

**STATUTES OF THE FRANCISCAN TERTIARIES
OF THE ORDER OF FRIARS MINOR
PROVINCE OF THE IMMACULATE CONCEPTION**

MISSION STATEMENT

“The whole aim of the Third Order is to attract men to the love of Jesus Christ, of the Church, and to the practice of Christian virtues.” Pope Leo XIII

The Franciscan Tertiaries of the Province of the Immaculate Conception, by reason of their baptism and holy profession, are called by the Holy Spirit to observe the Gospel of Our Lord Jesus Christ by following the example of St. Francis of Assisi while living in the world. Urged by the Spirit and inspired by the Seraphic Father Francis, they commit to reach Christian perfection by means of the Rule of 1883 to the Franciscan Third Order Secular approved by Pope Leo XIII, under the spiritual direction of the Order of Friars Minor of the Province of the Immaculate Conception.

“The Third Order of St. Francis was born to satisfy this thirst for heroism among those who though having to remain in the world did not wish to be of the world. The Third Order, then, seeks souls who long for perfection in their own state.” Pope Pius XII

CHAPTER 1
The Community

1.1 “The Third Order was, as it were, the culmination of the outstanding and immortal services which Francis rendered Christianity...; and nothing illustrates better the extent and the intensity of his burning zeal to promote far and wide the glory of Jesus Christ. For, having given anxious thought to the evils which beset the Church in his day, with unbelievable tenacity Francis set about restoring all things in accordance with the Christian standard; he founded two religious families, one for men, the other for women, who would follow the humble way of the cross by taking solemn vows. But he was not able to receive into the cloister all who everywhere desired to follow his way of life. So, he determined to give those living in the midst of the world’s turmoil a means of acquiring Christian perfection. He founded the Order – in the true sense of the word – of tertiaries: an Order not indeed bound, as were the previous two, by religious vows, yet characterized by the same simplicity of life and spirit of penance. Thus, what no founder of a religious order had ever thought of doing – making the religious life available to everyone – he was the first to conceive and, under God, to realize with complete success.” Pope Benedict XV

- 1.2 The Franciscan Tertiaries of the Order of Friars Minor of the Province of the Immaculate Conception is an organic union of fraternities of the Franciscan Third Order, established on December 8, 2019 and under the spiritual direction of the Friars Minor of the Province of the Immaculate Conception.
- 1.3 The community of Tertiaries is a public association of the Christian faithful and a third order according to the precepts of the Code of Canon Law. “Associations whose members share in the spirit of some religious institute while in secular life, lead an apostolic life, and strive for Christian perfection under the higher direction of the same institute are called third orders or some other appropriate name.” (Canon 303 of the Code of Canon Law)
- 1.4 As Third Order Franciscans, the object and purpose of The Tertiaries is “to form its members in Christian perfection” (ref Sacra Propediem 16), under the direction and according to the spirit of the Order of Friars Minor, in a manner suited to life in the world.
- 1.5 The Tertiaries adopt as the program of sanctification and way of life the Rule of 1883 promulgated by His Holiness Pope Leo XIII for the Franciscan Third Order Secular.
- 1.6 The Tertiaries are organized and function in conformity with universal law of the Church, the Code of Canon Law, and the following documents of the Franciscan Third Order: the Rule, the Constitutions, the Ritual and these Community Statutes.

CHAPTER II **Fraternal Life**

- 2.1 Guided by the words of St. Francis in his Testament, “And the Lord gave me brothers...” the life of Franciscan Tertiaries is lived in community called *fraternities*. These fraternities of brothers and sisters are bonded together by their love of Christ and their firm desire to walk in the footsteps of the Seraphic Father who made Christ the center of his life.
- 2.2 The local fraternity is an association of the Christian faithful and a third order according to the precepts of the Code of Canon Law. “Associations whose members share in the spirit of some religious institute while in secular life, lead an apostolic life, and strive for Christian perfection under the higher direction of the same institute are called third orders or some other appropriate name.” (Canon 303 of the Code of Canon Law)

