situations and apostolates towards “unknown destinations and ideals with a conviction that generates real trust.”³² Accelerated change, both in the world in which we live as well as stark predictions of more and more congregations coming to completion, may tempt congregational leaders to focus on emergencies instead of horizons,³³ managing the day-to-day or in merely surviving, which is in the end, detrimental to a life that is full of meaning and called to prophetic witness.³⁴

The various difficulties stemming from the decline in personnel and apostolates must in no way lead to a loss of confidence in the evangelical vitality of consecrated life, which will always be present and active in the church. “... New situations of difficulty are therefore to be faced with the serenity of those who know that what is required of each individual is not success but commitment to faithfulness. What must be avoided at all costs is the actual breakdown of consecrated life, a collapse that is not measured by a decrease in numbers but by a failure to cling steadfastly to the Lord and to one’s personal vocation and mission.”³⁵

³² See CICLSAL, *New Wine in New Wineskins: The Consecrated life and its Ongoing Challenges Since Vatican II: Guidelines*, Rome, *Libreria Editrice Vaticana*, 2017, 13 (= CICLSAL, *New Wine*).

³³ See L. BUCK, “Leaders in a Diaspora Moment: A Framework for the Emergent in Religious Life,” in Leadership Collaborative’s Biennial Gathering, 30 May – 2 June 2019, <https://thelc.global/wp-content/uploads/Leaders-in-a-Diaspora-Moment-Final-080419-1.pdf>, 31 Oct 2020.

³⁴ CICLSAL, *New Wine*, 13.

³⁵ ST. JOHN PAUL II, Post-synodal Apostolic Exhortation on Consecrated Life *Vita consecrata*, 25 March 1996, in *AAS*, 88 (1996), pp. 378-486, English translation in *Origins*, 25 (1995-1996), pp. 681-719, no. 63.

Some have suggested that religious have been “hoodwinked into discouragement,” replacing a language of abundance with a vocabulary and mode of thinking that centres on diminishment.³⁶ “The future belongs to those who give the next generation reason to hope.”³⁷ Pope Francis’ invitation to “be bold and creative in this task of rethinking the goals, structures, style and methods,”³⁸ also applies to governing bodies and practices at all levels of the Church.³⁹ The mission of the Church belongs to the movement of God’s Spirit. No authority, not even a founder, can be the exclusive interpreter of the charism.⁴⁰ Our challenge will be to express the evangelical councils and charisms in cultural forms that can be “heard” within the culture without succumbing to the temptation to appropriate cultural values that are antithetical to the Gospel. St. Paul VI invited the renewal of Religious Life in light of the call of Vatican II that is as relevant today as it was when it was first proclaimed.

“How can the message of the Gospel penetrate the world? What can be done at those levels in which a new type of culture is unfolding? ... Dear Religious ... you must give your full attention to the needs of men, their problems and their searching; you must give witness in their midst, through prayer and action, to the good news of love, justice and peace. ... Such a mission, which is common to all the people of God, belongs to you in a special way.”⁴¹

Religious Life has continued to evolve, even as it has remained true to its fundamental nature,⁴² and continues to offer evidence of the power of God’s Spirit (rûah), sometimes called

³⁶ D. COUTURIER, “Religious Life at the Crossroads,” in *Origins* (2006-2007), 181-188

³⁷ P. TEILHARD-DE-CHARDIN, <https://quotefancy.com/quote/1130135/Pierre-Teilhard-de-Chardin-The-future-belongs-to-those-who-give-the-next-generation> (11 July 2019).

³⁸ FRANCIS, Apostolic Exhortation The Joy of the Gospel *Evangelii gaudium*, 26 November 2013, in *AAS* 105 (2013), 1020-1147, English translation in *Origins*, 43 (2013-2014), 421-466, no. 30 (= *EG*).

³⁹ See CICLSAL, *New Wine*, 24.

⁴⁰ *Ibid.*

⁴¹ St. PAUL VI, Apostolic Exhortation On the Renewal of the Religious Life According to the Teaching of the Second Vatican Council, *Evangelica Testificatio*, 29 June 1971, in *AAS*, vol. 63, (31 July 1971), 497-527, English translation Libreria Editrice Vaticana, http://w2.vatican.va/content/paul-vi/en/apost_exhortations/documents/hf_p-vi_exh_19710629_evangelica-testificatio.html, (10 July 2019), no. 52.

⁴² See C. ZINN, “Presidential Address at LCWR Assembly,” in *Origins* (2014-2015), 250.

God’s “finger,”⁴³ which blows where it wills, breathing new life into the Church.⁴⁴ Can Religious Institutes, identified as essential to the character and holiness of the church, identify or create coherence between changing structures, organisms, and roles as noted in Vatican II?⁴⁵ Doing this will require that we take a long and loving look at our current reality including a realistic assessment of congregational viability into the future.

3.2 Criteria to Determine Congregational Viability

As members of Religious Institutes age, the pool of human resources who are willing and able to serve in the ministry of leadership can quickly dry out. In such situations, a Religious Institute could appoint a Religious from another Institute, pending negotiation with another institute or entity. However, because many Religious Institutes in the northern hemisphere have experienced significant declines in vocations and an aging membership, these same Institutes that were able to share leadership personnel will, in the not too distant future, face comparable challenges as the Institute they would be assisting. While some Religious Institutes in Canada have sufficient financial resources (c. 114, §3), they lack the capacity to carry out the mission. All able-bodied members are occupied with internal responsibilities. It is then that Religious Institutes must take a long and loving look at the reality in which God’s Spirit continues to move.

In Pope Francis’ apostolic letter marking the year of consecrated life, he invited consecrated persons to become “experts in communion,”⁴⁶ as has been evidenced by both canonically recognized intra and inter-congregational relationships. The secretariat of the Conference of Religious in the Netherlands developed a series of questions which Religious

⁴³ See CATECHISM OF THE CATHOLIC CHURCH, no. 700, “The hymn *Veni Creator Spiritus* invokes the Holy Spirit as the “finger of the Father’s right hand.”

⁴⁴ See TOBIN, “A Great History,” 260.

⁴⁵ See SECOND VATICAN COUNCIL, Decree on the Up-to-Date Renewal of Religious Life *Perfectae caritatis*, 28 October 1965, in *AAS*, 58 (1966), pp. 702-712, English translation in FLANNERY1, pp. 385-401, no. 204 (= *PC*).

⁴⁶ See FRANCIS, Apostolic Letter To all consecrated People on the Occasion of the Year of Consecrated Life *Scrivo a voi: Ad personas consecrates occasione Anni Vitae Consecratae dictati*, 21 November 2014, *AAS*, 106 (5 December 2014), 935-947, English translation in *Origins*, 44 (2014-2015), 482-488, no. 2, 483.

Institutes may wish to consider to obtain an overview of their present situation and begin plans for the future.⁴⁷ The questions have been divided into key areas of concern.

