

**ORDER OF SAINT JOHN PAUL II**  
**Law Governing Subordinate Divisions**

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# ORDER OF ST. JOHN PAUL II

## Law Governing Subordinate Divisions 2018-1

### Article 1 Authority

Section 7.1 of The Bylaws of the Order of Saint John Paul II (Bylaws) allows the Order to establish a system of subordinate divisions. These subordinate divisions must enable the Order to more effectively carry out its purposes. Bylaws Section 7.1 require that when subordinate divisions are established, that they are to be governed and managed by “such laws, bylaws, rules, and regulations as the Order shall determine.” This Law provides establishes the subordinate divisions of Subordinate Councils (Councils) and Subordinate Provinces (Provinces) and provides the laws governing their operations.

### Article 2 Subordinate Councils

#### Section 2.1 How Instituted

Applications for the institution of a new council must be presented to the Provincial Deputy within whose Province the proposed council is to be established. The Provincial Deputy, upon receipt of such application, shall, within thirty days thereafter, forward the same, with his approval or disapproval, to the Superior General, or his/her delegated authority, who may grant or deny the application. A council shall not bear the name of a living person.

#### Section 2.2 Granting of Charter

No subordinate council shall be instituted until a charter has been duly granted and said charter shall specify by name the individuals to whom it is granted. Upon the granting of a charter, the Superior General, or his/her delegated authority, shall assign a number to the council and the new council shall choose a name which shall be subject to approval by the Superior General.

#### Section 2.3 Number of Members

Each council at its institution must consist of at least twenty members and continue with at least twenty members. If, for any reason, the number of members shall fall below twenty, the Board of Directors may require that this number shall be made up within a given time, and if not, may dissolve the council.

#### Section 2.4 Certifications

The official organizer of a new council shall certify on each application that he has made due inquiry as to the character, practical Catholicity, and general eligibility of each applicant and from this inquiry believes the applicant to be a practical Catholic in union with the Holy See, and a fit and desirable person to join the Order. Or, in lieu of certifying personally to each applicant, said organizer may certify to one or more applicants, or the same may be certified to by their pastor or spiritual advisor, and the applicants thus certified to by the organizer, pastor or spiritual advisor may certify applicants to proposed council. Said organizer shall, whenever practicable, appoint investigating committees to investigate the applicants, and for such purpose may designate any member of the Order to act on such committee.

#### Section 2.5 Qualifications For Membership

Only practical Catholics in union with the Holy See shall be eligible to and entitled to continue membership in the Order. An applicant for membership shall not be less than 18 years of age on his/her last birthday.

### **Section 2.5.1 Form of Application**

Application for membership in the Order shall be signed by the applicant, and shall be in such form and contain such agreements, pledges, forfeitures, certificates and statements as may be deemed proper by the Board of Directors.

### **Section 2.5.2 Application — Where Made**

Application for membership in the Order shall be made to a council located within the Province in which the applicant resides and which is nearest or most accessible to the place of residence of the applicant, or, with the consent of the Provincial Deputy of the jurisdiction in which the applicant resides, to such council located in an adjoining Province, provided, that upon refusal of the Provincial Deputy to grant such consent, appeal thereof may be had to the Board of Directors. Where there are two or more councils within the same city or town, application may be made to either of such councils.

### **Section 2.5.3 Processing of Application**

Every application for membership shall be presented to the Chief Architect of the council applied to, who shall forthwith file the same with the Financial Secretary for Supreme processing. Upon receipt by the Chief Architect, he/she shall appoint an Admission Committee of not less than three members. Within five days after the presentation to him/her of the application, the Chief Architect shall refer the application to the Admission Committee and thereupon said Committee shall notify the applicant to appear before it for examination as to his/her qualifications for membership. If a majority of members of the Committee shall file a written report withholding endorsement because the applicant is not a practical Catholic, said applicant shall be deemed rejected. Otherwise the recommendations of the Admission Committee shall be evidenced by the certificate of the Chairman of the Committee on a form to be prescribed by the Board of Directors. In the event of the failure or neglect of the Admission Committee to make report within ten days after an application has been referred to it, the Chief Architect shall discharge the said Committee and shall forthwith present said application to the council for action.

### **Section 2.5.4 Disposition of Application**

Unless the application is rejected for the reason stated in Section 2.5.3, it shall be read by the Chief Architect at the first meeting following the time allowed for the report of the Admission Committee, and the council shall proceed forthwith to ballot for the admission of such applicant after said reading. If more than one candidate is to be balloted for at a meeting, the Chief Architect may announce that the first ballot shall be a general one upon all the candidates, and that if not more than a majority of those present shall cast negative ballots upon such general ballot, no other ballots shall be taken. If such announcement is made, and not more than a majority of negative ballots are cast upon said general ballot, all candidates so balloted for shall be declared elected. If more than a majority of negative ballots are cast upon said general ballot, then an individual ballot shall be taken on each candidate. Any candidate receiving a majority of positive votes on the ballot will be exemplified forthwith into the First Degree of the Order. Upon initiation of an applicant in the First Degree, the Financial Secretary shall forthwith forward the application to the Superior General, with proper endorsements thereon, showing dates of proposal, election and initiation into First Degree.

### **Section 2.5.5 Effect of Rejection**

An applicant rejected by the Admission Committee shall be considered as rejected by the council. Any person rejected by ballot, shall not again be eligible to apply for membership in any council of the Order until after the expiration of six months from the date of such rejection.

### **Section 2.5.6 Stayed Initiation**

If for good and sufficient cause it shall be made to appear to the Chief Architect and Provincial Deputy that any applicant elected to membership ought not to be initiated, the initiation of said applicant may be stayed by said officers and the Chief Architect shall thereupon give notice to the proposer of said applicant, and to the council at a meeting thereof, that such initiation has been stayed and that the vote by which said applicant was elected may, if so ordered by the council,

at the next regular meeting thereof, be reconsidered.

**Section 2.5.7 Induction into the Order**

Each applicant, on being notified of his election, must present himself/herself for the Rite of Induction into the Order to the council in which he/she was elected within sixty days, or at its next Celebration of the Rite of Induction. Each Council must use the form for the Rite of Induction as specified by the Board of Directors of the Order. Once inducted, applicants will become either Members or Associate Members of the Order, as specified in Article 6 of the Bylaws of the Order of St. John Paul II. The council receiving a new member may assess an induction fee, fixed by the council, to cover the costs of the Order's polo shirt and medallion, provided however, no induction fee shall be required of any priest or member of a religious community who applies for membership. Before induction, each applicant shall pay his/her induction fee and their dues as prescribed by the Order.

**Section 2.6 Subordinate Council Funds**

**Section 2.6.1 Normal Dues**

Subordinate councils may assess dues payable by each its members, except those members covered by Section 2.6.2. Dues shall be levied annually in advance in an amount as fixed by the council. The dues for all associate and voting members shall be the same and they shall not be less than \$5 per year; except that councils may fix a different rate of dues for members under 26 years of age.

**Section 2.6.2 Waiver of Dues for Disabled Members**

Any member who is disabled by bodily injuries or disease and is thereby prevented from engaging in any occupation or employment for remuneration or profit and shall have been so prevented for a period of no less than six consecutive months may, on due request in writing to the Supreme Council and upon certification by evidence satisfactory to the Supreme Council of such disability, be relieved from the payment of all council dues and Supreme and Provincial per capita taxes as of the date of approval of said request and any suspension of such member for non-payment of such dues and tax shall cease as of the date of such approval.

**Section 2.6.3 Council Funds Received**

All moneys obtained from any source, by or through any person or persons, acting for or in the name of any council or under its direction or authority, shall be considered council funds and shall be forthwith delivered to the Financial Secretary, who shall give his official receipt therefor and who shall report at the close of each meeting the amounts so received and from what source. Once council funds are receipted and reported, they will be delivered to the Council Treasurer for prompt deposit in the accounts directed by the Council Officers.

