

Presbyteral Council of the Diocese of Davenport

Statutes

Preamble

The Presbyteral Council of the Diocese of Davenport is a body of priests who are to be like a senate of the bishop representing the presbyterate. This council is to aid the bishop in the governance of the Diocese according to the norm of law in order that the pastoral welfare of the people of God entrusted to the bishop may be promoted as effectively as possible. (cf. c. 495 §1)

Constitution of the Presbyteral Council of the Diocese of Davenport

Article I. Name

The name of the organization shall be the Presbyteral Council of the Diocese of Davenport.

Article II. Purpose

The purpose of the Presbyteral Council shall be

- A. To encourage the full and free discussion of all issues of pastoral concern in the Diocese
- B. To provide a representative forum with the diocesan bishop for the priests doing ecclesial work in the Diocese (with the approval of the bishop) and any priest incardinated in the Diocese of Davenport, thus providing an organized opportunity for mutual and open reflection and fraternal dialogue
- C. To search for and to propose ways and means for the effective pastoral ministry of priests
- D. To provide consultation with the Bishop at those times required by canon law (See Addendum.)

Article III. Membership

The membership shall consist of the elected members, ex-officio members and appointed members from among the diocesan and religious priests serving in the Diocese of Davenport.

Article IV. College of Consultors

The College of Consultors is to be freely selected from among the membership of the Presbyteral Council by the diocesan bishop. (cf. c. 502) The College of Consultors will elect from their college two members to serve on the Presbyteral Council.

Article V. Officers

- A. The officers of the Presbyteral Council shall be the president, the chairman, the vice chairman, the secretary and the treasurer.
- B. The president shall be the diocesan bishop. The chairman, the vice chairman, the secretary and the treasurer are elected from among the elected members of the Council for a two-year term.

Article VI. Meetings

- A. The Council shall meet on a regular schedule as determined by the Bylaws and as convened by the president.
- B. A simple majority of the members that must include a majority of the elected members shall constitute a quorum.

Article VII. Committees

- A. The Council shall have an Executive Committee, an Election and Membership Committee and such other standing or ad hoc committees as shall be necessary to carry on the work of the Council.
- B. The Executive Committee shall consist of the officers of the Council. The Executive Committee shall not have the power to act in the name of the Council except as specifically authorized by the Council according to the Bylaws.

Article VIII. The Impeded See or the Vacant See

When the See is impeded, the Presbyteral Council continues to exist. When the See is vacant, the Presbyteral Council ceases. The new diocesan bishop will establish the Presbyteral Council anew within a year of taking possession of the Diocese.
(cf. c. 501 §2)

Article IX. Amendments

Amendments to this constitution may be made by a two-thirds majority of the membership of the Council with the approval of the diocesan bishop, prior notice having been given, as specified in the Bylaws.

Bylaws of the Presbyteral Council of the Diocese of Davenport

Article I. Membership

- A. The membership of the Presbyteral Council is comprised of the elected members, ex-officio members and, at the discretion of the diocesan bishop, appointed members.
- B. The diocesan bishop may appoint members when he believes that a particular constituency of the priests is under-represented on the Council, observing in his appointments the admonition that about half of the members are to be freely elected. The bishop is encouraged to identify the constituency which is under-represented when he makes appointments to the Council. (cf. c. 497 §1)
- C. One member shall be elected from each of the five age groups as determined by the chancery for Priests' Personnel Board and Priests' Aid Society elections.
- D. One member shall be elected as a deanery representative from the priests in each of the six deaneries.
- E. One member is elected by and as a representative of the retired priests of the Diocese.
- F. One member is elected by and as a representative of those priests in special ministries, that is, anyone in a non-parish ministry.
- G. The ex-officio members are the vicar general and the vicar for priests.
- H. A representative of the Deacon Council will be invited to participate in Presbyteral Council meetings as a non-voting observer.

Article II. Term of Office

- A. The term of office for elected members is four years. (cf. c. 501 §1)
- B. The term of office for appointed members is to be determined and announced at the time of appointment.
- C. The term of office for the College of Consultors is five years. (cf. c. 502 §1) -The two representatives elected from the college will serve for a four-year term.
- D. In the event of death, extra-diocesan transfer, protracted illness determined by failure to attend meetings and committee meetings for a six-month period or

resignation of any member of the Presbyteral Council, a new representative shall be elected or appointed as is appropriate.

