

**Process for Establishing a New Fraternity  
or Reactivating an Existing Fraternity**

*and*

**Options for Fraternities in Difficulty**

*from*

*The*

**HANDBOOK**

*for*

**SPIRITUAL**

**ASSISTANCE**

*to the*

**SECULAR FRANCISCAN ORDER  
USA**

Conference of National Spiritual Assistants (CNSA)

United States of America

2026

**A Note about this document:** Chapters 7 and 8 in the *new Handbook for Spiritual Assistance to the Secular Franciscan Order (2026)* contain documentation that is critical to regional and local ministers and formation directors. These two chapters, *Process for Establishing a New Fraternity or Reactivating an Existing Fraternity*, and *Options for Fraternities in Difficulty* are being published as a standalone document for PDF download. This document replaces the Guide for Establishment and Guide for Deactivation previously available on the website under the Resources Tab, [Guidelines, Forms & Other Resources – Secular Franciscan Order – USA](#) and [Spiritual Assistant Procedures & Guidelines – Secular Franciscan Order – USA](#)

## Table of Contents

<b>Process for Establishing a New Fraternity or Reactivating an Existing Fraternity .....</b>	<b>1</b>
So You Want to Start a Fraternity.....	1
Pathway to Canonical Establishment .....	5
Case Studies for Canonical Establishment.....	6
Process for Establishing a New Fraternity.....	9
Phase II: Emerging Fraternity.....	14
Phase III: Canonically Establishing a Fraternity .....	18
Responsibilities of the Regional Executive Council .....	20
Responsibilities of a Sponsoring Fraternity .....	23
Extraordinary Circumstances for Sponsorship .....	25
Readiness for Canonical Establishment – Fraternity Self-Evaluation.....	26
Document of Canonical Establishment.....	28
Document of Canonical Establishment Template.....	29
Reactivating a Fraternity.....	30
Transferring a Fraternity to the Altius Moderamen of another Friar Province .....	31
Moving a Fraternity’s Location to another Region/Diocese .....	31
<b>Options for Fraternities in Difficulty .....</b>	<b>33</b>
Fraternal Accompaniment .....	33
Removal of Council Members .....	33
Deactivation.....	34
Process of Deactivating a Canonically Established Fraternity.....	35
Remote Cell of an Active Fraternity.....	36

# Process for Establishing a New Fraternity or Reactivating an Existing Fraternity

## ***So You Want to Start a Fraternity...***

Welcome! You're about to undertake a great and rewarding task. But before you begin, you should be aware of the significance of what you intend to do.

If you're already a professed Secular Franciscan, the ideas that follow should not be new to you. Consider this a helpful reminder of some basics that might otherwise get lost in the procedural details. It is important to have these basics firmly in mind.

If you are not a Secular Franciscan, much of what is said will probably be unfamiliar. Some of the terms used will be explained as we go along. As for the rest, you're not going to be doing this alone. Don't be afraid to ask other Secular Franciscans for clarification.

To be more specific, the "other Secular Franciscans" who will assist you are:

- the Regional Executive Council (REC), one of whose responsibilities is the oversight of newly forming Secular Franciscan groups in your geographic area, and
- the sponsoring fraternity, a local fraternity that will be assigned to mentor you through the process.

Let's begin by clarifying what a Secular Franciscan fraternity is not.

- It is not a prayer group, although members do pray when they gather.
- It is not a support group, although members do support each other.
- It is not a study group, although formation in the Franciscan way of life is an ongoing part of every gathering.
- It is not a Bible study group, although the Gospels form the basis of OFS life and are frequently discussed.
- It is not a social ministry group, although members participate in a variety of social ministries.
- It is not a parish organization, although most fraternities do meet in parish facilities.

So what is a fraternity, then? The local fraternity is the basic unit of the Secular Franciscan Order (the OFS). It has a special purpose which is defined by the OFS legislation, and a unique identity (called a "juridical personality") in the Church.

Let's unpack these statements.

A Secular Franciscan fraternity is part of an established Order in the Church, which has certain implications.

- The fraternity itself must be officially 'established' by one of the Franciscan friar provinces that have ecclesiastical responsibility for the OFS. It is thus by definition not a parish or diocesan organization.

- Individual members are bound more intimately to the Church, which is why full membership is open only to Catholics in full communion with the Church.

That describes the fraternity's identity as it relates to the Church. What about its purpose?

- First and foremost, the purpose of the Order (and thus the purpose of the fraternity, all OFS members, and all those who belong to the Franciscan family) is to make present the Franciscan charism in the life and mission of the Church (OFS Rule, art. 1).
- In and of itself, the fraternity is a service to the Church. "Fidelity to their own charism, Franciscan and secular, and the witness of building fraternity, sincerely and openly, are their principal services to the Church, which is the community of love (GC, art. 100.3)."
- "The Fraternity of the OFS finds its origin in the inspiration of Francis of Assisi to whom the Most High revealed the essential gospel quality of life in fraternal communion" (GC, art. 28.1). As an integral part of OFS life, it is marked by fraternal communion and is a means of holiness.

With these considerations firmly in mind, this Guide sets forth a clear pathway to canonical establishment of a new Secular Franciscan fraternity. It describes:

- the stages of development of the group,
- the requirements for documentation,
- when and how to obtain the approval of the local bishop and the provincial minister, and
- the respective roles of the sponsoring fraternity and the REC throughout the process.

But establishing a fraternity is more than just the end result of checking off items on a To-Do list. There is another aspect of a fraternity's identity, a spiritual dimension that was hinted at in the description of its purpose. The fraternity is to become a genuine ecclesial community. Canonical establishment is an acknowledgment by the Church that a fraternity, an ecclesial community, is present.

The requirements for developing a genuine ecclesial community are more difficult to define than listing those for documentation and approval, but they are obviously key here. In some ways, you can think of the process as analogous to the way you'd go about acquiring any new skill: you'd watch someone, you'd try it out, you'd get some coaching, and you'd practice what you learned. So, to assist you, a sponsoring fraternity will be assigned to mentor you, answer your questions, and serve as a model of fraternity life. In addition, listed here are some general attitudes that are helpful to keep in mind.

- ***Make building community your priority.*** A fraternity doesn't just happen automatically, without significant effort on the part of its members. It needs to be worked on to become a reality. Resolve that your commitment to your Secular Franciscan vocation and to the fraternity will take precedence over your involvement in other organizations, including those of the parish.
- ***Cultivate a sense of co-responsibility within the fraternity.*** Unlike other organizations where responsibility for the well-being of the group is held by a small number, in a fraternity, all members share responsibility for the life of the fraternity. "The sense of co-responsibility

of the members requires personal presence, witness, prayer, and active collaboration, in accordance with each one's means and possible obligations for the animation of the Fraternity" (GC, art. 30.2).

- **Acknowledge that community takes time to develop.** Look for opportunities to work together, visit together, pray together, study together, and have fun together. Don't limit yourselves to the monthly fraternity gathering, but find ways to interact with fellow Franciscans throughout the month.
- **Appreciate differences.** Fraternal unity does not imply uniformity. Our differences add to the richness of life and bring a wide variety of gifts and talents to the fraternity. They are a positive advantage and should not be allowed to become the cause of dissension. Which of us can be complete without his brothers and sisters?
- **Beware of being judgmental.** Being judgmental is one of the easiest ways to poison the spirit of the fraternity. "Blessed is the person that puts up with the frailty of his neighbor to the extent he would like his neighbor to put up with him if he were in a similar plight" (Admonition XVIII\*).
- **Practice forgiveness.** "...I wish to know in this way if you love the Lord and me, His servant and yours: that there is not any brother in the world who has sinned---however much he could have sinned---who, after he has looked into your eyes, would ever depart without your mercy, if he is looking for mercy. And if he were not looking for mercy, you would ask him if he wants mercy. And if he would sin a thousand times before your eyes, love him more than me so that you may draw him to the Lord..." (Letter to a Minister\*). Even in our fraternities, there will be many opportunities to apply this advice.

And finally, and most importantly

- **Follow St. Francis' advice** to his brothers. "Pursue what you should desire above all else, namely, to have the Spirit of God and God's grace working in you..." (cf. Earlier Rule XVII\*). When you come right down to it, all the attitudes and techniques in the world are insufficient to form a genuine ecclesial community. The Holy Spirit is the one who breathes life into your fraternity, who molds you and brings you together as one.

Again, welcome. May you be richly blessed and rewarded as you take up the challenge of forming a new Secular Franciscan fraternity.

