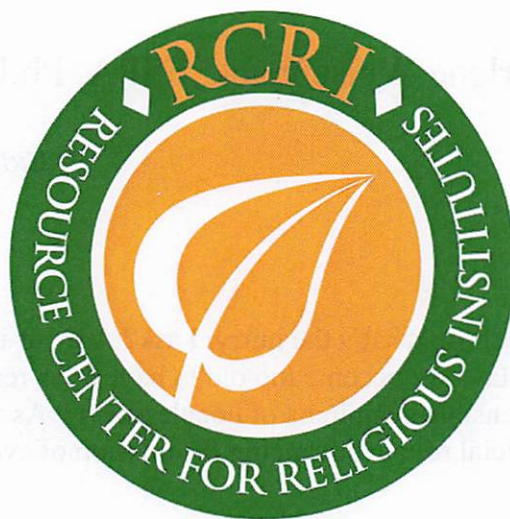


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SOONER RATHER THAN LATER: PREPARING FOR THE INSTITUTE'S JOURNEY TO FULFILLMENT

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INTRODUCTION

Sooner rather than later! So, what's the hurry, I ask? Are our institutes really on the last leg of their journeys of life? Have we become too old to have a far-reaching vision? Have we fallen into the grips of reprehensible symptoms of hopelessness? As we age, have we forgotten that we hold a unique and official role in advancing the mission of evangelization and charity in the name of the Church?

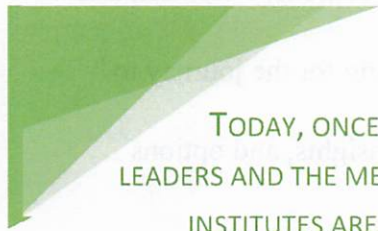
Hopefully, your answers to all these queries are rousing in the negative. But before you resolve to turn me off in the hopes of finding another and gentler presenter on this last day and final hour of the conference, let's take a deep breath. Perhaps, others we know – even our planet – are struggling with sustainability matters too. David Whyte helps us understand this as he writes.¹

We live in remarkable and dramatic times; where our normally secret, individual sense of limbo . . . is being felt all at once and communally and even being spoken back to us, by the whole planet. This shared understanding . . . is providing us with an insightful, threshold perspective on the next stage of our individual and collective maturity; it is, in effect, showing us the way to go, collectively yes, but also in the way of our

¹ David Whyte. "FOLLOWING THE INNER ROAD: Getting Ready to be Ready, for All Our Future 'Travels'". Email July 25, 2021 program invitation.

individual courageous lives. Learning to give the gift we were made to give, can be emboldening and helpful to others.

Planning has taken on many different scenarios throughout our histories as religious institutes. Our Constitutions have been revised several times and new structures created to respond to the reality of the institute's demographics and presence in the world at various points in time. Today, once again, elected leaders and the members of their institutes are challenged to



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stretch their vision to a long view, to "give the gift we were made to give". Our aging demographics cannot be in inverse proportion to our vision, even if we are not called to live our earthly existence all the way to the end of the vision that we might articulate for the near future and beyond.

Religious institutes (RIs) exist for the witness of consecrated life and for ministry. The properties and funds they have acquired are ecclesial goods to be used for the mission of the Church. Religious institutes need to decide how

any temporal goods remaining after the death of the institute will be used for the mission of the church; that is, when there are no members left to manage them. Pope Francis has reminded us that "Fidelity to the founding charism and to the subsequent spiritual heritage, together with the finality proper to each Institute, remain the first criterion for evaluating the administration, management and all of the work carried out in the Institutes at every level".²

The necessity of creating structures that could responsibly carry forward the charism and mission of our institutes is a new summons from the future. A collaborative, or a PJP, or a Commissary are some options. Continuing discernment is needed to assess the risks and benefits of not only these options but also others that may be created for the sake of the Gospel and its mission.

PURPOSE

I want to thank the Resource Center for Religious Institutes (RCRI) for this opportunity to speak with you about "new paths of hope", and as well, to acknowledge the conversations I have had with several other canonists and relevant contacts concerning some current models of governance about which we all seek more clarity.³ My hope is that this will be of assistance to

² FRANCIS, [Message to participants in the International Symposium on the theme: "The management of the ecclesiastical goods of Institutes of Consecrated Life and Societies of Apostolic Life, for the service of humanity and for the mission of the Church" \(8 March 2014\) | Francis \(vatican.va\)](#)

³ These individuals and organizations shared their experiences and knowledge generously: Nancy Bauer OSB, Kelly Connors PM, Paula Cooney IHM, Pat Cormack SCSC, Sharon Euart RSM, Jane Hibbard SNJM, Maryann Lopiccolo SC, Bonnie MacLellan CSJ, Lynn McKenzie OSB, Mary Jo Nelson OLVIM, Maria Theresia Oberwalder TSSF, Nancy Reynolds SP, Catherine Rosengren CSJ, Joanne Yelle Weatherall, Jeanne Weber OSB, Miriam Wijlens, Mary

religious institutes in preparing for the final phases of their existence and their eventual dissolution or, as it is frequently called these days, ‘completion.’ Generally, we will consider the following:

- We will **review the data** that give impetus to why “sooner rather than later” is an important attitude for moving forward at this moment in time;
- **Share information about canonical options:** Information about the evolving landscape is derived from conversations with canonical organizations, canonists, and congregations who already have developed a path to follow;
- I will **suggest some elements of a possible path** for preparing for the journey to fulfillment; and
- **Consider emerging principles** that arise from these data, insights, and options.

I. REVIEW THE DATA

While keeping in mind with much gratitude the annual statistical reports of the National Religious Retirement Office (NRRO),⁴ also uppermost in our minds are the strategies that RCRI and LCWR began in 2014 as part of a national conversation called *Fidelity to the Journey* and the *Emerging Futures* process. So far that effort has included several components.

