DECREES

I, the Most Reverend Michael J. Sheridan,
by the grace of God and of the Apostolic See,
Bishop of Colorado Springs

having reviewed the Statutes of St. Michael Parish
dated November 13, 2011;
and
having reviewed the attached Pastoral and Finance Council Statutes
for St. Michael Parish;
and
having considered the need for stability and consistency at St. Michael Parish
and throughout the Diocese of Colorado Springs;

Hereby Decree,
in accordance with the Code of Canon Law, that
the Statutes, Pastoral Council Statutes, and Finance Council Statutes
for St. Michael Parish, attached hereto
are hereby approved and promulgated.

Given at the Chancery this 5th day of December of the Year of the Lord Two Thousand Eleven
Servatis ad hunc de Iure Servandis

Most Reverend Michael J. Sheridan, S.Th.D.
Bishop of Colorado Springs

It is mandated by our Bishop that this decree be registered and published.

Reverend Monsignor Ricardo Coronado-Arrascue
Chancellor
Statutes of the St. Michael in Calhan, CO

Preamble: These Statutes are binding norms regulating the Parish of St. Michael in Calhan, CO. Without prejudice to universal law, should any dispute call for an interpretation of these Statutes, the Bishop of the Diocese of Colorado Springs ("Bishop") shall be the only person who decides the proper meaning of these norms.

Part I: Nature

Article 1: The Parish of St. Michael is a community of the Christian faithful stably established in the Diocese of Colorado Springs and entrusted to a Pastor (parochus) as its proper shepherd (pastor) under the authority of the Bishop (canon 515, §1).

Part II: Territory and Membership

Article 1: According to the norm of canon 518, the Parish of St. Michael is territorial, comprising the following area in the Diocese of Colorado Springs:

St. Michael (Calhan):
N.W. corner: El Paso/Elbert county line at Peyton Highway
North: El Paso/Elbert county line to Elbert Co. Rd. 105 near Ramah, then north along Co. Rd. 105 approx. 3 miles, then east along extension of Co. Rd. 86 (2 miles north of Simla) to a northern extension of the El Paso county line.
East: Extension of El Paso Co line from Elbert Co. Rd. 86 on the north, then south along El Paso county line to Gieck Rd.
South: Gieck Rd. and its extension west to a corner with a southern extension of Baggett Rd. (2 miles east of Ellicott Hwy).
West: Baggett Rd. (extension) north to Judge Orr Rd, then west on Judge Orr Rd. to Peyton Highway, then north on Peyton Highway to El Paso/Douglas county line.
St. Michael-Calhan shares boundaries with Our Lady of the Visitation, Our Lady of Victory, St. Anthony of Padua, Holy Family-Security, St. Benedict, and Our Lady of the Pines.

Article 2: The Christian faithful, that is, those persons who “have been incorporated in Christ through baptism” (canon 204, §1), having a domicile or quasi-domicile within the territory described in Article 1 above are members of the Parish of St. Michael (c. 102).

Article 3: The Christian faithful living outside the territory defined in Article 1 above can participate in the life of the Parish of St. Michael by registering with the parish.

Part III: Government

Title 1: Parish Leadership

Article 1: The Pastor (parochus) is the proper shepherd of the Parish of St. Michael, under the
authority of the Bishop (canon 515, §1).

§1: The Pastor, who must be a presbyter, is freely appointed by the Bishop for an undetermined amount of time, without prejudice to canon 682. Stability of the pastor in a given parish is always to be sought.

§2: In the Parish of St. Michael, the Pastor “carries out the functions of teaching, sanctifying, and governing, also with the cooperation of other presbyters or deacons and with the assistance of lay members of the Christian faithful, according to the norm of law” (canon 519)

§3: The Pastor enjoys the rights and duties found in universal and particular law, including those stated in these Statutes.

§4: The Pastor represents the Parish of St. Michael in all juridical affairs according to the norms of universal and particular law (canon 532).

§5: The Pastor loses this office according to the norm of canon 538.

Article 2: A Parochial Administrator is freely appointed by the Bishop when the office of Pastor of the Parish of St. Michael becomes vacant or the Pastor is unable to exercise his office (canon 539).