*\*Francis of Assisi, Early Documents, Vol. I, The Saint, New City Press, 1999.*



# Pathway to Canonical Establishment

## PERSONS DESIRING TO START A FRATERNITY



Approval of Regional Executive Council (REC)

## NEWLY FORMING GROUP (NFG)



Assignment of sponsoring fraternity



Time of formation and building community  
(minimum one year with five professed members)



Receipt of written intention of the *altius moderamen* from friar province



Approval of REC

## EMERGING FRATERNITY



Fraternity council appointed by REC  
Fraternity name chosen and approved  
Formal agreement for *altius moderamen* and  
the appointment of a spiritual assistant



Several years functional as a fraternity  
with continued evaluation of progress



Approval of REC/Provincial Minister or delegate/local Ordinary

## ESTABLISHED FRATERNITY

## ***Case Studies for Canonical Establishment***

Here are some case studies that illustrate some of the problems that can occur when:

- There is insufficient oversight by the REC.
- The spiritual assistant is either absent or inexperienced.
- The involvement and support of the sponsoring fraternity are inadequate.

---

### ***Case Study 1: Initial Formation/Fraternity Life***

Connie Cortona had a passion for promoting the Order, so she was delighted when the Regional Minister asked for her help with a newly forming group. None of the group members were professed, but Connie liked a challenge, and she was confident in her skills as a formator.

She began to hold initial formation sessions for her small group of inquirers and met faithfully with them over the next two years. When the time came for them to be professed, Connie contacted the Regional Minister, who came and received their professions. But the joy of profession rapidly turned to sorrow when shortly thereafter Connie suffered a fatal heart attack.

The Regional Minister returned, appointed a council, and arranged for the establishment of the fraternity. But the little group was lost without Connie. With no real experience of fraternity life beyond formation classes and no contact with neighboring fraternities, they had no idea what they were supposed to do, and the group floundered.

---

### ***Case Study 2: Fraternity Life/Building Fraternity***

St. Francis Fraternity was large and very active, drawing in new members from miles around. But a time came when some of the members who lived in an outlying area wondered whether it might be nicer to have a fraternity nearer their homes, so they wouldn't have to drive so far for meetings. They discussed their plan with the fraternity council, which agreed to support them.

The group found a home at St. Hildegard's, a small parish where several of them were members; they settled in and began meeting on their own. Paul Perugia, the fraternity minister, arranged to meet with them annually. They tried to be on their best behavior during Paul's visits because they really wanted to be canonically established as soon as possible. During his second visit, they asked to be established, and after his third trip to see them, he told the REC that they were ready.

So the fraternity became canonically established. But having achieved their goal, the group was at loose ends. They had nothing to work for. They decided to get more involved in parish life and do projects for the pastor. While this pleased the pastor and was convenient for some of the members, those who did not belong to St. Hildegard's felt overlooked and left out. Eventually, they drifted away, a couple of members died, and suddenly the group was unable to elect a new council.

---

### ***Case Study 3: Fraternity Life/Sense of Belonging***

St. Angela of Foligno fraternity was growing rapidly, so when some of the members wanted to start a new fraternity a couple of towns away, the council gave them their blessing and sent them off. The council felt that since all the group members had been formed by St. Angela's, they knew everything they needed to know to be an independent fraternity.

The group itself was extremely eager for independence and began meeting on its own. The sponsoring fraternity's minister, Priscilla Parma, kept in touch occasionally and was not offended when the group suggested that they didn't need her help. She recommended that the group be established and found a local pastor who was willing to serve as their spiritual assistant. The REC trusted Priscilla, so they proceeded with the canonical establishment.

Once the fraternity was established, the members wanted little to do with other fraternities in the area, and rarely attended Regional gatherings. Soon, it seemed that even attending their own meetings had become too much of a burden. They started meeting less frequently, sometimes cancelling their regular gatherings. It should come as no surprise that eventually most members permanently lost interest because they were never sure if there would be a meeting or not.

---

#### ***Case Study 4: Spiritual Assistance***

There were no fraternities anywhere in the area when Gail Greccio moved in, so she was delighted when she heard that Vinnie Verona was starting a fraternity. He had already located several other professed OFS members who wanted to participate and contacted the REC.

There had been a slight problem to overcome, because the REC said that they had to have a sponsoring fraternity and a spiritual assistant, and none were nearby. But then, success! Frank Foligno's fraternity was three hours away, but he wanted to be of service, so he agreed to meet with them and help them get started. The spiritual assistant from Frank's fraternity would be able to ride along. But Frank was very busy, and after his mother had a stroke and moved in with him, he had little time to devote to the emerging fraternity.

Without Frank, the spiritual assistant was unable to travel. The absence of a spiritual assistant did not faze the group, though, as they were determined to be a perfect fraternity and follow all rules to the letter. In fact, they felt that other fraternities they'd heard of were not strict enough. They even had some doubts about the pastor of the parish where they met. Unfortunately, when they offered constructive criticism about how he could improve his liturgies and then wrote to the bishop about it, the pastor was offended and asked them to leave. The bishop, in turn, was not impressed with their knowledge and zeal; he refused to sign their establishment document, and the group disbanded.

---

#### ***Case Study 5: Elections and Voting***

A couple of dedicated OFS members, Sally Subiaco and Sharon Spoleto, felt called to establish a new fraternity in an area of their city that had several Catholic parishes, but no fraternities. Their own fraternity minister and some of the council members were angry that the two fraternity stalwarts wanted to leave, so they refused to support the project.

At this, a few more of their fraternity brothers and sisters joined Sally and Sharon in protest and left the fraternity. The little group found another fraternity, St. Angeline's, that was willing to sponsor them. Sally, Sharon, and their friends transferred to St. Angeline's and proceeded to recruit several interested individuals into initial formation. Sharon and Sally were grateful to St. Angeline's, so when they were asked to run for office in the sponsoring fraternity, they agreed and were elected to the council.

Sadly, they did not foresee the potential for conflict of interest and the problems and hurt feelings that would follow. It was not long before Sharon and Sally ran into difficulty with the rest of the council. When making decisions and plans for St. Angeline's, Sharon and Sally found themselves unwilling to support projects that might interfere with their work with the newly forming group. When the time came for St. Angeline's council to evaluate the progress of the new group, Sally and Sharon's ability to be objective was swayed by their hopes for the group, and they were offended when the other council members did not share their views.

---

### ***Case Study 6: Record-Keeping and Reporting***

Lynn LaVerna had always wanted to help establish a new fraternity, so when her local fraternity was asked to sponsor a new fraternity, she was the first to volunteer. Lynn was hard-working and eminently trustworthy, but she did have one fault---she liked things done her way. One of those ways was that she liked to keep things organized, and she felt that no one could do it better than she did. She insisted on keeping all of the group's records in her home, right where she could lay her hands on them. She saw no need to keep the REC informed of all those details. This seemed to work quite well until she died unexpectedly, and her grieving family threw out all those old papers that they were sure no one needed.

---

## **Process for Establishing a New Fraternity**

**Please Note:** What follows is a guide to establishing a new OFS Fraternity, which covers much of the “how and who” that is not specified in the OFS legislation (the Rule, the OFS General Constitutions, the National Statutes, and the CIOFS Spiritual Assistant Statutes). There are many aspects of the establishment process that have been learned over time to be effective in ensuring a successful outcome. It is highly recommended that you follow these guidelines. Different options for accomplishing a given step or objective should be carefully discerned.

There are three phases of establishing a new fraternity, each with its own tasks, roles, responsibilities, and preconditions.

- Phase I – Newly Forming Group
- Phase II – Emerging Fraternity
- Phase III – Canonical Establishment

For each phase, frequent documentation and thorough record-keeping are essential, particularly since the establishment process can span multiple terms of office in both the sponsoring fraternity and the REC.

Note that although a sponsoring fraternity will be assigned to work directly with the newly forming group/emerging fraternity, the REC is ultimately responsible for overseeing the progress of the new group and its relationship with the sponsoring fraternity.

### **Phase I: Newly Forming Group**

Anyone who wishes to start a new Secular Franciscan (OFS) fraternity must submit a request to the REC of their area, preferably in writing, whether the initial idea comes from professed Secular Franciscans, other lay persons, friars, or religious. After serious dialogue with the requesting group, the REC gives or withholds its approval.<sup>1</sup> If approval is given, the steps to be taken are detailed on the following pages.