- A GHR-funded grant that enabled RCRI to Develop resources⁵ to assist religious institutes in planning for the future during these times of substantial demographic change;
- LCWR created an Office for Transitional Development;
- Online listening sessions were conducted by LCWR in 2019-2020 with cohorts identified by charism, size, age, and geography (national or international), and current planning status including:
 - ✓ Parallel organizations – Religious Formation Conference, RCRI, Vicars for Religious, National Religious Vocation Conference, Giving Voice, Black and Latino Sister conferences, Executive Directors of charism families;
 - ✓ Sessions on what matters to young religious and with experienced leaders who reflected on insights which impacted them as leaders;
 - ✓ The preparation of conversation partners for communities in the process of discerning future planning; and

Wright IBVM, Carol Zinn CSJ, Canadian Religious Stewardship, Institute of the Austrian Order, National Conference of Vicars for Religious, Wisconsin Religious Collaborative.

⁴ NRRO Annual Reports can be found at <https://retiredreligious.org/about-us/annual-report/>

⁵ In addition to the Toolbox area of the website, the results of five *Fidelity to the Journey* workshops are detailed in *Fidelity to the Journey: New Paths of Hope*. (Silver Spring, MD: RCRI 2021). The resource may be found at https://cdn.ymaws.com/www.trcri.org/resource/resmgr/2021_updates/rcri_fidelity_to_the_journey.pdf

- ✓ Institutes coming to completion.⁶
- A July 2021 video summarized the learnings of the LCWR listening sessions, highlighting the following:
 - ✓ The evident passion and capacity for the meaning and value of religious life in the U.S.;
 - ✓ Learnings around culture and charism;⁷
 - ✓ A major theme on collaboration as desirable during an emerging future;⁸
 - ✓ Concern for new members' vision of religious life; and
 - ✓ Implications for inter-culturality.
- A final component was the 2019/2020 CARA Study on governance in LCWR institutes. The resulting data from 70% of the 308 LCWR member institutes that responded provided a rationale for continuing the conversations for the purpose of understanding what it means for individual institutes, but also nationally as a conference. In this data representing 80% of women religious in the U.S., we can't deny that "sooner rather than later" is crucial to preparing a responsible approach in our journeys to fulfillment. For example, the CARA data confirmed that:
 - The average median age of the vowed members among the responding institutes is 79.
 - 63% report having no temporary vowed members.
 - 74% report having no novices.
 - 82% have no postulants (candidates);
 - 55% say they are not sure if they will have sufficient members with appropriate competencies for Chapter participation in the near future. ("Near future" seems to indicate within 6-12 years, depending on frequency of the chapter meetings.)
 - 80% have sufficient members for election to leadership in the immediate future (the next Chapter), but 63% report not being sure if they will have sufficient members for election to leadership at the succeeding Chapters.
 - 60% of institutes have already changed or are in the process of changing governance structures.⁹

⁶ Videos of the listening sessions are available on the public side of LCWR website at <https://lcwr.org/discernment-future-religious-life>

⁷ Are new meanings emerging around charism? Is there both a universal charism of religious life as well as the unique charism of individual institutes?

⁸ How and where are the opportunities for collaboration? Questions surfaced about the practicality of working in charism groups versus trans-charismatic geographic or regional groups, and how to reverence the realities in the individual institutes.

⁹ Thu T. Do, LHC, Ph.D. and Thomas Gaunt, SJ, Ph.D. CARA (Center for Applied Research in the Apostolate). *Governance Structure: Survey of Members of the Leadership Conference of Women Religious: A Report to the*

This is very stark data. It provides, along with data from NRRO that includes women's and men's and contemplative institutes,¹⁰ a threshold for the planning process that religious institutes must undertake now. Holding in tension the emergent realities of a contemporary world, and moving toward a dying and transfigured life takes great trust and patience. To remain stunned, sad, and silenced by what we might view as an absurdity of historical evolution calls for lamentation in order to face the realities of our transformation. Barbara Holmes speaks of the necessity and value of this spiritual practice in processing the grief associated with major changes that must be dealt with in the immediate years ahead of us. She writes:

Communal lament is important for several reasons. It wakes us up and, in doing so, makes us mindful of the pain of our neighbors, who no longer can go about business as usual . . . The collective wail reminds us that we are not alone. The sheer power and resonance of a grief-stricken chorus reminds us that we are beings of quantum potential.¹¹

In conversations during the recent LCWR Assembly in August, there continued to be an emphasis on collaboration, but the meaning of that is not clear for many. Could it mean collaboration in financial management, in ministries, in care for members, for justice and peace efforts, or in governance? Collaboration is already abundantly evident in the collective work supported by many institutes in recent years, such as the U.S. Catholic Sisters against Human Trafficking, Franciscan Action Network, partnerships with Catholic Charities at the border, the *Laudato si* seven-year action plan, and many others. Leaders need to be cognizant and attentive to this already realized vision of acting collectively on behalf of mission.

II. PIONEERS OF TRANSFORMATION: AN EVOLVING LANDSCAPE OF OPTIONS

Fortunately, the work has begun and is beginning to develop a history of its own. RCRI has provided years of canonical advice as well as testimony from institutes that have led the way in this pioneering work of transformation. In addition to hosting five *Fidelity to the Journey* workshops, no less than ten resource sessions on various aspects of governance were presented at the RCRI national conferences between 2011 and 2021.¹²

Leadership Conference of Women Religious in the United States. (Washington, DC: Georgetown University, April 2020), 2-3.

https://ssj-tosf.org/wp-content/uploads/2020/09/lcwr_governance_structure_report_by_cara.pdf

¹⁰ Note that the data are representative of 212 LCWR member institutes only. LCWR members constitute 80% of the 49,000 women religious in the U.S. The Council for Major Superiors of Women Religious (CMSWR) includes another 112 institutes with 5,700 members and an average age of 58. The National Religious Retirement Office (NRRO) statistical data for 2021 lists a total of 531 institutes, including 404 women's institutes (apostolic and contemplative) and 127 men's institutes. The NRRO data notes that 71% of the religious are 70 and above, the average age of women being 74.14 and the average age of men being 67.3. See <https://www.usccb.org/resources/Statistical%20Report.pdf>

¹¹ Barbara A. Holmes, *Crisis Contemplation: Healing the Global Village* (CAC Publishing: 2021), 95.

