

25 Q&A's

COMMISSARY FOR RELIGIOUS INSTITUTES

1. **What is a Commissary?**
A Commissary is a person appointed to act as the canonical superior of another institute.
2. **Who appoints a Commissary?**
Church authority, either the Holy See for pontifical institutes or the Diocesan Bishop for diocesan institutes, appoints a Commissary. This is sometimes referred to as a "Pontifical Commissary" or "Episcopal Commissary."
3. **Is a Commissary a new canonical figure?**
Historically, a Commissary has been used in many different situations in which, for various reasons, the religious institute is unable to carry out the functions of its general government.
4. **Under what circumstances is a Commissary being used today?**
Today, it is used to assist an institute which is unable to elect a full general government (superior general and council) from its members, but which wants to continue living according to its own history, identity and legacy.
5. **Who can be appointed a Commissary for a religious institute?**
Generally a Commissary for a women's institute is a woman religious with a similar experience of living religious life. However, clerics can also be appointed to serve in this role. There have been some situations in which a Diocesan Bishop has served in this role. Currently a lay person cannot be appointed a Commissary for a religious institute.
6. **Can the institute hire a Commissary without approval by the Holy See or Diocesan Bishop?**
The institute may recommend a person to be appointed as Commissary; however, the appointment of the Commissary must come from competent church authority, the Holy See or the Diocesan Bishop.
7. **Does the institute have any role in the selection of the Commissary?**
The institute is encouraged to recommend a suitable person that is known to the institute as the candidate for appointment as Commissary for the institute.
8. **How is the Commissary's appointment communicated?**
The Commissary receives a letter of appointment from the Holy See or the Diocesan Bishop describing the role, the effective date of the appointment, and the extent of the authority attached to the office.

9. **Is the Diocesan Bishop required to consult the superior general or provincial of the sister to be appointed Commissary for a diocesan institute?**

Consultation by the Diocesan Bishop with the superior general or provincial of the sister to be appointed, though not required, is appropriate in the spirit of *Mutuae relationes*. It is also the responsibility of the sister being asked to serve as Commissary to consult her superior general or provincial prior to accepting the appointment.

10. **What is the scope of the Commissary's authority?**

As a rule, the Commissary is given the canonical authority of the superior general for governance of the institute according to universal law, the constitutions of the institute she is serving, and the letter of appointment. If the governance structures of the institute are too complicated or burdensome, dispensations from the Constitutions from Rome or from the Diocesan Bishop may be granted.

11. **May a Province petition for a Commissary?**

Currently most petitions for a Commissary come from a superior general for an institute. Generally, a superior general would provide for the canonical governance of a province when the province is unable to provide for its own governance. In cases where this is not possible, a superior general may petition the Diocesan Bishop (where the Province Motherhouse is located) or the Holy See for a commissary for a province. The petition should include approval from the superior general for the request as well as an indication that there is no institute-wide member available to serve in the role of provincial superior.

12. **Does the Commissary have to be in a leadership position in another religious institute?**

It is not necessary for a Commissary to be in a leadership position in another institute. Leadership experience is an advantage but not a requirement.

13. **Is the appointment for a term?**

Usually, there is not a specified term for the Commissary. The decree may indicate *ad nutum Sanctae Sedis* (at the pleasure of the Holy See). If the religious appointed is in leadership in her own institute, that term does not define her time as Commissary. It is the *person* who is appointed, not the one holding the office in another institute. The person who is appointed as Commissary remains in that role after completing her term of office in her own institute; the role does not pass to her successor in her own institute.

14. **Should the appointment be given in a decree or a letter?**

The appointment can be made either way by the Holy See or the Diocesan Bishop.

15. **What happens if the Commissary becomes unable or unwilling to continue?**

If the Commissary can no longer continue in this role, she can resign and offer to assist the community in seeking a new person to recommend for appointment as a Commissary.

16. **Does the Commissary need a 'council'?**

The Commissary, as with every major superior, must have and use a council (c. 627). If possible, all or at least some of the council members (sometimes called consultors) should be

members of the institute she is serving. She can, however, ask assistance from members of her own institute.

17. How many councilors are needed?

When the institute is small, a general council can be composed of three sisters in addition to the superior. In some cases, a council of two members has been permitted by the Holy See.

18. What is the role of the councilor?

The role of councilor is not necessarily a full-time role, but the councilors provide the "collective wisdom" needed for important decisions.

19. Do the councilors need to be members of a religious institute?

The councilors should also be religious. Different arrangements can be made for the work of the treasurer. Such arrangements may have been made before the request for a Commissary.

20. Are the Councilors appointed or elected?

In most circumstances the councilors will be appointed by the Commissary, following consultation with members of the institute she is assisting. If they are from her own institute, with the approval of their superior if she is not that superior.