- 2.3 Each local fraternity is organized and functions in conformity with the Code of Canon Law, and the following documents of the Franciscan Third Order: the Rule, the Constitutions, the Ritual, these Community Statutes and, if available and approved, their own fraternity statutes.
- 2.4 As a community of Third Order Franciscans, the object and the purpose of each local fraternity is “to form its members in Christian perfection.” (ref Sacra Propediem 16).
- 2.5 Each local fraternity is guided by a council which is duly elected and whose purpose is “to promote the gospel of perfection of the members, and to put forward every means suitable for achieving this end” (ref Constitution Art. 133.1). Members of the fraternity council are elected for a term of three years.
- 2.6 It is the duty of the local fraternity council to:
- a- plan activities for the fraternity members that promote growth in Franciscan spirituality, continual conversion and fellowship;
 - b- oversee that all activities taking place within the fraternity, such as formation, apostolates, and others:
 - 1- are in accord with Catholic doctrine;
 - 2- maintain the Catholic and Franciscan identity of the fraternity;
 - 3- aids the community into achieving its purpose of forming its members in Christian perfection;
 - c- carry on “works of charity and of the apostolate, so that all the tertiaries show themselves, both in the Church and in civil society, to be true heralds of the charity of our Lord Jesus Christ and of our holy Father Francis” (ref Constitution Art. 133.2);
 - d- accept applicants to Postulancy, Novitiate and permanent Profession;
 - e- accept transfers into the fraternity;
 - f- store and keep up to date the fraternity archives. To be included in the fraternity archives are:
 - 1- members’ files;
 - 2- fraternity roster;
 - 3- fraternity registry;
 - 4- minutes of council meetings;
 - 5- any other document deemed by the council necessary to archive.
 - g- provide to the Provincial Minister or his delegate an updated fraternity registry at the end of each year and the annual report;
 - h- convoke the Elective Chapter every three years.
- 2.7 Where the situation and the needs require, and as agreed by the council of the fraternities concerned, mutual collaboration among fraternities in close proximity is encouraged. This includes sharing Initial Formation of postulants and/or novices, sharing of financial resources and planning joint activities such as retreats, picnics and pilgrimages, among others.

2.8 Fraternity gatherings:

- a. Fraternity gatherings shall take place once a month.
- b. Monthly gatherings of the fraternity shall have time allotted for:
 - prayer
 - ongoing formation
 - fellowship
 - business/announcements
- c. Attendance to the fraternity gatherings is expected. Members who are not able to attend a gathering should contact a member of the council in advance to ask to be excused from the specified gathering.

CHAPTER III **Prayer Life**

- 3.1 “We must remember God more often than we draw breath. But we cannot pray ‘at all times’ if we do not pray at specific times, consciously willing it” (CCC 2697).
- 3.2 The spirit of prayer “should characterize the whole of the tertiary’s life: it should pervade his joys and his sorrows, his activity and his leisure” (ref Call to Commitment: twelfth lesson).

Local fraternities should foster this spirit of prayer among its members. All works of the apostolate and fruits should find their source from prayer.
- 3.3 As indicated in the Rule and Constitutions, the Tertiaries are to recite the office faithfully, praying one of the following offices: the Divine Office, the Little Office of the Blessed Virgin, or the Office of the Twelve Our Fathers, Hail Marys and Glorys.
- 3.4 Following the examples of St. Francis and St. Clare and their ardent love and devotion to the presence of Christ in Catholic Churches, especially in the Holy Eucharist, in the Book of the Holy Gospels, and in icons of Christ and the Holy Cross, Tertiaries should strive to imitate such devotion interiorly and by active prayers, such as the Sign of the Cross, the use of traditional Franciscan Prayers (e.g., “We adore You, O Christ...,” “Most High and Glorious God...”) and various other traditional Catholic prayers when inside or even outside of churches.

Tertiaries should also be encouraged to set up a simple altar for prayer in their homes, with a San Damiano Cross, an open Book of the Gospels, and an icon of the Blessed Virgin Mary. This home altar should help to serve as a point of daily prayerful communion with the local churches.

- 3.5 As the Eucharist is at the very heart of the Tertiary's way of life, local fraternities are to foster devotion to our Lord in the Blessed Sacrament by encouraging reverence and adoration of His Eucharistic presence by participating in daily, weekly or monthly Eucharistic Adoration by having its members take turn in visiting Jesus daily in the Most Blessed Sacrament.
- 3.6 Each year, in the month of January or June, each local fraternity shall make or renew its consecration to the Heart of Christ, especially before an icon of the San Damiano Cross.
- 3.7 "Tertiaries shall love the most Blessed Virgin Mother of Jesus with a tender and filial affection, and honor her as Queen and Patron of the Order with special devotion and reverence" (Constitution Art. 69).