- A. Purpose
 - i. What is the purpose of your institute as a religious community?
 - ii. Are you able to achieve this purpose to a satisfactory extent?
- B. Spirituality
 - i. How do you ensure a vibrant spiritual life among your members?
- C. Pastoral Care
 - i. Is sufficient pastoral care available for the members into the long term?
 - ii. Do you have priests assigned to your community/communities, or a pastoral worker or someone like a hospital chaplain?
 - iii. Do you celebrate the Eucharist on a daily basis? What happens if this is not possible due to, for example, lack of priests?
- D. Management and Governance
 - i. Do you have sufficient members who are suitable and able to fulfill administrative and managerial positions? How long will these people be able to remain able to do so?
 - ii. What will the average age of these people be in eight to twelve years (another two terms of office)?
 - iii. Do you have several people within your institute who are suitable and able to hold the position of Superior or Major Superior?
 - iv. Is your institute governed from the US? Does your institute carry responsibility for houses abroad whilst not having a higher level of leadership abroad? What arrangements have been made for those houses in the future?
- E. International Financial Relations
 - i. Do you manage some parts of your institute abroad, for example the generalate or other provinces? Do you look after the interests of parts of your institute in mission areas? If so, who is responsible?
 - ii. Do you expect any changes to this situation in the near future? If so, have you been sufficiently informed about the options and/or possible problems?
- F. Novices
 - i. Have you had any new entrants in the past 10 years (i.e., persons who were interested in religious life and at least embarked on the novitiate)? How many people took perpetual vows and are these people still with the institute? What does this mean for the future of your institute?

⁴⁷ See SECRETARIAT OF THE CONFERENCE OF RELIGIOUS IN THE NETHERLANDS (KNR), “Questionnaire to Assist Religious Institutes With Obtaining an Overview of Their Present Situation and Making Arrangements for the Future,” in VAN DAM, C., T. SPONSELEE, and A. LEYS, “Explorations on the ‘Completion’ of Religious Institutes, in RCRI Bulletin, 8 (2012), 23-29, https://www.marianites.org/uploads/files/newsletters/2012_Fall_Bulletin.pdf (19 July 2019) (= VAN DAM et al); See also A. LEYS, “Structuring ‘Completion’ of a Religious Institute: Some Canonical Provisions,” in *The Jurist*, 76 (2016), 447-487 (= LEYS, “Structuring ‘Completion’.”)

G. Apostolate

- i. Does your institute have its own ‘works’ (for example, a spirituality centre, social service ministry, school, health care ministry, infirmary, etc.)?
- ii. Does your institute carry the responsibility for the management and governance of these apostolic works?
- iii. Do you have plans to pass on the management and governance responsibility? If so, what do the plans comprise?

H. Accommodation and Care

- i. Is the future care and accommodation of your members a topic of debate in your religious institute?
- ii. Have you planned for the accommodation of your members, for instance in a religious care home (including specialized care in the case of members with, for instance, dementia)? Do you have any such agreement in writing and is it regularly updated?
- iii. Do you expect to have to close or sell houses/buildings in the future? Whom would you ask for advice in case you wish to sell property? Do you know real estate agents specialized in selling convents/monasteries?
- iv. Do you intend to keep ownership of your own house for as long as possible, or are you considering renting accommodation?
- v. Are any of your buildings listed on the historical register or would any be eligible for this status? What consequences does this have for you?

I. Finances

- i. Do you carry direct responsibility for the financial administration, or have you ‘outsourced’ this to, for instance, the finance officer of another, perhaps larger religious institute?
- ii. Do you use a budget? Do you feel that a budget is a useful administrative instrument?
- iii. Does the leadership of your institute find the financial reports user-friendly and clear, or should they be more transparent?
- iv. Do you deploy an external accountant to audit the annual statement of accounts?

J. Investments

- i. Has part of your capital been invested?
- ii. Which objectives/profile have you defined for your investments, and have you identified policies for investments which address risks, etc., with the bank or investment broker?
- iii. Did you lay down in writing, the general conditions for the investment portfolio?
- iv. Who is your investment adviser? Do you use only one investment adviser, and if so, why do you use just one person? Is this person subject to regular assessment/supervision/control?

K. Reserves

- i. Which amounts have been set aside in the annual accounts for reserves? Note, these may include the following reserve categories:
 - a) Living costs;

- b) Additional personnel in the future (e.g., caretakers, gardeners, secretaries for the leadership, bookkeepers, etc.);
- c) Building maintenance.

L. Archives, Art, Cemetery

- i. What is the situation regarding your archives? Have you developed plans for the archives? To whom should they go when your institute no longer exists?
- ii. Does your institute possess works of art? Do you have an inventory of the art works and do you know their historical and/or financial value?
- iii. Do you own your own cemetery? What will happen to your cemetery in the future, for example when the adjacent house has to be sold? Who will take care of it when all the members of the order have passed away?

M. External Support

- i. Do you have plans for a future “merger” (or other form of close collaboration) with one or more neighbouring provinces? On which grounds was the decision taken not (yet) to do this?
- ii. Do you expect support from your General Board or other provinces when the time has come that you will no longer be able to carry management and governance responsibility?
- iii. Do you expect spiritual or management support from your “religious family,” e.g., Franciscans, Carmelites, Benedictines, ... ? Are these persons/Institutes aware that you are expecting such support?
- iv. Do you hope to receive some form of external support, but do not yet know from where or from whom? Have you made plans to, for example, set up a management foundation, outsource part of the work, or delegate managerial powers?

N. Relations with the diocese

- i. Does the diocese carry formal responsibility for your institute?
- ii. Does the diocese show an active interest in your institute? Do you maintain contact with the person appointed by the diocese who is responsible for religious orders? Do you submit your annual accounts to the diocese (for diocesan religious institutes)?

O. Position of the Laity

- i. Do you deploy lay persons as advisors to the leadership of your institute, or are you considering this option?
- ii. Do lay persons carry out “managerial tasks” in your community/communities?
- iii. How do you view your position as an “employer” of lay persons, in particular of those in “core positions” such as coordinator and pastoral worker? Do you foresee that fulfilling this duty may become difficult for you in the near future?

P. Important documents

- i. Does your institute have some form of document that outlines your wishes concerning what should happen with the assets after the dissolution of your institute (for instance, the resources are dispersed to or among the generalate, the diocese, the associated institute, or a particular project)? For

example, it may be a purpose of the institute to ensure that part of the assets should be donated to a religious institute in an African or Asian country, yet continue to be managed in your country (for example for reasons of inflation; CRA requirements, etc.) If so, have you made arrangements for this?

- ii. Are you prepared in due course, to place copies of the Constitutions, the Regulations on Proprietary Rights, Bylaws of companies and other documents that may be of importance in the final stage of an institute, with the Conference for Religious/of Major Superiors for safekeeping?

Q. General

- i. Do you expect that you may need support in a particular area shortly? How can the Conference of Religious/of Major Superiors assist you?

