



Secular Franciscan Order - USA

Guide for
Deactivation of a Local
Secular Franciscan Fraternity

Conference of National Spiritual Assistants (CNSA)
National Executive Council (NEC)

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Options for a Struggling Local Secular Franciscan Fraternity

Fraternities sometimes come to a point when they can no longer function as a vibrant fraternity. Various reasons contribute. Sometimes the members grow older and can no longer attend regular gatherings. Sometimes there are too few who are able to serve on a fraternity council. Sometimes the burden of operating like a full-fledged fraternity is more than the members can handle.

In these cases, there are two options that can be considered.

Fraternal Accompaniment

When a fraternity is unable to elect a new council at the end of a term, or the elected council can no longer function, the Region, in consultation with the Province to which the fraternity is bonded, may grant a grace period of two years to allow time for the fraternity to rebuild. During this time an accompanying fraternity is assigned to be responsible for all the functions proper to a local Council, including formation and decisions on admissions and professions. This accompanying fraternity encourages growth and helps develop the leadership skills necessary for independence. The REC needs to regularly review the progress of the struggling fraternity. If progress is shown, the grace period can be extended.

Such a grace period should only be considered if the members of the struggling fraternity have the desire to continue, and the potential to rebuild exists.

Deactivation

When Fraternal Accompaniment does not appear to be a viable option for a struggling fraternity, the Region, in collaboration with the Province to which the fraternity is bonded, pursues deactivation. See section on “Process for Deactivation of a Canonically Established Fraternity” for details on the steps to be taken for deactivation.

An important aspect of deactivation of a fraternity is how to provide for the members' continuing involvement in fraternity with other Secular Franciscans. See the section on “Options for Members of a Deactivated Fraternity”.

Process for Deactivating a Fraternity

When a canonically established fraternity is no longer viable, for whatever reason, it can be declared deactivated by the Provincial Minister (or delegate) of the Province to which the fraternity is bonded.

When the possibility that a fraternity is no longer viable comes to light, the Conference of Regional Assistants and the REC make a pastoral and fraternal visit to the fraternity. They dialogue with the members about the options available to the fraternity, of which deactivation is one. (See section on Options for a Struggling Fraternity.) They ask the members of the fraternity to consider the options prayerfully and to communicate their decision within 60 days of the fraternal and pastoral visitation. The fraternity informs, in writing, the REC and the Conference of Regional Spiritual Assistants (or Assistant if there is only one) of their decision.

- Regardless of who initially proposes deactivation, there should be dialogue with all parties involved – the local

Effect of Deactivation of a Fraternity on individual Professed Members

The members of a deactivated fraternity remain members of the Secular Franciscan Order.

They maintain their commitment to fraternity, gathering together if possible, or transferring to a nearby local fraternity, maintaining communication with the Regional Executive Council and offering whatever support they can to the OFS. Their commitment to the OFS way of life remains intact. See *Options for Remaining Members of a Deactivated Fraternity*.

fraternity (including the local spiritual assistant), the REC, and all regional spiritual assistants and the Provincial Minister or his delegate.

- If all parties are not in agreement, an appeal is made to the NEC with the entire CNSA within 90 days of the proposed deactivation (See GC 59).

If all parties are in agreement, the official deactivation follows this procedure:

- The REC sends a letter of notification to the Provincial Minister (or delegate) of the province to which the fraternity is bonded. The REC includes copy of the fraternal and pastoral visitation reports unless they have already been shared.
- The Provincial Minister (or delegate) issues the decree of deactivation to the fraternity minister with copies sent to the regional minister and the local bishop.
- The patrimonial goods of the deactivated fraternity, the library and the records are acquired by the fraternity of the immediately higher level. (*OFS General Constitutions, 48.1.A*)
- A copy of the document of establishment of the fraternity and date of its deactivation, plus a list of active members, is sent to the archives of the friar province, the regional fraternity and the appropriate diocese.

When a fraternity is deactivated, the juridic person of the fraternity remains intact for 100 years after the last fraternity member dies. Such a fraternity can be revived if new members wish to reactivate it and it can function as a fraternity. The Provincial Minister (or delegate) of the province who deactivated the fraternity can reactivate it if all requirements are met. (Code of Canon Law, cc. 120).

When a fraternity is deactivated, the Region must make best efforts to contact all the members of that fraternity, whether they are active or not.

Options for Members of a Deactivated Fraternity

When a fraternity is deactivated, all professed members and candidates must transfer to an active fraternity in order to remain active in the Order. This includes those members who are excused from attending gatherings, or are homebound. The members have a choice of which fraternity to request a transfer to, and go through the normal process for transfer. The Regional council makes the transfer request on behalf of the deactivated fraternity council. The new fraternity welcomes the active transferred members, and includes the excused members in their ministry to homebound and infirm members.

Satellite of an Active Fraternity

There may be cases where attending fraternity gatherings in another fraternity is not possible, either because of distance or inability to travel. In these cases, the Regional Council may consider a request by the members of a deactivated fraternity to become a satellite of another fraternity. (See sidebar).

