



Roman Catholic
DIOCESE of SYRACUSE

GENERAL REVIEW : GOVERNANCE

Trustee Training

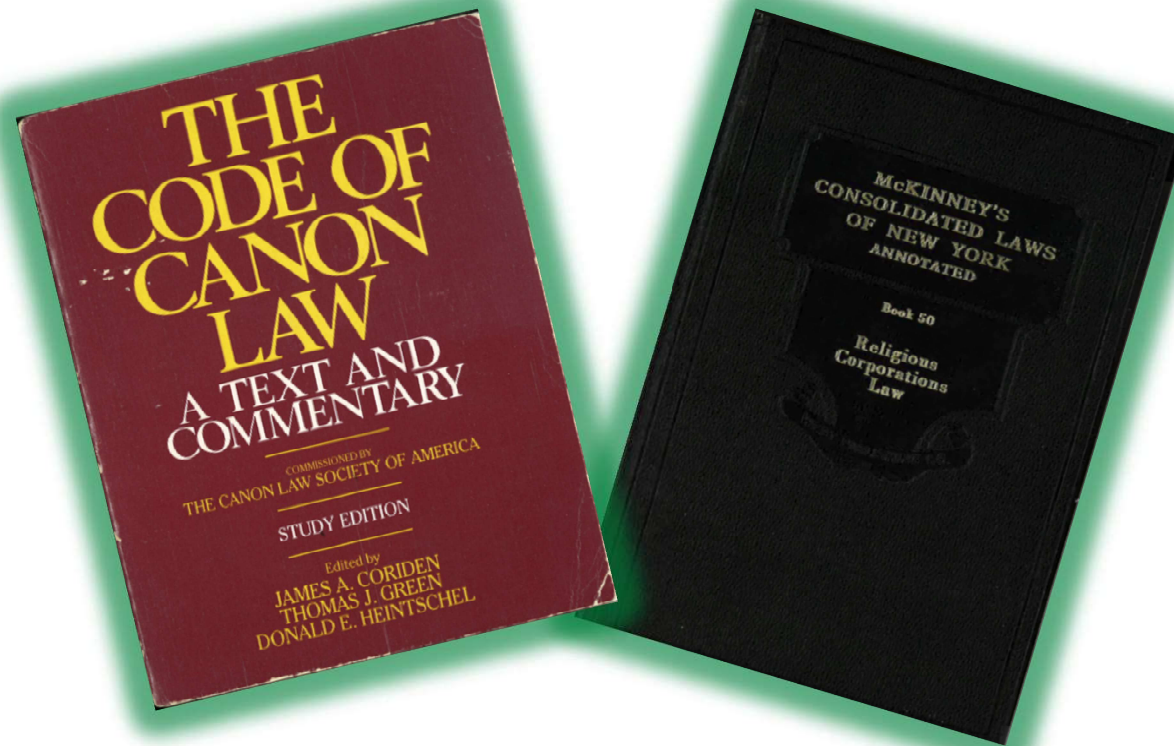
October 19, 2024

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Introduction: AGENDA

- **The Roman Catholic Diocese of Syracuse, NY**
- **Parish Structure and Legal Governance**
- **Not-For-Profit/ Tax Exempt Status**
- **Miscellaneous: Bewares**



The Roman Catholic Diocese of Syracuse, NY



Incorporation – 1886

Legislative Act (supersedes) – 1968

Officers/ Trustees/ ExOfficio

President / Treasurer - Bishop

Vice President - Vicar General

Secretary - Chancellor

By Laws

Finance Council

Parish Assistance

Managed Programs

Diocese Website:

<https://www.syracusediocese.org>



Roman Catholic Diocese of Syracuse

240 East Onondaga Street

Syracuse, New York 13202

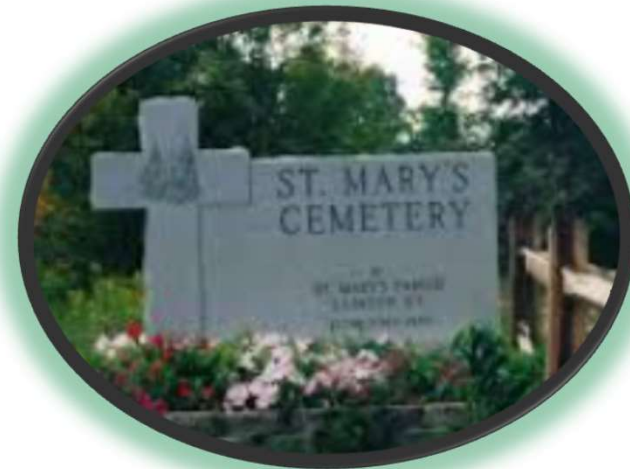
www.syracusediocese.org

T. 315-422-7203

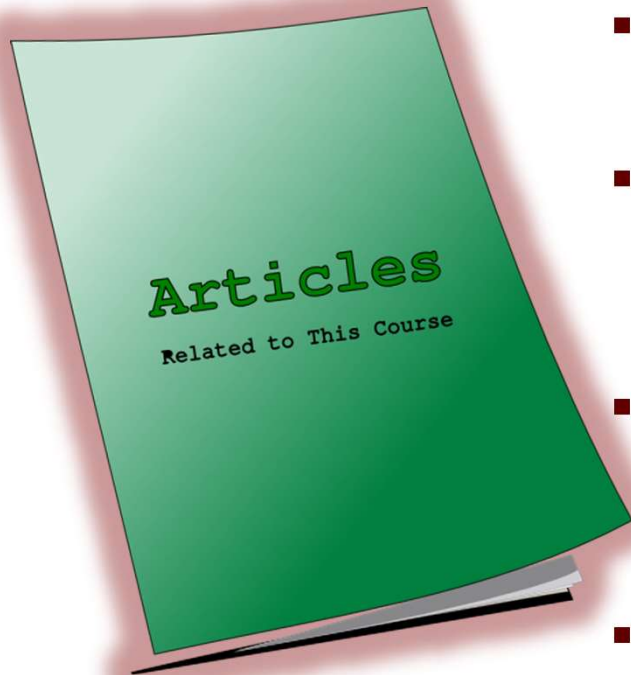
F. 315-478-4619

Diocesan Related Entities

- **Separate Incorporation and Governance**
 - **Parishes (*including cemeteries/schools*)**
 - **Diocesan Schools – ie. Grimes, Ludden, Seton, Notre Dame**
 - **Catholic Charities and related corporations**
 - **Newman Centers, Diocesan Cemeteries, Retreat Houses, Foundations**
 - **Lay Participation**



Parishes Under New York State Religious Corporation Law (RCL)



- **Article 5 – Roman Catholic Churches**
- **Section 90 – Incorporation of Roman Catholic Churches**
- **Section 91 – Government of Incorporated Roman Catholic Churches**
- **Section 92 – Property**

Parish Resources:

<http://portal.syrdio.org/parish-resources>

Trustees Under the RCL

- **Board of Trustees consists of:**

- **Bishop (President)**
- **Vicar General (Vice President)**
- **Pastor (Secretary/Treasurer)**
- **Two(2) Lay Trustees /Term – One (1) year**

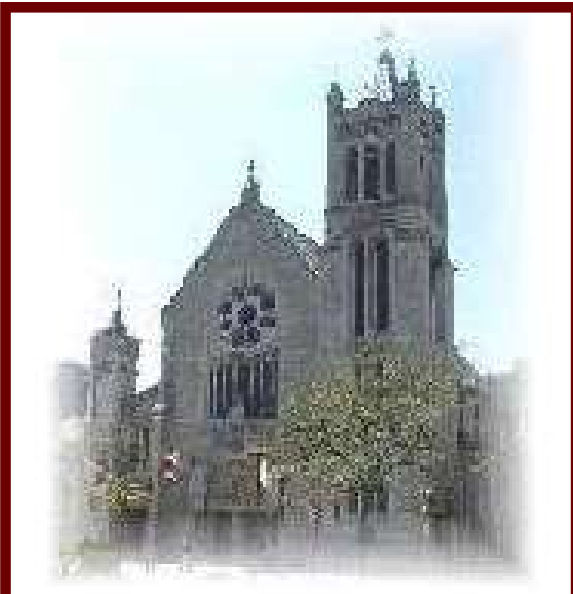


*"No act or proceeding of the Trustees of any such incorporated Church shall be valid **without the sanction of the Archbishop or Bishop of the Diocese to which such Church belongs**, or in the case of their absence or inability to act, without the sanction of the Vicar General or the Administrator of such Diocese."* NY Religious Corporation Law