¹² https://www.trcri.org/page/toolbox_fidelity

There are many options¹³ to begin the work of re-adjusting governance as an institute faces the necessity to do so. Here is a list of what is known now:

- ✓ Do nothing – not a sustainable nor a recommended option!
- ✓ Change the term lengths of elected leadership;
- ✓ Modify the criteria for chapter participation;
- ✓ Modify or suspend regular or ordinary governance; in this option, the institute recommends a commissary (canonical administrator);
- ✓ Merge or affiliate with another institute, province, monastery;
- ✓ Transfer members to another institute;
- ✓ Dispense members of their vows and dissolve the institute or other unit of governance;
- ✓ Collaboration: creating ecclesial public juridic persons (PJPs) or civilly incorporated collaboratives for oversight and management of properties or sharing leadership in various ways;
- ✓ Covenant with another institute.



ALL OF THESE OPTIONS REQUIRE
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All of these options require canonical consultation and approval of the competent ecclesiastical authority. A review of some models and examples of changes in governance that have been implemented in the last decade may be of assistance.¹⁴ Some may find these groupings contrived and perhaps not too useful. For lack of better language to describe the realities, I have chosen descriptors that might provide some clarity in understanding the models

– accompaniment models which involve the role of a commissary in a single unit institute, trans-charismatic models and covenant models which pertain to various methods of collaboration, inter-community covenants, and multi-structured units which apply to international institutes and federations. It is important to note that not all contexts will fit neatly into a single category. Therefore, rigid boundaries in the models would not be that helpful.¹⁵ All of the models have

https://www.trcri.org/page/toolbox_fidelity2017
https://www.trcri.org/page/toolbox_governance

¹³ Bonnie MacLellan, CSJ. "Chapters vs. Assemblies: Governance Options for Canadian Religious Institutes". Presentation for the Canadian UISG Canadian Constellation (November 2020), unpublished. (This paper includes an appendix that outlines the benefits or risks of each option.)

¹⁴ See Appendix A: *Models and examples of Transitioning Structures to Fulfillment of Mission*.

¹⁵ For example, an international community with a province in the U.S. may find its best relationships in an inter-community covenant approved by the General Superior(s) in another country.

accompaniment and administrative components. These structures will likely evolve within the next ten years as new circumstances arise and as the availability, or lack thereof, of religious commissaries becomes apparent to the local bishops and the Holy See.¹⁶

ACCOMPANIMENT: SINGLE UNITS • Commissary ○ Pontifical – Sisters of the Holy Sacrament, Lafayette, LA (2015) ○ Diocesan - The Servants of Jesus, Detroit, MI (2018) ○ Monastic – OSB Queen of Angels, Mount Angel, OR (2018/2020) ○ Contemplative – ▪ O. Carm St. Louis, MO (2016) ▪ OSC Rochester, MN (2021)	TRANS-CHARISIM COLLABORATIVES • PJP (ecclesial public juridic person) ○ Canadian Religious Stewardship (2008/2010) ○ Institute of the Austrian Order (2016) • Collaborative shared services (civil) ○ Carmelite Communities Associated (1970/2019) ○ Wisconsin Religious Collaborative (2018) ○ St. Louis Collaborative Governance (2019); Chair may be appointed Commissary ○ Catholic Religious Australia (2020)
INTER-COMMUNITY COVENANTS ○ Visitation Sisters with 4 apostolic institutes, Dubuque, IA (1998) ○ OSF St. Paul, MN (Waldreitbach, Germany) and CSJ St. Paul, MN (2011) ○ Sisters of St. Casimir, Chicago, IL and Sisters of the Immaculate Heart of Mary, Scranton, PA (2009, 2016)	MULTI-STRUCTURED UNITS • International ○ House superiors appointed by General Superior when structure changes from province to house - Sisters of the Holy Cross, Merrill, WI (2021) ○ Merging of provinces (Sisters of Mercy, U.S. Provinces) • Federations: The federation appoints a commissary to a monastery requesting it.¹⁷ ○ OSB Federation of St. Gertrude

Here are some specific examples already in practice in each category.

Commissary: Commissary is the term used by The Congregation for Institutes of Consecrated Life and Societies of Apostolic Life (CICLSAL), for the appointed superior of a religious institute in which regular or ordinary governance has been suspended. After an institute has officially decided to suspend its governance structures, it recommends to the competent

¹⁶ While most of the commissaries for religious institutes now involve one person, another possibility would be for two or more communities in a geographical area to request one common commissary so that various areas of collaboration can be maximized.

¹⁷ See Appendix B: description for Pastoral Administrator developed by the Federation of St. Gertrude.

authority someone to serve in the capacity of a commissary. Depending on the type of the institute and/or its language preferences, the commissary is sometimes known as the canonical steward or administrator, or the Superior Administrator. In the context of a given monastic setting, the terms *pastoral administrator*, *administrator* or *major superior* are also being used.

Ecclesial communion requires a relational approach between the various structures of the church. The competent authority to appoint commissaries is the diocesan bishop for diocesan institutes and the Holy See for pontifical institutes. In the case of monastic congregations where all the monasteries collectively constitute a congregation, the Federation has the authority to appoint a commissary for a monastery.

While commissaries must be a member of a religious institute, they often are not members of the charism family receiving this canonical oversight during the last years of its existence.¹⁸ Most of the examples on the above graphic do not have commissaries from the same charism family.

The expected and defined role of the commissary can be understood by reviewing the decrees and letters of appointment from the competent authorities. Decrees for these appointments used these phrases: The commissary . . .

- *will exercise all of the responsibilities of a major superior of a congregation of diocesan right;*
- *All the rights and obligations of the universal law of the Church and the proper law of the institute attributed to the Supreme Moderator and her Council are to be assumed by the pontifical Commissary. . . [for] any matter that goes beyond the scope of the internal authority established by the Constitutions, [the commissary] must seek the advice of this dicastery and follow the instructions given; . . . [and] is to maintain constant and open dialogue with the sisters . . .;*
- *has the right to be assisted by a competent person or persons of her choice; for the daily regular life, following appropriate consultation, you may appoint as your delegate the current Supreme Moderator, or any other Sister.*
- *is responsible to take any initiative deemed beneficial for the [members] . . . shall also address all other matters which, according to proper law, lie within the jurisdiction of the Abbess of the Monastery. . . the rights and obligations of all members are to be equally respected and taken into consideration.*

The articulation of the authority in these decrees pertaining to the Commissary implies that election of Councilors is not required. Consultation with the members of the community is essential and delegation is acceptable.

