**FIVE FRANCISCAN MARTYRS REGIONAL FRATERNITY**

**secular franciscan order – usa**

**ORDO FRANCISCANUS SAECULARIS**

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**REGIONAL FRATERNITY GUIDELINES**

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Five Franciscan Martyrs Regional Fraternity of the Secular Franciscan Order – USA follows the Rule of St. Francis of Assisi as approved by the Roman Catholic Church, the General Constitutions, the International Statutes (henceforth called “OFS governing documents”), the Ritual and the Code of Canon Law. We are brothers and sisters of penance, working as a force for the good of the Church and the human community.

These Regional Fraternity Guidelines, which may be amended from time to time by a simple majority vote of all the members of the Regional Fraternity Council, function in conformity with the OFS governing documents and apply to the Local Fraternities as well as the Regional Fraternity unless otherwise stated. These Guidelines are subordinate to the OFS governing documents.

CHAPTER ONE

**The Regional Fraternity**

1. The Five Franciscan Martyrs Regional Fraternity (henceforth called “the Regional Fraternity”), was established by the National Fraternity of the OFS on October 23, 1992, is the representative organ of all the Secular Franciscan Fraternities existing within Florida, lower Georgia, and lower Alabama. These fraternities are represented most fully by the Regional Fraternity Council; that is, the Ministers of the Local Fraternities within the Region.
2. The Regional Fraternity is divided into Families.
3. Each Family is represented by a professed Secular Franciscan elected by the Regional Fraternity Council from a fraternity, preferably within the Family. It is the responsibility of each Family Councilor to:
	1. Act as the liaison/contact person between the Regional Executive Council and the fraternities within his/her Family;
	2. Coordinate Family Gatherings or other regionally sponsored events within his/her Family in collaboration with the Regional Executive Council;
	3. Preside at Local Fraternity elections and/or visitations, if so delegated; and
	4. Perform other tasks as requested by the Regional Minister or Executive Council.

CHAPTER TWO

**The Regional Fraternity Council**

1. The Regional Fraternity Council includes the Ministers of the Canonically Established Local Fraternities of the Region, the Regional Executive Council, and the Regional Spiritual Assistant/s.
2. The Regional Fraternity Council represents each Local Fraternity within the Region and has the responsibility of:
	1. Gathering annually to promote the life of the Regional and Local Fraternities;
	2. Suggesting and approving policies to be implemented by the Regional Executive Council;
	3. Approving the budget and the Fair Share or the annual contribution to be made to the Common Fund of the Regional Fraternity from the Common Fund of each Local Fraternity for each of its active and excused professed members and candidates; and
	4. Voting on matters important to the life of the Regional and Local Fraternities.

CHAPTER THREE

**The Regional Executive Council**

1. The Regional Executive Council (REC) is composed of a duly elected Minister, Vice-Minister, Secretary, Treasurer, Formation Director, at least one Family Councilor, and a Regional Spiritual Assistant/s.
2. Among the responsibilities of the REC are the following:
	1. Animating, guiding and forming the Regional Fraternity
	2. Promoting knowledge of the Franciscan way of life and commitment to it;
	3. Fostering cooperation and communion among the Local Fraternities and with other branches of the Franciscan family within the Region;
	4. Convening regular meetings of the REC to discuss matters of importance to the Region and Local Fraternities;
	5. Approving the formation program for the instruction of those in initial formation in the Local Fraternities;
	6. Providing practical and pastoral interpretations and clarifying specific points in OFS governing documents, when necessary;
	7. Assisting in the resolution of difficulties within the Local Fraternities in a spirit of reconciliation, when requested to do so or when it becomes clear that intervention is necessary;
	8. Establishing and directing commissions and committees deemed necessary to achieve goals and objectives determined by the Regional Fraternity Council;
	9. Convening an Annual Meeting;
	10. Seeing that the decisions of the Regional Fraternity Council are carried out;
	11. Administering the financial affairs of the Region;
	12. Preparation of an annual budget for presentation to the Regional Fraternity Council at the Annual Meeting;
	13. Conducting Chapters of Election for Local Fraternities;
	14. Scheduling Fraternal/Pastoral Visitations of Local Fraternities as prescribed by OFS governing documents; and
	15. Scheduling an audit of the Regional Fraternity’s financial status to be conducted by a professed member, selected by the REC, who is not currently on the REC, prior to the expiration of the RECs term of office.
3. The REC meets at least twice a year, at a time and place determined by the Regional Minister, in consultation with other members of the REC. When not in session, the REC may conduct business electronically provided that any decisions and/or determinations made in this way are reviewed and ratified at the next regular meeting of the REC. Special meetings of the REC may be called at the request of the Regional Minister or at the written request of two or more members of the REC.

CHAPTER FOUR

**Voting and Conduct of Regional Business**

1. The Regional Fraternity Council shall meet at least once a year at a time and place determined by the REC to promote the life of the Regional and Local Fraternities. In preparation for the Annual Meeting:
	1. The Regional Minister should provide written notice of the meeting with an agenda; and
	2. The Regional Treasurer shall prepare a proposed budget and present it to the REC who, after discussion, will approve it. When approved, the proposed budget will be submitted to the Regional Fraternity Council with the Notice and Agenda for the Annual Meeting. The proposed budget shall be discussed at the Annual Meeting and then voted on for final ratification.
2. All elected members of the Regional Fraternity Council may vote. No Spiritual Assistant may vote on any question involving financial matters or in the Regional Chapter of Elections.
3. The Minister of each Local Fraternity has the primary responsibility for casting the vote of the Local Fraternity in all elections and on all business which may come before the Regional Fraternity Council.
4. The Local Fraternity Minister is required to attend the Annual Meeting and is expected to attend any other gathering scheduled by the REC unless a serious matter prevents him/her from doing so.
5. It is the responsibility of the Local Fraternity Minister to advise the Regional Minister in writing of his/her inability to attend an Annual Meeting and to provide the name of the delegate authorized to act in his/her stead. The Local Fraternity Minister should also provide his/her delegate with the documents attendant to the gathering and his/her comments regarding proposed agenda items.
6. The delegate of the Local Fraternity shall be the Vice-Minister. If both the local Minister and local Vice-Minister are unable to be present, then a member of the Local Fraternity Council, selected by that body, shall attend and exercise all of the powers of a delegate for the Local Fraternity.
7. No official business may be transacted at the Annual Meeting unless a quorum is present. A quorum is defined as the presence of more than half of the number of those having the right to vote.

CHAPTER FIVE

**Regional Chapter of Elections**

1. The Regional Fraternity Council meets for the purpose of electing its REC once every three (3) years. The Chapter will follow the norms presented in the OFS governing documents.
2. At least **six months** prior to the Chapter of Elections, the Regional Minister shall advise the National Minister and the Secretary of the Conference of National Spiritual Assistants of the date of the proposed Chapter and request that a Presider and an Ecclesial Witness be provided.
3. At least **six months** prior to the Chapter, the REC shall appoint a Chair for a Nominating Committee, whose task it will be to call for nominations from the professed members of the Local Fraternities. Once the nominations are received, the Nominating Committee will confirm that the nominees meet the requirements for the office for which they have been nominated, as outlined in Articles 19 and 20.

The prospective nominee will then be notified and requested to advise the Nominating Committee whether he/she will accept the nomination. Once the slate of nominees is confirmed, the Nominating Committee will provide it to the Regional Fraternity Council one month prior to the date of the Chapter.

1. Nominees for Regional Minister and Regional Vice-Minister must be permanently professed for at least five (5) years, attended Local Fraternity events regularly, and will have completed these experience requirements:

Regional Minister: completed at least one term as a

member of a Local Fraternity Council.

 Regional Vice-Minister: completed at least one term as a

member of a Local Fraternity Council.

