

Sexual Misconduct Toward Minors and Others at Risk The Policy of the Diocese of Gary

THESE POLICIES AND PROCEDURES ARE TO BE IMPLEMENTED IN
RESPONSE TO AN ALLEGATION OF SEXUAL MISCONDUCT TOWARD
MINORS AND OTHERS AT RISK.

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Introduction

The sin and crime of sexual abuse of minors and others at risk severely debilitates the victims, the victims' family, the local Church community, the perpetrators, and society in general. This diocesan policy exists to deal in a forthright and compassionate way with situations in which an employee, volunteer, or cleric is accused of sexual misconduct toward a minor or others at risk.

The purpose of this policy is to assure victims of sexual misconduct the healing they need to help reduce the destructive effects of their traumatic experience. It is our strong desire to ensure appropriate pastoral outreach to the affected families and local Church communities. Pastoral concern is also extended to the accused and to those ultimately found guilty of sexual misconduct as they are made aware of the destructiveness of their behavior by prescribing the necessary professional treatment.

With a profound respect for the dignity of each person involved, it is our goal that compassion and healing be the foundation upon which this policy is based. For those abused, those accused, and those found guilty of sexual misconduct, this is how we approach this work.

Policies and Procedures

I. RESPONSE TO COMPLAINTS AND ALLEGATIONS OF SEXUAL MISCONDUCT

- A. Indiana Code (I.C.) Sections 31-33-5-1, 31-33-5-2, 31-33-5-3, and 31-33-5-4 (See Appendix II) require that staff members of a private institution, school, or facility who have reason to believe that a minor has been physically or sexually abused

shall immediately orally report such belief to the local Child Protection Service or law enforcement agency.

1. Note that the statute says to report immediately when a person has “reason to believe” that physical or sexual abuse has occurred. This means that if a report is made of sexual abuse, it must be reported immediately and not after an “in-house” investigation.
 2. The definition of “Reason to Believe,” according to Indiana Statute, means that if presented to individuals of similar background and training, it would cause those individuals to make a judgment that a child was abused or neglected.
- B. It is also the responsibility of every cleric, administrator, employee, or volunteer of the Diocese of Gary who receives a complaint or allegation of sexual misconduct to report it immediately to the Bishop’s Delegate. If he/she is not available, the report is made to the Bishop’s Administrative Assistant. In the case of a minor, the public authorities will be notified and then the Response Team.
- C. The diocese will cooperate with the civil authorities in any investigation. The Bishop’s Delegate will direct an investigation of all rumors, anonymous phone calls, and unsigned letters. Members of the Response Team will be contacted to assist in this process.
- D. The Diocese of Gary will not enter into confidentiality agreements except for grave and substantial reasons brought forth by the victim. Such reasons shall be noted in the agreement.
- E. Any modifications to this policy will be made after consultation with the Response Team and, if appropriate, other consultative bodies of the diocese. Any modifications must have the approval of the Bishop of the Diocese of Gary. If modifications are made, the United States Conference of Catholic Bishops shall receive a copy of the revised policy within three months after such modifications.

II. RESPONSE TEAM

- A. The Bishop has established a Response Team consisting of qualified people, the majority of which will be lay people not employed by the diocese. One member of the Response Team is the Bishop’s Delegate and Chairperson. The concept of the Response Team is to have a small representative group which can act with promptness, fairness, confidentiality, and compassion toward all concerned.
- B. The Team Chairperson’s (Bishop’s Delegate’s) responsibility is to convene the Response Team to ensure that the prescribed process is implemented and that proper procedures are followed. It will also be the Chairperson’s responsibility to keep the Bishop informed in a timely fashion of an allegation and the progress of the Response Team concerning the allegation.

