

CONGREGATION FOR THE DOCTRINE OF THE FAITH
(Dismissal from the clerical state and dispensation from its obligations)

Prot. N. 858/2004

Seattle

Dom Michael John Cody

17 June 2005

The Supreme Pontiff, Pope Benedict XVI,

having weighed the report of the Most Excellent and Most Reverend Secretary of this Congregation with regard to the grave conduct of the abovementioned presbyter of the Archdiocese of Seattle, USA, and with those things required to be dispatched having been done, by a supreme and unappealable decision subject to no recourse

has decreed

that dismissal for the good of the Church is to be imposed upon said presbyter.

He also has granted to the same presbyter a dispensation from all the obligations of sacred Ordination in accordance with the following provisions:

1. The dismissal and dispensation are in force from the very moment of the decision of the Roman Pontiff.
2. The Decree of dismissal and dispensation is to be communicated to the presbyter by the competent local Ordinary, to whom it is never permitted to separate these two constitutive parts.
3. The notice of the dismissal and dispensation is to be noted in writing in the baptismal register of the parish of baptism of the aforesaid presbyter.
4. If there should be occasion for the celebration of a canonical marriage, the norms established in the *Code of Canon Law* are to be followed. However, the Ordinary shall take care that the event is celebrated circumspectly, without outward show.
5. The ecclesiastical authority whose responsibility it is to communicate the Decree to the aforesaid presbyter shall encourage him earnestly to participate in the life of the People of God in a manner congruent with his new manner of life, to furnish an edifying example, and thus show himself to be a good son of the Church. At the same time, however, the Ordinary is to make known to him the following matters:

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a) the presbyter, having been dismissed, by that fact in virtue of the law loses his clerical status, and ecclesiastical honors and offices; he no longer is bound by other obligations connected with the clerical state;

b) he remains excluded from the exercise of sacred ministry, with the exception of those matters addressed in can. 976 and can. 986 §2 CIC, and therefore he is unable to preach a homily. Neither can he carry out a position directing pastoral affairs, nor can he exercise the office of parish administrator;

c) further, he can discharge no office in seminaries or similar institutes. In other institutes of higher learning which are subject to ecclesiastical authority in some manner, he is unable to exercise a teaching office or an administrative function;

d) in other institutes of higher learning which are not subject to ecclesiastical authority, he can teach no theological discipline;

e) in addition, in primary and secondary schools subject to ecclesiastical authority, he is unable to exercise a teaching office or an administrative function. By this same law the dismissed and dispensed presbyter is prohibited from teaching religion in primary and secondary schools not subject to ecclesiastical authority.

6. The Ordinary shall take care that the dismissed presbyter not give scandal to the faithful on account of a defect of due discretion. This pastoral solicitude shall seriously motivate the Ordinary even more strongly if there is the danger, even remote, of the abuse of minors.

7. Communication of the dismissal and dispensation can be made either in person through a notary and an ecclesiastical actuary, or by means of a registered letter. The dismissed priest should return one copy properly signed for the purpose of demonstrating his reception of the faith and acceptance of his dismissal and dispensation, and at the same time of these precepts. But if he should not do this the force of this Decree remains intact.

8. At an opportune time, the competent Ordinary shall relate to this Congregation in brief the carrying out of the communication of the Decree. Finally, if there is bewilderment on the part of the faithful, he shall provide for them by wise explanations.

Those things to the contrary notwithstanding.

Given from the halls of this Congregation on 17 June 2005.

Draft Translation
The Chancery
Archdiocese of Seattle
October, 2005

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