Institutes are able to do some internal restructuring without approval from the Holy See (c. 581).⁴⁸ However, changes which require amendments to the Institute's constitution or changes to the juridic character of the Institute require approval from the competent authority (c. 587, §2).⁴⁹

4. CURRENT CANONICAL OPTIONS

Canon law foresees four options for Religious Institutes, including union (c. 121), fusion or mergers, (cc. 582),⁵⁰ the creation of new provinces, changes to juridic status, and dissolution/extinction.⁵¹ Today, it is found that unions and fusions are difficult when there are no apparent or historical ties between the institutes. It can be something of a forced marriage. Reconfigurations which requires altering the status of any of the juridic persons involved, requires approbation of the Holy See (cc. 114-117). Federations and confederations create a new juridic

⁴⁸ Can. 581 To divide an institute into parts, by whatever name they are called, to erect new parts, to join those erected, or to redefine their boundaries belongs to the competent authority of the institute, according to the norm of the constitutions.

⁴⁹ Can. 587 §1. To protect more faithfully the proper vocation and identity of each institute, the fundamental code or constitutions of every institute must contain, besides those things which are to be observed as stated in can. 578, fundamental norms regarding governance of the institute, the discipline of members, incorporation and formation of members, and the proper object of the sacred bonds.

§2. A code of this type is approved by competent authority of the Church and can be changed only with its consent.

⁵⁰ See E. McDONOUGH, "Mergers, Unions, Federations and Confederations," in *Review for Religious*, 63 (2004), 204-210 (= McDONOUGH, Mergers).

⁵¹ See F. MORRISEY, *Strategies for the Future: Restructuring Religious Institutes and Implications of the Decision to Proceed*, Legal Education for Leadership of Religious Institutes, Ottawa, Saint Paul University, 17 June 2015, 5-6 (= MORRISEY, *Strategies for the Future*).

relationship to already existing Institutes and also require approval of the Holy See.⁵² Because the participants of UISG are familiar with these options, we will not review them in any canonical depth. The current reality does offer us a point for intra/inter-congregational dialogue and dialogue with the Church's hierarchy.

We must also remember that Church law is not intended to be static but is intended to respond to the needs of the times. In January 2008, an international conference of canonists was held in Rome under the auspices of the Pontifical Council for Legislative Texts to determine what were some of the legislative issues that would have to be re-examined given our current world context. On that occasion, Pope Benedict XVI spoke about the on-going adaptations required in canon law.

If canon law is to fulfill this invaluable service it must first of all be a well-structured law. In other words, on the one hand it must be bound to the theological foundation that gives it reasonableness and is an essential title of ecclesial legitimacy; on the other, it must keep up with the changing circumstances of the historical reality of the People of God. Furthermore, it must be formulated clearly, without ambiguity, and must always be in harmony with the rest of the Church's laws.

It is therefore necessary to abrogate norms that prove antiquated; to modify those in need of correction; to interpret – in the light of the Church's living Magisterium – those that are doubtful, and lastly, to fill possible *lacunae legis*. As Pope John Paul II said to the Roman Rota: 'The very many expressions of that flexibility which has always marked canon law, precisely for pastoral reasons, must be kept in mind and applied.' (Address to the Roman Rota, 18 January 1990, no. 4). It is your task in the pontifical Council for Legislative Texts to ensure that the work of the various bodies in the Church are required to dictate norms for the faithful always reflects, all together, the unity and communion that is proper to the Church.⁵³

Are we as leaders of religious institutes in Canada, being invited to envision new ways of being in relationship that will help to continue the charism of consecrated life into the future but which may not have yet been envisioned in existing laws?

⁵² See MCDONOUGH, "Mergers," 206.

⁵³ BENEDICT XVI, "Address to the Participants in the Study Congress Organized by the Pontifical Council for Legislative Texts on the Occasion of the 25th Anniversary of the Promulgation of the Code of Canon Law," 25 January 2008, http://www.vatican.va/content/benedict-xvi/en/speeches/2008/january/documents/hf_ben-xvi_spe_20080125_testi-legislativi.html, 31 October 2020.

In the last ten years, the Holy See has authorized at least four Canadian Pontifical Institutes, whose median age is in the upper 80s, to cease holding General Chapters. Instead, an Assembly of those who are willing and able to attend can be held. There is no question of quorum, of mandatory attendance, election of delegates, etc. The issue of elections becomes more and more moot as the members age and there is little, if any, internal leadership potential. There have on occasion been instances in which members of another institute have been allowed to serve on the general leadership of the Institute, either as Congregational leader or as a councillor. In some Institutes, the community has been asked to designate a person (younger than the Sisters) to serve as Vatican representative for them. The Sisters can, for instance, ask for the diocesan bishop to be this person. In other instances, a religious from another Institute has been chosen. Depending on the letter of appointment, this person can have all the prerogatives that a diocesan bishop would have over a diocesan Institute, although the Institute remains pontifical. The mechanics of these appointments continue to be in process.

4.1 Intermediate Measures: Covenants and Other Arrangements

Some congregations have established “covenant” relationships with a larger Institute, which is willing to accept the other members into their community and infirmary, attend to their financial matters, and provide a reasonable form of leadership. In this way, religious remain members of their original Institute, but future care is enshrined in a bilateral covenant agreement. A covenant can be developed with another religious Institute or Public Juridic Person, such as the Canadian Religious Stewardship. If these relationships have been approved by the Holy See, upon the death of the last member, the receiving Institute receives the assets of the former community, unless provisions were made beforehand. Such arrangements could include setting up a foundation to support a work originally undertaken by the absorbed community, or making special donations to particular works of charity, and so forth.

To avoid difficulties along the way, such arrangements are usually made in advance with the approval of the Holy See, while there are still members available to participate in the decision-making process. Clear consultation with diocesan authorities and competent legal experts is strongly recommended to avoid disappointments or misunderstandings later.

In the case of a diocesan Institute that is seeking the protection of a larger one, without there being question of a union or a fusion (merger), it is the diocesan bishop of the principal house who can authorize such arrangements. He can also arrange for the Constitutions to be suspended in part, or even revised, to address the new situation.

This method seems appreciated by those Institutes that have adopted it. It avoids having someone else put a belt around you and leading you where you do not want to go!! It respects the autonomy of the Religious in question. However, we must keep in mind that not every Institute is in a position to absorb other ones, even if there is no canonical fusion or union.

4.1.1 Intercongregational Living

In Canada, we have seen a number of instances where members of more than one religious institute are living together. Sometimes these are Intercongregational infirmaries, or arrangements are simply made whereby one corridor or section of a larger motherhouse or convent is reserved for members of the other community or communities. The construction of *Presentation Manor* in Toronto is an example of this arrangement.

The advantages in relation to costs, employees, property upkeep, etc., are very evident. On the other hand, the idea of local community can become somewhat stretched. Yet, it is easier to provide regular Mass and chaplaincy services when these groups are together. It also avoids an unnecessary duplication of services. These are important factors for an aging community and it seems they would take precedent over simply living together under the same roof, with little if any interchange among the members. “My attitude is that Religious in their senior years have the right to live in peace, and, if we can arrange for a peaceful and secure surrounding, this is much more important than an internal observance of certain canonical norms.”⁵⁴

⁵⁴ F. MORRISEY, “New Situations Impacting on Consecrated Life in North America Today,” CSJ Federation Meetings, North Bay, ON, 18-21 Oct 2016 (= MORRISEY, *New Situations*).

