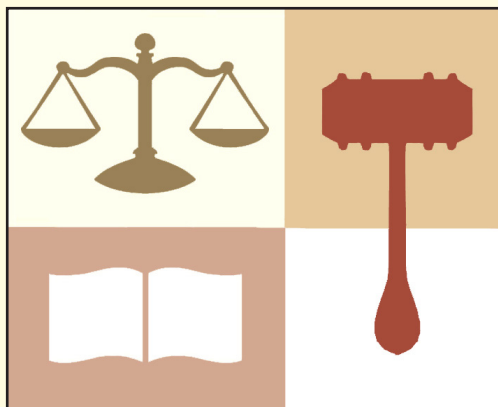

Canon Law
for
Parish Ministers
in the
Diocese of
San Bernardino



Office of
Canonical Services

Diocese of San Bernardino

2012

Published by

Diocese of San Bernardino,

for the private use of the

Diocese of San Bernardino

Reproduction Prohibited

February, 2010
Revised June 2012

Nihil Obstat



Office of Canonical Services

~

Diocese of San Bernardino

**Most Reverend Gerald R. Barnes, D.D.,
Bishop**

**Very Reverend David Andel, J.C.L.,
Judicial Vicar**

1201 E. Highland Avenue
San Bernardino, CA 92404
(909) 475-5320

*Dedicated to the memory
of
Very Reverend Monsignor
Anthony Thomas Ferrero
K.H.S.C, J.C.L., J.V.
His leadership and
inspiration guided this
project.*

~

*A special thank you to
Mr. Christian Gallegos
for his expertise in the
artistic and graphic design
of this publication.*

~

*Edited by
Deacon Scott Hunsicker, J.C.L.*

*The Office of Canonical Services is located at the
Diocesan Pastoral Center,
1201 E. Highland Ave.
San Bernardino, CA 92404,
(909) 475-5320
canonalservices@sbdiocese.org*

~

Staff of the Office of Canonical Services as of June 2012

*Very Reverend David Andel, J.C.L.,
Judicial Vicar*

*Monsignor Robert Lawrence, J.C.L.
Defender of the Bond*

*Monsignor Philip A. Behan, J.C.L.,
Judge*

*Monsignor Donald Webber, J.C.L.,
Judge*

*Reverend George Gonzales,
Judge*

*Deacon Scott T. Hunsicker, J.C.L.,
Judge*

*Ms. Marla Pruneda, J.C.L.,
Judge*

*Ms. Gina Gradias-Penman,
Office Manager*

*Ms. Irene Martinez,
Notary*

*Ms. Jareli Jacobo,
Secretary*

~

Table of **CONTENTS**

<i>I</i>	INTRODUCTION	8
<i>II</i>	BAPTISM	10
<i>III</i>	EUCCHARIST	15
<i>IV</i>	CONFIRMATION	19
<i>V</i>	HOLY MATRIMONY	23
<i>VI</i>	PENANCE	31
<i>VII</i>	ANOINTING OF THE SICK	34
<i>VIII</i>	RCIA ISSUES	36
<i>IX</i>	MARRIAGE ANNULMENTS	39
<i>X</i>	PARISH PASTORAL COUNCIL	42
<i>XI</i>	PARISH FINANCE COUNCIL	43
	Selected Bibliography	45
<i>A</i>	APPENDIX A: Baptismal Status of Non-Catholic Churches	46
<i>B</i>	APPENDIX B: List of the Eastern Catholic Churches	54
<i>C</i>	APPENDIX C: Glossary of Canonical Terms	55

INTRODUCTION

A. THE INTENDED AUDIENCE

1. This publication has been developed by the Office of Canonical Services (OCS) as a service to the people of the Diocese of San Bernardino. This material is written primarily for use by those parish ministers who deal directly with the People of God. Such ministers include, but are not limited to, Parish Secretaries and Receptionists, Directors of Religious Education and heads/leaders of various ministries. Parish leaders such as priests, deacons, pastoral coordinators or administrators may also find this publication helpful.

B. THE PURPOSE AND SCOPE OF THIS PUBLICATION

1. The Office of Canonical Services assists and serves the Church at San Bernardino on matters regarding the laws of the Church. As such, the Office of Canonical Services is always available to the people of the diocese as a resource regarding the laws of the universal Church (Canon Law, *per se*), the laws specific to the Church in the United States and the policies of the diocese (known as particular law). There are times however, when a minister may have a specific question regarding the law which can be addressed by a publication such as this.
2. This publication is not meant to contradict or in any way overrule the pastoral decisions or actions of those ministers to whom the care of souls has been entrusted. Pastors, Priest Administrators, Priest Ministers, Pastoral Coordinators, Parochial Vicars, Deacons and all those who have been called to serve the People of God must, by the nature of their work, make decisions which may at times seem contrary to the guidelines found in this booklet. Canon law places a great deal of responsibility upon the pastoral leaders of the Church. Along with this greater responsibility comes greater discretion when addressing the pastoral needs of God's people.
3. This publication addresses a limited range of issues. It focuses upon those matters of canon law or diocesan policy which are most often dealt with in the "front office" of a parish. For the sake of brevity and

due to the complex nature of some topics, certain issues are not covered. For example, there is no discussion of matters pertaining to ordination, the celebration of mass or the role of the priest in absolving sins. Such topics are not appropriate to the scope of this booklet.

4. Also not covered herein are questions regarding specific liturgical and catechetical issues. Although there are areas of overlap with canon law, questions strictly regarding those topics should be directed to the Office of Worship or the Office of Catechetical Ministry.

C. THE FORMAT OF THIS PUBLICATION

1. The Office of Canonical Services has attempted to present this material in an easily accessible manner. Each section will begin with a general statement regarding the topic to be covered, followed by a presentation of and reference to the applicable canons and policies. Finally, there is a FAQ (Frequently asked Questions) Section dealing with questions commonly encountered by parish staff. The reader should take note of the fact that the answers to FAQ's are oriented toward canonical matters. The answers provided herein cannot do justice to every pastoral situation. The information provided herein is presented from a strictly canonical point of view.

D. CANON LAW AS MINISTRY

1. When, on January 25, 1959 John XXIII surprised the world by calling for an Ecumenical Council of the Church, the Holy Father also instructed that the canon law of the church be revised. As such, the 1983 Code can be understood as the “final document of Vatican II.”
2. Thus rooted in the Council, the 1983 Code of Canon Law was written to provide a framework for implementing the insights of the council. Those who wrote the code sought to use language true to the pastoral spirit of the Council expressed in practical, concrete form. In that same spirit, the canons of the Church should be seen not as impersonal laws to be rigidly imposed upon the faithful but as guidelines which facilitate an atmosphere of justice and consistency thereby allowing the church to address itself to bringing the good news of salvation to the world.

III BAPTISM



By passing through the waters of baptism one becomes a Christian.

If the person is baptized into the Catholic Church, then one becomes a Catholic Christian subject to the laws of the Catholic Church. Baptism can only be received once and the baptismal character cannot be lost. In the case of Catholics, the old saying, “once a Catholic, always a Catholic” is canonically true.

A. The Celebration of Baptism

1. The liturgical rite of baptism involves a number of readings from scripture, prayers, anointing and blessings. However, the requirements for a valid baptism are quite minimal. They include washing by immersion or pouring of water while repeating the Trinitarian formula, “I baptize you in the name of the Father and of the Son and of the Holy Spirit.” The wording of the Trinitarian Formula should be closely followed. Innovations such as “I baptize you in the name of the Creator, the Sustainer and the Comforter” or simply baptizing “in the name of Jesus” result in an invalid act. The minister who washes with water must be the same minister who repeats the words. The minister of baptism must also intend to baptize, and, in the case of an adult the recipient must intend to be baptized.
2. The principal liturgical rite for baptism is found in the Rite of Christian Initiation of Adults. This rite is to be used for persons who have reached the age of reason. Canons 842 §2 and 866 anticipate that the sacraments of initiation; baptism, Eucharist and confirmation all be received in the same celebration. In the case of children under the age of seven the Rite of Baptism for Children should be used.

B. The Minister of Baptism

1. The normal minister of baptism is a priest or deacon. However, anyone can baptize in the case of necessity. In fact, one of the duties of a pastor is to see to it that the people under his care know how to baptize (c. 861 §2).

C. Those to be Baptized

1. Anyone who has not already been baptized can be baptized (Canon 864). Baptism cannot be repeated (Canon 845).
2. If a person was baptized in another Christian church or community, the baptism may be valid assuming water and the Trinitarian formula were used properly. If a minister has doubts regarding the validity of a baptism, after thoroughly investigating the matter, the Office of Canonical Services may be consulted. See [Appendix A \(Page 46\)](#) for a list of some churches and their baptismal status.
3. In order to prove baptism, it is sufficient if one person attests to the baptism. This person might be a parent or an older sibling or other person who was present and witnessed the baptism. The witness should sign an affidavit stating that the person in question was baptized as an infant. If the person was old enough to remember being baptized, then the statement by that person is sufficient to prove baptism. In certain situations, for example marriage annulment cases, two witness affidavits may be required (Canon 876).
4. A conditional baptism may be done if, after a “diligent” search there remains some doubt about the validity of, or the actual conferral of baptism (Canons 845, §2 and 869). What constitutes a diligent search is a subjective matter. However, the minister should not simply forgo any attempt to establish the validity of a prior baptism and “just baptize to be safe.” To do so indicates a lack of respect for the efficacy of the sacrament and could be considered a simulation of the sacrament.
5. If the baptism involves an adult in an “irregular” marriage, baptism should be deferred until the marriage situation is resolved (a declaration of nullity, convalidation, etc.).
6. If the baptism is of an infant, the minimum requirements are that one parent ask for baptism and there be a “founded hope” that the child will be raised in the faith (Canon 868).
7. If the person to be baptized is intellectually challenged with a disorder which impairs understanding of the full implication of the sacrament, but would otherwise be capable of reception of the baptism, the sacrament must nevertheless be administered. Baptism is necessary for salvation (Canon 849). A full understanding of the sacrament is unnecessary as evidenced by the fact that babies are baptized. Moreover, persons who are not responsible for themselves are treated as infants with respect to baptism (canon 852, §2).