Like St. Francis, Tertiaries have a special place in their heart for our Blessed Mother, Our Lady of the Angels, and honor her as Queen and Patron of the Order. Each Fraternity shall renew its consecration to her on August 2, the Feast of Our Lady of the Angels of the Portiuncula, as well as in the month of May or December under the title, "Immaculate Conception."

- 3.8 Periodic days of recollection, either with the fraternity or privately, and retreats, either at local or provincial level are encouraged as a means of renewing one's zeal for perfection.

Local fraternities should offer at least an annual "Franciscan Day of Recollection" on a particular theme related to the Franciscan vocation to prayer, penance, conversion, and the apostolate.

- 3.9 Fraternities should observe together when possible the important Franciscan Feasts throughout the year, especially:
- Feast of St. Bonaventure (July 15)
 - Canonization of St. Francis (July 16)
 - Feast of Our Lady of the Angels of the Portiuncula (August 2)
 - Feast of St. Clare of Assisi (August 11)
 - Feast of St. Louis IX (August 25)
 - Transitus of St. Francis (October 3)
 - Feast of St. Francis (October 4)
 - Feast of St. Elizabeth of Hungary (November 17)
 - Feast of All Saints of the Seraphic Order (November 29)
 - Feast of the Immaculate Conception (December 8)

At a minimum, local fraternities should observe August 2, 11 and October 3, 4.

CHAPTER IV

Formation

- 4.1 “And after the Lord gave me brothers, no one showed me what I should do, but the Most High Himself revealed to me that I should live according to the form of the Holy Gospel” (Testament of St. Francis).
- 4.2 Formation is an ongoing process of conversion that starts before entrance into the Order and continues throughout life.
- 4.3 The purpose of Formation in the community of Tertiaries is “to form its members in Christian perfection” (ref Sacra Propediem 16) by giving them a better understanding of their divine call to holiness and by guiding and assisting them in observing the Holy Gospel according to the example of St. Francis of Assisi.
- 4.4 Formation should develop a love for the Scriptures and, through prayer, should lead to a life of love of God, love of neighbor, and Christian virtues.
- 4.5 For our community to attain its purpose, all Formation is to have these three elements:
- be in full accord with Catholic doctrine, worship, and life (cf. Acts 2:42);
 - draw on the wellspring of the Scriptures, the writings of the Church Fathers, and the sources of the Franciscan tradition (e.g. the Omnibus of Franciscan Sources, the life and words of Ss. Francis and Clare, the theological and spiritual writings of Saint Bonaventure);
 - support, encourage, and challenge the members in their life of penance, ongoing conversion, the apostolate, and growth in Christian perfection.
- 4.6 Formation, under the guidance of the Holy Spirit, is to take place through means of Initial Formation, Ongoing Formation, retreats, days of recollection, newsletter and community website, all based in authentic Franciscan and Catholic sources.
- 4.7 Those responsible for Formation are: those entering the Order, all members of the local fraternity, its council, the fraternity Formation Director and the Spiritual Director.

CHAPTER V

Entrance into the Order

- 5.1 “It is, then, desirable that in every city, town, and even in each village, the Third Order count henceforth a sufficient group of members, not of inactive adherents satisfied with the mere title of Tertiaries, but instead, of those who spend themselves with zeal for their own salvation and the salvation of their brothers” (Sacra Propediem 14).

5.2 Entrance into the Order is one's response to the Divine call of the Holy Spirit, the source of the Tertiary's vocation.

5.3 "Those are fit to membership, who, called by divine grace, desire to dedicate themselves to God in a special way in the world; that is, wish to be pleasing to God and to be of service to the Church and to human society according to the spirit of St. Francis" (Constitution Art. 11)

5.4 The minimum age to be received as members (Novitiate) in the community of Tertiaries of the Immaculate Conception Province is 18 years.

5.5 There are three periods of Initial Formation. These are: Inquiry, Postulancy and Novitiate.

5.6 Inquiry:

Inquiry is the initial phase in discerning the Franciscan way of life. This period consists of no less than 6 months and includes a brief introduction to the Franciscan Third Order, The Rule, life of St. Francis and St. Clare and a review of Catholic Doctrine and morals.