- E. No member shall serve/represent more than one constituency.
- F. All members are eligible for reelection or reappointment.
- G. An elected age group representative who transfers from one age group to another shall continue to serve that age group as a member of the Presbyteral Council until the end of his term.
- H. An elected deanery representative who is transferred from his deanery shall lose his membership on the Council, and the deanery shall elect a new representative to fulfill the unexpired term.
- I. Elections for age group representatives shall occur in May of an election year. Elections for deanery representatives and College of Consultors representatives shall be held in July of any year in which these are necessary.
- J. When one representative is being elected from the retired or the special ministries (non-pastoral) groups, the priest receiving a majority of the first ballot is elected.
- K. The Elections and Membership Committee will conduct a ballot to determine those who are elected to serve on the Presbyteral Council.
- L. The Presbyteral Council's officers are to be elected at the September meeting of the Council with the term of office to commence at that meeting and to continue through the September meeting two years hence.

Article III. Duties of Officers

- A. The president of the Council shall be the diocesan bishop. The president shall have the right to call the meetings of the Council, to place matters of concern on the agenda, to accept or reject (except where otherwise provided by canon law) the results of the Council's deliberations and can make them public.
(cf. c. 500 §3)
- B. The Executive Committee shall represent the Council in the conduct of routine business as may be necessary at a time when the Council is not in session. Any required canonical consultation is specifically excluded from the routine business which the Executive Committee may conduct. (See Addendum.)
- C. The chairman shall conduct the meetings of the Council and shall have the duties prescribed for this office under the rules of parliamentary procedure. He shall also appoint committees.

- D. The Vice Chairman
 - 1. Shall replace the chairman in his duties when the chairman is absent
 - 2. Shall assist the chairman in his duties

- E. The Secretary
 - 1. Shall be responsible for the records of the Council and the minutes of each meeting
 - 2. Shall notify members of the Council of the time, place and agenda of the meetings
 - 3. Shall send a copy of the minutes of each meeting to the diocesan bishop
 - 4. Shall be responsible to carry on any necessary correspondence for the Council

- F. The Treasurer
 - 1. Shall collect the dues
 - 2. Shall give a current financial report at each regular meeting
 - 3. Shall pay the bills authorized by the Council

Article IV. Meetings

The Council shall meet regularly in the months of January, March, May, September and November, provided there are substantive agenda items for discussion. Meetings will customarily be held on the second Tuesday of the designated months. The exact time, date and location of meetings will be determined by the Council or, lacking that, by the bishop.

Article V. Dues

The annual dues of the Presbyteral Council are \$50 per member per year.

Article VI. Amendments

Amendments to the Bylaws may be made by a simple majority vote of the membership of the Council with the approval of the diocesan bishop and with at least ten days prior notice having been given to the members of the Council.

Addendum

The *Code of Canon Law* identifies the following times in which the Presbyteral Council must be consulted:

Canon 461 §1

Concerns the calling of a diocesan synod

Canon 515 §2

Concerns the erection, suppression or notable alteration of a parish

Canon 531

Regards the allocation of offerings received as stole fees

Canon 536 §1

Regards the establishment of a pastoral council in each parish

Canon 1215 §2

Regards the building of a new church

Canon 1222 §2

Regards the reduction of a church to profane but not sordid use

Canon 1263

Regards the imposition of a moderate tax for diocesan needs

Canon 1742 §1

Regards the appointment of priests who are to assist the bishop in cases of the removal of a pastor whose ministry has become detrimental or ineffective. (cf. c. 1740) The bishop is to propose names to the Presbyteral Council of pastors [not priests] who will assist the bishop in cases in which canon 1742 is invoked. This is a permanent group of the Presbyteral Council and should number more than two as the bishop, when needing this assistance, is to select two pastors from the group that the Presbyteral Council has elected following nomination by the bishop. In addition, the number should be larger than two so that one may be chosen who is not a close friend of the pastor in question or someone with a conflict of interest which could impair judgment.

Regarding the manner in which consultation will occur:

For any event or action in which the counsel of the Presbyteral Council is required such counsel must be sought by observing the following protocol:

1. The exact matter (that is, the exact wording of the motion to be placed on the table) must be distributed to the members of the Presbyteral Council at least ten days prior to the meeting. *Rationale:* The Presbyteral Council is a representative council, and, if its members do not have advance notice concerning significant

matters, then those members are denied the opportunity to receive input from those priests whom they represent. A failure to allow adequate time for receiving input results in an invalid consultation. In such a situation, an aggrieved party to the decision of the bishop could take recourse against the action of the bishop. If, upon inquiry, it was determined that the bishop did not validly receive consultation from the Presbyteral Council, the action of the bishop could be overturned.

2. A roll call vote shall be required for any matter for which the consultation of the Presbyteral Council is required by law. *Rationale:* The presence in the permanent records of the Presbyteral Council of a roll call vote can be important evidence that a required consultation has occurred, thus protecting the bishop against recourse.

Amendments to the Addendum may be made by a simple majority vote of the membership of the Council with the approval of the diocesan bishop with at least ten days prior notice having been given to the members.