D. Requirements for Sponsors/Godparents

1. There need be only one sponsor. If there are two, then one must be male, the other female (Canon 873).

2. Canon 874 §1 requires that sponsors must:
 - a.- be chosen by the parent (or minister)
 - b.- be 16 years old or greater
 - c.- be a Catholic
 - d.- have received Eucharist
 - e.- have been confirmed
 - f.- lead a “life in keeping with the function to be taken on” (Canon 874, §1, 3^o)
 - g.- not bound by an imposed or declared penalty (a very rare situation)
 - h.- not be the parent of the child to be baptized.

3. A non-Catholic Christian may act as a “witness” along with a Catholic sponsor (Canon 874 §2). Persons who are not Catholic but belong to one of the Eastern Orthodox Churches may act as sponsors.

E. Recordation

1. It is very important that baptisms be carefully recorded in the parish register where the baptism occurred (Canon 877). Emergency baptisms, for example one performed in a hospital, are to be recorded in the parish in which the baptism took place — where the hospital is located.

2. Non-Catholic Christians who act as “witnesses” should be recorded as a “Christian witness” not as a sponsor or godparent. However, if the non-Catholic person belongs to an Eastern Orthodox Church, such a person may act as and be recorded as a sponsor or godparent.



FAQ's

- Q. Is it necessary for a person to be registered in a parish in order to have a child baptized in that parish?
 - A. No. Canon law does not recognize parish registration.

- Q. Is it necessary for the parents to have a history of parish involvement, use of envelopes, attendance at mass in order for a child to be baptized?
 - A. No. There are no such canonical or diocesan requirements.

- Q. Is it necessary for the parents of an infant to be married in the Church before a child is baptized?
 - A. Neither canon law nor diocesan policy requires the parents to be married in the Church or married at all. Pastors may certainly inquire about the parents' marital status, but they should take care not to imply the marriage must

be convalidated before baptism can occur. Baptism should never be used as a means to pressure the parents to marry. People should only marry in the Church because they are choosing sacramental marriage, not because they have to do so in order to have their children baptized (or receive any of the other sacraments).

Q. If one parent brings a child for baptism but the other parent is uninvolved or will not come to the classes, can the baptism still take place?

A. Yes. Only one parent need ask for baptism. However, it's usually prudent that both parents know about the baptism and agree to the raising of the child Catholic. The reasons for the parents absence is a legitimate area of pastoral concern for a minister, however, in and of itself such an absence cannot be a reason to deny baptism.

Q. Must both parents be Catholics in order for a child to be baptized?

A. No.

Q. What if the parents are divorced, or if they rarely attend church?

A. Pastors have a legitimate concern regarding the atmosphere in which a child will be raised. However, canon law requires only that there be a "founded hope" the child will be raised a Catholic. Most canonists agree this is intentionally a very low standard. The principle being that baptism is good in and of itself. Baptism should not be seen as a reward for the parents' good behavior, and baptism should not be denied as a means of expressing disapproval of the parents' lifestyle.

Q. If the chosen sponsors/godparents are married, but not in the Catholic Church, can they still be sponsors/godparents?

A. Notice the canon (c. 874) does not require the sponsors be married in the Catholic Church and it does not say the person must be currently receiving the Eucharist, only that they have "already received" the Eucharist. Certainly, a "life of faith in keeping with the function to be taken on" is open to interpretation. The canons allow room for pastoral discretion. At times, a minister may decide a particular person, although married outside the Church and not currently receiving the Eucharist, is the best person qualified to be a sponsor. This is a pastoral matter to be addressed on an individual basis.

Q. If a person (child or adult) is baptized in a hospital or other place due to an emergency, where should the baptism be recorded?

A. The baptism is recorded in the parish in which that hospital is located. In such a case the person can later complete the rites of baptism, i.e., the prayers, blessings, and anointing at his or her home parish. The home parish may then enter a notation into the parish baptism register with the com-

ment that the baptism took place in danger of death at hospital (N.) in the territory of parish (N.) on the date of the actual baptism.

- Q. Can the baptismal register ever be changed after the information is recorded?
- A. The register is a legal document which must reflect the truth of the events at the baptism. If there is a blatant mistake, such as a misspelled name, a parenthetical notation can be added to point out the mistake, but otherwise the register is never changed.
- Q. Sometimes people want to change or delete the names of sponsors or parents after the fact. Can this be done?
- A. The record cannot be changed. It must reflect the actual events. Occasionally there are family disputes resulting in a desire to eliminate the name of one person and replace them with another. This cannot be done under any circumstances.
- Q. Sometimes people who leave the Catholic Church and join other denominations ask that their Catholic baptismal record be expunged. Can this be done?
- A. Sacramental records belong to the Church and are never intentionally destroyed or obliterated. A notice of departure from the faith may be entered in the record as a notation.
- Q. How should the names of adoptive parents be entered?
- A. The Diocese has promulgated policies consistent with those published by the USCCB regarding the recordation of baptism for adopted children. For more information see Policy No. 400.5.1 in the Diocesan Policy Manual. The procedure set out there in should be followed exactly as provided.
- Q. A child has been presented for baptism. The parents are of the same gender. They have produced adoption papers that show the same-sex parties as the legal parents/guardians. Are there any canonical prohibitions?
- A. This is a delicate pastoral matter which is increasingly common. Recall that canon law requires only that one parent/guardian request baptism and that there be a “founded hope” the child will be raised Catholic. As long as one of the persons presenting the child for baptism is actually the parent/guardian, the only consideration is whether there is a “founded hope” the child will be raised Catholic. Any such decisions should be made only after consultation with the pastor of the parish. If the baptism does occur, the parish register should show the names of the parents/guardians, but should not make a designation regarding which is father or mother (or both). Baptismal certificates can be purchased which simply refer to the “Parent” with no designation who is the father or the mother.



EUCHARIST

In the Most Holy Eucharist

Christ the Lord is offered and received by His Church. Through the Eucharistic sacrifice the death and resurrection of the Lord is perpetuated through the ages. By joining in the reception of communion the People of God are unified in the building up of the Body of Christ on earth. (Canon 897)

A. The Ministers of the Most Holy Eucharist

1. Only a validly ordained priest is able to confect the sacrament of the Eucharist (Canon 900).
2. Deacons or lay persons must not offer prayers, especially the Eucharistic prayer or actions proper to a priest only (Canon 907). Deacons and lay persons who preside at a Liturgy of the Word with communion should be properly instructed regarding the prayers and actions appropriate to them.
3. The ordinary minister of Holy Communion is a bishop, a priest or a deacon. Extraordinary ministers of holy communion may assist in the distribution of the hosts and cup when needed (Canon 910 §§1,2).

B. Those who Participate in the Most Holy Eucharist

1. Canon 912 provides that any baptized Catholic or one admitted by profession of faith and not prohibited by law must be admitted to Holy Communion.
2. Those who are to receive the Eucharist are to abstain from food and drink for at least one hour before receiving the Eucharist. This does not apply to water or medication (Canon 919 §1). The rules of fasting do not apply to the aged or to the infirm (Canon 919 §3).

3. Catholics are to receive the Eucharist at least once a year. This reception should occur during the Easter season if possible (Canon 920).
4. If the person to be admitted to Holy Communion is intellectually challenged with a disorder which impairs understanding of the full implication of the sacrament, but would otherwise be capable of reception of Communion, the person should be admitted to the sacrament. Canon Law provides that any baptized Catholic must be admitted to Holy Communion (Canon 912) unless otherwise, specifically excluded. Administration of the sacrament to children (and in this context *non sui compos*—those not responsible for themselves) only requires “understanding the mystery of Christ according to their capacity.” The law also provides that in danger of death all that is required for a child to receive Holy Communion is that he or she “can distinguish the body of Christ from ordinary food and receive Communion reverently” (Canon 913 §2). The “Duties of Pastors and Parents” (Canon 914) do not apply to the capacity of the person to receive the sacrament validly.

C. Issues involving First Holy Communion

1. Since the sacraments of the Church are offered only to the baptized, ministers should verify that those being admitted to the Eucharist have been baptized. Baptism is normally verified by means of a baptismal certificate issued from the church of baptism. If a certificate cannot be produced, an affidavit from a person who can attest to the baptism of the candidate can be used in place of the baptismal certificate. If the person to receive the sacrament was an adult at the time of baptism, then his/her declaration of baptism is sufficient (Canon 876).
2. Parents are the primary educators of children in preparation for receiving the sacraments. Pastors are to ensure that children have been properly prepared for First Holy Communion (Canon 914). Normally the parish offers catechetical programs for those preparing to receive the sacraments. If a parent chooses to “home school” a child, the pastor, catechists and parents should consult Diocesan Policy to assist and guide such an option (Policy 800.4.12).



FAQ's

- Q. When should an Extraordinary Minister of the Eucharist deny communion to someone? For example, what if a person is known to be

divorced and remarried? What if someone is dressed all in black and has tattoos and piercings?

- A. The decision to deny Eucharist to any individual is a very serious matter. This includes persons known to be divorced and remarried. It is never acceptable for an Extraordinary Minister to deny Eucharist based upon his/her perception of the recipient's state of grace.

If a minister is presented with a recipient who blatantly displays dress or behavior indicating disrespect for or complete lack of understanding of the sacred nature of the Eucharist, the minister should discreetly instruct the person to speak with the presiding priest before receiving communion.

- Q. Some parents want their child to receive Communion at Mass on Sundays. The child suffers from Downs Syndrome (or is otherwise intellectually challenged) and can't participate in our sacramental preparation classes. Can this child be given Communion?