---

<sup>1</sup> If the REC withholds permission to start a newly forming group, the reasons for the decision are communicated to those who made the request.

### **Requirements for starting a newly forming group**

- A group of at least five people (preferably closer to ten) who may or may not be professed OFS members, who seek to form a new canonically established OFS fraternity.
- Request from the group to the REC for newly forming group status and sponsorship.
- Approval of the newly forming group by the REC, and acceptance of sponsorship by the sponsoring fraternity.

### **Required number of members to start a newly forming group.**

Though five members are required in order to provide a fraternity council (GC, art. 46.2), prudence would dictate that more than five members are needed to ensure long-term viability.

### **Requirements for the sponsoring fraternity.**

See section *Responsibilities of Sponsorship* (p 23).

## First Steps for the Newly Forming Group

- The REC assigns the newly forming group to a sponsoring fraternity council.
- In the newly forming group, there may be professed individuals who belong to a fraternity other than the assigned sponsoring fraternity. Typically, these Seculars would be expected to transfer to the sponsoring fraternity.<sup>2</sup> See National Transfer Form on the OFS National Website under Resource/Guidelines, Forms & Other Resources.
- The newly forming group selects a member of their group to be the group leader, with the assistance of the sponsoring fraternity council.
- The newly forming group selects an ecclesial location (parish church, friary, convent, shrine, etc.).

## Fraternity Life of a Newly Forming Group

### Fraternity Gatherings and Council Meetings

Members of the newly forming group meet regularly in person in order to bond as a fraternity.

Members of the newly forming group are encouraged to attend the sponsoring fraternity's gatherings. The newly forming group leader, or a delegate, may attend the sponsoring fraternity's council meetings as an observer. In addition, where possible, a member of the sponsoring fraternity council should attend the newly forming group gatherings. At any time, an REC member may informally visit the newly forming group.

If distance prevents routine in-person attendance, teleconferencing is an option. However, at least twice a year, representatives from the sponsoring fraternity should meet physically with the newly forming group. Members of the newly forming group are expected to attend Regional meetings, retreats, and workshops when possible. It is important that newly forming group members have an experience of fraternity at the local and Regional level as well as their own gatherings.

### Spiritual Assistance

In the initial stages of the newly forming group, before they obtain acceptance of the *altius moderamen* from a friar province, the spiritual assistant of the sponsoring fraternity serves as the spiritual assistant for the newly forming group. If a spiritual assistant is not available, the sponsoring fraternity should confer with the REC (Case Study 4).

### ***Period of Building Community***

The newly forming group begins a period of building community. The group holds regular gatherings that include the necessary elements of a fraternity gathering: prayer, formation, announcements, and socializing. During this period of community building, the members of the newly forming group are encouraged to attend sponsoring fraternity gatherings. They should seek opportunities for interaction with each other outside their regular gatherings. They should join with other Franciscans for retreats, fraternity celebrations, apostolates, etc. (Case Study 2) The sponsoring fraternity monitors the newly forming group's structures and activities in order to provide support.

---

<sup>2</sup> Any exceptions need to be approved by the REC.

## Formation

**Initial Formation:** Members of the newly forming group start or continue their initial formation under the guidance of the sponsoring fraternity's formation team. Time frames for each stage of initial formation are as specified in the National Statutes, article 19.1-2.

The sponsoring fraternity's council should be in regular contact with whoever is conducting the initial formation sessions for the newly forming group. The progress of those in initial formation should be regularly reviewed by the sponsoring fraternity's council. Initial formation sessions should be in person whenever possible, but appropriate virtual sessions can be used, with the approval of the REC, to complement the in-person sessions (Case Study 1).

The Rites of Admission and Profession are carried out by the sponsoring fraternity. The minister (or their delegate) of the sponsoring fraternity must preside at the Rites of Admission and Profession for members of the newly forming group. The Ceremony of Welcoming may be delegated to a member of the newly forming group.

**Ongoing Formation:** If distance prevents the newly forming group members from participating in ongoing formation with the sponsoring fraternity, there are two options:

- The sponsoring fraternity, in collaboration with the person responsible for formation in the newly forming group, provides an ongoing formation program. When the sponsoring fraternity member cannot be present at the newly forming group gatherings, the person responsible for formation in the newly forming group is prepared ahead of time by the sponsoring fraternity to present the material and lead the discussion.
- If there are professed members in the newly forming group, the newly forming group proposes an ongoing formation program to the Formation Director of the sponsoring fraternity for review.

## Elections and Voting

Once they transfer into the sponsoring fraternity, professed members of the newly forming group have voting rights in the elections of the sponsoring fraternity, which include passive and active voice. Although they do have passive voice (that is, can be elected to the council), it is strongly

### ***What is the *Altius Moderamen*?***

The spiritual and pastoral care of the OFS has been entrusted by the Church to the Friars of the Franciscan First Order and the Third Order Regular (TOR). *Altius moderamen* refers to the statement in the Code of Canon Law (c. 303) which gives the "higher direction" in matters of spirituality and pastoral care to the OFM, OFM Capuchin, OFM Conventual and TOR Friars. They carry out this responsibility through their Provinces. The provincial ministers (either personally or through their friar delegate) establish local fraternities and appoint local and regional spiritual assistants. Each canonically established fraternity is "bonded" to a friar province.

recommended that professed members of the newly forming group not serve on the sponsoring fraternity council, since this can lead to serious conflicts of interest (Case Study 5).

The newly forming group itself does not have voting rights in regional fraternity elections. Members of the newly forming group are represented by the sponsoring fraternity.

### Record-Keeping and Reporting

#### Sponsoring Fraternity's Responsibilities

Minutes of the sponsoring fraternity council meetings will include a report of the activities of the newly forming group(s) which they sponsor.

The sponsoring fraternity sets up a file containing the required documentation for each person in initial formation in the newly forming group. Admissions and professions, as well as any changes in member status, will be recorded in the sponsoring fraternity's register.

The sponsoring fraternity will include the demographics and additional information for the newly forming group in their Annual Report to the Region (Case Study 6). Candidates and newly professed members of the newly forming group are listed in the National Database as members of the sponsoring fraternity.

#### Newly Forming Group's Responsibilities

The newly forming group keeps attendance records and minutes of their gatherings.

The newly forming group collects the required documentation for its members in initial formation and submits it to the sponsoring fraternity.

The newly forming group is responsible for providing written reports to the sponsoring fraternity council twice a year. The newly forming group will keep a roster of its members and provide it to the sponsoring fraternity as part of its reporting.

### ***Fraternity Register versus Roster***

*Each local fraternity is to have at least a register of enrollments (admissions, professions, transfers, deaths, and every other important annotation relative to the individual members) (GC, art. 52.2.b, footnote 35).*

The ***Fraternity Register*** is the official record of OFS members. Each canonically established fraternity must have an official register which includes member name, birth date, and dates of welcoming, admission, profession and death as well as changes in status or transfers.

Members are not entered in the Register until they are admitted to candidacy.

Until a newly forming group or emerging fraternity is canonically established, its candidates and newly professed members will be recorded in the sponsoring fraternity's Register.

A newly forming group, however, maintains a ***roster*** of their members. The roster would include names, addresses and contact information, and status (Orientation, Inquiry, Candidacy, Professed, etc.). The roster is included in its regular report to the sponsoring fraternity.

## **Finances/Fair Share**

The newly forming group keeps records of its members' contributions to the common fund. These contributions cover expenses incurred as part of fraternity life, and their Fair Share<sup>3</sup> contribution, which the sponsoring fraternity remits to the REC on their behalf.

The donations from the newly forming group members should not be commingled with any individual member's bank account, and a separate account should not be set up under any individual's social security number. The newly forming group may open its own bank account using the EIN (employer identification number) of the sponsoring fraternity. However, to avoid banking confusion, this account should be opened at a separate bank.<sup>4</sup>

## **Obtaining the Written Intention for the *Altius Moderamen***

When the sponsoring fraternity and the REC feel that the newly forming group is likely to prove viable, the REC seeks the statement of intention from a friar province to assume the *altius moderamen* for the newly forming group. This statement of intention from the friar province is not a tacit approval of the establishment, which occurs formally in Phase III – Canonical Establishment of a Fraternity.

Typically, the friar province to which the sponsoring fraternity is bonded would be the one approached for the newly forming group. However, if location or other considerations dictate, another friar province can be selected. A copy of the statement of intent from the province needs to be kept on file by the Region, and a copy given to the sponsoring fraternity for their files. The province should appoint a spiritual assistant for the newly forming group within a year of the request. If none are available, the spiritual assistant for the sponsoring fraternity assists the group. However, the appointment of a spiritual assistant must occur as a condition of moving to emerging fraternity status.

