

Diocesan and Eparchial Review Board Resource Booklet



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UNITED STATES CONFERENCE OF CATHOLIC BISHOPS

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Revised March 2026

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Introduction

This “Diocesan and Eparchial Review Board Resource Booklet” was developed jointly by the Committee on the Protection of Children and Young People (CPCYP), the Committee on Canonical Affairs and Church Governance (CCACG), and the National Review Board (NRB).

The purpose of this document is to provide diocesan and eparchial bishops and those who assist them with implementing various processes provided in canon law to address the more grave delicts related to the sexual abuse of a minor by a priest or deacon.

The document is meant to serve **as a resource only**. In preparing this booklet, the CPCYP, NRB, and CACG were attentive to ensure that the content fully respects the governance of the diocesan/eparchial bishop. The booklet reflects directives and definitions in effect at the time of its publication. Subsequent changes to the canonical directives or to the *Charter for the Protection of Children and Young People* take precedence and are to be implemented.

The booklet will be reviewed periodically and updated if needed. If there are issues that are not included in the document, please do not hesitate to forward them to the Secretariat of Child and Youth Protection c/o scyp@uscgb.org.

Diocesan/Eparchial Review Boards

Questions & Answers

In June 2002, the Catholic bishops of the United States adopted the *Charter for the Protection of Children and Young People (Charter)*. The *Charter* was revised and approved in 2005, 2011, and 2018. In November 2002, the U.S. Catholic bishops then enacted *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons (Essential Norms)*. The *Essential Norms* were granted the required *recognitio* of the Holy See in December 2002. A subsequent revision of the *Essential Norms* in June 2005 received the Holy See's *recognitio* in January 2006.

A distinctive aspect of the national legislation is found in *Essential Norm 4*, which requires each diocese and eparchy in the United States to have a review board to function as a confidential, consultative body to the diocesan/eparchial bishop on matters related to the local church's response to issues involving the sexual abuse of minors by priests and deacons. The *Charter* describes the review board in its Article 2:

Dioceses/eparchies are also to have a review board that functions as a confidential consultative body to the bishop/eparch. The majority of its members are to be lay persons not in the employ of the diocese/eparchy (see Norm 5 in Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons, 2006). This board is to advise the diocesan/eparchial bishop in his assessment of allegations of sexual abuse of minors and in his determination of a cleric's suitability for ministry. It is regularly to review diocesan/eparchial policies and procedures for dealing

with sexual abuse of minors. Also, the board can review these matters both retrospectively and prospectively and give advice on all aspects of responses in connection with these cases.

The following Questions and Answers are intended to facilitate the functioning of diocesan/eparchial review boards. While various aspects pertaining to the structure of a particular local review board may differ, it is hoped that the information that follows will assist bishops and review board members when carrying out the functions outlined in the *Charter* and the *Essential Norms*, and in local norms or policies. These Questions and Answers, therefore, offer possibilities that may be adapted to the various situations in which a review board operates.

1. What is the nature and authority of the *Charter* and the *Essential Norms*?

Fundamental to the establishment of diocesan/eparchial review boards are several Church law considerations related to the authority of the *Essential Norms* and the *Charter*, the authority of a diocesan or eparchial bishop, the nature and authority of diocesan/eparchial review boards, and procedural canon law. An awareness and understanding of these considerations can assist members of review boards and diocesan/eparchial officials when fulfilling their responsibilities and in their efforts to ensure the proper functioning of the review boards.

Considerations related to the authority of the *Essential Norms* and the *Charter* include the following:

- The two documents approved by the United States Conference of Catholic Bishops (USCCB), the *Charter* and the *Essential Norms*, together form a unity, but they are different in nature.

- The *Charter* contains an extensive declaration of intent on the part of the U.S. bishops regarding future policies and provides a framework for the implementation of the *Essential Norms*.
- The *Essential Norms*, which have received the required *recognitio* of the Holy See, constitute particular law for the dioceses/eparchies that belong to the USCCB. As such, the *Essential Norms* bind those who are subject to them.
- While the bishops have freely agreed to follow the provisions of the *Charter*, they are bound under Church law to observe the prescriptions enacted in the *Essential Norms*.