- A. If the child has been baptized and has a rudimentary idea of the nature of the sacrament and recognizes that this is not ordinary food, the child must be admitted to Communion (Canons 912 and 913).

- Q. How many times may a person receive the Eucharist in one day?

- A. If a person has received the Eucharist once, he/she may receive a second time on the same day as long as the person is an active participant in the Eucharistic celebration. This does not mean the person must be participating in an official capacity such as being a lector, usher, etc., but that the person participates in the mass as one of the faithful (Canon 917).

- Q. May a non-Catholic receive the Eucharist?

- A. Under very limited circumstances a non-Catholic Christian may receive communion but only under certain rare conditions. Determining if and when a non-Catholic may participate in Holy Communion is a serious matter which requires careful pastoral discretion. Any such requests should be decided by the presiding priest (Canon 844).

- Q. Before mass one day, a man came to me and said he and his family are Chaldean Catholics. He said his four year old son should be allowed to receive the Eucharist. I don't understand how a four year old can receive communion.

- A. The members of the Eastern Churches, such as Chaldean Catholics, baptize, chrismate (confirm) and give Holy Communion to infants at the time of the baptism. Therefore the man was correct, his four year old son was capable of receiving Communion. See Appendix B for a list of the Eastern Churches in full communion with the Roman Church.
- Q. Can sponsors (padrinos) participate at First Holy Communion?
- A. Canon Law does not address this issue. Parents, pastors and catechetical leaders should cooperate to address such matters before the celebration.
- Q. Are children allowed to wear white dresses and communion veils, scapulars, rosaries, and to carry baptismal candles at their First Holy Communion?
- A. Canon Law does not address this issue. Parents, pastors and catechetical leaders should cooperate to address such matters before the celebration.

IV CONFIRMATION



The Sacrament of Confirmation is one of the sacraments of initiation.

Confirmation strengthens and enriches the recipient with the gifts of the Holy Spirit. Being one of the rites of initiation, confirmation is normally celebrated together with baptism and reception of the Eucharist (Cc. 842 §2, 866, 852 §1).

An exception is made in the case of children baptized before the age of reason. Confirmation imprints a character and is never repeated (Canon 845 §1).

For validity, confirmation is conferred by use of the words prescribed in the proper liturgical texts along with an anointing with chrism which has been blessed by a bishop (Canon 880).

A. The Minister of Confirmation

1. The ordinary minister of confirmation is a bishop (Canon 882). However, a priest can confirm under certain circumstances. Normally these circumstances involve occasions in which the priest baptizes a person over 7 years of age, or the priest receives a person over 7 into full communion with the Catholic Church, or if the priest has been granted the faculty to confirm by the bishop (Canons 882 - 884).

B. Those to be Confirmed

1. In the case of those baptized as infants, canon law establishes the age for the conferral of confirmation as the age of discretion, normally considered to be about 7 years. However, permission has been granted to diocesan bishops to establish another age in their diocese (Canon 891). The bishop of the Diocese of San Bernardino has promulgated policy which establishes the age of those to be confirmed at 16 years (Policy 800.4.11).
2. Unless there is some grave reason to not do so, when an adult is baptized, he/she should be confirmed and receive communion at the same Eucharistic celebration (Canon 866).

3. Those to be confirmed should be properly instructed and disposed to receive the sacrament. Parents (if applicable), pastors/pastoral coordinators and catechists should cooperate in the formation of those to be confirmed (Canon 890).
4. If parents choose to “homeschool” their child, this should be done in compliance with Diocesan Policy (Policy 800.4.12)
5. If the person to be confirmed is intellectually challenged due to a disorder which impairs understanding of the full implication of the sacrament, but would otherwise be capable of being confirmed, the person should be admitted to the sacrament. In fact Canon Law states that “The Faithful are obliged to receive this Sacrament” (Canon 890). The law concerning instruction for the sacrament provides that; “a person who has the use of reason (is to) be suitably instructed, properly disposed, and able to renew the baptismal promises.” However it is clear that in the case of a person who is non sui compos—not responsible for himself or herself—and is only capable of a rudimentary understanding of the sacrament, suitable instruction will be minimal. A sufficient capacity should always be presumed for the benefit of the person seeking the sacrament.

C. The Requirements for Sponsors

1. Those to be confirmed should have a sponsor (Canon 892). The qualifications for a sponsor are the same as those for baptismal sponsors (Canon 893 - see the section on baptism).
2. Diocesan policy requires one sponsor for confirmation. The sponsor is to be at least 18 years of age (Policy 800.4.11). The requirement that there be one sponsor does not mean that, for a good reason, there cannot be two.

D. Recordation of Confirmation

1. The names of the confirmed, the minister of confirmation, the parents and sponsors and place and date of the sacrament are to be recorded in the appropriate parish registry. The pastor of the church of baptism is also to be notified of the confirmation (Canon 895).
2. Additional material regarding confirmation can be found in the Diocesan Policy Manual, policy no. 800.4.11.



FAQ's

- Q. A youth in the parish confirmation program has chosen to do “alternative” service work rather than that prescribed by the catechist. The catechist has told the candidate he/she cannot be confirmed if he does not follow the program at the parish. Is the catechist justified in this case?
- A. Such situations highlight the balance between the rights of the faithful and the responsibilities of the ministers of the Church. Canon 843 protects the right of the faithful to the sacraments, but also reminds ministers of their duty to ensure proper disposition of candidates for reception of the sacraments. Canon law does not mandate specific “programs” as prerequisite for the sacraments and ministers must be careful to not impose new impediments to the sacraments. The determination of a candidate’s proper disposition for the reception of the sacrament is a pastoral decision which should involve the pastor/pastoral coordinator, parents, catechists and the candidate for confirmation.
- Q. A parent wishes his/her child to receive the sacrament prior to 16.
- A. Canon law establishes the age for confirmation as the age of discretion (Canon 891). However, the same canon gives the Conference of Bishops permission to adopt a different age for conferral of the sacrament. The USCCB has set the age at between the age of discretion and 16 years. After much consultation and reflection, our Diocesan Bishop set the age at 16 (Policy 800.4.11). If a person requests a variance from policy, there should ensue a conversation between the parents, the pastoral team, and the candidate for confirmation. Canon Law can only establish guidelines, it cannot assess the proper disposition of a candidate. The assessment of the proper disposition of a candidate is ultimately the responsibility of the pastor/pastoral coordinator.
- Q. A parent wishes his/her child to receive confirmation. The child suffers from Downs Syndrome (or otherwise is intellectually challenged) and can’t participate in our sacramental preparation classes. Can this child be confirmed?
- A. If the child has been baptized and has a rudimentary idea of the nature of the sacrament the child must be admitted to confirmation (Canons 889, §2 and 890). The sacrament does not require an advanced degree of knowledge or sophistication. In Eastern Catholic Churches, as well as in some countries even in the Latin Rite, it is customary to administer confirmation when baptizing an infant.

- Q. Our parishioners were confirmed in a regional celebration held at a neighboring parish. Where should the sacrament be recorded?
- A. Diocesan practice is that the confirmation be recorded at the home parish with a notation that the confirmation occurred at the neighboring parish. The parish where the confirmation actually took place should enter a notation into its records that on a certain date confirmation was celebrated with participants from the following parishes (N., N.). The confirmation record should note that the specific record for an individual will be found at the appropriate home parish. It is the responsibility of the pastor of the home parish to notify the parish of baptism regarding the confirmation.
- Q. Is it necessary for the one to be confirmed to choose a confirmation name? Is it necessary that this name to be that of a saint?
- A. Canon law and diocesan policy are silent on the topic of a confirmation name. The choice of a saint's name is a tradition which may be of personal importance, but the law of the Church does not address the matter.
- Q. Does the Catholic Church recognize confirmations from any other religious groups?
- A. The Catholic Church recognizes as valid confirmation in those churches with a valid priesthood. This includes the Eastern Churches. As a general rule the Catholic Church does not recognize confirmation in those churches or Christian Communities which have arisen from the Reformation, for example the Lutheran, Presbyterian or Anglican Churches. In a case of doubt, contact the Office of Canonical Services.
- Q. One of our students was actually confirmed as an infant in another country (or in an Eastern Catholic Church) according to their custom. He/she would like to be confirmed again with the class. Is this all right?
- A. No. For Catholics, the sacrament of confirmation is one of those which may only be received once. It is best to explain the reason to any child in religious education. This could be a good "teaching moment" for Catholics to understand and appreciate the diversity of our Catholic customs and traditions.



MARRIAGE IN THE CATHOLIC CHURCH

Marriage is a partnership between a man and a woman for the whole of life ordered to the good of the spouses, and the procreation and education of children (Canon 1055).

The essential elements of marriage are unity and indissolubility. Unity in marriage means the harmony of the minds of the parties to give and accept the promises of marriage. An indissoluble marriage is one that lasts until the death of a spouse (Canon 1056).

It is, by its nature, a sacrament between the baptized. Marriage in the Catholic Church is entered through a rite established to administer the sacrament. In this rite the man and woman mutually consent to give and accept each other in an irrevocable covenant.

A. Those entering Marriage

1. All persons who are not prohibited by law can contract marriage (Canon 1058). Who are those persons prohibited by law from marrying in the Catholic Church?
 - a. Males under the age of 16; females under the age of 14 (Canon 1083, §1). For any wedding of a person under the age of 18 the Diocese of San Bernardino will require a psychological evaluation and counseling (Policy 1200.1.6.8). For any marriage by a male under the age of 16 or a female under the age of 14 a dispensation from the diocese is possible but ordinarily will not be granted. Regulations of the State of California must also be considered. State law requires the permission of the Superior Court for the issuance of a marriage license to any person under the age of 18.

