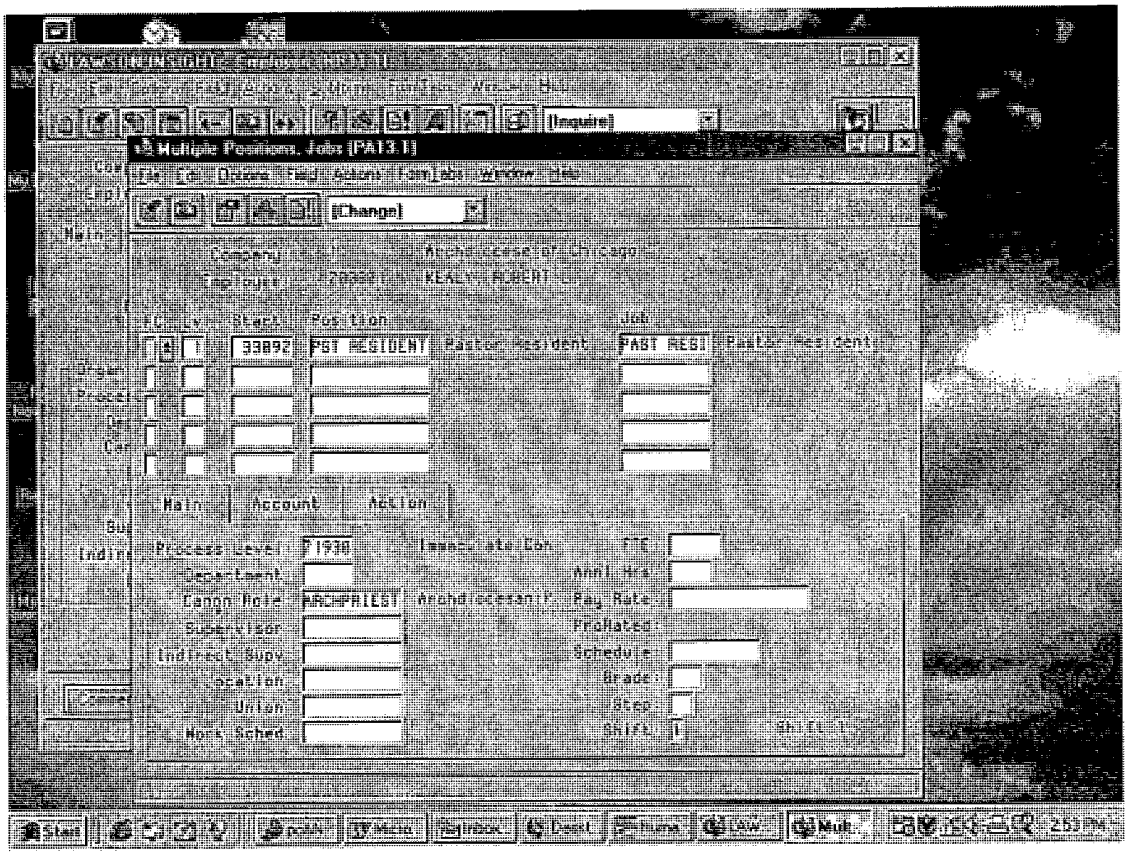

Multiple Positions, Jobs [PA13.1]
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COMPLIANCE WITH MONITORING PROTOCOLS

Name of cleric: ROBERT L. KEALY Year of ordination: _____ Age: _____

Current ministerial assignment (if any): _____

Current place of residence: _____

According to Archdiocesan policy §1104.12.2, a cleric who has engaged in sexual misconduct with a minor will be subject to appropriate monitoring for the remainder of his life as a cleric of the Archdiocese and his file shall remain open. Policy §1104.12.3 provides that monitoring programs and protocols should be applied on a case by case basis but must include certain essential components. This worksheet indicates whether there is compliance with these essential elements, as follows:

- **Continuing jurisdiction and oversight by the Review Board with periodic evaluation and reports to the Archbishop: (circle one)** (YES) **NO**
  Description of continuing oversight: _____
  Date of last evaluation and report: _____

- **A written protocol signed by the cleric, which sets forth the particular requirements applicable to him: (circle one)** (YES) **NO**
  Date of current written and signed protocol: _____

- **Restrictions from being alone with anyone under the age of 18: (circle one)** (YES) **NO**

- [redacted]

- **Regular individual spiritual direction: (circle one)** **YES** **NO**
  Name of Spiritual Director: _____
  Frequency of meetings: _____ Date of most recent meeting: _____

- **Communication with leaders and others as appropriate in the cleric's residence or place of ministry in order that they are meaningfully apprised and able to assist in the program:**
  (circle one) (YES) **NO**
  With whom? interpretation at St. Faith, Hope & Charity Parish
  _____
  _____

- **Does the cleric use the Internet? (circle one)** **YES** **NO**
  If yes, does he provide the Professional Fitness Review Administrator with a monthly printout of Internet sites visited? (circle one) **YES** **NO**

- **Other monitoring provisions or restrictions:** _____

_____

_____ _____

Signature of Professional Fitness Review Administrator Date

Office of Professional Responsibility
676 N. St. Clair, Suite 1910
Chicago, IL 60611
(312) 751-5205

INDIVIDUAL SPECIFIC PROTOCOLS
For

Rev. Robert Kealy

The Individual Specific Protocols (ISP) implement the primary goal of protecting minors. Additionally, the ISP protects the integrity of the Church and serves as a safeguard for individual priest or deacon. As long as the cleric is a client of the Office of Professional Responsibility, he will be subject to appropriate protocols, restrictions and monitoring under the authority of the Vicar for Priests and supervised by the Professional Responsibility Administrator (PRA); please refer to protocol number 15. The agreement of a priest or deacon to abide by these protocols is not understood to prove the truth of any allegation and is not intended to be an admission of guilt for any delict or crime, whether in Canon Law, or State and Federal Law. This agreement represents the cooperation of the cleric with his bishop as he exercises his pastoral office (e.g., Canons 369 and 392).

This ISP for Robert Kealy is as follows (PRA to initial all that apply):

1. (W) Restricted from being alone with minors (anyone under the age of 18) without the presence of another responsible adult.
2. [redacted]
3. [redacted]
4. (W) The "Clergy Daily Log" to be completed on a daily basis and co-signed by the monitor. The log is a tool that is used for the protection of minors, the priest/deacon, the monitor and the Archdiocese. Although it lists all time periods, it is intended to provide an accurate record of the day rather than a detailed clock. If you are describing an off-campus activity, please include the place, the general purpose of the visit/trip/activity (e.g. Spiritual Direction, therapy), and the telephone number only if it is a private residence. (For example, it is enough to indicate that you did personal shopping rather than the name, location and telephone number of each individual store.) If your self-description is challenged, some documentation/verification may be requested.
5. (W) Abide by the assignment of residence to Cardinal Stritch Retreat House

6. (W) No inappropriate use of computers, software, Internet capabilities, communications tools or video technology. The standards articulated in the *Policies and Procedures of the Archdiocese of Chicago* and the *Handbook For Archdiocesan Employees* will apply.

7. (W) Must complete and submit the "Travel/Vacation Agreement", and obtain concurrence with the Agreement, prior to a scheduled departure.

8. N/A Attendance at a recommended support group _____ (please indicate specific support group). Recommended frequency of ____ times per week/month (please circle one). Attendance at a recommended support group is to be reflected on "Clergy Daily Log" forms.

9. (W) No ministerial participation in the public celebration of the Eucharist or any other Sacrament or Sacramental without the prior, written permission of the Vicar for Priests.

10. (W) Refrain from wearing any garb that would give the appearance of, or seem to infer, a priest/deacon who has canonical faculties and is currently assigned to some ministry (e.g., the 'clerical shirt').

11. (W) The right of defense must not involve the public life of the Church.

12. (W) On-site visits by PRA annually to include meeting with PRA and the cleric.

13. (W) On-site visits by Vicar for Priests (VP) annually to include a meeting with VP and the cleric.

14. (W) This ISP is to be reviewed annually with PRA, VP, and the cleric.

15. Because the private celebration of the Eucharist is possible, during the course of each week one of the Masses celebrated is to be for the intention of the priests of the Archdiocese of Chicago.

16. Any change or alteration to this agreement will involve consultation with the cleric, his monitor, the PRA, and the VP. The cleric, his monitor, the PRA, or the VP can initiate the discussion for change or alteration, and at the discretion of any of the parties, his legal and/or canonical counsel may be involved.

I have reviewed, understand, and agree to all of these individual specific Protocols.

Signed: _____ Date: _____

Printed Name: _____

Signature of PRA: _____ Date: _____

Signature of VP: _____ Date: _____

AUSTRALIAN POLICIES AND PROCEDURES

The Australian Catholic Bishops Conference has produced an exemplary statement of national policies and procedures called, ***Towards Healing***. This 14-page statement was originally published in 1996 and revised in 2000. It was written by a law school professor who had written a book called, "Child Sexual Abuse and the Churches." The policies and procedures apply to all church personnel. They also take into account canon law. They are available on the internet at www.catholic.org.au/statements/sexual_abuse_th_5.htm

Part One is a clear statement of **principles** for dealing with complaints of abuse. It explains"sexual abuse" and "physical and emotional abuse." It speaks about the victims and the offenders. It described the **seven elements of the church's response**: truth, humility, healing for the victims, assistance o other persons affected, an effective response to those who are accused, an effective response to those who are guilty of abuse and prevention of abuse.

In regard to **dealing with those who are guilty of abuse**, it says that "the response must be appropriate to the gravity of what has happened, while being consistent with the precepts of canon law or civil law which govern that person's position. Account will be taken of how serious was the breach of professional responsibility, the degree of harm caused, and whether there is a likelihood that such behavior could be repeated....Church authorities need to have some contact with offenders and some form of influence over their conduct. In order to achieve change, they need to hold out to them something more than the prospect of unending condemnation..."

Part Two deals with **procedures** for dealing with complaints of abuse. It starts with definitions of terms. It then goes on to explain structures and personnel involved.

In each state the bishops and leaders of religious institutes jointly are to establish and maintain a **Professional Standards Resource Group**. The Resource Group is to consist of at least one priest and one religious and up to ten lay men and women with skills in child protection, social sciences, civil and Church law and industrial relations.

In each state, the bishops and leaders of religious institutes jointly are to establish a **Director of Professional Standards**, who shall manage the process in regard to specific complaints, appointment of assessors, facilitators and reviewers when required, as well as other duties. A Deputy Director is also to be appointed by the bishops and leaders of religious institutes.

Each Resource Group shall also appoint **Contact Persons**, who are the usual persons to receive complaints and **Accused's Support Persons**. **Assessors** are responsible for investigating the complaint. **Facilitators** help to achieve agreements between a victim and the Church authority about what the Church body can and should do to assist the victim. **Reviewers** shall, where appropriate, conduct a review of the process.

In cases other than those in which reporting is mandatory, the complainant is to be informed of their right to take the matter to the police or other civil authority. If they choose not

to do this, the Contact Person is to record this and have the complainant confirm this with their signature.

The process for receiving a complaint and responding to a complaint are laid out in detail. Where it is determined that an offense has been committed by a priest or religious, "the process of determining the future ministry ...shall be consistent with the requirements of the Code of Canon Law." "In relation to child abuse, the Church authorities shall be guided by the principle that no one should be permitted to exercise a public ministry if doing so presents an unacceptable risk of abuse to children and young people."

The statement then goes on to present **preventative strategies** and concluding statements.

POLICIES FOR ENGLAND & WALES

The Catholic Church in England and Wales issued a "Review on Child Protection" in April, 2001. The tone of the report is drier than the Australian document. It also applies to all Church workers. It states that their 1991 report was on responding to allegations of sexual abuse; the emphasis of this report is on prevention. It follows the model of the British Home Office guidelines, *Safe From Harm: A Code of Practice for Safeguarding the Welfare of Children in Voluntary Organizations in England and Wales.*

Under the heading of "**Creating an environment that minimalizes the risk of abuse,**" it covers:

- Managing the organization to protect children
- Managing staff and volunteers to protect children
- Choosing staff and volunteers to protect children
- Dealing with abuse
- Training

It recommends that each pastor designate a lay child protection representative and each bishop and religious superior designate a Child Protection Coordinator (CPC) to oversee implementation.

They recommend a national database about applicants for the priesthood, so that applicants don't go from one seminary to another without the Church knowing. Also, when a priest moves to a different diocese, pertinent records should be reviewed by receiving diocese.

Under the heading of "**Responding to allegations of abuse,**" it says that every diocese shall have a Child Protection Management Team (CPMT) to deal effectively with any reports or incidents.

It deals with the question of receiving information "in confidence." It says that such information should be received on the basis that it will be shared with the CPC and, if appropriate, statutory agencies.

In the section on administrative leave for clerics, they observe that this "does not sit easily with the present provisions of canon law."

On the question of reassignment of priests they say that the norm should be whether children are at risk. They point out that children are better protected if the Church maintains supervision over priests. They suggest involuntary laicization of priests or deacons if they are convicted of a criminal offense against children and are sentenced to a term of imprisonment of more than 12 months.

CANADIAN POLICIES AND PROCEDURES

These are not available on the internet

Your Eminence,

Mese observations are based on the version of the policies given me by Kathy Leggdas. There may have been revisions of which I am unaware.

I looked for our policies on the Archdiocesan website, but they don't appear there.

Bob Healy

AOC 015526

DEFICIENCIES OF THE CHICAGO POLICIES & PROCEDURES

- The policies ignore the motu proprio, *Sacramentorum Sanctitatis Tutela,* issued by the Holy Father on May 18, 2001 which requires that after the preliminary process is concluded, bishops are to refer allegations of sexual misconduct against clerics to the Congregation of the Holy Office, which has "exclusive competence" over such offenses.

- "Sexual misconduct" is not defined.

- Section 1102.4 is ambiguous. Does it mean that the Vicar for Priests and the Vicar for Deacons are to be the ordinary conduits of reports of misconduct? Probably the meaning is that the Vicars are to report such allegations or admissions when they happen to receive them, but that is not clear from the wording of the policy.

- There are numerous references to the "Archbishop's Delegate" without explaining what is meant or who has that role. Is it the same person in all cases or are there numerous delegates? In regard to religious, it seems to be the Vicar for Religious. It regard to extern priests, it seems to be the Archbishop's Delegate for Extern Priests. In regard to deacons, it seems to be the Vicar for the Diaconate Community. It regard to the Professional Fitness Review Board (PFRB) it seems to be a different person.

- The process is described as being pastoral in character. It is also described as being consultative and advisory, not adversarial and adjudicative, and yet the policies were established as particular law for the Archdiocese. They carry consequences which the Code of Canon Law would consider penal, yet there is no canonical due process for determining such conclusions. In particular, no consideration is given to the canonical statutes of limitations.

- The standard of proof is whether there is "reasonable cause to suspect that the accused had engaged in sexual misconduct with a minor" (1104.2) and the policy states that "the rules of evidence shall not strictly apply" (1104.3.6). In the criminal forum, reasonable cause would be a basis for an indictment, but the standard of proof for a conviction is "beyond a reasonable doubt.". In a civil suit the standard of proof would be "a preponderance of the evidence." In a canonical forum for penalizing a cleric, the standard of proof is "moral certitude," which is canonical language for "beyond a reasonable doubt." Since the decision of the review board is used as the basis for removing a priest from office or imposing restrictions on his ministry and freedom, the standard of proof is too low.

- It is not clear when the Archbishop may take action on his own initiative, without referring a matter to the PFRB or without having the PFRB complete the stages of its process, which does happen.

- There is no provision for giving an accused cleric a written statement of the charges against him or the findings of the PFRB or the Archbishop

THE APPLICATION OF PENALTIES
Book VI, Part I, Title V

Canon 1341
Only after he has ascertained that scandal cannot sufficiently be repaired, that justice cannot sufficiently be restored and that the accused cannot sufficiently be reformed by fraternal correction, rebuke and other ways of pastoral care is the ordinary then to provide for a judicial or administrative procedure to impose or to declare penalties.