2. What is the authority of the diocesan/eparchial bishop in relation to the review board?

According to Church teaching and canon law, the diocesan/eparchial bishop possesses all the “ordinary, proper, and immediate power” he needs to carry out his pastoral ministry in the diocese or eparchy entrusted to him.¹ In exercising his pastoral leadership role in the diocese/eparchy, universal Church law, norms established by the USCCB, and even the particular law of the diocese/eparchy provide for specific structures which the bishop can consult on certain matters.

Consultative structures assist the bishop in discharging his governance responsibilities and in carrying out his pastoral ministry with the cooperation and expertise of others. In the United States, the diocesan/eparchial review boards are confidential, consultative bodies that advise the diocesan or eparchial bishop. As such, the discernment and advice they offer “cannot substitute for the discernment and *potestas*

¹ Vatican Council II, Dogmatic Constitution on the Church, *Lumen Gentium*, art. 27; Vatican Council II, Decree Concerning the Pastoral Office of Bishops in the Church, *Christus Dominus*, Art. 8, a); *CIC*, c. 381 §1; and *CCEO*, c. 178.

regiminis of individual bishops.”² At the same time, the bishop ought to willingly accept the board’s advice, absent a clear and overriding reason to the contrary.

3. What are some examples of how the diocesan/eparchial bishop exercises his authority in relation to the diocesan/eparchial review board?

Among the ways in which the authority of the diocesan/eparchial bishop is exercised in relation to the review board are the following:

- The establishment of the diocesan/eparchial review board
- The appointment and removal of review board members
- The appointment of the chairperson of the review board or the delegation of their selection to the review board itself
- Authorization for the promoter of justice and other diocesan/eparchial personnel to participate in review board meetings
- The approval and promulgation of diocesan/eparchial policies on sexual abuse of minors by clerics that are recommended by and/or reviewed by the review board
- The approval and promulgation of the review board’s operating document (such as policies and procedures, statutes, bylaws) including subsequent changes to the same

² Dicastery for the Doctrine of the Faith, Circular Letter, To Assist Episcopal Conferences in Developing Guidelines for Dealing with Cases of Sexual Abuse of Minors Perpetrated by Clerics, May 3, 2011, III, ¶; Dicastery for Bishops, *Directory for the Pastoral Ministry of Bishops*, n. 160.

- The provision of reports and other data reflecting diocesan/eparchial compliance with safe environment policies
- The final assessment of allegations of sexual abuse of minors by priests and deacons after receiving the review board's advice
- Authorization for any public disclosure of review board actions, given their confidential nature
- The approval of the review board's budget
- The determination of the matters that will be brought to the review board for consultation.

4. What are the key steps in the canonical process for responding to allegations of sexual abuse of a minor by a priest or deacon?

When the diocesan/eparchial bishop receives information about the sexual abuse of a minor by a priest or deacon, he:

- Will comply with all applicable civil and canonical reporting laws
- Will inform other competent Church authorities (e.g., the Ordinary of the cleric's place of incardination, the respective major superior, etc.)
- Will determine whether the information has "the semblance of truth" (as described in Question 12) if so, he will determine whether to issue a decree opening a canonical preliminary investigation. He may also decide to defer the canonical

investigation for a reasonable time, so as not to interfere with a civil investigation of the complaint.

- May consult the diocesan/eparchial review board on the initial assessment of whether the information has the semblance of truth.

In relation to the canonical preliminary investigation, the diocesan/eparchial bishop:

- Will ordinarily appoint another person to instruct the canonical preliminary investigation to gather the facts and other information related to the allegation, employing as may be needed the services of a professional investigator to do so
- May notify the accused cleric of the allegation and the initiation of the investigation
- Will approve a suitable canonical advocate for the accused cleric (once the cleric has been made aware of the allegation) or ensure that the accused cleric has a suitable approved advocate
- May consult the diocesan/eparchial review board regarding information gathered by the investigator
- Will issue a decree closing the preliminary investigation, once all pertinent information has been collected
- May impose temporary precautionary measures on the accused cleric related to the exercise of ministry, unless the measures were imposed earlier in the process

- Will forward all relevant materials pertaining to the case to the Dicastery for the Doctrine of the Faith for review according to its competence.