4.1.2 Contractual Agreements

In England, a number of congregations have decided to proceed in a slightly different way. They have been separating their nursing home requirements from the ordinary needs affecting the life and mission of the Institute. Some Institutes have entered into a contract with “Saint John of God Hospitaller Services” for the operation of their congregational nursing homes (by whatever name they are called). These hospitaller services are part of a pontifical PJP covering the various ministries of the Saint John of God Brothers in Ireland, England, and in parts of the USA. The “Services” see to the hiring (and firing) of employees, needs for equipment, needs for a higher form of medical services in certain instances, etc. Although this does not directly apply to the congregations involved, it relieves the leadership of direct (“hands-on”) responsibilities in relation to the sick and elderly members, although the responsibility for their well-being remains, obviously with congregational leadership.

As Pope Francis has noted in his most recent Encyclical *Fratelli tutti*, can we as members of UISG Canadian English Constellation, create a place of co-responsibility to create and put into place new processes and changes?⁵⁵

4.1.3 Collaborative Governance Agreements

New models of governance of Religious Institutes are evolving in North America and elsewhere.⁵⁶ An Institute may decide to align itself with another larger Institute without canonical merging.⁵⁷ In 2009, the Sisters of the Holy Family of Fremont, CA⁵⁸ numbered 52 members. At

⁵⁵ See FRANCIS, On Fraternity and Social Friendship *Fratelli tutti*, 3 Oct 2020, http://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20201003_enciclica-fratelli-tutti.html. no. 77.

⁵⁶ See A. HEREFORD, “Collaborative Governance in Religious Institutes,” in *Religious Law and Consultation Newsletter*, https://www.academia.edu/38075691/Collaborative_Governance_in_Religious_Institutes, 2018 (= HEREFORD)

⁵⁷ *Ibid.*, 2.

⁵⁸ See E. EISENSTADT EVANS, “As recruiting era slows, women religious reflect, then choose new course,” in *Global Sisters Report*, 18 July 2019, https://www.globalsistersreport.org/news/ministry-trends/recruiting-era-slows-women-religious-reflect-then-choose-new-course-56350?utm_source=GSR%20digest%207-18-19&utm_campaign=cc&utm_medium=email (18 July 2019).

this time, they made a decision not to accept new members but to maintain their separate identity as a Religious Institute versus merging with another Religious Institute. They demolished their Motherhouse and built aging-friendly cottages. They endowed a new non-profit trust to preserve historically significant properties and make them available for public use. To ensure appropriate canonical governance, they signed a **covenant agreement** with the Sisters of the Holy Names of Jesus and Mary. When the Sisters of the Holy Family are not able to elect a Leadership Team, they will petition the Vatican for a “**commissary**,” or members of the Holy Name congregation who will provide care for the remaining Holy Family Sisters.

The Sisters of the Most Precious Blood of St. Louis, made a decision to stop pursuing new members because they had not had anyone make final profession in a number of years. They sold their Motherhouse and infirmary, which would be transformed into assisted living apartments and a skilled nursing home. Sisters living in the Motherhouse became tenants in the apartments and about half of the nursing home residents are Sisters.⁵⁹ The Franciscan Sisters of Mary are located near the Sisters of the Most Precious Blood in O’Fallon, Missouri. Both congregations knew they could not solve their neighbour’s problems, but they knew that facing the shared problems of aging members and increasing costs would be to their advantage. Although a **covenant relationship** was proposed where both Religious Institutes would keep their separate identities in the eyes of the Church, they knew that was only a temporary solution.

⁵⁹ See D. STOCKMAN, “Religious communities face changes, plan to retain missions and preserve history,” in *Global Sisters Report*, 2 June 2016, <http://www.globalsistersreport.org/news/trends/religious-communities-face-changes-plan-retain-missions-and-preserve-history-40136> (18 July 2019).

These communities were referred to Fr. Francis Morrisey and Sister Kelly Connors, both canonists who were developing **collaborative governance** models which focused on the civil corporations of the congregations involved. Each congregation would have two identities: one entity recognized by the Church under canon law and a nonprofit corporation recognized in civil law. The civil corporations from the two communities create a third corporation which handles insurance, human resources, property management, legal issues, and other tasks the congregation requires as well as any management tasks needed for sponsored ministries. The congregation's leadership is then free to focus on spiritual issues. The participating Religious Institutes appoint representatives to a new civil corporation's shared board and pay the corporation for services provided. When no one from the community is able or willing to serve on the collaborative corporation's board, they can appoint a vowed religious from outside the community as their representative. When there is no one from the Religious Institute who is able or willing to assume spiritual leadership of the congregation, a petition for appointment of a pontifical commissary as the leader, who could serve as the congregation's representative to the board or serve as board chair, would be made to CICLSAL. This model ensures care of the Sisters until the last Sister dies. Communities and their respective civil corporations continue to own all of their assets, such as land and buildings, while the governance of the corporation manages the assets. When it is required, the board then provides leadership and carries out the congregation's wishes until completion. Each community contributes to the expenses of the corporate services provided.

4.1.4 Administrative Boards

For Religious Institutes of diocesan right, an administrative board can be appointed by the diocesan bishop and would report at least annually to him. The focus of the administrative body is to promote the wellbeing of the remaining members of the Religious Institute and implement the

wishes of the last Chapter. Given demographic realities, Institutes of pontifical right will find themselves at some point, unable to elect General Superiors or Councilors from within the Institute. Mergers and unions do not seem to be a practical option. In Canada, smaller Religious Institutes must fulfill the following responsibilities:

- 1) Assure their members they will be protected;
- 2) Provide good stewardship of resources;
- 3) Ensure personnel are hired to care for the sick and are well organized;
- 4) Ensure labour laws are respected; and
- 5) Provide certain apostolic works to meet new needs.⁶⁰

One Canadian entity that may serve a significant benefit for Religious Institutes into the future is the Canadian Religious Stewardship (CRS).

4.1.4.1 Canadian Religious Stewardship

Canadian Religious Stewardship is a collaborative ministry established as a not-for-profit civil corporation in 2008, and as a Public Juridic Person of Pontifical Right in 2010. For its foundation, Fr. Morrisey⁶¹ gathered together a number of representatives of various religious institutes – male and female, pontifical and diocesan, English and French-speaking, priests, brothers, and sisters, communities with provinces and those that were directly under a Superior General – and presented a joint request to the Holy See for the establishment of a new PJP. These institutes became known as the “participating entities.”

After lengthy discussion because of the novelty of the proposal, and with the constant assistance of the Holy See, CICLSAL on 8 December 2010 granted pontifical juridical status to a new PJP to be known as “*Canadian Religious Stewardship*” (CRS). This appeared to be the first time such a juridic person had been established. Because of the civil ramifications of such an undertaking, CRS carries out its apostolic works through various civil entities, and more

⁶⁰ See MORRISEY, “Strategies for the Future,” 29.

⁶¹ See Morrisey, “New Situations,” 20.

particularly through a civil corporation originally known as “*Canadian Catholic Congregational Management*” operating under the canonical name “*Canadian Religious Stewardship*.”