Canon 1342
§1. As often as just causes preclude a judicial process a penalty can be imposed or declared by an extra-judicial decree; penal remedies and penances, however, can be applied by a decree in any case whatsoever. §2. Perpetual penalties cannot be imposed or declared by a decree; neither can penalties be so applied when the law or the precept which established them forbids their application by a decree. §3. What is said in a law or precept concerning a judge's imposing or declaring a penalty in a trial is to be applied to a superior who would impose or declare a penalty by means of an extra-judicial decree, unless the contrary is evident or unless it is a question of prescriptions which deal only with procedural matters.

Canon 1343
If a law or a precept gives the judge the power to apply or not to apply a penalty, the judge can also temper the penalty or impose a penance in its place in accord with his own conscience and prudence.

Canon 1344
Although a law may employ preceptive words, the judge in accord with his own conscience and prudence can: (1) postpone to a more opportune time the infliction of a penalty if it is foreseen that greater evils will occur from an overly prompt punishment of the accused; (2) refrain from imposing a penalty, or impose a lighter penalty, or employ a penance if the accused has reformed and scandal has been repaired, or if the accused has been or, it is foreseen, will be sufficiently punished by civil authority; (3) suspend the obligation to observe an expiatory penalty if it was the person's first offense after having led a praiseworthy life and if the need to repair scandal is not pressing; in such a situation, however, if the accused should again commit an offense within the time period set by the judge, the person is to pay the penalty required for both offenses unless, in the interim, time had run out for initiating a penal action for the first offense.

Canon 1345
As often as the offender had only an imperfect use of reason or committed the offense from fear or necessity or in the heat of passion or in drunkenness or another similar mental disturbance, the judge can also abstain from inflicting any penalty if he judges that reform can be better provided for otherwise.

Canon 1346
Whenever the accused has committed several offenses, it is left to the prudent determination of the judge to moderate the penalties within equitable limits if the cumulative burden of the inflicted penalties appears excessive.

Canon 1347
§1. A censure cannot be imposed validly unless the accused has been warned at least once in advance that he or she should withdraw from contumacy and be given a suitable time for repentance. §2. The guilty party is to be said to have withdrawn from contumacy when he or she has truly repented the offense and furthermore has made suitable reparation for damages and scandal or at least has seriously promised to do so.

Canon 1348
When the accused is acquitted of the charge or when no penalty is otherwise imposed on the accused, the ordinary can provide for the public good and for the person's own good by means of appropriate admonitions and other ways of pastoral care or even through penal remedies, if circumstances warrant it.

Canon 1349
If the penalty is indeterminate and the law does not provide otherwise, the judge is not to impose heavier penalties, especially censures, unless the seriousness of the case clearly demands it; he cannot, however, impose perpetual penalties.

Canon 1350
§1. Unless it is a question of dismissal from the clerical state, when penalties are imposed upon a cleric provision must always be made that he does not lack those things which are necessary for his decent support. §2. In the best manner possible the ordinary is to see to the care of a person dismissed from the clerical state who is truly in need due to the penalty.

Canon 1351
Unless express provision is made otherwise, a penalty binds the guilty party everywhere, even when the authority of the one who established or imposed the penalty has lapsed.

Canon 1352
§1. If a penalty prohibits the reception of the sacraments or sacramentals, the prohibition is suspended as long as the guilty party is in danger of death. §2. The obligation to observe an automatic penalty which has not been declared and which is not notorious in the place where the offender is living is totally or partially suspended to the extent that the person cannot observe it without danger of serious scandal or infamy.

Canon 1353
An appeal or recourse from judicial sentences or from decrees which impose or declare any penalty whatsoever has a suspensive effect.

THE PENAL PROCESS
Book VII, Part IV

Canon 1717
§1. Whenever the ordinary receives information which at least seems to be true of an offense, he shall cautiously inquire personally or through another suitable person about the facts and circumstances and about imputability unless this investigation appears to be entirely superfluous. §2. Care must be taken lest anyone's good name be endangered by this investigation. §3. The one who conducts the investigation has the same powers and obligations as an auditor in the process; this person cannot act as a judge in the matter, if a judicial process is set in motion later

Canon 1718
§1. When sufficient evidence appears to have been collected, the ordinary shall decide: (1) whether the process for inflicting or declaring a penalty can be set in motion; (2) whether this is expedient in light of can. 1341; (3) whether a judicial process must be used or unless the law forbids it whether he must proceed by a decree without a trial. §2. The ordinary is to revoke or change the decree mentioned in §1 whenever it appears to him from new evidence that a different decision is called for. §3. In issuing the decrees mentioned in §§ 1 and 2, the ordinary is to hear two or more judges or other experts in the law, if he prudently sees fit to do so. §4. In order to avoid useless trials, before he makes a decision in accord with §1, the ordinary is to consider whether it is expedient that either he or the investigator equitably solve the question of damages with the consent of the parties.

Canon 1719
The acts of the investigation, the decrees of the ordinary by which the investigation was opened and closed, and all that preceded it are to be kept in the secret archive of the curia if they are not necessary for the penal process.

Canon 1720
If the ordinary decides that he is to proceed by a decree without a trial: (1) he is to inform the accused about the accusation and the proofs, giving the person the opportunity of self-defense unless the accused neglects to be in court after having been duly summoned; (2) he is to consider carefully the proofs and arguments with two assessors; (3) if the offense is certainly proved and the criminal action has not been terminated, he is to issue the decree in accord with cann. 1342-1350, explaining the reasons in law and in fact, at least briefly

Canon 1721
§1. If the ordinary decrees that a judicial penal process is to be begun, he is to give the acts of the investigation to the promoter of justice who is to present a libellus of accusation to the judge in accord with the norms of cann. 1502 and 1504. §2. The promoter of justice constituted as such by the higher court acts as the petitioner before that tribunal

Canon 1722
To preclude scandals, to protect the freedom of witnesses and to safeguard the course of justice, having heard the promoter of justice and having cited the accused, the ordinary at any stage of the process can prohibit the accused from the exercise of sacred ministry or from any ecclesiastical office or function can impose or prohibit residence in a given place or territory, or even prohibit public participation in the Most Holy Eucharist; all these measures must be revoked once the reason for them ceases; they also end by the law itself when the penal process ceases.

Canon 1723
§1. When citing the accused, the judge must invite the accused to appoint an advocate in accord with the norm of can. 1481, §1, within a period of time set by the judge. §2. But if the accused does not provide for this the judge is to name an advocate before the joinder of issues who will remain in this function as long as the accused has not personally appointed an advocate.

Canon 1724
§1. In any grade of the trial, renunciation of the instance can be made by the promoter of justice either at the order of or with the consent of the ordinary in light of whose deliberation the process was set in motion. §2. For validity, the renunciation must be accepted by the accused unless such a one is declared to be absent from the trial

Canon 1725
In the discussion of the case, whether it be done in writing or orally, the accused always has the right to write or speak last either personally or through an advocate or procurator

Canon 1726
In any grade of stage of the penal trial, if it becomes clearly proven that the offense was not perpetrated by the accused, the judge must declare this in a sentence and absolve the accused, even if it is also proven that the criminal action is terminated.

Canon 1727
§1. The accused can propose an appeal even though dismissed in a sentence solely because the penalty was facultative or because the judge used the power mentioned in cann. 1344 and 1345. §2. The promoter of justice can appeal whenever it appears that the reparation of scandal or the restitution of justice has not been provided sufficiently.

Canon 1728
§1. With due regard for the prescriptions of the canons of this title, unless the nature of the matter is opposed, the canons on trials in general and on ordinary contentious trials must be applied in the penal trial, observing the special norms for cases which refer to the public good. §2. The accused is not bound to confess the offense and cannot be constrained to take an oath.

PROCESS FOR REMOVAL OF PASTORS
(cc. 1740-1747)

Canon 1740
When the ministry of any pastor has become detrimental or at least ineffective for any reason, even through no grave fault of his own, he can be removed from the parish by the diocesan bishop.

Canon 1741
The reasons for which a pastor can be legitimately removed from his parish are especially the following: (1) a way of acting which is gravely detrimental or disturbing to the ecclesial community; (2) incompetence or a permanent infirmity of mind or body which renders a pastor incapable of performing his duties in a useful way; (3) loss of good reputation among upright and good parishioners or aversion to the pastor which are foreseen as not ceasing in a short time; (4) grave neglect or violation of parochial duties which persist after a warning; (5) poor administration of temporal affairs with grave damage to the Church whenever this problem cannot be remedied in any other way.

Canon 1742
§1. If after an inquiry has been conducted, it is proven that a cause mentioned in can. 1740 is present, the bishop is to discuss the matter with two pastors from the group permanently selected for this by the presbyteral council after their being proposed by the bishop; but if subsequently he decides that the removal must take place, he is paternally to persuade the pastor to resign the pastorate within a period of fifteen days, after he has explained, for validity, the reason and the arguments for removal. §2. The prescription of can. 682, §2 is to be observed concerning pastors who are members of a religious institute or a society of apostolic life.

Canon 1743
A resignation by a pastor can be submitted not only purely and simply but also conditionally provided that this can be legitimately accepted by the bishop and is actually accepted.

Canon 1744
§1. If the pastor has not answered within the aforementioned time period the bishop is to repeat the invitation extending this available time for response. §2. If the bishop has the proof that the pastor has received the second invitation but has not responded although not hindered by any impediment or if the pastor refuses to resign giving no reasons, the bishop is to issue the decree of removal.

Canon 1745
But if the pastor opposes the cause alleged for removal and its reasons, alleging reasons which appear insufficient to the bishop, in order for the latter to act validly, he is to: (1) invite the pastor to organize his challenges to removal in a written report, having inspected the acts, and also to offer proofs to the contrary, if he has any; (2) consider the matter with the same pastors mentioned in can. 1742, §1 unless others must be designated due to their inability, after he has completed the instruction if necessary; (3) finally determine whether or not the pastor must be removed and promptly issue a decree on the matter.

Canon 1746
When the pastor has been removed, the bishop is to provide for him through an assignment to another office, if he is suitable for this, or through a pension, as the case requires and circumstances permit.

Canon 1747
§1. The removed pastor must abstain from exercising the office of pastor, vacate the parish house immediately, and hand over all that pertains to the parish to the one to whom the bishop shall entrust the parish. §2. If there is a question of a sick pastor who cannot be transferred elsewhere from the parish house without inconvenience, the bishop is to leave the parish house even to his exclusive use while this need lasts. §3. While recourse is pending against the decree of removal, the bishop cannot name a new pastor but meanwhile is to provide a parish administrator.

attach to Memo This text is from Bob Kealy

Not substantiated

The Archdiocese has been referring to allegations against accused priests as "substantiated" and defines that as "reasonable cause to believe."

The dictionary defines "substantiated" as "established by proof or competent evidence." "Offering reasonable grounds for being believed" is the definition of "credible." The Archdiocese is not entitled to redefine words of such grave significance.

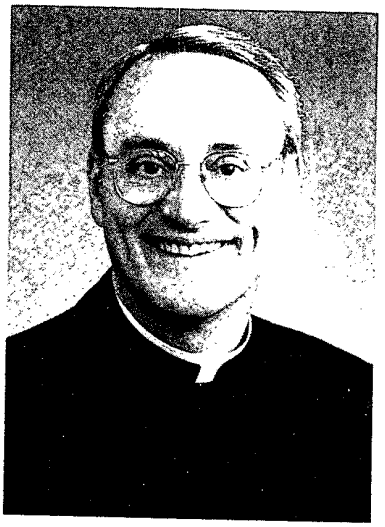
In the legal process, reasonable grounds to believe an offense has been committed is the basis for beginning an investigation, not for concluding one. Probable cause is needed for criminal prosecution. Proof beyond a reasonable doubt is needed to overturn the presumption of innocence. The Archdiocesan usage of "substantiation" turns this upside down. It is a grave injustice to label an accused as having a substantiated allegation of sexual abuse, based on some administrative determination, when there has been no legal process.

Besides being unjust to the accused, the Archdiocese's misuse of such significant words puts the Archdiocese itself in greater jeopardy

— Fr. John Cavanaugh-Bill
✓ Jo Ann Rojo — for file
— copy + Vivian for Brent

CARDINAL GEORGE

AOC 015535



Silver Jubilee

Ordained

May 10, 1972

AOC 015536

In Remembrance

of my

Silver Jubilee

of Priestly Ordination

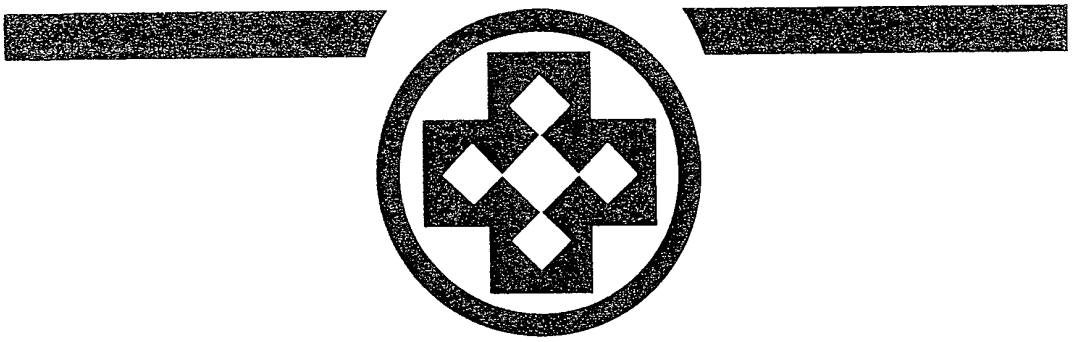
May 10, 1997

Father Robert L. Kealy



"Let us pray for one another"

AOC 015537



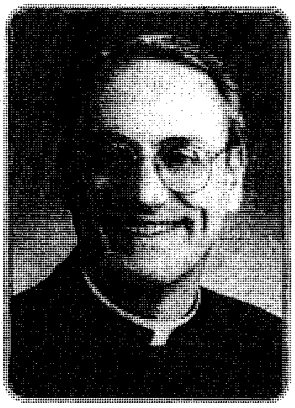
Mass of Thanksgiving

Celebrating the Twenty-Fifth Anniversary
of Priestly Ordination of
The Reverend Robert L. Kealy
Pastor, Immaculate Conception Parish
Highland Park, Illinois

May 4, 1997

AOC 015538

May 4, 1997



My dear friends,

Thank you very much for coming to celebrate my twenty-fifth anniversary of priestly ordination. My overwhelming feeling today is one of *gratitude*. Gratitude to God who called me to priesthood and has showered me with so many blessings in my ministry. And gratitude to you who have loved me, inspired me, supported me, taught me, challenged me, and forgiven me.

One of the important things about an anniversary is reflecting upon the years gone by and savoring one's treasured memories. My fond recollections are of you, my family and friends, and the many ways in which you have taught me the love and goodness of God. You have welcomed me into your hearts and into your homes. We have prayed together, cried together, and laughed together. Our relationships are precious to me.

As a public person, a priest is often unaware of how he may positively impact the life of others and it is an awesome thing to see so much of my life represented before me in the faces of you, my relatives, childhood neighbors and friends, classmates, parishioners from the six parishes where I have served, cherished colleagues from the Pastoral Center, friends from various associations, and brother priests. You honor me by your presence here today and I am deeply grateful.

In reflecting upon my years of priesthood, I am also humbled by the realization of how my own failings may have presented an obstacle to God's grace. I am reminded of the words of St. Paul, "This treasure we possess in earthen vessels to make it clear that its surpassing power comes from God and not from us." (*1 Cor.* 4:7). I sincerely apologize for any hurt or offense that I have caused anyone and ask your forgiveness.

In my morning prayers each day, I ask for God's grace that I may serve His people with wisdom, holiness, and love. Please pray for me and for all priests that we may be shepherds in the image of Christ. Be assured that you are remembered with fondness in my thoughts and prayers.

