

Canonical Statutes

of the

Society of Saint Michael

Rochester, New York

SECTION I FOUNDATION OF THE SOCIETY, NAME AND PURPOSE

- A. The Society of Saint Michael, Inc., (“Society”) operates as a Non-Profit Corporation under the Not-for-Profit Corporation Law of the State of New York.
- B. These Statutes recognize the Society as a “private juridic person” within the Catholic Church, and as such, it is entitled to the rights and bound by the responsibilities as enumerated in the Statutes and in the norm of canon law.
- C. The Society exists to promote the salvation of souls, through the preservation and use of the historic and sacred edifice of Saint Michael Catholic Church, in Rochester, New York.
 - 1. To accomplish this the Society assumes the responsibility to raise the funds required to pay for any and all expenses associated with the proper and sufficient maintenance of the sacred edifice and associated property for the purpose of public worship and private devotion.
- D. Because the Society is located within the Diocese of Rochester (“Diocese”), the Diocesan Bishop has jurisdiction over the public worship at the Society, particularly the celebration of the Sacraments, the regulation of the clergy who minister there and the authority to ensure the integrity and unity of the Catholic faith. (See C. 386 part 2)



- E. These Statutes articulate the canonical relationship between the Society and the Diocese so that the celebration of certain Sacraments may be celebrated at the Saint Michael Church according to the norm of law and under the direction of the Diocesan Bishop, including the Holy Sacrifice of the Mass (“Holy Mass”), the distribution of the Holy Eucharist outside of Mass, the Sacrament of Confession (“Confession”), any other Sacrament which would be celebrated on an *ad hoc* basis, public celebrations of the Liturgy of the Hours, spiritual exercises which may or may not include public preaching, and other acts of public worship, as outlined in, but not limited to, Section VI of these Canonical Statutes.
- F. The Canonical Statutes acknowledge the Civil Incorporation and By-Laws (“By-Laws”) of the Society.
1. The Society shall present the Diocesan Bishop, in writing, any changes, additions, deletions or amendments to the By-laws for his recognition.
 2. The Society shall present the Diocesan Bishop with a copy of the final amended version of the By-Laws.
 3. If such changes are found to be in conflict with the norm of Universal Law, Particular Law, and/or these Statutes, the Diocesan Bishop may seek recourse with the competent authority.
 4. The By-Laws are not binding upon the Diocese in any way.
- G. These Canonical Statutes shall become effective upon the approval of the Diocesan Bishop.

SECTION II RELATIONSHIP BETWEEN THE SOCIETY AND THE DIOCESE

- A. Although the Diocese has jurisdiction over the public worship of the Society, which constitutes a major part of the Society’s work, the Society operates financially independently of the Diocese.
1. The Diocese has no financial obligation to nor bears any responsibility for the financial operation or stability of the Society.
 2. The Society has no financial obligation to the Diocese nor bears any responsibility for the financial operation or stability of the Diocese.
 3. The Diocese shall not be liable for any acts or omissions of the Society.
 4. The Society shall not be liable for any acts or omissions of the Diocese.
 5. In the event of moral or financial irregularities, the Diocesan Bishop shall be notified immediately by the Society’s Board of Directors.



B. The Society's organization, operation, membership, offices, committees, and programs shall be directed by the By-Laws.

1. A Priest incardinated in the Diocese of Rochester, in good standing, is to be nominated by the officers for appointment by the Diocesan Bishop as Chaplain. If appointed, he is to be an *ex officio* active member of The Board with full voting power, but shall not be eligible to serve as a corporate officer on the Board. He shall serve as episcopal liaison, and ensure devout celebrations of the sacraments and other devotions.
2. A person shall be deemed ineligible for Board membership or Office if the Board determines that the candidate has demonstrated that he/she is publicly antithetical to Catholic Magisterial teaching or belongs to an organization having an agenda which is antithetical to Catholic Magisterial teaching. Likewise, any sitting member of the Board of Directors who demonstrates that he/she is publicly opposed to Catholic Magisterial teaching or intentionally joins an organization with an agenda which is antithetical to Catholic Magisterial teaching will be removed from the Board.
 - a. Any person proposed to be a Board Member or Officer must be a practicing Catholic who must present a letter of endorsement from his/her proper pastor to the Board.
 - b. If the board members and officers are unable to determine whether or not an organization to which a potential or current officer belongs is antithetical to the Magisterial Teachings of the Church, the officers shall defer its judgement to the Diocesan Bishop as the primary teacher of the faith within the territory of the Diocese of Rochester, according to Canon 753.
 - c. If the board members are unable to determine whether or not a potential or current board member or officer is living a life in conformity to the teachings of the Church, the Diocesan Bishop shall make a final determination of the person's eligibility for board membership.

C. On a yearly basis, the Society shall provide to the Office of the Vicar General reports pertaining to the general financial and administrative operations and the

spiritual activities of the Society forty-five (45) to sixty (60) days after the completion of the yearly financial audit.

1. The report pertaining to the general financial and administrative operations of the Society shall be in the same form as provided to the Board of Directors and shall include a statement of operations for the year (showing revenue and expenses) and a balance sheet for the end of the year, showing assets, liabilities, and surplus).
 2. The Society shall provide a report on the number of Masses offered at Saint Michael Church and their total attendance as well as a general report on other acts of Divine Worship which take place there.
- D. Only those priests granted faculties to celebrate Holy Mass and/or Confession in the Diocese are permitted to celebrate Holy Mass and/or Confession respectively at Saint Michael Church, according to applicable complementary norms of the United States Conference of Catholic Bishops and diocesan particular law.
1. In the case of a priest from outside the Diocese being asked to celebrate Holy Mass or Confessions at Saint Michael Church, the Office for Clergy for the Diocese receives requests for faculties from the Chancery of the diocese or religious order in which the priest is incardinated.
 2. The visiting priest is to present a letter of good standing or a celebret (for priests visiting from outside the United States) to the Priest Chaplain of the Society, or someone designated by the Priest Chaplain, and to the Office for Clergy of the Diocese.
- E. For the good of the souls or a just cause, the Diocesan Bishop may suppress the celebration of Holy Mass and Confession after communicating his reasons in writing to the Board.