**Section 2.6.4 Council Funds Expended**

No money in excess of \$500.00 shall be paid or transferred from the treasury, of any council (except such moneys as the council is called upon to regularly pay for its current expenses and as provided by the laws of the Order, or for purposes approved by the Supreme Council, or Board of Directors) unless by a two-thirds vote of the members present and voting at a regular business meeting held subsequent to a regular business meeting at which notice in writing of a resolution of intention to pay or transfer such money and the purposes and amount to be paid or transferred shall have been given and regularly read. Provided, however, that any council may, by bylaw, properly approved, provide and maintain a fund for rendering mutual aid and assistance to its sick, disabled and needy members and their families and families of deceased members. Said bylaws shall specify the manner in which, and by whom, the said fund is to be expended.

## Section 2.7 Meetings

### Section 2.7.2 Regular Business and Special Meetings

Each subordinate council shall hold at least one regular business meeting each month. The council may hold additional special meetings. At each and every meeting of subordinate councils, whether regular or special, the flag of the country in which the council is located shall be prominently displayed during the entire meeting. The meeting place or council chambers of a council located in a city, town or village where more than one council exists shall not be moved without the written permission of the Provincial Deputy.

### Section 2.7.3 Order of Business

The following shall form a part of the order of business and procedure at regular business meetings of every subordinate council:

1. Call to Order.
2. Check of Membership Card.
3. Prayer.
4. Pledge of Allegiance to Flag or some other suitable patriotic display of loyalty.
- \*5. Opening Ode.
6. Roll Call of Officers.
7. Chaplain's Message.
8. Reading of Minutes of Previous Meeting.
9. Report of Admission Committee and Reading of Applications.
10. Balloting for Membership.
11. Reading of Notices of Applications in other Councils.
- \*12. Initiations.
13. Chief Architect's Report.
- \*14. Treasurer's Report.
- \*15. Reading by Chief Architect of Receipts of Treasurer to Financial Secretary and Treasurer's Voucher of Deposit.
- \*16. Reading of Bills and Communications.
17. Financial Secretary's Report on Receipts of Meeting.
- \*18. Report of Auditors and Trustees.
- \*19. Commissioner's Report.
- \*20. Report of Committees.
21. Unfinished Business.
- \*22. New Business (When elections are in order, this is the first item under New Business).
23. District Deputy's Report.
- \*24. Good of the Order.
25. Chaplain's Summation.
26. Closing Prayer.
- \*27. Closing Ode.

**\*Parts of the order of business marked with an asterisk may be omitted at regular meetings other than regular business meetings. At regular business meetings minutes of all meetings to and including the last regular business meeting shall be read.**

## Section 2.8 Officers

### Section 2.8.1 Officers of the Council

The officers of each subordinate council shall be: Chief Architect, Chaplain, Deputy Chief Architect, Recorder, Financial Secretary, Treasurer, Commissioner and Board of Trustees.

### Section 2.8.2 Elections and Appointments

All officers, except the Financial Secretary, shall be elected annually, by ballot, at a regular business meeting held between the first day of May to and including the thirty-first day of May each year, and with the exception of the Trustees, who shall serve for terms not to exceed three



years as provided by Duties of Trustees Section 2.8.8.6, said officers shall hold their offices for the term of one year from the first day of July following, and until their successors are elected and qualified. Provided, however, that elective officers of councils identified with colleges and universities may be elected at a regular business meeting held between the first day of March to and including the first day of June in each year after written notice is given to the members of the date selected.

The Chief Architect shall select a priest to act as Chaplain, but such selection must be made in accordance with any rules established by the bishop of the diocese in which the council is located.

The Financial Secretary shall be appointed by and hold office at the will of the Superior General.

**Section 2.8.3      When To Qualify**

Each officer must qualify and fill the office to which he/she is chosen, with or without installation, at the first regular meeting in the month succeeding his/her election, unless excused by a vote of his/her council and must present himself/herself for installation at the time specified in the notice issued by or through the Provincial Deputy, unless excused by such officer. Otherwise such office shall be considered vacant.

**Section 2.8.4      Bonds Required**

The Treasurer and Financial Secretary shall not take office, however, or be installed or receive any money or property of a council until they have qualified by giving satisfactory bonds approved by the Board of Trustees.

**Section 2.8.5      Vacancies**

Vacancies in elective offices of subordinate councils shall be filled, after notice to the members, by election at the regular business meeting next following the regular meeting at which the vacancy was created. In case of failure of a council to fill a vacancy in the manner provided by law, the Provincial Deputy shall appoint a member of the council to the vacant office for the unexpired term.

**Section 2.8.6      Delivery of Books**

Officers shall deliver to their successors in office forthwith, upon beginning of terms of said successors, all books, funds, property, etc., belonging to their council or office. Deposed or suspended officers shall deliver books, property, etc., on demand, to the Provincial Deputy, Board of Trustees or Chief Architect, whichever shall make demand, and in case of more than one demand preference shall be given in the order named. Funds of a council shall, however, only be delivered by such a deposed or suspended officer to the Board of Trustees.

**Section 2.8.7      Suits or Actions to Be Upon Authority of Council**

No suit or action shall be commenced by any subordinate council except through the Chief Architect then acting under the authority conferred by vote of the council.

**Section 2.8.8      Duties of Council Officers**

**Section 2.8.8.1    Chief Architect**

The Chief Architect shall:

1. Preside at all meetings of his/her council and shall enforce the rules and regulations of the council and the laws of the Order, and shall be Chairman of the Board of Trustees.
2. Appoint committees in and for his/her council whose appointment is not regularly provided for by the laws of his/her council, and shall be a member ex officio of all committees.
3. Act as Chaplain in absence of the regular Chaplain.

4. Countersign orders drawn and signed by the Financial Secretary for the payment of money when the same have been ordered by his/her council, or approved by the Board of Trustees; provided, however, that all demands of the Supreme Council or Board of Directors or Provincial Council, and the regular and usual payments of the council may be paid upon an order drawn and signed by the Financial Secretary and countersigned by the Chief Architect without the approval of the Board of Trustees.

5. Countersign checks drawn and signed by the Treasurer.

6. Receive the vouchers from the Financial Secretary of the moneys paid by such Secretary to the Treasurer, and also the vouchers showing that such moneys were by such Treasurer deposited in an approved bank or other secure institution of deposit, and shall read the same publicly at the next subsequent meeting after receiving the same, and shall then deposit such vouchers for safekeeping with the trustees of his council, and it shall be his duty to read all receipts and vouchers sent through him to the Treasurer by the Supreme Council to the council at the next meeting subsequent to receiving the same and before delivering said receipts and vouchers to said Treasurer.

7. Read or cause to be read at council meetings all notices relative to the Fourth Degree sent them by the Supreme Officers.

8. Perform such other duties as the Order may impose.

#### **Section 2.8.8.2 Deputy Chief Architect**

The Deputy Chief Architect shall preside in the absence or inability of the Chief Architect and execute all the duties of said Chief Architect. He/She shall perform such other duties as the Order may impose. In the absence of the Chief Architect and Deputy Chief Architect, then the duty of presiding at a meeting of the council shall devolve on the other officers of the council in the order in which they are named in Section 2.8.1 after the Deputy Chief Architect.

#### **Section 2.8.8.3 Chaplain**

The Chaplain will be named by the Chief Architect. He will be a Catholic priest and be responsible for forming the members of the Council in Catholic values and doctrine. He will advise the Council as to whether their actions are consistent with Catholic Values and doctrine and with the Order's Catholic purposes. He will be responsible for instructing the members in the Catholic Faith and leading the Council in Prayer.

#### **Section 2.8.8.4 Recorder**

The Recorder shall keep a true record of the doings of his council upon books approved by the Board of Directors and furnished by the Supreme Secretary at the expense of the council: conduct all correspondence of the council and shall perform such duties as the council or the Order may direct.