¹⁸ See Federation of St. Gertrude, *Guidelines for the Modification and Suspension of Regular Governance in Autonomous Monasteries* (1005 W 8th St., Yankton, SD 57078), 2019.

Trans-Charism Collaboratives

The trans-charism collaboratives are so called because institutes of differing foundations and charisms may become a part of these structures. A PJP, for example, is an aggregate of persons or things which are directed to a purpose befitting the church's mission, which transcend the purpose of the individuals, are constituted juridical persons either by a provision of the law itself or by a special concession given in the form of a decree by the competent authority (Canons 114-115). The assets of a PJP are church property governed by canon law and subject to oversight by Church authority. Ecclesial public juridic structures (PJPs) provide for the protection of ecclesial temporal goods if/when an institute desires to turn over the management of its ministries and properties to another entity.

Currently, two ecclesial PJPs have received approval by the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life (CICLSAL) – The Canadian Religious Stewardship (CRS) and the Institute of the Austrian Order.¹⁹ Both also have civil juridic status.

The CRS was established by Religious Institutes from across Canada to assist one another in fully living their new realities, now numbering 240 institutes, and 11,686 religious men and women.²⁰ Emphasis is on the uniqueness of each Institute while striving to collaborate to develop tailor-made and practical solutions as an institute moves to fulfillment. At this time, CRS, as a canonical PJP, does not act as a commissary for any religious institute, although there may come a time to serve in this capacity. At present CRS supports institutes to fulfill their civil/administrative and canonical responsibilities regarding assets, care of the members, human resources, and legal advice, etc. CRS would have only the power transferred to it by the individual religious institute based on its agreement with CRS.

The Institute of the Austrian Order (IAO), founded by the men's and women's conferences of Austria, serves the purpose of taking over and preserving assets of Austrian Orders so that they can continue to serve the mission of the Orders in the long term. Among other things, it serves to ensure the continuation of the apostolic works previously led by the male and female orders, especially in the field of Catholic education and Catholic social institutions. While the assets remain the assets of the Orders, the IAO juridic person manages and develops those assets through foundations.

Other Collaboratives

The organizations listed under "Collaboratives: Shared Services" all have civil status, but not ecclesial status as a PJP. They focus on sharing a variety of management services. Their purposes are stated in similar terms:

¹⁹ Each of the ecclesial PJPs has a website where detailed information may be accessed, as follows: <https://www.crs-src.org/home/> and <https://www.ordensgemeinschaften.at/artikel/2706-institut-der-orden>

²⁰ Data derived from <https://www.crs-src.org/canadian-religious-conference-statistics/>

Carmelite Communities Associated: On February 2, 1970 an Association of Carmelite Nuns was formed in the United States. Now called Carmelite Communities Associated, CCA, this association grew out of a desire to respond to the Holy See's repeated directions regarding federation of contemplative communities; more immediately it has grown out of its increasing desire for greater unity and collaboration.²¹ In 2019 the CCA developed a preliminary plan called the "Shared Services Collaborative" which outlines administrative opportunities for twelve participating members. Outsourcing and sharing costs for all the communities will ensure that the individual communities can focus on spiritual care and care of one another.

Wisconsin Religious Collaborative: The Wisconsin Religious Collaborative exists to provide a sustainable membership organization that promotes good stewardship by sharing resources and professional expertise in finance, management, pastoral care, governance, and other areas in order to sustain mission and meet the needs of individual religious institutes and their members.²² Currently, nine institutes comprise the membership of WRC which is listed in the Official Catholic Directory.

Collaborative Governance: Franciscan Sisters of Mary and Sisters of the Most Precious Blood (St. Louis, MO): In this model, the institutes retain their own identity and charism as well as their own assets. A new civil corporation was created in which both institutes name representatives for their interests in decision making for shared collaborative services.²³ Quoting Sister Kelly Connors, pm, who helped design this model, "In the future, when no one from the community is able to serve on the collaborative corporation's board, they can appoint a vowed religious from outside the community as their representative. And when there is no one to be the spiritual leader, Connors said, Rome can appoint a pontifical commissary as the leader, which could be the congregation's representative to the board or, more likely, the board chair. That would continue the structure of a superior with a leadership council, with the council in this case being the board members . . ."²⁴

²¹ <https://ccacarmels.org/>

²² <https://www.wrcollaborative.org/>

²³ Jennifer Brinker. "Collaborative governance model provides a solution for religious communities' future management needs: Franciscan Sisters of Mary and Sisters of the Most Precious Blood collaborate on new model", in *St. Louis Review* (June 21, 2019) <https://www.archstl.org/collaborative-governance-model-provides-a-solution-for-religious-communities-future-management-needs-4133>

²⁴ Dan Stockman. "Collaborative governance model helps congregations carry on with limited resources", in *Global Sisters Report* (Feb 12, 2018). <https://www.globalsistersreport.org/news/trends/collaborative-governance-model-helps-congregations-carry-limited-resources-51886>

Catholic Religious Australia Governance Collaborative (CRAGC): The Conference of Australian Religious established the CRAGC out of a desire to act on behalf of the CRA Conference Council as a Religious Institute Commissary, and to provide ‘shared services’, to support and serve Religious Institutes in transition. CICLSAL did not approve CRAGC as a PJP because it was considered to be outside the purposes of a conference of religious to be involved in the governance of religious institutes.

Canonically, each institute is already a PJP. As long as there is clarity about availability of religious to be involved, CICLSAL might be encouraged to consider the approval of another PJP to act as Commissary for a regional or national group of institutes. So far that is not the case.

Inter-Community Covenants

The Covenant relationship is outlined in “Fidelity to the Journey: New Paths of Hope”²⁵ recently published by RCRI. These relationships might exist within charism groups or across charisms or unique types of consecrated life. For example,

The covenant of the **Dubuque, Iowa Sisters of the Visitation** is an example between their contemplative community and five other communities in a contiguous geographic area. Subject to the archbishop as the hierarchical superior of the Visitation congregation, the covenant specifies a “Plan” that pertains to the care of the members, the management of the corporation’s assets upon incapacitation of all the members, and the disposition of assets upon the death of the last member.