****By-Laws control actions of Parish Officers/Trustees and the Parish Finance Council**

Miscellaneous Provisions of RCL

- **General Provisions**
- **Transactions: Court Approvals**
- **Records: Property**
- **Bishop Authority**



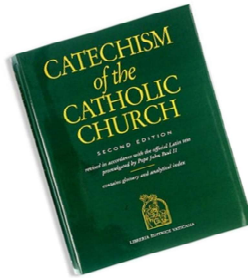
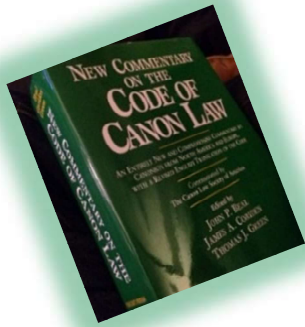


PARISH LAY TRUSTEES

CANON LAW

FR. CHRISTOPHER SEIBT, Ph.L, STL, JCL

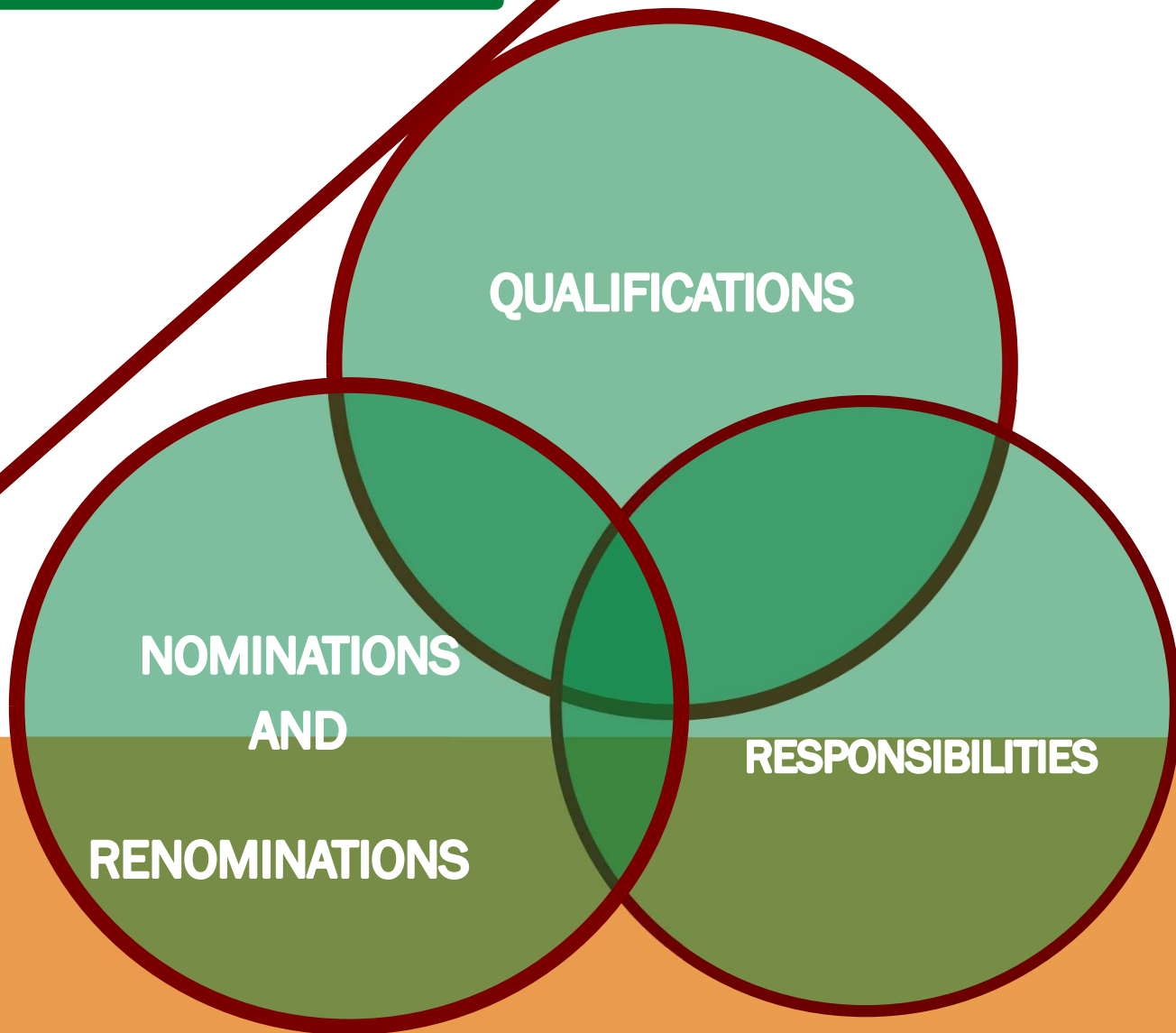
Parish Defined Under Canon Law



"Canon 515 - §1. A parish is a definite community of Christian faithful established on a stable basis within a particular church; the pastoral care of the parish is entrusted to a pastor as its own shepherd under the authority of the diocesan bishop."

Paroikia (Greek)/Parish – "a pilgrim people, whose real country and citizenry is in heaven".
(See C. Reige, "Parish," 1017-1019)

DIOCESAN PROCESS OF APPOINTMENT



Qualifications of a Parish Lay Trustee are:

CANDIDATE MUST BE

- A) 21 YEARS OLD**
- B) A UNITED STATES CITIZEN**
- C) A PRACTICING CATHOLIC AND AN ACTIVE PARISHIONER**
- D) THEY MAY NOT BE A PARISH EMPLOYEE AND MUST BE FREE OF ANY CONFLICT OF INTEREST**
