



DIOCESE OF DES MOINES

OFFICE OF THE BISHOP



MEMORANDUM

TO: Priests
School Administrators
Parish Business Managers
Leadership – Separately incorporated apostolates of the Diocese
Leadership – Separately incorporated apostolates of parishes and schools

FROM: Most Rev. William M. Joensen, Ph.D.

CC: Diocesan Staff

DATE: August 1, 2025

SUBJECT: Decree and Promulgation – Canonical Permissions Policy

After months of study, deliberation, and consultation, I am pleased to decree and promulgate as local law for the Diocese of Des Moines the Canonical Permissions Policy.

The Policy adds clarity to diocesan expectations and which organizations are subject to these expectations by virtue of their mission. At the same time, the Policy reduces the occasions necessitating consent by the diocesan finance council and college of consultors and introduces a new mechanism for board approval, “Written Consent,” which replaces the previous “Proxy” approach. The goal is increased clarity, consistency in application, and more efficient processing.

This packet includes the formal decree along with the policy and appendices.

I am grateful to the many who have worked diligently to compile these resources, and who will assist me in the efficient execution of the processing of permission requests.

Enclosures



**GENERAL DECREE
ESTABLISHING
CANONICAL PERMISSIONS POLICY AND
ACTS OF EXTRAORDINARY ADMINISTRATION**

Seeing that the Catholic Church has the inherent right to acquire, retain, administer, and alienate temporal goods (cf. CC. 1254 §1; 1255 *CIC*);

Seeing that the 1983 *Codex iuris canonici* establishes the universal norms regarding temporal goods (cf. *Liber V, De Bonis Ecclesiae Temporalibus*, CC. 1254-1310 *CIC*);

Seeing that the episcopal conference (United States Conference of Catholic Bishops) establishes norms for the particular churches in the United States where mandated in the 1983 *Codex iuris canonici* (cf. C. 455 §1 *CIC*);

Having received multiple requests from diocesan, parish and school leadership for clarity and additional guidance on the acts that require my permission in accordance with the norm of law;

Having considered that in the Diocese of Des Moines there is presently insufficient particular law, and an inadequate awareness of national norms and universal law (cf. CC. 7-8 *CIC*);

Having considered my responsibility as the Diocesan Bishop to supervise the administration of all ecclesiastical goods belonging to juridic persons and other entities for which I am responsible (cf. C. 1276 §1 *CIC*);

Seeing that the Diocesan Bishop is to regulate the whole matter of administration of ecclesiastical goods by means of particular law and instructions (cf. C. 1276 §2 *CIC*);

Seeing that the Diocesan Bishop is to determine what constitutes extraordinary acts of administration requiring his approval (cf. C. 1281 §§1-2 *CIC*);

Having consulted with the Diocesan Finance Council on 10 December 2024 and 13 June 2025 (cf. C. 1281 § 2 *CIC*);

Seeing that as Bishop of Des Moines, I possess the required legislative power to establish particular law, and the executive power to establish instructions in the Diocese of Des Moines (cf. CC. 34; 391 *CIC*);

By means of this decree, I hereby

ESTABLISH

The following particular law and instruction for the Diocese of Des Moines:

In the Diocese of Des Moines, all public juridic persons, parishes, diocesan and regional schools, and other organizations within the Diocese (as defined in Appendix A) are subject to the Canonic Permissions Policy: Activities or Decisions that require diocesan review, permission, and delegation.

These norms have immediate effect from the time of their promulgation by letter with this decree, the Policy and related appendices attached, are to be sent via email to all priests, school administrators, parish business managers, and executive staff of organizations subject to this law and instruction in the Diocese of Des Moines. Furthermore, I order that these new norms be included in any manual or handbook prepared for matters of a financial or administrative nature, and that these norms be included on the diocesan website.

Given at the Chancery of Des Moines, 1 August 2025, Feast of St. Alphonsus Ligouri.


Most Rev. William M. Joensen
Bishop of Des Moines


Mr. Jason Kurth
Chancellor



Diocese of Des Moines
Canonical Permissions Policy
Activities or Decisions that require diocesan review, permission, and delegation

Introduction:

While the pastor, canonical administrator of parish or school, or other appropriated delegated church official has the authority to take actions (within the boundaries of corporate governance), certain actions require diocesan review and canonical permission by the Bishop or his delegate for the sake of canonical (or even civil) validity.