#### **Section 2.8.8.5 Financial Secretary**

The Financial Secretary shall:

1. Collect and receive all moneys due the council, and all funds obtained from any source, by or through any person or persons, acting for or in the name of the council or under its direction or authority, including all moneys resulting from any form from activity carried on by the council or with its authority, or in which its name or any part thereof is used, or in which any representation is made in any way that such activity is a council activity. Provided, however, that where two or more councils engage jointly in any form of activity the moneys resulting therefrom shall be handled as directed by the Provincial Deputy or Deputies in whose jurisdictions such councils are located.

2. Keep an account of the indebtedness of each member and the amount received from each, giving credit for the whole amount paid, and the purpose for which the same is paid, upon the precise day of payment, be the same made for arrears or advance or both, and make proper record of same in the books provided for that purpose.

3. Pay over to the Treasurer of his/her council all moneys received at meetings, or between meetings, for fines, dues, contributions, death benefit assessments, initiation fees or from other sources, at and to the close of each meeting, for which said Treasurer shall forthwith give a written receipt to such Secretary, specifying the funds to which the same be credited, which receipt shall be given to the acting Chief Architect by the Financial Secretary before next succeeding meeting.

4. Keep a roll of the members, their ages, residences and occupations, with the dates of First Degree initiation and any subsequent Degrees that the member has been initiated.

5. Cause every member, before initiation, to subscribe his/her name, subjecting himself/herself to the constitution and bylaws of the Order and of the council.

6. Notify the Supreme Secretary of the names and addresses of all council officers.

7. Keep a record of the financial and business transactions of his/her council upon books approved by the Board of Directors and furnished by the Supreme Council at the expense of the council, to wit: The number of propositions received and the names of the candidates, the number elected and their names, the number initiated and their names; the amount of money received and from what sources; the amount paid to the Treasurer and for what purpose, the amounts of all orders drawn against the Treasurer, stating to whom paid and for what purpose.

8. Draw all orders on the Treasurer of his council when ordered by the Supreme Council, Provincial Council, his local council, Board of Trustees or Chief Architect for the payment of all claims or demands against his/her council, which orders shall be signed by him/her and countersigned by the Chief Architect.

9. With the Chief Architect, notify promptly the Supreme Secretary of names of members initiated, suspended, expelled, withdrawn, deceased, reinstated, readmitted, transferring to or from the council, and changes of address, for necessary entry on the Supreme Council records.

10. Be the accountant of his/her council, keeping said accounts, so that same will show complete and accurate financial standing of the council and its members at all times, and such books and records as are required by the laws and rules, and furnished by the Supreme Council at the expense of the subordinate council.

11. When a candidate receives degrees in a council of which he/she is not a member, the Financial Secretary thereof shall notify the Chief Architect of said candidate's council.

12. Keep the seal of the council and affix the same to all proper papers, etc.

13. Perform all other acts required by the laws of his council and the Order and the rules of the Board of Directors.

#### **Section 2.8.8.6 Treasurer**

The Treasurer shall —

1. Be the custodian of all funds of the council obtained from any source, by or through any person or persons, acting for or in the name of the council or under its direction or authority.
2. At each meeting of the council receives from the Financial Secretary all moneys whatever received by said Secretary at such meeting, or between meetings, and shall give a written receipt to such Secretary therefor, specifying the funds to which the same shall be credited. The moneys so received by such Treasurer shall be forthwith deposited by said Treasurer to the credit of the council in an approved bank or other secure institution of deposit, subject to approval of the Board of Trustees or majority vote of the council. He/She shall obtain vouchers or certificates of deposit therefor, a copy of each of which shall be delivered by such Treasurer to the acting Chief Architect before the next succeeding meeting. His deposit books may be accepted as such vouchers.
3. He/She shall pay to the Supreme Council all moneys assessed by it or by the Board of Directors against his council upon order drawn and signed by the Financial Secretary and countersigned by the Chief Architect. Payment to the Supreme Council shall be by check, money order or draft, payable to "Order of St. John Paul II, Supreme Council" and no other form of payment shall be received by the Supreme Secretary nor shall any other form of payment discharge the subordinate council of its obligation.
4. He/She shall pay all orders drawn on him/her which are signed by the Financial Secretary and countersigned by the Chief Architect. All such orders shall have the approval of the Board of Trustees, except demands of the Supreme Council, Board of Directors or Provincial Councils. Payment of all orders shall be by check, money order or draft signed by the Treasurer and countersigned by the Chief Architect.
5. He/She shall keep separate accounts of the moneys placed in his/her hands by his council or the officers thereof that shall plainly show at all times the amount of moneys in the general expense fund of the council, and the amount of moneys in each and every special fund of such council and the dates of receiving and disbursing the same; such accounts to be kept in books furnished by the Supreme Secretary to such Treasurers at the expense of their respective councils.
6. He/She shall retain all orders of the Chief Architect as his vouchers.

#### **Section 2.8.8.7 Commissioner**

The Commissioner shall assist the Chief Architect and the Deputy Chief Architect in the performance of their duties and shall take charge of the council during the incapacity or extended absence of both. He/She shall be responsible for Council membership recruitment. He/She shall be charged with the total participation of the membership in the activities of the council. Subject to the approval of the Chief Architect he/she shall institute a program to develop the availability and interest of the members in the specific activities of the council and refer his/her findings to the Chief Architect. He/She shall exercise a special interest in new members and those members who are sick or in distress. He/She shall perform such other duties as the Grand Knight directs.

#### **Section 2.8.8.8 Council Board of Trustees**

The Council Board of Trustees shall consist of the Chief Architect and three members to be elected by the council. The Chief Architect shall be its chairman. At the first election of a new council, three trustees shall be elected, one to hold office for one year or until the next regular election, one for two years or until the second next regular election, and the other for three years or until the third next regular election, as determined by lot among themselves. Thereafter, at each succeeding election, one Trustee shall be chosen for a term of three years. The Trustees shall have supervision of all the financial business of the council

and their approval shall be necessary for the payment of all moneys except Benefit Fund moneys and demands of the Supreme Council or Board of Directors or Provincial Council. They shall audit the accounts of the Financial Secretary and Treasurer at least every six months, and in January and July report thereon to their council, Provincial Deputy, and Supreme Secretary, upon blanks approved by the Board of Directors and furnished by the Supreme Council. They shall see that the Financial Secretary and Treasurer give proper bonds running to the Order of St. John Paul II in trust for their particular council and in amounts fixed by said trustees, and they shall be the custodians of such bonds. But in case the Board of Directors shall bond such officers, the trustees shall be charged only with fixing the amount of such bonds in excess of the amount provided for by said Board of Directors, and in such case they shall have evidence that said officers shall have been bonded in such excess amount. They shall perform such other duties as their council or Provincial Deputy or the officers of the Order may require.

## **Section 2.9**

### **Misconduct and nonfeasance of Councils**

#### **Section 2.9.1 Ipsa Facto Suspension of Council**

Any subordinate council which shall fail, neglect or refuse to pay to the Supreme Council any indebtedness accruing to it for contributions or death benefit assessments, per capita assessments, or otherwise, within the time herein specified, to wit:

- (a) Per capita assessments, three months and ten days;
- (b) Contributions or death benefit assessments, forty days;
- (c) All other indebtedness, forty days:

— after demand upon the Chief Architect or the Financial Secretary by the Supreme Secretary, shall be ipso facto suspended.

#### **Section 2.9.2 Offenses of Councils**

Any subordinate council may be suspended or dissolved, and its charter forfeited for any of the following causes:

1. Violation of the charter, constitution, laws or ceremonials of the Order, or any lawful order made by competent authority.
2. Failure, neglect or refusal to obey the lawful orders of the Board of Directors, Superior General, or Provincial Deputy.
3. When its membership diminishes to less than twenty members in good standing.
4. Neglect or refusal to make reports or returns required by the laws of the Order or superior officers.
5. Willful insubordination or contempt of any superior authority in the Order.
6. Issuance or circulation of any document or circular relating to ceremonial or management of the Order, criticism of officers, or appeals to other councils for aid, unless approved, in the last instance, by the Provincial Deputy.
7. Failure to duly try an officer or member when charges are preferred, or failure to enforce sentence decreed by proper authority.
8. Failure to pay the per capita tax legally assessed by the Supreme Council or a Provincial Council.
9. Issuance of appeals for aid or contributions within the Province, without the consent and approval of the Provincial Deputy; or outside the Province, without the approval of the Board of Directors.
10. Issuance of appeals for, or soliciting by virtue of membership in the Order of St. John Paul II, aid, assistance or support by or in behalf of or announcing candidates for public office.