- E) ORDINARILY SHOULD HAVE A BACKGROUND IN ADMINISTRATION, BUSINESS, OR CIVIL LAW SUITABLE TO THE STEWARDSHIP OF THE PARISH RELIGIOUS CORPORATION**



SELECTION (NEW TRUSTEES)



SHOULD BE NOMINATED BY THE PASTOR WITH THE ADVICE OF PARISH COUNCIL

- THE CANDIDATE IS NOMINATED ON A FORM SUPPLIED BY THE DIOCESE:

QUALIFICATIONS OF THE NOMINEE ARE LISTED

TRUSTEE AFFIRMS THAT HE/SHE KNOWS AND UNDERSTANDS
DISCRIPTION OF OFFICE

- FORM IS SUBMITTED TO CHANCELLOR FOR REVIEW AND APPROVAL



TERMS OF OFFICE:

- A) THEY SERVE A TERM OF OFFICE OF ONE YEAR, WHICH COINCIDES WITH THE FISCAL YEAR, WHICH IS JULY FIRST TO JUNE THIRTIETH.**
- B) NO LAY TRUSTEE SHALL SERVE MORE THAN FIVE CONSECUTIVE ONE-YEAR TERMS. THEY COULD FOR IMPORTANT CAUSE, BE ANNUALLY NOMINATED FOR ADDITIONAL TERMS ONLY IF THE NOMINATION IS AFFIRMED BY THE ADVICE AND CONSENT OF PARISH PASTORAL COUNCIL. NO LAY TRUSTEE MAY SERVE MORE THAN TEN CONSECUTIVE TERMS. IN LETTER OF APPOINTMENT FOR TENTH YEAR, TRUSTEE IS REMINDED THAT THIS WILL BE HIS/HER FINAL TERM.**
- C) TERMS OF NEW TRUSTEES BEGIN UPON CERTIFICATION OF ELECTION IN A LETTER FROM THE BISHOP'S OFFICE. TERMS CONCLUDE UPON THE DESIGNATION OF THE SUCCESSOR BY THE BISHOP.**
- D) A TRUSTEE WILL NOT BE COMPENSATED BUT MAY BE REIMBURSED FOR EXPENSES**