With love,

Father Bob Healy

AOC 015539

Presiding

Most Reverend Raymond E. Goedert
Administrator of the Archdiocese of Chicago

Principal Celebrant

The Reverend Robert L. Kealy

Concelebrants

The Reverend Christopher M. Gustafson
The Reverend Michael G. McGovern
The Reverend Thomas J. Paprocki
The Reverend John E. Pollard
The Reverend Monsignor Kenneth J. Velo
The Reverend Alec J. Wolff
and Other Friends of Father Kealy

Deacons

The Reverend Mr. William L. Moorman,
Deacon of the Liturgy of the Word

The Reverend Mr. Louis J. Vignocchi,
Deacon of the Liturgy of the Eucharist

Lectors

Ms. Emma Ivey,
Coordinator of Parish Lectors

Mr. Luis Lara,
Coordinator of Hispanic Liturgy

Intercessions

[redacted]

Servers

[redacted]

Greeters

Members of Immaculate Conception 1997 Confirmation Class

Procession Participants

Members of Immaculate Conception 1997 First Communion Class
and Representatives of Parish Societies

Gift Bearers

Mr. and Mrs. [redacted]

Mr. and Mrs. [redacted]

Father Kealy's Sister & Brother and their Spouses

Music

Immaculate Conception Parish Choir, Soloists, and Instrumentalists
Dr. Timothy Flynn, Director of Music
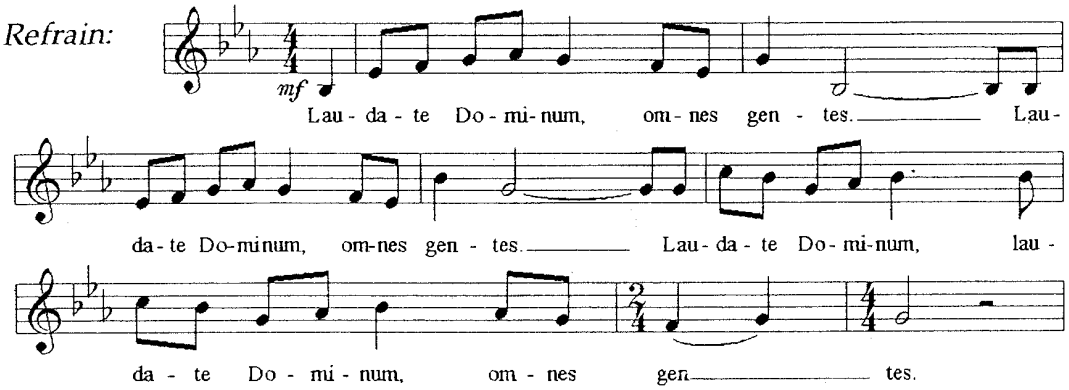
AOC 015540

FESTIVE PRELUDES — Parish Choir, Soloists, & Instrumentalists

PROCESSIONAL HYMN — *Laudate Dominum*
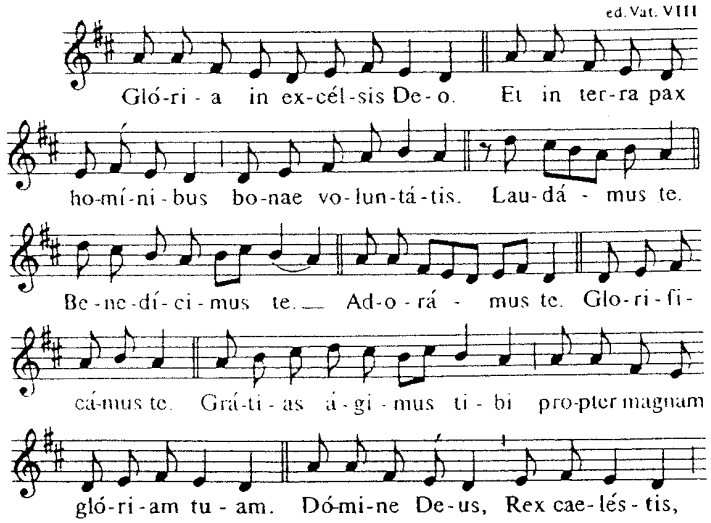
[Translation: "All peoples, praise the Lord."] — (Robert E. Kreutz)

Refrain:
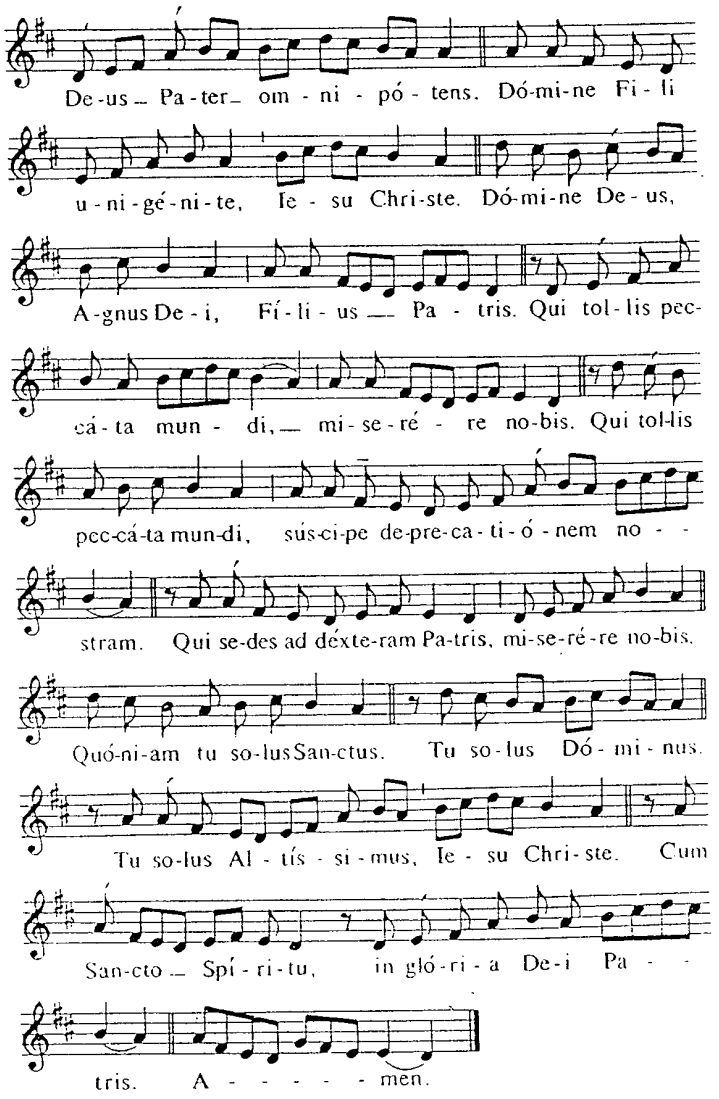


KYRIE — (Sung)

GLORIA — *Missa de Angelis*



AOC 015541

GLORIA *(continued)*



OPENING PRAYER

Father Kealy

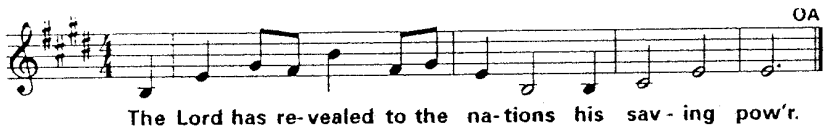
AOC 015542

LITURGY OF THE WORD

FIRST READING — *Acts* 10: 25-26, 34-35, 44-48

The Holy Spirit came down on all the listeners.

RESPONSORIAL PSALM — (Sung)



SECOND READING — *I John* 4: 7-10

God is love.

[Translation] Beloved, let us love one another because love is of God; everyone who loves is begotten of God and has knowledge of God. The man without love has known nothing of God, for God is love. God's love was revealed in our midst in this way: he sent his only Son to the world that we might have life through him. Love, then, consists in this: not that we have loved God, but that he has loved us and has sent his Son as an offering for our sins.

GOSPEL ACCLAMATION — from: *Celtic Mass*

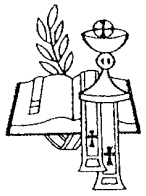
GOSPEL — *John* 15: 9-17

No greater love than to lay down one's life for friends.

HOMILY — Father Robert L. Kealy

CREED

INTERCESSIONS



AOC 015543

LITURGY OF THE EUCHARIST
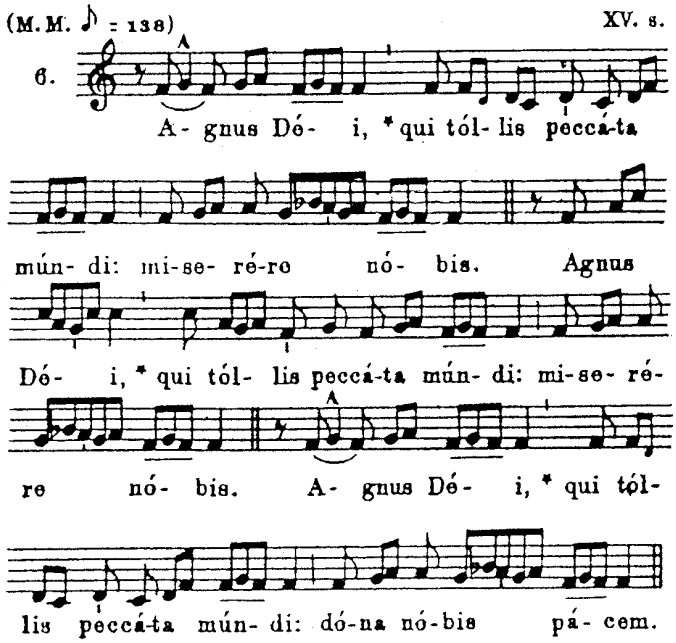
PRESENTATION OF THE GIFTS	Family members
PREPARATION HYMN	*Jesu, Joy of Man's Desiring* (J. S. Bach)
PREFACE	
EUCHARISTIC PRAYER I	
HOLY, HOLY, HOLY	from: *Mass of Creation* (Marty Haugen)
MEMORIAL ACCLAMATION	from: *Mass of Creation* (Marty Haugen)
GREAT AMEN	from: *Mass of Creation* (Marty Haugen)
OUR FATHER	(Recited)

AOC 015544

COMMUNION RITE

LAMB OF GOD

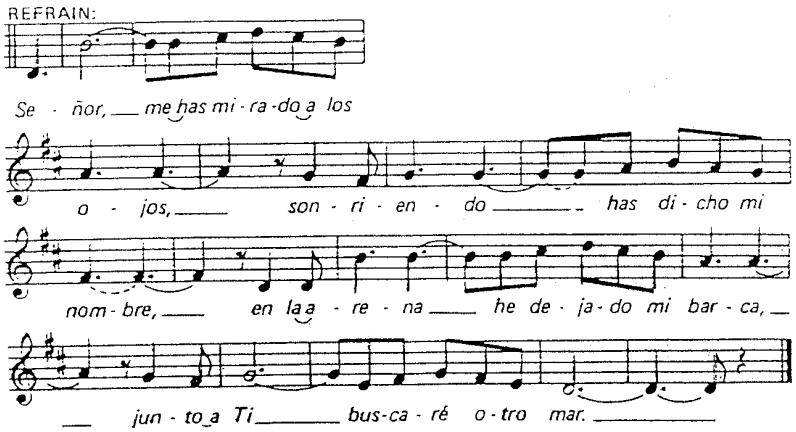
Missa de Angelis



COMMUNION HYMNS

Pescador De Hombres

(Cesáreo Gabaráin)
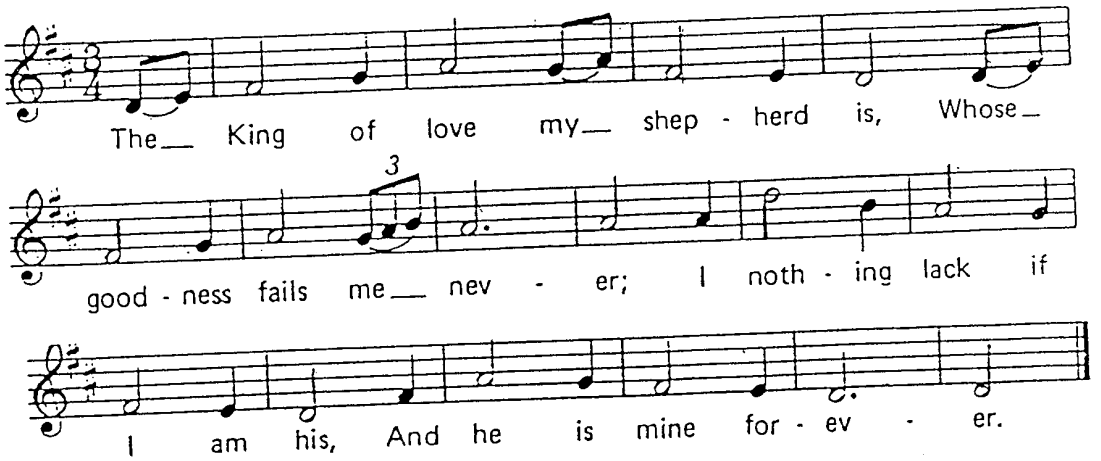


AOC 015545

[Translation]: *Refrain:* O Lord, with your eyes upon me, smiling, you have spoken my name;
I have left my boat on the shore. With you I will seek another sea.

1. Lord, you have come to the seashore, neither searching for the rich nor the wise; you want only that I should follow you. *Refrain.*
2. You know well what I have. In my boat I have neither gold nor sword. I have only nets and my labor. *Refrain.*
3. You need my hands, my fatigue, that other may rest — my love that others, loving, may follow. *Refrain.*
4. You are a fisher of other lakes, eternal longing for souls who hope. My good friend who calls me so. *Refrain.*

The King of Love

(Traditional Irish Melody)
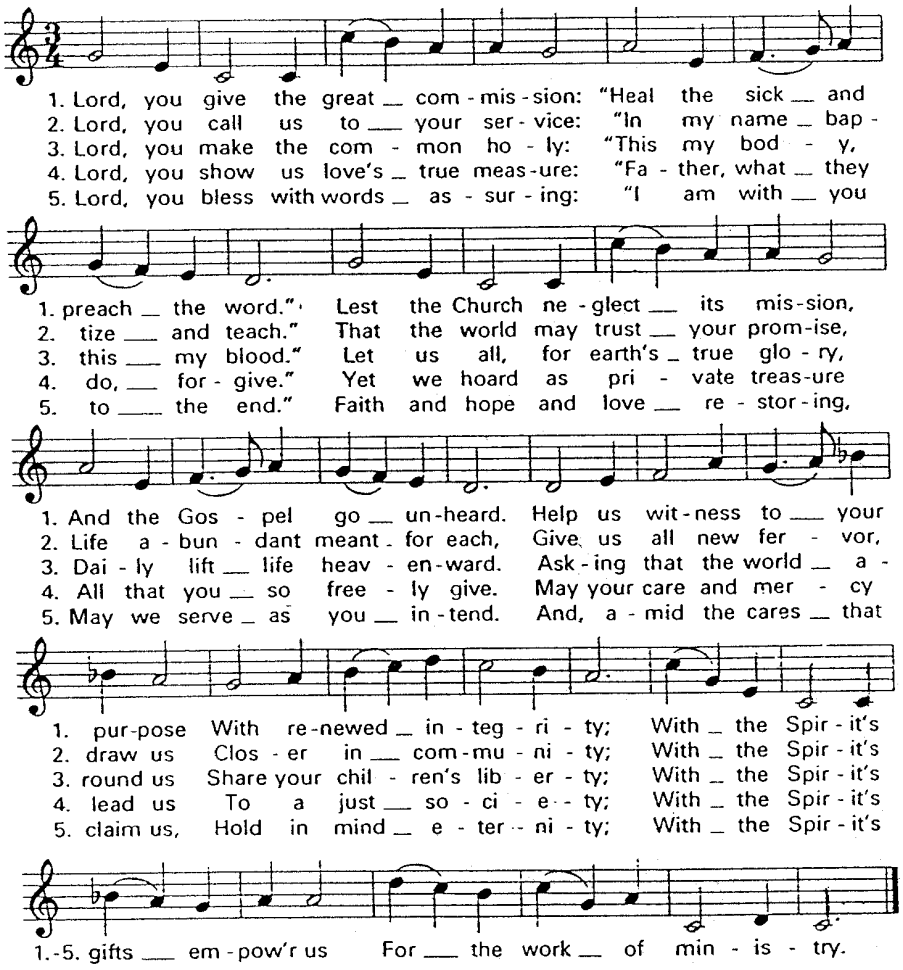




AOC 015546

CLOSING PRAYER — Father Kealy

REMARKS — Bishop Raymond E. Goedert

RECESSIONAL HYMN — *Lord, You Give the Great Commission*
(Taylor)



Postlude — *Concerto for Two Trumpets*
(Vivaldi)

AOC 015547

SPECIAL THANKS

I would like to express my sincere thanks to all of those who helped on the anniversary preparations, especially our liturgical ministers and participants; Bishop Raymond Goedert, who honored me with his presence and his remarks; Father Alec Wolff, who planned and coordinated the entire celebration, who arranged for all the printing, and organized all my lists; Tim Flynn, who advised me on the musical selections and directed our choir; Father Chris Gustafson, who wrote the Intercessions; Father McGovern, who provided valued advice and suggestions; Darlene Foley, our parish secretary, who organized the mailing of invitations, with the help of [redacted] who organized the flowers and decorations both in church and the Parish Center; [redacted] the President of our Women's Club, who organized the beautiful reception after Mass, along with [redacted], members of the Women's Club Board, and so many other generous souls; [redacted], who videotaped the Mass; [redacted] our photographer; [redacted] of Kelley & Spalding, who donated the holy cards to mark this event; [redacted] and VFW volunteers who organized the with parking details for those attending the Mass and reception; Tom Genest and Don DePalma, our custodians, who worked so hard to prepare our facilities.

