

June 18, 2007 - U.S. bishops issue Vatican-approved norms for Catholic fundraising

By Jerry Filteau, Catholic News Service

WASHINGTON (CNS)—With Vatican approval, the head of the U.S. Conference of Catholic Bishops has issued national norms governing all church-related fundraising appeals.

"Fundraising appeals are to be truthful and forthright," says the opening line of the norms.

The norms spell out rules of transparency, accountability, procedures to be followed and oversight over fundraising campaigns by appropriate church authorities.

Bishop William S. Skylstad of Spokane, Wash., USCCB president, sent out a decree promulgating the fundraising norms June 8. The same day he issued another decree establishing new national norms for the leasing of church-owned properties. Both decrees take effect Aug. 15.

The bishops adopted both sets of norms in November 2002. Msgr. Ronny Jenkins, USCCB associate general secretary, said that the long delay between the bishops' vote and the Vatican's approval was "to allow time to introduce and discuss the two norms with religious organizations ... who would be affected."

Both sets of norms include rules affecting how religious orders do business, so the conference worked with the national organizations of men's and women's religious superiors, he said.

The fundraising norms could affect the way appeals are conducted and funds are handled for everything from parish capital campaigns to annual diocesan appeals to local or national fundraising efforts by Catholic monasteries, shrines or any other church agencies or institutions that fit the definition in church law of a "public juridic person."

"Fundraising efforts are to be for defined needs," the new legislation says.

It adds: "The relationship of trust between donor and fundraiser requires that a) funds collected be used for their intended purposes; b) funds collected are not absorbed by excessive fundraising costs."

One norm flatly forbids any agreement by which the fees of a commercial firm or religious fundraiser are set "directly or indirectly ... on a percentage basis."

Under the norms, communities of men or women religious must have the approval of their major superior and the diocesan bishop to solicit funds; diocesan entities and other Catholic entities and organizations under the diocesan bishop's jurisdiction need his approval.

The approval by the appropriate church authority or authorities "is to be given in writing with reference to the purpose for which the funds are being raised, the time frame and the methods to be used in raising them," the document says.

It says the church authority is to maintain oversight "through periodic review."

"Annual fundraising reports are to provide both financial information and a review of the apostolic work for which the funds were raised," the document says.

The fundraising norms were drawn up as complementary legislation to Canon 1262 of the 1983 Code of Canon Law, which says: "The faithful are to give support to the church by responding to appeals and according to the norms issued by the conference of bishops."

Since 1977 the U.S. bishops have had fundraising guidelines similar to the new legislation, but the new norms mark the first time those principles have been set into law in the U.S. church.

The new norms for the leasing of church property were also drawn up as complementary legislation to the code -- in this case Canon 1297, which calls for bishops' conferences to "establish norms for the leasing of church goods."

The new legislation says a bishop must "hear the (diocesan) finance council and the college of consultors" before leasing church-owned property worth more than \$400,000; he must "obtain the consent" of those two bodies before leasing property worth more than \$1 million or when the lease is for three or more years.

It says a parish or other ecclesiastical entity under the bishop's jurisdiction must obtain the bishop's consent to lease property worth more than \$100,000 or if the lease is one year or longer.

Communities of religious must have the consent of the major superior and his or her council and the "nihil obstat" of the diocesan bishop to lease property worth more than \$1 million or for three years or more, the new legislation says. "Nihil obstat," Latin for "nothing stands in the way," means more "I don't object" than "I consent."

Finally, Vatican consent is needed for a parish, diocese, religious community or any other Catholic institution that fits the definition of public juridic person in church law to lease out property with a market value in excess of \$5 million.

In 1986 the U.S. bishops sought to cover supplementary legislation to Canon 1297 by simply cross-referencing it to norms they established under another canon dealing with extraordinary administrative acts by a bishop, including the leasing of diocesan property. However, that approach did not cover the lease of property owned by other public juridic persons in the church. The new legislation closes that former gap in U.S. church law.

The gap was noted quite critically in the commentary on the code published in 2000 by the Canon Law Society of America. The 2000 commentary also noted the existence of guidelines but lack of legislation governing fundraising.