

# Legislation by the 2017 Chapter of the Province of the Most Pure Heart of Mary

A - The Government Commission's recommendation for reorganizing the Provincial Statutes into 3 categories (Statutes, Norms & Directives, Decrees) in accord with the Carmelite Constitutions' organization of legislation is approved.

## A Clarification of Legislative Acts: Statutes, Decrees, Norms & Directives

**Statutes** – are related to the Constitutions making clarifications and specific decisions on how the Province will be governed and carry out its life. Statutes are binding and cannot be dispensed by the Prior Provincial and his Council. They continue to be in effect until removed or amended by the action of a Provincial Chapter. (*Carmelite Constitutions #210-2*)

**Decrees** – are specific actions called for by the Chapter which are also binding but which by their nature, once the action is accomplished the decree expires. (*Carmelite Constitutions #210-2*)

**Norms / Directives** – are actions of the Chapter indicating the mind of the Province pertaining to some proposal regarding the common life and ministry. Unlike statutes and decrees, while they are binding (the Prior Provincial and his Council are expected to implement them) they can be amended by the Prior Provincial and his Council in light of particular circumstances at the time of implementation. (*Carmelite Constitutions #210-3*)

B - All friendly (i.e., non-substantive) changes made to the Statutes based upon the 2014 legislation are approved.

C - All friendly (i.e., non-substantive) changes made to the Norms & Directives based upon the 2014 legislation are approved.

Statutes (*S-1 thru S-68*)

Norms & Directives (*N-1 thru N-70*)

## Document 1: Governance

### Governing Structure of the Province

S-1 The governance structure of a Prior Provincial, elected Vice Prior Provincial and 4 Councilors is the norm.

### The Members and their Leadership

N-1. Each Carmelite directly creates the atmosphere in which he lives and serves by the quality of his individual response to the Gospel and the goals of the Church and of the Order. Each Carmelite shares responsibility for the growth and development of the Province.

N-2. Those we choose to serve in the ministry of leadership should be men of vision, spiritual depth, balanced judgment, sensitivity, collegial style, having respect for the gifts of others and a willingness to assume responsibility. Those who are called to this ministry in the Province must be accountable to those they serve.

### The Provincial Chapter

*(see also Carmelite Constitutions #'s 313-339)*

S-2. The Provincial Chapter is the highest body of government within the Province safeguarding the rights of the Prior General and his Council. (*cf. Carmelite Constitutions, Chapter XVIII; #217-254; and Chapter XX #313-378.*)

A) To ensure the continuing possibility of a quorum, and as permitted in #317 of the Carmelite Constitutions, our lawfully convoked Chapters will be delegated, in which each member in solemn vows with Active voice may nominate himself to be a member of the Chapter gremiales by his physical presence. We invite all eligible members to do so.

B) The Chapter is constituted by the number of members present who have active voice at the opening roll call. From then on an absolute majority must be present to conduct any business.

C) Our Chapter will convene in June every 3 years. (*cf. Carmelite Constitutions #314*)

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| <p>S-3 Acts of Previous Chapters Decisions made by the Provincial Chapter are valid for the entire Province until such time as they are revoked, superseded or amended by subsequent Provincial Chapters. <i>(cf. Carmelite Constitutions #337)</i> It is the responsibility of the Preparatory Commission for each Chapter to provide for an updating and review of current Provincial Legislation.</p>   |  |
| <p>S-4 The legislation approved during a Provincial Chapter comes into effect upon approval by the Prior General and Council.</p>  |  |
| <p>S-5 Peru will continue to be a Commissariat of our Province.</p> <p>A) The Commissariat of Peru shall be governed by its own statutes as approved by the Prior Provincial with the consent of his Council. <i>(cf. Carmelite Constitutions 378)</i></p> <p>B) The members of the Commissariat with Active voice will elect the Commissary Provincial at their Chapter of Elections in accord with the procedures used by the Province at its triennial Chapter. <i>(cf. Carmelite Constitutions 375-1)</i></p> <p>C) In accord with the statutes of the Commissariat, there will be a Council comprised of 2 councilors, elected by the members of the Commissariat with Active voice at their Chapter of Elections using the procedures of the Province at its triennial Chapter. <i>(cf. Carmelite Constitutions 359-2 and 375-2)</i></p>   |  |
| <p>The Consultative Ballot</p>   |  |
| <p>S-6. Before a Chapter, members of the Province with Active voice will be polled by mail for nominees for the Provincial Council. It will be done this way:</p> <p>A) The point system of weighted ballots is retained for the consultative elections.</p> <p>B) An independent group (invited by the Chapter Preparatory Commission) is to be used in tabulating the results of the consultative balloting.</p> <p>C) The ten individuals having passive voice and having the highest number of points in the consultative election for Prior Provincial will be nominees for the office. Additional nominations may be made at the Chapter in accordance with procedure established by the Preparatory Commission.</p> <p style="padding-left: 40px;">[Note: In conformity with our Carmelite Constitutions #340, only members “who have received priestly ordination, have had five years of solemn profession in the Order, and are at least 30 years of age” are eligible to serve as Prior Provincial.]</p> <p>D) The ten individuals having passive voice (in conformity with the requirements for Prior Provincial as determined by the Carmelite Constitutions #310) and having the highest number of points in the consultative election for the office of Vice Prior Provincial will be the nominees for that office. Additional nominations may be made at the Chapter in accordance with the procedure established by the Preparatory Commission.</p> <p style="padding-left: 40px;">[Note: Because the Vice Prior Provincial serves as the Prior Provincial's usual Vicar (see Provincial Statute #S-30) the requirements for Prior Provincial also apply to him. The priestly ordination requirement does not apply to the office of Councilor.]</p> <p>E) The twenty individuals having passive voice and having the highest number of points in the consultative election for Provincial Councilors will be the nominees for these offices. Additional nominations may be made at the Chapter in accordance with the procedure established by the Preparatory Commission.</p> <p>F) Ballots are invalid if they have:</p> <ol style="list-style-type: none"> <li>a. More or less than three names for Prior Provincial.</li> <li>b. More or less than three names for Vice Prior Provincial.</li> <li>c. More or less than eight names for Provincial Councilors.</li> </ol> <p>G) The results of the nominations for Prior Provincial, Vice Prior Provincial, and Provincial Councilors are normally to be published eight weeks before the elections are to take place.</p> |  |