5. What is the role of the diocesan/eparchial review board?

Both the *Essential Norms* (Norm 5) and the *Charter* (Article 2) require each diocese/eparchy to have a review board. While the documents do not stipulate a required interval for their meetings, diocesan and eparchial bishops have found it beneficial for their review boards to meet at least once annually, or even more frequently as warranted to address the needs of the diocese/eparchy.

Norm 4 of the *Essential Norms* describes some of the ways a diocesan/eparchial bishop can utilize his review board. It prescribes:

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

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

In practice, in addition to the above functions, diocesan and eparchial bishops have relied upon their boards:

- To receive nominations for future review board members
- To improve the services provided by the diocese/eparchy to victims/survivors, to accused clerics, and to convicted perpetrators
- For guidance on the pastoral care of the communities that were impacted by the allegations and their aftermath
- To receive input on specific topics and/or a review of prospective policies on the topics, e.g., on boundary violations, grooming, the improper use of social media with minors
- To evaluate the effectiveness and implementation of existing policies
- To review the findings of the annual national audit to assess the diocese's/eparchy's compliance with the *Charter* commitments
- To receive input on the safe environment expectations for diocesan/eparchial personnel
- To review the safety plans for clerics who were permanently removed from active ministry due to the sexual abuse of a minor and assigned to live a life of prayer and penance
- To assess a cleric's suitability for ministry (or recommendations regarding disciplinary or corrective measures) when a canonical process has resulted in a finding of acquittal because moral

certitude concerning the guilt of the accused could not be reached due to a lack of sufficient evidence³

- To identify concrete steps that can be taken locally to repair any illegitimate harm that may have come to a good reputation that the cleric possessed
- To promote the study of the sexual abuse of minors in collaboration with other churches and ecclesial communities, religious bodies, institutions of learning and other organizations.

The diocesan/eparchial bishop will assign functions to his review board that best meet the needs of the diocese/eparchy and provide him effective consultation to observe the requirements of the *Essential Norms* and to fulfill the intentions of the *Charter*. For the review of diocesan/eparchial policies relating to the sexual abuse of minors, the *Charter* envisions that it will be done “regularly” (Article 2). Some bishops have found it helpful to specify a time-period for the periodic review of local policies (e.g., on a biennial, triennial, or quadrennial basis).

It is clear from the above that **the role of the review board is neither investigatory nor is it a substitute for the canonical process that definitively resolves the question of the guilt of the accused.** Instead, the review board evaluates the information presented to it and offers advice to the diocesan/eparchial bishop for the exercise of his office.

6. What are the requirements for review board membership?

Essential Norm 5 stipulates that a majority of the review board members “will be lay persons who are not in the employ of the diocese/eparchy” (see

³ DDF, *Vademecum*, On Certain Points of Procedure in Treating Cases of Sexual Abuse of Minors Committed by Clerics, 2.0, n. 84.

also the *Charter*, Art. 2). *Essential Norm 5* likewise prescribes additional requirements pertaining to the board's membership:

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

7. What type of training should the members of the diocesan/eparchial review board receive?

All new review board members should be provided with an orientation on the relevant canonical and diocesan/eparchial operational documents. This includes a review of the *Charter*, the *Essential Norms*, relevant diocesan/eparchial policies, codes of conduct, internet safety policies, and the procedures for reporting and processing allegations. A canon lawyer should be asked to carry out the task of explaining to the board members the nature and purpose of the board and the applicable canonical norms including an understanding of the rights of the accuser and of the accused.

Review board members should participate in the same or similar safety training and background check procedures as diocesan/eparchial volunteers and employees. The training should include a review of local historical issues, victim advocacy efforts, and available resources.

In addition to their initial orientation, review board members should be provided with ongoing formational opportunities and be informed about (and encouraged to stay current on) issues regarding sexual abuse of minors and safe environment efforts. This could include a review of the Annual Report published by the USCCB Secretariat of Child and Youth Protection.