#### **Section 2.9.3 How Suspension, Etc., Ordered**

The suspension, dissolution or forfeiture of charter may be declared by the Board of Directors, or by the Superior General, pending the meeting of the Board and subject to their approval. But nothing herein contained shall affect the ipso facto forfeiture of councils for the nonpayment of contribution, assessment or other indebtedness.

### **Section 2.9.3.1 Summary Suspension**

The power to suspend a council may be exercised by a Provincial Deputy for the first, second, fifth and eighth causes enumerated in Section 2.9.2; but the council shall have the right to appeal to the Board of Directors; provided, however, that such appeal shall not vacate such suspension.

### **Section 2.9.3.2 Notice and Effect of Suspension**

(a) Whenever any council of the Order is suspended or notified of suspension it shall be the duty of the Supreme Secretary to forthwith apprise in writing the Provincial Deputy in which said council is located of such suspension, and whenever a notice of suspension is sent to such council, a duplicate thereof shall forthwith be sent by said Secretary to said Provincial Deputy.

(b) Any council suspended shall not, during the time of its suspension, have any claim whatever against the Order for itself.

(c) Suspension of a council, if continued for three months, unless otherwise directed by the Board of Directors, shall work a forfeiture of its charter and a dissolution of the council.

### **Section 2.9.4 Provision For Members of Suspended Council**

Whenever any council shall be suspended or dissolved, the Board of Directors may cause the Supreme Secretary to continue upon the records of the Order such members of such suspended or dissolved council as they shall have found to have been worthy and faithful to the laws and rules of the Order at the date of such suspension or dissolution until said Board shall have formed such members into a new council or placed them in fellowship with an existing council, the same to be done without prejudice, and upon such terms as seem to said Board to be equitable and just.

### **Section 2.10 Misconduct and Nonfeasance of Members and Officers**

Any member of the Order who after trial, excepting where it is provided that no trial shall be had, shall be found guilty of the conduct specified in the subdivisions following shall be fined, suspended or expelled as set forth therein:

1. Revealing to a person not a member of the Order any of the work, business or doings of his council or the Order; expulsion.
2. Misappropriation of any of the funds of a council or the Order; expulsion.
3. Stating or divulging the cause or manner of the rejection of any applicant, except to officers entitled to knowledge; suspension or expulsion.
4. Conviction of a crime by a court of competent authority; expulsion.
5. Willful insubordination, contempt, or disobedience of the lawful orders of superior authority; fine, suspension or expulsion.
6. Giving scandal, scandalous conduct or practice unbecoming a member of this Order; suspension or expulsion.
7. Failing, neglecting or refusing to give testimony or appear as a witness when required by competent authority; suspension or expulsion.
8. Speaking, writing, printing or publishing any matter or statement which shall be deemed to be detrimental to the harmony and good order of the Order of St. John Paul II, or tending to create discord and dissension among the members or create public scandal, or causing the same to be done; suspension or expulsion.
10. Sending to subordinate councils, Provincial Councils, or their officers or members or to delegates to Provincial Councils or the Supreme Council written or printed matter or statements tending to defame or

bring into disrepute officers or directors of the Order or decisions, ruling or actions of the officers or directors of the Order or its policies without permission of the Board of Directors, shall be suspended or expelled.

11. Using the name of Order of St. John Paul II or his membership in the Order in connection with any business, or social, or other enterprise, without permission of the Board of Directors; fine, suspension or expulsion.

12. Using alcoholic or intoxicating beverages to such excess as to give scandal to the Order; suspension or expulsion.

13. Printing or causing to have printed or altering a membership card; suspension or expulsion.

14. Preferring charges against a member when such charges prove to be false and malicious; suspension or expulsion.

15. Obtaining admission or reinstatement into the Order by false statements, concealment, deception or evasion of facts; expulsion.

16. Improperly using the name of the Order or without authority representing the Order; suspension or expulsion.

17. Making unjust or false statements, accusations, or personal vilification of or against any officer of the Order in his official capacity; suspension or expulsion.

18. Failing or refusing to furnish papers, copies, etc., to appellant in accordance with provisions of law; suspension or expulsion.

19. Failing, neglecting or refusing to give assistance to any officer investigating or causing the investigation of the death of a member, or a violation of the laws or ceremonials of the Order, or willfully suppressing facts with regards thereto; suspension or expulsion.

20. Issuance of appeals for aid or contributions within the Province, without the consent and approval of the Provincial Deputy; or outside the Province, without the approval of the Board of Directors; fine, suspension or expulsion.

21. Issuing appeals for, or soliciting by virtue of his membership in the Order of St. John Paul II, aid, or assistance or support by or in behalf of or announcing candidates for public office; fine, suspension or expulsion.

Any member who knowingly permits or acquiesces in such appeals, solicitation, etc., shall, if elected, be ineligible to hold office.

22. Using past or present title or his membership in the Order in connection with any stock promotion scheme, or the promotion of any enterprise whereby others are solicited to make investments; fine, suspension or expulsion.

### **Section 2.11 Additional Offenses of Officers**

Any officer of this Order or others having duties to perform under the laws or ceremonials may be removed from office in the manner hereinafter provided for the following causes:

1. Failure, inability or refusal to comply with the requirements of the laws.
2. Admitting to privileges of membership persons who have ipso facto forfeited their membership.
3. Misfeasance or nonfeasance in office.

4. Any cause rendering his continuance in office injurious.
5. Knowingly permitting any person not a member of this Order —
  - (a) To represent himself in any way, directly or indirectly, as a member of this Order or of any council or other division thereof.
  - (b) To use or wear the name or insignia of this Order or of any council thereof, or any part or portion of such name or insignia.

## **Section 2.12 Disciplinary Procedures**

### **Section 2.12.1 Financial Secretary's Duties in Ipso Facto Forfeiture**

Where a member ipso facto forfeits his membership, the Chief Architect and Financial Secretary shall immediately notify the Supreme Secretary of such forfeiture and shall immediately send notice in writing to the member; but failure to send such notice shall not affect such forfeiture. Provided, however, that in those cases relating to ipso facto forfeiture for failure to pay council dues, such notice shall not be sent to the Supreme Secretary or to the member until a council officer shall contact the member and endeavor to have him retain his membership.

### **Section 2.12.2 Summary Suspension by Board of Directors and Superior General**

Whenever it shall appear that a member has violated any of the provisions of the laws, the Board of Directors, or the Superior General, subject to the approval of the Board, may summarily suspend such member from office or membership without citation or notice and such suspension shall include all persons and councils until such suspension is annulled.

### **Section 2.12.3 Summary Suspension by Provincial Deputy**

Whenever it shall appear that a member or officer of a subordinate council has violated any of the provisions of the laws, a Provincial Deputy may summarily suspend such member or officer from office or membership and such suspensions shall conclude all persons and councils until such suspension is annulled, provided that such suspension may be annulled at any time by the Board of Directors or the Superior General. When such suspension is ordered, the party ordering the suspension shall immediately notify the Supreme Secretary.

### **Section 2.12.4 Charges Must Follow Summary Suspension**

Where any suspension is summarily ordered under the provisions of Section 2.8 through Section 2.11, the party ordering the suspension shall cause charges to be preferred against the party thus suspended within ten days from the date of such suspension or such suspension shall be null and void.