The purpose of this policy is to articulate expectations for these particular actions. This permission is sometimes canonically required by an action itself, and at other times, it is required because a certain action has been identified as “an act of extraordinary administration” by the diocesan bishop (c. 1281 §§1-2).

Any of the following activities or decisions requiring canonical permission from the Bishop may be delegated by the Bishop to another diocesan official at his discretion, either by virtue of the standing responsibilities of an office (i.e. episcopal vicars) or as necessary for efficient operations.

Activities or Decisions that require canonical permission:

- Purchase of Real Property
 - All proposed purchases must be reviewed by the Chief Finance Officer of the Diocese and receive canonical permission from the Bishop.
 - Purchases of \$250,000 or greater require approval from the diocesan College of Consultors and the diocesan Finance Council prior to canonical review and permission by the Bishop.
- Any borrowing or entering into a line of Credit
- Leasing property to a non-diocesan entity
 - Written notice of any proposed lease of property to a non-diocesan entity, regardless of value shall be provided to the diocesan Chief Financial Officer.
 - If the total of all lease payments or the value of the property subject to the lease is \$25,000 or more, or if the lease lasts longer than a year, in compliance with the [USCCB Complementary Norm on Canon 1297](#), canonical permission from the Bishop is required.
- Alienation of religious artifacts considered part of religious patrimony (i.e. artifacts of significance to the devotional or liturgical life of the entity)
 - Alienation of any religious artifacts considered part of religious patrimony of the organization must be reviewed by the diocesan Chief Financial Officer and diocesan Vicar for Worship and receive canonical permission from the Bishop.
 - In compliance with the [USCCB Complementary Norm on Canon 1292, §1](#), for alienation of religious artifacts valued above \$25,000 or 10% of the entity’s prior year ordinary annual income, whichever is higher, the Bishop is to receive consent from the diocesan College of Consultors and diocesan Finance Council prior to providing canonical permission.
- One-time commitment of resources, purchased or leased, over \$50,000, outside the operational budget
- Building projects (construction, renovation, extraordinary repairs)

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Activities or Decisions that require diocesan review, permission, and delegation

- All proposed building projects for parish churches or chapels [or related to liturgical questions] require diocesan review by the Vicar for Worship and canonical permission from the Bishop.
- Projects above \$50,000 require diocesan review facilitated by the Director of Property Management.
- Projects above \$100,000 require review by the Building Commission.
 - Building projects involving repairing damage (i.e. storms) may not require Building Commission review, but the plan and contract(s) are to be reviewed by the Director of Property Management.
- Alienation of real property
 - Any alienation of real property must be reviewed by the diocesan Chief Finance Officer and receive canonical permission from the Bishop.
 - In compliance with the [USCCB Complementary Norm on Canon 1292, §1](#), alienation of real property above \$25,000 or 10% of the entity's prior year ordinary annual income, whichever is higher, requires the Bishop to receive consent from the diocesan College of Consultors and diocesan Finance Council prior to providing canonical permission.
- Initiating or responding to civil litigation (c.1288)
 - Civil litigation may not be initiated without diocesan review and receiving canonical permission from the Bishop.
 - All lawsuits, complaints, subpoenas, or other notices of legal proceedings or governmental regulatory or administrative action which requires a responsive legal pleading or other action by the organization are to be immediately reported to the diocesan Director of Human Resources, diocesan Chief Financial Officer, and Chancellor.
- Capital Campaigns
 - [In compliance with the USCCB Complementary Norm on Canon 1262](#), all proposed capital campaigns need to receive canonical permission from the Bishop. Prior to this permission being provided, proposed campaigns must be reviewed by the diocesan Director of Development and Chief Finance Officer.
 - Any campaign involving the purchase of real property and/or building projects, shall also be subject to the approval requirements applicable to building projects and or real property purchases, set forth above under this Canonical Permissions Policy.
- Refusing and accepting major gifts (c. 1267 §§1-2)
 - The rejection of gifts valued at over \$100,000, or acceptance of gifts when the gift includes additional conditions such as naming rights or other conditions governing use of the gift beyond the designated purpose, require canonical permission from the Bishop.