RESPONSIBILITIES

IN ACCORDANCE WITH DIOCESAN POLICIES THE TRUSTEES ASSIST IN



- THE PREPARATION AND SUBMISSION OF THE ANNUAL PARISH BUDGET.
- THE PREPARATION AND SUBMISSION OF THE ANNUAL PARISH AND DIOCESAN FINANCIAL REPORTS
- PARTICIPATES IN THE ANNUAL MEETING AS MANDATED IN THE PARISH BY-LAWS.
- THE PREPARATION OF CORPORATE RESOLUTIONS AND THEN SIGNS THEM.
- ASSURING THAT THE DIOCESAN CHILD AND YOUTH PROTECTION POLICY IS ENFORCED.
- APPROVAL OF A PARISH EMPLOYEE HANDBOOK
- MAINTAINING THE RECORDS OF ALL PARISH BANKING, REAL PROPERTY, DONATIONS, ENDOWMENTS, FINANCES, INSURANCES, INVENTORIES, SPECIAL COLLECTIONS, AND TAX EXEMPTIONS.



OTHER RESPONSIBILITIES:

- ASSURE THAT MINUTES ARE TAKEN AND KEPT AT EACH MEETING OF THE TRUSTEES, AND THAT THE MINUTES ARE PERMANENTLY PLACED IN THE CORPORATE BOOK OF MINUTES.
- SERVE AS EX-OFFICIO MEMBERS OF THE FINANCE COUNCIL AND IN THE DISCRETION OF THE PASTOR THE PASTORAL COUNCIL
- PARTICIPATE IN TRUSTEE TRAINING AS REQUESTED BY THE PRESIDENT OF THE RELIGIOUS CORPORATION.
- BE FAMILIAR WITH THE "GUIDED BY SPIRIT – GUIDELINES FOR PARISH PASTORAL COUNCILS" AND THE ROLE FOR PARISH FINANCE COUNCILS, AND DIOCESAN FINANCE POLICIES.

REMOVAL, RESIGNATION AND VACANCY DEFINED IN BY-LAWS



A Lay Trustee may be removed for cause, after a hearing and the opportunity to be heard by a vote of a majority of the Trustees at any meeting where there is a quorum present. A Lay Trustee may resign at any time by giving written notice to the Pastor or Board of Trustees. If office becomes vacant, pastor, with advice of Parish Council, will nominate someone to complete the remaining term.

CANON 537

- ❑ MANDATES THAT EVERY PARISH HAS A FINANCE COUNCIL
- ❑ PARISH FINANCE COUNCIL IS TO ASSIST THE PASTOR IN ADMINISTRATION OF THE GOOD OF THE PARISH
- ❑ NORMS FOR FINANCE COUNCILS ISSUED BY DIOCESAN BISHOP
- ❑ IN THE DIOCESE OF SYRACUSE THE TWO LAY TRUSTEES, ALONG WITH THE PASTOR, ARE EX OFFICIO MEMBERS
- ❑ 3 – 5 ADDITIONAL MEMBERS APPOINTED BY THE PASTOR ON BASIS OF EXPERTISE IN ACCOUNTING, FINANCE, INVESTMENT, LAW *ETC.*



CANON 536

PERMITS A BISHOP, AFTER CONSULTING WITH HIS PRIESTS COUNCIL, TO PERMIT THE ESTABLISHMENT OF A PASTORAL COUNCIL IN EVERY PARISH.

IT IS THE POLICY OF THE DIOCESE OF SYRACUSE THAT A PASTORAL COUNCIL EXIST IN EVERY PARISH.

EXCEPT FOR THE PASTOR, DIOCESAN GUIDELINES DO NOT CLEARLY STIPULATE WHO MAY BE A COUNCIL MEMBER:

- **SOME MAY BE EX OFFICCO**
- **OTHERS ARE ELECTED**
- **SOME MAY BE APPOINTED BY PASTOR**

TRUSTEES, DEPENDING ON THE PASTOR, COUNCIL BY-LAWS, CUSTOM, MAY OR MAY NOT BE EX OFFICCO MEMBERS OF THE COUNCIL:

- **COULD BE IN ROLE OF NON-VOTING OBSERVER**



By-Laws Review

- *The Board of Trustees is the governing body, with the power and authority conferred by law. NYRCL*
- *Managed in conformity with the discipline, rules, and usages of the Roman Catholic Church.*
- Annual Meeting/Flexible Date
- Special Meetings
- Quorum/ 3 of 5; Bishop authorizations
- Financial Matters/ Finance Council
- Conflicts/ Policy
- Indemnity / Insurance
- Amendments
- Other - Resolutions