---

<sup>3</sup> 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. Rule art. 25

<sup>4</sup> Only a canonically established OFS Fraternity should apply for an employer identification number. See detailed instructions on the National Website ([secularfranciscansusa.org](http://secularfranciscansusa.org)). Search on "Obtaining an EIN".

## **Phase II: Emerging Fraternity**

The newly forming group begins its preparation for becoming an “emerging fraternity” only after it has a minimum of five (5) professed members, has received the written intention of the *altius moderamen*, and has a spiritual assistant assigned.

### **Steps in Preparation for Emerging Fraternity Status**

- The newly forming group completes at least one year with five professed members.
- The sponsoring fraternity council works with the newly forming group to jointly evaluate their readiness to request emerging fraternity status.
- If the evaluation indicates readiness, the newly forming group requests a pastoral and fraternal visitation from the REC to assess the group’s suitability for the status of an “emerging fraternity”.
- The REC completes pastoral and fraternal visitations and makes recommendations as necessary.
- The newly forming group submits a written request to the REC for emerging fraternity status.

### **Steps in Setting up the Emerging Fraternity**

- The emerging fraternity submits to the REC their recommendation of members to serve on their first fraternity council. Once approved by the REC, this council will serve the emerging fraternity until its first election is held after the Canonical Establishment. If changes to the council become necessary, they require the approval of the REC.
- The emerging fraternity selects a name for the new fraternity and submits it to the REC for approval.
- The REC notifies the National Executive Council (NEC) and the CNSA of the existence of the new emerging fraternity, its name, where it meets, and who will be the contact persons.
- The sponsoring fraternity, on behalf of the new emerging fraternity, provides the necessary information to the database administrator for the region to set up the record for the new emerging fraternity.
- The database administrator for the region sets up a fraternity record for the emerging fraternity, gives it a number that is an extension of that of the sponsoring fraternity, and the members are now listed as part of the emerging fraternity. Since the members of the emerging fraternity are still under the sponsoring fraternity, no transfers are required.
- The REC notifies the friar province to which the emerging fraternity will be bonded that the emerging fraternity is now in existence.
- The newly appointed council of the emerging fraternity enters into a formal written agreement with the friar province for the *altius moderamen* and the appointment of the spiritual assistant. (The intention for this was sought by the REC during the newly forming group phase, but the formal agreement is now requested directly by the council of the

emerging fraternity.)

- The provincial minister (or delegate) informs the local bishop about the existence of an emerging fraternity in his (arch) diocese.

## **Fraternity Life of an Emerging Fraternity**

### Fraternity & Council Gatherings

For the next three years (at a minimum<sup>5</sup>), both the emerging fraternity and the sponsoring fraternity share responsibility for development of the new fraternity. While remaining attached to the sponsoring fraternity, the emerging fraternity functions on its own, mentored by the sponsoring fraternity as needed. It has regular council and fraternity gatherings, which may be attended by members of the sponsoring fraternity. At any time, a member of the REC may informally visit the emerging fraternity or attend their council gathering as an observer.

The appointed minister of the emerging fraternity, or their delegate, may attend the sponsoring fraternity council meetings as an observer.

If distance prevents routine in-person attendance, teleconferencing is an option. However, at least twice a year, representatives from the sponsoring fraternity should meet physically with the emerging fraternity.

The emerging fraternity is expected to continue to take part in Regional gatherings as well as interact with other fraternities in the Region.

### Spiritual Assistance

The emerging fraternity has its own spiritual assistant, assigned by the Province to which the fraternity is bonded.

---

<sup>5</sup> The three year period as an emerging fraternity is a minimum requirement. However, most fraternities need a longer preparation period before canonical establishment

## ***Building Fraternity and a Sense of Belonging***

The emerging fraternity holds regular gatherings that include prayer, formation, communications, and socializing. The members of the emerging fraternity are encouraged to attend sponsoring fraternity gatherings. They should seek opportunities for interaction with each other outside their fraternity gatherings. They should join with other Franciscans for retreats, fraternity celebrations, apostolates, etc. (Case Study 3).

***Building a Formation Team*** should be a goal during this time. The emerging fraternity should take advantage of opportunities for “forming the formators,” including collaborative formation sessions with other fraternities, and formation workshops.

## ***Discerning Suitability of Individuals for Admission and Profession***

An important responsibility of a fraternity council is discernment of the suitability of aspiring members for admission and profession.

For an emerging fraternity, and in fact, for any fraternity, maintaining a membership that allows for a vibrant fraternity life, as well as an adequate number of professed members to ensure long-term leadership, is a high priority. However, the council must guard against recommending the admission and profession of individuals for the sake of increasing membership, or fear of hurt feelings. Admitting and professing individuals who may not have a vocation can have serious implications for the health of the fraternity long term. Careful discernment is key.

## Formation

*Initial Formation.* The emerging fraternity assumes the responsibility for the initial formation of its inquirers and candidates, with guidance from the sponsoring fraternity. The emerging fraternity council evaluates the candidates for admission and profession, and, after careful discernment, makes a recommendation to the sponsoring fraternity's council. If the recommendation is approved, the minister of the sponsoring fraternity (or his/her delegate) presides at the Rite of Admission or receives the profession of the candidates. Records of admission and profession will continue to be recorded in the sponsoring fraternity's register (see *Sponsoring of a Newly Forming Group*, 6.g, p. 24).

*Ongoing Formation.* The emerging fraternity prepares and conducts its own ongoing formation at each gathering.

## Elections and Voting

The newly forming group itself does not hold elections as its council is appointed. Professed members of the emerging fraternity continue to have voting rights in the elections of the sponsoring fraternity.<sup>6</sup>

## **Record-Keeping and Reporting**

### Sponsoring Fraternity's Responsibilities

The demographics and activities of the emerging fraternity, and payment of Fair Share for its members and candidates, are included in the sponsoring fraternity's Annual Report to the REC.

Records of admission and profession will continue to be recorded in the sponsoring fraternity's register. The sponsoring fraternity maintains the emerging fraternity's records in the National Database, including admissions, professions, and any other member updates.

The sponsoring fraternity relinquishes custody of the emerging fraternity's members' files to the emerging fraternity (membership files consist of necessary documentation, initial formation records, correspondence, etc.).

### **Servant Leadership Training**

The sponsoring fraternity council arranges for servant leadership training, and mentors the emerging fraternity's council, preparing the fraternity for canonical establishment. Special attention is given to forming leaders who are able to animate and guide the fraternity in a Franciscan way.

Good formation practices, record-keeping, reporting, Fair Share, and National Database procedures are also important.

---

<sup>6</sup> Those professed members who have not transferred from their fraternity of origin (in the context of a transfer, the fraternity from which the member is transferring, not necessarily the fraternity they were professed in) retain voting rights in their fraternity of origin. If distance prevents them from attending the elective chapter, they may be deemed "excused" and not counted toward the quorum.

### Emerging Fraternity's Responsibilities

The emerging fraternity will keep minutes of its council and fraternity meetings.

The emerging fraternity will assume the custody of its own membership files from the sponsoring fraternity, as well as maintain the roster for its members.

The emerging fraternity will prepare an Annual Report, which they will submit to the sponsoring fraternity. In addition, the emerging fraternity will be responsible for providing written reports to the sponsoring fraternity council twice a year.

### Finances/Fair Share

The emerging fraternity keeps its own records of contributions from the members and remits the amount of Fair Share for each professed member and candidate, as set by the Region, to the sponsoring fraternity.

### **Phase III: Canonically Establishing a Fraternity**

When the fraternity has completed at least three years functioning as an emerging fraternity with an assigned spiritual assistant, it can begin the process for requesting canonical establishment.