H) If a person nominated for any provincial office on the Consultative Ballot wishes to withdraw his name from nomination, he must do so by informing the Chair of the Chapter Preparatory Commission in writing by a specified date. The list of names of those member who remain in nomination will be made public at least one month prior to the start of the Chapter.

### Voting at the Chapter

S-7. Those with Active voice who are present may vote at the Chapter. Voting by proxy is not allowed in provincial or local elections.

A) In accord with Carmelite Constitutions #225, all Canonical Voting for elections to office is done by secret ballot. All other voting may be done by voice, hand count or secret ballot at the discretion of the moderator of the session and with the assent of the Chapter in order to ascertain accurately the will of the group.

B) To win an election or accept a proposal an absolute majority (greater than 50%) of those present with active voice and voting is needed. All members with active voice who are present (unless they have declared to the Registrar - or to the person designated by the Chapter Preparatory Commission for this task - that they do not intend to vote) need to submit:

i. For an election to an office: a ballot marked according to the directions of the Chapter Preparatory Commission so as to indicate one's choice of candidate or "present"

ii. For legislation: a ballot marked "yes", "no", or "present"

iii. In either the election to office or for legislation, a blank ballot is counted as a submitted ballot but is declared "invalid".

C) For a votation to be valid, the number of votes cast must be equal to the number of persons voting. The majority needed to win an election or accept a proposal is determined by the number of persons present and voting. Thus, in all voting, including canonical elections, those present but who wish to abstain, must mark a ballot "Present." In order for a person to be elected or a motion to pass, an absolute majority of those present and voting must vote for a particular candidate or "Yes" for a proposal. Although a vote of "Present" may have the effect (when combined with the "No" votes) of rejecting a motion, "Present" votes only constitute a statement that the voter is unwilling or unready to vote for any candidate or to vote either "Yes" or "No" on a proposal.

D) In the election to office, if there have been two inconclusive ballots, a vote is to be taken between the two candidates with the greatest number of votes. If there are more than two, a vote is to be taken between the two senior members by profession. The two candidates are ineligible to vote on this third ballot. The one who receives the greater number of votes is elected. If both candidates receive the same number of votes in the third ballot, the one who is senior by first profession is elected; if both were professed on the same day, the one who is senior by age is elected. (*cf. Carmelite Constitutions #245*).

S-8. The Chapter first elects a Prior Provincial, then a Vice Prior Provincial and, finally, the four Councilors.

S-9. The provisions of the Carmelite Constitutions #342: 1, 2 and 3b, which govern the terms and re-election of the Prior Provincial, also apply to the office of the Vice Prior Provincial and to the office of Provincial Councilor. Therefore, election to any of these offices is for a three-year term, with the possibility of re-election for a second term. However, no one may be elected to a third term for any of these offices unless he is first out of that office for Prior Provincial or as Provincial Councilor.

A) Although the ministries of Vice Prior Provincial and Provincial Councilor are distinct, we want to encourage the development of new leadership in the Province as a whole. Therefore, Carmelites are limited to serving two consecutive terms whether they are elected as Vice Prior Provincial or Provincial Councilor at least three years (except as provided for in Carmelite Constitutions #226.)

## If an Office Becomes Vacant

S-10. If the Office of Prior Provincial becomes vacant more than six months before the end of a three year term, in accord with Carmelite Constitutions #353-2, the election of a new Prior Provincial under the direction of the Vice Prior Provincial will take place as follows:

- A) Ballots will be distributed by regular mail to those with active voice and returned by regular mail to a designated independent group. Only one name is to be submitted for each ballot.
- B) For election, an absolute majority is required. Absolute majority is defined as more than half of those voting.
- C) If no one receives the required number of votes on the first ballot, a second ballot will be sent out. On this ballot, only the top ten candidates from the first ballot are eligible for election. Only one name is to be submitted from the list of ten.
- D) If no one receives the required number of votes on the second ballot, a third and final ballot is sent. On this ballot, only the top two candidates from the second ballot are eligible for election. These two candidates are ineligible to vote. (*cf. Carmelite Constitutions #245*) The candidate with the largest number of votes is elected to the office of Prior Provincial. In the event of a tie vote, the seniority principle of Carmelite Constitutions #245 is followed.