1. Nominees for the positions of Regional Secretary, Regional Treasurer, Regional Formation Director and Regional Family Councilors must be permanently professed for at least three (3) years, attended Local Fraternity events regularly and have served, at least one term, on a fraternity council.
2. It is the responsibility of the Nominating Committee and, in local elections, the Presider of the Chapter of Elections, to assure that the requirements for the nominations have been met.
3. Elected Regional Executive Councilors may, at the same time, hold another elected office at the Local Fraternity level, except that the following are incompatible:
	1. The office of Minister at two different levels; and
	2. The offices of Minister, Vice-Minister, Formation Director, Secretary and Treasurer at the same level; that is unless necessary because of the *temporary* incapacitation of a member of the Council, an elected Council person can hold only one position on the Council.
4. An outgoing Regional Minister cannot succeed him/herself as Regional Vice-Minister.
5. Absentee nominees are permitted *provided* they have submitted in writing their willingness to accept nomination for a specific position/s and their willingness to serve, if elected.
6. Absentee ballots are not permitted.

CHAPTER SIX

**Duties of Regional Officers**

1. The **Regional Minister**, as the primary person responsible for the Regional Fraternity:
	1. Carries out the duties of the Office as determined by provisions of general and particular law and in accordance with the OFS governing documents;
	2. Presides at meetings of the REC and the Regional Fraternity;
	3. Is the spokesperson for the Regional Fraternity in all contacts with other Church and civil organizations as well as with the general public; and
	4. May, as the outgoing Regional Minister, be asked to serve the REC in an advisory capacity (*ex officio, unofficial and non-voting*), if not elected to serve in another capacity on the REC.
2. The **Regional Vice-Minister** performs such duties as the Regional Minister may designate, in addition to duties assigned by general and particular law and the OFS governing documents.
3. The **Regional Formation Director**:
	1. Coordinates formation workshops for those involved in Local Fraternity formation;
	2. Acts as a liaison for communication of formation issues and policies between the National and Local Fraternities;
	3. Provides opportunities for retreats and Franciscan spiritual growth in collaboration with Family Councilors; and
	4. Coordinates workshops for developing Formation Fraternity Leadership skills with the assistance of the other members of the REC.
4. The **Regional Secretary**:
	1. Records, distributes and keeps all records of the minutes of both the REC and the Regional Fraternity;
	2. Preserves important documents and correspondence of the Regional Fraternity;
	3. Assists the Regional Minister in sending out announcements of forthcoming meetings of the REC and Regional Fraternity Council; and
	4. Performs such other duties as the REC requests.
5. The **Regional Treasurer**:
	1. Keeps a record of all financial transactions of the Regional Fraternity, unless otherwise determined by the REC;
	2. Deposits all monies of the Regional Fraternity into such bank accounts as the REC designates in the name of the Regional Fraternity;
	3. Pays out money, by check only, as the business of the Regional Fraternity may require, on order of the REC only;
	4. Prepares and is prepared to discuss financial reports submitted for approval at each regular meeting of the REC and Regional Fraternity; and
	5. Prepares, in collaboration with the REC, the proposed Budget and Fair Share Contribution for approval by the Regional Fraternity Council.
6. The **Regional Family Councilors**:
	1. Are liaison/contact persons between the REC and the Local Fraternities;
	2. Participate in REC Meetings and Regional Fraternity gatherings;
	3. Preside at Local Fraternity elections and/or Visitations, if so delegated;
	4. Bring issues, questions, and/or problems of Local Fraternity Ministers to the attention of the Regional Minister and the other members of the REC; and
	5. Perform other tasks as requested by Regional Minister or Executive Council.
7. If the office of Regional Minister becomes vacant, the Regional Vice-Minister will assume the office. When the office of Regional Vice-Minister becomes vacant, one of the Councilors will be elected by the members of the REC to the position of Regional Vice-Minister.
8. If, as a result of the filling of the vacancy of the position of Regional Vice-Minister because of death, resignation, or incapacitation of the Regional Minister, the number of Councilors is reduced below five, the REC may appoint a professed member of the Regional Fraternity to fill that vacancy. Appointed members of the REC, while able to express opinions about matters before the Council, do not have voting voice on the REC.

CHAPTER SEVEN

**Regional Spiritual Assistants**

1. As our General Constitutions provide, in Article 90.3c, *the regional Spiritual Assistants give their service to the REC and see to the spiritual assistance to the Regional Fraternity. If they are more than one, they form a conference and give their service collegially*. The Regional Spiritual Assistant or the Conference of Regional Spiritual Assistants (CRSA), which consists of representatives of the First and Third Order Regular Provinces with jurisdiction within the Regional Fraternity, exercises pastoral care and spiritual guidance in regard to the Regional Fraternity, including participation in the scheduled meetings of the Regional Fraternity and the REC. (See *Revised Handbook for Spiritual Assistants, p. 16-18*.)
2. The REC requests a Spiritual Assistant from the major superior of the obedience under which the Regional Fraternity is subject. (OFS General Constitutions, Article 91.2.c.)
3. When it is not possible for a Spiritual Assistant to be assigned from the First Order or the TOR, the Superior to whom the request was made may allow the appointment of a Spiritual Assistant from among the following:
	1. Religious brothers or sisters of other Franciscan institutes;
	2. Secular Franciscans, cleric or lay, specially prepared for such service; or
	3. Other diocesan clerics or non-Franciscan Religious, specially prepared for such service. (OFS General Constitutions, Title V, Article 89.4, Statutes for Spiritual and Pastoral Assistance to the OFS, Art. 15.4.)
4. When a Regional Spiritual Assistant is appointed, the appointment of the Assistant is made in writing and for a limited time, which accumulated cannot be more than twelve (12) years. (Statutes for Spiritual and Pastoral Assistance to the OFS, Art. 5.3.)
5. Regional Spiritual Assistants shall:
	1. Serve as ecclesial witnesses at Local Fraternity Chapters of Election;
	2. Schedule pastoral visitations in coordination with the schedule for fraternal visitations; and
	3. Vote on any question *except* those involving financial matters or in the Regional Chapter of Elections. This restriction applies to Secular Franciscans as well as religious friars or sisters serving as Spiritual Assistants for a particular Local Fraternity.

CHAPTER EIGHT

**Relations with the National Fraternity**

1. Once every three years, the Regional Minister, with the consent of the REC, must request a Fraternal/Pastoral Visitation of the Regional Fraternity from the National Minister and Secretary of the CNSA. A Fraternal Visit by the National Minister may also be requested at other times for important reasons.
2. The Regional Minister is a member of the National Fraternity Council (OFS-USA) and is to attend its meetings. If he/she is unable to attend the OFS-USA Annual Meeting, he/she shall be represented by the Regional Vice-Minister or, if necessary, by some other elected Regional Officer, and provide the National Minister, or his/her delegate, with a letter explaining reasons for the Regional Minister’s inability to attend and the name of the individual delegated to act in his/her stead.
3. Monies from the Common Fund of the Regional Fraternity shall be used to pay the normal expenses of the Regional Minister or delegate to attend the annual National Fraternity Council meeting.
4. The Regional Fraternity pledges its financial support of the National Fraternity on a Fair Share basis as called for by the directives of the National Fraternity Council (OFS-USA). It also pledges its cooperation in implementing the decisions and programs of OFS-USA.

CHAPTER NINE

**The Local Fraternity**

1. The Local Fraternity is the heart of the Region. It is animated and guided by a Council composed of a duly elected Minister, Vice-Minister, Formation Director, Secretary, and Treasurer, and a Spiritual Assistant, and is organized and functions in conformity with the Code of Canon Law and the OFS governing documents. Local Fraternities have the option of electing additional Councilors-at-Large.