In addition to the formation sessions, those discerning to join the Third Order must participate in the life of the local fraternity including the monthly gatherings of the community.

5.7 Postulancy:

After the Inquiry period, lay candidates, after their application is accepted by the local fraternity council, enter the Postulancy period which begins with the Ceremony of Reception of Postulants. During this period, which consists of no less than 6 months, the postulant is further instructed on Catholic doctrine, prayer, the life and spirit of St. Francis, and in the Third Order.

5.8 Novitiate:

Postulants, after being found suitable by the advice of the fraternity council, are received into the Novitiate by means of the clothing of the habit, which consists in receiving a blessed scapular and brown cord. With the investiture the novice now becomes a member of the local fraternity and his/her name is included in the registry of the fraternity.

"The purpose of the novitiate is so to prepare the novices that they may afterwards dedicate themselves to God by profession, with a full realization of their obligations. They shall, therefore, be thoroughly formed by means of a solid grounding, both theoretical and practical, in the Christian and Franciscan life" (Constitution Art. 20).

During the period of Novitiate, which consists of no less than 12 months, the novice is instructed in the Rule, the Constitutions, life of prayer and the Admonitions of St. Francis.

After completion of the Novitiate, with the advice of the council, the novice is admitted to Profession.

CHAPTER VI **Isolated Tertiaries**

- 6.1 An Isolated Tertiary is one who, for just and reasonable causes, cannot be enrolled in any fraternity, provided that he or she has been granted the request to live their Franciscan vocation in this manner. Isolated tertiaries are to be received into the Order by a priest who has the faculty of receiving isolated tertiaries.
- 6.2 All superiors may receive isolated tertiaries without seeking the consent of the local ordinary; others may do so, however, only if they have obtained the proper faculty from the competent superior. This faculty can be granted for prudent reasons to priests who do not belong to the Franciscan Order. (ref Constitution Art. 31)
- 6.3 Candidates asking to become isolated tertiaries may be admitted to the Novitiate without the Postulancy period. They must carry out the Novitiate as laid down in these Statutes and in the Constitution.
- “Moreover, special care is needed in their case, lest they go to profession without sufficient preparation, or later lose the Franciscan spirit little by little. Indeed, since they do not have the benefit of the very frequent instructions that are given in the fraternities for the spiritual formation of tertiaries, they should be given a full training, in whatever manner this can best be done.” (Constitution Art. 32)
- 6.4 “When the Novitiate has been duly completed, the superior, if he thinks fit, shall test his/her knowledge and intentions either personally or through another priest; and if they are found worthy, they shall be admitted to profession.” (Constitutions Art. 33)
- 6.5 After admittance into the TOF, the isolated tertiary will receive a “Letter of Establishment of an Isolated Tertiary” as record of membership in the order.
- 6.6 Isolated tertiaries should be added to the Provincial registry of Tertiaries, so that proof may be had of the clothing and of the profession ceremony. This should include the names, address, date of clothing and date of profession.
- 6.7 Although not members of a particular fraternity, isolated members do not live their Franciscan vocation in isolation. As members of the Franciscan Tertiaries of the Friars Minor of the Province of the Immaculate Conception, isolated tertiaries commit to:
- a- live in conformity with the mission of the community, the Rule, the Constitutions, and these Statutes;
 - b- contact a minimum of once a year the provincial commissary and inform him about his/her Franciscan and apostolic way of life;

- c- stay up to date with happenings of fraternities across the province by visiting the website and/or periodicals;
- d- attend special functions of the nearest fraternity when possible;
- e- attend days of reflection, retreats or any other activity provided by the province for the tertiary community when possible.

CHAPTER VII

Transferring from the Secular Franciscan Order into the Franciscan Tertiaries of The Order of Friars Minor of the Province of the Immaculate Conception

- 7.1 Professed members of the Secular Franciscan Order (OFS) who wish to join the Franciscan Tertiaries of the Order of Friars Minor of the Province of the Immaculate Conception should:
- a- inform in writing the minister of the local fraternity of tertiaries they wish to join;
 - b- complete the transfer form;
 - c- provide the minister of the local fraternity his/her certificate of Profession to the OFS along with documentation of current membership in a local fraternity of the OFS;
 - d- after a period of no less than six months of participation in the life of the tertiary fraternity, including monthly gatherings and activities, the local fraternity council makes its decision of acceptance or decline of entrance into the fraternity and notifies the brother or sister in writing;
 - e- at the request of the community council, the potential new member may be asked to enroll and complete the full Initial Formation program;
 - f- if the professed OFS member's request to enter the fraternity is approved, investment into the Order would take place only after he/she submits a letter of definite withdrawal from the OFS to his/her fraternity minister. A copy of this letter should be sent to the fraternity council.
- 7.2 Acceptance of new members will be documented in the local fraternity and provincial registry.