§1: The Parochial Administrator, who must be a priest, possesses the same rights and duties as the Pastor, unless the Bishop determines otherwise (canon 540, §1).

§2: In accordance with canon 540, §2, a Parochial Administrator cannot “do anything which prejudices the rights of the pastor or can harm parochial goods.”

§3: The Parochial administrator is not to alter the status of the church property without first consulting with the Vicar General.

§4: The Parochial administrator does not represent the parish as a juridical person.

Article 3: If the Bishop should decide, because of a lack of priests, that the Parish of St. Michael is to be entrusted to a Parish Director, he shall also appoint a “priest, who, provided with the powers and faculties of a pastor, is to direct the pastoral care” (canon 517, §2).

§1: The Parish Director, who can be either a deacon or a lay member of the Christian faithful in full communion with the Catholic Church, is freely appointed by the Bishop for a term established by the Bishop or for an indefinite time or until a priest is available.

§2: If the Bishop has appointed a Parish Director for the Parish of St. Michael, specific measures in these Statutes requiring the action of the Pastor may be done validly by the Parish
Director after consulting or receiving the consent of the canonical pastor or the Bishop as the case may require according to the law.

§3: After hearing the canonical pastor, the Bishop can remove a Parish Director from office.

Title 2: Parish Consultative Bodies

Article 1: The Parish of St. Michael is to have a Pastoral Council over which the Pastor presides (canon 536, §1).

§1: The Pastoral Council is the principal body under the authority of the Pastor that considers and proposes practical recommendations concerning the pastoral works in the Parish of St. Michael. Unless otherwise specified, the Pastoral Council is a consultative body. In those cases expressly set forth in these Statutes, the consultation or consent of the Pastoral Council must be sought and received by the Pastor before he can act validly.

§2: The Pastoral Council shall be governed by its own statutes, drawn up in accordance with norms prescribed in universal law, particular law and these Statutes. After the statutes of the Pastoral Council have been approved by the Pastor a copy will be sent to the Vicar General of the Diocese of Diocese of Colorado Springs for the nihil obstat.

1°: The statutes of the Pastoral Council shall include prescriptions regarding the Council’s size, composition of membership, method of selection, terms of office, leadership, meetings, and committees.

2°: Members may be freely appointed by the Pastor, or by the Parish Director after consultation with the priest or priests mentioned in canon 517, §2.

§3: During a vacancy in the office of Pastor, the Pastoral Council does not cease to function and can be convened by the Parochial Administrator. Upon the appointment of a new Pastor, up to one-half of the current members of the Pastoral Council may be replaced, but only after three months from the new Pastor’s appointment. The remaining members may be replaced as the new Pastor determines after six months from the date of his appointment.

Article 2: The Parish of St. Michael is to have a Finance Council over which the Pastor presides (canon 537).

§1: The Finance Council is a group under the authority of the Pastor that “assists the pastor in the administration of the goods” of the St. Michael (canon 537). Unless otherwise specified, the Finance Council is a consultative body. In those cases expressly set forth later in these Statutes, the consultation or consent of the Finance Council must be sought and received by the Pastor before he can act validly.

§2: The Finance Council shall be governed by its own statutes, drawn up in accordance with
norms prescribed in universal law, particular law and these Statutes. After the statutes of the Finance Council have been approved by the Pastor a copy will be sent to the Vicar General who will give the nihil obstat after consultation with the Finance Officer.

1°: The statutes of the Finance Council shall include prescriptions to the Council’s size, composition of membership, method of selection, terms of office, leadership, meetings, and committees.

2°: Members may be freely appointed by the Pastor, or by the Parish Director after consultation with the priest or priests mentioned in canon 517, §2.

§3: During a vacancy in the office of Pastor, the Finance Council does not cease to function and can be convened by the Parochial Administrator or Parish Director. Upon the appointment of a new Pastor, up to one-half of the current members of the Finance Council may be replaced, but only after three months from the new Pastor’s appointment. The remaining members may be replaced as the new Pastor determines after six months from the date of his appointment.

Article 3: If the Parish of St. Michael operates a school, it is to have a School Advisory Council over which the Pastor presides (canon 537).