CHAPTER TEN

**Spiritual Assistant Acquisition Guidelines**

1. The importance of the Spiritual Assistant position is critical for the spiritual growth of all members and is the primary responsibility of the local Fraternity Council. These guidelines provide a set of steps to help ensure the potential Candidate for Spiritual Assistant has the necessary qualifications and the personal spirituality and knowledge of the OFS Rules to effectively interact with the local fraternity.
2. It is important to form an environment of Franciscan love and humility, openness and transparency for the introduction and acquisition process between the Region, a Candidate, and a Fraternity in selecting a new Spiritual Assistant. The steps at times may be a true test of Franciscan Servant Leadership on the part of all parties. However, the objective is to produce a loving spiritual relationship necessary for success.
3. First Steps in selecting a Spiritual Assistant:
	1. **The council searches for and identifies a possibly qualified candidate for the position of spiritual assistant**: The local fraternity normally asks a Franciscan priest, nun, deacon, parish priest, etc. in their parish or within the vicinity, whom they believe would be a suitable candidate for the position of spiritual assistant in the fraternity. If the local fraternity has a possible candidate for this position, the local fraternity would request the regional minister and spiritual assistant to review the prospective person’s qualifications before any discussions between the fraternity council and the candidate begins.
	2. **The initial contact of the prospective candidate and the local fraternity**: The local fraternity council initiates the first private meeting with the candidate. This first meeting should focus on a process of becoming acquainted and exchanging information such as biographical and educational experience of the candidate, OFS experience and assignments, pastoral type training and positions held in the church or parish and references. The local council should be prepared to give the candidate a brief history of the fraternity and the members of the council could relate a little of their personal OFS experiences. This type of introduction usually makes for easy initial conversation and a relaxed atmosphere. The council should be prepared to describe how the spiritual assistant would serve the fraternity and learn if the candidate has any of the required books or is certified. If “No” then present the books and ask if he/she is willing to read them. In the meantime, all the fraternity members should be kept abreast of this transaction. If this initial conversation appears to be compatible between the parties, the council should give the candidate a list of its expectations in anticipation of a long-term relationship. The candidate should be advised that he/she will be given time at the next meeting to clarify any questions and discuss any concerns. If after the initial meeting the council has reservations concerning the candidate or the candidate has reservations about the fraternity, those concerns should be resolved before proceeding any further. The minister should make every effort to openly discuss any differences or concerns when all parties are present. While the open discussion can be difficult, a peaceful, humble, and loving Franciscan attitude will always overcome bad feelings. However, DO NOT proceed if all parties are not in total agreement. After the second meeting between the council and the candidate, the minister informs the fraternity members and introduces the potential spiritual assistant to the membership during a gathering.
	3. **Discussions and meetings between the candidate and council**: Initially, the candidate may prepare a brief meditation or homily, no more that 5 to 10 minutes, on one of the readings from the Liturgy of the Hours of the day, for the next several monthly meetings. That material should include their personal insights of Franciscan spirituality. The main objective is to understand the spiritual effectiveness of the candidate. The candidate should receive honest feedback on the effectiveness of the presentation. Eventually, the candidate should prepare, to make a presentation focusing on one aspect of Franciscan spirituality. This presentation may replace on-going formation at that gathering. The candidate should be willing to take any questions from the membership. The presentations will give the membership and the council insight into the candidate’s outlook, personality, and spirituality. The candidate should continue to receive feedback on the effectiveness of the presentation. If at any time over the period of these presentations there are problems in the relationship between the fraternity and the candidate, the relationship should be ended amicably in the spirit of love.”
	4. **Evaluation, recommendations, final agreement and approval by all parties**: If this process has provided the open and loving Franciscan environment desired, the candidate and the fraternity council proceed to finalize arrangements. The council may wish to have a final discussion or vote with the fraternity membership to ensure they understand the arrangements that are about to be recommended for approval to the region and Provincial Spiritual Assistant to whom they are bonded.
4. Final steps in selecting a Spiritual Advisor:
	1. A final agreement should be made concerning any specific duties the fraternity wishes the new spiritual assistant to assume, meetings to attend, etc.;
	2. An agreement should be made on the amount of the stipends, travel expenses and external Franciscan meeting attendance;
	3. Letters must be sent to the regional council, the regional spiritual assistant, and, most importantly, to the Provincial Spiritual Assistant to whom the Fraternity is canonically bonded for the final approval of that Province;
	4. This should take a total of 6 months or more.
5. Spiritual Assistant Job Description:
	1. Foster communion with the Church and with the Franciscan Family through witness and sharing of Franciscan spirituality; to cooperate in initial and ongoing formation of secular Franciscans and to express the fraternal affection of the religious towards the SFO. 3;
	2. By right is a voting member of the council and of the chapter of the fraternity to which he or she gives assistance and collaborates with it in all activities. Only in economic matters and in elections at any level does he or she not enjoy the right to vote. 12.3;
	3. Is to foster a deeper insight into Franciscan spirituality and to cooperate in the initial and continuing formation of the Secular Franciscans. 13.1;
	4. Participates actively and votes in the discussions and decisions taken by the Council or by the Chapter. He or she is specifically responsible for the animation of liturgical celebrations and spiritual reflections during the meetings of the Council or of the Chapter. 13.3;
	5. Is appointed by the competent major Superior, after consultation with the council of the fraternity concerned. 15.1;
	6. When it is not possible to give the fraternity a Spiritual Assistant who is a member of the First Order or the TOR, the competent major Superior can entrust the service of spiritual assistance to:
		1. religious brothers or sisters of other Franciscan institutes;
		2. secular Franciscans, clerics or lay, specially prepared for such service;
		3. other diocesan cleric or non-Franciscan religious. 15.4;
	7. Together with the Council of the fraternity, is responsible for the formation of the candidates and expresses his or her assessment of each of the candidates before profession. 24.1;
	8. Together with the Minister, the Assistant discusses with the brothers or sisters in difficulty, who want to retire from the fraternity or who act in serious opposition to the Rule. 24.2. *(Taken from Statutes for Spiritual and Pastoral Assistance to the Secular Franciscan Order*.)

CHAPTER ELEVEN

**Voting and Conduct of Local Fraternity Business**

1. The members of the Local Fraternity Council meet, at least, monthly at a time and place determined by its members to discuss issues important to the life of the Local Fraternity. This would include, among other things, the movement of those in initial formation from one phase to another. When not in session, the local Fraternity Council may conduct business electronically, provided that any decisions and/or determinations made in this way are reviewed and ratified at the next monthly meeting of the Local Fraternity Council.
2. All members of the duly elected Local Fraternity Council may vote. No Spiritual Assistant may vote on any question involving financial matters or in the Local Fraternity Chapter of Elections.
3. If the office of Minister becomes vacant, the Vice-Minister will assume the office. When the office of Vice-Minister becomes vacant, one of the elected Councilors will be elected by the members of the Local Fraternity Council to the position of Vice-Minister.
4. If, as a result of the filling of the vacancy of the position of Vice-Minister because of death, resignation, or incapacitation of the Minister, the number of Councilors is reduced below five, the Local Fraternity Council may appoint a professed member of the Local Fraternity to fill that vacancy. Appointed members of the Local Fraternity Council, while able to express opinions about matters before the Local Fraternity Council, do not have voting voice on the Local Fraternity Council.
5. A proposed annual budget shall be prepared by the Treasurer and presented to the Local Fraternity Council who, after discussion, will approve it. When approved, the proposed budget is submitted to the Local Fraternity, at which time it is amended or adjusted and then voted on for final ratification.
6. No official business requiring a vote by the professed members may be transacted at the Local Fraternity meeting unless a quorum is present. A quorum is defined as the presence of more than half of the number of those having the right to vote.
7. *Regarding expenses necessary for the life of the fraternity and the needs of worship of the apostolate, and of charity, all the brothers and sisters should offer a contribution according to their means. Local fraternities should contribute toward the expenses of the higher fraternity councils.* (OFS Rule, Article 25.) The common fund of the Local Fraternity provides for the expenses necessary for the life of the Local, Regional, National and International Fraternity and is supported through contributions of each member. In accordance with the directives of CIOFS, announced and approved at the OFS-USA gathering in 2013, Candidates, as well as professed members, of the Local Fraternity are expected to contribute according to their means to the Local Fraternity’s Common Fund.
8. An audit of the Local Fraternity’s financial status shall be conducted by a professed member of the fraternity, selected by the Local Fraternity Council, who is not currently a member of that Council, at least once before the expiration of the Local Fraternity Council’s term of office.

