



**CATHOLIC
COMMUNITY
FUND**

Archdiocese of Boston

Parishes and many Catholic schools and ministries have formal legal status under Church Law (Canon Law) but do not have independent status under the Civil Law of the Commonwealth of Massachusetts. The appropriate civil legal entity to receive bequests is the Roman Catholic Archbishop of Boston, a Corporation Sole, organized and existing in accordance with Chapter 506 of the Massachusetts Acts of 1897. Boston's Archbishop, Cardinal Sean O'Malley, OFM Cap, is charged by Canon Law with seeing that bequests to all entities related to the Archdiocese of Boston are handled to assure that the bequests of the deceased are fulfilled in all respects. Preferred language for making bequests by will is as follows:

1 OUTRIGHT BEQUEST

a) Specific Dollar Amount

"I give the sum of \$_____ to the Roman Catholic Archbishop of Boston, a Corporation Sole" [if the bequest is for other than the general use of the Roman Catholic Archbishop of Boston, a Corporation Sole, then add the following: "to be used for the benefit of <name and address of the parish, school, or ministry>."]

b) Specific Property

"I give all my right, title, and interest in and to <description of property> to the Roman Catholic Archbishop of Boston, a Corporation Sole" [if the bequest is for other than the general use of the Roman Catholic Archbishop of Boston, a Corporation Sole, then add the following: "to be used for the benefit of <name and address of the parish, school, or ministry>."]

c) Share of, or Entire Residue of, Estate

"I give (all/or _____%) of the residue of my estate to the Roman Catholic Archbishop of Boston, a Corporation Sole," [if the bequest is for other than the general use of the Roman Catholic Archbishop of Boston, a Corporation Sole, then add the following: "to be used for the benefit of <name and address of the parish, school, or ministry>."]

2 CONDITIONAL BEQUEST

Insert conditional language in the above provisions. For example:

"If my husband/wife does not survive me, I give the sum of \$_____ to the Roman Catholic Archbishop of Boston, a Corporation Sole" [if the bequest is for other than the general use of the

Roman Catholic Archbishop of Boston, a Corporation Sole, then add the following: “to be used for the benefit of *<name and address of the parish, school, or ministry>*.”]

3 RESTRICTIONS

If the gift is for a purpose other than an unrestricted use, insert the restriction in place of the words “to be used for the benefit of *<name and address of the parish, school, or ministry>*.” For example:

“I give the sum of \$_____ to the Roman Catholic Archbishop of Boston, a Corporation Sole, for the following use and purpose” [if the bequest is for other than the general use of the Roman Catholic Archbishop of Boston, a Corporation Sole, then add the following: “at *<name and address of the parish, school, or ministry>*.”]

4 FLEXIBILITY CLAUSE

Please add the following language to all bequests:

“If, in the judgment of the Roman Catholic Archbishop of Boston, a Corporation Sole (the ‘Archdiocese’), it becomes impossible to accomplish the purposes of this gift, the income and/or principal may be used for such related purposes and in such a manner as determined at the sole discretion of the Archdiocese.”

5 LANGUAGE FOR HAVING MASSES CELEBRATED

a) Specific Number of Masses at a Particular Church

“I give the sum of \$_____ to the Roman Catholic Archbishop of Boston, a Corporation Sole, for the benefit of *<name and address of the parish>* for *<specific number of>* Masses to be celebrated over *<number of>* years after my death, for the repose of my soul *<or other person or purpose>*.”

b) Annual Masses Over a period of Years

“I give the sum of \$_____ to the Roman Catholic Archbishop of Boston, a Corporation Sole, for the benefit of *<name and address of the parish>* for annual Masses over a period of *<number of years not to exceed 25>* years to be celebrated for *<purpose>*.”

NOTE: If you want the parish to have access to all of the funds right away, also state: “It is not my intention to create a non-autonomous pious foundation or trust of any sort in canon law or civil law.” Otherwise, the parish will not receive the principal amount until all of the requested Masses have been celebrated.

We advise you to review this language with your own independent legal counsel. This language is not provided as legal advice. Please discuss these issues with your own independent legal counsel. We strongly urge you to review Language for Masses to be Celebrated with the Canonical Affairs Office of the Archdiocese of Boston.