S-11. If the office of Prior Provincial becomes vacant less than six months before the end of a three year term, the Vice Prior Provincial becomes the acting Prior Provincial until the Chapter. (*cf. Carmelite Constitutions #353-1*)

S-12. If the office of the Vice Prior Provincial becomes vacant six months or more before a Provincial Chapter, a replacement until the next Chapter is elected according to the following procedure:

- A) Ballots will be distributed by regular mail to those with active voice and returned by regular mail to a designated independent group. Only one name is to be submitted for each ballot.
- B) For election, an absolute majority is required. Absolute majority is defined as more than half of those voting.
- C) If no one receives the required number of votes on the first ballot, a second ballot is sent out. On this ballot only the top ten candidates from the first ballot are eligible for election. Only one name is to be submitted from the list of ten.
- D) If no one receives the required number of votes on the second ballot, a third and final ballot is sent. On this ballot, only the top two candidates from the second ballot are eligible for election. These two candidates are ineligible to vote. (*cf. Carmelite Constitutions #245*) The candidate with the largest number of votes is elected to the office of Vice Prior Provincial. In the event of a tie vote, the seniority principle of Carmelite Constitutions #245 is followed.

S-13. If the office of Vice Prior Provincial becomes vacant less than six months before a Provincial Chapter, the office remains vacant until the Chapter.

S-14. If the Office of Provincial Councilor becomes vacant six months or more before a Provincial Chapter, under the direction of the Prior Provincial a replacement until the next Chapter is elected according to the following procedure:

- A) Ballots will be distributed by regular mail to those with active voice and returned by regular mail to a designated independent group. Only one name is to be submitted for each ballot.
- B) For election, an absolute majority is required. Absolute majority is defined as more than half of those voting.
- C) If no one receives the required number of votes on the first ballot, a second ballot will be sent out. On this ballot, only the top ten candidates from the first ballot are eligible for election. Only one name is to be submitted from the list of ten.

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| <p>D) If no one receives the required number of votes on the second ballot, a third and final ballot is sent. On this ballot, only the top two candidates from the second ballot are eligible for election. These two candidates are ineligible to vote. (cf. Carmelite Constitutions #245) The candidate with the largest number of votes is elected to the office of Vice Prior Provincial. In the event of a tie vote, the seniority principle of Carmelite Constitutions #245 is followed.</p> |  |
| <p>S-15. If the Office of Provincial Councilor becomes vacant less than six months before a Provincial Chapter, the office is to remain vacant until the Chapter.</p>  |  |

## Document 2: Provincial Administration

### General Chapter

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| <p>S-16. The election of delegates to the General Chapter will be conducted by mail. The Provincial Council will establish procedures for this election which are required under the Carmelite Constitutions.</p> |  |
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### The Provincial Council (see also Carmelite Constitutions #'s 356-368)

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| <p>S-17. Outside of the time of a Provincial Chapter (cf. statute S-2), the Provincial Council is the highest internal body governing the Province and its members and is solely composed of the following offices: Prior Provincial, Vice Prior Provincial and the four Provincial Councilors (cf. Carmelite Constitutions #356).</p> <p>A. In matters requiring a canonical votation, the Prior Provincial, Vice Prior Provincial and the four Provincial Councilors may cast votes.</p> <p>B. Each member of the Provincial Council is to live in or be associated with a Carmelite community.</p> | <p>N-3. The Provincial Council should meet face-to-face approximately four times a year, and electronically as needed. Agenda items may be submitted by members of the Province.</p> |
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| <p>S-18. The Provincial Council has the following responsibilities:</p> <p>A. To discern prayerfully the needs of the Province and its members.</p> <p>B. To guide the Province in meeting the needs of the Church and society.</p> <p>C. To implement the directives of the Provincial Chapter.</p> <p>D. To give advice and consent to the Prior Provincial in Provincial matters as described in #s 357 and 361 of our Carmelite Constitutions.</p> <p>E. To authorize and evaluate the present and future ministries of the Carmelite Communities and individuals.</p> <p>F. To meet with the Priors as a group at least once during their 3 year term.</p> <p>G. To create commissions and committees and to appoint their membership.</p> <p>H. To organize meetings in different geographical areas well in advance of the scheduled Provincial Chapter in order to promote a fraternal spirit among members and to consider issues relevant to our life and ministry.</p> | <p>N-4. The Provincial Council shall publish the vision, goals and objectives for its term within six months of election. These goals and objectives shall be in accordance with the Acts of the Chapter.</p> |
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| S-19. The Provincial Council should operate as a "model of teamwork and brotherhood, listening in prayerful discernment to the voice of the Spirit". (Document A, 1977 General Chapter) | N-5. The Provincial Council strives to arrive at decisions by a process of consensus.   |
| S-20. Within a reasonable time following their election, the Prior Provincial and his Council will appoint Provincial Officers as required by the Carmelite Constitutions.              | N-6. From time to time, subject to need, directors of Provincial Programs or chairs of Commissions will be asked to give progress reports at Provincial Council meetings. |

**The Prior Provincial**  
(see also *Carmelite Constitutions #s 313-339*)

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| S-21. Outside of the time of the Provincial Chapter, the Prior Provincial is the primary authority in the Province, elected to this position by the Chapter with the rights and obligations described in #s 313-339 of the Carmelite Constitutions.   |
| S-22. He is the spiritual leader of the Province.   |
| S-23. He is the official representative of the Province to the General Curia and to other ecclesial and civic authorities.  |
| S-24. In the spirit of shared responsibility he exercises his authority with the Vice Prior Provincial and the Provincial Councilors by serving the brothers and executing the Acts of the Chapter.   |
| S-25. He acts as the chairman and convener of the Provincial Council and coordinates the design of Council meetings, implementing the decisions of the council as necessary.  |
| S-26. He maintains contact with the members of the Province through correspondence, visits to local houses, group programs and individual conferences, when feasible. He is to be available to individual Carmelites, safeguarding the office of Prior. In accord with the Praesidium Standards, he or his delegate will have an annual interview with each member of the Province who is in public ministry. |
| S-27. The Prior Provincial's concerns include all aspects of Carmelite life and activity within the Province.   |
| S-28. He exercises primary stewardship over the resources of the Province (financial, personnel, and institutional).<br>A. The Prior Provincial with the consent of his council will appoint the Provincial Bursar (Treasurer).   |
| S-29. He strives to remain aware of the movements in the Church and society and participates in appropriate organizations and conferences.  |