- C. The Response Team will oversee all steps of the preliminary investigative procedure for dealing with the accusations, and will act as guarantor of the due process for all parties.
- D. Members of the Response Team are appointed by the Bishop who is to ensure that the Team's composition reflects expertise in the areas addressed by the Team. Members are appointed to a five-year term which is renewable. A majority of the Response Team will be in full communion with the Church.
- E. When action is taken by the Bishop, the Communications Director of the diocese is the spokesperson to the media, and will be appropriately informed in each situation by the Bishop's Delegate.
- F. The Response Team will meet proactively on a semi-annual basis.

III. VICTIM ASSISTANCE COORDINATOR

The Bishop will appoint a Victim Assistance Coordinator. The Victim Assistance Coordinator ensures that appropriate professional and pastoral care is provided to the alleged victim and family to assist in the healing process. After services are initiated, the Victim Assistance Coordinator will provide follow-up monitoring to ensure that the services being provided are appropriate. The scope, type, and duration of this service will be determined by the Victim Assistance Coordinator on a case-by-case basis.

IV. INTERVENTION PROCESS

- A. The person who made the allegation, the parents of the minor or other at risk, and, if advisable, the victim of the sexual misconduct will be interviewed by the Bishop's Delegate with member(s) of the Response Team.
- B. The victim will be advised of their right to make a report to the public authorities.
- C. The volunteer, employee, or cleric against whom the allegation is made will be informed of the allegation and advised of their right to legal counsel and/or canonical counsel. The accused party will have the opportunity to present their response to the Response Team.
- D. Every interview will be respectful and courteous. The goal is to determine each person's account of the alleged incident.
- E. If, after careful review, the Response Team judges the complaint to be without merit, that is, manifestly frivolous, the Bishop's Delegate will fully inform all parties in a timely fashion of the results of the investigation. All necessary steps will be taken to protect the accused from defamation and to restore the peace of the community.

F. If, after careful review, the complaint is judged not to be manifestly frivolous, the Response Team will recommend that the Bishop take immediate administrative action toward the accused.

G. The following procedure will then apply in accordance with the Essential Norms:

1. Where sexual abuse of a minor by a priest or deacon is deemed not manifestly frivolous after an appropriate preliminary investigation in accordance with Canon Law and the Essential Norms, the following will apply:

The accused will be encouraged to retain the assistance of civil and canonical counsel and will be promptly notified of the results of the investigation.

When there is sufficient evidence that sexual misconduct of a minor may have occurred, the Congregation for the Doctrine of the Faith shall be notified to determine how the formal canonical investigation shall proceed.

The Bishop/Eparch shall then apply the precautionary measures mentioned in CIC, canon 1722, or CCEO, canon 1473, and withdraw the accused from exercising the sacred ministry or any ecclesiastical office or function, impose or prohibit residence in a given place or territory, and prohibit public participation in the Most Holy Eucharist or other ministry pending the outcome of the process.

The alleged offender will be requested to seek, and will be urged voluntarily to comply with, an appropriate medical and psychological evaluation at a facility mutually acceptable to the diocese/eparchy and to the accused. He will be asked to sign a medical and psychological assessment release form prepared by the diocese.

2. Where sexual abuse by a volunteer:

The volunteer will be immediately relieved of all volunteer duties, responsibilities, and activities, and deemed ineligible to serve the Diocese of Gary in the future.

3. Where sexual abuse by an employee:

The employee will be immediately terminated or placed on administrative leave at the discretion of the Bishop who will determine whether or not the leave will be with or without pay as well as further employment action.

- H. When even a single act of sexual abuse of a minor by a priest or deacon is admitted or is established after the formal canonical investigation mentioned in G., and in accord with Canon Law, the offending priest or deacon will be removed permanently from ecclesiastical ministry, not excluding dismissal from the clerical state if the case so warrants. The Bishop of the Diocese of Gary has the executive power of governance, through an administrative act, to remove an offending cleric from office, to remove or restrict his faculties, and to limit his exercise of priestly ministry.

See Essential Norm 8.

