

# **Establishment of a Fraternity**

## **Canonical Establishment of a Fraternity**

### **Introduction**

The following procedure for the canonical establishment of a new fraternity is based on the following articles from the General Constitutions (Rome 1991).

### **Article 46**

1. The canonical establishment of the local Fraternity is the duty of the competent religious major Superior at the request of the brothers and sisters concerned and with the prior consultation and collaboration of the Council of the higher level to which the new Fraternity will be related according to the National Statutes. The written consent of the bishop is necessary for the canonical establishment of a Fraternity outside the houses or churches of the Franciscan religious of the First Order or TOR.
2. For the valid establishment of a local Fraternity, at least five professed members are required. The admission and profession of these first brothers and sisters will be received by the Council of another local Fraternity or by the Council of a higher level which will have provided for their formation in appropriate ways. The acts of admission and profession and the decree of establishment are preserved in the records of the Fraternity. Copies are sent to the Council of the higher level.

### **Article 47**

1. Each local Fraternity, the primary cell of the SFO, is entrusted to the pastoral care of the religious Franciscan Family that canonically established it.
2. A local Fraternity may pass to the pastoral care of another religious Franciscan Obedience in the ways provided by the National Statutes.

### **Description of the procedure**

The procedure is accomplished in stages and each of these stages is attested to by a particular document, signed by the person concerned. As a result, a four-part document is provided.

**Part 1**

After receiving the request from the members of the emerging fraternity, the Regional Council will complete Part 1 and present the official request of canonical authorization to the nearest Provincial Minister of the First Order.

**Part 2**

This part is to be completed by the Provincial Minister of the First Order on the presentation of Part 1 by the Regional Council.

**Part 3**

This part is completed by the local Bishop on the presentation of Parts 1 and 2 by the Provincial Minister of the First Order.

**Part 4**

This part is completed on the day of the celebration of the establishment of the fraternity, after having carried out the first 3 stages attested by Parts 1, 2 and 3.

The fraternity will make sure that the 4 documents are kept in its archives and that a copy is forwarded to the Regional Council.

**PART 1 - REQUEST OF THE REGIONAL COUNCIL**

Upon request of the emerging Secular Franciscan fraternity of

\_\_\_\_\_

(name of fraternity)

meeting at \_\_\_\_\_

(place)

in the city of \_\_\_\_\_

(name of city)

in the diocese of \_\_\_\_\_,

(name of diocese)

we, the Regional Council of the Secular Franciscan Order of the

\_\_\_\_\_  
(name of region)

attest to the fraternity's viability, and ask the Provincial Minister of the Friar

Province of \_\_\_\_\_  
(name of friar province)

to canonically establish the new fraternity,

with the permission of the Bishop of the diocese

and according to the Ritual of the Secular Franciscan Order,

and to provide for spiritual assistance to the fraternity.

The above mentioned Fraternity is consequently attached to the Secular Franciscan

Regional Fraternity of

\_\_\_\_\_  
(name of regional fraternity)

and to the National Fraternity of Canada.

Date: \_\_\_\_\_

\_\_\_\_\_  
(name of Regional Minister)

\_\_\_\_\_  
(signature of Regional Minister)

## **PART 2 - AUTHORIZATION OF THE FRIAR PROVINCIAL MINISTER**

I, \_\_\_\_\_, Provincial Minister of the First Order

Province of \_\_\_\_\_,  
(name of province)

agree to assume the canonical responsibility for the establishment of the new fraternity of

\_\_\_\_\_

(name of local fraternity)

and for the spiritual assistance of this fraternity according to Canon 303 of the Code of Canon Law.

In order to fulfill these provisions, I hereby request the local Bishop's consent.

Given in our house of

\_\_\_\_\_

(name of house)

at \_\_\_\_\_

(name of city)

this \_\_\_\_\_ day of \_\_\_\_\_, of the year

\_\_\_\_\_.  
(date)

\_\_\_\_\_

Minister Provincial

### **PART 3 - BISHOP'S CONSENT**

By this present document,

I, \_\_\_\_\_,

bishop of the diocese of

\_\_\_\_\_.  
(name of diocese)

give my consent, in accord with Canon 312 of the Code of Canon Law, to the canonical establishment of the Fraternity of

\_\_\_\_\_

(name of the local fraternity)

of the Secular Franciscan Order.

Given this \_\_\_\_\_ day of \_\_\_\_\_, of the year

\_\_\_\_\_.  
(date)

\_\_\_\_\_  
(signature of Bishop)

**PART 4 - CANONICAL ESTABLISHMENT OF THE FRATERNITY**

On the \_\_\_\_\_ day of \_\_\_\_\_ of the year \_\_\_\_\_,  
(date)

in the parish of \_\_\_\_\_  
(name of parish)

in \_\_\_\_\_  
(name of the city)

I have canonically established the Fraternity of

\_\_\_\_\_  
(name of local fraternity)

of the Secular Franciscan Order, assigned it to the Regional Fraternity  
of

\_\_\_\_\_  
(name of regional fraternity)

and to the National Fraternity of Canada.

\_\_\_\_\_  
(name of the First Order Provincial Minister's Delegate)

\_\_\_\_\_  
(signature of the First Order Provincial Minister's Delegate)

\_\_\_\_\_  
(name of the Regional Minister SFO)

\_\_\_\_\_  
(signature of Regional Minister SFO)

Witnesses:

\_\_\_\_\_  
(name of first witness)

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(signature of first witness)

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(name of second witness)

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(signature of second witness)