#### **Preparation for Canonical Establishment**

- The sponsoring fraternity council and the emerging fraternity's council together evaluate the emerging fraternity, using the *Readiness for Canonical Establishment* document.
- If the evaluation is positive, the emerging fraternity requests a pastoral and fraternal visitation from the REC.
- If the visitations are completed with favorable reports, the emerging fraternity council submits a formal written request to the REC to be canonically established.
- The REC votes on the request. They inform both the emerging fraternity and the sponsoring fraternity of the outcome of their decision. If the vote is affirmative, the REC informs the provincial minister (or his delegate) of its approval of the canonical establishment.
  - If the provincial minister approves the request, he or his delegate requests the bishop's permission to establish the new fraternity in his diocese.
  - An official register is procured for the new fraternity.
  - The REC contacts the CNSA executive secretary to request the formal document of establishment, providing the necessary information.
  - The CNSA executive secretary sends five original establishment documents to the Regional Minister.
  - The Regional minister signs and dates the five documents and passes them on to the provincial minister (or delegate).
  - The provincial minister (or delegate) signs and dates the five documents and obtains the signature of the bishop. All five documents are then brought to the canonical establishment ceremony.
  - The emerging fraternity plans the ceremony of canonical establishment in collaboration with the REC, the provincial minister (or delegate), and, where customary, the bishop, and sets the date.
  - The REC and the fraternity set a date for the council elections. The election should be held as soon after the canonical establishment as possible, and no later than one year after the canonical establishment. The appointed council of the emerging fraternity serves until the election can be held.

#### **Canonical Establishment of a Fraternity**

The canonical erection of the local Fraternity belongs to 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 affiliated according to the National Statutes.

The written consent of the local Ordinary is necessary for the canonical erection of a Fraternity outside the houses or churches of the Franciscan religious of the First Order or the TOR (GC, art. 46.1).

## Canonical Establishment Ceremony

The ceremony of canonical establishment is celebrated with due solemnity according to the *Ritual of the Secular Franciscan Order*. During the ceremony, the documents are signed and dated by the minister provincial (or his delegate) and by the witnesses.

After the ceremony:

- The first document of canonical establishment is sent to the REC to be kept in its archives, the second is sent to the archives of the friar province, a third is sent to the diocesan chancery for filing, the fourth is preserved in the newly established fraternity's records, and the fifth is sent to the national secretary for the national archives.
- The Regional Minister informs the NEC and the database administrator for the region of the canonical establishment of the new fraternity.
- The database administrator for the region sets up the new fraternity in the database by converting the emerging fraternity to an established one. See instructions on the National Database website, [ofsusadb.org](http://ofsusadb.org), or contact the national database team through "Contact Us."
- The new fraternity enters the records for their members in their own fraternity register as having transferred in from the sponsoring fraternity. The sponsoring fraternity notes in its register that the members of the newly established fraternity have been transferred to the new fraternity. Transfer forms are not necessary, but the members should be noted as having been transferred in the register.

### **OFS General Constitutions, Article 46.2**

For the valid establishment of a local Fraternity, at least five perpetually 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 Election are preserved in the records of the Fraternity. Copies are sent to the Council of the higher level.

## After Canonical Establishment

The elections for the newly canonically established fraternity should take place as soon as possible, but within one year after the establishment.

The newly established fraternity council:

- approves and accepts new inquirers and candidates, and professes new members,
- maintains the National Database for its members,
- has voting rights in the regional fraternity, and
- submits the Annual Report and Fair Share contribution directly to the REC.

## ***Responsibilities of the Regional Executive Council***

The list below focuses specifically on the responsibilities of the REC regarding a new group and its sponsoring fraternity.

### **Important Note:**

The REC is *ultimately responsible* for overseeing the progress of the new group and its relationship with the sponsoring fraternity.

A procedure should be set in place to ensure that the REC receives periodic reporting from both parties in order to evaluate progress, and gives guidance as needed. Evidence of continued progress is required. In case of prolonged lack of progress, the REC should re-examine the viability of the group.

1. The REC, considering the establishment of a new fraternity, should review the entire section of this document entitled “Process for Establishing a New Fraternity” (p. 9).
2. When the REC receives a request to approve the start of a newly forming group, it carefully considers the request, entering into a dialogue with the requesting group. Careful consideration includes taking into account possible questionable motives for the formation of a new group, such as underlying difficulty with an existing group.
3. Sometimes the request may take the form of a petition to reactivate a deactivated fraternity. The REC should consider the following. If at least one of the members seeking to reactivate a fraternity belonged to the original fraternity, and the fraternity would be meeting in the same location, and the friar province to which it was bonded remains the same, there would seem to be a good reason to prefer reactivation over establishing a new fraternity. If these three conditions are not met, the REC should direct the group to establish a new fraternity.
4. The REC takes a formal vote on the request:
  - a. If the request is denied, a written letter explaining the reasons is sent to the requestors.
  - b. If the request is approved, the REC informs the group and continues with step 5.
5. The REC considers possible sponsors for the group and consults with the requestors on these possibilities.
6. The REC reviews the responsibilities of a sponsoring fraternity with the prospective fraternity council(s), and upon agreement, names the sponsoring fraternity for the newly forming group.
7. The REC may decide to appoint a liaison to work with the sponsoring fraternity and the newly forming group to ensure that the resources needed for both the sponsoring fraternity and the newly forming group are available, and to assist with any questions or issues.
8. Members of the REC are expected to visit the newly forming group on occasion to reinforce a sense of belonging to a larger order and to show support.

9. If the sponsoring fraternity is unable to provide a spiritual assistant for the newly forming group (prior to the appointment of one by the friar province), the REC will ensure that the newly forming group has the support of a spiritual assistant until such time as one is assigned by a friar province.
10. Once the newly forming group is deemed stable and viable, the REC initiates the process of obtaining a written intention of the *altius moderamen* from a 1st Order/TOR province.
11. As part of the Fraternal Visitation to a sponsoring fraternity, the REC will ensure that the newly forming group members are represented in the sponsoring fraternity's register, that transfers have been completed if necessary, and that the Annual Report from the sponsoring fraternity includes the activities and demographics of the newly forming group.
12. As part of the Pastoral Visitation to a sponsoring fraternity, the regional spiritual assistant will ensure that the initial and ongoing formation of the members of the newly forming group conforms to the national and regional norms.
13. When the time comes to evaluate the newly forming group's readiness to move into emerging fraternity status, the REC conducts a pastoral and fraternal visitation. The visitors ensure that all that the requirements for becoming an emerging fraternity have been met.
14. The REC provides written reports of the visitations to the newly forming group and the sponsoring fraternity.
  - a. If the visitation reports are favorable, the newly forming group requests the status of emerging fraternity from the REC, and the REC votes to approve the request.
  - b. If the visitation reports are not favorable, the REC works with the newly forming group and the sponsoring fraternity to remedy any issues.
15. The REC evaluates and votes on the recommended appointed council for the emerging fraternity, which will serve the emerging fraternity until their first election after Canonical Establishment. The REC also evaluates and votes on any changes to the council required during this time.
16. The REC notifies the NEC of the existence of the new emerging fraternity, its name, where it meets, and who will be the contact person.
17. The REC notifies the friar province to which the emerging fraternity will be bonded that the emerging fraternity is now in existence and an appointed spiritual assistant is needed.
18. Once the sponsoring fraternity and the emerging fraternity discern that the emerging fraternity is ready for canonical establishment, the emerging fraternity requests a fraternal and pastoral visitation from the REC. The REC conducts the visitations and provides written reports.
19. If the reports are favorable, the emerging fraternity submits a written request for canonical establishment to the REC. If it is approved, the REC informs the provincial minister (or his delegate) in writing that the emerging fraternity is ready to be established. If unfavorable, the REC works with the emerging fraternity and the sponsoring fraternity to correct any issues.

20. The REC contacts the CNSA executive secretary and provides the necessary information. Once the documents are received, the REC signs them and routes them for additional signatures.
21. The Regional Minister, or delegate from the REC, attends the canonical establishment ceremony.
22. The REC and the council of the newly established fraternity set a date for the council elections. The first election for the new fraternity is held as soon as possible, and no later than one year after canonical establishment.

## **Responsibilities of a Sponsoring Fraternity**

Sponsoring a new group is a serious commitment that requires a substantial amount of time. Those fraternities considering sponsorship of a new group should review carefully the responsibilities listed below before committing to sponsor a new group. This list also serves as a checklist to refer to during sponsorship.

**Important Note:** Given that the establishment process can span multiple terms of office in both the sponsoring fraternity and the Regional Executive Council (REC), frequent documentation and thorough record-keeping are essential at all levels.

### **Sponsorship of a Newly Forming Group**

1. The sponsoring fraternity, once it accepts the role of sponsorship from the REC, opens a dialogue with the members of the newly forming group.
2. If members of the newly forming group are from fraternities other than the sponsoring fraternity, the sponsoring fraternity council typically obtains transfers for them and records the information in the sponsoring fraternity's register.
3. The sponsoring fraternity council guides the newly forming group in selecting a leader for the group, and sets expectations regarding gatherings, initial and ongoing formation, reporting, and Fair Share contributions.

