



## DIocese OF RALEIGH

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# **DIOCESAN FINANCE COUNCIL CHARTER THE CATHOLIC DIocese OF RALEIGH 2025**

## **1) MISSION**

As the one who presides over the particular Church, it falls to the Bishop of Raleigh to organize the administration of ecclesiastical goods, doing this through suitable norms and instructions, in harmony with the directives of the Apostolic See, and the USCCB guidelines and diocesan resources.

The Finance Council of the Diocese of Raleigh is hereby established/renewed in accord with canon 492.1 of the Code of Canon Law; it is an organ of collaboration of the Christian faithful with the diocesan bishop in the administration of the financial matters of the entire diocese.

The Diocesan Finance Council has those powers accorded to it in the Code of Canon Law. The Bishop of Raleigh is not bound to follow the advice given in those cases where the law requires him to consult the council. In those cases where the law requires, he obtain the consent of the council, a withholding of consent bars the bishop from proceeding with the proposed act.

All provisions of Canon Law stated therein and others pertinent to the deliberation and actions of this body remain applicable.

## **2) ROLE**

- a. The Diocesan Finance Council is one of the principal advisory bodies of the Diocese of Raleigh. It is established by the bishop for the purpose of advising and assisting him in financial matters.
- b. The finance council must prepare the annual diocesan budget. While the budget may initially be prepared by the staff of the diocese, final approval, and recommendation to the bishop rests with the finance council.
- c. As needed, review the financial, accounting, and administrative policies and procedures of the Diocese of Raleigh, and recommend to the Bishop changes and modifications that are desirable from time to time.

- g. At least once a year, evaluate the insurance of various risks as appropriate for the prudent protection of the Diocese.
- h. Review and provide input on initiatives which provide annual funding for Diocesan operations.
- i. Appoint the Diocesan auditors, receive their report, and make recommendations therein to the Bishop (in addition, the finance council will perform the audit committee oversight role, including oversight of financial management policies and the implementation thereof).
- j. The following decisions of the Bishop require that he **consult** the Finance Council:
  - Appointment of a finance officer (c. 494)
  - Removal of the finance officer (c. 494)
  - Imposition of taxes, either ordinary or extraordinary (c. 1263)
  - Decisions relative to the more important acts of administration (it is for the conference of bishops to define what is meant by acts of extraordinary administration) (c. 1277)
  - Determination of the meaning of acts of extraordinary administration for institutes subject to his control if the statutes are not specific (c. 1281 §2)
  - When special circumstances recommended reviewing annual reports submitted to him by clerical and lay administrators of any ecclesiastical goods (c. 1287 §1)
  - Leasing of ecclesiastical goods owned by the diocese when the market value of the property to be leased exceeds \$400,000 (see Chapter XIII, subtopic: Leasing, c. 1297 and USCCB Complementary Norms for Canon 1297)
  - Investment of tangible and intangible property assigned to an endowment (c. 1305)
  - Modification of the obligations imposed in executing last wills for pious causes if such obligations cannot be fulfilled (c. 1310 §2)
- k. The following decisions of the Bishop require the **consent** of the Finance Council:
  - Performance of an act of extraordinary administration as defined by the United States Conference of Catholic Bishops (USCCB) (c. 1277):
    - i. Initiating a program of financing by the issuance of instruments such as

bonds, annuities, mortgages or bank debt in excess of the minimum amount set in accord with Canon 1292 §1.

- ii. Resolving an individual or aggregate claim(s) by financial settlement in excess of the minimum amount set in accord with Canon 1292 §1.
  - iii. Engaging in the regular management or operation of a trade or business that is not substantially related to the performance of the religious, spiritual, educational or charitable purposes of the Church, **for the purpose of generating income to carry on such activities.**
  - iv. Entering into any financial transaction or contractual agreement, the terms of which address matters involving an actual or potential conflict of interest for the diocesan bishop, auxiliary bishop(s), vicar(s) general, episcopal vicar(s), or the diocesan finance officer.
- Leasing of ecclesiastical goods owned by the diocese when the market value of the property to be leased exceeds \$1,000,000 or the lease is to be for three years or longer (see Chapter XIII, subtopic: Leasing, c. 1297 and the USCCB Complementary Norms for Canon 1297.
  - Alienation of property at or above the “minimum” amount established by the USCCB (c. 1292 §1) (see Chapter XIII, subtopic: Alienation and Acts of Ordinary and Extraordinary Administration)
  - Alienation of property of other public juridic persons subject to the diocesan bishop at or above the “minimum” amount established by the USCCB (c. 1292 §1) (see Chapter XIII subtopic: Alienation and Acts of Ordinary and Extraordinary Administration)
  - In addition to alienation, the entering into any transaction that worsens the patrimonial condition of the diocese (c. 1295)

**NOTE: Consent must also be obtained from the Holy See for alienation of property given to the Church by vow, property precious for artistic or historical reasons or when the value of the property exceeds the “maximum” amount established by the USCCB (see Chapter XIII, subtopic: Alienation and Acts of Ordinary and Extraordinary Administration). Consent of the Holy See is also required for the valid leasing of ecclesiastical goods when the market value of the goods exceeds \$5,000,000 (see USCCB Complementary Norms for Canon 1297 – Leasing of Church Property).**

### **3) MEMBERSHIP**

The Finance Council of the Diocese of Raleigh shall be composed of individuals who are Catholics in good standing with the Church and with various competencies and experiences that are related to good financial and business management, and which incorporate

knowledge of both the civic and the church communities. Best efforts will be made to have a membership that reflects the diversity of the Diocese as it relates to gender, ethnicity, race, and parish location.