- b. Those bound by a prior marriage bond. (Canon 1085). Persons who have been previously married may not marry again while the prior spouse is living. To enter a subsequent marriage validly it is required that one of the parties to the first marriage secure a decree of invalidity or nullity.
- c. Anyone in sacred orders – priests or deacons (Canon 1087). Dispensations can only be granted by the Holy See.
- d. Those bound by a perpetual vow of chastity in a religious institute – nuns, sisters, brothers (C. 1088). Dispensations can only be granted by the Holy See.
- e. Anyone who has been abducted and is still under the influence of the abductor (C. 1089).
- f. Anyone who has brought about the death of a spouse in order to be considered free to enter a subsequent marriage (C. 1090).
- g. First cousins or closer relations whether by blood relation or adoption. A dispensation for a serious cause is possible (C. 1091).
- h. Mothers-in-law; fathers-in-law, or brothers or sisters of a deceased spouse (affinity – C. 1092).
- i. An unbaptized person (C. 1086, §1). Dispensations for marriage to an unbaptized person are routinely granted through the Office of Canonical Services. However, while such marriages are valid, they cannot be sacramental. Only baptized persons may receive sacraments.
- j. Those incapable of consent due to psychological impairment (C. 1095 1^o). This may include young people who are intellectually challenged due to a disorder which prevents them from a full understanding of the sacrament. In this case, the person should not be admitted to the sacrament unless a report is presented from a licensed psychologist or psychiatrist to the pastor stating that the individual's disorder will not impact the marriage. Marriage requires a higher degree of knowledge and sophistication due to the nature of the commitment and promises being made.

B. Basic requirements for the validity of a wedding

1. **Clergy:** A priest or a deacon
2. **Faculties:** For a valid marriage the clergy assisting at the rite must have faculties. Faculties arise from the office held in the diocese, (such as pastor), from an assignment to a parish by the Bishop, by a written grant known as a pagella or by the valid delegation from one member of the clergy authorized to delegate such a faculty to another. Faculties should never be presumed if there is doubt as this is a matter of the validity of the sacrament.
3. A man and a woman who are free to marry and who can give consent. Freedom to marry is judged by the Bishop or more commonly by the pastor who has the obligation to assure freedom to marry for any ceremony which takes place in his parish. Pre-nuptial investigation forms may be obtained from the Office of Canonical Services or may simply be photocopied from stock on hand in the parish. At least one of the parties must be a baptized Catholic of the Latin Rite and a subject of the diocese and parish (Cc. 1109, 1110, 1115).
4. Two witnesses. These should be over the age of 16. They witness the rite and the vows exchanged. They are not sponsors in any sense. There are no canonical qualifications for the witnesses. There is no regulation that they be one person of each gender, Catholic or even baptized.

C. Form of the Rite

1. “Outside the case of necessity the rites prescribed in the liturgical books approved by the church or received by legitimate customs are to be observed in the celebration of a marriage (C. 1119).” The current rite approved for use in the United States is the Rite of Marriage issued in 1969, although it is anticipated that the English translation of the 1990 rite will soon be approved.
2. Any wedding between a Catholic and another baptized person, also known as a mixed marriage, “is to be celebrated” in the parish Church of the Catholic (C. 1118, §1). A wedding between a Catholic and an unbaptized person “may be celebrated in a church or another suitable place C. 1118, §3.”

3. In order for a Catholic to marry a baptized non-Catholic, the bishop of the place where the Catholic party has a domicile or quasi-domicile or where he or she is actually living must give permission. This permission is obtained by the parish representative through the Office of Canonical Services in this Diocese. The Catholic party is to offer assurance that he or she intends to remain Catholic and will make every possible effort to have any children of the marriage baptized in the Catholic Church and to educate them in the Catholic faith. The non-Catholic party must be advised of the assurances given by the Catholic party (Canon 1125).
4. There is no requirement that a non-Catholic party, baptized or unbaptized, agree to convert or agree to baptize and raise the children in the Catholic Church.
5. In the case of grave necessity, the Bishop may grant dispensations from the requirement of canonical form and from place. Such dispensations are rarely granted and only for very good reasons. Dispensation will not be granted for weddings in homes, gardens or wedding chapels.

D. Marriage Preparation

1. Some form of pre-marital preparation is to take place during the six months preceding the wedding. Please refer to the Diocesan Policy Manual section 1200 regarding marriage preparation. Marriage preparation should not be eliminated due to the age of the parties, the existence of prior marriages or because of the cohabitation of the parties. In such cases suitable preparation should address the pertinent issues of the parties.
2. It is highly recommended that any Catholic also be confirmed before the wedding. However, the wedding is not to be refused or significantly delayed if confirmation is not readily available at sometime before the wedding. Non-reception of confirmation does not affect the validity of the sacrament of marriage.

E. Registering the Marriage

1. After a wedding, the pastor of the place of celebration or his delegate, as soon as possible, is to enter a notation in a Marriage Register to be maintained by the parish (C. 1121, §1). The notation should include the name of the priest or deacon who participated in the rite on behalf of the church, the names of the parties, and the witnesses. The

place and date of the celebration are also to be noted. The pastor of that same parish is to notify the parishes of baptism of the parties (C. 1122 §2).

2. Civil laws are to be complied with to the extent possible (Policy 1200.1.6.4).

F. Dispensations

1. Dispensations and permissions needed for a wedding should be submitted by the parish on behalf of the parties to the Office of Canonical Services. The dispensation should be submitted to the Office of Canonical Services no less than 2 weeks before the wedding. A copy of the Catholic party's baptismal certificate is to be attached to the request.
2. Forms are available for most common types of dispensations. No fees or donations are requested for dispensations or permissions.
3. In the case of a discovery of a need for a dispensation too close to the date of the wedding to make a request through the Office of Canonical Services, oral dispensations can be obtained from the Bishop, Vicar General, Episcopal Vicars or Vicar Forane for the vicariate in which the parish of the wedding is located. Following such an event it is necessary that the priest or deacon later mail the dispensation form to the Office of Canonical Services with a notation of when and by whom oral dispensation was given. This information is to be recorded in the marriage register.
5. Requests for dispensations and permissions commonly granted can be faxed to the Office of Canonical Services at 909-475-5330.

G. Convalidation of marriage (Canons 1156 - 1160)

1. A convalidation of marriage is appropriate for the following reasons
 - a. Defect/lack of form: A Catholic marries in a non-Catholic ceremony without a dispensation to do so, then the marriage should be convalidated.
 - b. Impediment: A person, Catholic or not, enters marriage despite the existence of an impediment to marriage. When the impediment ceases to exist or is dispensed, the marriage can be convalidated. Most commonly this involves a person who enters one

marriage, divorces, then takes another spouse. The first marriage is an impediment and must be declared null by an ecclesiastical court, thus clearing the way for the second marriage to be convalidated.

- c. **Defective consent:** If a person, Catholic or not, enters marriage with defective consent, the marriage must be convalidated. For example, if the original wedding ceremony included words such as, “I take you as my spouse for as long as our love endures”. Such a marriage would be invalid and should be convalidated.
2. Often, the parties involved in a convalidation have been civilly married for many years. Despite this, the minister preparing the parties for marriage (convalidation) should not dispense with marriage preparation. The preparation should be appropriate to the situation, but it should not be dismissed as unnecessary.



FAQ's

Q. Why can't we get married at a park or at the beach?

A. There are a number of liturgical and theological reasons. The sacraments are not a private matter, they involve the entire parish community and should be celebrated in the midst of that community. From a canonical point of view, it is important that records be properly maintained and that the ministers who preside are properly delegated (have faculties). These matters can be easily overlooked if marriages take place in various locations with clergy from other than the local parish.

Q. A couple wants to marry but one or both have not been confirmed or made their first communion. Can they still get married?

A. Canon 1065 §1 does indicate a preference that Catholic parties be confirmed before they wed. However, the canon states, “...if it (confirmation) can be done without grave inconvenience.” Generally, confirmations are offered only once a year. Forcing a couple to postpone their wedding for months can be considered a “grave inconvenience.” A pastoral solution might be to receive from the parties a promise to seek confirmation at the earliest opportunity, even if that is after the wedding.

Regarding receiving first communion, canon 1065 §2 does “urge” the parties to receive the sacraments of penance and Eucharist prior to the wedding. The pastoral minister should address the situation as part of the preparation for matrimony. Neither of the matters discussed in this answer affect the validity of the marriage.

- Q. Can a man be the “Maid of Honor” or a woman the “Best Man”?
- A. Canon law does not use the terms, “Maid of Honor” or “Best Man”. The law simply requires that there be two witnesses to the exchange of vows. As long as the witnesses can attest that they witnessed consent exchanged, canon law has nothing to say regarding the gender of the witnesses. The officiant may satisfy himself that the arrangements are not intended to express disrespect for the Church or the ceremony.
- Q. A couple was prepared for marriage in their home parish, but came to our parish for the wedding. Where should the marriage be recorded and who is responsible for notifying the parish of baptism of each of the spouses?
- A. The marriage is recorded at the place where the celebration took place. The pastor of the parish where the celebration occurred is responsible for notifying the parish of baptism.
- Q. Do I have to wear white at my wedding?
- A. There is no requirement that any particular color or style of clothing be worn for a wedding. Clothing appropriate to the reception of a sacrament in the Church should be worn.
- Q. I was married before, can I still wear white at my wedding in the Church?
- A. There is no requirement that any particular color or style of clothing be worn for a wedding. Clothing appropriate to the reception of a sacrament in the Church should be worn.
- Q. Do I have to include any specific number of people in my “wedding party?”
- A. There is no requirement that any particular number of people be included in your wedding party. However, the physical constraints of the Church should be considered. A wedding can be very simple with just two witnesses attending.