### **Section 2.12.5 Ipso Facto Forfeiture — Members**

Any member of this Order shall, ipso facto, forfeit his membership in the Order —

1. Who shall fail to remain a practical Catholic in union with the Holy See.
2. Who fails to pay any per capita or special assessment levied by the Supreme Council or Board of Directors within thirty days from the date of mailing or transmitting the notice for such assessment by the Financial Secretary of his council.
3. Who shall fail to pay his dues to his council within three months after the same are levied and payable (other than assessments levied by the Supreme Council, Board of Directors or for death benefit assessments or contributions); or —
4. Who is convicted of a felony by a court of competent authority.



### **Section 2.12.6 Effect of Suspension of Members**

(a) No suspended member, nor his administrators, executors or beneficiaries, during the time of such suspension and until reinstatement, shall have any claim of any description whatever against the council, or the Order, nor shall he/she be admitted to meetings of the council, or be entitled to any of the privileges of membership whatever until reinstated according to law.

(b) Any member who shall incur the penalty of expulsion for any reason whatever, or who shall incur the penalty of forfeiture of membership for the reasons set forth in Section 2.9.12, shall never again be eligible to membership in the Order without the approval of the Board of Directors, upon petition and for cause shown.

## **2.13 Trial of Members and Officers of Subordinate Councils**

### **Section 2.13.1 Right to Trial**

Members of the Order shall not be fined, suspended for a fixed term, expelled or removed from office without trial, as hereinafter provided, except—

1. In all cases specified by the laws and rules of the Order, as laid down for the government of councils and members where it is or shall be decreed that for any act done or omitted to be done by a member he shall ipso facto forfeit his membership.
2. In all cases, as by law provided, where members may be summarily suspended by the Board of Directors, Superior General, or Provincial Deputies.

### **Section 2.13.2 Complaints — How Made**

If a member or officer of a subordinate council shall violate any of the provisions of the laws, a Third Degree member of such council, who may have or acquire knowledge of the same, should make written complaint to the Chief Architect, specifically setting forth the wrongdoing of the accused. This Section shall not affect summary suspension procedures.

### **Section 2.13.3 Notice to Accused**

A copy of the charges shall be transmitted to the accused within five days of their reception by the Chief Architect. Provided, that mailing a copy of such charges to the last known address of the accused, and the certification to such mailing by the Chief Architect or other competent officer, shall be considered sufficient compliance with this section.

### **Section 2.13.4 Pleas**

The accused shall within ten days notify the Chief Architect in writing whether he/she pleads guilty or not guilty. If within ten days he pleads guilty or fails to plead to the charges, the Chief Architect shall impose the penalty provided by law.

### **Section 2.13.5 Charges Forwarded To Provincial Deputy**

If the accused pleads not guilty, the Chief Architect, within ten days after receiving the plea, shall forward the charges, with the answer of the defendant, to the Provincial Deputy, who shall examine the charges and the evidence offered to sustain the same. If, in his judgment, a prima facie case may be made against the accused, he shall, within ten days of the reception of said charges, appoint a trial committee, and the council shall be considered the prosecutor.

### **Section 2.13.6 Trial Committee**

A trial committee of three members of the council shall be appointed by the Provincial Deputy, but, upon the written request of the accused, the Provincial Deputy shall appoint said members from another council, provided such members as selected are of a council within a radius of twenty-five miles and in the same Provincial jurisdiction. The trial committee shall be composed of Third Degree members.

**Section 2.13.7 Citation**

The Trial Committee shall, within fifteen days of its appointment, send to the member accused a citation to appear before said Committee to stand trial upon said charges at a time and place stated in the citation, which time shall not be less than ten or more than thirty days from the date of mailing or serving of said citation. A copy of said citation shall at the same time be sent to the Chief Architect of the council.

**Section 2.13.8 Advocate**

The Chief Architect of the council will appoint an Advocate for the trial. The Advocate must be a Third Degree member of the council. The Advocate of the council shall prosecute the charges on behalf of the council, shall have power to summon members as witnesses, to call for the books and papers of the council, and his compensation for all services in a trial shall be \$10, payable by the council. Provided, however, that whenever the Provincial Deputy shall deem it advisable, said Deputy may direct the Provincial Advocate to take charge of the prosecution, and, in that event, the Provincial Advocate shall have exclusive authority, and in such case the Provincial Advocate shall be paid from the general fund of the Provincial Council his actual and necessary expenses and per diem of \$10 for each day so engaged.

**Section 2.13.9 Right to Summons**

The council Advocate or Provincial Advocate shall summon all witnesses for the prosecution and such witnesses as are requested in writing by the accused. Said summons may be served in person or by mailing to their usual address and shall be so served at least three days before the time set for the hearing.

**Section 2.13.10 Right to Counsel**

A council or an accused member may be represented at any hearing or trial by counsel, providing the latter is a Third Degree member of the Order; but on appeal, only to argue the law or facts upon the evidence or papers submitted on original hearing.

**Section 2.13.11 Trial**

The Trial Committee shall take all evidence in writing and any objections to the admissibility of evidence shall be noted in writing and the ground of objection. They, or a majority of them, shall decide whether the accused is guilty or not guilty of the charges alleged against him/her; and if guilty, fix the penalty as by law provided. They shall forward, within ten days from the close of the trial, all the papers in the case to the Chief Architect, with their finding thereon, who shall at the next meeting of the council pronounce the decision and the penalty.

**Section 2.13.12 Fines and Costs**

When fines or costs are imposed, the same must be paid at the next regular meeting afterward, or the member shall stand suspended until the same are paid, unless an appeal is taken in cases where an appeal is allowed by law. In trials before the Trial Committee, as provided by law, the accused, if found guilty, shall, in addition to the penalty imposed upon him/her, pay the council within thirty days all costs and expenses of the proceedings and stand suspended until the same are paid, unless appeal is taken; if found innocent, the council shall pay all costs and expenses, but in neither case shall the costs and expenses exceed the sum of \$25.

**Section 2.13.13 Costs — When Order Liable**

In no case whatever in any trial, hearing or appeal provided by the laws, shall the Order be liable for any costs or expenses unless the same be authorized by the Board of Directors or Superior General.

**Section 2.13.14 When Chief Architect Accused**

In all cases in this chapter where the words “Chief Architect” are used, Deputy Chief Architect shall be substituted therefor when the Chief Architect is accused, or an interested party.

## **Article 3 Provincial Councils**

### **Section 3.1 Organization**

When twenty or more subordinate councils in good standing exist with an aggregate membership of one thousand or more in any state, territory or country; or when, in the judgement of the Superior General that the Order would be well served in any state, territory or country that has fewer subordinate councils and/or aggregate membership, the Board of Directors may direct that a Provincial Council be organized. Thereupon, upon notice from the Superior General, a convention of the councils affected shall be called and such councils shall be represented in said convention by the Chief Architect and a Past Chief Architect of such subordinate council in good standing, and such convention shall organize a Provincial Council, elect Provincial Officers and transact such business as Provincial Councils are by law permitted to transact. Councils having no Past Chief Architect may elect any member in good standing in lieu thereof as a representative of said council to said convention.

### **Section 3.2 Membership — Officers — Eligibility**

- (a) Provincial Councils shall consist of the Chief Architect and a Past Chief Architect, actually residing in the province, from each subordinate council in good standing, Provincial Officers, ex officio, and the last living Past Provincial Deputy. Provided, however, that when the last living Past Provincial Deputy is actually residing in another jurisdiction, he shall thereby forever forfeit such right, and his nearest predecessor actually residing in province shall be entitled thereto. If there be more than one Past Chief Architect, the council shall elect the one to represent it in the Provincial Convention. A council having no Past Chief Architect may elect any one of its Third Degree members in good standing in lieu thereof as a representative of said council in the Provincial Council. Each subordinate council shall elect alternates for its representatives in the Provincial Council.
- (b) Past Provincial Deputies, other than the last living Past Provincial Deputy, shall be permitted the privileges of membership in the Provincial Council, but without the right to vote therein. Should any Provincial Council so provide in its by-laws, chairmen of standing committees of said Provincial Council in a number not to exceed twelve, who are not otherwise members of said Provincial Council, may be permitted the privileges of membership in said Provincial Council with a right to speak on questions pertaining to the functions of their particular committees but without the right to vote therein.
- (c) Provincial Councils shall elect by ballot from the membership at large (Section 3.2(a)): a Provincial Deputy, Provincial Secretary, Provincial Treasurer, Provincial Counselor and two representatives to the Supreme Council. A Provincial Chaplain shall be appointed by the Provincial Officers. Officers of Provincial Councils shall hold office for a term of one year from and after the first day of July following their election and until their successors have been elected and qualified.

