

## **Local Fraternity Transfer and Bonding to a Different Obedience/Province**

### **OFS-USA National Statutes:** Article 18. Local Fraternity – paragraphs 4 – 6

4. A Local Fraternity may pass to the pastoral care of another friar province of the First Order or Third Order Regular in one of two ways [cf. General Constitutions, article #47.2; Statutes for Spiritual Assistance, article #6.2]:
5. The Council and Minister of the Local Fraternity approach the Regional Executive Council, including the Regional Spiritual Assistant(s), with the request for transfer. If the Regional Executive Council, including the Regional Spiritual Assistant(s), approves the request, the Regional Spiritual Assistant asks the Provincial Ministers or Provincial Spiritual Assistants of the two friar provinces to effect the transfer.
6. For the sake of providing better pastoral care, the Provincial Ministers or Provincial Spiritual Assistants of two friar provinces may initiate the transfer of a Local Fraternity from the care of one province to that of the other. The Provincial Ministers or Provincial Spiritual Assistants act in consultation with the Councils, including the Spiritual Assistants, of the Local and Regional Fraternities.

### **Handbook for Spiritual Assistance to the Secular Franciscan Order – pg. 49**

COMMENT: As the presence of friars in particular areas changes, grows, or diminishes, it is wise to consider the transfer of the *altius moderamen* (higher direction) of a fraternity to the care of another friar Obedience (Province) who may be able to serve the Seculars. Fraternities may also transfer for other reasons. Here is the process to follow.

1. The minister of the fraternity wishing to transfer to the care of another friar province, writes both to the provincial spiritual assistant of the province of origin and the receiving province detailing the reasons for the transfer. He/she also provides copies of pertinent information and includes a copy of the Document of establishment or a verification of canonical establishment of the fraternity.
2. The same fraternity minister, with the consent of the council of the fraternity asks the Regional Minister and the Regional Spiritual Assistant(s) of the region (to which it presently belongs), to write letters of recommendation to the provincial spiritual assistant of the friar province to which the fraternity desires to transfer.
3. The provincial spiritual assistant of the friar province to which the fraternity is bonded writes to the provincial spiritual assistant of the receiving province, giving his consent for the transfer. The provincial spiritual assistant of the receiving province then gives his consent for the transfer in writing.

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4. If the provincial spiritual assistant of the receiving friar province accepts the transfer of the altius moderamen, he issues an official letter, in the name of the friar provincial minister, to accept responsibility for the altius moderamen of the fraternity and appoints a spiritual assistant for the fraternity (if needed), having consulted the concerned fraternity council.
5. It is important to inform the REC of any region involved as well as informing the NEC and the personnel who maintain the database, of the change.

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