**The Vice Prior Provincial**

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| S-30. The Vice Prior Provincial is, by virtue of office, the Prior Provincial's Vicar when the Prior Provincial is absent from the Province or otherwise impeded unless another is designated by the Prior Provincial. (cf. <i>Carmelite Constitutions #351 &amp; 353</i> ) |
| S-31. The role of Vice Prior Provincial is the primary ministry of the one elected to this position. He can reside anywhere in the Province subject to approval by the Prior Provincial and his Council.  |
| S-32. The Vice Prior Provincial is a member of the Provincial Council who shares in the deliberations and decision-making of the Council giving advice and consent as described in #s 356-368 of the Carmelite Constitutions.   |
| S-33. He assists, as directed by the Prior Provincial, in the responsibilities of that office.  |

### The Provincial Councilor

- S-34. The Provincial Councilor is a member of the Provincial Council who shares in the deliberations and decision-making of the Council giving advice and consent as described in #'s 356-368 of the Carmelite Constitutions.
- S-35. He may be named by the Provincial Council as a liaison person to specific areas of concern (e.g., sick and retired members), standing Provincial Commissions (e.g., parishes, vocations, peace and justice), ad hoc Committees, and/or as the Provincial's delegate for the annual individual interview of members in active ministry in accord with the Praesidium Standard.
- S-36. In collaboration with the chairperson of a standing Provincial Commission, a Councilor may serve as a liaison from the commission to the Provincial Council.
- S-37. He may be named by the Prior Provincial and his Council as a member of one or more of the Boards of Members, and/or Boards of Directors of our schools and/or retreat centers.

### The Sequence of Authority

- S-38. According to our Carmelite tradition and Rule authority emerges from common consent (Carmelite Rule, Chapter 4). It is the responsibility of each individual to recognize and to use the proper sequence of authority. The sequence of responsible authority ordinarily proceeds from the individual to the Prior and local community, then, if necessary, to the Prior Provincial or his delegate for an area of specific responsibility. When, without good reason, the sequence has not been observed, it is the responsibility of the higher authority to see that the matter is referred to the most proximate competent level, except in matters pertaining to the sexual misconduct policy adopted by the province.

### Definitions of commonly used terms:

- S-39. For the purpose of clarity, we use the following definitions:
- A. With regard to external ministries:
- i. Active Carmelite: One who, regardless of age, is assigned to or engaged in full time ministry with the province or in an individual apostolate.
  - ii. Semi-retired Carmelite: One who, by virtue of age or infirmity, is assigned to or engaged in a part time ministry within the province or in an individual apostolate.
  - iii. Retired Carmelite: One who, by virtue of age or infirmity has been exempted by the Prior Provincial and the Council from an assignment to or formal responsibility for a ministry within the province or in an individual apostolate.
- B. With regard to the community:
- i. Senior: Any Carmelite of 65 years or older.

### Personnel Policies

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| <p>S-40. In accordance with Carmelite Constitutions #204, the Prior Provincial, with the consent of his Council, may deny active and/or passive voice to those brothers living legitimately outside a house of the Order, after interviewing them and ascertaining that it is impossible for them to participate in any way in the life of the Province.</p> | <p>N-7. In fidelity to the Carmelite Rule and Carmelite Constitutions, we will make every effort to ensure that the minimum size of a community be three persons, and that life within that community be in keeping with the spirit of our Carmelite Constitutions.</p> |
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|  | <p>N-8. The Provincial Council will continue its policy of consultation and dialogue with provincial members before making assignments. The Council should strive to implement the practice of open listing and application for appointments as a responsible way for serving the call to ministry.</p> <p>A. The placement of personnel occurs through the process of dialogue. This dialogue involves the appropriate provincial authorities, the director of the ministry and the person himself. The Provincial Council takes into account the needs and gifts of the individual Carmelite, the needs of the Carmelite community (both local and provincial), as well as the need of the particular ministry. This process is carried out with due respect for the other Carmelites living in the community.</p> |
|  | <p>N-9. Carmelites desiring reassignment must make their wishes known to the Provincial Administration before January. Transfers should be finalized before April. This time line is to be observed even in Chapter years.</p>   |
|  | <p>N-10. The positions of Pastor and Parochial Vicar are to be open listed so that the members of the province may apply for placement. However, there are times and circumstances when the open listing process cannot be applicable.</p>   |
|  | <p>N-11. Carmelites will be appointed pastor for a six year term. The term begins with the assigned date of transfer. Pastors may be reappointed for a second and third term of three years only after consultation with the Provincial Council. This possible term of 12 years is for appointment to a particular parish. Following their last term, pastors must leave the Carmelite community associated with the parish (allowing for extraordinary circumstances).</p>  |
|  | <p>N-12. The Parochial Vicar is normally assigned for a period of three years, renewable.</p>  |
|  | <p>N-13. Following the completion of initial formation, members of the Province are expected to live for a number of years in a Carmelite community and to serve in a ministry to which the Province is committed.</p>   |
|  | <p>N-14. For the first five years after initial formation has been completed, each solemnly professed member will participate annually in a convocation addressing their community and ministry experience.</p>  |
|  | <p>N-15. Men who desire individualized ministries are required to submit their request to a process of discernment with the Provincial Council which makes the final decision in the matter.</p>   |
|  | <p>N-16. The <i>Carmelite Health Care Guide</i> (found on the Carmelite Intranet and in the <i>Provincial Policies &amp; Procedures Manual</i>) is the operating policy for health care concerns. As new policies and procedures are approved by future Councils, they will be added to the Guide. Any member can also introduce policies or revisions to existing policies for votation at a Chapter.</p>   |