8. What other board membership issues might be given consideration?

Composition

Beyond the mandates of the *Essential Norms* and the *Charter* described above for review board membership, the composition of diocesan/eparchial review boards varies across the country. Diocesan/eparchial bishops could consider including on their review board representation from various professions, including but not limited to:

- law enforcement
- members of the judiciary
- health care providers
- mental health practitioners, with preference for those with evidenced based training in the dynamics of child sexual abuse
- victim assistance advocates
- canon lawyers
- Catholic school administrators

In addition, persons possessing particular experience or personal qualities might be considered, such as:

- prosecution or investigation, with preference for those with experience in crimes against children
- a parent or guardian
- a victim/survivor of sexual abuse who is well advanced in the healing process

In considering members for service on the review board, the diocesan/eparchial bishop is not limited to persons residing within his diocese/eparchy.

All members of the review board should be attentive to the necessity of providing the diocesan/eparchial bishop with objective judgments regarding the matters he brings before the board for consideration.

Essential Norm 5 stipulates that the number of members serving on a diocesan/eparchial review board must be at least five (5). In practice, the size of review boards varies based on the needs of the diocese/eparchy. The average review board often includes eight (8) members. Workload and manageability are important considerations in determining the size of the review board. While review boards with fewer members may be more manageable, larger size review boards may be organized into smaller groups (committees), e.g., for the assessment of allegations, for the identification of strategies to minimize the risk of recidivism, etc. In addition to considerations of workload and manageability, the size of the review board is often determined by the pastoral needs of the diocese/eparchy and its available resources. In addition, many dioceses/eparchies prefer to appoint an odd number of review board members, to prevent tie votes during deliberations.

In dioceses/eparchies where membership on review boards exceeds the required five persons in full communion with the Church, some review boards include non-Catholic members such as ministers of other Christian denominations, rabbis, or persons who bring a unique experience and objectivity from their respective communities.

Other participants

- **Promoter of Justice:** The promoter of justice is an office holder in the diocese/eparchy, who is appointed by the diocesan/eparchial bishop for individual cases or for all cases in which the public welfare is involved (CIC, c. 1430; CCEO, c. 1094). In canonical penal cases, the promoter of justice submits the accusation to the judge on behalf of the Church, and then prosecutes the accusation before the tribunal. Norm 5 of the *Essential Norms* makes it possible, even desirable, that the promoter of justice participate in the meetings of the diocesan/eparchial review board. In part, this is to help ensure and safeguard the integrity of the canonical process in the review board's fulfillment of its duties.

A question that often arises related to the involvement of the promoter of justice is whether or not this official should be a member of the review board in a technical sense, or be a consultant without the ability to vote on the final recommendations made by the board to the diocesan/eparchial bishop. It is helpful if the policies and procedures for the operation of the review board in each diocese/eparchy clarify the relationship of the promoter of justice to the review board to prevent the possible conflict of interest. At a minimum, the promoter(s) of justice should be made aware of the prospective meeting dates of the review board and receive documentation for the meetings in advance. The assistance of an experienced canon lawyer to advise the review

board on the canonical provisions is highly recommended if this service is not being provided by a promoter of justice.

- **Victim Assistance Coordinator:** Some dioceses/eparchies have found it beneficial for the diocesan/eparchial Victim Assistance Coordinator to participate in review board meetings as a consultant, but not as a voting member of the board.
- **Safe Environment Coordinator:** In some dioceses/eparchies, the Safe Environment Coordinator serves as a consultant to the board (not a voting member) when his or her presence is appropriate to discuss safe environment policies and programming.
- **Others:** The diocesan/eparchial bishop can appoint other persons to the review board. In appointing others as participants, the bishop should delineate the role and expectations of the persons in relation to the board.

At all times the diocesan/eparchial review board should be free to carry out its responsibilities within the authority granted it in accordance with the *Charter* and *Essential Norms* and diocesan/eparchial policies and norms. The process for offering advice and for determining the board's recommendations should be free from intimidation or the appearance of such.

Appointment of members and consultants

Generally, members and consultants of diocesan/eparchial review boards receive formal letters of appointment from the diocesan/eparchial bishop setting forth the following:

- Duties and expectations (e.g., participation in the safe environment training provided by the diocese/eparchy, expectation of confidentiality)
- Term of office – (usually five [5] years)
- Intention of the bishop whether to make public the names of the members and consultants to the review board
- The process for disclosing potential conflicts of interest.