A covenant between a province in St. Paul, MN of the **Sisters of St. Francis of the Blessed Virgin Mary of the Angels** of Walldreitbach, Germany was established in 2011 with the Congregation of St. Joseph. Financial, management and legal matters are enumerated in a Memorandum of Understanding between the two institutes. The Major Superiors from Germany maintain a close relationship with their members through a personal visit once a year while the CSJ and laity are appointed to carry out the details laid out in the civil corporation documents. Board Members of the civil corporation are approved by the generalate in Germany.

The covenant called a “Legacy of Communion and Commitment” between the **Sisters of St. Casimir (Chicago)** and the **Sisters of the Immaculate Heart of Mary (IHM Scranton)** is inspired by a historical relationship

²⁵ Resource Center for Religious Institutes. “Planning for the Future: The Covenant Relationship”. *Fidelity to the Journey: New Paths of Hope* (Silver Spring, MD: 2021), 22-25.

begun very early in the 20th century wherein the IHMs, at the request of the local bishop, provided formation for three women from Lithuania who eventually would be the founding members of a congregation destined to serve the Lithuanian immigrants in America. Over a century the two institutes continued to intensify their relationship, sharing activities and resources in a multitude of ways. This eventually led to a formal invitation by the Sisters of St. Casimir to formalize a covenant relationship with the IHMs in 2009 and to further define it in 2016. The two communities describe this covenant as one that is “perpetual, not limited to foreseen duties, based on trust and reciprocal love, sacred and morally binding” (Jointly signed letter by the leadership of both communities in the Fall of 2009).

Multi-Structured Units

This term, “multi-structured units”, is being used primarily in reference to international institutes that are comprised of various units such as a generalate, provinces, regions, vicariates, and houses. The more familiar type of structure changes have happened when simplification of government is needed because provinces have grown too small for effective governance as an independent unit. An obvious example of this has been the merging of provinces in the U.S. of the Sisters of Mercy of the Americas. Likewise, when a unit becomes unable to govern itself due to lack of vocations, and the incapacities resulting from illness and age, the unit can be suppressed or changed to another status such as a region, a house, or filial community wherein the General Superior appoints a house superior and/or coordinator. Such has been the case with the U.S. Province of the Sisters of Mercy of the Holy Cross whose status recently has been changed from province to a canonical house.

Likewise, monastic institutes that include a number of monasteries are called “the congregation”. The monasteries form a federation that has the authority approved in its federation statutes to appoint a commissary to a monastery requesting it.²⁶ Such international or monastic configurations share a common charism. Very often, the Constitutions and Statutes of these institutes and federations provide direction for these changes.²⁷

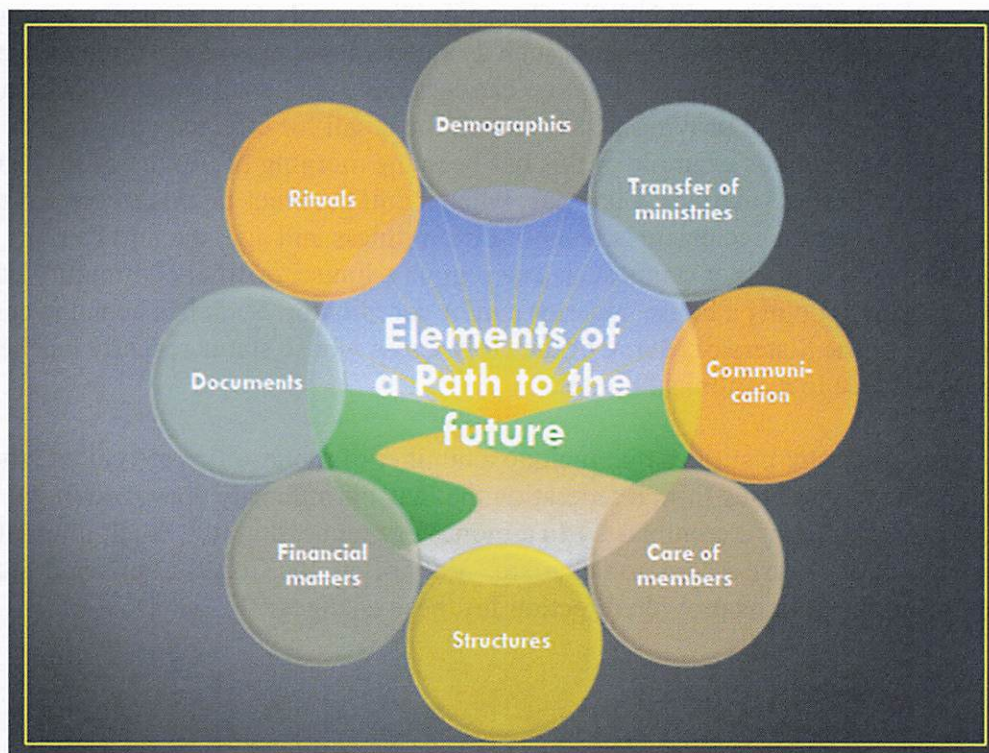
²⁶ Federation of St. Gertrude. *Guidelines for the Modification and Suspension of Regular Governance in Autonomous Monasteries*. (Yankton, SD: 2019), 9.

“The Congregation for Institutes of Consecrated Life and Societies of Apostolic Life holds that a monastic congregation (a federation is a monastic congregation) is responsible for the care of the members of a member monastery if the monastery can no longer do so. The basis for this determination is that the monastic congregation is the religious institute, not each of the monasteries. Within the monastic congregation, the monasteries may be “autonomous” but autonomy is not absolute and is determined and limited by canon law and the proper law of the monastic congregation.”

²⁷ Federation of St. Gertrude. *Guidelines for the Modification and Suspension of Regular Governance in Autonomous Monasteries*. (Yankton, SD: 2019), 13. “After identifying a candidate [commissary], the federation president, with the federation council’s approval, makes the appointment.”

To reiterate and emphasize, the necessary element in all of these possibilities is the communion with the ecclesial hierarchy. Vatican Council II left us with a global ecclesial consciousness, a sense of belonging to a world church . . . and that we are both invisibly (spiritually) and visibly (socially and juridically) related to all our brothers and sisters in Christ around the world. In a theology of ecclesial communion, no baptized person, no ecclesiastical institution, is completely autonomous, and no one is Catholic simply on his or her own terms: not the pope, who exercises his ministry from within an episcopal college and in relation to the universal church, not lay women and men, not pastors, not professors, not women or men religious.