- Q. Can we have mariachis, a double veil, a unity candle, etc., during the wedding as is customary in the country I came from (or in my family)?
- A. Recognized customs can be included in a wedding ceremony. However, the extent to which any custom may be added to the ritual depends solely on the discretion of the priest or deacon as the representative of the Church. Therefore this matter should be discussed and resolved with the priest or deacon who will preside long before the wedding itself.
- Q. A couple wishes to marry. One of the parties is in the United States without documentation. They wish to wed but if they do so the undocumented party will suffer serious legal repercussions. They have asked to be wed but without any notification of civil authority. Can this be done?
- A. This is a difficult and sad situation faced by many of the faithful today. It is natural for a pastoral minister to try to help in such a situation. However, officiating at a ceremony without observing the requirements of civil law would place the officiant and possibly the parish and wider church in legal jeopardy. If a consulate or embassy for the home country of the undocumented party is nearby, that agency may perform a civil wedding, if doing so is consistent with their laws and jurisdiction. If such a wedding can occur, then the marriage could be convalidated in the Church. Doing so would not contravene the requirements of state marriage law. This is only a possible solution, which may not be possible in all cases.



PENANCE

In the Sacrament of Penance the penitent encounters a minister of God

who assists the penitent in the examination of his/her conscience. By absolving sins the priest imparts forgiveness from God and reconciles the penitent with the Church (Canon 959).

A. The celebration of the sacrament

1. There are three forms of the Sacrament of Penance. One form, general absolution is for use only under exceptional circumstances that are rarely present in the United States. It will not be discussed further in this forum.
2. The form most familiar to most Catholics is the Rite of Reconciliation of Individual Penitents. In this form the penitent meets individually with the priest, confesses his/her sins and receives absolution. The environment may be arranged so that the penitent and priest can speak face to face. However, "...there are always (to be) confessionals with a fixed grate between the penitent and the confessor in an open place so that the faithful who wish to can use them freely." (Canon 964 §2).
3. The sacrament may also be celebrated with a communal component. In this form of the rite, the community may gather for scripture, prayer and exhortation. However, after the communal celebration those who then desire to confess individually to a priest and receive absolution may do so.

B. The Minister of Penance

1. The minister of the sacrament of penance is a priest alone (Canon 965).

C. Those to Receive the Sacrament

1. Catholics are obliged to confess their grave sins at least once a year (Canon 989).
2. The penitent is free to choose any legitimately approved confessor. A person cannot be compelled to confess to a particular priest. This applies equally to children approaching the sacrament for the first time. (Canon 991).
3. The sacramental seal is inviolable (Canon 983). Outside the sacramental encounter, a confessor cannot raise any matters discussed during sacramental confession. The penitent should understand that this seal also affects his/her freedom of action. Though canon law does not impose the sacramental seal upon the penitent, he/she should be sensitive to the fact that the priest is bound to not discuss matters raised in the act of confession.
4. The Diocese of San Bernardino has developed a policy regarding the sacrament of reconciliation, especially dealing with the preparation of children for reception of the sacrament. This policy is found in the Diocesan Policy Manual under Policy No. 800.4.7.
5. There is no provision in canon law or liturgical law for the recordation of a first confession.



FAQ's

Regarding Penance

- Q. My child is to receive the sacrament soon. I've been told that standard practice is for all the children to receive the sacrament at our parish with our parish priests. My child and I prefer he go to a priest who is a close family friend. The catechists insist I must send him with his class. Can we be forced to go to the priest they specify?
- A. Canon 991 says "every member" of the Church is free to choose his or her confessor. Even a child has the right to choose his/her con-

fessor, with the guidance of his or her parents. However, the parent should respect the importance of the celebration of the sacraments within the parish community as discussed in Policy No. 800.4.7.

- Q. Must first confession take place before first communion? What if a child does not want or need to confess before his/her first communion?
- A. Canon 914 assumes sacramental confession will precede reception of First Holy Communion. The canon states, "...after they have made sacramental confession..." the communicant is to receive the Eucharist. Diocesan Policy states, "Children must have the opportunity to celebrate reconciliation before First Eucharist (Policy 800.4.7). This sequence is the norm for the Latin Catholic Church. Any variance from this norm should be discussed by the parents and the pastoral ministers involved.
- Q. A catechumen has asked to receive the sacrament of penance. Is this acceptable?
- A. No. The unbaptized cannot receive the sacraments of the Church (Canon 842 §1). A priest may offer appropriate counseling and spiritual guidance to the catechumen, but not absolution.



ANOINTING OF THE SICK

In the Sacrament of the Anointing of the Sick

the Church commends the faithful who are dangerously ill to the suffering and glorified Lord (Canon 998).

A. The Minister of Anointing

1. The minister of the Sacrament of Anointing is a priest (Canon 1003).

B. Those to Receive the Sacrament

1. The Sacrament of Anointing can be conferred upon a baptized person who has attained the age of reason and who faces illness, danger, old age or infirmity (Canon 1004). The illness involved is not limited to physical ailments only. Those with psychological and emotional illness are welcome to receive the sacrament.
2. The Sacrament of Anointing can be repeated as necessary (Canon 1004).
3. The Sacrament of Anointing should not be postponed until the person is gravely ill. Ideally, whenever a person facing illness or infirmity feels the need for the strength and blessing of the church they should seek the Sacrament within the context of a healing mass. Many parishes offer healing masses to which the entire community is invited.
4. The faithful should make full use of the reception of the Most Holy Eucharist as Viaticum to the sick.



Regarding Anointing's

Q. Why can't the deacon celebrate this sacrament? Often there are no priests available.

A. The reasons for this limitation to the priesthood are based in scripture (cf.

James 5:14) and tradition. In addition, the sacrament of anointing often involves sacramental absolution requiring the actions of a priest.

Q. Can a non-Catholic receive the sacrament of anointing?

A. An unbaptized person cannot receive the sacraments. People who are baptized but not as Catholics can receive the sacraments under certain rare situations (Canon 844). Due to the pastorally sensitive context of a request for the Sacrament of Anointing, the decision to offer or withhold the sacrament is appropriately left to the priest. The scope of this publication does not allow a thorough discussion of the topic.

Q. Why isn't this sacrament called the "last rites" or "extreme unction" anymore?

A. There are a number of reasons for the change in terminology among which is the fact that the phrase "anointing of the sick" more closely reflects the ancient biblical traditions of anointing those who fall ill (James 5: 13-16). The term "last rites" or "extreme unction" may indicate that the sacrament should be deferred until death is immanent. Some may also be led to believe the sacrament cannot be repeated. Such misunderstandings may result in a desperate attempt to locate a priest at the "last minute". Canon law addresses this in Canon 1004 which indicates the sacrament can be received more than once and should be received when the person, "begins to be in danger due to sickness or old age."

Q. Can a sick Catholic baby receive the Sacrament of Anointing?

A. No. The Anointing of the Sick is for those who are at least 7 years, the age of reason (Canon 1004 §1).

Q. At a recent prayer meeting held at the parish, a man said he had some blessed oils and he used them when he prayed over a sick person. He said he was healing in Jesus' name. Some people think he was giving the Sacrament of Anointing. Was this a legitimate Sacrament of Anointing?

A. No, this was not sacramental anointing. Only a priest can confer the Sacrament of Anointing. Therefore, any anointing by someone other than a priest is, by its nature, not a sacrament.

Q. Is a person healed by the sacrament of Anointing of the Sick?

A. The anointing is done so that the person receives the grace of the sacrament. It is hoped that he or she might recover, but that is a secondary aim. It should be remembered that Anointing is done even for people who are close to death. No one should ever suggest that a person receiving the sacrament of Anointing of the Sick is cured or no longer needs medical treatment because of the sacrament. Only people trained in the medical sciences are capable of evaluating a person's medical conditions. No one should ever be accused of having insufficient faith to be healed.

RITE OF CHRISTIAN INITIATION OF ADULTS



Adult Catechumens are formed in the ways and practices of the church through the Rite of Christian Initiation of Adults.

A. Those for whom the Rite is Intended

1. Strictly speaking, the RCIA involves only those who have never been baptized. However, for pastoral reasons, many parishes combine the formation of catechumens (the unbaptized) with candidates (those who have been baptized in a church or community other than Catholic) who wish to enter full communion with the Catholic Church. Those who are to be baptized are referred to as Catechumens. Those who are already baptized Christians but wish to enter full communion with the Catholic Church are referred to as candidates.
2. Catechists and pastors should carefully assess the marital status of any persons seeking full communion with the church, whether they be catechumens or candidates. Prior to being admitted to the catechumenate or candidacy, it is important that the person's marital status be fully investigated. If the person is in an irregular marriage situation they should not be admitted as a catechumen or a candidate until such time as their marital status is resolved.
3. By virtue of the fact that the Catholic Church recognizes as valid marriages between non-Catholics, there may be no need to convalidate or "bless" the marriages of such persons when they enter the Catholic Church. The majority of the time, a convalidation is necessary only when one of the parties was a Catholic at the time of consent and the marriage lacked proper form, i.e., the Catholic married outside the Catholic Church and without dispensation to do so.

4. The initiation of Catechumens should be guided by the published : Rite of Christian Initiation of Adults.



FAQ's

- Q. A man who was baptized into an Orthodox Eastern Church wants to become Catholic. What sacraments does he need?
- A. The Catholic Church recognizes as valid the sacraments of the Orthodox Churches. The Orthodox Churches combine the sacraments of baptism, Holy Eucharist and chrismation (confirmation) at the time of infant baptism. Therefore, the man would have already received all the sacraments of initiation. He should be treated like a candidate (baptized person joining the Catholic Church). He would make a profession of faith like any candidate. However, by doing so, he then joins the Roman Catholic Church as a member of the Eastern Catholic Church equivalent to the Church in which he was baptized. For example, a Greek Orthodox person becomes a member of the Greek Catholic Church. A notation to this effect should be entered into that register used to record professions of faith at the parish where the profession of faith was accepted.
- Q. A man was unable to complete his marriage annulment prior to the Easter Vigil. Now that he has received the declaration of nullity, must he wait until next Easter before receiving the sacraments?
- A. The Easter Vigil is the preferred liturgy for those being baptized or entering full communion to be received into the Church. However, there is nothing forbidding the man from receiving the sacraments at another appropriate time.
- Q. A woman is joining the Catholic Church. She is not baptized, but her husband is a baptized Lutheran (he is not becoming Catholic). They married in Las Vegas many years ago. Do they need to have their marriage “blessed” (convalidated)?
- A. No. Their marriage is considered to be valid already. Once the woman is baptized the marriage will also be sacramental (Canon 1055 §2).

