

Instruction Regarding the Creation and Restructuring of Parish Endowments and Cemetery Perpetual Care Funds

Pastors and other administrators of ecclesiastical goods, as stewards of the gifts of God mediated through the generosity of the Christian faithful, have a solemn obligation to protect those goods, to invest them responsibly, and to ensure that their use is consistent with the intentions of donors. Endowments and cemetery perpetual care funds can be excellent means of fulfilling those obligations, but only if they are structured prudently and in conformity with canon and civil law.

Therefore, in order to ensure that such funds are structured in a way that achieves conformity with canon and civil law, optimizes the protection of the assets, safeguards the intent of donors, and ensures a certain uniformity with the structure of other funds within the diocese, now, after having consulted with the Diocesan Finance Council and the Presbyteral Council, I hereby give this binding instruction to pastors and other administrators of parochial goods in the Diocese of Madison.

1. For parishes whose own approved canonical statutes do not define the limits of ordinary administration, the act of creating a new endowment or cemetery perpetual care fund and the act of restructuring an existing endowment or cemetery perpetual care fund are hereby defined as acts of extraordinary administration. At present, this definition applies to all parishes in the diocese, since no parishes currently have canonical statutes that define the limits of ordinary administration.
2. Accordingly, the prior written faculty of the diocesan bishop is required for the creation of a new endowment or cemetery perpetual care fund, or for the restructuring of an existing endowment, or cemetery perpetual care fund.
3. Pastors of parishes with existing endowments or cemetery perpetual care funds are strongly urged to restructure these endowments to bring them in line with the values mentioned above.
4. Before creating or restructuring an endowment, pastors are strongly encouraged to consider, in consultation with their finance councils, whether the fund in question should be managed by The Catholic Diocese of Madison Foundation, Inc. It is not foreseen that cemetery perpetual care funds would be managed by The Catholic Diocese of Madison Foundation, Inc.
5. Pastors who elect to create or restructure an endowment outside of The Catholic Diocese of Madison Foundation, Inc., as well as any pastors who create or restructure a cemetery perpetual care fund, are required to use the agreement templates provided for them by the

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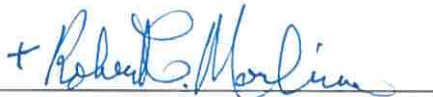
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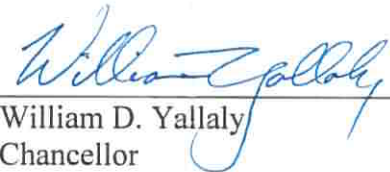
Office of Finance. For a just cause, and with the approval of the diocesan finance officer or his delegate, the template may be modified. Such modifications are normally to be made in the form of a derogating addendum or appendix, with the original text of the template left unaltered.

6. What is said in this instruction with respect to endowments and cemetery perpetual care funds applies in full to any endowment, foundation, trust, perpetual care fund, or similar arrangement under which money and/or property has been contributed to support a parish or any of its programs or services, including a parish school, whether part of the parish civil corporation or separately incorporated. To ensure that the arrangement accomplishes its intended purpose and conforms to current canon and civil law, the documentation creating the arrangement should be submitted to the Office of Finance, which will review the arrangement and determine whether it is satisfactory or whether it should be restructured as described in this instruction. Any doubts as to whether a given fund falls under the provisions of this instruction should be resolved by the local ordinary.

Given at Madison this 26th day of October, in the year of our Lord 2017, to take effect immediately.



Most Rev. Robert C. Morlino
Bishop of Madison



William D. Yallaly
Chancellor