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| Senior Carmelites |  |
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| <p>S-41. Province members are expected to be contributing members to the Church and the Province until age 70, as long as health permits.</p> | <p>N-17. The Province recognizes and expresses gratitude for the experience, talents and wisdom of our seniors. For that reason, age is not in itself a barrier either for administrative office or for ministry. Men who choose to remain active or semi-retired should be considered for Provincial Office and Commissions. All Provincial ministries are encouraged, as far as practical, to actively seek the services of older men as part time associates.</p> |
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| <p>S-42. The Senior Trust is to be used only for the purpose for which it is established. To insure a satisfactory return on investment funds, the Province will continue the use of professionals in their management.</p> <p>If a determination is made that the Senior Fund has more assets than required for its purposes, the Prior Provincial and his Council may authorize that a portion of or the entire surplus may be used for other Carmelite purposes.</p>  | <p>N-18. We recognize the responsibility to guarantee appropriate care for our older men, thus, the Province will continue to meet the housing needs of these men by accommodations in our houses or in other facilities where needed.</p>   |
| <p>S-43. Provisions for the normal expenses and care of a retired Carmelite will be funded from the Senior Trust, once the Carmelite has met the qualifications for the plan. Extraordinary expenses will continue to be provided through the Senior Fund.</p>   | <p>N-19. At the time of his retirement or semi-retirement, a senior religious may look to the Prior Provincial and/or Vice Prior Provincial for help in finding a residence which is mutually satisfactory to the senior and the local community.</p>  |
|  | <p>N-20. While the housing needs of our seniors are currently addressed, the Province will be open to and explore the possibility of setting up a suitable retirement house(s) where senior Carmelites can continue to live in community with dignity.</p> <p>N-21. The Province should offer the opportunity to small groups of senior religious to establish communities of their own where their own apostolic interests could be served and their skill and interests developed.</p> <p>N-22. The <i>Carmelite Guide on Aging and Retirement</i> (found on the Carmelite Intranet and in the <i>Provincial Policies &amp; Procedures Manual</i>) is the operating policy for retirement concerns. As new policies and procedures are approved by future Councils, they will be added to the Guide. Any member can also introduce policies or revisions to existing policies for votation at a Chapter.</p> <p>N-23. We desire to live our maturing years in the most healthy, happy, and holy ways possible. Thus, we will strive to actualize the vast spiritual potential of our later years whether in some type of active ministry, in retirement or semi-retirement, or even while residing in a care-facility. Aging, then, can be a spiritual adventure, rather than a slip-page into a diminished status, where we accent the positive purpose of our later life while connecting with God's abundant grace.</p> |
| <p><b>Provincial Commissions &amp; Committees</b></p>  |  |
| <p>S-44. A Commission is an advisory group of the Provincial Council, consisting primarily of members of the Province, having a specific expertise and mission, established for the purpose of advising the Provincial Council on a major issue of an ongoing nature. The tasks and functions of each Commission will be determined by the Provincial Council in light of the Acts of the Chapter and specific needs of the Council. By way of contrast, a Committee is an ad hoc gathering of appointed members for a limited period of time to accomplish a specific task.</p> |  |
| <p>S-45. Provincial Commissions and Committees will be determined by the Provincial Council.</p>   |  |
| <p>S-46. If the Provincial Council chooses to reconstitute a standing commission, they will provide for continuity between the previous commission and what may follow.</p>  |  |
| <p>S-47. We as a province must create and maintain provincial funding to carry out programs that are bigger than what an individual member or a specific ministry can address. As such, we recognize the need for groups and programs, such as a Justice, Peace and Integrity of Creation Commission, the CCF (Carmelite Charity Fund) and the CHDF (Carmelite Human Development Fund), to assist our brothers and sisters in carrying the burdens of their ministries.</p>  | <p>N-24. If any committee or commission makes a recommendation to the Council, and the Council decides against the recommendation of the committee or commission, the reasons for the decision should be communicated to the committee or commission.</p>  |