§1: The School Advisory Council is a group under the authority of the Pastor that “assists the pastor in the administration of the school” of the St. Michael (canon 537). Unless otherwise specified, the School Advisory Council is a consultative body. In those cases expressly set forth later in these Statutes, the consultation or consent of the School Advisory Council must be sought and received by the Pastor before he can act validly.

§2: The School Advisory Council shall be governed by its own statutes, drawn up in accordance with norms prescribed in universal law, particular law and these Statutes. After the statutes of the School Advisory Council have been approved by the Pastor a copy will be sent to the Vicar General who will give the nihil obstat after consultation with the Superintendent of Catholic Education.

1°: The statutes of the School Advisory Council shall include prescriptions to the Council’s size, composition of membership, method of selection, terms of office, leadership, meetings, and committees.

2°: Members may be freely appointed by the Pastor, or by the Parish Director after consultation with the priest or priests mentioned in canon 517, §2.

§3: During a vacancy in the office of Pastor, the School Advisory Council does not cease to function and can be convened by the Parochial Administrator or Parish Director. Upon the appointment of a new Pastor, up to one-half of the current members of the School Advisory Council may be replaced, but only after three months from the new Pastor’s
appointment. The remaining members may be replaced as the new Pastor determines after six months from the date of his appointment.

Article 4: The Parish of St. Michael may establish different committees which may report to a Parish Council or over which the Pastor may preside directly to help him administer the Parish. Examples of such committees include a faith formation committee, a stewardship committee, a liturgy committee, or a social concerns committee.

§ 1: A committee is an advisory group under the authority of a Parish Council or the Pastor directly to assist in carrying out a Parish ministry.

§ 2: A committee shall either be organized and described in the statutes of a Parish Council, or have its own statutes regarding the committee’s size, composition of membership, method of selection, terms of office, leadership, and meetings.

§ 3: A committee is to make an annual report to the Pastor or Parish Council.

**Part IV: Parish Operations and Administration**

**Title 1: Teaching Office**

Article 1: The Pastor of St. Michael has the proper and serious duty to provide for the catechesis of the faithful so that their faith becomes living, explicit, and productive through formation in doctrine and experience in Christian living (canon 773).

Article 2: In accord with the norms of canon 777 and particular law, the Pastor shall ensure that the following catechetical needs are met.

§ 1: Suitable catechesis shall be provided for the celebration of the sacraments, including especially the first reception of the sacraments of Penance, Eucharist, and Confirmation.

§ 2: Suitable programs shall be provided so that the faith of young people and adults may be fortified, enlightened, and developed.

**Title 2: Sanctifying Office**

Article 1: In accord with canon 535, §1, the St. Michael shall have registers for recording the celebration of Baptism, Confirmation, First Communion, Marriage, and Funerals.

§1: It is the responsibility of the Pastor to see that the registers are meticulously maintained and safeguarded.

§2: These registers are to be reviewed annually by the local ordinary or his delegate during the pastoral visitation.
Article 2: Mass stipends which are given to a priest by a member of the Christian faithful for the application of a specific intention are not considered assets of the parish and are to be accounted for separately.

§1: The Pastor is to record "accurately the number of Masses to be celebrated, the intention, the offering given, and their celebration" in a book for this purpose. This record book is to be reviewed annually by the local ordinary or his delegate during the pastoral visitation (canon 958, §1).

§2: The norms of canons 945–958 pertaining to offerings given for the celebration of Mass must be followed.

Title 3: Governing Office

Article 1: As a public juridic person in the Church (canon 515, §3), the St. Michael has the right to acquire, retain, administer, and alienate ecclesiastical goods in accordance with universal and particular law.

§1: The Pastor is the administrator of the ecclesiastical goods belonging to the Parish of St. Michael (canon 1279, §1).

§2: In addition to the prescriptions stated in these Statutes, all matters concerning the temporal goods of the Parish of St. Michael shall be governed by universal and particular law.

Article 2: The Christian faithful who are members of the St. Michael have an obligation to support the parish and its mission (canons 222, §1; 1260–1262).

§1: Donations given to the Pastor "are presumed to be given to the" St. Michael, unless otherwise specified (canon 1267, §1).

§2: Donations that carry a condition on St. Michael in matters of greater importance cannot be refused except with the permission of the Bishop of the Diocese of Colorado Springs (canon 1267, §2).