NB. This policy can apply to organizations directly, because of their identity as public juridic persons (e.g. parishes); derivatively, because they are apostolates of public juridic persons (e.g. parish schools and parish foundations), or particularly because the diocesan bishop has identified a specific apostolate as benefiting from the policy (e.g. Emmaus House). See Appendix A.

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Any action that may potentially threaten the “stable patrimony” of the organization, requires approval by the diocesan College of Consultors and Finance Council (cf. c. 1295).

Descriptions:

Alienation: The transfer of ownership of property (real or personal) from one person (physical or juridic) to another. When the property is of a certain value and/or type (e.g. stable patrimony or historically or artistically precious items), it must be alienated according to certain canonical formalities. These formalities are described as “restricted alienation.”

Public Juridic Person: Conceptually similar to a civil corporation, this is a canonical legal designation which creates a stable entity subject to certain rights and obligations. Public juridic persons can be created by the law itself (such is the case for all parishes) or by conferral by decree. In administration, an important result of acquiring public juridic personality is the obligation to abide by the canonical norms found in book five of the Code of Canon Law (cc. 1254-1310).

Ecclesiastical goods: All property (real or personal) which is owned by a public juridic person or an apostolate of a public juridic person. These include but are not limited to financial assets. This designation indicates that these goods are subject to the canonical norms found in book five of the Code of Canon Law (cc. 1254-1310).

Apostolate: An organized, stable, and specific ministerial endeavor of a person or persons (physical or juridic). Apostolates can be organized in different ways, with or without juridic personality. When an apostolate is sponsored by a public juridic person, it is bound by the obligations of book five of the Code of Canon Law (cc. 1254-1310) derivatively, because it is essentially a specific expression of the apostolic work of the sponsoring juridic person.

Stable Patrimony: all property (real or personal) which is intended to remain in the possession of the owner for a long or indefinite period of time. When stable patrimony of a particular value is alienated or when another action could worsen/jeopardize the stable patrimony, it requires certain canonical formalities which are meant to ensure transparent and effective administration of goods.

Religious Artifacts: all items that serve a recognizable liturgical or devotional function, such as religious art, statues, books, or vestments.

Approved and Promulgated
August 1, 2025

Diocese of Des Moines
Canonical Permissions Policy
Appendix A: Organizations Subject to the Canonical Permission Policy

Corporations subject to the Canonical Permissions Policy include any in which the Bishop is President, such as parishes, diocesan and regional schools, and other organizations within the Diocese, as well as those that exist to support the mission of the parish or school, such as foundations.

- All parishes and schools (preschool- high school) of the Diocese
- All parish and school (preschool – high school) Foundations
- Separately incorporated parish cemeteries
- St. Joseph Catholic Cemetery Association of Council Bluffs, Iowa
- The Des Moines Region Catholic School Corporation
- St. Joseph Evangelization Center
- St. Francis Worship Center
- Shrine of the Assumption, Churchville
- Christ the King Housing Services
- Catholic Council for Social Concern, Inc. (Catholic Charities of Des Moines)
- The Catholic Foundation of Southwest Iowa
- Catholic Pastoral Center Foundation
- St. Thomas More Center
- Emmaus House

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Canonical Permissions Policy
Appendix B: Process

1. Local leadership: Initial Discernment and Project Vision

- Pastor/institutional leader; advisory bodies (finance and parish councils, parish building and grounds committees); parishioners/stakeholders
- Optional: especially for larger projects, the Diocese could be notified of the discernment

2. Diocesan Consultation

- Initiated by Project Information Form (Norm Bormann facilitates, Bob Larson oversees); signed by pastor/institutional leader requesting explicit permission to proceed.
 - By this stage, the Finance Council of the Parish (school/other entity) has reviewed and provided their support/consent to the finances of the project.
 - By this stage, Trustees and non-parish Boards of Directors should have been consulted (documented) and provide their formal recommendation/support for bishop's permission – this is not yet Project Approval
- Engagement with Building Commission (governed by their guidelines)
- Engagement with College of Consultors and Diocesan Finance Council – **only required** for purchases of real property over \$250,000 and in situations of alienation within the thresholds set by the complementary norms of the USCCB. Bishop can also consult with either/both at his discretion.

3. Permission

- Provided by the Bishop or his delegate (See Permissions Policy, “introduction”)
- Must be in writing (email or letter)
- Accompanied by Written Consent where Bishop is on the Board, signed by Bishop and Vicar General (for parish corporations). Written Consent template available in Appendix C. The only permission which does not require Written Consent from the board is for responding to civil litigation. However, board notification is expected.