It is obvious that one delicate point that will have to be kept in mind when CRS assumes one or more of these responsibilities, is the establishment of good relations with the diocesan bishop, since in many instances, we are dealing with apostolic works carried out in the name of the Church. In order to support the request, letters from a significant number of bishops who had motherhouses or provincial houses in their dioceses were part of the proposal presented to the Holy See.

The purpose of CRS, as detailed in the canonical statutes and through its collaborative and administrative services is to assist, in various practical ways, those Institutes of Consecrated Life and Societies of Apostolic Life who request its services. A community that wishes to become a participating entity of CRS can opt to make use of one or more of the services it offers. Assistance is offered in the following ways:

- 1) Managing and safeguarding its ecclesiastical temporal goods and ensuring their proper administration in accordance with canon and civil law;
- 2) Providing personal care programs and services for the membership;
- 3) Accepting ownership of ecclesiastical temporal goods in those instances where the Institute wishes to divest itself of property, in accordance with the requirements of canon law;
- 4) When opportune, accepting governance responsibilities for any or all ministries other than health care ministries presently supported by the Institute;
- 5) With the consent of the Diocesan Bishop, and if appropriate, accepting sponsorship of a ministry of an Institute.⁶²

CRS fulfills its mission through six pillars of service:

- 1) Consultation services;
- 2) Establishing and managing eldercare residences for religious;
- 3) Oversight of the management of investment portfolios for Religious Institutes;
- 4) Sponsoring the Foundation for Canadian Catholic Congregations, that owns, manages, and administers funds to further the apostolic ministries that religious in Canada have served;
- 5) Providing administrative services to Religious Institutes;

⁶² See About CRS, <http://crs-src.org/about-crs/> (5 August 2019).

6) Canonical sponsorship of Catholic apostolates.⁶³

One of the points that can be noted is that provision was made to accept governance responsibilities for services offered by religious institutes – services that did not fit into any of the more traditional categories of health care education, social services. In particular, thought was given to retreat houses, publication works, and similar undertakings.

4.1.4.2 Catholic Congregational Legacy Charity⁶⁴

The Catholic Congregational Legacy Charity was created to support the future sponsorship needs of Catholic health care for generations to come. The role of the Catholic Congregational Legacy Charity is to support the sustainability of Catholic works and to improve the well-being of those at the margins of society. This includes preserving and safeguarding assets such as land, buildings, and investment funds. Given the synergistic missions of both the Canadian Religious Stewardship and Catholic Congregational Legacy Charity, further discussion to develop avenues of collaboration and support are planned.

5. RISK-BENEFIT ANALYSIS OF CONGREGATIONAL GOVERNANCE OPTIONS

In February 2020, Fr. Frank Morrissey and I developed a chart outlining reconfiguration options and a risk/benefit analysis with relevant canons associated with each option. These are included in **Appendix A** for your review/consideration and could assist congregations in their evaluation of viable reconfiguration options as they choose a future which is full of hope. In any reconfiguration option, special care must be taken to ensure the temporal goods of the Church are protected.

⁶³ See CRS Mission Pillars, <http://crs-src.org/our-services/> (5 August 2019).

⁶⁴ See CHCO, Catholic Congregational Legacy Charity, <https://chco.ca/en/cclc/> (5 August 2019).

6. ENSURING ECONOMIC STRUCTURES CONTINUE TO SERVE AS INSTRUMENTS OF THE CHURCH’S MISSIONARY ACTION

To assist Religious Institutes in planning for the proper care and management of temporal goods, in 2014 the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life held two international Symposia.⁶⁵ Guidelines for the reconfiguration of Religious Institutes, continuation of the charisms (often identified as part of the patrimony of specific Religious Institutes), and asset management were developed to assist Religious Institutes to continue to respond “with renewed courage and prophecy to the challenges of our times, and to continue to be a prophetic sign of God’s love.”⁶⁶ This information should assist both General Superiors and diocesan bishops in shared planning endeavours which would include the canonical responsibilities in relation to temporal goods of a Religious Institute. The Guidelines encourage Religious Institutes to evaluate and rethink their economic realities in light of their charism to be “outposts of care for all the poor... examples in overcoming every form of egoism through the logic of the Gospel which teaches us to trust in the Providence of God.”⁶⁷

The economic structure and resources of any Religious Institute are intended to be instruments to serve, not to govern.⁶⁸ Religious institutes will be called upon to make economic judgements in light of the congregation’s charism and mission, as well as the overt and covert social and ecclesial implications of their decisions.⁶⁹ Profitability cannot be the only criterion to

⁶⁵ See Francis, *The Management of the Goods of the Institutes of Consecrated Life and Societies of Apostolic Life at the service of humanity and of the Mission of the Church. Acts of the International Symposium* Rome, 8-9 March 2014, https://w2.vatican.va/content/francesco/en/messages/pont-messages/2014/documents/papa-francesco_20140308_messaggio-vita-apostolica.html (19 July 2019).

⁶⁶ J. BRAZ DE AVIZ, Circular Letter, “Guidelines for the Administration of the Assets in Institutes of Consecrated Life and in Societies of Apostolic Life,” 2 Aug 2014, 6, <https://donboscosalesianportal.org/wp-content/uploads/Guidelines-for-the-Administration-of-Lay-Associations-1.pdf> (14 July 2019).

⁶⁷ FRANCIS, “Message to the participants at the International Symposium on the theme: ‘Management of ecclesial goods of Institutes of Consecrated Life and Societies of Apostolic Life at the service of humanity and the mission of the Church,’” Rome, 8 Mar 2014, https://w2.vatican.va/content/francesco/en/messages/pont-messages/2014/documents/papa-francesco_20140308_messaggio-vita-apostolica.html (16 July 2019) (= Francis, “Message to Participants, 2014).

⁶⁸ See CICLSAL, *Economy At The Service of Charism and Mission: Guidelines*, Rome, Libreria Editrice Vaticana, 2018, 28 (= CICLSAL, *Economy*).

⁶⁹ See FRANCIS, “Message to Participants.”

keep in mind.⁷⁰ As the Holy Father suggested, “I would hope that structures can be streamlined, large religious houses repurposed for works which better respond to the present demands of evangelization and charity, and apostolates adjusted to new needs.”⁷¹

7. A FOUNDATION FOR DIALOGUE

Like the disciples on the road to Emmaus, we may be longing to look away from our reality or run away from Jerusalem, the place where our dreams of large and vibrant congregations seems to have turned to dust in our midst. God comes to find us so that our dust may be filled with God’s eternal life. It is only when we are faced with our own powerlessness and insignificance that we can begin to understand that power comes from humility, and like the disciples at the breaking of the bread with Jesus, we will know what it is to be “the beloved.” In Jesus’ suffering and death, he chose the humble path of trusting in God and allowing God to give him definition and purpose rather than seizing it for himself. Can we consider this as God’s call to each of us at this moment in our history?

8. CLOSING REFLECTIONS

Congregations throughout the world are in the process of examining and evaluating their current vocations and financial realities. They have begun to develop new and creative models of charity through collaboration with experts and the creation of legal frameworks that would best protect and promote the effectiveness of their mission and ministries.