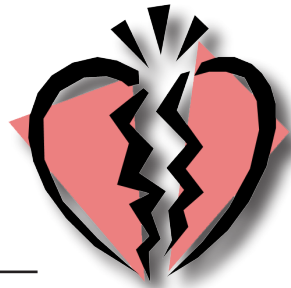
Q. A man is joining the Catholic Church. He and his wife were married many years ago in Las Vegas. His wife is Catholic. Does he need to have his marriage “blessed” (convalidated)?

A. Yes. Since his Catholic wife did not follow the Catholic form of marriage, she wed invalidly. Their marriage needs to be convalidated before the reception of the sacraments at Easter Vigil.

Note: Marriage cases can be complicated matters. Determining who does or does not need to have their marriage convalidated should be made by someone familiar with the canons regarding marriage. Those who are in charge of RCIA programs should be well educated regarding the determination of when a person is free to marry. Inquiries into the status of the marriages and resolution of any marriage irregularities should be complete prior to admittance to the Catechumenate or to the Rite of Candidacy. Failure to address these issues in a timely manner often leads to needless disappointment and pain for all involved. For further information, this topic is covered in detail in the Diocesan Policy Manual, Policy No. 400.5.2.10.

Annual workshops are provided by the Office of Canonical Services for anyone who would like to assist as an Advocate for cases of this type. Catholic marriage law workshops are also offered as a part of the RCIA specializations courses given by the Diocese. For information in this regard please call the Office of Canonical Services (909) 475-5320 or the Department of Educational Services (909) 475-5450.

MARRIAGE ANNULMENTS



*Marriage is a perpetual institution
established by God.*

Marriage comes into existence when a man and a woman give consent to enter marriage by making an irrevocable vow. Once a valid sacramental marriage comes into existence, the bond remains until the death of one of the spouses. The Church has no ability to change or alter divine law regarding the sacrament of matrimony (Canon 1055).

The Church is ever conscious of its duty to safeguard the sanctity of marriage. However, the Church is willing to consider the possibility that what appeared to have been a valid marriage was in fact not a valid marriage from the very beginning. Thus, the Church is willing to examine the facts of a marriage in hope of extending to those who have suffered the heartbreak of a broken marriage, the healing and compassion of Christ. The prior section regarding the RCIA may also be important for consideration.

When a person presents to the Tribunal a Petition for a Declaration of Nullity, the person (Petitioner) must prove, to the level of “moral certainty,” that what appeared to be a valid marriage, was in fact, never valid.

Because the process is complex, the Petitioner must seek the assistance of an Advocate. An Advocate is a person who is familiar with the annulment process and who will assist the Petitioner in presenting his/her case before the Tribunal of the diocese. All priests and deacons of the diocese are de facto Advocates and can assist the Petitioner with his/her petition for nullity. In addition, there are a number of lay persons who have been trained to act as Advocates. The first step in filing a petition for nullity is to contact the parish in which the Petitioner lives and ask to speak with a priest, deacon or lay advocate.



FAQ's

Regarding Marriage Annulments.

- Q. My husband had a previous marriage. He's not Catholic and his first wife was not Catholic. They got married in a Las Vegas wedding chapel. Why should he have to get an annulment before we can have our marriage blessed? After all, his first marriage wasn't recognized by the church!
- A. The Catholic Church does recognize as valid the marriages of non-Catholics. Otherwise every marriage throughout the world that did not take place in a Catholic Church would be considered invalid. Because marriage existed before Christ, it is first regulated by divine law - the exchange of valid consent creates a valid marriage. If non-Catholics choose to wed in a Las Vegas chapel, that is their choice to make. Therefore, as far as the Catholic Church is concerned, his first marriage was valid and must be declared null before you and he can have your marriage convalidated.
- Q. My friend had an annulment and it only took a month. My case has been in process for almost a year. Why is my case taking so long?
- A. There are many factors that affect the type of process required and how long the case will take. Certain cases can be handled simply by supplying a few documents to the Tribunal, others require an extensive collection of testimony through interviews and written documentation.
- Q. I don't understand why the Church makes us go through this long and difficult process of an annulment. Why can't the Catholic Church just be like other churches and let us get remarried?
- A. The Catholic Church believes it has a sacred duty to be faithful to Christ's teachings. The Church understands Christ's teachings to prohibit divorce and remarriage. Therefore the Church cannot change its position or do otherwise than teach that marriage is a divinely inspired institution which endures for life.

- Q. Is it true that since i am a Catholic who divorced and remarried i am excommunicated?
- A. No. Excommunication is a penalty which is rarely used and then only in the most serious violations in matters of the faith. In your situation you are still a full member of the Catholic Community. That being said, your marital status does require resolution and until your marriage is regularized you should not receive the sacraments.

The words of John Paul II are particularly appropriate for your situation. Under the section in his letter *Familiaris Consortio*, where the Holy Father discussed the plight of Catholics who have divorced and remarried, John Paul II said,

I earnestly call upon pastors and the whole community of the faithful to help the divorced, and with solicitous care to make sure that they do not consider themselves as separated from the Church, for as baptized persons they can, and indeed must, share in her life. They should be encouraged to listen to the word of God, to attend the Sacrifice of the Mass, to persevere in prayer, to contribute to works of charity and to community efforts in favor of justice, to bring up their children in the Christian faith, to cultivate the spirit and practice of penance and thus implore, day by day, God's grace. Let the Church pray for them, encourage them and show herself a merciful mother, and thus sustain them in faith and hope. (*Familiaris Consortio* 84)



PARISH PASTORAL COUNCIL

The members of the Parish Pastoral Council are to advise and assist the pastor.

Every parish is to have a Parish Pastoral Council (Policy 1200.1.1) This policy is based upon Canon 536 which permits the Diocesan Bishop to require parish pastoral councils in his diocese.

The Parish Pastoral Council assists the pastor or pastoral coordinator “in fostering pastoral activity.” The Parish Pastoral Council is presided over by the pastor (Canon 536). The Parish Pastoral Council has a consultative role (Canon 536 §20).



FAQ's

Regarding Parish Pastoral Councils

- Q. Some of the members of our parish pastoral council are upset with the way the pastor/pastoral coordinator is running the parish. They have called a meeting of the council but don't want the pastor/pastoral coordinator to know about the meeting. Can the council meet without the pastor?
- A. Canon law is very specific. The council is chaired by the pastor of the parish and the pastor sets the agenda. A parish council meeting cannot be held without the pastor's cooperation. In addition, the spirit in which the council acts must always reflect the good will and unity of the church. In parishes where a Pastoral Coordinator has been appointed by the Bishop, that person has been lawfully delegated to take the place of the pastor for the purposes of chairing the pastoral council meetings.

Note: The pastoral council and the finance council are two distinct bodies and do not serve the same purpose in the parish.

FINANCE COUNCIL



Members of the faithful with expertise and experience in financial matters are called upon to safeguard the financial well-being of the church.

Each parish is to have a finance council per Canon Law and Diocesan Policy (Canon 537, Policy 1100.1.22).

A. The Role of the Finance Council

1. The members of the Finance Council are entrusted with monitoring and protecting the monies given by the faithful for the work of the Church. Few roles for the laity carry more responsibility and need for personal integrity.
2. The members of the Council are to advise the Pastor/Pastoral Coordinator on the financial health of the parish and are to be especially vigilant of the proper accounting of financial matters.

B. The Members of the Parish Finance Council

1. The Parish Finance Council is chaired by the Pastor/Pastoral Coordinator of the parish.
2. The Council members are appointed by the Pastor/Pastoral Coordinator for a term of 3 years or less, renewable for one term.
3. The Parish Finance Council should be composed of three to five Roman Catholic men or women in addition to the Pastor/Pastoral Coordinator. These members should be active,

registered members of the parish who are skilled in the area of finance and accounting.

Due to the extent and detail involved, this publication cannot fully address the topic of the Parish Finance Council. The Diocesan Policy Manual contains an extensive section regarding the function of a Parish Finance Council. Information and materials regarding parish finances and the expectations of a Parish Finance Council should be obtained from the office of the Ministry of Financial Affairs at (909) 475-5170.



FAQ's

Regarding Parish Finance Councils

- Q. I have information regarding what I think is the misuse of parish funds. I've raised the issue with the pastor, but nothing has changed. I've talked to others on the board, but they don't want to embarrass Father by confronting him. What should I do?
- A. The Diocese has plans to contract with a neutral third party agency who can take a report. In the meantime, it would be advisable to call the Diocesan Chancellor's Office at (909) 475-5100.



SELECTED BIBLIOGRAPHY

Coriden, James, A., O.F.M., *Canon Law As Ministry: Freedom and Good Order for the Church*, Mahwah, Paulist Press, 2000.

Coriden, James A., O.F.M., *An Introduction to Canon Law* (Revised), Mahwah, Paulist Press, 2004.

Huels, John M., *The Catechumenate and the Law*, Chicago, Liturgy Training Publications, 1994.

Huels, John M., *The Pastoral Companion, A Canon Law Handbook for Catholic Ministry*, third edition, Quincy, Ill., Franciscan Press Quincy University, 2003.

Osborne, Kenan B., O.F.M., *Sacramental Guidelines*, New York, Paulist Press, 1995.

APPENDIX A

Baptismal Status of Non-Catholic Churches

Those baptized in a non-Catholic ecclesial community are NOT to be baptized conditionally unless there is a serious reason for doubting the validity of the baptism after examining the matter and form of the words used in the baptism as well as the intention of the adult being baptized and the baptizing minister (Canon 869).