CHAPTER VIII

Spiritual Direction

- 8.1 As a Third Order, in accord with Canon 303 and while in secular life, local fraternities and Isolated Tertiaries share in the spirit of the Order of Friars Minor of the Province of the Immaculate Conception and the Shrine of Our Lady Comforter of the Afflicted, leading an apostolic life and striving for Christian perfection with their guidance and spiritual support.

- 8.2 The “higher direction”, or *altius moderamen*, belongs to the general and provincial ministers. The purpose of the *altius moderamen* is to guarantee fidelity to the Franciscan charism, rooted especially in the spiritual sources of the Franciscan tradition, full communion of faith, worship, and life with the Catholic Church, and union with the Franciscan family.
- 8.3 The spiritual direction and guidance of Tertiaries is entrusted at a national level to the Franciscan administrator of the Shrine of Our Lady Comforter of the Afflicted who also serves as the appointed *Guardian* of the Third Order of St. Francis under the provincial minister of the Franciscan Friars Minor of the Province of the Immaculate Conception, and at a local level, to the Spiritual Assistants appointed by him. The provincial minister should take into account the wishes and recommendations of the members of the local council in the appointment of a Spiritual Assistant to serve their fraternity.
- 8.4 The Spiritual Director, or Visitor, is a non-voting, *ex officio* member of the local fraternity council entrusted to his spiritual and pastoral care,
- 8.5 The duties of the Spiritual Director include:
- a- admit postulants to the habit and novices to profession, on the advice of the local fraternity council;
 - b- provide spiritual direction at the monthly gatherings, meetings of the council and individual tertiaries as needed;
 - c- foster the gospel of perfection among the members of the fraternity, drawing faithfully on the spiritual sources of the Franciscan tradition;
 - d- ensure that the Rule and Constitution are being observed, that the fraternity is engaged in the works of the apostolate and of charity, and that the zeal for gospel perfection is flourishing;
 - e- preside at the election of the council
- 8.6 The duty of a Spiritual Director, or Visitor, shall be forbidden to lay persons. In places where their own religious are not available, the competent superior may designate for this office secular or religious priests or deacons, ideally professed Franciscan Tertiaries. (ref Constitution Art. 118)

CHAPTER IX

Establishing a New Tertiary Fraternity

- 9.1 The canonical establishment of a local fraternity belongs to the Provincial Minister of the Province of the Immaculate Conception or his delegate.

- 9.2 Requirements for the establishment of a new local tertiary fraternity include:
- a- a minimum of three professed members are required to establish a new fraternity;
 - b- document of establishment signed by the Provincial Minister or his delegate;
 - c- the appointment of a fraternity council consisting of a minimum of a minister, vice-minister and secretary, all professed members;
 - d- consent of the local ordinary, given in writing.

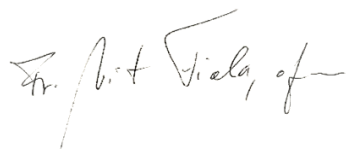
9.3 The decree of establishment is preserved in the archives of the fraternity, along with a registry of membership. A copy of these is to be sent to the provincial minister or his delegate to be kept at the Tertiary's archive at the provincial level.

CHAPTER X

Amendments

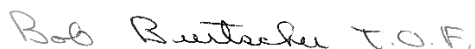
10.1 These Statutes may be amended as the needs arise by the provincial minister or his delegate to the Tertiaries.

APPROVED BY:



Fr. Vit Fiala, OFM
Spiritual Director of the Tertiaries of the
OFM Province of the Immaculate Conception

October 6, 2020
Date



Robert Burtscher, TOF
Minister SS. Francis and Clare Fraternity

October 6, 2020
Date



Pat Cuttica, TOF
Minister St. Padre Pio Fraternity

October 6, 2020
Date



Gil Pluhar, TOF
Minister Our Lady of America Fraternity

October 6, 2020
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