TO REITERATE AND EMPHASIZE, THE NECESSARY ELEMENT IN ALL OF THESE POSSIBILITIES IS THE COMMUNION WITH THE ECCLESIAL HIERARCHY.



III. ELEMENTS FOR A PATH TO THE FUTURE²⁸

As the religious institute continues its journey into fulfillment, there are some essential categories for discernment necessary for critical decisions for the future. These activities and

²⁸ Much of this information is gleaned from institutes that have already taken unique and specific steps in changing their governance structures. The 2021 RCRI publication *Fidelity to the Journey: New Paths of Hope* provides insights and learnings from seven presenters in the 2020 session entitled “Canonical Governance: Options and Possibilities for Collaboration” (Section 8), pp. 35-57.

processes are by no means linear and usually do not follow any order of precedence. More likely, there will be several areas for implementation happening simultaneously. Among them are:

A. Attention to changing demographics and to declining capacity for governance as it pertains to . . .

1. Local leadership (house/regional)
2. General, Provincial or Regional Chapters
3. Sponsored ministries

B. Communication (with periodic updates) has both internal and external aspects.

1. Internally

- a. Acceptance requires time. People need time to mull over things they have never imagined or thought about before.
- b. Members want to know what is going to happen to their lives, the public perception of the institute, and how the mission of their ministries will continue to be fulfilled through successor organizations or legacies.
- c. Education about congregational data and options is crucial. Some of the education will be technical, but nonetheless important for all members to be aware of, even if every person will not be able to comprehend the details. Levels of comprehension may not be what is anticipated by the leaders.

2. Externally: The key here is “no surprises”.

- a. The Local bishop will benefit by knowing that the institute is planning for changes, even before the final decisions are made. While not needing to ask the bishop what to do, transparency and trustful conversations can elicit the support that is needed from church leaders. They will want to know what the changes might mean to the local church, their oversight for the apostolate, and the impacts for the Gospel mission in the diocese. The local church needs its own time of grieving as well.
- b. Partners in mission (associates, Boards, CEOs, employees) need to be apprised of changes that may impact their status in governance or as employees of the institute. This must happen in a confidential manner at clearly determined and appropriate times.
- c. Local media is most often informed when decisions have been finalized and ready for public information. “At the appropriate time” cannot be overemphasized when it concerns the media.

C. Care of members is primary throughout times of major changes. While “letting go” of ministries is a poignant experience for many members, the emphasis of living into fulfillment must be on . . .

1. Living fully the vocation of consecrated life: Pope Francis states that *fraternal life in community is . . . the primary form of evangelization. . . The fruitfulness of fraternal life in community is also rooted in this effort to reconcile the remembrance of the past with the promise of the future.*
(Apostolic Constitution “Vultum dei quaerere” June 29, 2016)
2. A dignified and respectful public witness of the institute’s way of life is the primary mission at every stage of consecrated life, and especially as people experience the struggles and frustrations of aging.
3. Spiritual and sacramental needs and the canonical implications of living the vows must be ensured.
4. Processing the sorrow associated with the realities of change can never be minimized. Everyone grieves in different ways and at different times.
5. Tending to the health care and final disposition of personal effects are an ongoing function of the care of members.

D. Structures

1. Transfer of ministries (temporal goods): The first question to be asked is: Does the religious institute desire to have its sponsored works (education, health care, etc.) remain connected to the universal teaching, healing and prophetic mission of the Catholic Church? Once this is decided, then a canonist can assist in determining the type of ministerial ecclesial structure (public or private), whether pontifical or diocesan, or one that is not connected to the Church. A big part of the process will most likely involve the alienation of properties which must be submitted either to the local bishop or the Holy See.
 - a. Determination of type of structure, if desired (e.g., PJP, merger, sale)
 - i. Pontifical Ministerial Public Juridic Person (requires three entities, is approved by the Vatican and acts in the name of the Church)
 - ii. Diocesan Ministerial PJP (one entity approved by the diocesan bishop and acting in the name of the Church)
 - iii. Diocesan Ministerial Private Juridic Person (one entity recognized by diocesan bishop, but does not act in the name of the Church)
 - iv. Private Not for profit civil corporation (not connected to the Church)
 - b. Alienation of properties; petition to local bishop or the Holy See
2. Execution of canonical and civil documents will entail the drafting of statutes. As part of this process, the selection of Members for new entities and the development of a Formation Program for the Members will be required.

3. The adjustment or revision of canonical structures for the future life of the institute once the desired types of relationships are decided upon is discerned at the same time. A Chapter resolution to suspend regular or ordinary governance will be required when it is no longer possible to hold Chapters or to elect the Major Superior and Council.

E. Financial matters will involve . . .

1. Patrimony, including historical and artistic legacies (archives, cemetery, chapels); and
2. Upon fulfillment of mission, the disposition of other surplus temporary assets might be articulated in trusts or foundations .

F. Rituals of change and/or transfer: e.g., rituals for “letting go”, installation of new Members of PJPs, and blessing the passing on of legacies will complete the major tasks. As St. Hildegard of Bingen said, “The path is not long, but the way is deep”.

IV. EMERGING PRINCIPLES

Because of the integral functions of examining the data, reviewing the canonical options, and enumerating tasks that take place on this journey to fulfillment, we find some principles that characterize the entire process of an unfolding future.

1. Because size of the institute, cultures and charisms are so diverse among religious institutes, unique solutions are necessary for each institute. This quick look at various possibilities for new ways of governing gives ample evidence of the basic principle that unique solutions are necessary for each institute. One size does not fit all! Each institute must do the hard work of finding its path of hope and fulfillment into the future. Most importantly, a pastoral presence on the part of leaders, consultants and facilitators will help discover unique solutions that respect unique cultures and diversity. Why is this so important? I was told by one of my contacts: “because in some institutes, life floats along. The members love their life and are not willing to change. A couple of sisters want to take care of everything.”