CHAPTER TWELVE

**Local Fraternity Chapter of Elections**

1. The Local Fraternity meets for the purpose of electing its Council once every three (3) years. The Chapter will follow the norms presented in the OFS governing documents and these Regional Guidelines.
2. At least **six months** prior to the Chapter of Elections, the Local Fraternity Minister, shall advise the Family Councilor of the date of the proposed Chapter and respectfully request that they provide a Presider. If there is no Spiritual Assistant, both the Family Councilor and the Local Fraternity Minister collaborate to find one who will be willing to act as Ecclesial Witness on the day of the elections.
3. At least **six months** prior to the Chapter, the Local Fraternity Council shall appoint a Nominating Committee, whose task it will be to call for nominations from the professed members of the fraternity. Once the nominations are received, the Nominating Committee will confirm that the nominees meet the requirements for the office. The prospective nominees will then be notified and requested to advise the Nominating Committee whether he/she will accept the nomination. Once the slate of nominees is confirmed, the Nominating Committee will provide it to the professed members of the fraternity approximately **one month** prior to the date of the Chapter.
4. Nominees for Local Fraternity Minister, Vice-Minister, and Formation Director must be permanently professed for at least two (2) years. Nominees for all other positions should be professed for at least one (1) year. In addition, the Minister must have served on the council for at least one year.
5. All nominated individuals must be included on the Regional Database, including those who transfer from one Local Fraternity to another, before they can be considered for any office.
6. A member who has been absent from fraternity life for a majority of the twelve (12) months prior to an election, shall not be considered for nomination to serve on the Local Fraternity Council. (OFS General Constitutions, Article 30 and Article 53.3).
7. It is the responsibility of the Nominating Committee and the presider of the of Elections to assure that the requirements for nomination have been met.
8. Absentee nominees are permitted, provided they have submitted in writing their willingness to accept nomination for a specific position/s and their willingness to serve, if elected.
9. Absentee ballots are not permitted.
10. The Regional Spiritual Assistant/s may delegate the local Spiritual Assistant as Ecclesial Witness at a Chapter of Elections on the local level.
11. **How to Conduct a Local Fraternity Chapter of Elections**:

***One or Two Weeks Before the Election***

1. As early as possible, the Presider and Ecclesial Witness should be determined and should have received both delegation letters which were requested from the Regional Minister;
2. Before the election, be sure to obtain a list of the fraternity’s professed members from the Database Manager or Regional Minister. Only the fraternity’s professed members may vote or be nominated/elected. Members who have transferred must be legally transferred and on the database;
3. Obtain a list of nominees from the Local Fraternity. Be sure you or the Fraternity has the proper prayers, creed, and songs, for both before and after the election;
4. An outgoing Minister may not be elected to the office of Vice-Minister. The nominated Minister, Vice-Minister, and Formation Director should be professed at least two (2) years; all other Councilors should be professed one year. In addition, the Minister must have served on the council for at least one year;
5. A 2/3 vote, on the first ballot, must be obtained for anyone running for a 3rd term;
6. Read pages 115 & 116 in the “Franciscan Family Connections” entitled Regional Spiritual Assistant Witnessing elections and articles 76 to 83 of the OFS General Constitutions;

***Just Before the Election***

g. Be sure a table and two chairs are set up for the Secretary and Ecclesial Witness with the election report paper and pens ready. (Ecclesial Witnesses do NOT vote.) Both record votes, by tally marks, and fill out the remainder of the report and sign it;

h. Another table and two chairs should be set up with enough ballots for holding more than one voting for each office, one or two baskets or boxes for collecting the votes, and additional pencils. Some type of board should be available so everyone can see the slash marks the 2nd witness will make for each vote;

***During the Election***

1. Count those present to be sure there is a quorum of the fraternity. (Example: If there are 10 members in the fraternity, 6 must be present.) Absentee votes are not accepted. Eligible nominees must be present or, if they will not be present, submit something in writing that they are willing to accept both the nomination and the election;
2. Call for silence; then follow the Ritual, page 41. Be sure to read all the fine print;
3. The Presider calls for nominations from the floor three (3) times. After the third and final time, the Presider announces that the nominations are closed. If someone is nominated from the floor, the presider must ask if they accept the nomination;
4. The order of the election shall begin with the Minister’s position and the Vice-Minister’s position and shall immediately be followed by the Formation Director’s position. This shall apply to both the Regional Chapter of Elections and the Local Fraternity Chapter of Elections.
5. The one at the board, writes the name of the office and the number of votes required for election. (Be sure to read Article 78 of the Constitution and understand it. For instance: If there are 10 members in the fraternity and 7 are present, an absolute majority vote would be 4 because a half is 3.5 and it is rounded up to 4. A simple or relative majority would be the higher number of votes from the 2 who are running.) A majority, sometimes designated an absolute majority, is more than half of the total number of votes cast. A relative or simple majority is the highest number of votes cast on a motion or in an election) [cf. Code of Canon Law, canon #119];
6. The Minister and Vice-Minister must receive an absolute majority vote. If after 2 inconclusive ballots, the two nominees with the highest number of votes or, if more than two are running, the 2 oldest by profession are voted for on the 3rd ballot. If the vote is a tie, the older by profession is considered elected. For the remainder of the Councilors, if there is no absolute majority on the 1st ballot, a relative majority of votes is sufficient. Each Councilor-at- Large must be elected individually, even if they are all written on one ballot;
7. Then one teller counts out the number of ballots required, out loud. The presider then tells her/him to distribute a ballot to each eligible voter. After ballots are completed, a teller collects them in a basket. The ballots are then counted, out loud, as they are taken out of the basket. Lastly, a teller reads the names aloud, the second teller double checks that the correct name is read and writes it on the board. The Secretary and the Ecclesial Witness keep a tally of the number of votes each nominee receives. All 3 should have the same number of ballots for each nominee;
8. After the count, and someone receives the proper number of votes, the Secretary reads from the Ritual page 42 and the Presider continues to read from page 42. (Remind members that applause must be held until after the Presider reads the final confirmation of each elected person.);
9. Before the Ritual of Installation of the newly elected, ask for a motion to destroy the ballots and announce that there will be a short break so that the witnesses may sign the appropriate papers which verify the election was correctly conducted. During the socialization, members may speak;

***After the Election***

1. Complete the Chapter of Elections with the Ritual of Installation with appropriate prayers as suggested in the Ritual. (Bring copies of the prayers, the Creed, and the song to the Holy Spirit.);
2. As soon as possible, send copies of the Official Record (for REC records) and the names and addresses of the new Council to every REC member (to update the Directory) and to the Provincial Spiritual Assistant to whom the Fraternity is bonded.

\*Normally the Secretary and witnesses are professed, but in a smaller fraternity, those in Initial Formation may be asked.

CHAPTER THIRTEEN

**Duties of Local Fraternity Councilors**

1. The duties of the Councilors of the Local Fraternity are clearly set forth in Articles 50, 51, and 52 of our General Constitutions, and are incorporated herein by reference.

CHAPTER FOURTEEN

**Transfers into a Local Fraternity**

1. One who seeks to transfer into a Local Fraternity should be warmly welcomed. As our General Constitutions provide, in Article 55, the fraternity who receives the transfer request, should first seek the necessary information from the previous fraternity.
2. Prior to accepting the transfer of a professed member from another fraternity, the Local Fraternity will exercise a period of discernment (recommended 3-6 months) during which time the individual requesting transfer into the fraternity faithfully attends all fraternity gatherings and participates in fraternity life. To determine if this professed member is in harmony with the fraternity, the Local Fraternity Council will meet with this prospective member after 3 months. The prospective member will meet with the Local Fraternity Council a second time (3 months later) after which the Local Fraternity Council will vote whether to accept or decline the transfer.