- a. The Council shall be composed of a minimum of nine (9) members and a maximum of fifteen (15) members, at least three (3) of whom are priests of the Diocese. At least two-thirds of the members will be lay persons with varying expertise in the business community.
- b. Ex-Officio members. The Vicar General will act as the bishop's delegate and, in his absence presides over the meetings of the Council. By his office, the CFO of the diocese is also an ex-officio member. Neither of them does vote on matters before the Council.
- c. The bishop participates and presides, or his delegate, in the meetings but does not vote, as per canon 127,1. (Cf. *AAS* 77 (1985) 771. *Periodica* 74 (1985) 617-623. (Cf. Wrenn, Lawrence. *Authentic Interpretations on the 1983 Code*. Washington, D.C.: Canon Law Society of America, 1993)
- d. The Controller and Director of Financial Planning & Analysis serve the Council as non-voting staff.
- e. Council members will have staggered terms.
- f. Members shall be appointed by the Bishop and serve a term of five (5) years.
- g. A member's term is renewed at the pleasure of the Bishop.
- h. Appointed members can serve two (2) terms, or a maximum often (10) years, on the same Finance Council.
- i. The Bishop shall choose a Chairperson for the Council for a term of two (2) years.
- j. For the duration of their appointment, members cannot be dismissed by the Bishop of Raleigh except for grave and documented reasons, which reasons shall include violation of the promises made under canon 471. However, if a member misses three meetings during the fiscal year, his/her term of office may be subject to termination at the Bishop's discretion.

#### **4) INDEMNIFICATION**

The Diocese of Raleigh shall defend, indemnify, and hold harmless any Diocesan Finance Council member, or former member, and his/her respective heirs, administrators, successors and assigns, against any and all claims, legal actions, suits, or proceedings whether civil, criminal, administrative, or investigative which arise out of any alleged acts or omissions, or by reason of being or having been a member of the Finance Council of the Diocese of Raleigh.

## 5) CONFLICT OF INTEREST

Membership on the Diocesan Finance Council does not preclude a member or member's firm, or a family member's firm, from conducting business with the Diocese during the member's term of service. However, in the event that the Diocesan Finance Council is considering any matter that may directly or indirectly involve a member's firm, or a family member's firm, that individual cannot participate in any action taken on that matter. If a member has any interest that may present an actual or potential conflict with the individual's responsibilities as a Diocesan Finance Council member, the member shall disclose the conflict of interest to the Bishop's delegate and the General Counsel, who will determine what, if any, further action should be taken.

## 6) MEETING

- a. The Finance Council shall meet several times a year at a predetermined time and place mutually satisfactory to its membership to conduct normal business.
- b. A majority of the number of the then-serving, **voting** members shall constitute a quorum for the transaction of business. The act of an **absolute** majority of the members present at a meeting at which a quorum is present shall be the act of the Finance Council. For matters where canonical consent is required as outlined in Section 2, Item k, a quorum of 75 percent of the Council members is necessary for a vote to take place. (Cf. Canon 119, 2° - [...] *if it concerns other affairs, when an absolute majority of those who must be convoked are present, that which is approved by the absolute majority of those present has the force of law; if after two ballots the votes are equal, the one presiding can break the tie by his or her vote;*)
- c. Special meetings may be called as necessary by the Chairperson.
- d. Meetings may be conducted electronically.

## 7) COMMITTEES

- a. Committees may be appointed for the purpose of discussing specific issues in further detail and to make recommendations to the full Council.
- b. Each member of the Council is eligible to be appointed or elected as Chairperson of a committee.
- c. Committees will meet on an as needed basis separate from the regularly scheduled full Council meetings.
- d. Non-Diocesan Finance Council members can serve in an advisory capacity on a committee.

## 8) VACANCY ON THE FINANCE COUNCIL

In the case of death, dismissal, resignation, permanent disability, or termination by absence, of one or more of the members of the Finance Council, the Bishop of Raleigh will proceed as soon as possible to appoint replacements. Councilors thus appointed remain in office to the end of the original member's term and may be re-appointed for other terms.

**9) FISCAL YEAR**

The fiscal year of the Diocese of Raleigh runs from July 1 to June 30 each year. At the end of each fiscal year, and before the first quarter end of the new fiscal year, the finance officer shall submit a report on diocesan income and expenditure.

**10) INFORMATION TO THE DIOCESAN COMMUNITY**


The Diocesan Finance Council submits the annual financial report to the diocesan community through official channels after receiving approval from the Bishop of Raleigh. This report informs the community of the sources of income and its uses during the fiscal year.

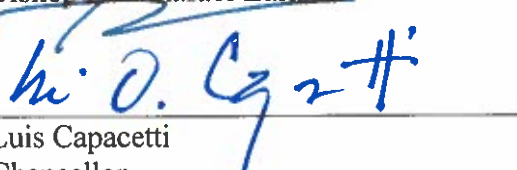
**11) REFERENCE TO GENERAL NORMS**

Regarding any matters not treated in the present statutes, the norms of canon law shall be applied.

By virtue of the authority granted by the Norm of Canon Law, I approve these statutes for a period of five years; and order the promulgation of it for the benefit of the entire Catholic community of the Diocese of Raleigh.

Approved on (date): July 8, 2005

  
Bishop Luis Rafael Zarama

  
Luis Capacetti  
Chancellor  
Catholic Diocese of Raleigh