### **To the Sponsoring Fraternity**

The importance of these aspects of sponsorship cannot be emphasized enough.

**Frequent contact** and getting to know the members of the newly forming group. Remember, you will be making important decisions that will affect their future.

**Documentation** --- in the form of council meeting minutes, letters, and reports --- to keep all parties on track.

**Updates to the REC.** The REC and Regional Spiritual Assistant(s) oversee the process and make the final decision on 'readiness.' Make their job easier by keeping them up to date.

And most important of all, **careful discernment** regarding the following:

- The **presence of a vocation** and proper formation of those in initial formation.
- **Finding a balance** between being too directive and doing everything for the newly forming group, and letting them flounder. This balance will necessarily change as the newly forming group progresses toward emerging fraternity status and establishment.
- **Warning signs** that all is not well with the group. In particular, note a lack of interest in contact with other fraternities and attending regional gatherings, a sense of isolation, a strong attitude of independence regarding the rest of the Order, an unwillingness to accept advice or counsel, and a sense that the new group views itself as 'better than' other fraternities.
- And finally, **your own tendency** to want to form the new group in your own image.

4. The sponsoring fraternity discerns a qualified professed member of the newly forming group who will serve as facilitator of formation. If none of the members in the newly forming group qualify to assume this responsibility, the sponsoring fraternity provides a suitable person. In either case, the formation of new members in the newly forming group will be guided by the council or the formation team of the sponsoring fraternity.
5. When possible, a member of the sponsoring fraternity council attends the gatherings of the newly forming group.
6. On an ongoing basis, the sponsoring fraternity council:
  - a. builds fraternity with the members of the newly forming group, and welcomes them to the sponsoring fraternity's gatherings, Regional meetings, retreats, and workshops;
  - b. schedules an in-person meeting between members of the sponsoring fraternity council and the members of the newly forming group at least twice a year;
  - c. collaborates in the initial and ongoing formation of the members of the newly forming group, and ensures that all formation sessions are conducted according to national and regional norms;
  - d. ensures that the sponsoring fraternity's Formation Director is in regular contact with those conducting formation sessions for the newly forming group;
  - e. maintains the membership files for those in initial formation and the newly professed in the newly forming group;
  - f. arranges for regular review of the progress of those in initial formation;
  - g. together with the professed members of the newly forming group, dialogues with those progressing through the initial stages of formation, arranges for interviews, and after careful discernment, votes on their acceptance;
  - h. conducts the Rites of Admission and Profession, records these events in the register of the sponsoring fraternity, and updates the National Database;
  - i. receives and reviews regular reports from the newly forming group (semi-annually), records any changes in membership in the sponsoring fraternity's register, updates the National Database as needed, and continually evaluates the viability and vibrancy of the group;
  - j. assists with questions and addresses issues;
  - k. reviews the minutes of the newly forming group, includes a report of the activities and demographics of the newly forming group in their council meeting minutes and in their Annual Report to the REC, and submits Fair Share on behalf of the newly forming group.

The newly forming group may set up its own bank account, with the assistance of the sponsoring fraternity (see section on Finances/Fair Share earlier in this chapter, p. 13).

7. Once the newly forming group has functioned successfully for at least one year with five professed members, the sponsoring fraternity council works with the newly forming group to jointly evaluate their readiness to request emerging fraternity status.
8. If the evaluation of the newly forming group indicates readiness, they request a pastoral and fraternal visitation from the Regional level to assess the group's suitability for the status of an "emerging fraternity."
9. Once favorable visitation reports are received from the REC, the members of the newly forming group choose a name and recommend members to serve as an appointed council for the emerging fraternity. These recommendations are sent to the REC for their approval.
10. The sponsoring fraternity provides the necessary information to the National Database administrator to set up the record for the emerging fraternity.

### **Sponsorship of the Emerging Fraternity**

11. Both the emerging fraternity and the sponsoring fraternity share responsibility for the development of the new fraternity. The sponsoring fraternity continues its support as detailed in 6 above, however membership files are now maintained by the emerging fraternity.
12. The emerging fraternity takes responsibility for both initial and ongoing formation with oversight by the sponsoring fraternity council
13. The sponsoring fraternity council arranges for servant leadership training and mentors the emerging fraternity's council, preparing the fraternity for canonical establishment. Special attention is given to forming leaders who are able to animate and guide a fraternity in a Franciscan Way. Good formation practices, record-keeping, reporting, Fair Share, and National Database procedures are also important.
14. In preparation for requesting canonical establishment, the sponsoring fraternity council and the emerging fraternity's council together evaluate the emerging fraternity, using the *Readiness for Canonical Establishment* section, (p. 26).

### ***Extraordinary Circumstances for Sponsorship***

Is it ever appropriate for the REC to take on the responsibilities of sponsoring a newly forming group or emerging fraternity? Certainly, the REC has the knowledge of how a local fraternity should function, but there are certain complications that arise when the REC assumes this responsibility. Local fraternities, as the basic unit of the Order, are well-suited to take on the responsibilities of sponsorship. Every effort should be made to encourage a local fraternity to take on this role.

### **Co-Sponsorship**

If there is hesitation on the part of a local fraternity to take on the task of sponsoring a newly forming group/emerging fraternity, the REC might suggest "co-sponsorship." In co-sponsorship, members of the REC participate to some extent in the duties of sponsoring, while mentoring and assisting the local fraternity to the extent possible for their members. Working in partnership has

wonderful advantages and presents fewer complications. If co-sponsorship is agreed upon, the REC and the local fraternity council work together to develop a plan that will fulfill all the responsibilities of sponsorship, as well as the responsibilities of the REC, detailed in the previous sections.

### **The REC as the Sponsoring Fraternity**

Only in extraordinary circumstances should the REC take on the sole responsibility of sponsorship. The following section outlines the adaptations that must be made when the REC assumes the role of the sponsoring fraternity.

### **Specific Adaptations when the REC is the Sponsoring Fraternity**

#### Initial Steps

The REC carefully reviews this document, noting that they must carry out both the responsibilities proper to the REC as well as the responsibilities of a sponsoring fraternity, detailed above.

The REC designates one (or more) REC member(s) to be the liaison(s) to the group.

#### Previously Professed Members

Professed members who choose to join the newly forming group or emerging fraternity may remain in their fraternity of origin until the emerging fraternity is canonically established. These professed members should still contribute financially and exercise voting rights in their fraternity of origin, which continues to include them in their reporting and fair share calculation for their Region. The REC may also choose to establish a record in the National Database for the newly forming group and/or the emerging fraternity for record-keeping purposes. If the REC establishes such records, the professed members of the newly forming group or emerging fraternity may “transfer” to the new group, in which case they would not have active or passive voice in the elections of their fraternity of origin.

#### Formation

The REC assigns an appropriate, qualified professed OFS member to oversee the formation of the members of the group. The REC carries out the Rites of Admission and Profession (see *Record- Keeping* below). The Regional Minister accepts the profession of new members. Candidates may be received during the Rite of Admission by the Regional Minister or another elected member of the REC. The Ceremony of Welcoming can be led by the leader or another professed member of the newly forming group or emerging fraternity.

#### Record-Keeping

The newly forming group keeps a roster of its members and updates the REC on a regular basis. See “Previously Professed Members” above. The REC begins a Register for the new group.

### ***Readiness for Canonical Establishment – Fraternity Self-Evaluation***

- Do the fraternity members show the Franciscan spirit of peace and joy in their hearts, minds, thoughts, and actions? Do the members animate and guide one another in the spirit of Jesus and Francis? In what ways?

- How does the fraternity integrate and make use of the Rule, Constitutions, and Statutes? Are members knowledgeable with respect to the details of the structure and functioning of the Order?
- Is there an appropriate balance in the fraternity meetings and activities (i.e., formation, prayer, social time, outreach activities), or is one aspect emphasized to the exclusion of all else? In all of these areas, has there been demonstrable growth over time?
- Does the fraternity take responsibility for its own ongoing formation? Is a formation team in place, and do they meet to discuss both initial and ongoing formation? Who leads initial and ongoing formation? What formation resources are used? Does the program seem to be effective?
- Does the fraternity maintain records? Are minutes in order? Is there evidence that required reports are submitted in a timely fashion? Are the fraternity Register and National Database up to date? Are there adequate records for those in initial formation?
- Does the fraternity take responsibility for its own finances? Is there a budget? Do they have their own bank account? How is Fair Share handled? How are overall finances handled?
- Does the fraternity as a whole seem able to function independently?
- Are there signs of sustainability and potential for growth in the fraternity? Are there people at various stages of initial formation?
- Is the council working well together? Can the council members set goals and a direction for the group, beyond just getting established?
- Does the spiritual assistant journey with the fraternity? What is the fraternity/spiritual assistant relationship? Does the fraternity council seek assistance from the spiritual assistant?
- Do the members have a sense of connection to and participation in the larger Order (Regional and National Fraternities)? Is the fraternity represented at the annual regional chapter and other Regional gatherings? How does the fraternity implement the recommendations of OFS-USA Commissions, Committees, and priorities of our Order?