CHAPTER FIFTEEN

**Return of Those Who Have Temporarily Withdrawn,**

**Voluntarily Withdrawn (become inactive), or**

**Have Been Suspended from Fraternal Life**

1. Articles 56 and 57 of our General Constitutions explain the process for temporary withdrawal, voluntary withdrawal and suspension from fraternal life. Anyone who finds themselves in this situation must make a written request to the Local Fraternity Council to be readmitted.
2. If a professed member has voluntarily withdrawn, temporarily withdrawn or been suspended for more than 12 months, the Local Fraternity Council will, upon consideration of the professed member’s written request to return, direct the member to undergo an appropriate formative process using the current formation materials recommended by OFS-USA and the Region. During this time, the individual will faithfully attend all fraternity gatherings and participate in fraternity life. The Local Fraternity Council will, after fraternal dialogue with the individual and discussion among themselves, vote to determine whether the professed person’s request should be accepted or declined. The Local Fraternity Minister will then advise the individual of the Local Fraternity Council’s decision.
3. It may become necessary for a professed member to absent him/herself from fraternity life because of work-related or family responsibilities. In this instance, frequent communication with the Local Fraternity will assist the Local Fraternity Council in determining whether an appropriate formative process will be necessary for this individual once he/she is able to return to active fraternity life.

CHAPTER SIXTEEN

**Return of Those Who Have Definitively Withdrawn or**

**Who Have Been Dismissed from the Order**

1. Article 58.1 of our General Constitutions explains the process for definitive withdrawal from the Order. A professed person who has chosen to definitively withdraw is no longer considered a professed member of the OFS. Should this person seek to return to the Order, the Local Fraternity Council will, upon consideration of the individual’s written request and in consultation with the REC, direct him/her to undergo an appropriate formative process using the current formation materials recommended by OFS-USA and the Region. During this time, the individual will faithfully attend all fraternity gatherings and participate in fraternity life. The Local Fraternity Council will meet with him/her periodically to discern whether the individual’s request to return to fraternity is in the best interest of the fraternity and the individual. At the conclusion of the prescribed period of formation the Local Fraternity Council will, after fraternal dialogue with the individual and discussion among themselves, vote to determine whether the professed person’s request should be accepted or declined. The Local Fraternity Minister will then advise the individual of the Local Fraternity Council’s decision.
2. Article 58.2 and 3 of our General Constitutions explains the process for dismissal from the Order. A professed person who has been dismissed is no longer considered a professed member of the OFS. Should this person seek to return to the Order, a petition for his/her return may be considered provided sufficient evidence the reasons for the dismissal have been rectified and can be provided in writing to the Local Fraternity Council. This would include a letter from the individual’s Pastor or the Ordinary of his/her (Arch) Diocese, if appropriate.
3. Once a request for reconsideration of dismissal has been submitted to the Local Fraternity Council, the REC will be advised. An appropriate process of formation will be designed by the REC, in consultation with the Local Fraternity Council, using the current formation material recommended by OFS-USA and the Region. Once the formation program has been determined, it will be communicated to the Local Fraternity Council who will oversee its implementation. The individual seeking to return to fraternal life will faithfully attend all fraternity gatherings, participate in the recommended period of formation, and participate in fraternity life.
4. The Local Fraternity Council will meet with the brother or sister periodically during this period to discern whether his/her request to return to the Order is in the best interest of the fraternity and the individual. At the conclusion of the prescribed period of formation, the Local Fraternity Council will, after fraternal discussion and dialogue with the individual, vote to determine whether his/her request should be accepted or declined. The Local Fraternity Minister will then submit to the REC, a written recommendation. The REC will, after fraternal discussion, communicate its decision to the Local Fraternity Minister who will then advise the individual of the REC’s decision. If a decree of dismissal had been issued and confirmed by the National Executive Council, the REC will advise the National Executive Council of its decision to either accept or decline the request for readmission.

CHAPTER SEVENTEEN

**Visitation and Election Stipends**

1. Fraternities and groups provide a stipend according to their means, to the Visitors, for travel expenses in accordance with the *National Statutes, Article 18.* In addition, the Local Fraternity arranges for overnight lodging, if needed.
2. The Fraternity Treasurer writes one check, made payable to “Secular Franciscan Order” and mails it to the Regional Treasurer for the travel expenses for the Pastoral Visitor and Fraternal Visitor and any additional contribution the fraternity may care to make to the Region to help defray overall expenses associated with Visitations and Elections. Compensation for travel expenses is based on miles driven. The IRS mileage rate will be checked annually. If any of this creates a hardship, the offering may be sent in installments.
3. If a religious is the Pastoral Visitor, please write a separate check made payable to that Visitor for his/her travel expenses and any additional stipend the fraternity may care to contribute for their service.

CHAPTER EIGHTEEN

**Communication within the Region**

1. Every fraternity member always has the right to communicate with members of the national, regional, and local council. The following guidelines are provided in order to promote cooperation, rapport and community with the Order and for strengthening communication within each local fraternity and family extension.
	1. The first contact person within each local fraternity is the local Minister. It is the Minister who communicates this question or concern to the local council, if action is necessary. The local council should resolve most challenging situations even if it takes several discussions.
	2. If the question or concern simply cannot be resolved after many discussions with the local council, the Minister brings it to the Family Councilor. Together they will try to seek a reasonable resolution. After checking the Rule and Constitutions together again, the difficult circumstance or question is normally resolved.
	3. Should the question or concern be of such a nature that it remains unresolved; the Family Councilor explains the situation to the Regional Minister, who then may consider it to be of such complexity that it is then placed on the agenda for the Regional Executive Councilors to discuss.
	4. Finally, in the unlikely event that the situation still remains unresolved, the Regional Minister explains the question or situation to the National Minister.
	5. Once an acceptable solution is acquired, the National Minister will relay the information to the Regional Minister, who relays it to the Family Councilor and finally the Family Councilor informs the Local Minister.
2. RATIONALE: Bypassing any of these steps is futile. Example: The National Minister is unaware of the circumstances and will require contacting the Regional Minister who will also be unaware of the circumstances, etc. Because everyone is involved, all parties need to be informed of the solution.

CHAPTER NINETEEN

**JPIC Award**

1. As Secular Franciscans, we are reminded in our SFO Rule, Article 19 of our responsibility to be bearers of peace. We are also reminded in our Rule, Article 15 of our responsibility to “individually and collectively be in the forefront of promoting justice by the testimony of our lives.” Mindful of both responsibilities and based on the resolution at the OFS-USA Gathering in the fall of 2010, held in Arizona, that we will grant a Five Franciscan Martyrs Regional Fraternity Justice, Peace, and the Integrity of Creation Award!
2. To be consistent with the JPIC Commission of OFS-USA, the same three guidelines apply:

* 1. Each fraternity in the Region is asked to pray and work with renewed Spirit from our Risen Lord Jesus Christ for Peace: Peace in our hearts, Peace in our families, Peace in our Church, Peace in our fraternities, and Peace in our world, all for the glory of God. Please pray and work for that Peace only our Lord Jesus can bring! And let us remember the words of Pope Paul VI who said, “If you want peace, work for justice”;
	2. Each Local Fraternity in the Five Franciscan Martyrs Region, should consider giving recognition to a worthy recipient, of its own choosing, within our JPIC framework. This JPIC recognition may be a letter from the Minister of the fraternity thanking this individual for working in the fraternity, in the Parish, in the community; it may be by way of a shared meal and/or an article in your fraternity or Regional newsletter or submission to the TAU-USA;
	3. Each fraternity in the Region should consider making a nomination to the Regional JPIC Commission for a recipient to receive the Annual Regional JPIC Award in the form of a certificate at the Regional Annual Meeting.
1. These procedures are to be followed to submit a nomination for the JPIC award:
2. Each Local Fraternity is encouraged to make one nomination and submit it directly to the JPIC Chair.
3. A date will be designated for submissions;
4. A nomination consists of three parts: a) the name of the possible recipient; b) the reasons why this person should be considered; c) the name of the fraternity making the nomination;
5. A nominee should have made significant efforts in the generally defined areas of Justice, Peace, and the Integrity of Creation. Current activities would carry more weight than past activity; that is, a nominee exhibiting current JPIC activity will carry more weight than a nominee who displayed activity a few years ago. In order to prevent any scandal, the nominee should be of known good moral character;
6. As this is a Regional OFS award, nominees must be professed OFS and a member of the Five Franciscan Martyrs Region. Nominees should not carry a political agenda;
7. Each REC member will have a weighted vote of 10 points which may be used for one nominee (10 points) or ten nominees (1 point each). The nominee receiving the greatest number of points will receive the award at the next scheduled Regional Annual Meeting.