## Administration of Temporal Goods

- N-25. A Finance Commission shall be appointed by the Prior Provincial after consulting with his Council to assure good financial management of the Provinces' temporal goods.
- N-26. The Finance Commission believes all members of the Province need to be challenged to appropriate more fully the ideals of the Rule of St. Albert, Chapter 12:  
*None of the brothers must lay claim to anything as his own, but you are to possess everything in common; and each is to receive from the Prior - that is from the brother he appoints for the purpose - whatever befits his age and needs.*
- N-27. The Finance Commission has as its purpose to understand the finances of the Province in order to be able to advise and assist the Provincial Treasurer and make recommendations to him and to the Provincial Council. Its areas of concern are the financial management of the funds of the province and the business procedures used by the Province.
- N-28. All projects funded through the province which exceed \$150,000.00 should be submitted to a financial impact analysis under the direction of the Provincial Treasurer and the Finance Commission. Those requesting the funds should, unless exempted by the Provincial Council, initiate the necessary review process in consultation with the Treasurer's Office no less than 6 months in advance of the needed approval.
- N-29. As a Province we need professional advice concerning our financial procedures and policies. We need to continue to involve competent lay persons in our financial matters. We also need to continue to use proper business procedures in all of our operations, i.e. approved accounting procedures, auditing and budgeting.
- N-30. As a Province we are concerned with social implications of our investments and, as a result, we strongly encourage the Provincial Council to continue to explore the moral implications of the Province's investments using socially responsible principles articulated in the Provincial Investment Policy and Statement. Our priorities and policies in regard to these areas of concern should be reviewed at least once between Provincial Chapters by the Finance Commission and the Provincial Council.
- N-31. Since we are part of an international community of Carmelites, we recognize our responsibility to follow closely the regulations set down by the Order on financial matters. We have consistently done so over the years and we are committed to continuing that tradition. Among priorities to be observed is the prompt payment of all assessments and a willingness to evaluate any monetary requests from our Carmelite Brothers and Sisters and to follow with whatever action is considered prudent.
- N-32. The Provincial Council, in consultation with those who oversee the Province's finances will annually review the level of the Province's financial support of charities, and adjust our level of support as warranted and appropriate. We endorse the Provincial Council's current practice that at least 10% of the ordinary and investment incomes which goes to the general fund of the Province is directed to charitable contributions.
- N-33. A Province-wide annual budget process which includes all communities and individuals shall begin in January and be completed by May.
- N-34. The Carmelite Human Development Fund will remain at \$75,000, and the Carmelite Charity Fund will remain at \$75,000.
- N-35. Carmelite houses and individuals shall contribute to the support of the Province.  
 A) Carmelites in ministry should take full salary plus allowable benefits.  
 B) The level of support by communities and individuals should be reviewed at the September meeting by the Finance Commission.

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|  | N-36. Carmelite Communities and individuals will contribute to retirement funding on an annual basis as requested by the Treasurer's Office.  |
|  | N-37. With the vow of poverty comes financial responsibility. Members who are working for non Carmelite institutions, whether Catholic or non-Catholic, must direct that the compensation for their services be paid to the "Society of Mount Carmel."  |
|  | N-38. Carmelites engaged in the ministry of professional counseling need to carry appropriate professional liability insurance.   |
|  | N-39. Communities and individuals should report on their financial status according to the format and on an annual schedule specified by the Provincial Treasurer.  |
|  | N-40. All Carmelite ministries and those ministries which we administer (e.g., parishes) will show evidence of financial accountability.  |
|  | N-41. Carmelite institutional apostolates should have finance advisory boards. Also, with the exception of parishes which are subject to diocesan regulations, all Carmelite apostolates should adhere to periodic audit or financial review as required by the Provincial Treasurer.   |
|  | N-42. Communities or institutions requesting loans from the Province must agree to a repayment schedule. If the loan is for improvements to the residential portion of a Carmelite-owned property, the loan will have no interest charged. Other loans from the Province will have interest attached at half the rate assessed at the time of the loan by the banks. If, however, the Province obtains the loan from a lending institution on behalf of a Carmelite community or apostolate, the interest charged the Province will be recouped from the recipient of the loan. |

### Communications

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| S-48. The Province will continue to implement a regular substantial system of communication between membership and leadership. | N-43. Our life and mission is served by the use of worldwide communication. Our communities, and the Province as a whole, need to take full advantage of modern technology as we will only benefit from the technological innovations now available. |
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### Formation Ministry

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| S-49. A person being re-admitted (following the procedures established by the Carmelite Constitutions #150) without repeating novitiate are allowed to make profession for one year in accordance with Carmelite Constitutions #155-1. |  |
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## Document 3: Community & Fraternity

### The Local Prior

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| S-50. The local Priors shall be appointed by the Prior Provincial in consultation with his Council after the community, if it so desires, has submitted a list of nominees. This nomination shall be the right of those members of the community who enjoy active voice, i.e., all solemnly professed.<br><br>A. The Prior Provincial and the Vice Prior Provincial may not hold office as Prior of a local house. Provincial Councilors, however, are eligible for the office of Prior.<br><br>B. Ordinarily, in communities serving provincial sponsored ministries, the offices of Prior and the director of the ministry (e.g., pastor, president, principal, director) are to be separated. |  |
| S-51. The Prior serves in the context of the Local Community Chapter, in harmony with Carmelite Constitutions #379. The authority of the Community Chapter counts on the contributions of each brother.  |  |