21. How does an institute prepare for a Commissary?

A guided communal discernment among the members should precede a decision to seek or request a Commissary.

22. What questions should members consider in discerning timeliness for a Commissary?

Is there a need for a Commissary? Are there capable members in the institute for leadership positions but who may be reluctant to assume the responsibility? What important decisions have we made, or do we have yet to make regarding ministries, property, vocations, care of members, etc.? Should we address these issues before or after seeking help with governance?

23. What qualities and experience should be look for in a person to recommend as a Commissary?

The members might consider a person who would be familiar with the institute's spirituality and mission, the institute's local culture or missionary outreach.

24. What factors should the institute consider regarding the readiness of the members for a Commissary?

Is the institute able to accept a Commissary with councilors to assist her with their knowledge of the institute? Are the members ready and willing to accept a religious of another institute to govern the institute with the canonical authority of the superior general/president and to collaborate with her?

25. What is the procedure for requesting a Commissary?

The procedure for requesting a Commissary includes:

- In prayerful discernment assess the canonical governance needs of the institute

Commiss - Can you walk w/ them? Are you enabling?

Experiences of Commissaries

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Depletion Questions

- ❖ Living the Pascal Mystery
- ❖ What were the signs that it was time?
 - No new members
 - 80+ median age
 - Funding for retirement
 - No one available for leadership
 - Health issues
- ❖ Questions needed to be considered by the membership
 - Members will likely not be on the same page
 - May need to ask each one if she is able to assume leadership
 - What did our existence mean? *our legacy*
 - Can we put our trust in someone who is not one of us?
- ❖ From Decision to Implementation: How did the Institute Prepare?
 - Finances, properties, archives
 - Communication with church authorities, publics/donors - *Tacoma Dominicans - Quarterly Magaz tell how they share journey*
 - Legal issues
 - Finding a commissary *Who understands your charism? Who do you work w/ best? Who will honor you?*
- ❖ Addressing the Letting Go/Grieving: Spirituality/Ritual, etc.
- ❖ What did we say "yes" to? What have we learned? How is it unfolding? Terms? Life? *god to name terms...*
- ❖ What additional resources are needed?

How do you call feasts up, walk w/ces, jubilee.

How did our years of fidelity make a difference?

Are we paid to be a commissary?

- Paula is... pd.
- if you don't show up @ cnty event - get criticism
- Some are some aren't

Commiss.

need: take vacation, retreats, s. dev.

—: it would be good to have annual mtg of commiss.

Reference Material for Video Reflection

During the October 2019 National RCRI Conference Sisters Lynn Jarrell, OSU, MA, JCD and Nancy Reynolds, SP, MA, JCL offered a session entitled *Canonical Governance of an Institute of Consecrated Life: Its Purpose, Overview of Organization, and the Two Essential Structures*. Dan Ward, OSB, JD. JCL was a contributor to this material. It is with their permission that this information is being made available for your reference.

To decide if an institute is able to continue to hold a chapter there must be a careful determination, after weighing the data, if in the immediate future (next 1-2 chapters) and/or into the near future (next 2-3 chapters) the membership has/will have the capacity required to exercise this essential governance structure competently.

- A. This determination must start with an honest consideration of whether an institute has a critical mass of members who possess these four elements:
 1. Skill sets needed for being a delegate
 2. Age, health (includes memory and hearing), energy, needed to be a delegate
 3. Ability to work with the chapter process and consensus building
 4. Commitment and openness to act for the institute's common good instead of one's personal agenda or individual interests.
- B. If a critical mass of members with all four elements listed in "A" is identified, these questions about this group of members must be answered truthfully:
 1. In this critical mass of members with all four elements are there enough who are both
 - a. Willing and able to serve as delegates?
 - and
 - b. Representative of the institute?
 2. Finally, overall will the delegated body be able to examine the chapter agenda objectively and make responsible decision(s) in the immediate future and/or in the near future on matters facing the institute?

To decide if an institute is able to continue to have elected leadership there must be a careful determination, after weighing the data, if in the immediate future (next 1-2 chapters) and/or into the near future (next 2-3 chapters) the membership has/will have the capacity required to exercise this essential governance structure competently.

- A. This determination must start with an honest consideration whether an institute has a sufficient number of members who possess all five of these elements:
 1. Administrative skills as well as a scope of professional and life experiences for taking on and carrying out elected leadership
 2. Age, health and energy needed for a full term of elected leadership
 3. Pastoral and spiritual abilities sufficiently developed for use in elected leadership
 4. Ability to form a healthy working dynamic within the elected leadership
 5. Sufficient sense of electability by the majority of the membership
- B. If a sufficient number of members with all five elements listed in "A" is identified, the following question about this group of members must be answered truthfully:

Are there enough in this group of members willing to be available for elected leadership in the immediate future? In the near future?