How can we become active participants in this paradigm shift as women religious who claim the Divine presence at the heart of our interior life as the main source of our strength? Our past and present ways of understanding and structuring reality such as using dualistic, exclusive, and hierarchical thinking and relations that tend to dominance and submission, have reached their

⁷⁰ See FRANCIS, Encyclical Letter On the Environment *Laudato si'*, 24 May 2015, in *AAS*, 107 (2015), 847-945, English translation in *Origins*, 45 (2015-2016), no. 187, 140 (= *LS*).

⁷¹ FRANCIS, *Year of Consecrated Life*, 486.

limits. Could it be that religious life will no longer be relevant or significant to the world? Perhaps, but relevance is directly related to our risking participating in new ways of being and relating.⁷²

To effect the necessary changes required for our congregations to continue the charism of consecrated life into the future will require our focused attention. We may be tempted to join with Abraham and Sarah in believing we are “too old.”⁷³ As Pope Francis said at the January 2020 International Conference on the Pastoral Care of the Elderly⁷⁴ (text modifications by the author):

When we think of the elderly and speak of them, especially in the pastoral dimension, we must learn to modify the verbs a little. There is not only the past, as if for [us] there exists only the life already behind [us] and a musty archive. No. The Lord can and wants to write new pages with [us], pages of sanctity, of service, of prayer ... Today I would like to tell you that [you] are the present and the tomorrow of the Church as well. Yes, [you] are also the future of the Church which, together with the young people, prophesizes and dreams!”

As Peter Block, the acclaimed leader in the business world has so wisely stated, we need to create the right space for something new to emerge.⁷⁵ This space is not a matter of blocking off time for strategic planning. Arrival of the new will not happen without space, time, creativity, and intentionality to explore anew and deepen our vocation and mission. The current narrative of religious life as we have known it has ended. Perhaps our call now is to tend to the heart of our life, whose secrets lie in our prayer, shared love, and vowed life.⁷⁶ Only through contemplation can we become available for the in-breaking of the reign of God.⁷⁷ We will be called to listen to the ear of our hearts;⁷⁸ to our emotions, thoughts, memories, questions, doubts, and resistance.

⁷² See BRACAMONTES, M., “A Call to Transformation,” in *The Occasional Papers*, LCWR, Silver Springs, MD, 41 (Winter 2012), 6-9.

⁷³ See Genesis 18:13.

⁷⁴ See FRANCIS, “The Richness of Many Years of Life,” Address of His Holiness Pope Francis to Participants, 31 January, 2020, Rome, *Editrice Vaticana*, http://www.vatican.va/content/francesco/en/speeches/2020/january/documents/papa-francesco20200131_congresso-pastoraleanziani.html

⁷⁵ Peter BLOCK, *Community: The Structure of Belonging*, San Francisco, Berrett-Koehler, 2008.

⁷⁶ See M.J. NELSON, “Tending the Heart of Our Life,” in *The Occasional Papers*, LCWR, Silver Springs, MD, 47 (Winter 2018), 3-5.

⁷⁷ See P. FARRELL, “Leading from the Allure of Holy Mystery: Contemplation and Transformation,” LCWR Assembly, August 2026, https://lwr.org/sites/default/files/calendar/attachments/lwr_2016_assembly_keynote_-_pat_farrell_osf.pdf), 1.

⁷⁸ See T. FRY (ed.), *The Rule of St. Benedict*, Bloomington, IN, Vantage Spiritual Classics, 1993.

Our prayer and conversations will reflect what is known in the business world as “best practice” models,⁷⁹ but we will be called to so much more than that. Our discernment is not intended to be a solitary exercise.

As Fr. Morrissey was able to leverage the spirit and resources of many congregations to form CRS, could we ask CRC to invite interested congregations to examine alternative congregational structures to support the unique needs of our congregations into the future?

Could CRC assist us to invite dialogue with select diocesan Bishops to discuss the reconfiguration of religious institutes in Canada?

While the exact nature of our future is yet unclear, what is clear is that these questions are not answerable through a five-year plan, property assessments or other strategies. While traditional models of planning might offer a sense of security, could it be that any semblance of “security” may dampen our reliance on God’s providence that has been central to our congregations since its foundation? After all the rational has been tried; after the solutions have been articulated and failed; when old language turns to ash in our mouths, then we are reduced to silence. That is when hope is activated. In the belief that something will come from the ravages of collapse, hope is forged.⁸⁰

Answers, especially those that respond to our need for quick results, shut down discussion and the future shuts down with them. Questions that trigger argument, analysis, explanation, problem-solving and defense, are of little use. Questions that can evoke a choice for accountability and commitment can hold a graced, transformative power that unleashes the potential to bring us to requests, offers, declarations, forgiveness, gratitude, and peace that will welcome the new. After looking beyond the ashes when the planning has been done, we will be left with only one question.

⁷⁹ See UNIVERSITY OF SAINT MARY, “8 Best Practices in Business Management,” <https://online.stmary.edu/mba/resources/8-best-practices-in-business-management#:~:text=%208%20Best%20Practices%20in%20Business%20Management%20,time%20to%20avoiding%20conflict%20rather%20than...%20More%20>.

⁸⁰ See M. ALLEN, “Transformation – An Experiment in Hope,” https://lcwr.org/sites/default/files/calendar/attachments/lcwr_presidential_address_-_marcia_allen_csj.pdf LCWR Assembly (2016).

peel away the accretions of another time and walk in freedom, in a new moment of ripening and maturity.⁸⁷ We will be invited into a journey of conversion, to listen, to hold our positions lightly, and be freed of our sometimes natural desire to “win, to be brilliant, or to be right,”⁸⁸ and be more committed to the communal versus the single prophetic voice⁸⁹ that God will raise in our hearts. As our foremothers knew, the future is ever beckoning us, expanding our consciousness and vision, and opening us to a wider sense of self. May we continue to walk this journey in faith, in love, and in communion with each other, all the Sisters who have gone before us, and the triune God who has called us by name.

⁸⁷ See C. SHINNICK, “Communal Discernment: A Governance Style for Generative Adults,” in *The Occasional Papers*, LCWR, Silver Springs, MD, 42 (Summer 2013), 15-18 (= Shinnick)

⁸⁸ See C. SHINNICK and N. SCHRECK, “Mapping in Mystery: Communal Discernment in our Time of Middle Space,” in *The Occasional Papers*, LCWR, Silver Springs, MD, 45 (Winter 2016), 9.

⁸⁹ Ibid.

When assessing congregational viability, the Holy See considers the following: (1) the institute’s median age is in the seventies or eighties; (2) there have been no professions for more than twenty-five years; (3) the community is unable to provide superiors or leaders for its works; and (4) no diocesan bishop is requesting members to assist in apostolates.⁹⁰ At this point, religious institutes have options regarding their future, either preparing for a holy death or some reconfiguration of their existing structure. These include both options foreseen in canon law and others that are emerging as seen in recent practice.