### **Section 3.2.1 Duties of Provincial Officers**

#### **Section 3.2.1.1 Provincial Deputy**

The Provincial Deputy shall:

1. Be the chief executive officer of the Order in the province and be the representative of the Board of Directors and the Superior General.
2. Preside at all meetings of the Provincial Council and shall be ex-officio a member of all committees of said council.
3. Have general control and supervision of the councils within their province and shall be responsible for enforcement of laws and rules of the Order in and by said councils.
4. Install officers of the councils
5. Inspect the books, vouchers, and accounts of councils within the province, and may at any time demand them for examination.
6. Cause the accounts of councils within the province to be kept in the books furnished by the Supreme Secretary, and in the manner provided by law.
7. Report to the Supreme Secretary any deposition or suspension made by said deputy.
8. In case of a dissolution of a council, take the proper books and papers of said council for the benefit of the Order.
9. Direct and assign duties to trustees of councils when deemed advisable to so do.
10. File a written report of the condition of the councils in the province when requested to do so by the Superior General or Board of Directors.

11. Perform such other duties as the laws of the Order prescribe, of the Superior General or Board of Directors shall order.
12. The necessary expenses of the Provincial Deputy, which are chargeable to the Supreme Council, shall be paid from the General Account upon bills to be rendered.



#### **Section 3.2.1.2 Provincial Chaplain**

The Provincial will be a Catholic priest or bishop and be responsible for forming the members of the Provincial Council in Catholic values and doctrine. He will advise the Council as to whether their actions are consistent with Catholic Values and doctrine and with the Order's Catholic purposes. He will guide the chaplains of subordinate councils, ensuring that they support the Catholic identity and mission of the Order. He will be responsible for instructing the members in the Catholic Faith and leading the Province in Prayer.

#### **Section 3.2.1.3 Provincial Secretary**

The Provincial Secretary shall:

1. In the absence or inability of the Provincial Deputy, the Provincial Secretary shall execute all the duties of the Provincial Deputy. In the absence of the Provincial Deputy and Provincial Secretary, the obligation of executing the duties of the Provincial Deputy shall devolve on the other Provincial Officers in the order in which they are named in Section 3.2 (c).
2. certify and keep official minutes of all provincial meetings and all official documents of the province.
3. shall give notice of all provincial meetings in accordance with this law.
4. Before entering upon the duties of his/her office, he/she will give a bond in such amount as may be deemed sufficient by the Board of Directors. Said bond and the amount thereof may be changed at any time by said Board. Said bond shall be furnished by a corporation qualified to issue the same, approved by the Board, and the fee for such bond shall be paid by the province.
5. shall perform such other duties as are imposed or consistent with the laws of the Order, and as may be determined and required by the Provincial Deputy.

#### **Section 3.2.1.4 Provincial Treasurer**

The Provincial Treasurer shall:

1. keep and maintain adequate and correct books and records of accounts of the province including accounts of its assets, liabilities, receipts, disbursements, and other matters customarily included in financial statements. The books of account shall be open to inspection by the Provincial Deputy, Superior General, and the Board of Directors at all reasonable times.
2. shall prepare, or cause to be prepared, and certify, or cause to be certified, the financial statements to be included in any required reports.
3. shall deposit, or cause to be deposited, all money and other valuables in the name and to the credit of the Order with such depositories as may be designated by the Board.
4. shall disburse, or cause to be disbursed, the funds of the province as may be ordered by the Provincial Deputy.
5. will provide a report at the provincial meeting the amount of receipts and disbursements in such form as shall be approved by the Board of Directors.
6. Before entering upon the duties of his/her office, he/she shall give a bond in such amount as shall be determined by the Board of Directors. Said bond shall be executed by a corporation qualified to issue the same and which corporation shall be approved by the Board of Directors. The fee for said bond shall be paid by the province.
7. He/She will perform such duties as may be imposed by law and by the Board of Directors.

#### **Section 3.2.1.5 Provincial Counselor**

The Provincial Counselor shall be a member of the Order and be a practicing lawyer of at least five years' standing. He/She shall:

1. Be the legal advisor of the Provincial Council.
2. Perform such other duties as shall be assigned to him from time to time by the Provincial Deputy, Supreme Council, Board of Directors or Superior General.

### **Section 3.3 Meetings — Powers — Special Sessions**

- (a) Provincial Councils shall be convened annually between the first day of April to and including the first day of June in each year by the Provincial Deputy for the election of officers, and for the transaction of such business and the enactment of such rules and regulations as may be consistent with the charter and laws of the Supreme Council; but no law, rule or regulation adopted by a Provincial Council shall become operative until approved by the Supreme Council or Board of Directors. The Provincial Council shall fix the date of meeting for the succeeding year; upon its failure to do so, the Provisional Officers shall fix the date. The Superior General may call a special session of any or all Provincial Councils, by and with the consent of a majority of the Supreme Officers.
- (b) The Provincial Council may determine if one representative from each subordinate council will be reimbursed for attendance at Provincial Council meetings using Provincial Council funds. The Provincial Council will also determine the amounts for reimbursements.

### **Section 3.4 Trial of Provincial Officers**

#### **Section 3.4.1 Suspension or Removal From Office**

A Provincial Deputy or Provincial Officer who is found guilty of a violation of the constitution or laws of the Order shall be suspended or removed from office or expelled from membership in the Order.

#### **Section 3.4.2 Charges — How Preferred**

Except as provided for cases of summary suspension, removals pursuant to the Sections 2.9 through 2.11 shall be upon written charges specifically setting forth the offenses alleged. Such charges, with evidence by affidavit or otherwise, shall be presented to the Supreme Secretary. The Superior General, Deputy Superior General and the Supreme Secretary, as a committee, shall examine said charges and the evidence by affidavit or otherwise offered in support of such charges and, if in the judgment of any one of said committee determines that action thereon is justified, notice of trial at the next meeting of the Board of Directors, together with a copy of the charges, shall be sent by the Supreme Secretary to the accused, the party preferring the charges, and each member of the Board of Directors, at least two weeks before the date set for the hearing. Within ten days following the receipt of the charges, the accused shall file with the Supreme Secretary an answer in writing to such charges. Upon failure to so file such answer, the accused shall be considered in default and the Board of Directors shall at its next meeting impose the penalty provided by law. In case the accusation be against any of the officers named, such officer shall be disqualified to act and the vacancy in the committee filled by the remainder.

#### **Section 3.4.3 Trial**

At the same time and place named, the Board of Directors shall, unless good cause shall appear to their judgment for adjournment of the hearing, proceed to hear the evidence by affidavit or otherwise. They shall permit parties to be represented by counsel, who must be a member of the Order. The Board, in its discretion, may appoint one of its members a commissioner, with full power to take evidence, summon and compel the attendance of witnesses.

**Section 3.4.4 Decision**

A two-thirds vote of the Board of Directors present and voting shall be necessary to declare the accused guilty and remove him from office, or impose other penalties.

**Section 3.4.5 Loss of Salary**

An officer whose suspension, removal or expulsion is ordered, after a hearing, shall not be entitled to any salary or other compensation or rights as such officer from the date of the first order of suspension.

**Section 3.4.6 Pending Charges Not to Officiate**

An officer against whom charges have been filed shall not, pending trial, officiate in the duties of his office, except when otherwise determined by the Board of Directors; or, if an officer of a subordinate council, by his council. No officer shall sit in judgment upon his own case.