BYLAWS OF [PARISH]	
TABLE OF ARTICLES	
Article I	Name
Article II	Definitions
Article III	Office
Article IV	Corporate Seal
Article V	Board of Trustees
Article VI	Meetings of Board of Trustees
Article VII	Action Without a Meeting
Article VIII	Officers of Corporation
Article IX	Financial Matters
Article X	Books and Records
Article XI	Waiver of Notice of Lapse of Time
Article XII	Committees
Article XIII	Conflict of Interest
Article XIV	Corporate Powers - Consent of Bishop
Article XV	Amendments
Article XVI	Indemnification

ATTACHMENT
Certification by Secretary-Treasurer

Consent of the Bishop

- Mortgage, lease, sell, convey or otherwise dispose of any of its real property.
- Accept by gift or bequest any money or other personal property that is subject to a trust or any other restrictions or condition.
- Commence, settle compromise or abandon any legal action or proceeding.
- Incur any expense in making repairs or renovations to the property of or in purchasing equipment for the church of any amount \$25,000 or greater
- Perform or engage in any other act or transaction which requires such consent under diocesan rules or regulations.
- Acquire by lease or purchase or accept by gift or devise, in trust or otherwise, any real property or interest therein.



Most Reverend Douglas J. Lucia, DD, JCL
Eleventh Bishop of Syracuse



OTHER POLICIES : BMP

- **Fraud/ Whistleblower Policy**

- **Who, What, When, and Why?**
- **Form Review**

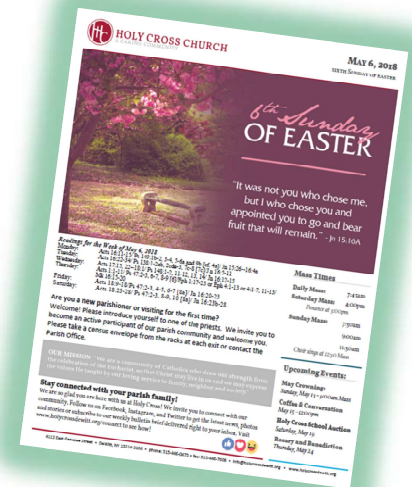
- **Conflict of Interest Policy**

- **Who, What, Continuous and Why?**
- **Form Review**



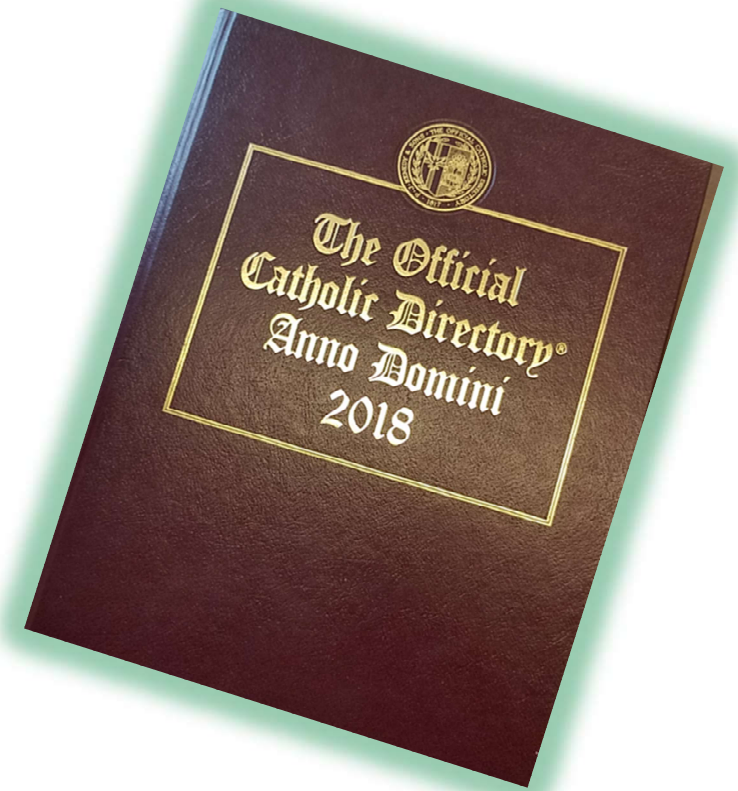
Pastor/ Administrator / Trustee “Tips”