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2. Remember our identity and purpose; follow our deepest longings for transformation and transfiguration. Sandra Schneiders emphasizes the essence of the vocation to which we give witness:

The vocation to the single-hearted, lifelong, exclusive-of-all-alternatives quest for God . . . will continue to arise and to reverberate in some hearts. And that ‘some’ will be enough — not, perhaps, to run a countrywide school system or even a diocese or to socially transform the world or society, much less the church — but to witness in this world to the absolute intimate transcendence of a God who delights to be among humans and needs humans whose incandescent love of that God will manifest God in the world.²⁹

3. Lament: Even the transfiguration of a life form is a type of loss and cause for grief. The journey always involves risk, but at the same time connects us in ever deepening solidarity with the consciousness of evolutionary life. Continuing with the thoughts of Barbara Holmes . . .

Lament allows the pain to escape and stitches us to our neighbors. We are called to weep with those who weep and mourn with those who mourn. Our tears are our prayers when we can’t speak, a baptism of sorts, a salty healing, a sign of our vulnerability, and a liturgical [response]. . . of the Spirit helping us in our weakness. . . We don’t know what will emerge from this time of tarrying, but we do know that something is being born. Like a woman in labor, there is expectation in the darkness, anticipation amid the suffering, and hope permeating the pain. Something new is being born and something old is being transformed.³⁰

4. Creativity: *Ad experimentum* (some possibilities)

- Conferences of religious in Australia (CRA), Canada (CRS), Ireland (CORI) and the U.S. (LCWR) have been in conversation about ways in which governance of institutes in fulfilment can be governed within the reality of their countries and the condition of religious life. The collective conversation will be valuable, but because histories and composition of the conferences are unique, it is not foreseen at this time that any one model or structure will be recommended.
- Already mentioned is the possibility of a joint request for a canonical Superior (commissary) for one or more institutes in a geographical area. Individual house

²⁹ Women Erased: Women Religious With Sandra Schneiders, IHM. April 21, 2021 More House Lecture sponsored by Future Church <https://www.youtube.com/watch?v=b0CCjf8v9-s>

³⁰ Barbara A. Holmes, *Crisis Contemplation: Healing the Global Village* (CAC Publishing: 2021), 96. The reader is also directed to Explorations on the “Completion” of Religious Institutes by Cees van Dam csa, Theo Sponselee csa, and Ad Leys, in RCRI Bulletin 8 (Fall 2012), pages 9-13 where the authors give a highly valuable review of the work of Johann Baptist Metz in *Zeit der Orden* (1977) on the subject of ASPECTS OF THE ARS MORIENDI IN INSTITUTES OF CONSECRATED LIFE.

communities might be served with a pastoral administrator and/or house coordinator.

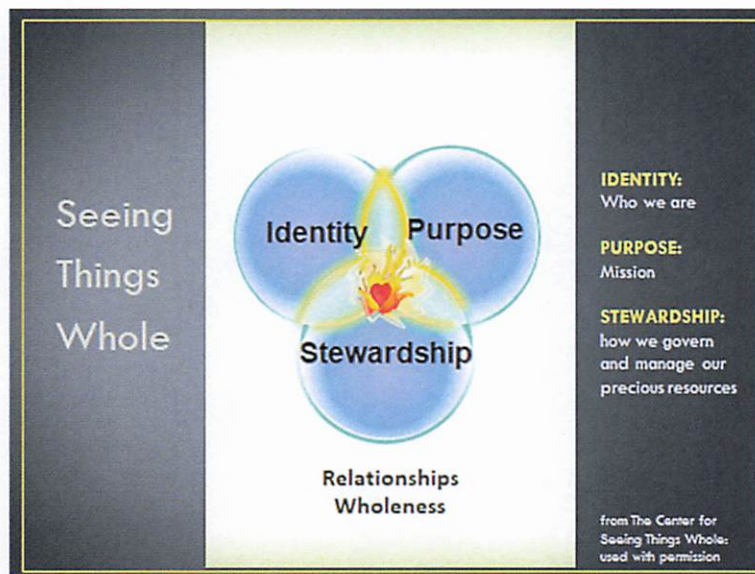
- Members of a non-canonical collaborative could explore the possibility of adopting one or other community with one of the general superiors appointed as the canonical Superior or commissary. This is similar to a covenant relationship.

5. Alignment of the institute with its consultants, auditors, civil and canon lawyers is essential with as little bureaucracy and as much flexibility as possible. This will assist in experiencing a sense of communal mission and relieve operational and administrative burdens.

6. Ecclesial communion requires close communication with the Holy See and the local bishop. The expression of this is found currently in the appointment of a person with personal authority assisted by council in various models of governance. The bond of communion among all the Faithful is our call and our inheritance. All are called into a living relationship within this unity of Gospel love.

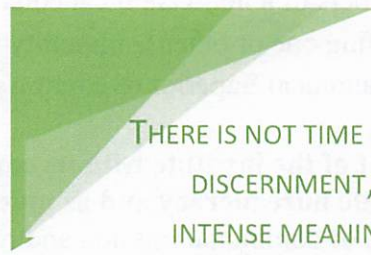
CLOSING

Conversations with the institute's members about Seeing Things Whole³¹ will serve well in moving forward, particularly as this pertains to the essence of *a life consecrated through profession of the evangelical counsels [as] a stable form of living in which the faithful follow Christ more closely under the action of the Holy Spirit, and are totally dedicated to God* (Canon 573).



³¹ Seeing Things Whole comes from author E.B. White. These three words evoke core values to: 1) see better what is with the eye and what could be with the mind's eye, 2) to see from the ground up the practical things that organizations face, and 3) see things in the context of a larger whole, a larger possible context of meaning of which organizations are a part.

The fire of the Holy Spirit is the binding element and at the heart of understanding our identity, our mission, and stewardship of all that we are and own. At this moment in history, we are all seeking for the right way to move forward. We do what we are learning to do now. Given the latest research . . . now is the time to do this work, not later. There is not time for prolonged discernment, but a time for intense meaning making that will support a quality witness of consecrated life as it is transfigured through the Paschal Mystery. We cannot wait for the benefits of future generational thinking which may find other solutions for its time. Those conversations too will be deeply embedded in the heart of the Spirit.