**Section 3.5 Removal of Proceedings—Appeals and Procedure**

**Section 3.5.1 Removal of Proceedings**

The Board of Directors, or during the recess thereof, the Superior General, shall have power at any time after complaint has been made against an officer or member of a subordinate council, when it shall appear to said directors or Superior General that for any reason full and impartial justice may not be or has not been done therein, to order the removal of said complaint and all proceedings thereon to —

- (a) The Board of Directors or to the Superior General; or
- (b) The Provincial Deputy of the jurisdiction of the council.

Upon such order being made, further proceedings in the subordinate council shall be suspended.

**Section 3.5.2 Transfer of Papers**

Upon such order of removal, all papers and evidence relating to such complaint and a transcript of all the reports or action had before any council, or committee or officers thereof, shall forthwith be certified and transmitted to the officer to whom the complaint is ordered removed, or to the Supreme Secretary if the removal is to the Board of Directors. All documents remaining to be filed, including the plea of the accused, shall be filed in writing and within the required time with the officer to whom the complaint is removed, and if the removal is to the Board of Directors, then with the Supreme Secretary.

**Section 3.5.3 Right to Appeal**

Any council or member of this Order considering that a decision or act of any officer, committee or subordinate or Provincial Council is unjust, or not, in accordance with law, or that injustice has been done by the enforcement or operation of any law or rule of the Order, shall have the right of appeal in the manner hereinafter provided; except that where the decision is by the Board of Directors it shall be final.

**Section 3.5.3.1 Appeal To the Board of Directors**

An appeal shall be direct to the Board of Directors, except when the decision is by the Board of Directors.

- 1. By any council from a decision or act of the Superior General or Provincial, Deputy.
- 2. By any member in a case involving his suspension, expulsion or removal from office.
- 3. From the act or decision of any officer, committee or subordinate or Provincial Council involving the construction or interpretation of the constitution, laws, rules or regulations; provided, however, that the Board of Directors may require the Superior General to certify that the appeal is necessary, and failure to thus certify shall vacate the appeal.

**Section 3.5.3.2 In Other Cases to Whom**

In all other cases, appeals shall be taken as follows:

- 1. From councils and officers and committees thereof to the Provincial Deputy.

2. From Provincial Deputy to the Supreme Advocate.
3. From Supreme Advocate, Supreme Officers, Supreme Committee and Provincial Deputies to the Board of Directors.

**Section 3.5.3.3 Must Be in Writing**

The appellant must take the appeal in writing within sixty days of the act or decision appealed from by giving notice in writing to the appellee and the officer or body to whom the appeal is made.

**Section 3.5.3.4 Appellant to Perfect Appeal**

Official copies of all the records and documents relating to the decision or act, and all written evidence relating to the case, properly authenticated by the custodian, shall be forwarded by the appellant to the higher authority within ninety days from the time of appeal; and such return shall be final, unless otherwise ordered by the authority to whom the appeal is taken upon cause shown. Should either of these duties be neglected, the appeal may be considered or dismissed, to the advantage of either party.

**Section 3.5.3.5 Records Furnished Appellant**

Any member or officer having custody or possession of any record, document or other matter relating to the appeal, and not in the possession of the appellant, is required to furnish the same, or an authenticated copy thereof, or an opportunity to take a copy, which shall, if correct, be certified by such custodian thereof, to the appellant for the purposes of appeal within ten days from the demand made therefor, unless the time for furnishing the same shall be extended by the authority to whom the appeal is made. The appellant shall pay any necessary expenses of said papers.

**Section 3.5.3.6 Time of Decision**

When the appeal is made to any other than the Board of Directors, the officer to whom appeal is made must decide the same within thirty days from receipt of evidence and immediately notify the parties in interest of the decision.

**Section 3.5.3.7 Appeals to Board of Directors – Procedure**

The Board of Directors in all appeals may either by reference to any committee, officer or otherwise, order such procedure as to them may be deemed most feasible in each particular case. The decision of the Board on all cases on appeal shall be final, and if the accused is found guilty on appeal, they may impose any penalty provided by the laws of the Order.

**Section 3.5.3.8 Original Evidence Only**

All appeals shall be heard only upon the papers, testimony or other proofs, if any, which were presented upon the original hearing of the case.

**Section 3.5.3.9 Bond May Be Required**

The Board of Directors may, as a condition precedent to the hearing of any appeal, require the appellant to file a bond for costs or comply with such order as it may determine.

**Section 3.5.3.10 Ipso Facto Forfeiture Not Affected**

Nothing contained in this Section 3.5.3 shall be construed to give councils or members a right of appeal where the laws provide for ipso facto suspension or forfeiture.

**Section 3.5.3.11 Appeals – When Not Allowed**

No appeals shall be allowed from the decisions of Provincial or subordinate councils or their officers upon questions not affecting the standing of members or officers, or not involving a construction of the laws and rules of the Order. Provided, that nothing in these laws shall be so construed as to permit any appeal from the verdict of not guilty by a Trial Committee.



**Section 3.5.3.12 Costs on Appeal**

In appeals to the Board of Directors or trials before said Board, costs, in the discretion of the Board may be assessed on either or both parties, and the same shall be paid to the Supreme Secretary within thirty days after notice thereof, or the council or member failing to pay the same shall stand suspended until the same are paid.

In appeals other than to the Board of Directors the authority appealed to may assess costs on either or both parties in interest, not exceeding \$25, and parties shall stand suspended until the same are paid.

**Section 3.5.4 Readmission and Reapplication**

**Section 3.5.4.1 Restoration of Membership**

1. Readmission. An associate member whose recorded suspension has been for a period of more than three months and less than seven years at the date of application, may make application for readmission to any council in the Order under like conditions as a new member upon payment of a fee not to exceed \$10. Said applicant shall not be required to pay an initiation fee or to again take the degrees previously conferred on him. Said application shall be read by the Chief Architect at the first meeting following the date said application is received and the council shall proceed forthwith to ballot for the readmission of such applicant after said reading; and if a majority of those present and voting approve and accept the application, it shall be sent to the Supreme Secretary; otherwise said application shall be deemed denied and no further consideration shall be given the same for a period of six months. If readmission is made to applicant's former council and his arrearages are less than \$10, he/she shall be readmitted for the actual amount of the arrearages. If application for readmission is made to another council, the Supreme Secretary shall charge the new council the sum of \$10 in lieu of all previously owed dues and council charges and the Supreme Secretary shall thereupon make said charge and credit applicant's former council with said amount.
2. Reapplication. An associate member whose recorded suspension has been for a period of more than seven years at the time of his application, may make application to any council in the Order under like conditions as a new member upon payment to the council to which application is made of a fee not to exceed \$10 which shall be retained by said council. Said application shall be read by the Chief Architect at the first meeting following the date said application is received and the council shall proceed forthwith to ballot for the reapplication of such applicant after said reading and if the majority of those present and voting approve and accept the application, it shall be sent to the Admission Committee of the council and processed in the usual manner thereafter. The Admission Committee in this situation shall certify as to applicant's former membership with the assistance of the Supreme Secretary. Said applicant, after approval by the council and clearance by the Admission Committee, shall not be required to pay an initiation fee or to again take the degrees previously conferred on him.

**Section 3.5.4.2 Does Not Affect Ipso Facto Suspension**

The provisions of Section 3.5.4 shall not affect the laws regarding ipso facto suspension or forfeiture of membership.

**Section 3.5.5 After Suspension For Definite Time**

A member suspended for a definite period becomes in good standing when the period of suspension ceases upon payment by him of the full amount of all assessments, dues and fines which may be due at the termination of such suspension.

**Section 3.5.6 After Indefinite Suspension**

A member punished by suspension for an indefinite period for cause other than nonpayment of assessments, contributions, dues or fines can be restored to good standing by the Board of Directors,

or if suspended by a Supreme or Provincial Officer, he can be restored to good standing by said officer, the cause of suspension having been removed.