Other pertinent information that may be provided to the members and consultants include: orientation materials, meeting schedules, list of review board members and consultants, and list of diocesan/eparchial contact person(s), the reimbursement of expenses. The diocesan/eparchial bishop generally meets with new review board members to acknowledge the importance of their service and the significance of their work in the life of the diocese/eparchy.

9. What is the canonical preliminary investigation?

Both the *Code of Canon Law* and the *Code of Canons of the Eastern Churches* provide for a preliminary investigation to take place when information about the sexual abuse of a minor by a cleric has been received by a diocesan/eparchial bishop or a superior of an institute of consecrated life or society of apostolic life of pontifical right, and that

has been determined by them to have, what canon law refers to as, “the semblance of truth” (CIC, c. 1717; CCEO, c. 1468). This canonical standard for conducting an investigation rules out reports assessed by the Ordinary as being manifestly false, impossible, or frivolous. A preliminary investigation will likewise not be conducted if the accused is deceased, although in these cases the Holy See is still informed of the allegation. In cases where a crime is notorious or indisputable (e.g., there is a corroborated admission of guilt on the part of the cleric), or when it would otherwise appear entirely superfluous, the canonical preliminary investigation can be omitted. The canonical investigation is always to be conducted in accord with the provisions of the canon law that govern it.

The purpose of the preliminary investigation is to gather the needed information (evidence) that will inform the Holy See in its disposition of the accusation. The information gathered during the preliminary investigation focuses on the facts and circumstances of the complaint and the imputability of the accused, that is, his responsibility for the alleged offence.

If a civil investigation has been initiated, the diocese/eparchy may defer the completion of the investigation until the civil investigation is closed to avoid interfering in that investigation. Such delays in the canonical preliminary investigation are to be noted in writing. The civil process may inform the diocesan/eparchial investigation but does not substitute for the diocese’s/eparchy’s own investigation. While a civil process is ongoing, the diocesan/eparchial bishop may make a determination regarding the accused cleric’s fitness for ministry. If the civil process has not progressed, the bishop will complete the preliminary investigation in accord with the process established in canon law.

10. Does the Church report allegations to civil authorities?

The Holy See has made it clear that the Church will comply with state laws on reporting to civil authorities.⁴ Moreover, in *Essential Norm 11*, the U.S. bishops prescribe that,

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

These expectations are likewise reflected in Article 4 of the *Charter*:

Dioceses/eparchies are to report an allegation of sexual abuse of a person who is a minor to the public authorities with due regard for the seal of the Sacrament of Penance. Diocesan/eparchial personnel are to comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities and cooperate in their investigation in accord with the law of the jurisdiction in question.

Dioceses/eparchies are to cooperate with public authorities about reporting cases even when the person is no longer a minor.

In every instance, dioceses/eparchies are to advise victims of their right to make a report to public authorities and support this right.

⁴ Pope Francis, *Vos estis lux mundi*, March 25, 2023, Art. 20. In a prior document, Pope Francis removed the pontifical secret related to these cases. See Instruction, "On the Confidentiality of Legal Proceedings," December 6, 2019.

11. What is the role of the diocesan/eparchial review board in the canonical preliminary investigation?

The diocesan/eparchial bishop will determine when and to what extent he will involve the review board in the assessment of allegations. The seal of confession will be preserved if the alleged delict involved the Sacrament of Penance. Some bishops have chosen to report allegations to the review board prior to initiating the canonical preliminary investigation to receive the board's advice regarding the investigation. In such instances, he may also benefit from the board's assistance when determining whether the allegation has the semblance of truth. If the allegation does not have the semblance of truth, the review board may offer its guidance on how to repair any illegitimate harm that may have come to the cleric's good reputation.

Other bishops have chosen to report the results of the preliminary investigation to the review board seeking its advice in evaluating the information (evidence) gathered by the investigator. In these instances, the board's assistance will help to inform the bishop's opinion about the case prior to it being sent to the Holy See. The board's input may also benefit the determination of whether to impose temporary restrictions on the cleric's exercise of ministry as the review and resolution of the accusation proceeds.