Father Bob Kealy

Father Robert L. Kealy

— B.A., M.Div. (Master of Divinity), S.T.L. (Licentiate in Sacred Theology), St. Mary of the Lake Seminary (Mundelein)

— Deacon, St. Norbert Parish (Northbrook), 1971

— Ordained a priest May 10, 1972

— Associate Pastor, St. Germaine Parish (Oak Lawn), 1972-1977

— J.D. (Doctor of Law), DePaul University College of Law (Chicago), 1976

— Associate Pastor, St. Cletus Parish (LaGrange), 1977-1978

— Advocate and Judge, Metropolitan Tribunal, Archdiocese of Chicago, 1977-1982

— Resident, St. Boniface Parish (Chicago), 1978-1982

— Founding Director of Center for Church/State Studies and Adjunct Professor of Law, DePaul University College of Law (Chicago), 1981-1982

— Graduate studies in canon law, Pontifical Gregorian University (Rome, Italy), 1982-1985. J.C.D. (Doctor of Canon Law), 1986

— Chancellor and Director of Canonical Services and Communications, Archdiocese of Chicago, 1985-1992

— Resident, Queen of All Saints Basilica (Chicago), 1985-1992

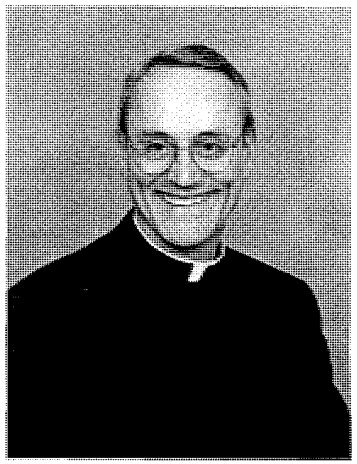
— Pastor, Immaculate Conception Parish (Highland Park), 1992-

— Chaplain, Catholic Lawyers Guild, 1993-

— Judicial Vicar, Provincial Court of Appeals, 1994-

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Archdiocese of Chicago Priest Vitae Card



Robert Louis Kealy Born: [redacted] Ordained: 05/10/1972 Died: Ethnicity:

Assignment	Position	Begin Date	End Date
St. Norbert Parish (Northbrook)	Deacon	06/01/1971	12/01/1971
St. Germaine Parish (Oak Lawn)	Associate Pastor	05/10/1972	06/10/1977
Tribunal	Staff	12/10/1976	08/18/1980
St. Cletus Parish (La Grange)	Associate Pastor	06/10/1977	03/31/1978
St. Boniface Parish (Noble St.)	Associate Pastor	03/31/1978	09/01/1982
Tribunal	Judge	08/18/1980	09/01/1982
Pontifical Gregorian University (Rome)	Student	09/01/1982	08/12/1985
Queen of All Saints Basilica Parish (Sauganash Ave.)	Resident	08/12/1985	03/30/1992
	Chancellor	08/12/1985	08/12/1993
Immaculate Conception Parish (Highland Park)	Pastor	03/30/1992	06/15/2001
Ss. Faith, Hope & Charity Parish (Winnetka)	Pastor	06/15/2001	03/24/2002
	Resigned	04/24/2006	

Extraordinary Appointments: Associate Chaplain of the Catholic Lawyers Guild of Chicago 10/2/1981

Color : Ivory

Ss. Faith, Hope, & Charity
191 Linden Street
Winnetka, IL 60093-3832

Rev. Thomas F. Ventura, Pastor

Most Rev. edwin m. Conway, Vicar (II)
Rev. Francis J. Kane, Dean (A)

APPLICANTS

[redacted]

Rev. Robert L. Kealy '72

PROFILE REQUESTS

[redacted]

Rev. Robert Kealy '72
Immaculate Conception/Highland Park

[redacted]

DIOCESAN PRIESTS IN NON-PAROCHIAL ASSIGNMENT
PART-TIME

NAME	NON-PAROCHIAL ASSIGNMENT (Term Dates)	POSITION	PARISH (Date assigned - letter of agreement date)
[redacted]			
KEALY, ROBERT '72	INTERDICESAN TRIBUNAL	JUDICIAL VICAR (08/09/85)	IMMACULATE CONCEPTION/HIGHLAND PARK - Pastor (03/30/92)
[redacted]			

AOC 015553

Document #4

Last Name	Date of Return	Form	Appointment Date as Resident	Agreed Upon Tenure	Letter	Board Contact
[redacted]						
Kealy	12/08/89	X	Sept., 1985	June, 1993	Yes	Velo
[redacted]						

Document #4

AOC 015554

Last Name	Date of Return	Form	Appointment Date as Resident	Agreed Upon Tenure	Letter	Board Contact
[redacted]						

AOC 015555

May 10, 1972

Reverend Robert L. Kealy
6230 N. Kenmore
Chicago, Illinois 60626

Dear Father Kealy,

I welcome you most heartily to the Priesthood of Chicago and I look forward to our years togethe in serving the people of our beloved Archdiocese. Upon personal recommendation of the Personnel Board of the Archdiocese, it gives me great pleasure to appoint you as Vicarius Cooperator to the Reverend Walter J. Sheridan, Pastor of St. Germaine Parish, 4240 W. 98th Street Oak Lawn, Illinois, and in accordance with Canon 476, 3, to grant you the necessary faculties for the faithful discharge of that duty. This appointment is effective immediately.

As I explained to you in our conversation, arrangements can be made with the Pastor to whom you are being assigned for a vacation.

Wishing you every blessing and priestly success in this pastoral assignment, I am, dear Father Kealy,

Very truly yours in Christ,

Archbishop of Chicago

cc: Reverend Walter J. Sheridan, Pastor

AOC 015556

Priest personal file

ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Office of the Archbishop

September 10, 1973

COPY

Reverend Robert L. Kealy
St. Germaine Parish
4240 W. 98th Street
Oak Lawn, Illinois 60453

Dear Father Kealy,

During the illness of the Reverend Walter J. Sheridan, Pastor of St. Germaine Parish in Oak Lawn, Illinois, we appoint you herewith Administrator of St. Germaine Parish, Oak Lawn, Illinois, with full spiritual and temporal administrative powers, and we heartily commend you to the good people there (Canon 475).

You will assume all the rights and obligations of the pastorate with the exception of the obligation of the Mass for the people which remains with the Pastor.

Wishing you every blessing, we remain, dear Father Kealy,

Very truly yours in Christ,

Archbishop of Chicago

Co-Chancellor

cc: Rev. Msgr. John M. Vitha - Vicar Delegate, Region VI
Reverend Walter J. Sheridan - Pastor
Reverend James M. Sayers

AOC 015557

ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Office of the Archbishop

November 30, 1976

COPY

Reverend Robert Kealy
St. Germaine Rectory
4240 West 98th Street
Oak Lawn, Illinois 60453

Dear Father Kealy,

In any diocese, the care of souls concerns itself with many areas. One of these is through the handling of marriage cases. In a diocese as large as ours, many priests are needed to help process these cases efficiently and well.

I am fully aware of your loyal dedication and work for the care of souls. Therefore, in accordance with Canons 1655-1666, I am pleased to approve you as Procurator/Advocate of the Metropolitan Tribunal of the Archdiocese of Chicago. It is my understanding that you are able to come to the Tribunal office one day weekly. At the same time, it is to be clearly understood that this work is in no way to interfere with your full time appointment as Associate Pastor. If you have any problems or questions, feel free to speak to Father Dolciamore or Father Lucas at the Tribunal office.

Wishing you every blessing and success in this additional work, and thanking you most sincerely for your helpfulness to our Tribunal, I am, dear Father Kealy

Very truly yours in Christ,

Archbishop of Chicago

JPC: JVD/sf

cc: Reverend Emmett T. Regan, Pastor
Reverend John V. Dolciamore, Officialis
Cardinal Cody, Archbishop ✓

AOC 015558

ARCHDIOCESE OF CHICAGO
POST OFFICE BOX 1979
CHICAGO, ILLINOIS 60690

Office of the Vicar General

May 26, 1977

Reverend Robert L. Kealy
St. Germaine Rectory
4240 W. 98th Street
Oak Lawn, Illinois 60453

Dear Father Kealy:

In accordance with Canon 476, and following the recommendation of the Diocesan Clergy Personnel Board, His Eminence, John Cardinal Cody, is pleased to appoint you as Associate Pastor to the

Rev. Charles G. Gallagher, Pastor, St. Cletus Parish, La Grange.

This appointment is effective June 10, 1977, but I would ask you to make arrangements with the Pastor about the exact date when you will assume your new duties.

Wishing you every blessing and priestly success in your new pastoral assignment, I am,

Sincerely yours in Christ,

Richard A. Rosemeyer

Rev. Msgr. Richard A. Rosemeyer
Vicar General and Chancellor

cc: Rev. Charles G. Gallagher, Pastor, St. Cletus Parish, La Grange.
Rev. Emmett T. Regan, Pastor, St. Germaine Parish, Oak Lawn.

AOC 015559

ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Office of the Archbishop

January 30, 1978

Reverend Robert L. Kealy
St. Cletus Church
600 St. Cletus Square
La Grange, Illinois 60525

Dear Father Kealy,

It is my pleasure to inform you that you have my permission to attend the Summer Tribunal Institute to be held under the sponsorship of Catholic University in June of this year. I understand that you will be taking the intermediate course.

I have kept abreast of the work that you are doing with our Tribunal, and I am pleased that you wish to take this time for a deeper study of Canon Law and Tribunal Practice. Since this is being done for the benefit of our Tribunal, I will be pleased to underwrite your expenses.

With every best wish, I am dear Father Kealy,

Very truly yours in Christ,

Archbishop of Chicago

AOC 015560

Priest's file - Kealy

Angie file

ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Office of the Archbishop

January 21, 1975

Reverend Robert L. Kealy
St. Cletus Rectory
600 St. Cletus Square
La Grange, Illinois 60625

Dear Father Kealy,

In any diocese, the care of souls extends to many areas. One of these is seeking a solution to marriage problems. In a diocese as large as ours, many priests are needed to help process these cases efficiently and well.

Well aware of your dedication and work during these past months as part time Advocate of the Metropolitan Tribunal, I am pleased to appoint you to serve full time on the Tribunal, effective immediately.

I am asking you to retain temporarily your present residence at St. Cletus Rectory in La Grange, and render to the Pastor of the parish every priestly assistance in conformity with your primary duties in the Metropolitan Tribunal. It will be feasible, I am certain, for you to continue to hear confessions and to assist with Masses on the weekend, and to take whatever other assignment would render your priestly service helpful to the parish.

Wishing you every blessing in this new assignment, and thanking you most sincerely for your helpfulness in the administration of the Archdiocese, I am, dear Father Kealy,

Very truly yours in Christ,

+ John Cardinal Cody

Archbishop of Chicago

JPC:JVD/sf
cc: Very Rev. John V. Dolciamore, Officialis
Rev. Msgr. Richard A. Rosemeyer, Chancellor
Rev. Charles G. Gallagher, Pastor
Diocesan Clergy Personnel Board
JPC-File ✓

AOC 015561

ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Office of the Chancellor

March 1, 1978

COPY

Rev. Robert L. Kealy
St. Cletus Rectory
600 St. Cletus Square
La Grange, Illinois 60525

Dear Father Kealy:

In accordance with Canon 476, and following the recommendation of the Diocesan Clergy Personnel Board, His Eminence, Cardinal Cody, is pleased to appoint you as Associate at St. Boniface parish, Chicago, while retaining your primary duties with our Metropolitan Tribunal.

This appointment will be effective March 31, 1978, but I would ask you to make arrangements with Father Stalzer, concerning the exact date when you will assume your new duties.

Wishing you every blessing and priestly success in your new pastoral assignment, I am, dear Father Kealy,

Sincerely yours in Christ,

Rev. Msgr. Richard A. Rosemeyer
Vicar General and Chancellor

cc: Very Rev. Edward F. Pajak, Urban Vicar, Vicariate VI
Rev. Donald A. Stalzer, St. Boniface parish, Chicago
Rev. Charles G. Gallagher, Pastor, St. Cletus parish, La Grange
Diocesan Clergy Personnel Board

bcc: Angie Punzi -- for TCC, week of Easter; NOTICES; Priest's Persona File

AOC 015562

ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Office of the Archbishop

September 17, 1981

Reverend Robert L. Kealy
St. Boniface Rectory
921 N. Noble
Chicago, Illinois 60622

Dear Father Kealy,

At the request of the Very Rev. John T. Richardson, C.M., President of DePaul University in Chicago, I am pleased to confirm your appointment as Director (part-time) of the soon to be founded Center for Church/State Studies in the College of Law of DePaul University.

As I had discussed with you and Father Richardson, I understand that this will require approximately one day a week of your time, and I know that you will be able to give great assistance in planning the establishment of this Center.

Wishing you every blessing in this new academic activity, and with kindest personal regards, I am, dear Father Kealy,

Very truly yours in Christ,

+ John Cardinal Cody

Archbishop of Chicago

cc: Very Rev. John T. Richardson, C.M. - President

AOC 015563

ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Office of the Archbishop

September 18, 1981

Reverend Robert L. Kealy
St. Boniface Rectory
921 N. Noble
Chicago, Illinois 60622

Dear Father Kealy,

It gives me great pleasure to appoint you as the Associate Chaplain for the Catholic Lawyers Guild of Chicago, to work together with Father Thomas B. McDonough, Chaplain, and the President, Mr. Francis Milligan, in promoting the interest of that fine Catholic organization.

I would hope, sometime soon, to have an opportunity of meeting with you, Father McDonough and Mr. Milligan. Please contact my appointment secretary, Miss Vogel (751-8230) so that she can set a convenient time for us to meet.

Wishing you every blessing in this activity of our Catholic lay apostolate, and with all best wishes, I am, dear Father Kealy,

Very truly yours in Christ,

+ John Cardinal Cody

Archbishop of Chicago

cc: Rev. Thomas B. McDonough - Chaplain
Mr. Francis Milligan - President

AOC 015564

KEALY, REV. ROBERT L.

ARCHDIOCESE OF CHICAGO
POST OFFICE BOX 1979
CHICAGO, ILLINOIS 60690

Office of the Archbishop

October 21, 1982

COPY

Dear Father Kealy:

To confirm our earlier conversations, I am pleased to notify you officially of your appointment to pursue postgraduate studies in Canon Law at the Gregorian University, Rome. I understand that arrangements have already been made for your residence at the North American College.