1. In the case of a minor, where the penalty of dismissal from the clerical state has not been applied for reasons such as advanced age or infirmity, the offender is to lead a life of prayer and penance. A priest-offender will not be permitted to celebrate Mass publicly, wear clerical garb, or present himself publicly as a priest.

- I. For clerics accused of sexual misconduct toward “others at risk:”

When allegations of sexual misconduct toward “others at risk” are brought against a cleric and are substantiated, it might be possible for continued ministry within the diocese. However, it will be the responsibility of the Response Team to advise the Bishop whether or not there should be another ministerial assignment for the cleric. This will be based upon the evaluation and advice of qualified experts, and following in-patient residential or out-patient psychological/psychiatric treatment. The Response Team’s recommendation may include:

1. the cleric receiving no ministerial assignment within the diocese;
2. support for resignation from priestly or diaconal ministry;
3. canonical process for laicization;
4. a ministerial assignment with various conditions.

V. FOLLOW-UP

- A. For the victims of sexual misconduct:

The Bishop’s Delegate and/or the Victim Assistance Coordinator will continue to monitor the pastoral needs of the victim as well as to confirm that proper medical/psychological care, group support, or other social services are available for an appropriate period of time. Similar pastoral care and reconciliation will be offered to the affected community.

- B. For clerics accused but found not guilty of sexual misconduct:

If it has become public knowledge, every possible appropriate step will be taken by the Bishop's Delegate, in collaboration with the Bishop and the falsely accused cleric, to repair any damage to the cleric's reputation.

- C. For volunteers and lay employees accused but not found guilty of sexual misconduct:

Every possible appropriate step will be taken by the Bishop's Delegate to repair any damage to the volunteer's and lay employee's reputation.

APPENDIX I

DEFINITION OF TERMS:

In this Policy, regarding allegations of sexual misconduct towards minors and others at risk, the following terms are defined:

- Cleric* For the purpose of this Policy, the term “cleric” shall include and be limited to diocesan priests, religious priests, and transitional and permanent deacons.
- Employee* For the purpose of this Policy, the term “employee” means any person employed by the diocese or any subdivision thereof. An employee may be a cleric, a lay person, or a member of a religious order.
- Regular Volunteer* For the purpose of this Policy, the term “regular volunteer” shall mean any person who serves as a volunteer in a Church-sponsored activity, or under the auspices of the diocese or a subdivision thereof. This would include, but is not limited to, student teachers, aides, coaching assistants, special instructors, catechists, scout leaders, server coordinators, etc.
- Minors* For the purpose of this Policy, the term “minors” shall be limited to persons under eighteen (18) years of age.
- Others at Risk* For purposes of this Policy, the term “others at risk” shall include, but not be limited to, developmentally disabled persons, and those who place themselves under the trust of a cleric, religious, or employee wherein a power/authority relationship is in place.
- Sexual Misconduct* In this Policy, sexual misconduct means any sexual conduct which is either unlawful and/or contrary to the moral teaching of the Church.

APPENDIX II

INDIANA CODE 31-33-5-1 DUTY TO MAKE REPORT

Sec. 1. In addition to any other duty to report arising under this article, an individual who has reason to believe that a child is a victim of child abuse or neglect shall make a report as required by this article. *As added by P.L.1-1997, Sec. 16.*

INDIANA CODE 31-33-5-2 NOTIFICATION OF INDIVIDUAL IN CHARGE OF INSTITUTION, SCHOOL, FACILITY OR AGENCY; REPORT

Sec. 2 (a) If an individual is required to make a report under this article in the individual's capacity as a member of the staff of a medical or other public or private institution, school, facility, or agency, the individual shall immediately notify the individual in charge of the institution, school, facility, or agency or the designated agent of the individual in charge of the institution, school, facility, or agency.

