

§600 JURIDIC PERSONS

A juridic person may be understood as the ecclesiastical equivalent of a not-for-profit corporation. Just as a civil corporation comes into existence as a “fictional person” by an act of civil authority, a juridic person comes into existence in the Church by an act of ecclesiastical authority. The specific requirements and operations of a juridic person are set forth in canons 113 - 123. In keeping with these canons, the following section provides the required policies and procedures for a juridic person to exist in the Diocese of Springfield in Illinois.

§601 IN GENERAL

§601.1. Policy. The Bishop of Springfield in Illinois shall have the authority to confer juridic personality on aggregates of persons or of things which aim at a genuinely useful purpose and which, all things considered, have the means which are foreseen to be sufficient to achieve the purpose in view (Canon 114, §3).

Procedures

The conferral of juridic personality by the Bishop does not *per se* create any civil law relationship with “Bishop of Springfield in Illinois” or any other civilly incorporated ecclesiastical entity. While the establishment of a juridic person creates a canonical relationship with the Church, the civil law status of any juridic person must be considered separate and apart from its canonical status.

For example, the Bishop could establish a Diocesan school as a public juridic person and designate that it operates as a separately incorporated civil law entity. Moreover, the Bishop could recognize a private association of the Christian faithful as a private juridic person (c. 322), which would be civilly incorporated separate from the “Diocesan Corporation” or any other ecclesiastical corporation and would possess and administer its own temporal goods (c. 325).

§601.2. Policy. The purpose of a juridic person shall befit the Church’s mission, which transcends the purpose of the individuals.

Procedures

Generally, the purposes of a juridic person are those which concern works of piety, of the apostolate or of charity, whether spiritual or temporal. [In other words, those works which promote prayer, worship, teaching, health care according to Catholic protocols, feeding the poor and helping the underprivileged and the oppressed.] (Canon Law Society of Great Britain and Ireland -- annotations)

§602 STATUTES

§602.1. *Policy.* An aggregate of persons or things which petitions for juridic personality shall submit its proposed statutes to the Chancellor for approval.

Procedures

a) At a minimum, the statutes shall define the purpose, constitution, government and operation of the juridic person (cf. canon 94, §1).

b) Upon submission to the Chancellor, the Chancellor will consult with the Vicar General and may consult with an appropriate agency having subject matter jurisdiction over the purpose and proposed operation of the proposed juridic person.

c) Once the statutes of a proposed juridic person have been reviewed by the Chancellor, he will present the statutes to the Bishop for his approval. If the Bishop's opinion is affirmative, a decree shall be issued granting the requested Juridic personality.

§603 RECORDKEEPING

§603.1. *Policy.* The Chancellor shall keep records of all juridic persons in the Diocese of Springfield in Illinois.

§604 CESSATION

§604.1. *Policy.* A juridic person shall cease only when it is lawfully suppressed by the Bishop or it is inactive for one hundred years (c. 120, §1).