CHAPTER TWENTY

**Process for Establishing a New Fraternity**

**Phase I: Newly Forming Groups**

1. Newly forming groups are those who are exploring the possibility of establishing an OFS fraternity. There may or may not be any professed OFS in the group:
2. If those wishing to form a new group belong to an existing fraternity, they submit a written request for approval to the Local Fraternity Council of that fraternity. The Local Fraternity Council acts on the request. If approved, the group is given the status of "newly forming group.” The Minister of the fraternity informs the REC of the existence of the “newly forming group;”

1. If those wishing to form a new group do not belong to an existing fraternity, or desire to separate themselves from their existing fraternity, they would submit a written request for approval to the REC, which acts on the request. If approved, the group is given the status of a "newly forming group" and is assigned to a Sponsoring Fraternity within the Regional Fraternity. If any of the professed members of the “newly forming group” are members of other fraternities, the Minister of the Sponsoring Fraternity informs those fraternities and obtains their official transfer to the Sponsoring Fraternity;
2. If no Local Fraternity is available as a sponsor for a “newly forming group”, the Regional Fraternity -- in extraordinary circumstances -- acts as the Sponsoring Fraternity in accord with Article 62.2 of the General Constitutions. In such a case, the following procedure would be followed: 1. (c.1) The REC carries out all that is ordinarily expected of the Local Fraternity Council of a Local Sponsoring Fraternity;
	1. The liaison person of the “newly forming group” does not attend the REC meeting, but meets regularly with the Regional Minister (or an appointed delegate) of the REC.
3. Once the "newly forming group" is approved, it:
4. Chooses one of its members as a leader and begins to meet on its own to build community;
5. Provides a member of the “newly forming group” as a liaison person to the Local Fraternity Council of the Sponsoring Fraternity who may attend the Local Fraternity Council's meetings as a non-voting member;
6. Requests the appointment of a competent Spiritual Assistant by the Provincial Minister (or delegate) of the Friar Province to which the Local Sponsoring Fraternity is bonded. If in accord with 79 (c) above, the Regional Fraternity is the Sponsoring Fraternity, then the “newly forming group” requests spiritual assistance from a Friar Province recommended by the Regional Spiritual Assistant/s or chosen by its own discernment;
7. Appoints a Formation Director if any of the professed members of the “newly forming group” qualifies for this responsibility. Otherwise, the Sponsoring Fraternity or REC will provide a suitable person. In any case, the formation of new members in the “newly forming group” will be overseen by the formation staff of the Sponsoring Fraternity;
8. Sends a semi-annual report to the Local Fraternity Council of the Sponsoring Fraternity;
9. Is expected to participate in the activities of the Sponsoring Fraternity;
10. The “newly forming group” begins a period of building community as a semi-autonomous section or Cell of the Sponsoring Fraternity. Included in the meetings will be the structures and procedures necessary for its operation, including prayer, formation, communications, and socializing. Opportunities will be sought for interaction within the fraternity gathering and regular interaction outside the fraternity gathering and regular interaction with other Franciscans during this time. These structures and procedures are to be approved by the Local Fraternity Council of the Sponsoring Fraternity with an accompanying system for accountability and evaluation;
11. Admissions and Professions of new members will be approved by the Sponsoring Fraternity Local Fraternity Council and will be received by the Minister of the Sponsoring Fraternity;
12. The “newly forming group” begins its first official year of preparation to become eventually an "emerging community" only after it has a minimum of five (5) professed members;
13. After completion of at least one year with five professed members, the “newly forming group”, after seeking the approval of the Sponsoring Fraternity Local Fraternity Council, may submit a written request to the REC that it be placed in the status of "emerging community;"
14. After seeking the status of "emerging community," the “newly forming group requests and receives a Pastoral and Fraternal Visitation from the Regional level to assess its suitability for the status of an "emerging community."

**Phase II Developing Emerging Communities/Fraternities**[[1]](#footnote-1)

1. Upon completion of the Pastoral and Fraternal Visitation, the REC acts on the request of the “newly forming group.” If approved, the group is given the status of an "emerging community or fraternity" and:
	1. The “emerging community” chooses its own Council and starts functioning like a fraternity, with fraternity gatherings, Council meetings, keeping minutes, records, and financial accounts;
	2. The leader of the “emerging community” is a non-voting member of the Local Fraternity Council of the Sponsoring Fraternity.
	3. Admissions and professions of new members are approved by the Council of the “emerging community” and confirmed by the Local Fraternity Council of the Sponsoring Fraternity. The Minister of the Sponsoring Fraternity has the responsibility of receiving admissions and professions according to the Ritual, but ordinarily delegates this responsibility to the leader of the “emerging community;”
	4. The Council of the “emerging community” provides a written quarterly report for the Sponsoring Fraternity and the REC;
	5. The Council of the “emerging community” enters into a formal (written) agreement of "altius moderamen" with a Friar Province by pledging affiliation with, or aggregation, to that particular Province of Friars which would best serve the permanent viability of the “emerging community” and by asking for the appointment of a definitive Spiritual Assistant by that Province. Ordinarily the “emerging community” chooses the Friar Province bonded to the sponsoring Local Fraternity unless the Regional Fraternity is the sponsor. It may happen that the “emerging community” discerns that spiritual assistance would be better provided by a different Friar Province of any of the four obediences;
	6. The Friar Provincial Minister (or his delegate) informs the local (Arch) Bishop about the existence and development of an “emerging community” in his (Arch) Diocese;
	7. The REC informs the National Executive Council of the existence and development of an “emerging community”, the place of meeting, and the contact person.
2. The “emerging community” establishes, for itself, the structures and procedures necessary for:
	1. Its operation (prayer, on-going formation, ministries, communications, socializing);
	2. Vocation promotion;
	3. Formation of those in orientation, inquiry and candidacy;
	4. Opportunities of interaction outside the fraternity meeting;
	5. Regular interaction with other fraternities and other Franciscans.

(These structures and procedures are to be endorsed by the Council of the sponsoring Fraternity and approved by the REC with an accompanying system for accountability and evaluation.)

1. After the completion of at least three years, the “emerging community” may submit a written request to the REC for its Canonical Establishment as a fraternity.
2. Before it accedes to the request, the REC authorizes a Fraternal Visitation of the “emerging community”, and the Regional Spiritual Assistant/s authorizes a Pastoral Visitation in conjunction with the Friar Province to which the “emerging community” is bonded or affiliated. The visits are to ascertain the community's permanent viability for life in fraternity, its faithful observance of the Rule and Constitutions, and its proper compliance in regards to minutes, records, registers, and finances.