(b) An individual notified under subsection (a) shall report or cause a report to be made. *As added by P.L.1-1997, Sec. 16.*

INDIANA CODE 31-33-5-3 EFFECT OF COMPLIANCE ON INDIVIDUAL'S OWN DUTY TO REPORT

Sec. 3 This chapter does not relieve an individual of the obligation to report on the individual's own behalf, unless a report has already been made to the best of the individual's belief. *As added by P.L.1-1997, Sec. 16.*

INDIANA CODE 31-33-5-4 IMMEDIATE ORAL REPORT TO LOCAL CHILD PROTECTION SERVICE OR LAW ENFORCEMENT AGENCY

Sec. 4 A person who has a duty under this chapter to report that a child may be a victim of child abuse or neglect shall immediately make an oral report to:

- (1) the local child protection service; or
- (2) the local law enforcement agency. *As added by P.L.1-1997, Sec. 16.*

APPENDIX III

AGENCIES FOR REPORTING SEXUAL ABUSE OR NEGLECT

<i>LAKE COUNTY</i>	Child Protection Services If closed, contact local police or the Sheriff's Department at:	(219) 881-6966 (219) 755-3300
<i>LA PORTE COUNTY</i>	Child Protection Services If closed, contact local police or the Sheriff's Department at:	(219) 326-5870 (219) 326-7700
<i>PORTER COUNTY</i>	Child Protection Services If closed, contact local police or the Sheriff's Department at:	(219) 462-7555 (219) 477-3000
<i>STARKE COUNTY</i>	Child Protection Services If closed, contact local police or the Sheriff's Department at:	(574) 772-3411 (574) 772-3771

CONTACT CATHOLIC FAMILY SERVICES FOR COUNSELING FOR CHILD ABUSE

<i>LAKE COUNTY</i>	Crown Point East Chicago Gary Hammond	(219) 663-8417 (219) 397-5803 (219) 886-3549 (219) 844-4883
<i>LA PORTE COUNTY</i>	Michigan City	(219) 879-9312
<i>PORTER COUNTY</i>	Portage	(219) 762-1177

VICTIM ASSISTANCE COORDINATOR

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BISHOP'S DELEGATE FOR SEXUAL MISCONDUCT CASES

Mrs. Kelly Venegas, SPHR
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**ESSENTIAL NORMS FOR DIOCESAN/EPARCHIAL POLICIES
DEALING WITH ALLEGATIONS OF SEXUAL ABUSE OF MINORS BY PRIESTS OR DEACONS**

First Approved by the Congregation for Bishops, December 8, 2002

PREAMBLE

On June 14, 2002, the United States Conference of Catholic Bishops approved a *Charter for the Protection of Children and Young People*. The charter addresses the Church's commitment to deal appropriately and effectively with cases of sexual abuse of minors by priests, deacons, and other church personnel (i.e., employees and volunteers). The bishops of the United States have promised to reach out to those who have been sexually abused as minors by anyone serving the Church in ministry, employment, or a volunteer position, whether the sexual abuse was recent or occurred many years ago. They stated that they would be as open as possible with the people in parishes and communities about instances of sexual abuse of minors, with respect always for the privacy and the reputation of the individuals involved. They have committed themselves to the pastoral and spiritual care and emotional well being of those who have been sexually abused and of their families.

In addition, the bishops will work with parents, civil authorities, educators, and various organizations in the community to make and maintain the safest environment for minors. In the same way, the bishops have pledged to evaluate the background of seminary applicants as well as all church personnel who have responsibility for the care and supervision of children and young people.

Therefore, to ensure that each diocese/eparchy in the United States of America will have procedures in place to respond promptly to all allegations of sexual abuse of minors, the United States Conference of Catholic Bishops decrees these norms for diocesan/eparchial policies dealing with allegations of sexual abuse of minors by diocesan and religious priests or deacons. (1) These norms are complementary to the universal law of the Church and are to be interpreted in accordance with that law. The Church has traditionally considered the sexual abuse of minors a grave delict and punishes the offender with penalties, not excluding dismissal from the clerical state if the case so warrants.