Reconfiguration Option	Risks	Benefits	Canonical Reference
<p>1. Do nothing</p>	<p>Elected leadership will focus on managing day-to-day emergencies or merely surviving, given limited resources.</p> <p>The congregation will be viewed by the members and others in the Church as “dying.” The congregation loses its capacity to carry out the mission.</p> <p>The founding charism will no longer find viable ways of expression.</p> <p>The potential to “be bold and creative in this task of rethinking the goals, structures, style and methods,”⁹¹ will be compromised.</p>	<p>The congregation is relieved of the burden of planning for its future.</p>	<p>Cann. 583, 584, 585 586 §1. 596 §1.</p>

⁹⁰ See PAUL VI, Apostolic Letter *moto proprio Ecclesiae Sanctae* II, Norms for the Implementation of the Decree *Perfectae caritatis* of the Second Vatican Council, 6 August 1966, in *AAS*, 58 (1966), 775-782, nos. 39-41, English translation in *CLD*, vol. 6, 284-293.

⁹¹ FRANCIS, Apostolic Exhortation *The Joy of the Gospel Evangelii gaudium*, 26 November 2013, in *AAS* 105 (2013), 1020-1147, English translation in *Origins*, 43 (2013-2014), 421-466, no. 30 (= *EG*).

Reconfiguration Option	Risks	Benefits	Canonical Reference
	<p>If the Vatican determines the viability of the congregation is in question (inability to elect leadership), they may require merger with a similar institute, appointment of a Commissioner or General Administrator, or Suppression of the Institute. Temporal goods will be used in keeping with the purpose of the institute and in keeping with the direction of donors.</p>		
<p>2. Merger (Fusion) & Union</p>	<p>Smaller institutes may feel they are being “swallowed up” by larger institutes – loss of identity and history.</p>	<p>Enhanced potential to continue the charism.</p> <p>Larger pool for leadership.</p> <p>Decision requires 70% confirmation at General Chapter</p> <p>The new entity will continue to use temporal goods to continue the mission, with deference to the intention of the founders and donors.</p>	<p>Cann. 582, 583, 670.</p>
<p>3. Dissolution of the Religious Institute</p>	<p>The mission of the congregation will cease to exist.</p>	<p>The Institute will continue until the last member dies.</p>	<p>Cann. 584, 585, 120 §1. 123.</p>
<p>4. Individual Members may transfer to another religious institute</p>	<p>Transfer from one Institute to another requires the consent of the Supreme Moderator with the consent of her Council. Given congregational demographics, a</p>	<p>Sisters may choose to negotiate to continue their commitment within another institute.</p>	<p>Cann. 654, 670, 684.</p>

Reconfiguration Option	Risks	Benefits	Canonical Reference
	<p>proposed receiving Institute may decline accepting Sisters from another Institute who will age and require care into the future.</p> <p>Loss of history, tradition, charism, friends.</p>		
<p>5. Individual request for departure from the Institute</p>	<p>Given ageing and related health issues, the individual’s capacity to make a good decision and care for themselves may be limited.</p>	<p>No individual is coerced to accept membership in a new religious institute.</p>	<p>Cann. 686 691.</p>
<p>6. Shared Leadership Personnel</p>	<p>Because many Religious Institutes in the northern hemisphere have experienced significant declines in vocations and an aging membership, these same Institutes that were able to share leadership personnel will, in the not too distant future, face comparable challenges as the institute they are assisting.</p> <p>Vatican Permission is required.</p>	<p>A Religious Institute could appoint a religious from another institute to serve in the ministry of leadership, pending negotiation with another institute or entity.</p>	
<p>7. Transfer role of General Treasurer to another religious or lay expert who is not a member of the Institute, to administer the temporal goods of the Institute not</p>	<p>The Constitution may need to be changed, which will require consent of the Holy See (for pontifical institutes).</p>	<p>The Supreme Moderator must continue to be responsible to safeguard the temporal goods of the Institute. All temporal goods are ecclesiastical – a.k.a., not owned by the Institute.</p> <p>Temporal goods continue to be available to care for the needs of</p>	<p>Cann. 636, 1256.</p>

Reconfiguration Option	Risks	Benefits	Canonical Reference
<p>owned by the individual Sisters, under the guidance of the Supreme Moderator</p>		<p>the members and to fulfill the mission of the Institute.</p>	
<p>8. Members of the Council are no longer able to carry out the Council’s financial responsibilities. The Supreme moderator, with the consent of the council, may appoint at least two experts to carry out the duties of the Council re the administration of goods and material care of the members.</p>	<p>Potential loss of control. Burden of financial oversight and planning continues to rest with the Supreme Moderator.</p>	<p>Supreme Moderator is supported by at least two experts. Approval of the Holy See Required.</p>	<p>Cann. 578, 636, 1254,1255, 1256, 1257, 1280, 1286.</p>
<p>9. The General Chapter is able to elect a Supreme Moderator but cannot identify members for the General Council. One or more assistants can be</p>	<p>While every effort is made to consult with the Supreme Moderator re possible candidates to serve in these positions, there is no guarantee that individuals proposed by the Supreme Moderator will be chosen for these positions.</p>	<p>The Supreme Moderator in consultation with the congregation, has an opportunity to submit recommendations for advisors to the Supreme Moderator.</p>	<p>Cann. 617, 618, 619, 622, 627.</p>

Reconfiguration Option	Risks	Benefits	Canonical Reference
<p>appointed by the Vatican to act as the Council to assist the Supreme Moderator.</p>			
<p>10. No suitable member to hold the position of Supreme Moderator or Councillor. CICLSAL is notified. After a canonical visitation, a Commissioner or Apostolic Administrator is appointed.</p>	<p>While the competent ecclesiastical authority to make these appointments will consider the recommendation of the members, there is no guarantee that the names selected by the members will be chosen for these roles.</p>	<p>The responsibility for choosing leadership is transferred from the religious institute to the competent ecclesiastical authority. This will free the members to live in peace until the last Sister has died.</p> <p>The Commissioner or General Administrator will govern the Institute with the authority that the universal law and the Constitution gives to the Supreme Moderator and the Council. It is their duty to provide for all the spiritual and material needs of the members, to protect the patrimony of the Institute, and to safeguard its temporal goods.</p> <p>The Commissioner or General Administrator will inform the members about the progress of the Institute and will listen to their opinions on matters of major importance.</p>	<p>Cann. 578, 628, 634, 638.</p>

Reconfiguration Option	Risks	Benefits	Canonical Reference
		<p>Unless the Holy See provides otherwise, the Commissioner or General Administrator is to be a religious man or woman, or a secular cleric with a good understanding of religious life, who has an affinity with the Institute as far as possible and who is endowed with proven governmental and administrative skills. For Institutes of women, it is preferable that a woman religious be appointed.</p> <p>While assessing the functioning of the Commissioner or General Administrator at the end of the term, the competent authority of the principal house will involve the members of the Institute in an appropriate way. In financial administrative matters, the Commissioner can use the assistance of one or more competent experts with the prior written consent of the competent ecclesiastical authority.</p>	

Reconfiguration Option	Risks	Benefits	Canonical Reference
		<p>The Commissioner or General Administer must keep the members informed and will listen to their opinions on the matters of major importance.</p> <p>The Commissioner or General Administrator must obtain the prior written permission of the competent ecclesiastical authority of the primary house for the validity of acts which exceed the limit and manner of ordinary administration. Should the proper law of the Institute not contain such provisions, reference is to be made to the norms of cc. 638, §§2-4.</p> <p>Non-members with governance or administrative responsibilities in the Institute (Commissioner or General Administrator, Treasurer, financial expert, religious assistant) will terminate their service when they reach seventy-five years of age, notwithstanding the possibility of an extension which may be granted by the competent authority.</p>	