§3: Donations made to St. Michael with an extraordinary condition attached can be accepted only after hearing the parish Finance Council and Pastoral Council, and receiving the permission of the Bishop (canon 1267, §2).

§4: Donations given by the faithful for a certain purpose can be applied only for that same purpose (canon 1267, §3).

§5: Mass stipends belong to the priest who applied the Mass for the intention of the
donor (canon 945, §1). Offerings made on the occasion of some priestly service (stole fees) belong to the priest, unless otherwise specified.

§ 6: If a voluntary donation is made, it belongs to St. Michael, “unless in the case of voluntary offerings the contrary intention of the donor is certain” (canon 531).

Article 3: The Bishop of Diocese of Colorado Springs can prescribe norms for the allocation of donations in accord with the prescriptions of the bishops of the province (canon 1264, 2°).

Article 4: Monies collected by organizations of St. Michael are subject to the pastor or his delegate for oversight.

Article 5: While the administration of the ecclesiastical goods belonging to St. Michael pertains to the Pastor, the Bishop of Diocese of Colorado Springs exercises vigilance over all temporal goods belonging to public juridic persons subject to him (canon 1276, §1). To this end, the Bishop of Diocese of Colorado Springs may issue “instructions within the limits of universal and particular law” (canon 1276, §2).

Article 6: Upon his appointment as Pastor of the Parish of St. Michael, the priest will take an oath before the local ordinary or his delegate that he will administer well and faithfully the goods of the parish (canon 1283, 1°).

§1: The Pastor will “prepare and sign an accurate and clear inventory of immovable property, movable objects, whether precious or of some cultural value, or other goods, with their description and appraisal” (canon 1283, 2°).

§2: This inventory of ecclesiastical goods is to be reviewed annually and updated when there is a change in the patrimony of the parish.

§3: A copy of the completed inventory is to be kept in the parish archives. A second copy is to be sent to the diocesan Finance Officer.

Article 7: As a good householder, all those who administer ecclesiastical goods shall be bound by the prescriptions of canon 1284, namely:

§1: The Pastor shall exercise vigilance so that the goods of the Parish of St. Michael “are in no way lost or damaged,” seeing to it that proper insurance coverage is sought and maintained as appropriate (canon 1284, §2, 1°).

§2: The Pastor shall ensure that the parish ownership of ecclesiastical goods is protected by valid civil means (canon 1284, §2, 2°).

§3: The Pastor shall observe the prescripts of both canon and civil law or those imposed by a founder, a donor, or legitimate authority. He shall be on guard so that no damage
comes to the Church from the non-observance of civil laws (canon 1284, §2, 3°).

1°: Unless and to the extent that it is to its own advantage, the St. Michael is not bound to answer for acts invalidly placed by the Pastor. The St. Michael itself, however, will answer for acts illegitimately but validly placed by the Pastor, without prejudice of its right of action or recourse against the Pastor who has damaged it (canon 1281, §3).

2°: A just penalty is to be imposed on an administrator who violates either the norms of civil law or canon law with regard to the administration of the temporal goods of the St. Michael (cf. canon 1315).

§4: The Pastor shall “collect the proceeds of goods, rent payments, and income accurately and on time, protect what is collected, and use them according to the intention of the originator or according to legitimate norms” (canon 1284, §2, 4°).

§5: The Pastor shall see that the interest due on loans or mortgages is paid on time and that the principal of the debt is repaid in a timely manner (canon 1284, §2, 5°).

§6: After hearing the parish Finance Council, and with the consent of the Bishop, the Pastor shall invest money which is left over after expenses and can be usefully set aside for the purposes of the parish (canon 1284, §2, 6°) in accordance with Catholic Socially Responsible Investment Guidelines of the USCCB.

§7: The Pastor shall see that well organized books of parish receipts and expenditures are kept (canon 1284, §2, 7°), in accordance with accounting policies and procedures of the Diocese of Colorado Springs.

§8: At the end of each fiscal year, the Pastor shall draw up a financial report of the administration of the parish (canon 1284, §2, 8°).

1°: This report is to be submitted to the Accounting office of the Diocese of Colorado Springs in accordance with the accounting policies and procedures of the Diocese of Colorado Springs (canon 1287, §1).