Regardless of the approach taken by the bishop at this stage of the process, it is recommended that the review board be informed of the allegations received by the diocese/eparchy and how they were assessed, whether retrospectively or prospectively (*Essential Norm 4, c*).

As noted in the response to Question 5 above, the nature of the review board precludes it functioning as an investigative body. The review board evaluates the documents provided to it by the bishop and then offers an opinion. Likewise, the review board is not a deliberative body that substitutes for the canonical process.

12. What standard is used when assessing an allegation?

As explained above, a canonical preliminary investigation is ordinarily undertaken when the diocesan/eparchial bishop has determined that an allegation has what canon law describes as “the semblance of truth,” that is, when it is not otherwise manifestly false or frivolous. When advising the diocesan/eparchial bishop in making that determination, however, some review boards have utilized other standards for assessing allegations, such as “credible” or “substantiated.” Neither of those terms is the standard used in canon law for determining whether a preliminary investigation should proceed or if the case should be forwarded to the Holy See for further instruction. In describing the threshold of the semblance of truth, the Holy See has explained that information that has the semblance of truth is “not necessarily ‘probable’ or ‘very probable’ ..., nor is it ‘true’ ..., as the time has not yet come to make this assessment ... [It is merely] that which has the appearance of truth in that, at first sight, it does not reasonably offer elements of inconsistency or falsehood.”⁵ Applying alternative standards of “credible” or “substantiated” at this time also run the risk of creating in the public perception a conclusion that the accused’s presumption of innocence has been overturned. Only a penal process can make the determination of whether the accused is guilty of the crime, is to be acquitted, or is declared innocent.

The role of the diocesan/eparchial review board is to function as a confidential consultative body to the bishop/eparch in discharging his responsibilities. As noted previously, some bishops will consult the review board when making the determination that the information has the semblance of truth, i.e., prior to the canonical preliminary investigation. Other bishops may consult the board after the canonical preliminary investigation has been completed to assist the bishop when

⁵ Dicastery for Legislative Texts, *Penal Sanctions in the Church*, n. 172; DDF, *Vademecum*, n. 18.

formulating his opinion about the canonical process that should be conducted to respond to the case. In this way, the role of the review board is not to be confused with the role and responsibilities of the Dicastery for the Doctrine of the Faith.

13. Can the alleged victim address the review board?

Finding the courage to come forward and make an allegation can be an emotionally difficult task. All persons making an allegation are to be connected to the diocesan/eparchial Victim Assistance Coordinator. The Victim Assistance Coordinator will act as the liaison with the diocese/eparchy.

Sometimes an alleged victim survivor will want to address the review board directly. This may be done in writing in a victim impact statement provided to the diocesan/eparchial review board chairperson via the Victim Assistance Coordinator. The review board members should not ordinarily have any direct or indirect (via technology) contact with an alleged victim or others related to the case. As noted by the Holy See, “The purpose of these structures is purely that of advice, guidance and assistance; their analyses do not in any way constitute canonical procedural decisions.”⁶

14. What are the rights of the accused in canon law?

In addition to the rights an accused priest or deacon possesses under civil law, the accused cleric possesses several rights under canon law. Among them are:

- the right to the presumption of innocence until the contrary is proven definitively by a canonical process (CIC, c. 1321 §1; CCEO, c. 1414 §1). Accordingly, the presumption of innocence

⁶ DDF, *Vademecum*, n. 57.

remains throughout the preliminary investigation no matter what conclusions result from it, and throughout any canonical procedure that may follow

- the right to protect his privacy (CIC, c. 220; CCEO, c. 23)
- the right not to have his good reputation harmed illegitimately (CIC, cc. 220, 1717 §2; CCEO, c. 23)
- the right to defend his rights in a competent Church forum, i.e., through a canonical process (CIC, c. 221 §1; CCEO, c. 24 §1)
- the right to be judged according to the prescriptions of canon law applied with equity (CIC, c. 221 §2; CCEO, c. 24 §2)
- the right not to be punished except in accord with the prescriptions of canon law (CIC, c. 221 §3; CCEO, c. 24 §3)
- the right to continued financial assistance (CIC, c. 281; CCEO, c. 390)
- the right to appoint a canonical advocate (CIC, cc. 1481, 1723; CCEO, cc. 1139, 1474) or, when necessary, to have an advocate assigned to him
- the right not to self-incriminate (CIC, c. 1728 §2; CCEO, c. 1471 §2).