The following is not an exhaustive list of all religious groups that do not have a valid baptism, even though some claim to be Christian and/or to have a valid baptism. When ascertaining the (in)validity of a baptism it is often necessary to ask the person or the person's parents (or other relative) what happened during the ceremony regarding matter and form. In lieu of a baptism certificate (which many churches do not provide), the sworn testimony of the person (if baptized as adult) suffices to establish a valid baptism. Or if the person was not an adult when baptized, the testimony of one witness is sufficient. (cf. Canon 876)

All non-Christian religious groups and communities do not have valid baptism.

AFRICAN METHODIST EPISCOPAL: VALID

Baptism with water by sprinkling, pouring, or dunking. Trinitarian formula is used. There is an open door ceremony which is not baptism.

AGLIPAYAN CHURCHES: See FILIPINO CHURCHES

AMANA CHURCH SOCIETY: INVALID

AMERICAN ETHICAL UNION: INVALID

AMISH: See **MENNONITES**

ANGLICAN: **VALID**

APOSTOLIC CHURCH

(APOSTOLIC OVERCOMING HOLY CHURCH OF GOD):
INVALID

The minister baptizes according to the second chapter of the Acts of the Apostles, and not St. Matthew. The form used is, “We baptize you in the name of Jesus Christ for the remissions of sins, and you shall receive a gift of the Holy Ghost.” No Trinitarian formula is used (ACTS 2:38).

APOSTOLIC FAITH MISSION: **INVALID**

ASSEMBLY OF GOD: **VALID**

A dedication ceremony is possible. Infants are not customarily baptized. Baptism with water takes place when a person is mature enough to understand its implications.

BAPTISTS: **VALID**

No infant baptism. There is a ceremony of dedication. Valid baptism takes place at the approximate age of thirteen.

BOHEMIAN FREE THINKERS: **INVALID**

A name-giving ceremony is held, which is not baptism. There is no Trinitarian belief. No baptism of any kind is practiced.

CHILDREN OF GOD (“THE FAMILY”): **INVALID**

CHRISTADELPHIANS: **INVALID**

Belief is in spiritual rebirth by immersion. Baptism appears invalid since there is no belief in a Trinity, but in one God. Jesus, who was the son of God, is not considered God the Son. There is no Trinitarian formula, since there is no belief in the Trinity.

CHRISTIAN AND MISSIONARY ALLIANCE: **INVALID**

No belief in infant baptism, but only those who give evidence of repentance and new birth. “Baptism” is seldom conferred by immersion before the age of twelve. It is given upon the personal confession of Christ as the Savior of this person. The formula is not given, but a Trinitarian form not used.

**CHRISTIAN COMMUNITY
(DISCIPLES OF RUDOLPH STEINER): INVALID**

CHRISTIANS OF THE UNIVERSALIST BROTHERHOOD: INVALID

**CHURCH OF BRETHREN
(Formerly called Dunkers): VALID**

Baptism is made by true immersion. The formula of St. Matthew is used.

**CHURCH OF CHRIST, SCIENTIST
(CHRISTIAN SCIENTISTS): INVALID**

The mother church of all Christian Science Churches states, “Baptism is an individual spiritual experience. It is not a religious rite or ceremony performed by an ordained minister or priest.” The textbook states that it is a purification by spirit. A letter from the board of directors states there is no baptismal ritual in the Christian Science movement.

CHURCH OF DANIEL’S BAND: INVALID

CHURCH OF DIVINE SCIENCE: USUALLY INVALID

Apparently invalid baptism, but one needs to check the matter and form. The ceremony is a christening ceremony, but not one of baptism. There is no change brought about in the person who is blessed. The church does not believe in original sin, so a child is merely blessed when received into the church.

CHURCH OF ILLUMINATION: INVALID

**CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
CHURCH (MORMON): INVALID**

Previously considered doubtful, the Congregation for the Doctrine of the Faith declared this baptism invalid in a response dated June 5, 2001 (AAS, 93).

CHURCH OF GOD: VALID

There is a public baby dedication with no sacramental significance. Baptism is conferred later – when the individual asks for it – by immersion and with the Trinitarian formula.

CHURCH OF THE NAZARENE: VALID

Infants are baptized or dedicated according to the wish of the parents. The form for baptism is Trinitarian. They also have a dedication ceremony which is not baptism.

CHURCH OF RELIGIOUS SCIENCE: INVALID

Same as Church of Divine Science. There is a “dedication” service to a way of life.

CHURCH OF REVELATION: INVALID

CONGREGATIONAL CHURCH: VALID

DISCIPLES AND CHRISTIANS: VALID

There is a dedication service, but no infant baptism. Trinitarian formula used in baptism by immersion at an older age. These churches are sometimes known as the Disciples of Christ.

EASTERN non-CATHOLIC or ORTHODOX: VALID

EPISCOPALIAN: VALID

ERIESIDE CHURCH: INVALID

EVANGELICAL CHURCHES: VALID

EVANGELICAL UNITED BRETHREN: VALID

Members are not received into this church unless they have been baptized. Assurance of baptism is required before membership is extended. There is also a dedication ceremony. Baptism by water seems valid and is generally done by immersion, pouring, or sprinkling. The Trinitarian form is used.

FILIPINO CHURCHES:

The following Churches in the Philippines administer a **VALID** baptism:

- Iglesia Evangelica Metodista en las Islas Filipinas (IEMELIF)
- Convention of Philippine Baptist Churches (CPBC)
- Lutheran Church in the Philippines (LCP)
- Philippine Episcopal Church (PEC)
- Presbyterian Church
- Seventh-Day Adventist Church
- United Church of Christ in the Philippines (UCCP)
- United Methodist Church in the Philippines (UMCP)

As for other Churches or religious groups, each case is to be examined individually. The problem of baptism administered by the various Aglipayan groups (Iglesia Filipina Independiente or Philippine Independent Church, Iglesia ni Kristo, Independent Church of Filipino Christians) is particularly difficult. The official Rite of Baptism of the Philippine Independent Church is in itself valid. However, the practical implementation (matter and form) of its official baptismal liturgy is not universally certain. Hence, the validity of the baptism administered by all Aglipayan groups, including the Philippine Independent Church, is still to be examined individually. (Source: Canon law Digest of the Philippine Catholic Church: A Test and Commentary, F. Testera, O.P. Manila: 1995, 12/5/2002.)

GENERAL ASSEMBLY OF SPIRITUALISTS: INVALID

**HEPHZIBAH FAITH MISSIONARY ASSOCIATION:
INVALID**

HOUSE OF DAVID CHURCH: INVALID

IGLESIA NI KRISTO: See FILIPINO CHURCHES

**INDEPENDENT CHURCH OF FILIPINO CHRISTIANS:
See FILIPINO CHURCHES**

JEHOVAH'S WITNESSES: INVALID

It appears that the Jehovah Witnesses are fundamentally Unitarians. The Divinity of Christ is explicitly denied, as is the existence of the Holy Spirit as a person. In the ceremony of baptism, there is a discourse which is really a symbol of dedication rather than baptism. The person enters the water, but his name is not called out. No words or formula are pronounced while the person is submerged or immersed in the water. Even if the matter and form are valid, the intention of the minister is to baptize the person into the Jehovah's Witness sect, thereby not intending that the person be baptized in the name of the triune God. This is evident since the divinity of Christ and the personality of the Holy Spirit are denied. These latter refer simply to a power exerted by Jehovah, who alone is God.

LIBERAL CATHOLIC CHURCH: VALID

LUTHERAN CHURCH: VALID

MASONS (FREEMASONRY): INVALID

MENNONITES: USUALLY INVALID

Each case must be examined on an individual basis. No infant baptism.

METHODIST CHURCH: VALID

Separate from baptism there is also a cradle roll, which is a listing of the names of infants too young to attend Sunday School. This record is kept separate from the Baptismal Record. In many instances names appear on both rolls. If it appears on one, it is not an indication that it would or should appear on the other. Since the church baptizes infants, however, if one is listed on the cradle roll, at least one pastor has stated it would seem to indicate that there was also baptism.

METROPOLITAN CHURCH ASSOCIATION: INVALID

MOONIES: See REUNIFICATION CHURCH

MORAVIANS: USUALLY INVALID

Each case must be examined on an individual basis.

MORMON: See CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS.

NATIONAL DAVID SPIRITUAL TEMPLE OF CHRIST CHURCH UNION: INVALID

NATIONAL SPIRITUALIST ASSOCIATION: INVALID

NEW JERUSALEM CHURCH (SWENDENBORG OR “NEW AGE” CHURCH): INVALID

Decision by Congregation for the Doctrine of the Faith on November 20, 1992 [AAS, 85 (1993)]

OLD CATHOLIC OR OLD ROMAN CATHOLIC: VALID

ORTHODOX: VALID

PENTECOSTAL CHURCHES: USUALLY INVALID

Each case must be examined on an individual basis. Responses regarding the validity of this baptism were given by the Congregation for the Doctrine of the Faith on February 7, 1964, and January 12, 1967. The issue of an invalid baptism is due to the use of Unitarian formula. This is found in the official book of the Pentecostal Assembly. However, baptism is considered necessary for the salvation and is done by immersion, and depending on the assembly the Trinitarian formula may have been used, in which case one must ask the person who was baptized which formula was used.

PEOPLES CHURCH OF CHICAGO (Dr. Preston Bradley): INVALID

Doctor Bradley himself wrote several letters stating that the doctrine of his church on baptism is that it is a naming ceremony, a dedication and consecration of the child, and a commitment by the parents to teach the child to grow in knowledge and love of God. It is not absolutely necessary for salvation. Water is used, but only the name of God the Father is mentioned in the formula.

PLYMOUTH BRETHREN: USUALLY INVALID

Each case must be examined individually.