SECTION III CELEBRATION OF HOLY MASS

- A. The priest is to adhere to Code of Canon Law and liturgical norms pertaining to the valid and licit celebration of Holy Mass.



- B. The Priest Chaplain must ensure that Holy Mass is celebrated annually on the Feast of Saint Michael, 29 September, which is also the commemoration of the dedication of the sacred edifice.
1. The Priest Chaplain is responsible to offer this Holy Mass himself, or entrust it to another priest in good standing.
 2. The Priest Chaplain is obligated to offer this Holy Mass *pro populo* for those who are members of the Society as well as parishioners of the former Saint Michael Parish.
 3. If the Chaplain cannot satisfy the obligation himself, he must remit payment to the priest who satisfies the obligation for him from his personal funds.
- C. The Society may not accept Mass intentions.
- D. A visiting priest who celebrates Holy Mass at Saint Michael Church is able to offer Holy Mass for the intention for that group, and/or members of the society, and/or former parishioners of Saint Michael Parish, exclusive of the aforementioned feast day and dedication day.
- E. The Holy Eucharist may not be reserved in Saint Michael Church except temporarily when the Priest Chaplain deems it suitable and only by him or one designated by him and under the following conditions:
1. The Holy Eucharist must be reserved in the tabernacle according to the norm of law, which is placed in a prominent central place within the sanctuary.
 2. Exposition of the Blessed Sacrament is permitted, preferably with the use of a monstrance, or with the ciborium, observing the norms in the liturgical books.
- F. Holy Mass shall not be celebrated on a Sunday, Holy Day of Obligation or the Vigil of either unless it is 29 September.

SECTION IV SACRED VESSELS

- A. The Sacred Vessels proper to Saint Michael Church shall be maintained by the Society of St. Michael, which must take care in ensuring their safe and secure keeping at St. Michael Church.
1. These vessels remain for the exclusive use of the Society of Saint Michael.
 2. Vessels must be maintained in a designated space at St. Michael Church known to the Chaplain and Officers of the Society.



SECTION V SACRAMENT OF CONFESSION

- A. The Sacrament of Confession may be made available at Saint Michael for those who desire to avail themselves to it.
- B. The confessor is to adhere to the Code of Canon Law and liturgical norms pertaining to the valid and licit celebration of Confession.
- C. If a confessional or confession room is provided for the celebration of the Sacrament of Confession, it must
 - 1. Provide for the anonymous celebration of the sacrament, and
 - 2. Must have a door with a clear glass panel through which the confessor may be plainly seen.

SECTION VI MANDATORY CELEBRATION OF HOLY MASS, OTHER SACRAMENTS, AND SPIRITUAL ACTIVITIES

- A. Saint Michael may be open for the purpose of private prayer and Catholic devotions including but not limited to the Stations of the Cross, Rosary, the Chaplet of Divine Mercy, Devotion to the Blessed Virgin Mary, and Devotion to the Saints, for example Saint Patrick and Saint Bridget of Ireland.
- B. Devotions in honor of Saint Michael and Commemorating the Dedication of the Historic and Sacred Edifice of Saint Michael Church should be conducted at the Society.
 - 1. Holy Mass must be celebrated each year on 29 September within the Sacred Edifice of Saint Michael Church. The feast of Saint Michael and the Solemnity of the Dedication of the Church should be observed, utilizing the proper



- liturgical texts and readings. The feast and solemnity must be observed, even on a Sunday, utilizing the proper liturgical texts and readings.
2. If the celebration of the above-mentioned Holy Mass falls on a Sunday, its celebration shall not interfere with the regular Sunday celebration of Holy Mass at the parish church in whose territory the Society is located.
 3. The Society may conduct their meetings and have Holy Mass celebrated at the Society by their chaplain, or in his absence, by a priest designated by him, who is subject to the Diocesan approvals stated in Section II D above.
 4. Baptisms are not permitted to be celebrated at the Society.
 5. Weddings, Funerals, or other liturgical celebrations may be celebrated at Saint Michael Church for former parishioners of Saint Michael Parish exclusively. Weddings must be recorded, and the permanent file kept, according to the norm of universal and particular law at the parish church in whose territory the Society is located.
 6. All speakers, whether clerics or laity, must adhere to the Speakers Policy for the Diocese of Rochester (see Exhibit A, attached).

SECTION VI AMENDMENT

- A. The authority to amend the canonical Statutes rests with the Diocesan Bishop, according to the norm of law.
 1. The Board may seek an amendment to these statutes, in writing, from the Diocesan Bishop.
 2. The Diocesan Bishop is free to accept or reject the request for the amendment according to the norm of Canon Law.
 3. The Society has the right to canonical recourse according to the norm of law in the event the Diocesan Bishop rejects its request for an amendment.

SECTION VII DISSOLUTION

- A. The Bishop of Rochester may, for just cause, dissolve the Society by Decree.
 1. The Society has the right to canonical recourse according to the norm of law in the event the Diocesan Bishop dissolves the Society by Decree.

These Canonical Statutes are hereby approved and shall become effective on the date of their promulgation.

Given at the Chancery of Rochester on the _____ day of _____, 2020, in the seventeenth year of my Episcopate.



+Most Reverend Salvatore R. Matano, STL. JCD,
Bishop of Rochester

Rev. Daniel J. Condon, JCL
Chancellor