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| <p>S-52. The local Prior is called by the local community and the Provincial Council to a ministry of spiritual and community leadership as stated in the Carmelite Constitutions, #'s 388-395.</p>  |  |
| <p>S-53. The Prior's Responsibilities are:</p> <ul style="list-style-type: none"> <li>A. He calls the community to regular dialogue for the clarification of values and expectations of the common life at least once a month (normally).</li> <li>B. He challenges the community by his example and counsel to live the common life of fraternity and prayer.</li> <li>C. He calls the community and individual members to accountability through the authority given to him by the community.</li> <li>D. He shows concern for the common life and the good of the individual members through sensitivity for the social and physical well-being of the members.</li> <li>E. The Prior shall name a Vicar in his absence.</li> <li>F. The Prior, after conferring with the members of the community, shall recommend to the Provincial the appointment of the local bursar.</li> </ul> |  |
| <p>The Local Community Chapter</p>   |  |
| <p>S-54. The Local Community Chapter, over which the Prior presides, is the governing body of the house. It is established and governs according to #'s 379-397 of the Carmelite Constitutions.</p>  |  |
| <p>S-55. All brothers living within the house, or associated to it by the Prior Provincial, are voting members of the Local Community Chapter in all matters relating to the local community. However only those with active voice may participate in the nomination of the Prior or other canonical matters.</p>  |  |
| <p>S-56. Members of the Province living outside an established community may be associated with a formed community by their own request, with the permission of the Prior Provincial, or may be assigned to the community by the Prior Provincial. Associated members are voting members of the Local Community Chapter when they are present, although their presence is not counted toward the quorum required for a valid meeting and decision making.</p>  |  |
| <p>S-57. The Local Community Chapter shall meet regularly and submit the minutes to the council for historic purposes.</p>   |  |
| <p>S-58. The responsibilities of the Local Community Chapter include:</p> <ul style="list-style-type: none"> <li>A) Drawing up norms for the house, amending or revoking them as needed.</li> <li>B) Evaluating the life and commitments of the community, or of individual members.</li> <li>C) Providing a consultative vote to the Prior Provincial and his Council about admitting candidates to profession or to ordination.</li> </ul>   |  |
| <p>S-59. When the Local Community Chapter is evaluating or voting on a candidate for vows or ordination, the meeting and the voting shall be restricted to those in Solemn Vows.</p>   |  |
| <p>Non-canonically Erected Houses</p>  |  |
| <p>S-60. Those houses which in and of themselves do not have enough members for a formed house, after consultation with the Provincial, may cluster themselves to create a formed house and thereby to nominate a Prior to represent them.</p>   |  |
| <p>S-61. All houses of the Province are governed by the same rules and procedures as those which are canonically erected according to the provisions of Canon Law and the Carmelite Constitutions.</p>   |  |

## Life in Community

N-44. The Carmelite Constitutions call for our communal life to be rooted in and modeled upon the Trinity which calls us to open ourselves to knowledge and love of God and of our neighbors. Thus growth in knowledge and in love within each local community is critical to identify ourselves as brothers.

N-45. Carmelite life is meant to be lived together. In order to foster our life as a religious family and as a brotherhood with a shared vision of community life, Carmelite communities generally are clustered within a given area in reasonable proximity to each other.

N-46. We take our primary direction from the Gospel of Jesus Christ, Church teaching, Church tradition, and our own Carmelite heritage, which serves as both motivation and correction in the formation and exercise of our conscience.

N-47. Each and every Carmelite is responsible for the quality of community life as expressed in our Carmelite Rule, in our Carmelite Constitutions and as a unique expression of our personal lives and our lives within community and in our society.

N-48. We recognize that we are, in large part, a privileged segment of society, living a middleclass lifestyle. As such, we run the risk of becoming complacent towards the poor and marginalized. We need to be reminded and prodded to raise our consciousness regarding issues of justice and peace, and to put into concrete action these principles.

N-49. It is recommended that communities include a tithe to the materially poor in their annual budget.

N-50. One of the most effective ways of deepening and enhancing our life together comes from key moments in our life together.

Communities are encouraged to celebrate events which have particular intensity and importance: (*cf. Carmelite Constitutions #31*)

- A. in the participation in the Eucharist, through which we become one body, and which is the source and the summit of our lives, and therefore the sacrament of brotherhood;
- B. in communal celebration of the Liturgy of the Hours;
- C. in prayerful listening to the Word (e.g., *Lectio Divina*);
- D. in meetings held periodically to discuss issues which concern the life of the community and for historical purposes that a copy of the minutes be sent to the council;
- E. in other community meetings where, in a spirit of dialogue and discernment we:
  - study the Carmelite Rule, the writings of our mystics, and the official documents of the Church and of the Order;
  - examine our faithfulness to the charism and to the mission of the Order;
  - share our experiences;
  - work out our community life plan;
  - learn to read the signs of the times;
  - make pastoral choices in the context of the local Church;
- F. in the common table and recreation together;
- G. in common work, manual and other, whether within the community or elsewhere on behalf of the community;

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|  | N-51. To promote community and be supportive of one another, it is imperative that all the members of the local community who have different ministerial commitments, or are retirees, be clear about their mutual expectations for ministry and community life. These expectations should be shared and reviewed annually and especially when new members enter the community.                       |
|  | N-52. We commit ourselves to improving our community life and eliminating prejudices that hinder it by dialogue that promotes mutual respect, compassion, and sensitivity of our differences in culture, language, ethnic background, and sexual orientation. We furthermore commit ourselves to extend this spirit of respect, sensitivity, and compassion into our ministries and into our society. |

### Personal Responsibilities

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|  | N-53. All Carmelites are to take seriously the opportunities for personal, spiritual, intellectual and professional growth by participation in annual retreats and programs sponsored by the Order, the Province, dioceses as well as other religious and professional resources. |
|  | N-54. It is recommended to the members of the province that they individually consider tithing their monthly allowance to the materially poor.  |

### Administration of Temporal Goods-Individuals

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| S-62. If a member of the Province does not return to the community at the end of a period of exclaustation or other lawful absence, or if a member is unlawfully absent from the community, the Carmelite Province is not liable for any debts or actions or omissions or obligations whatsoever. The Prior Provincial will give notice of this fact to the member. |  |
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## Document 4: Administration of Provincial Ministries