A satellite retains their identity (name), but is listed as a satellite of another (sponsoring) fraternity. Members are recorded in the sponsoring fraternity's register as transfers.

If a full transfer to another fraternity, or being accepted as a satellite is not possible, the REC must make certain that the remaining professed members and candidates do not become isolated. The REC may do that through personal interaction on the part of a REC member, or by inviting a local fraternity to keep in touch with these seculars who can no longer attend gatherings. The key goal for the REC is to keep the relationship alive, letting these seculars know that they are important and still part of the OFS family.

Sponsoring Fraternity as part of a Fraternal Accompaniment Relationship

Other than the responsibilities associated with the process of canonical establishment, the responsibilities of a sponsoring fraternity in a fraternal accompaniment relationship are much the same as with a newly forming group. The emphasis of ongoing formation, however, should be building servant leadership in the sponsored fraternity,

since the goal of the accompaniment is to bring the fraternity to a place where they can elect a council, and become a viable, vibrant fraternity.

The reporting responsibilities are different from those of a sponsor of a newly forming fraternity, in that the members of the accompanied fraternity do not transfer to the sponsor. Thus, they remain responsible for reporting to, and financial support of, the region. The sponsoring fraternity would offer assistance and guidance as needed.

Also, the sponsoring fraternity would be responsible for reporting progress of the accompanied fraternity to the REC on a regular basis as determined by the REC.

Sponsoring Fraternity of a Satellite Group

When a fraternity accepts the sponsorship of a satellite group, the members of that group transfer to the sponsoring fraternity. Since this arrangement would be more or less permanent, unless the satellite at some point seeks reactivation, the responsibilities for the members of the satellite are the same as those for the members in the local fraternity. Conversely, the members of the satellite would have the same responsibilities for support of the sponsoring fraternity as the local members.

Satellite groups are often the result of deactivated fraternities that are some distance from another fraternity, so keeping regular contact with the members and helping them feel a sense of belonging to something greater than their group is a challenge.

Criteria for becoming a satellite of an active fraternity

In order for the members to become a satellite of another fraternity, the following criteria must be met:

- ✓ Members of the deactivated fraternity officially transfer to one active sponsoring fraternity (approved and assigned by the REC);
- ✓ Most members of the deactivated fraternity are unable to attend meetings in the sponsoring fraternity;
- ✓ At least 3 members of the deactivated fraternity are able to come together as a group on a regular basis;
- ✓ Members of the deactivated fraternity are able and willing to meet the financial obligations of their sponsoring fraternity (Fair Share), as well as any expenses incurred in meeting as a group on their own.
- ✓ The sponsoring fraternity is actively involved in providing spiritual assistance and initial and ongoing formation to the satellite group. While some of the support might occur virtually, the norm would be that spiritual assistance and initial formation would be done in person.
- ✓ Professed members of the satellite may delegate one of their members to be a non-voting member of the sponsoring fraternity's council, but that individual must be able to attend the sponsoring fraternity's regular and council meetings.

Documents Needed for Deactivation of Local Fraternity

Regardless of who initiates the topic of deactivation, the following documents must be produced. The order of items 1-3 may differ depending on who initiates the process.

1. **Minutes of Fraternity Council** stating that the council met and discussed deactivation, and the vote on the motion to deactivate. These minutes should include a list of those who were present.
2. **The REC Fraternal and Pastoral Visitation Report.** The Visitation must be conducted prior to deactivation. The report(s) should include the date(s) of the Visitation, the names of all local fraternity members who were present, the names of the two Visitors, and the conclusions of the Visitors as regards deactivation.
3. **Letter from Fraternity to Regional Executive Council.** This letter is the local fraternity's request for deactivation, it should be signed by the whole council, not just the local Minister.
4. **Minutes of the meeting of the REC where the deactivation of the Fraternity was discussed.** Include a list of those present at the REC meeting, pertinent details of the discussion, and the vote for deactivation.
5. **Letter from the REC to the Provincial Minister (or delegate) of the province to which the fraternity is bonded.** This letter is to request the deactivation of the fraternity. The letter should state that the REC, including the RSA, agree with the deactivation. The Province should also be sent a copy of the Visitation Report and a copy of the letter from the fraternity indicating their wish to deactivate.
6. **Letter from the Provincial Minister (or delegate), issuing the decree of deactivation.**

After the decree of deactivation is received from the Province the REC proceeds to:

1. Send copies of the deactivation decree to the local fraternity Minister and the local bishop.
2. Communicate with each individual member of the fraternity to discuss their options.
3. Update the national database appropriately, and noting the deactivation of the fraternity by changing the name of the fraternity to "N___ Fraternity (Deactivated)." [The database team will double check it.]
4. File the fraternity document of establishment, the letter of deactivation from the Province, and a list of members and their status at the time of deactivation, in the Regional files.
5. Send a copy of the document of establishment of the fraternity and the decree of deactivation to the National Archivist and the Secretary of the CNSA.

**Please send copies of all the above to the National Executive Council (NEC).
Keep the originals in the Region's files.**