**Section 3.5.7 Reinstatement of Councils**

Councils having been suspended shall only be reinstated by the Board of Directors under such conditions as said Board may decree and determine, provided that councils having been suspended by an officer, the cause of suspension having been removed, may be reinstated by such officer, subject to the approval of the Board of Directors.

**Section 3.6 Transfers, Withdrawals, Membership Cards**

**Section 3.6.1 Right to Transfer**

Any member in good standing in a council in the Order who desires to join another council of his choice shall make application to the council he proposes to join upon a form prepared by the Supreme Council.

**Section 3.6.2 Action Upon Presentation**

The completed application shall be read by the Chief Architect at the first meeting following the date said application is received and the council shall proceed forthwith to ballot for the acceptance of said transfer after said reading, and if the majority of those present and voting to approve and accept the application, the member shall be declared elected a member of said council.

**Section 3.6.3 Disposition of Transfer Application**

The approved transfer application shall be signed by the Chief Architect and the Financial Secretary of the receiving council and shall be forwarded to the Supreme Secretary who shall immediately record said transfer and shall advise the former council of the effective date of the transfer and at the same time shall send the latter council a dues adjustment form requesting the Financial Secretary of that council to complete the same showing the complete membership record of the member and setting forth the charges and credits as of the first of the month following the date the transfer was recorded by the Supreme Council and return the same to the Supreme Secretary. Upon receipt of the dues adjustment form, the Supreme Secretary shall issue proper credits and charges to the receiving and to the former council.

**Section 3.6.4 Initiation and Dues on Transfers**

No initiation fees shall be required by transfer unless the initiation fee of the council transferred to is greater than that of the transferee's council, in which case the transferee shall pay his/her new council the difference. Provided, however, that if the transfer is to a council located in another city or town, the transferring member shall not be required to pay the difference in initiation fee, if any. At the time of the approval of the application for transfer, the receiving council shall require the applicant to pay the usual advance dues in addition to dues and other charges owing to the former council after being advised by the Supreme Secretary of this amount. In the event applicant has a credit with his former council the Financial Secretary shall adjust the council records to reflect said credit on the member's statement.

**Section 3.6.5 Transfers to Form New Council**

The Board of Directors may, in their discretion, in the interests of the Order, permit members to transfer for the purpose of becoming charter members of a new council. Said members shall make written application through the Provincial Deputy to said Board for leave of transfer and permission to form the proposed council, whose charter membership is to be composed in whole or in part of said transferred members. The Provincial Deputy shall express his approval or disapproval of the transfer.

### **Section 3.6.6 Membership Cards**

(a) For Members of a Subordinate Council. The Financial Secretary shall issue a membership card to each member in good standing as shall be determined by him/her, except that the Chief Architect at a meeting of the council may issue a membership card to a member known to him/her personally to be in good standing if the Financial Secretary shall not be present at the meeting. The membership card shall be issued under the seal of the council for such period as the member may pay his/her dues and assessments for a period of not less than three months. Said card shall state the member's name, the council to which he/she belongs and the degrees of the Order (First, Second or Third) attained. The card shall contain the signature of the member and shall be countersigned by the Chief Architect and the Financial Secretary of the council. The presentation to the proper officers of a current membership card showing the member to be in good standing on the date presented, shall entitle the member to attend all meetings of his council and if a Third Degree member to meetings of his Provincial Council and to meetings of the Supreme Council; and to all degree work in the degree to which he has attained membership.

(b) For Members in a Provincial Division. The Supreme Secretary shall issue a membership card to each member who has been initiated into the Order through an online ceremonial, who is in good standing as shall be determined by the Supreme Secretary, and who belongs to a division under the jurisdiction of a Provincial council. Said card shall state the member's name, the Provincial division to which he belongs, and the term of membership, and shall be signed by the Supreme Knight.

## **Section 3.7 Miscellaneous**

### **Section 3.7.1 Council May Make By-Laws**

- (a) Subordinate councils may promulgate for their own government such by-laws, rules and regulations as they may find necessary for the proper conduct of their affairs; provided, that no bylaws, rules and regulations shall be enacted which shall conflict with or be in opposition to or in any way impair the enforcement of the constitution, rules and regulations made or enacted, or which may be made and enacted by the Supreme Council, or Board of Directors of the Order of St. John Paul II. Such by-laws shall not become operative until approved by the Supreme Advocate, from whose decision an appeal may be taken to the Board of Directors.
- (b) The Board of Directors may make such rules and regulations, and provide such pledge or ceremonial, as may be necessary for the conduct and government of such units.
- (c) The consent of the ordinary of the diocese shall first be obtained before a unit shall be established in any diocese.
- (d) The Board of Directors may provide for the organization of Provincial units.

### **Section 3.7.2 Council Books To Be Accessible to Officers**

The Provincial Deputy, Board of Trustees and Chief Architects of councils, or their representatives, shall have access to and possession of the books, records and files of the councils for the purpose of examination at any time, and the officers of councils will permit such access to, and make delivery of such books, records and files upon request to any of the above officers, and members of councils shall deliver their council account books, records and files upon request to any of such officers for examination, provided that all such books, records and files of councils, officers or members shall not be demanded capriciously, but for legitimate purposes, and be returned with such promptness as will be consistent with the nature of the examinations.

### **Section 3.7.3 Time When Degrees Conferred**

Only one degree at a time or meeting shall be conferred, except by special consent in writing of the Provincial Deputy for cause shown.

### **Section 3.7.4 Liquors Prohibited at Meetings or Degree Work of Order**

The use of intoxicating liquors of any kind is prohibited at any meeting or degree work of the Order.

**Section 3.7.5 Councils and Officers Not to Exceed Authority**

A council and its officers in performing their duties and administering the powers provided by the laws of the Order shall be the agent or agents of the members thereof and not of the Order, and no act or failure to act by the council or by any officer or member thereof shall create or be construed to create any liability on the part of the Order. No subordinate council, nor any of the subordinate officers or members of the Order, shall have power or authority to waive any of the provisions of the laws and constitution of the Order, and there shall be otherwise no waiver excepting as the constitution and bylaws of the Supreme Council shall specifically permit, and the constitution and laws shall be binding on the Order, on every member.

**Section 3.7.6 Help To Distressed Members**

Any member of the Order who finds himself/herself actually in need of the necessaries of life, or sick and in distress, and who is at the time at a distance from the city or town in which his own council is located, may make application for help to any council of the Order within whose jurisdiction he/she may be at the time. Upon receipt of such application, the Financial Secretary of the council receiving it shall communicate with the Financial Secretary of the council of which the applicant is a member, and before any help shall be granted, a statement shall be received from the council of the applicant giving the standing of such applicant as to the propriety of such help, together with the amount for which said council will become responsible. No council shall be held responsible to any other council for help given in violation of this section; but nothing herein contained shall be so construed as to prohibit any council from helping from its own funds any member of the Order not one of its members who may be within its jurisdiction and in distress. These provisions shall be applicable to cases of death.

**Section 3.7.7 Merging of Councils**

1. Two or more councils may merge and become one council with such name and number as the Board of Directors shall determine, upon petition to the Board from each of the councils interested, showing that all members were notified of the proposed merger and that a majority of each council, by vote or written assent, have consented thereto. The Supreme Knight shall have power and authority at any time to direct the merger of two or more councils as one council with such name and number as he may determine. Upon such merger, all assets of the merging councils shall become and remain the property of the new council.
2. When two or more councils shall have merged or shall merge into one council, the Past Chief Architects of each council shall retain all rights and privileges that pertain to Past Chief Architect, and the Chief Architect of the council ceasing to exist by reason of the merger shall be entitled to the title, rights and privileges of Past Chief Architect without regard to the length of time he served in such office.

**Article 4 Amendments**

These laws may be amended by the Supreme Council.

**Certificate of Adoption**

The foregoing Order of St. John Paul II Law of the Order 2018-1, is hereby declared to be valid and effective.

TERRY F. REES  
Superior General  
DAVID MOMOH HOWARD  
Supreme Secretary  
Elk Grove, California  
February 27, 2018