4. Final Approval – Corporate Decision

- Written Consent – Action of the Board of Directors (provided by the Bishop's Office when Bishop is on the Board of Directors).
 - Only effective once all directors have signed the Consent. Counterpart signatures and DocuSign are acceptable.
 - **Only after all directors have signed the Consent is the project approved.**
 - Executed Written Consent must be filed in Corporate minute book, Bishop's Office sent a copy.

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Canonical Permissions Policy
Appendix B: Process

- **Note:** At the advice of civil legal counsel, as of August 1, 2025 the Diocese will no longer issue Proxies to manage corporate board approval. The Written Consent will replace the Proxy. In addition to the legal, practically the Written Consent is advantageous to the Proxy: it allows for the business to be conducted electronically without the need to meet in person and once signed by all directors, the Consent serves as minutes – no separate meeting minutes required. Further, the Diocese will no longer use the “Authentication” stamp.

Approved and Promulgated
August 1, 2025

Diocese of Des Moines
Canonical Permissions Policy
Appendix C: Written Consent Template

**WRITTEN ACTION
OF THE BOARD OF DIRECTORS
OF < CORPORATION LEGAL NAME >**

The undersigned, constituting all of current directors of <Corporation Legal Name>, an Iowa nonprofit corporation (the “Corporation”), hereby consent to the taking of the action set forth in the following resolution without a meeting, pursuant to Section 504.822 of the Iowa Code:

WHEREAS, the board of directors (“Board”) believes that it would be in the best interests of the Corporation to approve <nature of the project>; and

WHEREAS, the <pastor/administrator> has consulted with and enjoys the full support of the Corporation’s Finance Council in executing the Project; and

WHEREAS, the Bishop has provided his canonical permission following consultation <fill in, such as with the diocesan Building Commission>, who were presented with details of the Project; and

WHEREAS, the total Project budget of <amount> is supported by up to <amount of funds, or other information> in available Corporation funds <and/or grant funding, available credit, capital campaign>.

NOW, THEREFORE, BE IT:

RESOLVED, that the Project and Project Agreements be, and hereby are, authorized and approved and that the Pastor-Treasurer of the Corporation (the “Authorized Party”), hereby is authorized and directed on behalf of the Corporation to: (i) execute the Project contracts and agreements ; (ii) negotiate, execute and deliver any and all such amendments, modifications or other changes to the Project contracts and agreements and any other as any such Authorized Party determines to be necessary or appropriate, and (iii) perform or cause the Corporation to perform its obligations under the Project contracts and agreements to which the Corporation is a party, as all of the same may be amended or restated from time to time.

RESOLVED, that the Authorized Party of the Corporation be, and hereby is, authorized and directed to do any and all such acts and things as such Authorized Party determined to be necessary or appropriate to fully effectuate the Project approval.

RESOLVED, that all of the acts and doings of any party of the Corporation in connection with the Project which may have predated the date of this Written Action, including negotiating the terms of the Project, be and all of the same hereby are, fully authorized, ratified, confirmed, adopted and approved.

RESOLVED, that the Authorized Party of the Corporation, hereby is authorized and directed, in the name and on behalf of the Corporation, to execute and deliver any and all such agreements, instruments, and documentation and to take any and all such other actions as the

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Canonical Permissions Policy
Appendix C: Written Consent Template

Authorized Party so doing considers, necessary or appropriate to carry out the intent of the foregoing resolutions.

RESOLVED FURTHER, that this Written Action shall be effective upon the signing hereof in one or more counterparts (each of which shall be deemed an original, but all of which together shall constitute one and the same Written Action) by the current directors of the Corporation, and shall have the same force and effect as a vote of the Board at a duly called and held meeting.

[Signature Page Follows]

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Appendix C: Written Consent Template

This Written Action is dated this DAY of MONTH 2025.

By: _____
Most Reverend William Joensen, Ph, D., Director

By: _____
Very Reverend David Fleming, Director

By: _____
Reverend <PASTOR/ADMINISTRATOR>, Director

By: _____
<TRUSTEE NAME>

By: _____
<TRUSTEE NAME>

[Signature Page to the Written Action of the Board of Directors of <CORPORATION LEGAL NAME>]