The diocesan/eparchial bishop will decide when the accused will be informed of the allegation and whether he is to be invited to give a brief response during the canonical preliminary investigation itself or only

after the investigation has concluded.⁷ The review board is not to have direct or indirect (via technology) contact with the accused priest or deacon or his lawyer or advocate.

15. How do diocesan/eparchial bishops interact with their respective review boards?

Communication between the diocesan/eparchial bishop and the review board is determined by what the bishop will find most helpful to achieve the goals of the *Charter* and the *Essential Norms* and in a manner that reflects his personal style. The bishop and/or his delegate may participate in any or all of the review board's meetings. Other communication between the bishop and the review board can be coordinated through the review board chairperson.

16. Does the review board deal with other types of misconduct by priests and deacons?

The *Charter* and *Essential Norms* require each diocese/eparchy to have a review board to advise the diocesan/eparchial bishop regarding the more grave canonical delicts related to the sexual abuse of minors by priests or deacons that are reserved to the Holy See. This is the envisioned function of the mandated review board. The bishop may decide to consult the review board on other topics. Some bishops have chosen to establish a separate advisory body to consult on other types of misconduct. In doing so, consideration should be given to the expertise of the members as it relates to the requests. Additional caution is encouraged to maintain clear boundaries between the primary focus of the review board as identified in the *Charter* and *Essential Norms* and any other issues that the bishop may set forth. The review board may encourage consultation with other diocesan/eparchial resources such as

⁷ DDF, *Vademecum*, 2.0, n. 52; DDF, Circular Letter, May 11, 2011, II.

the clergy personnel board or even the establishment of a consultative group similar to the review board that has knowledge and expertise related to the other concerns presented.

17. What is the role of the review board when an allegation is made against a priest or deacon serving in the diocese/eparchy who is a member of an institute of consecrated life or society of apostolic life of pontifical right?

In addressing allegations of sexual abuse of minors by priests and deacons who are members of institutes of consecrated life or societies of apostolic life of pontifical right, diocesan and eparchial bishops and superiors of the institutes/societies will work together to achieve the goals of the *Charter* and the *Essential Norms*. The major superior of the clerical institute or society possesses the authority to initiate the preliminary investigation and oversee the case in accord with canon law. Many clerical religious institutes and societies of apostolic life have established their own inter-congregational or regional review boards and processes, including provincial or inter-provincial boards, which are similar to those established in dioceses/eparchies. In a few instances, due to the size of the institute or society and its available resources, the major superior will request of the diocesan/eparchial bishop the diocesan/eparchial review board's assistance to examine a report and offer advice regarding the case.

If a diocesan/eparchial bishop receives an allegation involving a member of an institute of consecrated life or society of apostolic life, the bishop must follow local laws regarding reporting to civil authorities. The diocese/eparchy is also to contact the appropriate superior of the institute or society, or his designee, and inform him of the allegation. The diocesan/eparchial review board may be informed of the allegation and the fact that the institute or society was notified and will be processing the case.

It is essential in situations involving allegations of sexual abuse of minors by priests or deacons who are members of institutes of consecrated life or societies of apostolic life, and that occurred during the exercise of the apostolate of their institute or society in the diocese or eparchy or at a diocesan/eparchial event or facility, that the bishop and superior work together in ways that promote the just and equitable resolution of the allegation for all involved and for the common good and unity of the Church.

18. What are some areas of review board functioning for which policies/procedures can be considered?

Diocesan and eparchial bishops are encouraged to consider developing policy or local norms to address the following:

- **Code of Conduct:** Some dioceses/eparchies have developed a code of conduct specifically for diocesan/eparchial review board members. If a diocese/eparchy has such a code, it is beneficial to share it with the members at the time of appointment and include time to review the code of conduct during the orientation for new members.
- **Term of Office:** Norm 5 of the *Essential Norms* specifies a five-year renewable term of office for members of the diocesan/eparchial review board. The *Essential Norms* are silent, however, on the frequency of the term's renewability. Thus, it is left to the diocesan/eparchial bishop to determine the parameters for term renewal. Terms may be staggered to ensure continuity or to retain persons possessing particular expertise. A procedure for filling vacancies on the review board should also be addressed.

