

## **Appendix 2: The Presbyteral Council**

### **CONSTITUTION AND BYLAWS PRESBYTERAL COUNCIL DIOCESE OF BISMARCK**

#### **ARTICLE I: NAME**

The name of this body shall be: The Presbyteral Council of the Diocese of Bismarck

#### **ARTICLE II: PURPOSE OF THE PRESBYTERAL COUNCIL**

1. to manifest the unity of the priesthood of the Diocese of Bismarck by the common sharing in the apostolic ministry with the Bishop.
2. to assist the Bishop in the governance of the diocese according to the norm of law in a consultative and advisory capacity, especially in those matters that pertain to pastoral and priestly ministry.
3. to serve as a representative body through which the views of the priests in the diocese, on matters which concern the people of God, can be gathered and discussed with the Bishop.
4. to establish a group of pastors that is to assist the Bishop in the removal process of a pastor, as outlined in cc. 1740-1747 of the Code of Canon Law. This group of pastors, now called a "Pastors' Review Panel," is to be formed by simple majority vote, based in whole or in part only upon a list of pastors proposed by the Bishop. There is no maximum number for this group, although a minimum of two is suggested by universal law; each member of the group remains in this function at the good pleasure of the Bishop and as long as the member remains in the office of pastor. The Bishop or his delegate maintains this list.

#### **ARTICLE III: MEMBERSHIP**

The Presbyteral Council of the Diocese of Bismarck shall consist of nine members.

1. Five elected members each of whom will represent and chair a deanery of the diocese.
  - a. If the election is not conducted at the annual Fall Conference, it shall be held by mail ballot no later than December of each year. The term of office will begin January 1.
  - b. Each priest incardinated in the Diocese of Bismarck, each priest of another diocese living and working in this diocese, and each religious priest living in this diocese and exercising some office for the good of the diocese shall be eligible to vote and to be elected, each in his respective deanery.
  - c. Each of the five deaneries shall present two nominees from that constituency for an at-large election by the entire presbyterate of the diocese.

- d. The nominee receiving a plurality of the votes cast during the at-large election will be dean of that deanery and seated on the Presbyteral Council for a term of five years following the election.
  - e. The other nominee from that deanery shall be designated alternate to the Presbyteral Council at all meetings which he attends in the absence of the dean.
  - f. The vacancy of any elected member's seat shall be filled by his designated alternate for the remainder of that annual period, and two nominees shall be presented from that deanery to the election committee for the next Fall Conference election-at-large in order that the unexpired portion of that term shall be filled.
  - g. Terms of office shall be staggered so that no more than two deanery terms expire in any annual period.
2. The Vicar General of the diocese is an "ex officio" member.
  3. Three members are to be appointed by the Bishop for a term of five years. Terms should be staggered so that not more than one vacancy occurs in any one year. The vacancy of any appointed member's seat shall be filled by an appointment by the Bishop for the unexpired portion of the term.
  4. These nine priests shall comprise the College of Consultors for the Diocese of Bismarck.

#### **ARTICLE IV: OFFICERS**

1. The officers of the Presbyteral Council shall be the president, the chairman, the vice- chairman, the secretary, and the treasurer.
2. The president of the Council shall be the Diocesan Bishop. The president shall have the right to call meetings of the Council, to preside over meetings of the Council, to place matters on the agenda for meetings, to accept or reject the results of the Council's deliberations (unless otherwise stipulated in Canon Law), and to promulgate officially any decisions arising from the deliberations of the Council.
3. The Chairman shall preside at all meetings of the Council not presided over by the president, shall be the chief executive officer of the Council, shall present the agenda for meetings to the Bishop for approval, and shall have the duties prescribed for this office by parliamentary procedures and by any rules this Council shall adopt.
4. The vice-chairman shall have the equal authority and duties of the chairman in his absence.
5. The secretary shall keep a record of all meetings of the Council, conduct correspondence as directed, and be responsible for the safekeeping of all official papers and records.
6. The treasurer shall be responsible for keeping a record of all income received, disbursements made by the Council, and to work on the proposed annual budget in accord with Article VII.

7. The officers, other than the president, shall be elected by and from the membership of the Council at the first meeting after the annual election of deans. They shall be elected for a period of one year and shall hold office until the next election of officers has been completed. No member shall hold more than one office. The chairman shall not serve more than two consecutive terms in that office. Other officers may serve as many terms as desired by vote of the Council. In the event of a vacancy in an elected office, the Council shall elect an officer to fill the unexpired portion of that term.

## **ARTICLE V: MEETINGS**

1. The Presbyteral Council shall conduct regular meetings not less than six (6) times a year.
2. Special meetings can be convened by the president, the chairman or the vice-chairman, in the absence of the chairman from the diocese. The chairman or vice-chairman must call a meeting within two weeks of a request by three members of the Council.
3. An agenda shall be furnished by the chairman to each council member one week prior to the regular meetings. Items for the agenda may be submitted by any member of the Council or by any member of the Presbyterate of the diocese through a member of the Council.
4. Meetings and proceedings of the Council shall be open to the priests of the diocese. For the purpose of good order, persons who are not members of the Council may address the Council with the permission of the chair.
5. A simple majority of the members, including a majority of the elected members, and the Bishop, or one this appointees, shall constitute a quorum.
6. The rules contained in the current edition of "Robert's Rules of Order" shall govern all the Council's proceedings to which they are applicable and in which they are not inconsistent with Canon Law, this Constitution, or any particular rules of order that the Council may adopt.

## **ARTICLE VI: COMMITTEES**

- I. This Council shall conduct its business through standing and temporary committees.
  - a. The Council shall have an Executive Committee. 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.
  - b. The Council shall have an Elections Committee. This Committee shall supervise matters pertaining to elections conducted each year at the Fall Conference or by mail if need arises. They are to conduct elections, notify the president of the Council, the chairman, and the members-elect of the results of the elections.
  - c. Other committees may be established by the Council and shall have the rights and duties that the Council shall determine.

## **ARTICLE VII: FINANCES**

- 1 . The operating budget for the Council shall be prepared by the treasurer and approved by the Council. The budget shall be included in the diocesan budget preparation process and submitted through that process for the approval of the Bishop.
2. The operating budget shall provide for necessary funding for the expenses of the Council and its members.

## **ARTICLE VIII: CONSTITUTION**

1. This constitution may be amended by a vote of two-thirds of the members of the Council provided that the amendment has been submitted in writing at the previous, regular meeting of the Council and is approved by the diocesan Bishop.
2. This constitution will be adopted and become effective through a two-thirds majority of the Presbyteral Council at the September 1997 meeting, subject to approval of the Bishop of Bismarck.

Approved: 1.0-3-84

Revised: 9-2-97

Amended: 6-19-02 (added ARTICLE IV, #7)

Amended: 12-15-05 (added ARTICLE II, #4)