POLISH NATIONAL CHURCH: VALID**PRESBYTERIAN CHURCH: VALID****QUAKERS: INVALID**

Enrollment on Sunday School rolls does not mean there was a baptism. The Society of Friends Church (by which the Quakers are also known) does not observe baptism as an outward rite, but rather as an inward work of God. There are no baptismal records. Baptism is spiritual, and “in no way strengthened by the application of water.” Since no water is used, there is no valid baptism.

REFORMED CHURCHES: VALID**REUNIFICATION CHURCH: INVALID**

SALVATION ARMY: INVALID

The Salvation Army Headquarters state they do not have a baptismal service, but a religious ceremony called a dedication service of children, and also a cradle roll. A certificate is issued for the dedication service, but is not to be confused with baptism.

SEVENTH DAY ADVENTIST: USUALLY VALID

The denomination in the United States generally administers valid baptism, but there are some groups in other countries that do not. There are also some communities who administered valid baptism only at various times in their history. It is important to either get the testimony of the person or the person's parents as to what happened and what was said, or else obtain a copy of the baptismal record, which usually tells something about the pouring of water and the formula that was used. (Source: Canon Law of the Sacraments for Parish Ministry, W. Woestman, OMI, Ottawa: 2007)

SHAKERS: See UNITED SOCIETY OF BELIEVERS

SOCIETY OF FRIENDS CHURCH: See QUAKERS

SPIRITUALIST CHURCH: INVALID

UNITARIANS/UNIVERSALISTS: INVALID

Universalists and Unitarians merged in 1961. Even before that time, Universalists favored ultimate salvation and rejected the doctrine of original sin. With time, they denied the Trinity and the Divinity of Jesus.

UNITED CHURCH OF CHRIST

(including branches of Congregationalist, Evangelical and Reformed Church): **VALID**

UNITED SOCIETY OF BELIEVERS: INVALID

UNIVERSAL EMANCIPATION CHURCH: INVALID

APPENDIX B

A List of the Easter Catholic Churches

Albanian Catholic Church
 Armenian Catholic Church
 Belarusian Catholic Church
 Bulgarian Catholic Church
 Byzantine-Ruthenian Catholic Church
 Byzantine Catholics of Former Yugoslavia
 Chaldean Catholic Church
 Coptic Catholic Church
 Ethiopian Catholic Church
 Georgian Catholic Church
 Greek Catholic Church
 Hungarian Catholic Church
 Italo-Albanian Catholic Church
 Maronite Catholic Church
 Melkite Greek Catholic Church
 Romanian Catholic Church
 Russian Catholic Church
 Slovak Catholic Church
 Syrian Catholic Church
 Syro-Malabar Church
 Syro-Malankara Catholic Church

St. Philip the Apostle Mission is a Melkite-Greek Catholic Church in San Bernardino; St. Nicholas Byzantine Catholic Church is a Ruthenian Catholic Church in Fontana; Holy Resurrection Monastery in Newberry Springs is part of the Romanian Catholic Church.

Churches with the title “Orthodox” are not Catholic Churches and do not share allegiance to the Holy Father. There are other churches in the southern California area which use the term “Catholic” in their title. These are not necessarily Catholic Churches with allegiance to the Holy Father or to any of the Catholic Bishops but are usually independent churches. To be confident that the church you attend and in which you receive the sacrament is a Catholic Church with allegiance to the Holy Father check the Diocese of San Bernardino Directory or contact the Diocesan Pastoral Center (909) 475-5300.

APPENDIX C

Glossary of Canonical Terms

- Advocate:** Legal counselor and representative for a party to an action pending before a Tribunal.
- Age of discretion:** Also referred to as the “Age of Reason.” The age at which a person acquires sufficient use of reason to make decisions for oneself. This is generally considered to be about the age of 7, but chronological age alone should not be applied rigidly.
- Affinity:** Relationship acquired by marriage.
- Apostolic Signatura:** The supreme tribunal of the Church.
- Canon Law:** The norms governing the practice of Catholics throughout the world; also called the universal law of the Church. (Canon Law has only been codified since 1917.)
- Chaplain:** A priest assigned to care for the pastoral and spiritual needs of a group of the faithful. Despite the fact the word is widely used in English for a variety of positions filled by laity, in canonical usage, the word specifically refers to a priest only.
- Consanguinity:** A relationship arising from blood ties, e.g., a brother and sister or first cousins.
- Convalidation:** The giving of a new act of consent to a marriage that was canonically invalid because of an impediment that has now ceased to

exist or because of a defect in canonical form. This is popularly referred to as having the marriage “blessed”, although this term is misleading and not canonically correct.

Defect of Form: A defect or lack of the essential canonical form required for the sacrament.

Delegation: The act of empowering someone to act for one in the exercise of an office. Two kinds are possible, general and special. Complex norms apply to the delegation of authority to act. In marriage the Official Witness at the celebration must be properly “delegated” to receive the consent of the parties.

Disparity of Cult: A marriage impediment that exists between a baptized Catholic and a non-baptized person (c. 1086). Also called Disparity of Worship.

Dispensation: A relaxation of the law in a particular case by a competent authority.

Domicile: The legal status acquired in a diocese by residence and/or the intention of living in that diocese.

Eastern Catholic: The Roman Catholic Church is comprised of 22 separate and distinct Churches. The Diocese of San Bernardino belongs to the Latin Rite of the Roman Catholic Church. See Appendix B for a full list of the Eastern Churches in full communion with the Holy Father. These Eastern Catholic Churches should not be confused with Eastern Orthodox.

Episcopal Vicar: A priest delegated by the Diocesan Bishop to exercise the Bishop’s authority over a specific territory or group. In the Diocese of San Bernardino there are three Episco-

pal vicars, one for each county in the diocese and one for the Riverside metropolitan area by itself. Episcopal vicars have the authority to grant permissions and dispensations that would otherwise require the action of the Diocesan Bishop.

Excommunication: A complex and rare matter. Basically it means that an individual may not receive the sacraments while in this condition. The term is often incorrectly used to refer to Catholics who are civilly married only and not receiving the Eucharist for that reason. Such people are not excommunicated.

Holy See: The Roman Pontiff and the offices that make up the Roman Curia.

Illicit: Unlawful but not invalidating.

Invalidating law: One that pertains to the invalidity of an act itself rather than the lack of authority of the person performing it. For example, a civil marriage among Catholics is invalid regardless who officiates.

Irregular marriages: Common term without specific canonical meaning. Used to refer to any marriage entered contrary to canonical norms. Most often used to refer to attempted (civil) remarriage after divorce.

Judicial vicar: a.k.a. *Officialis*. A priest appointed by the bishop in each diocese who has the “ordinary” power to judge cases. Basically the chief justice of the diocesan Tribunal.

Ligamen: A bond, an impediment based on a prior bond of marriage. (c. 1085)

Mixed marriage: A marriage between a Catholic and a baptized person of another faith. In order for a Catholic to marry a person baptized into another Church or Christian Community,

the bishop of the place of marriage must grant permission (Canon 1124)

- Minor:** One who has not reached his or her 18th birthday. (Not the same as age for marriage.)
- Particular law:** This is law for a certain territory or group only as opposed to universal law which applies to the entire Church. The Diocesan Policies are particular law for the Diocese of San Bernardino (Canon 13).
- Parochial vicar:** Often referred to as an “associate priest.” A parish has only one pastor, but may have one or more parochial vicars to assist the pastor (Canon 545).
- Pastor:** A parish priest to whom “full care of souls” for the faithful in a parish has been entrusted (Canon 519). He is responsible for the operation of a parish.
- Pastoral Coordinator:** A term used in the Diocese of San Bernardino to refer to a priest entrusted with the daily pastoral care and functional operation of a parish under the provision of Canon 517 §2.
- Petitioner:** One who challenges a marriage by means of a Petition for nullity.
- Presbyter:** Canon law often refers to “presbyter” rather than “priest.” The word is from the New Testament and refers to community leaders in the early Church.
- Priest Minister:** A term used in the Diocese of San Bernardino referring to a priest assigned to a parish without a pastor. The daily operation of the parish is typically entrusted to a Pastoral Coordinator.

- Priest Moderator:** A term used in the Diocese of San Bernardino referring to a priest who, per Canon 517 §2 has the “powers and faculties of a pastor” at a parish entrusted to a Pastoral Coordinator. In the Diocese of San Bernardino, the Episcopal Vicars fulfill this role.
- Promulgation:** The communication of the law to those governed. A law only takes affect upon promulgation.
- Quasi-domicile:** A place of temporary residence.
- Rite:** In canonical terms this refers to one of the Churches “sui uris” that comprise the Roman Catholic Church. For example, the Diocese of San Bernardino belongs to the Latin Rite of the Catholic Church, but there are many other Rites, e.g., the Chaldean Rite, the Maronite Rite, etc.
- Vicar:** A person who exercises authority in the name of another, i.e., vicariously.
- Vicar Forane:** A priest, often a local pastor, who leads those involved in ministry at parishes and Catholic institutions within the territory of a vicariate.
- Vicar General:** A priest delegated by the Diocesan Bishop to exercise the Bishop’s authority over the Diocese.
- An Auxiliary Bishop is usually also designated as a Vicar General. However, a Diocese may have other Vicars General as well. The custom in the Diocese of San Bernardino is that the Auxiliary Bishop and one other priest are designated as Vicar General. The Vicar General has the authority to grant permissions and dispensations that would otherwise require the action of the Diocesan Bishop.

Vicariate

Dioceses are divided into areas called vicariates. In the Diocese of San Bernardino there are six geographical vicariates. The purpose of each vicariate is to assist the pastors and lay leadership within the designated area in disseminating information, providing support and direction for the administration of the parishes and institutions in the vicariate.

* Many of the definitions herein are derived from Stelten, Leo F. *Dictionary of Ecclesiastical Latin*. Peabody: Hendrickson Publishers, Inc. 1995. and from Huels, John M. J.C.D., *The Pastoral Companion*. Franciscan Press, Quincy University. 1995.

Graphic Design provided by



Christian Gallegos V.
xtian_gallegos@hotmail.com