I am sure that the timing of this appointment is propitious both for you and for the Archdiocese of Chicago, since the new Code of Canon Law is to be promulgated during your course of studies in Rome.

Would you be good enough to draw up for me a projected budget of your expenses for this scholastic year. This will enable me to project the portion of your expenses that can be borne by the Archdiocese.

I take this occasion to reassure you of our prayers and support as you undertake this special ministry of study.

Devotedly yours in Christ,

Most Rev. Joseph L. Bernardin
Archbishop of Chicago

Rev. Robert L. Kealy
Matrimonial Tribunal
155 E. Superior St.
Chicago, Illinois 60611

JLB/JRK:cfb

bcc - Clergy Personnel Board
✔Fr. Kealy's File
Mary Sullivan
Christl Schneider

AOC 015565

ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Office of the Archbishop

August 9, 1985

Dear Father Kealy:

Providing adequate and qualified professional staff for the Tribunal of the Archdiocese has been a matter of great concern to me since my arrival in Chicago. Your previous background in the work of the Tribunal, your facility in the Spanish language, and your recent completion of graduate studies in canon law make you uniquely qualified to be of assistance to our Tribunal.

For these reasons, I appoint you to the offices of Judge and Defender of the Bond in the Archdiocesan Tribunal, effective September 1, 1985. The term of office for each of these appointments is five years.

Your recent appointment as Chancellor of the Archdiocese will certainly occupy most of your time. I ask that you consider the Office of Chancellor to be your primary responsibility. I do ask, however, that you be as helpful to the Tribunal as time permits. I am confident that Fr. Becker as Officialis will not make unreasonable demands upon you.

I want you to know how much I appreciate your willingness to accept these added responsibilities. Please also know that my prayers and support are with you.

With cordial good wishes, I remain

Sincerely yours in Christ,

Joseph Card. Bernardin

Archbishop of Chicago

Rev. Robert L. Kealy
Queen of All Saints Basilica
6280 North Sauganash
Chicago, Illinois 60646

AOC 015566

ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Office of the Archbishop

August 9, 1985

Dear Father Kealy:

In light of our recent discussions, I am pleased to appoint you to full time duties as Chancellor and Director of Administrative Services for the Archdiocese of Chicago. This appointment is effective August 12, 1985. Your term of office will be for four years, that is, until August, 1989. This, of course, is subject to renewal.

At the same time, I am pleased to appoint you to assist Reverend H. Robert Clark, Pastor of Queen of All Saints parish, Chicago. I am sure that your presence and service there will be deeply appreciated insofar as you are able to do so with respect to your new responsibilities. I ask you to contact Father Clark concerning the particular arrangements involved with this assignment.

Concerning your work at the Chancery, I ask you to continue your discussions with Father James Roache, Moderator of the Curia, regarding the nature and scope of your new responsibilities. I am sure that you will find Father John Hergenrother and Father Ken Velo extremely helpful in the process of transition.

Bob, on a personal note, I welcome you home from your studies in Rome. I look forward to working with you. It is my hope that you will draw great satisfaction from all that you will be doing to serve the needs of the people of God of Chicago. Be assured of my continued support and prayers.

With cordial good wishes, I remain

Fraternally yours in Christ,

Joseph Card. Bernardin

Archbishop of Chicago

Reverend Robert L. Kealy
Saint Julian Eymard Parish
601 Biesterfield Road
Elk Grove Village, Illinois 60007

cc: Reverend James P. Roache
Reverend John C. Hergenrother
Reverend H. Robert Clark
Reverend Kenneth Velo
Clergy Personnel Board

AOC 015567

COURT OF APPEAL
Province of Chicago

Suite 3[illegible]
155 East Superior Street
Chicago Illinois 60611

1-312-751-5380
In Illinois
1-800-572-7835

September 1, 1985

Reverend Robert L. Kealy
Archdiocese of Chicago

Dear Father Kealy,

By virtue of the Decree of the Ordinaries of the Province of Chicago of March 18, 1983, which erected the Interdiocesan Tribunal of Second Instance for the Province of Chicago, and empowered by the rescript of the Supreme Tribunal of the Apostolic Signatura of April 22, 1983, upon nomination of your local Ordinary, I hereby appoint you Judge of this Tribunal. Your appointment is made in virtue of Article 5, #1, of the Norms for Interdiocesan Tribunals issued by the same Supreme Tribunal on December 28, 1970.

According to the documents sent to the Apostolic Signatura on August 8, 1983, this appointment is for a term of five years.

Your appointment will become effective when you have taken the prescribed and attached Profession of Faith and Oath of Office before your local Ordinary or his representative.

I wish to thank you for your generous pastoral and canonical services to the Christian faithful of this Province in the past, and for your willingness to serve the Interdiocesan Tribunal.

With cordial good wishes, I remain

Sincerely yours in Christ,

Joseph Card. Bernardin

Archbishop of Chicago

Episcopal Moderator of the
Interdiocesan Tribunal

AOC 015568

ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Office of the Archbishop

DECREE OF CONFERRAL OF FACULTIES

I, Joseph Cardinal Bernardin, Archbishop of Chicago, hereby expressly confer upon the Chancellor, Rev. Robert L. Kealy; the Vice Chancellor, [redacted] the following faculty:

"To delegate to priests and deacons the faculty to assist at marriages within the Archdiocese of Chicago (c. 1111)."

Joseph Card. Bernardin
Archbishop of Chicago

Given at the Chancery this 4th day of August, 1986.

Robert L. Kealy
Rev. Robert L. Kealy
Chancellor

ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Office of the Archbishop

DECREE
OF
CONFERRAL OF FACULTIES

Ever conscious of the need to care for those entrusted to my pastoral office in the Archdiocese of Chicago, I have entrusted Reverend Robert L. Kealy, Chancellor of the Archdiocese of Chicago, with the task of assisting me in the governance of this particular Church according to the norms of the general law of the Church.

In order that he may effectively fulfill this ecclesiastical office (c. 482, #1-3), I hereby grant him the habitual faculties belonging to the Vicar General by universal law (c. 479, #1), including those requiring a special mandate, but excepting those which the law might not allow to be delegated. As long as he holds the office of Chancellor, he is also granted general delegation to officiate at all marriages within the confines of this Archdiocese (c. 1111, #1).

Through this priestly service, may he assist this particular Church in manifesting itself to the world as a "sign of intimate union with God, and of the unity of all the human race." (Lumen Gentium, n. 1.)

Joseph Card. Bernardin
Archbishop of Chicago

Given at the Chancery
Chicago, Illinois
This 22nd day of October, 1986

Robert L. Kealy
Chancellor

AOC 015570

ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Office of the Archbishop

DECREE

IN THE NAME OF GOD. AMEN.

In accord with Canon 1421, #1 ,I Joseph Cardinal Bernardin, hereby appoint the following to the office of Judge of the Metropolitan Tribunal of the Archdiocese of Chicago. These appointments are valid and effective for five years.

Reverend [redacted]
Reverend
Reverend
Reverend Robert L. Kealy
Reverend
Reverend
Reverend
Reverend
Reverend
Reverend
Reverend

Joseph Card. Bernardin
Archbishop of Chicago

Robert L. Kealy
Chancellor

Given at Chicago
This 30th Day of June, 1989

AOC 015571

ARCHDIOCESE OF CHICAGO
POST OFFICE BOX 1979
CHICAGO, ILLINOIS 60690

Office of the Archbishop

July 27, 1989

Dear Father Kealy:

It gives me great pleasure to reappoint you to full-time duties as Chancellor and Director of Administrative Services for the Archdiocese of Chicago. I wish to renew your appointment, which continues through August 12, 1989, for another four-year period, that is, until August 12, 1993.

Once again, Bob, I wish to thank you for the excellent service you have provided in these responsible positions during the past four years. Your efforts and commitment have greatly lightened my burden and have brought a great richness to the Archdiocese. On a personal level, as well, I would like to thank you for your continued friendship and support.

With cordial good wishes, I remain

Sincerely yours in Christ,

Joseph Card. Bernardin

Archbishop of Chicago

Reverend Robert L. Kealy
Queen of All Saints Basilica
6280 North Sauganash
Chicago, Illinois 60646

cc: Reverend James P. Roache
Reverend David M. Hynous, O.P.
Reverend Francis R. Shaw, O.P.
Reverend Robert Flinn, S.V.D.
Reverend H. Robert Clark
Reverend Kenneth J. Velo
Diocesan Priests' Personnel Board

AOC 015572

ARCHDIOCESE OF CHICAGO
POST OFFICE BOX 1979
CHICAGO, ILLINOIS 60690

Office of the Archbishop

September 12, 1989

Dear Bob:

It gives me great pleasure to re-appoint you to the Presbyteral Senate and to appoint you as Secretary of the new Board of Consultors, which I am establishing for a five year term (Can. 502, #1).

The Consultors, all of whom are members of the Presbyteral Senate, constitute a unique consultative body to whom I will turn not only for consideration of those matters required by canon law, but for other pastoral matters of special import. The wisdom, experience, and pastoral sensitivity of the members of the Board of Consultors will be of great assistance to me in making decisions about more serious concerns which we face in the Archdiocese.

Bob, may I take this opportunity to thank you not only for your willingness to accept this continued responsibility, but also for your exemplary service as Chancellor and Director of Executive Services. On a personal level, I thank you for your continued cooperation and support.

With cordial good wishes, I remain

Sincerely yours in Christ,

Joseph Card. Bernardin
Archbishop of Chicago

David M. Hynous

Reverend David M. Hynous
Vice Chancellor

Reverend Robert L. Kealy
Chancellor and Director of Executive Services
Archdiocesan Pastoral Center

PASTORS APPOINTED IN 1992

NAME	PARISH	DATE APPOINTED
[redacted]		
Robert Kealy '72	Immaculate Conception/Higland Pk	03/30/92
[redacted]		

AOC 015574

Kealy

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

Post Office Box 1979
Chicago, Illinois 60690

(312) 751-8230
Fax (312) 337-6379

To: Robert L. Kealy

From: Joseph Cardinal Bernardin JLB

Re: New World
Proposal for Organizational Change

Date: February 13, 1992

As you were leaving for Retreat you sent me memos that called for considerable thought and attention. I have given considerable thought to your memos and would like to provide a clear response to you through a memo.

1. The New World
   Like you, I am very concerned about the paper, and I am convinced that we need to establish some stability regarding the leadership. I am moving on your suggestion to contact Father Brad Schaefer, Provincial of the Jesuits, to see if Father Tom Widener could be a possible editor. By the time you have returned from your Retreat, I hope we will have some initial indication. However, not only do we need to establish some stability and leadership regarding the New World, but your leadership is absolutely necessary at this point in time. You have been dealing with this problem for over a year, and you have kept me fully apprised of the various steps we have taken. At this time, to reassign the New World to another administrator means adding to their current job description. I don't think that that is workable and realistic. You need to complete this job and your leadership is important. Thus, I ask that you continue to bring stability through the entire process and bring it to closure.

2. Department/Organizational Change
   I read with interest your proposed reorganizational design of the administration of the Pastoral Center. Your suggestions have direct ramifications for the Office of the Chief of Staff and the Chancellor's Office as well as individual roles and agency configurations. As you know, we have gone through a lengthy reorganization and we concluded that this is the best that we can do for the foreseeable future. I really don't think it is helpful that we continue to reinvent the wheel. Consequently, for the foreseeable future, I think we need to leave everything the way it is.

AOC 015575

I know that you and Pat O'Malley are working together on the cases currently active in the Vicar for Priests Office. I am willing to talk with you about such duties and the impact those duties have on your time and responsibilities as a Department Director. I certainly do not expect the impossible. I do think, however, that such adjustments in duties should be considered in the context of a formal recommendation from the Vicar for Priests Advisory Committee. It is my understanding that I will receive a recommendation that will address the composition of the Office of the Vicar for Priests and its relationship to the Department of Personnel Services, to the Office of the Chancellor, and possible Office or program of Professional Responsibility. I look forward to studying this recommendation.

I look forward to seeing you Sunday evening.

bc: Reverend Kevin J. Spiess

ARCHDIOCESE OF CHICAGO
POST OFFICE BOX 1979
CHICAGO, ILLINOIS 60690

Office of the Archbishop

MEMORANDUM

CONFIDENTIAL

TO: Priests' Personnel Board

FROM: Cardinal Bernardin

DATE: March 5, 1992

RE: Immaculate Conception Parish
Highland Park, IL

Recently, Father Bob Kealy and I have had discussions about his desire to be a pastor. Bob has served as Chancellor these past six years, and as he approaches his Twentieth Anniversary of Ordination, his interest in a parish has escalated.

With Immaculate Conception now open, I would like to appoint Bob to serve there as pastor. My experience in having worked with him over these past years leads me to believe that he has the potential to be an excellent pastor.

Bob speaks Italian and some Spanish. The parish is not very large, thus enabling him to continue to be of assistance on some canonical matters. In my judgment, it would be a good match of Bob's talents with parish needs.

Rather than open-listing the parish, I would like to make a direct appointment. Since it is my intention to name him as pastor, I would prefer to do this directly, instead of going through a process which would raise the expectations of others.

With Steve Mangan's illness over these past months, and actually throughout this past year, it would be better to move more quickly and have a pastor in place very soon, rather than go through a lengthy process.

I ask for your support regarding this.

Many thanks for all you do.

AOC 015577

[redacted]

2. Immaculate Conception/Highland Park: The Cardinal has made Robert Kealy '72 a direct appointment for the pastorate of Immaculate Conception.
MOTION: 7 - 0 That the Board support the Cardinal's direct appointment of Robert Kealy '72 as the pastor of Immaculate Conception/Highland Park.

3.
4.
5.
6.
7.
8.
9.

[redacted]

AOC 015578

THE DIOCESAN PRIESTS' PERSONNEL BOARD
OF THE ARCHDIOCESE OF CHICAGO
25 WEST CHICAGO AVENUE - SUITE 500
CHICAGO, ILLINOIS 60610

(312) 944-6776

WEEKLY STATUS REPORTS

Week of March 1, 1992 — Personal & Confidential

TO: Joseph Cardinal Bernardin
FROM: Priests' Personnel Board
RE: Recommendations
DATE: March 6, 1992

Approved +JCB March 9, 1992

Your Eminence,

At the March 6th meeting of the Priests' Personnel Board the following recommendations were made:

7 members present and voting

Pastorates:

[redacted]

Reverend Robert Kealy '72 to be assigned as Pastor of Immaculate Conception/Highland Park. The Board affirms your direct appointment. OK 7 - 0

[redacted]



ARCHDIOCESE OF CHICAGO

Office of the Archbishop

Post Office Box 1979
Chicago, Illinois 60690

(312) 751-8230
Fax (312) 337-6379

March 11, 1992

Dear Father Kealy:

In light of our discussions and the needs of the Archdiocese of Chicago, I am most pleased to appoint you as Pastor of Immaculate Conception Parish, Highland Park, while retaining your duties as Judge in the Interdiocesan Appellate Tribunal. As you know, this appointment was endorsed by the Diocesan Priests' Personnel Board and with the full support of Bishop Raymond Goedert. This appointment is effective March 30, 1992 and will be for a term of six years, which is, of course, renewable.

It will be my pleasure to receive your Profession of Faith and Oath of Office and to install you formally as Pastor of Immaculate Conception Parish at a mutually agreed upon date.

Bob, many thanks for all that you have done through these past years of service as Chancellor of the Archdiocese of Chicago and Department Director of Canonical Services and Communications. You have served the Archdiocese with distinct dedication and competence. Know of my personal gratitude for the assistance you rendered to me through this time. May I also add appreciation for your time and efforts at Queen of All Saints Basilica. I am pleased, too, that you will be continuing your duties as Judge in the Interdiocesan Appellate Tribunal.

As you take up your new pastoral charge, be assured of my encouragement and prayerful support, as well as my continued friendship and fraternal affection.

