

## NORMS

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stacle lifted, or waived, for that particular case.

Among the revisions is an entirely new norm, No. 9, on a bishop's "executive power" to remove an offending priest even without a trial.

"At all times," says the new norm, "the diocesan bishop/eparch 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."

"Because sexual abuse of a minor is a crime in all jurisdictions in the United States," it continues, "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 who has committed even one act of sexual abuse of a minor described above shall not continue in active ministry."

An extensive footnote to Norm 9 spells out in detail the various administrative acts the bishop can take to remove a priest or deacon and bar him from ministry or from presenting himself as a cleric, citing the relevant church laws under which the bishop can take such actions.

Another revision is an entirely new norm that provides explicitly for "exceptional cases" in which the bishop or eparch can go directly to the pope and seek "dismissal of the priest or deacon from the clerical state *ex officio*," even without the consent of the priest or deacon."

Besides invoking the possibility of direct papal intervention, the new Norm 10 says, "The priest or



Bob Roller/CNS

**Bishop Daniel P. Reilly of Worcester, Mass., addresses U.S. bishops regarding the "Charter for the Protection of Children and Young People" as Boston Cardinal Bernard F. Law stands at left in Dallas in June. The bishops will consider a revised charter — the outcome of a joint commission of four U.S. bishops and four Vatican officials — when they meet in Washington Nov. 11-14.**

deacon may at any time request a dispensation from the obligations of the clerical state." In practice bishops would ordinarily prefer to have an offending cleric volunteer to resign so they do not have to institute a contentious trial to force his laicization, but that alternative was not explicitly spelled out in the original version of the norms.

One revision that is likely to anger victim advocates is a change in the way an accused priest is treated when an allegation is made.

The original said, "When a credible allegation of sexual abuse of a minor by priests, deacons or other church personnel is made, the alleged offender will be relieved of any ecclesiastical ministry or function. An investigation in harmony with canon law will promptly commence."

In the revision, the preliminary investigation must be completed

before a priest or deacon can be removed from his post. Only when it is completed and "there is sufficient evidence that sexual abuse of a minor has occurred" can the accused be removed from ministry.

Upon a finding of sufficient evidence, the revised norm says, the bishop is to notify the doctrinal congregation and "apply the precautionary measures mentioned in Canon 1722 — i.e., remove the accused from the sacred ministry or from 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."

An original norm said a credibly accused priest or deacon should be asked "to undergo appropriate medical and psychological evaluation and intervention, if possible."

The revised version says 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."

On review boards, the revised version repeats the original's call for such boards to be composed of at least five people "of outstanding integrity and good judgment," the majority of whom are lay persons not employed by the diocese or eparchy. It also retains the original call for one member to be a priest and one a person with special expertise in the treatment of the sexual abuse of minors.

The revised version adds, however, that board members must be "in full communion with the church" and that the priest on the board is to be "an experienced and respected pastor of the diocese/eparchy in question."

It also adds, "It is desirable that the promoter of justice participate in the meetings of the review board." In church law the promoter of justice is the diocesan court official responsible for upholding the public good in penal cases and in any cases involving danger to the public good.

One provision of the original norms that was deleted in the revision would have established a system of appellate review boards in each ecclesiastical province — a group of dioceses under an archdiocese — that could offer advice on a case if requested by the bishop, the accuser or the accused.

When the bishops adopted the norms in June, they made provision that some priests or deacons who have sexually abused minors may not be dismissed from the clerical state for reasons such as advanced age or infirmity. Where they said those priests will not be permitted to celebrate Mass publicly, the revision added, "or to administer the sacraments."

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