Reconfiguration Option	Risks	Benefits	Canonical Reference
		<p>The goods of the Institute are ecclesiastical goods and are subject to the provisions of Book V of the Code of Canon Law, to the observance of cc. 634-640 and to the proper law of the Institute, in accordance with c. 635.</p> <p>The Commissioner or General Administrator will take care to settle all financial affairs and obligations of the Institute after the death of the last member of the Institute until the formal dissolution of the Institute or Society by the Holy See (cf. c. 584). The Commissioner or General Administrator will deliver, with a period of time determined by the competent authority, their final report to the competent ecclesiastical authority.</p>	

Reconfiguration Option	Risks	Benefits	Canonical Reference
ESTABLISHMENT OF A NEW JURIDIC PERSON			
<p>11. Gradual or complete transfer of canonical and/or civil administration and apostolic responsibilities to the board of another PJP.</p>	<p>The question of clarity between personal and material interests can be debated.</p>	<p>The board of the new Public Juridic Person could include members of the Institute for whom the PJP is assuming responsibility as well as lay members.</p> <p>The major superior and council would be responsible for the personal interests of the members including those matters relating to the vows, community life, psychological, pastoral and spiritual care.</p> <p>The Holy See must grant permission for alienation of property to the new Public Juridic Person.</p>	
<p>12. Covenant Relationship</p>	<p>As members of religious institutes age, all will be faced with comparable problems of limited pools for leadership.</p>	<p>Two religious institutes work together. Each keeps their own separate corporate identity.</p> <p>When individuals were not available to serve in leadership with one institute, the partner institute would assume canonical governance responsibilities for the institute</p>	

Reconfiguration Option	Risks	Benefits	Canonical Reference
<p>13 (a) Canadian Religious Stewardship (CRS)</p>	<p>Mergers and unions do not seem to be a practical option.</p> <p>Insufficient human resources in smaller Religious Institutes must fulfill the following responsibilities:</p> <ul style="list-style-type: none"> 6) Assure their members they will be protected; 7) Provide good stewardship of resources; 8) Ensure personnel are hired to care for the sick and are well organized; 9) Ensure labour laws are respected; and 10) Provide certain apostolic works to meet new needs. 	<p>until the last Sister was deceased.</p> <p>CRS is a collaborative ministry established as a not-for-profit civil corporation in 2008, and as a Public Juridic person of Pontifical Right in 2010. Assistance is offered in the following ways:</p> <ul style="list-style-type: none"> 6) Managing and safeguarding its ecclesiastical temporal goods and ensuring their proper administration in accordance with canon and civil law; 7) Providing personal care programs and services for the membership; 8) Accepting ownership of ecclesiastical temporal goods in those instances where the Institute wishes to divest itself of property, in accordance with the requirements of canon law; 	<p>12 (a) Canadian Religious Stewardship (CRS)</p>

Reconfiguration Option	Risks	Benefits	Canonical Reference
		<p>9) When opportune, accepting governance responsibilities for any or all ministries other than health care ministries presently supported by the Institute;</p> <p>10) With the consent of the Diocesan Bishop, and if appropriate, accepting sponsorship of a ministry of an Institute.⁹²</p> <p>CRS fulfills its mission through six pillars of service:</p> <p>7) Consultation services;</p> <p>8) Establishing and managing eldercare residences for religious;</p> <p>9) Oversight of the management of investment portfolios for Religious Institutes;</p>	

⁹² See About CRS, <http://crs-src.org/about-crs/> (5 August 2019).

Reconfiguration Option	Risks	Benefits	Canonical Reference
		10) Sponsoring the Foundation for Canadian Catholic Congregations, that owns, manages, and administers funds to further the apostolic ministries that religious in Canada have served; 11) Providing administrative services to Religious Institutes; 12) Canonical sponsorship of Catholic apostolates. ⁹³	
13 (b) Catholic Congregational Legacy Charity (CCLC)	Potential loss of control of assets and temporal goods.	The Catholic Congregational Legacy Charity was created to support the future sponsorship needs of Catholic health care for generations to come and to protect assets of public juridic persons. The role of the Catholic Congregational Legacy Charity	12 (b) Catholic Congregational Legacy Charity (CCLC)

⁹³ See CRS Mission Pillars, <http://crs-src.org/our-services/> (5 August 2019).

Reconfiguration Option	Risks	Benefits	Canonical Reference
		<p>is to support the sustainability of Catholic works and to improve the well-being of those at the margins of society. This includes preserving and safeguarding assets such as land, buildings, and investment funds.</p> <p>Given the synergistic missions of both the Canadian Religious Stewardship and Catholic Congregational Legacy Charity, further discussion to develop avenues of collaboration and support are planned.</p>	
<p>14. Transfer of Administrative Responsibilities to non-members.</p>	<p>Potential loss of control.</p> <p>Requires a solid working relationship with non-members who are assuming responsibility for ensuring the needs of the members are met.</p> <p>Requires approval of the Holy See.</p>	<p>The focus of the administrative body is to promote the wellbeing of the remaining members of the Religious Institute and implement the wishes of the last Chapter.</p> <p>The just autonomy of Religious Institutes can be preserved when members of the Institute are still able to participate on leadership boards identified by the diocesan bishop to fulfill administrative functions in the name of the Religious Institute.</p>	<p>Can. 586.</p>

Reconfiguration Option	Risks	Benefits	Canonical Reference
<p>15. Collaborative Governance</p>	<p>Loss of control.</p>	<p>Each congregation would have two identities: one entity recognized by the Church under canon law and a nonprofit corporation recognized in civil law.</p> <p>The civil corporations from the two communities create a third corporation which handles insurance, human resources, property management, legal issues, and other tasks the congregation requires as well as any management tasks needed for sponsored ministries. The congregation’s leadership is then free to focus on spiritual issues.</p> <p>The participating Religious Institutes appoint representatives to a new civil corporation’s shared board and pay the corporation for services provided.</p> <p>When no one from the community is able or willing to serve on the collaborative corporation’s board, they can</p>	

Reconfiguration Option	Risks	Benefits	Canonical Reference
		<p>appoint a vowed religious from outside the community as their representative.</p> <p>When there is no one from the Religious Institute who is able or willing to assume spiritual leadership of the congregation, a petition for appointment of a pontifical commissary as the leader, who could serve as the congregation’s representative to the board or serve as board chair, would be made to CICLSAL, or in the case of a diocesan institute, to the diocesan bishop.</p> <p>This model ensures care of the Sisters until the last Sister dies. Communities and their respective civil corporations continue to own all of their assets, such as land and buildings, while the governance of the corporation manages the assets. When it is required, the board then provides leadership and carries out the congregation’s wishes until completion. Each community</p>	

Reconfiguration Option	Risks	Benefits	Canonical Reference
		contributes to the expenses of the corporate services provided.	