With cordial good wishes, I remain

Sincerely yours in Christ,

Joseph Card. Bernardin

Archbishop of Chicago

Kenneth Velo

Ecclesiastical Notary

Reverend Robert L. Kealy
Chancellor
Archdiocesan Pastoral Center
Chicago, Illinois

cc: Most Reverend Raymond E. Goedert, Episcopal Vicar
Reverend William J. Zavaski, Dean
Reverend Edward J. Kelly
Reverend Charles E. Cronin
Reverend Thomas J. Paprocki
Diocesan Priests' Personnel Board
Office of Appraisal and Evaluation
Office of Research and Planning
Center for Development in Ministry

Page 304

[redacted]

5.

6.

7. Robert Kealy '72: Bob's direct appointment to the pastorate of Immaculate Conception/Highland Park was disheartening to [redacted] who felt the Cardinal had promised I.C. to him. The Cardinal met with [redacted] to discuss the matter.

8. [redacted]

9.

10.

11.

ARCHDIOCESE OF CHICAGO

Office of the Chancellor

Post Office Box 1979
Chicago, Illinois 60690

(312) 751-8220
Fax (312) 751-5381

To the employees of the Pastoral Center and related agencies:

March 16, 1992

My dear friends,

Before leaving for the Philippines, Cardinal Bernardin announced my appointment as pastor of Immaculate Conception Parish in Highland Park. I know that this took many of you by surprise. However, after twenty years of priesthood and fourteen years of primarily administrative and academic work, I felt a strong desire to return to parish ministry and become a pastor and Cardinal Bernardin has graciously acceded to my request. As important as the work of diocesan administration is, nothing gives a priest a deeper sense of his priesthood than the person-to-person encounters whereby he enables people to experience Christ's healing, redemption, and grace in their lives.

Happily, given the size and circumstances at Immaculate Conception, I will still be able to put my canonical training to good use as a Judge on the Interdiocesan Appellate Tribunal. So that I can get settled in the parish before Holy Week, the appointment will be effective March 30. Father Tom Paprocki, who will succeed me, is well prepared and I have complete confidence in him. To the extent helpful in order to accomplish an orderly transition, I will continue to assist with certain projects.

I leave my work at the Chancery with gratitude for this broadening experience of the life of the Church and with admiration, appreciation, and affection for the dedicated and talented people in agencies and parishes with whom I have had the privilege of working. As I enter my new role as pastor with enthusiasm and excitement, I would appreciate your prayers and assure you of my own.

With cordial good wishes, I remain

Sincerely yours in Christ,

Robert L. Kealy

Reverend Robert L. Kealy
Chancellor

AOC 015583

THE NEW WORLD

Vol. 100 No. 12 March 20, 1992 © 1992 Chicago Catholic Publications, Chicago, Illinois 60607 28 pages in 2 sections 50 cents

Fr. Kealy becomes pastor; chancellor named

Father Robert L. Kealy, chancellor of the Archdiocese of Chicago, has been named pastor of Immaculate Conception Parish in Highland Park, effective March 30. Kealy will be succeeded by Father Thomas J. Paprocki, who has been vice chancellor.

Kealy also serves as a judge on the Court of Appeal for the Province of Chicago and as director of the Department of Canonical Services and Communications. As pastor, he will continue to serve as judge while Paprocki will be acting director of the Department of Canonical Services and Communications.

Commenting on his new post, Kealy said, "After 20 years of priesthood and 14 years of primarily administrative and academic work, I felt a strong desire to return to parish ministry and become a pastor. Cardinal Bernardin has graciously acceded to my request."

Kealy, 45, was named chancellor and department director in August 1985. His responsibilities included coordinating the work of the Marriage Tribunal, the Office of Conciliation, the Office of Public Information, Chicago

See page 5



Father Thomas Paprocki



Father Robert Kealy

APPOINTMENTS

March 16, 1992
His Eminence, Joseph Cardinal Bernardin, announces the following appointments:

Pastor

Rev. Robert L. Kealy, chancellor and director of Canonical Services and Communications, to be pastor of Immaculate Conception Parish, Highland Park, while continuing as judge on the Interdiocesan Appellate Tribunal.

Chancellor

Rev. Thomas J. Paprocki, vice-chancellor, to be chancellor and acting director of the Department of Canonical Services and Communications.

Associate Pastors

Rev. Gerardo Garcia, OSA, to be associate pastor of SS. Joseph and Bartholomew Parish, Waukegan.

Rev. John F. Krebs, from sabbatical, to be associate pastor of Santa Maria del Popolo Parish, Mundelein.

New pastor, chancellor

From page 2

Catholic Publications, the Office of Radio and Television and the Archdiocesan Archives.

Kealy holds a doctorate in canon law from the Gregorian University in Rome and a degree in civil law from De Paul University. He was admitted to the Illinois Bar in 1976 and became a judge of the archdiocesan tribunal in 1980. He was founding director of the Center for Church/State Studies and adjunct professor of law at DePaul University.

Ordained in 1972, Kealy has served as associate pastor at St. Germaine in Oak Lawn, St. Cletus in La Grange and St. Boniface in Chicago.

Born in Chicago, Kealy attended St. Gertrude School before studying at the archdiocesan seminaries.

Paprocki, 40, has been vice chancellor of the archdiocese since 1985 and a judge of the Court of Appeal for the Chicago Province since 1991.

From 1987 to 1990 he was in Rome completing his studies for a doctorate in canon law at the Gregorian University. He also holds a law degree from De Paul University and was admitted to the Illinois Bar in 1981.

After his ordination in 1978, his first assignment was to St. Michael Parish (83rd Street) where he was co-founder of the South Chicago Legal Clinic which provides legal services to the poor. He still serves the clinic in a volunteer capacity as president.

As administrator of St. Joseph Church (South Saginaw Avenue), from 1983 to 1986 he was instrumental in the formation of the Parish Cooperative in South Chicago, a coalition of churches working together to address common pastoral concerns. From 1985 to 1987, he was a member of the priests' senate.

Born in Chicago, Paprocki attended St. Casimir School and the archdiocesan seminaries. He resides at St. Helen Parish.

AOC 015584

b) Robert Kealy '72: The Cardinal has appointed Bob as pastor of Immaculate Conception/Highland Park effective 03/30/92 for a six year term, while retaining duties as Judge in the Interdiocesan Appellate Tribunal.

c) [redacted]

d)

14. [redacted]

[redacted]

13. Cardinal's Appointments:

a) [redacted]

b) Robert Kealy '72: The Cardinal has appointed Bob as pastor of Immaculate Conception/Highland Park effective 03/30/92 for a six year term, while retaining duties as Judge in the Interdiocesan Appellate Tribunal.

c) [redacted]

d)

14. [redacted]

ARCHDIOCESE OF CHICAGO

Profession of Faith
and
Oath of Fidelity

PROFESSION OF FAITH

(Formula for making the profession of faith in those cases where it is required by law)

I, Rev. Robert L. Kealy, with firm faith believe and profess everything that is contained in the symbol of faith, namely:

I (*We) believe in one God, the Father, the Almighty, maker of heaven and earth, of all that is seen and unseen. I believe in one Lord, Jesus Christ, the only Son of God, eternally begotten of the Father, God from God, Light from Light, true God from true God, begotten, not made, one in Being with the Father. Through him all things were made. For us men and for our salvation he came down from heaven: By the power of the Holy Spirit he was born of the Virgin Mary, and became man. for our sake he was crucified under Pontius Pilate; he suffered, died and was buried. On the third day he rose again in fulfillment of the Scriptures; he ascended into heaven and is seated at the right hand of the Father. He will come again in glory to judge the living and the dead, and his kingdom will have no end. I believe in the Holy Spirit, the Lord, the giver of life, who proceeds from the Father and the Son. With the Father and the Son he is worshiped and glorified. He has spoken through the Prophets. I believe in one, holy, catholic and apostolic Church. I acknowledge one baptism for the forgiveness of sins. I look for the resurrection of the dead, and the life of the world to come. Amen.

With firm faith I also believe everything contained in God's word, written or handed down in tradition and proposed by the Church, whether by way of solemn judgment or through the ordinary and universal magisterium, as divinely revealed and calling for faith.

I also firmly accept and hold each and every thing that is proposed definitively by the Church regarding teaching on faith and morals.

Moreover, I adhere with religious submission of will and intellect to the teachings which either the Roman Pontiff or the college of bishops enunciate when they exercise the authentic magisterium, even if they proclaim those teachings by an act that is not definitive.

(*At a public liturgical ceremony, e.g. the installation of a Pastor, this paragraph may be recited in the plural together with the other members of the assembly.)

OATH OF FIDELITY ON ASSUMING AN OFFICE TO BE EXERCISED IN THE NAME OF THE CHURCH

(In the Archdiocese of Chicago this form applies to those assuming the office mentioned in the canon 833, nn. 5-6, i.e. vicars general, episcopal vicars, judicial vicars, pastors, seminary rectors, professors of theology and philosophy in seminaries, and those to be ordained deacons.)

I, Rev. Robert L. Kealy, in assuming the office of Pastor, promise that both in my words and in my conduct I shall always preserve communion with the Catholic Church.

I shall carry out with the greatest care and fidelity the duties incumbent on me toward both the universal Church and the particular Church in which, according to the provisions of the law, I have been called to exercise my service.

In fulfilling the charge entrusted to me in the name of the Church, I shall hold fast to the deposit of faith in its entirety, I shall faithfully hand it on and explain it, and I shall avoid any teachings opposed to that faith.

I shall follow and foster the common discipline of the whole Church and I shall observe all ecclesiastical laws, especially those which are contained in the Code of Canon Law.

In Christian obedience I shall unite myself with what is declared by the bishops as authentic doctors and teachers of the faith or established by them as those responsible for the governance of the Church; I shall also faithfully assist the diocesan bishops, in order that the apostolic activity exercised in the name and by mandate of the Church may be carried out in the communion of the same Church.

So help me God, and God's holy Gospels, on which I place my hand.

Robert L. Kealy
Signature

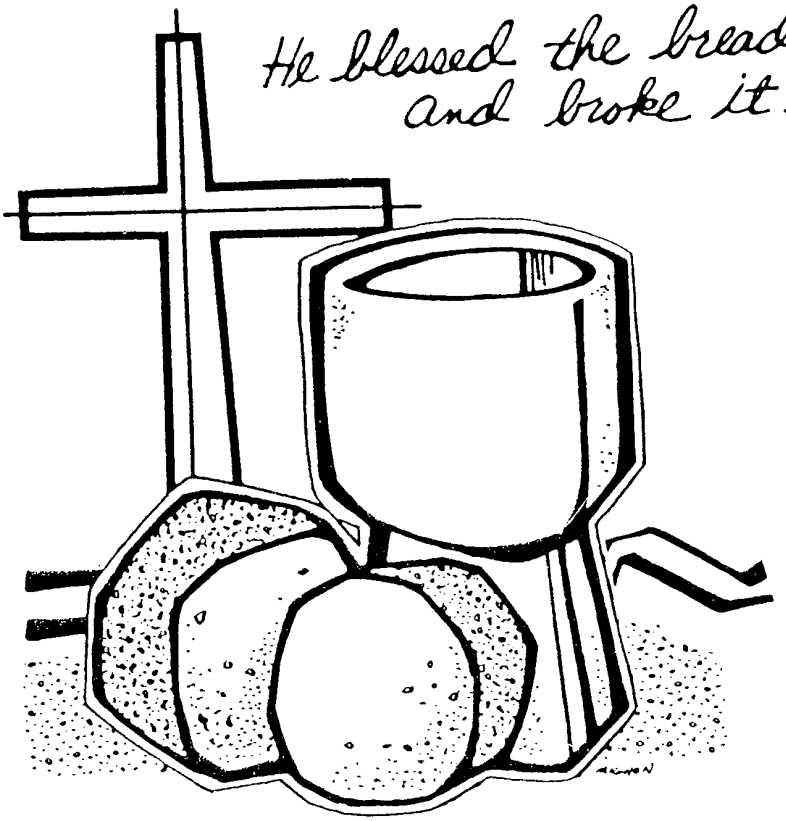
Witnessed by:
Joseph Card. Bernardin
Name
Archbishop of Chicago
Title

Dated at Chicago, Illinois

On the 30th Day of the Month of March

In the Year of Our Lord 1992

AOC 015588



IMMACULATE CONCEPTION PARISH

the Catholic Community in Highland Park

MAY 24, 1992 — SIXTH SUNDAY OF EASTER

AOC 015589

REFLECTIONS OF A NEW PASTOR

Today, at the 11:30 Mass, Cardinal Bernardin will formally install me as pastor. I am honored and grateful that he has chosen to do so personally. The rite of installation represents a two-fold aspect of a pastor's responsibility. On the one hand, the diocesan bishop commissions him to share in the bishop's responsibility to teach, to sanctify, and to lead the Church by undertaking the charge of a particular parish. On the other hand, the pastor and the Pastoral Council, which shares in the pastoral responsibility of the parish, and the Finance Council, which shares in the financial responsibility of the parish, pledge to work together in a spirit of cooperation, mutual respect and charity.

What, you may ask, do I have in mind as I begin my role as pastor? The first order of business for any pastor is to listen and to observe. To listen to the needs and desires of the parishioners; to come to know them and to love them; to hear their aspirations and their frustrations, their concerns and their dreams. To observe the strengths and traditions of the parish community and those areas where growth is needed and where energy should be focused. Then he should reflect on those things with the people. Thus, I believe it is essential to have an active, involved Pastoral Council and Finance Council, as well as many other vigorous parish societies and organizations.

As an overlay, I think that a parish should embrace the diocesan priorities expressed several years ago by Cardinal Bernardin; evangelization, racial and ethnic harmony, stewardship, and vocations.

EVANGELIZATION. By its very nature, the Church is missionary, that is, it is fired by a dynamic spirit to extend the embrace of Christ's love to all. It is inclusive, rather than exclusive. To have that missionary spirit, a parish must have a sense of excitement about the great gift of faith which we share. Animated by the love of Christ, a parish should be remarkable for its friendliness, its sensitivity to others, its kindness to all. It should be dedicated to continued formation in the faith and it should celebrate its faith with enthusiasm and beauty. While being conscientiously respectful of the faith of others and the freedom of conscience of each individual, the parish should seek to enliven the faith of its members, seek out those who have become inactive or estranged from the Church, reach out to those who are unchurched, and provide welcome to all who seek to know better the treasure that we bear.

To be an instrument of Christ's love, a parish must be a community of reconciliation and healing. In our human condition, painful hurts and separations are caused by prejudice, by envy, by misunderstandings, by callousness, by fear and anxieties. Left to fester, these wounds drain us of our life and our spirit. We have to attend not only to the symptoms, but the causes of our spiritual maladies and promote an atmosphere of contrition, reparation, and forgiveness, loving concern and mutual respect. Even when we disagree with others, we should presume their sincerity and show respect and tolerance. St. Paul tells us that "if we have faith great enough to move mountains, if we give over our bodies to be burned, but have not love, we have gained nothing."

RACIAL AND ETHNIC HARMONY. This is the second Archdiocesan priority. Our parish community and our Highland Park community have a richness of racial, ethnic, and religious diversity. Within our own parish, we have people from many ethnic and racial backgrounds. Within Highland Park, we have many Jewish neighbors and many fellow-Christians of other denominations. It is not enough that we merely co-exist in peace, although that, in itself, it is a great good. We must reach out in a concerted way to build bonds of understanding and mutual love. We must engage to build bonds of understanding and mutual love. We must engage one another in dialogue so that we may grow in our knowledge of one another and our care for one another. We must collaborate to build a spirit of harmony and good-will. We must work together to serve the needs of all.

AOC 015590

STEWARDSHIP. God has given us a share in his work of creation by endowing us with time, talent, and treasure to be used not for ourselves alone, but to be shared wisely and generously.