- **Removal:** A clear policy delineating the causes for removal from the board and the process that will be followed when making the determination to remove a board member will be beneficial to the members.
- **Confidentiality:** The diocesan/eparchial review board is established as a “confidential, consultative body.” The members’ commitment to hold the matters the board discusses in confidence upholds the rights of the accused and the accuser. Moreover, the fact that cases involving the abuse of minors by clerics are reserved to the Holy See makes them subject to its confidentiality directives. The board’s confidential nature does not detract from the Church’s commitment to be otherwise as open and transparent as possible. To emphasize the importance of this aspect of the review board’s proceedings, the bishop may ask review board members to sign a pledge to maintain confidence about review board deliberations or he may administer an oath. The letter of appointment also customarily draws attention to this expectation.
- **Communication with Media:** As members of a confidential, consultative body, review board members should not speak to the media regarding review board matters unless expressly permitted to do so by local Church authority. The circumstances under which the chairperson of the diocesan/eparchial review board or one of its members may speak to the media may be outlined in a diocesan/eparchial Communications Policy. In dioceses/eparchies where the names of the review board members are not kept confidential, some have found their assistance helpful in making appearances on local television programs, in authoring editorial columns, or serving as spokespersons in general or in training videos to demonstrate

the extensive work being undertaken by the Church to ensure safe environments.

- **Record-keeping:** Policies regarding the collection and maintenance of records of the deliberations of diocesan/eparchial review boards are made by the diocesan/eparchial bishop with the advice of canonical and civil legal counsel, and according to the needs and expectations of their respective dioceses/eparchies. Some diocesan/eparchial policies expressly prohibit review board members from retaining personal copies of documentation, especially the information arising from civil or canonical investigations.
- **Decision-making Process:** The process for arriving at recommendations of the diocesan/eparchial review board, either by consensus, vote or some other means, may be reflected in a policy. The determination of the quorum needed to conduct business and the threshold needed to affirm a recommendation (e.g., simple majority, a two-thirds majority) may also be specified in the policy.
- **Teleconferencing/Videoconferencing:** A policy might identify those circumstances under which a member of the review board who is unable to be physically present may participate in a board meeting virtually. The use of videoconferencing as a mechanism for conducting a meeting of the review board, if permitted, might be included in the policy. Prohibitions against recording meetings, other than for the sole purpose of transcribing accurate minutes of the deliberations (if minutes are retained), could also be addressed in a policy.

- **Attendance Requirements:** Requirements for attendance at review board meetings, including the consequences resulting from frequent absences from board meetings, may be delineated in the policy. It should be clear to the members who they ought to contact to be excused from attending a scheduled meeting.
- **Non-member Attendees at Diocesan/Eparchial Review Board Meetings:** The purpose for which a guest might attend a meeting of the review board, the permission required, and the portion of the meeting open to guests may be spelled out in a policy.
- **Staffing of Diocesan/Eparchial Review Boards:** Responsibility for staffing the review board (e.g., office, contact persons), as well as the scope of services provided by the diocese/eparchy, might be described in a policy on how the review board functions.



A PRAYER for HEALING AND RECONCILIATION

ALMIGHTY AND MOST LOVING GOD,
through your Son
your compassion brought healing to many.

We ask for your healing once more
for all who have been profoundly wounded by
abuse,
especially those who have been hurt by your
ministers.

In your mercy,
we also ask for forgiveness.
Words cannot express fully
the sorrow we have for the great harm done
by those who were called to be trusted.

In your goodness,
we ask for the grace to be a source of healing
to all who have been abused
and to be ever vigilant
in protecting all your people.

Grant, we pray,
our prayers for healing and forgiveness,
for we ask them through your Son,
Christ our Lord. Amen.



United States
Conference of
Catholic Bishops