- **Corporate Book : Notebook**
 - Certificate of Incorporation
 - By-Laws
 - Minutes/Resolutions
 - Financial Statements/Finances
 - Church Bulletins/ Website Checks
 - Other – Parish Handbook/ emails
- **Corporate Annual Audit/Governance**
- **Ask Questions/Be Active**
- **Annual Financial “Checklist”**
- **Who me? Sign?**



Exemptions

- New York State
- Charities Bureau
- NYS Secretary of State – Parishes
BEWARE : Donor Issue
- Federal Requirements
- Filings (i.e. 990)
- Tax Exempt Status



Official Catholic Directory

Group Listing – 1946; Annual Renewal

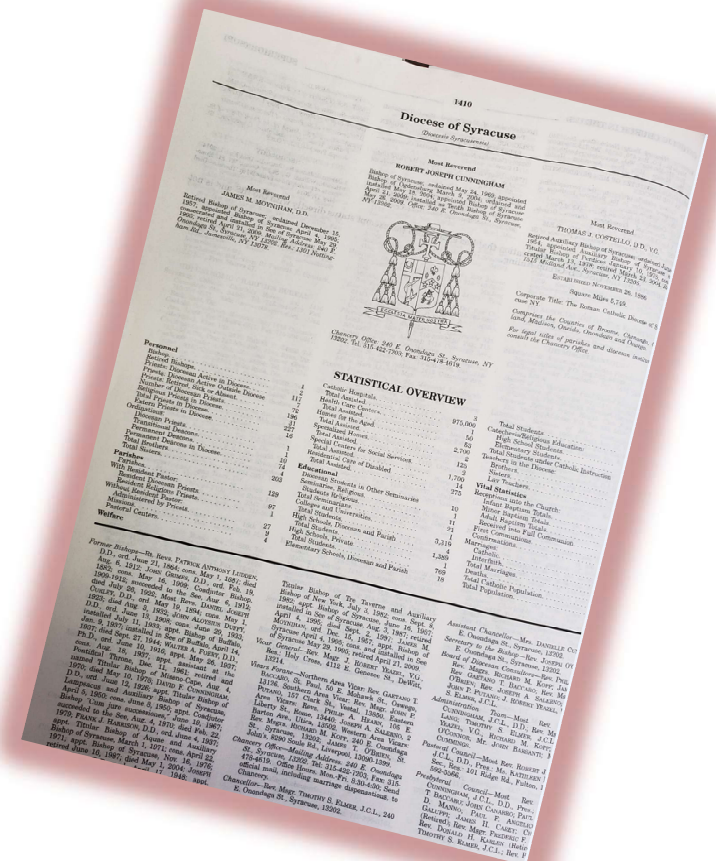
Publication

Eligibility

Application Process

Continuing Compliance

Termination



EXAMPLE

(Name of church)

(Address)

(City, State)

On this date, _____, a special meeting of the Trustees of _____ Church was called for the purpose of drawing up a resolution for presentation to our Bishop for approval.

WHEREAS, the condition of (work to be done) at _____ Church were observed to be in a deteriorating condition, AND

WHEREAS. (who will be doing the work) was engaged to evaluate the (work to be done) and prepare specifications, AND

WHEREAS, said specifications were made available and voted on unanimously by the Parish Council, be it resolved that the Trustees of _____ Church recommend to the Bishop that the specifications developed by _____, be submitted for bid to reputable contractors; AND

WHEREAS, said bids have been received and _____ Company submitted a bid of \$ _____ and was the lowest bidder by \$ _____; AND _____ Company submitted a bid of \$ _____ and was the second lowest bidder, AND

WHEREAS, _____ Church has sufficient funds available for this project: [*or state how the project will be paid for*]

BE IT RESOLVED THAT _____ Church contract with _____ Company for the above mentioned work.

Trustee's Signature _____

Trustee's Signature _____

Pastor's Signature _____

Vicar General _____

Bishop of Syracuse _____

Approved: _____

Date

Approved: _____

Date