## ***Document of Canonical Establishment***


### **Information Needed for Preparing the Document of Canonical Establishment**

When an emerging fraternity is ready for canonical establishment, the REC provides the information listed below to the Executive Secretary of the CNSA. Please request the fillable form from the CNSA or retrieve it from the National Website.

1. Name of new fraternity
2. Place of establishment (for example: church, friary, convent, or another ecclesial establishment)
3. City, State
4. Name of (Arch)Diocese
5. Name of (Arch) Bishop (Ordinary)
6. Name of regional fraternity
7. Name of friar province to which the new fraternity is bonded
8. Name of OFS regional minister
9. Name of provincial minister
10. Name of provincial spiritual assistant/delegate
11. Name of local spiritual assistant
12. Who will sign part 2 (the friars' permission) of the document: provincial minister or provincial spiritual assistant/delegate?
13. Who will actually conduct the ceremony of establishment and sign the document: provincial minister, provincial spiritual assistant, or other delegate of the provincial minister?
14. Anticipated Date of Establishment Ceremony, if available
15. Name, address, phone number of contact person (usually the regional minister) to whom documents should be returned

## Document of Canonical Establishment Template

Once the information is received from the REC, the executive secretary of the CNSA prepares five originals of the official establishment document and sends them to the Regional Minister.



**FOR THE CANONICAL ESTABLISHMENT  
OF A FRATERNITY  
OF THE SECULAR FRANCISCAN ORDER  
IN THE UNITED STATES OF AMERICA**

*In the Name of the Lord. Amen!*

**1. Request of the Regional Executive Council**

Upon the request of the emerging Secular Franciscan Community of \_\_\_\_\_ at \_\_\_\_\_ (Church) in the (Arch)diocese of \_\_\_\_\_ we, the Executive Council of the Secular Franciscan Regional Fraternity of \_\_\_\_\_, attest to the community's viability and fidelity, approve its request for Canonical Establishment, and ask the Provincial Minister of the (OFM or other) Province of \_\_\_\_\_ to establish the new fraternity canonically according to the Ritual, with the consent of the local Ordinary, and to provide for spiritual assistance for the fraternity.

Date: \_\_\_\_\_  
\_\_\_\_\_, OFS, Regional Minister

**2. Permission of the Prior Provincial Minister**

I, Friar \_\_\_\_\_, Provincial Minister of the (OFM or other) Province of \_\_\_\_\_, agree to assume canonical responsibility for this new fraternity of the Secular Franciscan Order according to Canon 303 of the Code, delegate Friar \_\_\_\_\_ as the Provincial Spiritual Assistant to make sure that the fraternity is canonically established according to the Ritual, appoint \_\_\_\_\_ as the fraternity's Spiritual Assistant, and hereby request the consent of the local Ordinary.

Date: \_\_\_\_\_  
(Seal) \_\_\_\_\_, Provincial Minister

**3. Consent of the Ordinary**

I hereby give my consent, in accord with Canon 312 of the Code, for the canonical establishment of the above-mentioned Fraternity of \_\_\_\_\_ of the Secular Franciscan Order in this Diocese.

Date: \_\_\_\_\_  
(Seal) \_\_\_\_\_, Ordinary

**4. Establishment of the Fraternity**

The Fraternity of \_\_\_\_\_ of the Secular Franciscan Order at \_\_\_\_\_ (Church), (City), (State), was formally established according to the Ritual.

Date: \_\_\_\_\_  
(name of officiating clergy)

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

## **Reactivating a Fraternity**

According to canon law (CCL, c. 120), a canonically established fraternity of the OFS remains “alive” and cannot be dissolved until 100 years after the death of its last member. Therefore, any fraternity that has been deactivated may be reactivated during this period of 100 years in the following manner:

- By *at least* one (preferably more) permanently professed member of the original fraternity.
- By a new group of at least five (preferably more) permanently professed members who are willing to assume the juridic personality (CCL, cc. 116 and 120) of the fraternity and responsibility for the fraternity.
- The REC considers the request, and if approved, seeks a sponsoring fraternity for the reactivating group.
- The REC determines the requirements and timeframes for reactivation, which will closely resemble those of establishing a new fraternity. What follows is an abbreviated summary of the process. If the members seeking to reactivate a fraternity are all members of the same fraternity, they submit a written request to the fraternity council, which, in turn, seeks the approval of the REC. The REC then evaluates the request and notifies the friar province to which the original fraternity was bonded that they are seeking reactivation. If the province is willing to reactivate the fraternity, the province provides a notice of intention to appoint a spiritual assistant for the group or offers to transfer the *altius moderamen* to another province.
- If the members seeking to reactivate a fraternity are from different fraternities, the group submits the request to the REC directly, also letting their respective fraternity councils know of their intent to pursue reactivation.

### **Notes on Reactivation**

If at least one of the members seeking to reactivate a fraternity belonged to the original fraternity, and the fraternity would be meeting in the same location, and the friar province that it was bonded remains in the area, there would seem to be good reason to prefer reactivation over establishing a new fraternity. If none of these conditions are met, the REC must take care to evaluate the motivation for assuming the identity of the deactivated fraternity.

If the REC chooses to approve the reactivation request:

- The original members of the deactivated fraternity at the time of deactivation need to be notified, if possible, that the fraternity is being reactivated.
- The reactivated fraternity must retain the original name of the deactivated fraternity.
- The original Friar Province to which the reactivating fraternity was bonded must issue the decree of reactivation.

In rare cases, just as in a newly forming group or emerging fraternity, the REC may assume sponsorship of a reactivating fraternity.

- Once the period of reactivation is completed, the members formally request the REC, in writing, to be officially reactivated as an already canonically established fraternity. The REC makes a fraternal and pastoral visitation. If they approve the request, the Regional minister verifies the canonical establishment of the fraternity and asks the provincial minister (or delegate) of the Province to which the fraternity is bonded to issue the written decree of reactivation. Copies are sent to the fraternity, the REC, and the local bishop. The appropriate database administrator is notified of the reactivation. The regional minister sends a copy of the decree to the national archives. The REC returns all remaining goods of the fraternity, as well as remaining financial assets and records, to the reactivated fraternity. A ceremony of reactivation is celebrated liturgically and socially.

### ***Transferring a Fraternity to the Altius Moderamen of another Friar Province***

As the presence of friars in particular areas changes, grows, or diminishes, it is wise to consider the transfer of the *altius moderamen* (higher direction) of a fraternity to the care of another friar province that may be able to serve the Seculars. Fraternities may also transfer for other reasons. Here is the process to follow:

- The fraternity minister, with the consent of the council of the fraternity, asks the Regional minister and the regional spiritual assistant(s) of the region (to which it presently belongs), to write letters of recommendation to the provincial minister (or delegate) of the friar province to which the fraternity desires to transfer.
- The minister of the fraternity wishing to transfer to the care of another friar province writes both to the provincial minister (or delegate) of the province of origin and the receiving province, detailing the reasons for the transfer. He/she also provides copies of pertinent information and includes a copy of the Document of establishment or a verification of canonical establishment of the fraternity.
- The provincial minister (or delegate) of the friar province to which the fraternity is bonded writes to the provincial minister (or delegate) of the receiving province, giving his consent for the transfer. The provincial minister (or delegate) of the receiving province then gives his consent for the transfer in writing.
- If the provincial minister (or delegate) of the receiving friar province accepts the transfer of the *altius moderamen*, he issues an official letter, in the name of the friar provincial minister, to accept responsibility for the *altius moderamen* of the fraternity and appoints a spiritual assistant for the fraternity, having consulted the concerned fraternity council.
- It is important to inform the REC of any region involved, as well as informing NEC and the personnel who maintain the database, of the change.