2°: At least annually, the Pastor shall report to the Christian faithful of the Parish of St. Michael a written account of the financial status of the parish, including a balance sheet and statement of revenues and expenses (canon 1287, §2).

§9: The Pastor shall “organize correctly and protect in a suitable and proper archive the documents and records on which the property rights of the Church” are founded. Authentic copies of these documents are also to be kept in the archives of the diocesan curia (canon 1284, §2, 9°).

Article 8: The Pastor shall prepare an annual budget of income and expenditures for the parish.
After consulting the parish Finance Council, the Pastor shall implement the parish budget (canon 1284, §3).

Article 9: The Pastor shall ensure that the appropriate civil laws are followed in the employment of workers. Employees of the parish shall be given "a just and decent wage" in order to provide for themselves and their families (canon 1286).

Article 10: Three levels of administration mark the limits within which the Pastor can act validly in administering the ecclesiastical goods of the Parish of St. Michael.

§1: Acts of ordinary administration refer to activities that occur regularly, such as the collection of debts, rents, interest, and dividends; ordinary maintenance of parish buildings, paying salaries, paying taxes, opening a regular checking account, acceptance of ordinary donations; and renting church property for relatively short periods of time. Within the limits of ordinary administration, the Pastor can make appropriate donations from the assets of the parish. He is to determine within the limits of ordinary administration what amount can be given and is encouraged to share these assets especially with the needy (canon 1254, §2). Outside the limits of ordinary administration the Pastor acts invalidly, unless he has first obtained the written faculty from the Bishop (canon 1281, §1) and followed the norms indicated below.

§2: More important acts of administration require, for validity, that the Pastor first consult with the parish Finance Council and Pastoral Council before requesting the written permission from the Bishop. More important acts of administration include the following:

1°: Accepting an offering made to the Pastor or to the St. Michael with an extraordinary condition attached (canon 1267, §2).

2°: Establishing other checking, savings, or brokerage accounts.

3°: Leasing parish property when the annual lease income is less than the minimum amount set by the United States Conference of Catholic Bishops (see also canon 1298).

4°: Selecting an auditor.

5°: Choosing an attorney of record to represent the parish.

§3: Acts of extraordinary administration require, for validity, that the Pastor first receive the consent of the parish Finance Council and Pastoral Council before requesting the written permission from the Bishop. Extraordinary acts of administration include the following:

1°: Purchasing immovable property.
2º: Accepting gifts or bequests of real property.

3º: Building, tearing down, rebuilding or renovating any parish building or making extraordinary repairs on them.

4º: Establishing endowments or foundations.

5º: Beginning a capital campaign.

6º: Purchasing land to establish a cemetery.

7º: Leasing parish property when the annual lease income exceeds the minimum amount set by the United States Conference of Catholic Bishops or whose value exceeds the minimum amount and whose terms exceeds nine years.

8º: Establishing or suppressing any parochial establishment, including owning or operating a business.

9º: Establishing any partnerships, joint ventures, mergers, or legal alliances with any entity or person.

10º: Commencing or eliminating insurance or employee benefits programs.

§4: In addition to the specific acts of more important and extraordinary administration denoted above, the following norm shall govern acts of administration concerning spending in the aggregate for capital purchases, leases, and contracts.

1º: Expenditures up to $15,000.00 are considered as acts of ordinary administration.

2º: Expenditures between $15,000.01 and $25,000.00 require the Pastor to consult the parish Finance Council before acting validly.

3º: Expenditures between $25,000.01 and $50,000.00 require the Pastor to receive the consent of the parish Finance Council and Pastoral Council before acting validly.

4º: Expenditures in excess of $50,000.00 require the Pastor to receive the consent of the parish Finance Council and Pastoral Council and receiving written permission from the Bishop prior to acting validly.

Article 11: The Pastor is permitted to grant a license, or written permission to an individual or group, for the non-exclusive use of parish facilities, according to the following conditions:
§1: For a one-time use, the Pastor is free to grant a license as he sees fit. Before granting a license for one-time use of a sacred place that is “not contrary to holiness of the place,” the Pastor is to receive the permission of the Bishop (canon 1210).

§2: Before granting a license for the habitual use of parish facilities, the Pastor is first to consult the parish Pastoral Council and Finance Council. If the license for habitual use concerns a sacred place, the permission of the Bishop or his delegate is also required.