For purposes of these Norms, sexual abuse shall include any offense by a cleric against the Sixth Commandment of the Decalogue with a minor as understood in CIC, canon 1395 §2, and CCEO, canon 1453 § 1 (Sacramentorum sanctitatis tutela, article 4 § 1).(2)

NORMS

1. These Essential Norms have been granted *recognitio* by the Holy Sec. Having been legitimately promulgated in accordance with the practice of the United States Conference of Catholic Bishops on May 5, 2006, they constitute particular law for all the dioceses/eparchies of the United States of America.(3)

2. Each diocese/eparchy will have a written policy on the sexual abuse of minors by priests and deacons, as well as by other church personnel. This policy is to comply fully with, and is to specify in more detail, the steps to be taken in implementing the requirements of canon law, particularly CIC, canons 1717-1719, and CCEO, canons 1468-1470. A copy of this policy will be filed with the United States Conference of Catholic Bishops within three months of the effective date of these norms. Copies of any eventual revisions of the written diocesan/eparchial policy are also to be filed with the United States Conference of Catholic Bishops within three months of such modifications.

3. Each diocese/eparchy will designate a competent person to coordinate assistance for the immediate pastoral care of persons who claim to have been sexually abused when they were minors by priests or deacons.

4. To assist diocesan/eparchial bishops, each diocese/eparchy will also have a review board which will function as a confidential consultative body to the bishop/eparch in discharging his responsibilities. The functions of this board may include

- A. advising the diocesan bishop/eparch in his assessment of allegations of sexual abuse of minors and in his determination of suitability for ministry;
- B. reviewing diocesan/eparchial policies for dealing with sexual abuse of minors; and
- C. offering advice on all aspects of these cases, whether retrospectively or prospectively.

5. The review board, established by the diocesan/eparchial bishop, will be composed of at least five persons of outstanding integrity and good judgment in full communion with the Church. The majority of the review board members will be lay persons who are not in the employ of the diocese/eparchy; but at least one member should be a priest who is an experienced and respected pastor of the diocese/eparchy in question, and at least one member should have particular expertise in the treatment of the sexual abuse of minors. The members will be appointed for a term of five years, which can be renewed. It is desirable that the Promoter of Justice participate in the meetings of the review board.

6. When an allegation of sexual abuse of a minor by a priest or deacon is received, a preliminary investigation in accordance with canon law will be initiated and conducted promptly and objectively (CIC, c. 1717; CCEO, c. 1468). During the investigation the accused enjoys the presumption of innocence, and all appropriate steps shall be taken to protect his reputation. The accused will be encouraged to retain the assistance of civil and canonical counsel and will be promptly notified of the results of the investigation. When there is sufficient evidence that sexual abuse of a minor has occurred, the Congregation for the Doctrine of the Faith shall be notified. The bishop/eparch shall then apply the precautionary measures mentioned in CIC, canon 1722, or CCEO, canon 1473-- i.e., withdraw the accused from exercising the sacred ministry or any ecclesiastical office or function, impose or prohibit residence in a given place or territory, and prohibit public participation in the Most Holy Eucharist pending the outcome of the process.

7. The alleged offender may be requested to seek, and may be urged voluntarily to comply with, an appropriate medical and psychological evaluation at a facility mutually acceptable to the diocese/eparchy and to the accused.