In terms of time and talent, I would like to foster the spirit of involvement and volunteerism which has been characteristic of the parish. We need to continue to find ways to include more members of the parish family, especially the new members, in our activities. I would like to work with you to find ways to respond to the unmet needs of our parish community and our larger community. A parish should provide opportunities for faith enrichment and for charitable outreach. It should also provide opportunities for socialization and recreation, whereby parishioners and other friends can get to know each other, enjoy one another's company, and build stronger bonds with one another. All of these things take time and effort, talent and energy. But they can be done if we all get behind them and if people are willing to bring them to fruition.

Another important aspect of stewardship is financial. Our financial resources have been entrusted to us by God to be allocated in a way which reflects our faith commitment. Instead of deciding what we can part with after we have paid for everything else, we should think in terms of committing a certain percentage of our income to our church and to church-sponsored activities. This involves trust that God will provide for our needs if we commit ourselves to sharing our treasure. I admire other parishes (including some of our neighbors) which contribute 5% of their parish income to charitable works outside the parish. This is something which requires further reflection and discussion and we will have plenty of time for that.

VOCATIONS. The fourth priority of the Archdiocese is vocations to the priesthood and religious life. We have been blessed in our time with an abundance of permanent deacons and lay ministers. All of these roles are very valuable and need to be encouraged. At the same time, the need for priests and religious continues, if the Church is to be healthy.

Vocations are affected by societal and family conditions, as well as by the healthiness of our parishes and our local Church. The affluence and opportunities available in our society make it more difficult for young people to embrace a life of sacrifice and service. The post-Conciliar confusion in the Church and the anti-institutional and anti-authoritarian attitudes of the 60's and 70's have had an effect. The weakening of the family structure has taken its toll. But these are not insurmountable difficulties.

To promote vocations, first of all, we have to pray for vocations. Christ Himself told us "to pray that we may have laborers for the harvest." It is when we pray for something that we deepen our desire and our realization that only God can answer our need.

If a parish is to foster vocations, there must be a mature attitude of mutual respect and affection among the priests, religious, and parishioners. We must be supportive of one another and show our appreciation for one another.

In the family, parents foster vocations by faithfully living out their own marital commitments and by instilling a spirit of generosity and other-centeredness in their children.

I hope that in our parish we can provide an environment which fosters and encourages vocations. I hope that we can raise our collective consciousness of the need for priests and religious and see young people of our parish giving serious consideration to how God is calling them to serve Him.

All of this is a tall order. I have stretched your patience by going on so long, but I wanted to share with you my hopes for our parish. These plans won't be accomplished in a month or a year, but we need to set our direction and begin, walking together each step of the way, confident that "the Lord who began this good work in us will see it through to completion."

—Father Bob Kealy

AOC 015591



THE SECOND ANNUAL IC ALL PARISH PICNIC (HELD RAIN OR SHINE)

WHEN: SATURDAY, MAY 30th
3:00 - 7:00 PM

WHERE: ROSEWOOD BEACH PARK (ONE BLOCK EAST OF SHERIDAN ROAD ON ROGER WILLIAMS) PARKING IS AVAILABLE IN THE ROSEWOOD BEACH PARK LOT, ALONG ROGER WILLIAMS AVENUE, OR IN THE LOWER ROSEWOOD BEACH LOT.

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WE LOOK FORWARD TO SEEING YOU!!
QUESTIONS? CALL [redacted] OR [redacted]

FATHER KEALY'S INSTALLATION

Father Kealy is being installed by Cardinal Bernardin as our pastor today at the 11:30 Mass. Everyone is cordially invited to attend. Extra copies of the booklet of the Mass of Installation are available in the Vestibule. Everyone is cordially invited to a reception in the gymnasium of the Parish Center following the Mass.

ASCENSION THURSDAY

Thursday of this week is the Feast of the Lord's Ascension, a Holy Day of Obligation. There will be a vigil Mass on Wednesday night at 6:00 PM. Masses on Thursday will be at 7:00 AM, 8:00 AM and 6:00 PM.

Everyone is encouraged to attend Mass on Ascension Thursday.

CELEBRANTS FOR NEXT WEEK

Sacrament of Reconciliation:
Saturday, 4:00-4:45 PM — Father Kealy

Eucharist:
Saturday, 5:00 PM — Father Kealy
Sunday, 7:30 AM — Father Kealy
Sunday, 9:30 AM — Father Holbrook
Sunday, 11:30 AM — Fr. Kelly

MEMORIAL DAY FIELD MASSES

Catholic Cemeteries of the Archdiocese of Chicago sponsors Memorial Day Field Masses at most of our Catholic cemeteries. This is one more illustration of our belief that even in death our departed relatives are linked to our community of faith. Burial in a Catholic cemetery provides the environment for manifesting our conviction that those who have gone before us in death are one with us in the Spirit.

In most of the cemeteries, programs are scheduled for 10:00 AM with the Mass beginning at 10:30 AM. Northside cemeteries having field Masses include:

All Saints, Des Plaines	St. Adalbert, Niles
Ascension, Libertyville	St. Michael, Palatine
Calvary, Evanston	Maryhill, Niles

AOC 015592



Newly Baptized

[redacted]

Rest in Peace

A Mass of Resurrection was celebrated for [redacted] May 15, 1992.

OUR OFFERINGS

SUNDAY, MAY 17, 1992

Envelopes	$4,291.01
Loose	$387.32
TOTAL	$4,678.33
Additional Easter Offerings	$119.00
TOTAL EASTER OFFERINGS TO DATE	$20,021.57
Last Year's Easter Offerings	$20,759.70

Thank You!

PLEASE REMEMBER YOUR PARISH IN YOUR WILL.

WELCOME! WELCOME! WELCOME! WELCOME! WELCOME! WELCOME! WELCOME!
INSTANT REGISTRATION FORM

Family Name_____ Years in parish: _____

Address: _____

_____

Phone: _____

Mr./Mrs./Ms./Mr. & Mrs./Other: _____ (Please Circle)

First Names & Middle Initial of Husband/Wife/Individual:

_____ Catholic? Y/N Date of birth _____ Occupation: _____

_____ Catholic? Y/N Date of birth _____ Occupation: _____

Children residing at this address (including those away at school):

Name: _____ Sex: _____ Date of birth: _____

Name: _____ Sex: _____ Date of birth: _____

Name: _____ Sex: _____ Date of birth: _____

Name: _____ Sex: _____ Date of birth: _____

Other adults living in household:

Name: _____ Sex: _____ Date of birth: _____

PLEASE MAIL TO THE RECTORY OR DROP IN THE COLLECTION. THANK YOU!

AOC 015593

MASS INTENTIONS

Sat. May 23 — VIGIL: SIXTH SUNDAY OF EASTER
5:00—[redacted]

Sun. May 24 — SIXTH SUNDAY OF EASTER
7:30—[redacted]
9:30—[redacted]
11:30—Parishioners

Mon. May 25 — VENERABLE BEDE; ST. GREGORY VII; ST. MARY MAGDALENE de PAZZI; MEMORIAL DAY
7:30—[redacted]

Tues. May 26 — ST. PHILIP NERI
7:30—[redacted]

Wed. May 27 — ST. AUGUSTINE OF CANTERBURY
7:30—[redacted]

Wed. May 27 — VIGIL: ASCENSION OF THE LORD
6:00—Parishioners

Thurs. May 28 — ASCENSION OF THE LORD
7:00—[redacted]
8:00—[redacted]
6:00—[redacted]

Fri. May 29
7:30—[redacted]

Sat. May 30
7:30—[redacted]

Sat. May 30 — VIGIL: SEVENTH SUNDAY OF EASTER
5:00—[redacted]

Sun. May 31 — SEVENTH SUNDAY OF EASTER
7:30—Parishioners
9:30—[redacted]
11:30—[redacted]

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Rev. William M. Holbrook, M.Div., M.A., Ph.D., Resident
Rev. Mr. Robert T. FitzSimon, Permanent Deacon
Rev. Mr. Thomas A. Bex, Permanent Deacon
Rev. Mr. William L. Moorman, Pastoral Associate and Permanent Deacon
Sr. M. Robertus Fields, R.S.M., Director of Religious Education
Mr. Timothy Flynn, Director of Music
Mrs. Darlene Foley, Parish Secretary
Mr. Thomas Genest, Custodian

EUCHARIST:
Sunday Vigil — 5:00 PM Saturday
Sunday — 7:30, 9:30 and 11:30 AM
Holy Day Vigil — 6:00 PM
Holy Day — 7:00, 8:00 AM and 6:00 PM
Weekday — Monday thru Saturday — 7:30 AM

RECONCILIATION:
Saturday 4:00-4:45 PM and upon request.

BAPTISM:
On the Second Sunday of the month at 1:00 PM or at the 9:30 Mass on the fourth Sunday of the month. Baptismal preparation held on the first Friday of each month. Please call the Rectory to make arrangements.

AOC 015594

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AOC 015595

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AOC 015596

ARCHDIOCESE OF CHICAGO

Office of the Chancellor

Post Office Box 1979
Chicago, Illinois 60690

(312) 751-8220
Fax (312) 751-5381

MEMORANDUM

To: Cardinal Bernardin

From: Father Paprocki TGP

Date: June 12, 1992

Re: Temporary Delegation of Faculties for Matrimonial Matters to Father Robert Kealy

---

Your Eminence,

You recently indicated that you did not wish to add to the staff of either the Chancery or the Tribunal until after the completion of the study of the Tribunal this Fall. Nevertheless, due to the summer retreat and vacation schedules of Father Flinn and myself, and in light of the fact that summer is the height of the wedding season, it is imperative that the Chancery have some additional assistance to help with the granting of dispensations for marriage and issuing declarations of nullity.

Father Bob Kealy has indicated that he is available to assist with these matrimonial matters. Since Bob Flinn will be on retreat next week, I need some help in the Chancery immediately.

Accordingly, I would ask you to please sign the enclosed Decree granting Father Kealy temporary faculties to issue dispensations and declarations of nullity in my absence or the absence of Father Flinn.

Thank you for your consideration.

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

Post Office Box 1979
Chicago, Illinois 60690

(312) 751-8230
Fax (312) 337-6379

DECREE GRANTING TEMPORARY DELEGATION OF FACULTIES
TO ISSUE DISPENSATIONS FROM MATRIMONIAL IMPEDIMENTS
AND DECLARATIONS OF NULLITY

In order to provide for the continued efficient administration of the Sacraments to the Christian faithful in the Archdiocese of Chicago, and in light of the staffing needs of the Chancery during these summer months, in accord with the provisions of the Code of Canon Law, I hereby grant to Reverend Robert L. Kealy the faculties necessary for him to issue dispensations from matrimonial impediments and to grant declarations of nullity during the months of June, July, and August, 1992.

Dated this 12th day of June, 1992.

Joseph Card. Bernardin
Archbishop of Chicago

Given at the Chancery

Thomas J. Paprocki
Chancellor

PASTOR PLACEMENTS '92

APPT.	V	PARISH	PASTOR/ADMINISTRATOR	
[redacted]				
03/30/92	I	Imm. Concept./Highland Prk	Robert Kealy '72	P
[redacted]				

DOING

[redacted]	App Deadline 12/1/92
	App Deadline 12/1/92
	App Deadline 12/1/92
	App Deadline 11/04/92
	App Deadline 09/15/92

October 30, 1992

AOC 015599

Doc #4
12/4/92

PASTOR PLACEMENTS '92

APPT.	V	PARISH	PASTOR/ADMINISTRATOR	
[redacted]				
03/30/92	I	Imm. Concept./Highland Prk	Robert Kealy '72	P
[redacted]				

DOING

[redacted]	App Deadline 12/1/92
	App Deadline 12/1/92
	App Deadline 12/1/92
	App Deadline 11/04/92
	App Deadline 12/15/92
	App Deadline 12/15/92
	App Deadline

12/03/92

AOC 015600

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

Post Office Box 1979
Chicago, Illinois 60690

April 21, 1993

Dear Father Kealy:

At the Presbyteral Council meeting of March 9, 1993, unanimous approval was given to my appointing you and a number of other pastors to form a Pastors Review Board (c. 1742). Consequently, I am hereby appointing you as a member of this board for a period of five years.

If a situation should occur in which there are serious questions about a pastor's leadership, I will choose two or more of the members of the Pastors Review Board to advise me. Since there are now thirty-six pastors available to choose from on this panel, and only two are needed in any given situation, it is likely that you will be asked to review very few cases and perhaps even none at all in the next five years.

While it is hoped that it will be unnecessary to call upon your assistance, I am very grateful for your willingness to serve.

With cordial good wishes, I remain

Sincerely yours in Christ,

Joseph Card. Bernardin

Archbishop of Chicago

Given at the Chancery

Thomas J. Paprocki

Chancellor

Reverend Robert L. Kealy
Immaculate Conception Parish
1590 Green Bay Road
Highland Park, Illinois 60035

REPORTS: (04/23/93)

1. St. Christina: At the parish consultation the parishioners made the following suggestions for their next pastor:

[redacted]

Robert Kealy '72 2 mentions

[redacted]

2. [redacted]

3. [redacted]

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

Post Office Box 1979
Chicago, Illinois 60690

October 26, 1993

Dear Father Kealy:

I am very pleased to appoint you as Chaplain of the Catholic Lawyers Guild of the Archdiocese of Chicago, effective immediately.

I am confident you will bring much expertise and enthusiasm to this responsibility and know the lawyers will be grateful for your presence, assistance and spiritual guidance. Given the fact that you served as Associate Chaplain and, most recently, as canonical consultant to this organization prior to your departure for post-graduate studies, you are, no doubt, familiar with your new duties. I do ask you to speak with Mr. Michael Hayes, President of the Guild, regarding your chaplaincy.

Bob, I deeply appreciate all you have done and continue to do for this local church. Know of my gratitude, as well as my prayerful support and fraternal affection.

With cordial good wishes, I remain

Sincerely yours in Christ,

Joseph Card. Bernardin
Archbishop of Chicago

Kenneth Velo.
Ecclesiastical Notary

Reverend Robert L. Kealy
Immaculate Conception Parish
1590 Green Bay Road
Highland Park, Illinois 60035

cc: Mr. Michael Hayes
Reverend Ronald Stake

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

Post Office Box 1979
Chicago, Illinois 60690

November 8, 1993

Dear Father Kealy:

In light of our conversation and the needs of the Province of Chicago, I am pleased to appoint you Judicial Vicar of the Interdiocesan Tribunal of the Province of Chicago. This appointment is effective January 1, 1994 and your term of office will be for five years, subject to renewal.

Bishop John Gorman will act as my delegate in receiving your Profession of Faith and Oath of Office as you assume the duties of Judicial Vicar. This appointment is made with the understanding that you will continue to serve as Pastor of Immaculate Conception Parish, Highland Park. It is my hope that this new and significant responsibility will not interfere with the leadership and service you will provide for the people of Immaculate Conception Parish.

I wish to express my deep gratitude, Bob, for your willingness and generosity to serve as Judicial Vicar of the Interdiocesan Tribunal. As you know, I am appointing Reverend John Lucas, Adjutant Judicial Vicar. I am confident your past experiences and expertise in canon law will bode well as you take up your new duties in providing both pastoral and canonical services to the Christian faithful of the Province of Chicago.

Be assured of my continued prayers, support and fraternal affection.

With cordial good wishes, I remain

Sincerely yours in Christ,

Joseph Card. Bernardin
Archbishop of Chicago

Kenneth Velo.
Ecclesiastical Notary

Reverend Robert L. Kealy
Immaculate Conception Parish
1590 Green Bay Road
Highland Park, Illinois 60035

cc: Ordinaries of the Province of Chicago
Most Reverend John R. Gorman, Vicar General
Most Reverend Raymond E. Goedert, Episcopal Vicar
Reverend Michael A. Hack
Reverend William A. Schumacher
Reverend John P. Lucas
Diocesan Priests' Placement Board

REPORTS: (11/12/93)

1. [redacted]

2. [redacted]

3. Robert Kealy '72: The Cardinal has appointed Bob to be Judicial Vicar of the Interdiocesan Tribunal of the Province of Chicago, effective 01/01/94, with a renewable five year term.