§3: Prior to granting any license, the Pastor must ensure that appropriate insurance has been provided for.

Article 12: The Pastor is “neither to initiate nor to contest litigation in a civil forum in the name of” of St. Michael without consulting the parish Finance Council and Pastoral Council and receiving the written consent of the Bishop (canon 1288).

Article 13: In the administration of the St. Michael, the Pastor will follow the policies stated in all the diocesan policy manuals and directives.

Article 14: Negligence is the failure to act as a reasonably prudent person would act in like circumstances in the administration of the parish or an unwillingness to exercise reasonable care in the administration leading to an injury or persons or damage to property. Negligence includes the following:

§1: The use of property, assets or money for purposes which are not of benefit or which are detrimental to the parish.

§2: Transactions outside the scope of the Pastor’s authority or without proper consultation with the appropriate parochial councils or proper approval of the diocesan bishop.

§3: Failure to comply with norms, policies, and programs offered by those offices and persons delegated by the diocesan bishop to assist in the financial, business, and professional operations of the parish.

§4: Holding oneself out to third parties with implied authority to transact business beyond the actual authority granted by universal or particular law or these Statutes.


§1: Acts of alienation include the following:

1º: The sale, exchange, mortgage, or divestiture of immovable church property, or
its subjection to any other servitude or burden.

2°: The sale, exchange, mortgage, or divestiture of objects of art, historical documents or movable property of great importance, or goods given to the Church by vow.

Article 16: In the alienation of ecclesiastical goods of the stable patrimony of the Parish of St. Michael above the minimum amount defined by the conference of bishops, the procedure prescribed by canons 1292–1294 in the Code of Canon Law shall be followed.

Article 17: The Pastor shall have the authority to alienate validly the non-patrimonial assets of the St. Michael according to the process specified in Title 3, Article 10, § 4 above.

Article 18: For any transaction that can worsen the patrimonial condition of the Parish of St. Michael, the Pastor shall observe the procedure prescribed by canons 1292–1294 in the Code of Canon Law (canon 1295), e.g., borrowing or loaning money or entering into onerous contracts.

Article 19: “Whenever ecclesiastical goods have been alienated without the required canonical formalities but the alienation is erroneously deemed valid civilly, it is for the Bishop, after having considered everything thoroughly, to decide whether and what type of action, namely, personal or real, is to be instituted by whom and against whom in order to vindicate the rights of the Church” (canon 1296).

Article 20 “A person who alienates ecclesiastical goods without the prescribed permission is to be punished with a just penalty” (canon 1377).

Part IV: Union, Division, or Extinction of the Parish of St. Michael

Should the Bishop modify or alter the Parish of St. Michael in accord with canon 515, §2, the patrimonial goods of the parish—including all assets and liabilities—shall be joined, divided, or allocated according to the norms of canons 121–123 respectively, after hearing the presbyteral council according to canon 515 § 2.

Part V: Amendments

Article 1: Amendments to these Statutes may be proposed in writing to the Bishop by the Pastor of the Parish of St. Michael after consulting with the parish Pastoral Council.

§1: At his discretion, the Bishop may consult with the diocesan Finance Council and hearing Presbyteral Council before making a decision on whether or not to approve the proposed amendment.

§2: The approval of any amendment to these Statutes by the Bishop shall be promulgated by an episcopal decree.
Article 2: The Bishop may at any time amend or replace these Statutes of the Parish of St. Michael on his own initiative in accord with the Code of Canon Law, after consulting with the presbyteral council.

These Statutes of the St. Michael shall become effective immediately, any previous statutes, norms, or customs notwithstanding. These Statutes are subject to the provisions stated in the Code of Canon Law and other universal law as well as particular law promulgated by the Bishop of Diocese of Colorado Springs and the United States Conference of Catholic Bishops for the dioceses in the United States.

F. A. Beard
Pastor

A. R. Brown
Parish Council President

Nov. 13, 2011
Date

Nov. 13, 2011
Date

Approved at the Chancery on this 5th day of Dec. 2011.

Rev. Msgr. Ricardo Coronado-Arrauce, JCD
Chancellor

Most Reverend Michael J. Sheridan
Bishop of Colorado Springs