### Underlying Principles

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|  | N-55. A norm for realignment will be based on the fullness of the Carmelite charism, in which community is an essential element along with prayer and ministry. |
|  | N-56. The goal of our ministries is to have a Carmelite presence sufficient to make a positive impact on the local diocese and community.                       |
|  | N-57. We challenge ourselves to seek and maintain individual and communal ministries which serve the materially poor.   |

### Vocation Ministry

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|  | N-58. The <i>Manual of Carmelite Vocation Ministry</i> (found within the <i>Formation Manual</i> ) is the operating policy of the Vocation Ministry, implemented by the Vocation Directors and modified by them, with the approval of the Provincial Council. |
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### Formation Ministry

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|  | N-59. The Chapter affirms the approval by the Prior Provincials and their Councils of both the PCM and SEL Provinces of <i>The Carmelite Manual of Formation</i> (2016 edition). This manual and the <i>Ratio Institutionis Vitae Carmelitanae</i> (2013 edition) set the policies which guide our Formation Program. |
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### Hispanic Ministry

- N-60. Informed by the National Plan for Hispanic Ministry and other more recent projects and programs that address this demographic change within the Church in the US, we renew our commitment through the following provincial plan for developing our leadership within the Hispanic Community.
- A) We will continue to develop our formal process of responding to the changing reality of the American Church in the United States.
  - B) B) We will provide assistance to parishes in the formation of Carmelites and lay leaders.
  - C) We will promote vocations to Carmelite religious life among Hispanic communities in the United States.
  - D) We will support the effort of providing holistic formation experience for Hispanic candidates and to raise consciousness among non Hispanic candidates about multicultural living and ministry.

### Parish Ministry

N-61. Our parish ministries need to be evaluated on a regular and on-going basis. This evaluation should take into account:

- whether or not the parish fits into the overall charism of the Order,
- whether or not it meets the needs of those Carmelites who live and work there, and
- whether our presence in a given diocese is life-giving both to ourselves and to the local church.

We welcome the visits and evaluations of Carmelite superiors. The tools for these evaluations are to be a part of the *Parish Ministry Manual* (which can be found on the Carmelite Intranet).

N-62. Prior to any extraordinary parish plant construction (safeguarding diocesan regulations) there must be consultation with the Provincial Council in the interest of responsibility and mutual concern.

N-63. The 2017 CARA Parish Survey revealed much data and information about existing parishes in the province. The results of this survey should be taken into consideration as the province makes decisions about the future of our parish commitments.

N-64. The decision to withdraw from or accept a parish shall be made by the Provincial Council after reviewing the guidelines listed below.

Evaluating and Determining  
Future Parish Commitments / Withdrawals  
Questions for Consideration:

- A) Carmelite Ecclesial Concerns
  - i. Does our existence in this particular diocese serve our needs and that of the wider Order?
  - ii. Is the diocese open to a limited commitment or contract?
  - iii. Does this parish allow us to minister in the spirit of Vatican Council II?
  - iv. Does this parish commitment allow for ministry to the poor, the disenfranchised, and the marginalized?
- B) Carmelite Community Concerns
  - i. Does this particular parish allow us to lead a genuinely Carmelite way-of-life?
  - ii. Will this parish commitment bring a Carmelite presence to a new geographical area and offer the possibility of creating a Carmelite community?
  - iii. Is there a possibility of creating community with other Carmelites?
  - iv. Does this parish commitment enable us to incorporate non-parish Carmelites in the parish community?
  - v. Does this parish commitment provide an opportunity for Carmelite vocations?
  - vi. Are there individuals willing to serve in the location under consideration?

## Secondary Schools Ministry

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|  | N-65. The Province of the Most Pure Heart of Mary will continue to sponsor its secondary schools using three models reflecting the realities of our schools today: wholly -owned by the province, co-sponsored with another religious community, and affiliated to parishes administered by the province. |
|  | N-66. The Carmelite Secondary School Commission reviews and modifies the <i>Carmelite High School Policy Manual</i> (found on the Carmelite Intranet) with the approval of the Provincial Council.  |

## Ministry with Lay Carmelites

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| S-63. The Prior Provincial and his Council exercise leadership and guidance over the Lay Carmelites affiliated to the Province just as they do over the Carmelite religious who belong to the Province. They delegate this leadership and guidance to the Lay Carmelite Provincial Office and to the Carmelite religious and laity appointed by the provincial administration to ministry to the Lay Carmelites. Lay Carmelites themselves are collaborators in this ministry as they serve the movement in their local communities and on the regional councils. |  |
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|  | N-67. The Provincial Delegate need not be the financial and business administrator.   |
|  | N-68. In order to continue its mission to help the Carmelite laity grow in their knowledge and practice of Carmelite Spirituality, the province financially supports the Lay Carmelite Office and Ministry. Ideally, this ministry should be self-supporting, and in fact the Lay Carmelites should be a source of financial support for the province and its ministries. |
|  | N-69. If reconstituted, the Inter-Provincial Lay Carmelite Commission will be an advisory body and catalyst for growth for the Lay Carmelite movement.  |
|  | N-70. There is a standard initial formation program for all Lay Carmelites affiliated to both North American provinces. This program is modeled on the <i>Ratio Institutionis Vitae Carmelitanae</i> of the first Order and is a serious introduction to the theory and practice of Carmelite Spirituality.   |

## Decrees

No decrees were approved at the 2017 Chapter