8. When even a single act of sexual abuse of a minor by a priest or deacon is admitted or is established after an appropriate process in accordance with canon law, the offending priest or deacon will be removed permanently from ecclesiastical ministry, not excluding dismissal from the clerical state, if the case so warrants (CIC, c. 1395 §2; CCEO, c. 1453 §1).(4)

A. In every case involving canonical penalties, the processes provided for in canon law must be observed, and the various provisions of canon law must be considered (cf. *Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995; Letter from the Congregation for the Doctrine of the Faith, May 18, 2001). Unless the Congregation for the Doctrine of the Faith, having been notified, calls the case to itself because of special circumstances, it will direct the diocesan bishop/eparch how to proceed (Article 13, "Procedural Norms" for *Motu proprio Sacramentorum sanctitatis tutela*, AAS, 93, 2001, p. 787). If the case would otherwise be barred by prescription, because sexual abuse of a minor is a grave offense, the bishop/eparch may apply to the Congregation for the Doctrine of the Faith for a derogation from the prescription, while indicating relevant grave reasons. For the sake of canonical due process, the accused is to be encouraged to retain the assistance of civil and canonical counsel. When necessary, the diocese/eparchy will supply canonical counsel to a priest. The provisions of CIC, canon 1722, or CCEO, canon 1473, shall be implemented during the pendency of the penal process.

B. If the penalty of dismissal from the clerical state has not been applied (e.g., for reasons of advanced age or infirmity), the offender ought to lead a life of prayer and penance. He will not be permitted to celebrate Mass publicly or to administer the sacraments. He is to be instructed not to wear clerical garb, or to present himself publicly as a priest.

9. At all times, the diocesan bishop/eparch has the executive power of governance, within the parameters of the universal law of the Church, through an administrative act, to remove an offending cleric from office, to remove or restrict his faculties, and to limit his exercise of priestly ministry.(5) Because sexual abuse of a minor by a cleric is a crime in the universal law of the Church (CIC, c. 1395 §2; CCEO, c. 1453 § 1) and is a crime in all civil jurisdictions in the United States, for the sake of the common good and observing the provisions of canon law, the diocesan bishop/eparch shall exercise this power of governance to ensure that any priest or deacon who has committed even one act of sexual abuse of a minor as described above shall not continue in active ministry.(6)

10. The priest or deacon may at any time request a dispensation from the obligations of the clerical state. In exceptional cases, the bishop/eparch may request of the Holy Father the dismissal of the priest or deacon from the clerical state *ex officio*, even without the consent of the priest or deacon.

11. The diocese/eparchy will comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities and will cooperate in their investigation. In every instance, the diocese/eparchy will advise and support a person's right to make a report to public authorities. (7)

12. No priest or deacon who has committed an act of sexual abuse of a minor may be transferred for a ministerial assignment in another diocese/eparchy. Every bishop/eparch who receives a priest or deacon from outside his jurisdiction will obtain the necessary information regarding any past act of sexual abuse of a minor by the priest or deacon in question.

Before such a diocesan/eparchial priest or deacon can be transferred for residence to another diocese/eparchy, his diocesan/eparchial bishop shall forward, in a confidential manner, to the bishop of the proposed place of residence any and all information concerning any act of sexual abuse of a minor and any other information indicating that he has been or may be a danger to children or young people.

In the case of the assignment for residence of such a clerical member of an institute or a society into a local community within a diocese/eparchy, the major superior shall inform the diocesan/eparchial bishop and share with him in a manner respecting the limitations of confidentiality found in canon and civil law all information concerning any act of sexual abuse of a minor and any other information indicating that he has been or may be a danger to children or young people so that the bishop/eparch can make an informed judgment that suitable safeguards are in place for the protection of children or young people. This will be done with due recognition of the legitimate authority of the bishop/eparch; of the provisions of CIC, canon 678, (CCEO, canons 415 §1 and 554 §2), and of CIC, canon 679; and of the autonomy of the religious life (CIC, c. 586).

13. Care will always be taken to protect the rights of all parties involved, particularly those of the person claiming to have been sexually abused and of the person against whom the charge has been made. When an accusation has been shown to be unfounded, every step possible will be taken to restore the good name of the person falsely accused.

Notes

1 These Norms constitute particular law for the dioceses, eparchies, clerical religious institutes, and societies of apostolic life of the United States with respect to all priests and deacons in the ecclesiastical ministry of the Church in the United States. When a major superior of a clerical religious institute or society of apostolic life applies and interprets them for the internal life and governance of the institute or society, he has the obligation to do so according to the universal law of the Church and the proper law of the institute or society.