### ***Moving a Fraternity's Location to another Region/Diocese***

The location of where a fraternity meets may change the region and/or diocese their new meeting place is associated with. Before the move is made, steps need to be taken to make sure the proper approvals are in place for the Province, the incoming and outgoing region, and the incoming and outgoing Diocese.

The Regional Executive Councils must both agree that the move can and should take place. The province to which the fraternity is bonded is then notified of its approval of the move. The province responsible must file the proper request for the fraternity to be canonically established in the new diocese and to be disaffiliated with the old diocese.

If a fraternity is moving from one location to another within the same region and diocese, the diocese needs to be notified.

## Options for Fraternities in Difficulty

When a Local Fraternity has been experiencing a difficult situation for a long time that it is unable to resolve on its own, is unable to elect a Council, or has fewer than five perpetually professed members, there are two options for moving forward: Fraternal accompaniment (IS, art. 57) or deactivation (IS, art. 58).

Various factors contribute to this situation for a fraternity:

1. A fraternity has fewer than five members and is no longer growing.
2. Fraternities struggle to meet due to the age and illness of members.
3. Fraternity council members do not get along, and their personalities and internal issues are affecting their ability to function.
4. Fraternity council members are not fulfilling their duties.
5. The fraternity is unable to elect a new council due to the unavailability of nominees or a lack of quorum present.
6. Members of the fraternity consistently quarrel and are divisive. An unwelcome atmosphere dominates gatherings, and the council has been unable to restore serenity.

### ***Fraternal Accompaniment***

When a fraternity is unable to elect a new council at the end of a term, or the council as elected can no longer function for any reason as noted above or any other valid reason, the Region, in collaboration with the Province to which the fraternity is bonded, may grant a grace period, known as Fraternal Accompaniment, of up to three years (with a possible extension of one year) (see IS, art. 57.2.b).

The Region delegates the responsibility of taking care of Formation and all the functions proper to the local Council, to an active local fraternity (or, if needed, to the REC), including decisions on admissions and professions. They essentially become the “sponsoring fraternity” as they would for a newly forming group or emerging fraternity, except that the members do not transfer to the accompanying fraternity.

Fraternal Accompaniment should only be considered if it appears that the fraternity in difficulty will be able to resolve the issues that resulted in their entering fraternal accompaniment and to become a viable fraternity within the three or four-year period (see OFS-USA Guidelines for Fraternal Accompaniment – August 2024 [or later revisions], National Website, Guidelines, Forms, and other Resources, National Guidelines).

### ***Removal of Council Members***

In the event that the issues with a fraternity are a result of a minister and/or council not meeting their obligations to their fraternity, General Constitutions article 84 allows for the removal of a minister and or council for reasons of negligence or irregularity in carrying out their duties. Article 84 is as follows:

1. In the case where there is grave negligence or irregularity on the part of a minister or a council, the Council of the next higher level conducts a fraternal visit of the Council in question and, if necessary, requests a pastoral visit. With charity and prudence, it will

evaluate the circumstances uncovered and decide on the best way to proceed. This can include the possibility of the removal of the Council or leaders involved (GC, art. 84.1).

2. For a serious, public and proven reason, the Council of a higher level, after a fraternal dialogue with the person concerned, may, by a secret ballot, order the removal of a Minister of a lower level (GC, art. 84.2).
3. In the case of other offices, when there is a serious reason to remove a person from office, it is the responsibility of the Council to which he/she belongs to reach a decision. It is made by a secret ballot after there has been a fraternal dialogue with the person involved (GC, art. 84.3).
4. An appeal, which suspends the action to remove someone from office, can be presented within thirty days to the Council of the level immediately higher than the one that imposed the sanction (GC, art. 84.4) (IS, art. 14.1).

### **Deactivation**

When Fraternal Accompaniment does not appear to be a viable option for fraternities in difficulty, 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” on the following page for details on the steps to be taken for deactivation.

The most critical aspect of the deactivation of a fraternity is how the remaining members continue to be in fraternity with other Secular Franciscans. This can be particularly challenging if the deactivated fraternity is some distance away from an active fraternity, and remaining members are not able to fully participate in the life of another fraternity. See the section on “Cells, and other Options for Remaining Members of a Deactivated Fraternity” (p. 36).

**Note:** The International Statutes (art. 58) and General Constitutions (art. 48) use the term “cessation” for the action of rendering a canonically established fraternity effectively inactive. The US has used the term “deactivation” to describe this process.

### **International Statutes, art. 58.1**

If after fraternal accompaniment, the [Executive] Council of the next higher level considers that a Local Fraternity can no longer return to normal fraternal life, it shall conclude that the Fraternity is effectively inactive and shall issue the Decree of cessation. A copy of the Decree is sent, for informational purposes, to the National [Executive] Council (if it is the Regional [Executive] Council that declares the cessation) and to the Major Superior of the First Order – TOR that erected the Local Fraternity, to the local Ordinary who gave consent for the canonical erection of the Local Fraternity (when applicable) and also, as far as possible, to all the members of the Local Fraternity.

[Executive] is added here for clarification, as this is the term used in the US.

## ***Process of Deactivating a Canonically Established Fraternity***

When a canonically established fraternity is no longer viable, for whatever reason, it can be declared deactivated by the executive council of the next higher level in collaboration with the Conference of Regional Spiritual Assistants or an individual RSA (IS, art. 58.1, see sidebar, p. 34).

The official deactivation may follow this procedure:

- The Conference of Regional Spiritual Assistants and the Regional Executive Council 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. 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 Regional Executive Council and the Conference of Regional Spiritual Assistants (or Assistant if there is only one) of their decision.
- The Regional Executive Council records the decision and its recommendation from the visitation. This recommendation is forwarded to the provincial minister (or delegate) of the province to which the fraternity is bonded.
- The REC issues the decree of deactivation to the fraternity minister, with copies sent to the National Minister, the provincial minister (or delegate), and the local bishop.
- Recourse may be taken to the executive council of the higher level than the council that issued the decree (IS, art. 14.1).
- In the case of the deactivation of a fraternity, the patrimonial goods of the same, the library, and the records are acquired by the fraternity of the immediately higher level (GC, art. 48.1).

Thus, since this is a direct consequence of GC, art. 48, stated above, the common fund and other assets are either disposed of according to the decision of the remaining members or put in an interest-bearing escrow account managed by the Regional Executive Council. 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 member dies. Such a fraternity can be revived if new members wish to reactivate it,

### ***Effect of Deactivation of a Fraternity on individual Professed Members***

While deactivation touches the responsibilities of a fraternity, it does NOT remove the individual responsibilities that come from Profession in the OFS. The individual members remain committed to the OFS way of life. They maintain that commitment, 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 section on Cells and Other Options for Remaining Members of a Deactivated Fraternity (p. 36)

and it can function as a fraternity (CCL, c. 120) (see section on Reactivating a Fraternity, Chapter 7, p. 30). When a fraternity is declared deactivated, the Region must make best efforts to contact all the members of that fraternity, whether they are active or not.

Fraternity records are prepared for archival storage. This preparation may need to be done by people appointed by the REC to assist the fraternity, if its members are not able to do this themselves. The following should be kept permanently:

- all minutes,
- member registers,
- money records: treasury registers only,
- establishment document and decree of deactivation, along with any other documents of similar importance (change of *altius moderamen*).

Files and boxes should be suitable for use in archives: no plastic tubs. Documents should be on acid-free paper. Remove any metal (staples, clips, clamps). Arrange documents in chronological order, and prepare an index of documents to help people locate items in the collection.

### ***Cells, and Other Options for Remaining 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 Executive 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.

While attending gatherings at their new fraternity and fully participating there, transferred members of a deactivated fraternity may request to meet together as a cell to continue their relationship as a group (see GC, art. 34 and NS, art. 18.5a and 5b).

### ***Remote Cell 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 Executive Council may consider a request by the members of a deactivated fraternity to become a remote cell of another fraternity (see criteria on the following page).

**Note:** The members of the cell group might assist with formation, but the sponsoring fraternity must be aware of and involved with formation on a regular basis, especially in cases where the cell group is deemed to require more supervision because of details of its situation. The REC or the sponsoring fraternity has the right to require, for just cause, that formation be done by members of the sponsoring fraternity.

A remote cell retains its identity (name), but is listed as a cell 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 remote cell is not possible, the Regional Executive Council 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.

***Criteria for becoming a remote cell of an active fraternity***

In order for the members to become a remote cell 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 remote cell 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 remote cell 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.