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APPENDIX A

Models and examples of Transitioning Structures Toward Fulfillment of Mission

ACCOMPANIMENT

1) Commissary (apostolic institutes, monastic institutes)

- a. Sr. Paula Cooney, IHM, Commissary for Servants of Jesus (SJ) – Diocesan
pcooney@ihmsisters.org
- b. Sr. Ann Lacour, MSC, Commissary for Sisters of the Holy Sacrament (MHS) – Pontifical (2014) lacour.ann@gmail.com

MONASTIC

- c. Sr. Jane Hibbard, SNJM, Commissary for Queen of Angels Monastery (OSB Federation) (2018/2020) jane26.hibbard@gmail.com

CONTEMPLATIVE

- d. Sr. Ramona Miller, Commissary for Poor Clare Sisters of Rochester, MN (2021)
ramona.miller@rochesterfranciscan.org
- e.. Sr. Nancy Reynolds, SP: Commissary for Louisville Carmelites (2016)
nreynolds@spsmw.org

TRANS-CHARISMATIC

2) Public Juridic Person (canonical and civil)

- a. Canadian Religious Stewardship (2008/2010): Joanne Yelle Weatherall
jyelle60@gmail.com
- b. Institute of the Austrian Order (2016) Institut@ordengemeinschaften.at
- c. Ursulines in Germany erected within a church state concordat and thus under the vigilance of the bishop. (Myriam Wijlens) (2012?)
wijlens@yahoo.de (more info needed)

3) Collaborative: Shared Services (civil corporation with commissary as bridge to the institute)

- a. Carmelite Communities Associated (CCA), (1970; 2019 Collaborative Plan) Kate Asselin (see <https://ccacarmels.org/>)
- b. Wisconsin Religious Collaborative: (2018) ExecutiveDirector@wrcollaborative.org
- c. St. Louis: Franciscan Sisters of Mary & Sisters of the Most Precious Blood: Allison Hewitt ahewitt@fsmonline.org, kconnorspm@yahoo.com (2019)
- d. Catholic Religious Australia Governance Collaborative:(2020)
Judy Lawson judith.lawson@cragc.org.au or
Sharon Price on sharon.price@cragc.org.au

COVENANTS

4) Intercommunity Covenants

- a. Sisters of the Visitation with 4 apostolic institutes in Dubuque, IA (1998)
TheSisters@sistersofthevisitationdbq.org
- b. Sisters of St. Casimir (Chicago) and Sisters of the Immaculate Heart of Mary (Scranton, PA) (2009, 2016) Regina Dubickas reginad@ssc2601.com and
Sr. Ellen Maroney maroneye@sistersofihm.org

c. OSF St. Paul and CSJ St. Paul, MN (2011)
Catherine Mary Rosengren, CSJ cmrosengren@csjstpaul.org

MULTI-STRUCTURED UNITS

5) International Communities

- a. Sisters of Mercy of the Americas (merging of units; 1991, 2005-2008, 2014, 2017-2023) Pat McDermott, RSM pat@sistersofmercy.org
- b. Sisters of Mercy of the Holy Cross, Merrill (Province status to House 2021) House Superior appointed by General Superior - Pat Cormack SCSC
pcormack@holycrosssisters.org

6) Federations: Federation appoints the pastoral administrator.

- a. OSB Federation of St. Gertrude: Jeanne Weber OSB jweber@yanktonbenedictines.org

APPENDIX B

Definitions

Religious Institute: A religious institute is a type of institute of consecrated life in the Catholic Church where its members take religious vows and lead a life in community with fellow members.³² Institutes of consecrated life also include secular institutes, where its members are “living in the world” and Societies of Apostolic Life. (Canons 573-746)

Governance: Governance is the way rules, norms and actions are structured, sustained, regulated and held accountable. The degree of formality depends on the internal rules of a given organization and, externally, with its business partners. Some examples of governance in a religious institute are:

- the General Chapter as ultimate authority which sets direction for the institute,
- elected leaders (major superiors and councilors) who are accountable for implementing the direction(s) set by the General Chapter
- decisions requiring canonical approval, such as:
 - accepting new members
 - appointing canonical positions, such as local superiors, general treasurer
 - decree establishing a house of the novitiate
 - accepting the vows of newly professed
 - dismissal of members
 - dispensations
 - disposition of temporal goods and ministries

Suspension of governance: pertains to the discontinuance of unit Chapters and the election of Superiors as articulated in an institute’s Constitutions. Suspension of governance does not

³² Religious institutes vary in character are designated uniquely as being apostolic, monastic, contemplative, or evangelical.

eliminate these governance functions in the Constitutions. When governance is suspended, there are few canonical decisions to be made.

Public juridic person (PJP): Public juridic persons are aggregates of persons or of things which are constituted either by provisions of the law or by competent ecclesiastical authority so that, within the purposes set out for them, they fulfill in the name of the Church, according to the norm of the prescripts of the law, the proper function entrusted to them in view of the public good. (Canon 116)

Commissary:³³ A Commissary is a person appointed to act as the canonical superior of another institute. That person is an ecclesiastical official who exercises in special circumstances the jurisdiction of a competent authority. The role of the commissary is general oversight of the community in order to assure the daily care of the members so that they can continue to live consecrated life together in the fullest way possible.³⁴ Many of their administrative tasks can be delegated to professionals in their fields of concern.

Temporal Goods:³⁵ Ecclesiastical goods (sometimes referred to as ecclesiastical property) are the temporal goods (assets) belonging to a public juridic person such as a diocese, parish, religious institute, or a ministerial public juridic person that are acquired to carry out a specific mission. Temporal goods include financial means (including immovable property), art treasures and historical objects, liturgical objects and clothing, the institute's own cemetery or the part it occupies in a larger cemetery.

Temporary Goods: capital funds used for the living costs of the members, the apostolate, or for charity.

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https://www.trcri.org/global_engine/download.aspx?fileid=D24D8A08-5C37-4609-9AB8-5A76B2205F82

³³ See Sharon Euart. "25 Q & A Commissary for Religious Institutes". Resource Center for Religious Institutes, September 2019.
https://cdn.ymaws.com/www.trcri.org/resource/resmgr/2019_updates/commissary_q_and_a_2019_upda.pdf

³⁴ The commissary does not need to live at the monastery. The commissary can appoint someone else to take care of the daily needs of the community. This person could be a member of the monastery or another religious institute or perhaps an employee such as the business manager.

³⁵ See Sharon Euart. "25 Q & A on Temporal Goods of Religious Institutes and Societies of Apostolic Life". Resource Center for Religious Institutes. December 2017.
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