**Phase III Canonically Establishing a Fraternity[[2]](#footnote-2)**

1. Upon completion of the Pastoral and Fraternal Visitation, the REC acts on the request of the “emerging community” to be Canonically Established. If approval is given, the following steps are taken:
	1. The REC informs, in writing, the Friar Provincial Minister (or his delegate) that the “emerging community” is ready to be Established. The Friar Provincial Minister (or his delegate), in turn, requests the (Arch) Bishop's permission, in writing, to establish the new fraternity in his Diocese;
	2. The REC provides the necessary information and requests and obtains from the Conference of National Spiritual Assistants the formal Document of Establishment, printed in quadruplicate. The Regional Minister signs and dates all four copies in the appropriate places, and passes them on to the Friar Provincial Minister (or delegate);
	3. The Friar Provincial Minister (or delegate) signs and dates the four copies of the Document and obtains the signature of the (Arch) Bishop;
	4. The “emerging community” arranges for the Ceremony of Canonical Establishment in conjunction with the REC, the Friar Provincial Minister (or delegate), and, where customary, the (Arch) Bishop;
	5. The REC confirms, for one year, the existing Council of the “emerging community” as the first Local Council of the new fraternity in accord with 49.1 of the OFS General Constitutions.
2. The Ceremony of Canonical Establishment is celebrated, with due solemnity, according to the Ritual. During the ceremony the Document is signed and dated by the delegate of the Friar Minister Provincial and by the witnesses. After the ceremony:
	1. One copy of the Official Document is sent to the REC to be kept in its archives one copy is sent to the archives of the Friar Province, a third is sent to the diocesan chancery for filing, and a fourth copy is preserved in the newly established fraternity's records;
	2. The Regional Minister informs the National Executive Council of the Canonical Establishment of the new fraternity.
3. One year after the Canonical Establishment, the new fraternity holds its first Chapter of Elections for its Local Fraternity Council. The Regional Minister (or delegate) presides at the Chapter of Elections and the Regional Spiritual Assistant (or delegate) witnesses the election.

CHAPTER TWENTY-ONE

**Deactivating an Established Fraternity[[3]](#footnote-3)**

1. When a Canonically Established Fraternity no longer has the viability and stability to maintain its OFS life, fraternity, and mission, it may be declared de-activated by the Provincial Spiritual Assistant of the Friar Province to which the fraternity is bonded.
2. A Canonically Established Fraternity can be de-activated for any one or more of the following reasons:
3. It no longer has at least five active professed members to allow for a minimum a complete elected council (OFS Rule 21 & 22, OFS Gen. Const,. 46.2 & 49.1);
4. It no longer has regular fraternity meetings ( a minimum of eight per year) for a period of three years (OFS Rule 24, OFS Gen. Const., 53);
5. It no longer participates in the activities of the Regional Fraternity nor cooperates with the REC (OFS Rule 24, OFS Gen. Const. 30.2 & 61.1 & 93.2);
6. It no longer contributes to the Common Fund or supports the higher level of fraternity (OFS Rule 25, OFS Gen. Const 30.3);
7. It has not had a new perpetual profession for at least three years (OFS Rule 23, OFS Ritual p. 24);
8. It has not sought a Pastoral or Fraternal Visitation for at least five years (OFS Rule 26, OFS Gen. Const. 92.2);
9. It no longer has a sense of its Franciscan Ecclesial and Apostolic mission as a fraternity (OFS Rule 22, OFS Gen. Const. 1.3 & 3.3 & 50).
10. The official de-activation of a fraternity happens in the following manner:
	1. The Regional Spiritual Assistant/s takes the initiative to conduct a Pastoral Visitation and the REC takes the initiative to conduct a Fraternal Visitation;
	2. The REC discerns whether to approach the Provincial Spiritual Assistant of the Friar Province to which the fraternity is bonded and records its discernment in its minutes as a result of the findings of the Visitations;
	3. The Regional Minister communicates, in writing, the request and advice of the REC to that Provincial Spiritual Assistant;
	4. The Provincial Spiritual Assistant of the Friar Province to which the fraternity is bonded issues the decree of de-activation to the Fraternity Minister with copies to the Regional Minister and the local (Arch) Bishop.
11. When a fraternity is de-activated:
	1. Provision will be made, with the help of the REC, for the remaining members to transfer their membership to the nearest active fraternity [(cf. OFS Gen. Const. 55) See Art. 96 below];
	2. The goods of the fraternity, its library and records, are acquired by the REC and kept in the Regional Fraternity's archives (OFS Gen. Const. 48.1);
	3. The Common Fund and other assets are either to be disposed of according to the decision of the remaining members or are put in an interest-bearing escrow account managed by the REC (Canon 122-123);
	4. A copy of the Document of Establishment (with the date of deactivation recorded on it) and a copy of the last list of active members, are to be sent to the archives of the Friar Province to which the fraternity is affiliated, to the archives of the Regional Fraternity, and to the archives of the appropriate Diocese.
12. Attaching a Disintegrating Fraternity**[[4]](#footnote-4)**

A disintegrating fraternity (one which would fall under the qualifications for deactivation according to the General Constitutions) that does not wish to completely disband, could attach itself to an active fraternity in a variety of ways:

* 1. The members of the disintegrating fraternity may have their own fraternity deactivated, transfer their membership to the active fraternity, and become full participating members of that fraternity;
	2. The members of the disintegrating fraternity may have their own fraternity de-activated, transfer their membership to the active fraternity, and participate in that fraternity's activities, but may maintain some self-autonomy by meeting occasionally (perhaps quarterly) on their own, in accordance with Article 34 of the General Constitutions;
	3. The members of the disintegrating fraternity may have their own fraternity de-activated, transfer their membership to the active fraternity, and may establish themselves as an autonomous Cell or cell community of the active fraternity in the spirit of Article 34 of the General Constitutions and with the approval of the Regional Fraternity.

CHAPTER TWENTY-TWO

**Reactivating an Established Fraternity[[5]](#footnote-5)**

1. As a juridic person, according to Canon Law, a Canonically Established Fraternity of the OFS remains "alive" and cannot be dissolved until one hundred (100) years after the death of its last member (cf. Can. 120).
2. Any fraternity which has been de-activated or suspended may re-activated during these 100 years:
	1. Either by at least five of the former members of the active fraternity themselves;
	2. Or by a new group of at least five active professed members who are willing to assume the juridic personality of the previously Established Fraternity.
3. To reactivate a fraternity, a minimum of five professed members is to:
	1. Meet together and fulfill the necessary requirements just as though they were a "newly forming group" and then an "emerging community" according to the accepted guidelines for establishing new fraternities;
	2. Upon discretion of the REC, the minimum period of re-activation may be shortened;
	3. If the fraternity to be re-activated was suspended, then any requirements of probation or censure must be fulfilled before the process of reactivation officially is begun;
	4. Formally request, in writing to the REC, to be officially re-activated as an already Established Canonical Fraternity.
4. If the REC, after conducting a Fraternal and Pastoral Visitation, accedes to the request, then:
5. The Regional Minister verifies the Canonical Establishment (either by the Official Document or by sworn and notarized affidavit) and the past existence of the de-activated fraternity, and asks the Friar Province, to which it was bonded, to issue a decree of re-activation;
6. The Provincial Spiritual Assistant issues the decree, with copies to the fraternity, to the REC, and to the local (Arch) Bishop;
7. The REC returns the remaining goods, the financial assets, the records and registers, the Official Documents, and the library to the re-activated fraternity (OFS Gen. Const. 48.2);
8. A public ceremony of re-activation is celebrated liturgically and socially.

CHAPTER TWENTY-THREE

**Process for Establishing a Cell Fraternity**

* + - 1. Cell Fraternities are established when:
				1. The Local Fraternity is too large to accommodate all the members;
				2. Due to the distance traveled by members, it is more convenient to meet at a different location.
			2. The following steps should be followed in establishing a Cell Fraternity:
				1. Members of the Cell Fraternity belong to the Sponsoring Fraternity;
				2. The Cell Fraternity does not have officers; a leader is appointed by the Local Fraternity Council of the Sponsoring Fraternity;
				3. The Cell Fraternity may receive new members; the Formation Director is appointed by the Local Fraternity Council of the Sponsoring Fraternity; new members are professed by the Sponsoring Fraternity;
				4. The Cell Fraternity meets twice a year with the Sponsoring Fraternity;
				5. A Treasurer will be appointed to collect and disburse moneys. Members are responsible to contribute to the Common Fund, in order to provide for the financial needs of the fraternity, which includes the Fair Share obligations to the Sponsoring Fraternity. The Sponsoring Fraternity will maintain the register of professed members and pay the Fair Share to the Region;
				6. The Minister and the Spiritual Assistant from the Sponsoring Fraternity visit the Cell Fraternity twice a year;
				7. The Cell Fraternity works out its program for the monthly meeting. Requests can be made to the Regional Spiritual Assistant for a monthly conference with reflection questions, outside speakers can be invited, or a text can be followed with discussion, preferably on the Scriptures and Franciscan Spirituality.
			3. Transferring a Cell Fraternity to a new Sponsoring Fraternity:
				1. Transfer of a Cell Fraternity to a new Sponsoring Fraternity is accomplished by agreement of the losing and gaining Sponsoring Fraternity ministers, when the official transfer forms for the individual members of the Cell Fraternity are received by the new Sponsoring Fraternity;
				2. The transfer must be approved by the REC.