2 If there is any doubt whether a specific act qualifies as an external, objectively grave violation, the writings of recognized moral theologians should be consulted, and the opinions of recognized experts should be appropriately obtained (*Canonical Delicts*, p. 6). Ultimately, it is the responsibility of the diocesan bishop/eparch, with the advice of a qualified review board, to determine the gravity of the alleged act.

3 Due regard must be given to the proper legislative authority of each Eastern Catholic Church.

4 Removal from ministry is required whether or not the cleric is diagnosed by qualified experts as a pedophile or as suffering from a related sexual disorder that requires professional treatment.

With regard to the use of the phrase "ecclesiastical ministry," by clerical members of institutes of consecrated life and societies of apostolic life, the provisions of canons 678 and 738 also apply, with due regard for canons 586 and 732.

5 Cf. CIC, cc. 35-58, 149, 157, 187-189, 192-195, 277 §3, 381 §1, 383, 391, 1348, and 1740-1747. Cf. also CCEO, cc. 1510 §1 and 2, 1° -2°, 1511, 1512 §§1-2, 1513 §§2-3 and 5, 1514-1516, 1517 §1, 1518, 1519 §2, 1520 §§1-3, 1521, 1522 §1, 1523-1526, 940, 946, 967-971, 974-977, 374, 178, 192 §§1-3, 193 §2, 191, and 1389-1396.

6 The diocesan bishop/eparch may exercise his executive power of governance to take one or more of the following administrative actions (CIC, cc. 381, 129ff.; CCEO, cc. 178, 979ff.):

- a) He may request that the accused freely resign from any currently held ecclesiastical office (CIC, cc. 187-189; CCEO, cc. 967-971).
- b) Should the accused decline to resign and should the diocesan bishop/eparch judge the accused to be truly not suitable (CIC, c. 149 § 1; CCEO, c. 940) at this time for holding an office previously freely conferred (CIC, c. 157), then he may remove that person from office observing the required canonical procedures (CIC, cc. 192-195, 1740-1747; CCEO, cc. 974-977, 1389-1396).
- c) For a cleric who holds no office in the diocese/eparchy, any previously delegated faculties may be administratively removed (CIC, cc. 391 §1 and 142 §1; CCEO, cc. 191 §1 and 992 §1), while any *de iure* faculties may be removed or restricted by the competent authority as provided in law (e.g., CIC, c. 764; CCEO, c. 610 §§2-3).
- d) The diocesan bishop/eparch may also determine that circumstances surrounding a particular case constitute the just and reasonable cause for a priest to celebrate the Eucharist with no member of the faithful present (CIC, c. 906). The bishop may forbid the priest to celebrate the Eucharist publicly and to administer the sacraments, for the good of the Church and for his own good.
- e) Depending on the gravity of the case, the diocesan bishop/eparch may also dispense (CIC, cc. 85-88; CCEO, cc. 1536 §1-1538) the cleric from the obligation of wearing clerical attire (CIC, c. 284; CCEO, c. 387) and may urge that he not do so, for the good of the Church and for his own good.

These administrative actions shall be taken in writing and by means of decrees (CIC, cc. 47-58; CCEO, cc. 1510 §2, 1°-2°, 1511, 1513 §§2-3 and 5, 1514, 1517 §1, 1518, 1519 §2, and 1520) so that the cleric affected is afforded the opportunity of recourse against them in accordance with canon law (CIC, cc. 1734ff.; CCEO, cc. 999ff.).

7 The necessary observance of the canonical norms internal to the Church is not intended in any way to hinder the course of any civil action that may be operative. At the same time, the Church reaffirms her right to enact legislation binding on all her members concerning the ecclesiastical dimensions of the delict of sexual abuse of minors.