CHAPTER TWENTY-FOUR

**Suspending a Canonically Established Fraternity[[6]](#footnote-6)**

1. A Canonically Established Fraternity can be suspended for the following reasons:
	1. The repeated and prolonged or habitual default of the members in their corporate obligations for life in fraternity, of observance of the Rule, or fidelity to the Franciscan Charism (OFS Gen. Const. 56.2);
	2. Serious opposition or obstinacy toward the mandates of the OFS Rule, General Constitutions, and particular statutes (OFS Gen. Const. 56.2);
	3. The communal public rejection of the faith or the communal defection from Ecclesial Communion (OFS Gen. Const. 58.3);
	4. A communal act which is grave, external, imputable, officially documented and juridically proven (OFS Gen. Const. 58.2).
2. The suspension of the fraternity is officially incurred in the following manner:
	1. The Regional Spiritual Assistant/s takes the initiative to conduct a Pastoral Visitation and the REC takes the initiative to conduct a Fraternal Visitation;
	2. As a result of the Visitation, if the reason for suspension is not corrected by dialogue and personal presence, the REC issues three warnings signed by the Regional Minister and the Regional Spiritual Assistant/s, each one at least three (3) months after the preceding warning;
	3. If the warnings produce no positive results, the REC discerns whether to request suspension from the Provincial Spiritual Assistant of the Friar Province to which the fraternity is bonded and records its discernment in its minutes;
	4. The Regional Minister communicates, in writing, the request and advice of the REC to that Provincial Spiritual Assistant;
	5. The Provincial Spiritual Assistant of the Friar Province to which the fraternity is bonded, enacts the decree of suspension and sends it to the Fraternity Minister, with copies to the Regional Minister and the local (Arch) Bishop.
3. When a fraternity is suspended:
	1. Provision will be made, with the help of the REC, for the fraternity members to transfer their membership to the nearest active fraternity (cf. OFS Gen. Const. 55) unless:
		1. Article 56.2 of the General Constitutions is to be followed for the temporary suspension of individual members of the fraternity from life in the fraternity.
		2. Article 58 (nos. 2, 3, & 4) of the General Constitutions is to be followed for the definitive dismissal of individual members of that fraternity from the OFS.
	2. The goods of the suspended fraternity, its library, and records are acquired by the REC and kept in the Regional Fraternity archives (OFS Gen. Const. 48.1);
	3. The Common Fund and other assets of the suspended fraternity are to be frozen in an interest-bearing escrow account managed by the REC (Canon 122-3);
	4. A copy of the Document of Establishment (with the date of suspension recorded on it) and a copy of the last list of active members are to be sent to the archives of the Friar Province to which the fraternity is bonded, to the archives of the Regional Fraternity, and to the archives of the Diocese;
	5. The Local Ordinary of the (Arch) Diocese where the fraternity has been established is to be notified by the Provincial Spiritual Assistant of the suspension and the reasons for it.

**Five Franciscan Martyrs Region**

**Visitation & Election Mileage Stipend**

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***DATE OF ELECTION/VISITATION: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_***

***NAME OF FRATERNITY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_***

***REGION: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_***

***PERSON(S) CONDUCTING VISITATION/ELECTION:***

***\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_***

***DISTANCE TO THE VISITATION/ELECTION \_\_\_\_\_\_\_\_\_\_ (Please see chart below.)***

**STIPEND:**

10-50 miles $50.00

51-100 miles $100.00

100-150 miles $150.00

Over 150 miles $200.00

Please mail this form and check in the amount of $\_\_\_\_\_\_\_\_\_\_ made out to:

**Five Franciscan Martyrs Region**

c/o Patricia Gagnon OFS

Regional Treasurer

23 Grouper Drive

Naples, FL 34112

**Five Franciscan Martyrs Donor Fund Guidelines**

(Approved by the Five Franciscan Martyrs Regional Council on April 29, 2017)

1. **Definition of Terms**

The Five Franciscan Martyrs Regional Council (Regional Fraternity) is composed of both the Ministers of the canonically established Local Fraternities of the region and the Regional Executive Council.

The Regional Executive Council (REC) is composed of a duly elected Minister, Vice-Minister, Secretary, Treasurer, Formation Director, and at least two Family Councilors.

The Five Franciscan Martyrs Donor Fund (Donor Fund) will be composed of all donations given specifically to the Five Franciscan Martyrs Donor Fund or to the Secular Franciscan Order as a whole with no other specific fraternity, purpose, or fund named within the Order. This fund will be distributed according to the guidelines below.

1. **Authority to Spend**

Only the entire Regional Fraternity, when convened for its Annual Meeting, may authorize an expenditure from the Donor Fund. The expenditure must carry an absolute majority. However, see Item D for “Restrictions on Spending”.

1. **Maintenance of the Account**

The REC Treasurer, with its Finance Committee composed for at least one person with investment portfolio experience, shall maintain this money in a separate account and report on the progress of this account, at least once a year, at the Annual Meeting when the entire Regional Fraternity is convened. Intermediate reports shall be given to the REC whenever it convenes. An audit shall be executed, at least, once every three years.

1. **Restrictions on Spending**

To ensure the long-term life of this restrictive account:

1) The Regional Fraternity may not spend the principal at any time. It may only spend the income earned during the past calendar year.

2) The money management must include only wise, safe, low-risk investing as decided by the REC Treasurer and its Finance Committee.

1. **Suggested Priority of Spending**

The Regional Fraternity membership shall prioritize the spending as follows:

First—The Secular Franciscan members in their own region who are enduring a hardship.

Second—The other Secular Franciscan Brothers and Sisters in the world who are enduring a hardship.

Third—Those who are homeless and hungry in this land of plenty.

Fourth—Our Christian neighbors in the Holy Land, etc. who are being persecuted.

1. **Emergency Spending**

If there is a State Disaster such as a hurricane, and all other avenues for state aid (Red Cross, Catholic Welfare, etc.) have been exhausted, the affected Brother or Sister may petition the Regional Executive Council for assistance from this fund by completing the Request for Emergency Funds. The Regional Executive Council will then forward the form by email to the Regional Fraternity for authorization to disburse the money. An absolute majority vote is required. This vote will then be reaffirmed at the next Annual Meeting.

1. **How Donations May Be Made**

Donations may be made to the Five Franciscan Donor Fund by anyone...

* by remembering the fund in their will.
* by stipulating that the donation is being made specifically to the Franciscan Donor Fund.
* by giving the donation to any Secular Franciscan member who will then forward it to the REC Treasurer for deposit.

**Checks** should be made to the **Five Franciscan Martyrs Regional Donor Fund**

Mailing Address:

The National Fraternity of the Secular Franciscan Order, USA

1615 Vine Street

Cincinnati, OH 45202-6400

[www.OFS-USA-sfo.org](http://www.nafra-sfo.org)

Typing is by courtesy of Susan Deshotel, OFS

St. Anthony of Padua Fraternity, Pensacola

1. Council of National Spiritual Assistants, August 1, 1994 [↑](#footnote-ref-1)
2. Council of National Spiritual Assistants, August 1, 1994 [↑](#footnote-ref-2)
3. Council of National Spiritual Assistants, February 21, 1994 [↑](#footnote-ref-3)
4. Approved July 31, 1995, Conference of National Spiritual Assistants, USA [↑](#footnote-ref-4)
5. Council of National Spiritual Assistants, February 21, 1994 [↑](#footnote-ref-5)
6. Council of National Spiritual Assistants, February 21, 1994 [↑](#footnote-ref-6)