4. [redacted]

5. [redacted]

6. [redacted]

[redacted]

3. Robert Kealy '72: The Cardinal has appointed Bob to be Judicial Vicar of the Interdiocesan Tribunal of the Province of Chicago, effective 01/01/94, with a renewable five year term.

4. [redacted]

5. [redacted]

6. [redacted]

7. [redacted]

5. [redacted]

6. [redacted]

7. [redacted]

8. Robert Kealy '72: Bob [Pastor of Immaculate Conception/Highland Park] has requested an STL candidate. He would like to be considered as a possible placement for Michael McGovern '94.

9. [redacted]

ARCHDIOCESE OF CHICAGO

Profession of Faith and Oath of Fidelity

PROFESSION OF FAITH

(Formula for making the profession of faith in those cases where it is required by law)

I, **the Reverend Robert L. Kealy**, with firm faith believe and profess everything that is contained in the symbol of faith, namely:

I (*We) believe in one God, the Father, the Almighty, maker of heaven and earth, of all that is seen and unseen. I believe in one Lord, Jesus Christ, the only Son of God, eternally begotten of the Father, God from God, Light from Light, true God from true God, begotten, not made, one in Being with the Father. Through him all things were made. For us men and for our salvation he came down from heaven: By the power of the Holy Spirit he was born of the Virgin Mary, and became man. for our sake he was crucified under Pontius Pilate; he suffered, died and was buried. On the third day he rose again in fulfillment of the Scriptures; he ascended into heaven and is seated at the right hand of the Father. He will come again in glory to judge the living and the dead, and his kingdom will have no end. I believe in the Holy Spirit, the Lord, the giver of life, who proceeds from the Father and the Son. With the Father and the Son he is worshiped and glorified. He has spoken through the Prophets. I believe in one, holy, catholic and apostolic Church. I acknowledge one baptism for the forgiveness of sins. I look for the resurrection of the dead, and the life of the world to come. Amen.

With firm faith I also believe everything contained in God's word, written or handed down in tradition and proposed by the Church, whether by way of solemn judgment or through the ordinary and universal magisterium, as divinely revealed and calling for faith.

I also firmly accept and hold each and every thing that is proposed definitively by the Church regarding teaching on faith and morals.

Moreover, I adhere with religious submission of will and intellect to the teachings which either the Roman Pontiff or the college of bishops enunciate when they exercise the authentic magisterium, even if they proclaim those teachings by an act that is not definitive.

(*At a public liturgical ceremony, e.g. the installation of a Pastor, this paragraph may be recited in the plural together with the other members of the assembly.)

OATH OF FIDELITY ON ASSUMING AN OFFICE TO BE EXERCISED IN THE NAME OF THE CHURCH

(In the Archdiocese of Chicago this form applies to those assuming the office mentioned in the canon 833, nn. 5-6, i.e. vicars general, episcopal vicars, judicial vicars, pastors, seminary rectors, professors of theology and philosophy in seminaries, and those to be ordained deacons.)

I, the Reverend Robert L. Kealy, in assuming the office of Judicial Vicar of the Court of Appeal, Province of Chicago, promise that both in my words and in my conduct I shall always preserve communion with the Catholic Church.

I shall carry out with the greatest care and fidelity the duties incumbent on me toward both the universal Church and the particular Church in which, according to the provisions of the law, I have been called to exercise my service.

In fulfilling the charge entrusted to me in the name of the Church, I shall hold fast to the deposit of faith in its entirety, I shall faithfully hand it on and explain it, and I shall avoid any teachings opposed to that faith.

I shall follow and foster the common discipline of the whole Church and I shall observe all ecclesiastical laws, especially those which are contained in the Code of Canon Law.

In Christian obedience I shall unite myself with what is declared by the bishops as authentic doctors and teachers of the faith or established by them as those responsible for the governance of the Church; I shall also faithfully assist the diocesan bishops, in order that the apostolic activity exercised in the name and by mandate of the Church may be carried out in the communion of the same Church.

So help me God, and God's holy Gospels, on which I place my hand.

Robert L. Kealy
Signature

Witnessed by:
+ John R. Gannon
Name
Vicar General
Title

Dated at Chicago, Illinois

On the 28th Day of the Month of December

In the Year of Our Lord 1993

AOC 015609

IMMACULATE CONCEPTION PARISH
770 West Deerfield Road, Highland Park, Illinois 60035 • (708) 433-0130

FILE

February 3, 1994

Dear Joe,

This is just to let you know that, as we discussed, effective February 1 I have started as canonical counsel for Hinshaw & Culbertson with the understanding that this would entail 10-12 hours per month. Already I'm working on a matter for St. Mary of Nazareth Hospital and for the Diocese of Rockford.

I appreciate your exhortation that I accept this offer. It should prove interesting. I'll keep you posted.

As ever,

Bob

AOC 015610

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REFERENCE FORM

Applicant, please fill in the upper section.

FOR ROBERT L. KEALY (Name of Applicant (Please print)), a candidate for admission to the 19 94 session of the Middlebury Spanish School ~~and/or the 19__-19__ academic year of the Middlebury School in Spain~~ at the UNDERGRADUATE (Graduate or Undergraduate) level.

I hereby waive my rights to inspect and review this document with the understanding that it will be used solely for the purpose of evaluating my qualifications for study at Middlebury College, here or abroad, and will not be available to any other institution, organization, or private party.

Robert L. Kealy
Signature of Applicant

May 20, 1994
Date

To the recommender:

We would appreciate receiving your candid evaluation of this applicant. If the Student Waiver Statement above is NOT signed, please submit this reference only if you are willing to allow the student to read it in its entirety, or return the blank form promptly to the applicant.

While we cannot acknowledge each reference, we would like to express our gratitude to you for helping us in our selection process.

1. Under what circumstances, and for how long, have you known the applicant? When?

I first met Fr. Kealy when I was a seminarian in the mid-1970's. In 1985 I began working with him in the Chancery. I consider him both a friend and a mentor.

2. Please indicate the candidate's ability and professional competence in comparison with other individuals whom you have known at a similar stage in their career.

	Below Average lowest 40%	Average Mid 20%	Above Average Next 15%	Very Good Next 15%	Excep-tional Highest 5%	Inadequate Opportunity to Observe
Oral Proficiency					✓	
Written Expression					✓	
Academic Potential					✓	
Motivation					✓	

3. General personality: emotional stability and maturity, adaptability, self reliance and independence, etc.

Fr. Kealy is an emotionally stable and mature person with high moral standards. He is adaptable to various situations and is a self-starter in addressing tasks. He has a friendly and pleasant personality and relates well to others.

4. Please add any remarks that would help in the evaluation of this candidate

As an alumnus myself of Middlebury's Spanish school (1976) and Italian school (1987), I know the rigors and demands of Middlebury's Summer Language Schools. I also know Fr. Kealy very well, and do not hesitate to say that he would do quite well in the Middlebury program. I give him my highest recommendation.

Use reverse side of this sheet if necessary

I understand that this reference will be available for the inspection and review of the student upon his or her request if the *Student Waiver Statement* is NOT signed.

Name Reverend Thomas J. Paprocki
Title Chancellor
please print
Date May 27, 1994

Signature Thomas J. Paprocki
Institution Archdiocese of Chicago
Address P.O. Box 1979, Chicago, IL 60690

PLEASE RETURN PROMPTLY TO APPLICANT IN THE ACCOMPANYING ENVELOPE, SEALED AND SIGNED.

AOC 015611

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

Post Office Box 1979
Chicago, Illinois 60690

D E C R E E

IN THE NAME OF GOD. AMEN.

In accord with canon 186, I, Joseph Cardinal Bernardin, Archbishop of Chicago, hereby officially inform the following persons that their terms of office as Judge for the Metropolitan Tribunal of the Archdiocese of Chicago (canon 1421 §1) have ended with the lapse of predetermined time. Furthermore, it my intention not to renew their appointments to this office. I hereby direct the Judicial Vicar to inform the parties of this decree.

Reverend [redacted]
Reverend
Reverend Robert L. Kealy
Reverend [redacted]
Reverend
Reverend

Joseph Card. Bernardin
Archbishop of Chicago

Thomas J. Paprocki
Chancellor

Given at Chicago
This 30th Day of June 1994

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

Post Office Box 1979
Chicago, Illinois 60690

D E C R E E

IN THE NAME OF GOD. AMEN.

In accord with canon 186, I, Joseph Cardinal Bernardin, Archbishop of Chicago, hereby officially inform the following persons that their terms of office as Defender of the Bond of the Metropolitan Tribunal of the Archdiocese of Chicago (canons 1432; 1436 §1) have ended with the lapse of predetermined time. Furthermore, it my intention not to renew their appointments to this office. I hereby direct the Judicial Vicar to inform the parties of this decree.

Reverend [redacted]
Reverend
Reverend
Sister
Reverend Robert L. Kealy
Reverend [redacted]
Reverend
Reverend
Rev. [redacted]
Rev.
Rev.

Joseph Card. Bernardin
Archbishop of Chicago

Thomas J. Paprocki
Chancellor

Given at Chicago
This 30th Day of June 1994

ARCHDIOCESE OF CHICAGO

Pastoral Center

1994 - 95 Priests' Salary Composition/Election Form

Name Rev. Robert L. Kealy	Position Judicial Vicar
Dept/Agency Court of Appeal	Dept/Agency Acct. No. E10034
F/T _____ P/T X	Year of Ordination 1972

	Salary From Pastoral Center	Annual Salary	Monthly Salary
1	**Base Salary** ($8,800/yr., $733.33/mo. - Agency Dir., Administrator) ($6,550/yr., $545.83/mo. - Assoc. Dir., Faculty)	$8,800	$733.33
2	**Transportation Allowance**	$5,360	~~$447.67~~ 446.67
3	**Seniority Increment** - $110 X 22 yrs.	$ 2,420	$ 201.66
4	**Mass Stipends** Note: Normally, a resident priest receives his Mass stipends directly from his parish. If there is a variation from this policy, please notify your immediate supervisor.		
5	**Resident Priest Stipend** - Effective 1991 - 92 Note: A resident priest who assists a parish is to receive $100 per month directly from the parish.		
6	**Other Factors:** 40% of salary from Court of Appeal 60% from Immaculate Conception Parish, Highland Park	16,580 x .4 = $6632	1381.66 x .4 = $552.66
7	**Total Salary From Pastoral Center**	$6632	$ 552.66

Robert L. Kealy — Priest's Signature

12/2/94 — Date

Signature is required by each of the following offices before this payroll action will be executed

☐ Agency Director	Date 12/6/94
☐ Department Director	Date 12/6/94
☐ Vicar for Administration	Date 12/8/94
☐ Reviewed by Director of Personnel Services	Date 12/7/94

Please Obtain Authorized Signatures and Return To Employee Services

Distribution:
☐ White: Employee Services ☐ Yellow: Department Director ☐ Pink: Vicar for Administration ☐ Gold: Agency Director

ARCHDIOCESE OF CHICAGO

Payroll Authorization Form

ENTERED

Please Complete Applicable Sections. Incomplete Forms Delay Processing

Employee Rev. Robert L. Kealy	Current Position Judicial Vicar
Current Department Court of Appeal	Department Account # E10034

A — **Salary Change** (Lay & Religious Employees only)
Indicate hourly rate for part-time employees and annual rate for full time employees

Salary Increase of %		Effective Date	
From	Per	To	Per

B

New Hire F/T_____ P/T X		Hire Date 11/1/94
Salary 6,632.00	Per year	
If part-time, hours worked per week: 16		

C

Transfer _____ **Promotion** _____		**New Position** _____
New Department:		Department Account #
New Salary	Per	Effective

D

Transfer From F/T_____ P/T_____		**TO** F/T_____ P/T_____
New Salary	Per	Effective
If part-time, hours worked per week:_____		

E

1 **Terminate** ☐ Effective

2 **Leave of Absence** ☐ Effective

3 **Return from Leave of Absence** ☐ Effective

Signature is required by each of the following offices before this payroll action will be executed

☐ Agency Director [signature]	Date 12/6/94
☐ Department Director [signature]	Date 12/6/94
☐ Vicar for Administration [signature]	Date 12/8/94
☐ Reviewed by Director of Employee Services KO	Date 12/7/94

Please Obtain Authorized Signatures and Return To Employee Services

Distribution:

☐ White: Employee Services ☐ Yellow: Department Director ☐ Pink: Vicar for Administration ☐ Gold: Agency Director

ARCHDIOCESE OF CHICAGO

Pastoral Center

1994 - 95 Priests' Salary Composition/Election Form

Name Rev. Robert L. Kealy	Position Judicial Vicar
Dept/Agency Court of Appeal	Dept/Agency Acct. No. E10034
F/T _____ P/T X	Year of Ordination 1972

	Salary From Pastoral Center	Annual Salary	Monthly Salary
1	**Base Salary** ($8,800/yr., $733.33/mo. - Agency Dir., Administrator) ($6,550/yr., $545.83/mo. - Assoc. Dir., Faculty)	$8,800	$733.33
2	**Transportation Allowance**	$5,360	~~$447.67~~ 446.67
3	**Seniority Increment** - $110 X 22 yrs.	$ 2,420	$ 201.66
4	**Mass Stipends** Note: Normally, a resident priest receives his Mass stipends directly from his parish. If there is a variation from this policy, please notify your immediate supervisor.		
5	**Resident Priest Stipend** - Effective 1991 - 92 Note: A resident priest who assists a parish is to receive $100 per month directly from the parish.		
6	**Other Factors:** 40% of salary from Court of Appeal 60% from Immaculate Conception Parish, Highland Park	16,580 x .4 = $6632	1381.66 x .4 = $552.66
7	**Total Salary From Pastoral Center**	$6632	$ 552.66

Robert L. Kealy — Priest's Signature

12/2/94 — Date

Signature is required by each of the following offices before this payroll action will be executed

☐ Agency Director	Date 12/6/94
☐ Department Director	Date 12/6/94
☐ Vicar for Administration	Date 12/8/94
☐ Reviewed by Director of Personnel Services	Date 12/7/94

Please Obtain Authorized Signatures and Return To Employee Services

Distribution:
☐ White: Employee Services ☐ Yellow: Department Director ☐ Pink: Vicar for Administration ☐ Gold: Agency Director

To Connie

Date 3/8/95 Time 11:00 A.M. ☒ P.M. ☐

WHILE YOU WERE OUT

M Fr. Kealy

of

Phone
Area Code Number Extension

TELEPHONED		PLEASE CALL	
CALLED TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		URGENT	
RETURNED YOUR CALL			

Message Change mail to
770 W. Deerfield Road
instead of 1590 W. Thorsby Rd
Change Parish listing and
Fr. Kealy's alpha listing

Operator

HOP
161P

AOC 015617

ARCHDIOCESE OF CHICAGO

for Cardinal Bernardin

Pastoral Center

ENTERED JUL 06 1995

1995 - 96 Priests' Salary Composition/Election Form

Name Rev. Robert L. Kealy	Position Judicial Vicar
Dept/Agency Court of Appeal	Dept/Agency Acct. No. 10-034
F/T _____ P/T X	Year of Ordination 1972

	Salary From Pastoral Center	Annual Salary	Monthly Salary
1	**Base Salary** ($9,150/yr., $762.50/mo. - Agency Dir., Administrator) ($6,850/yr., $570.83/mo. - Assoc. Dir., Faculty)	9150 $	$
2	**Transportation Allowance**	$5,575	$464.59
3	**Seniority Increment** - $110 X 23 yrs.	$ 2530	$
4	**Mass Stipends** Note: Normally, a resident priest receives his Mass stipends directly from his parish. If there is a variation from this policy, please notify your immediate supervisor.		
5	**Resident Priest Stipend** - Effective 1991 - 92 Note: A resident priest who assists a parish is to receive $100 per month directly from the parish.		
6	**Other Factors:** 40% paid by Court of Appeal 17,255 x 40% = $6902	$	$
7	**Total Salary From Pastoral Center**	$ 6902	$

Robert L. Kealy — Priest's Signature

5/9/95 — Date

Signature is required by each of the following offices before this payroll action will be executed

☒ Agency Director Robert L. Kealy	Date 5/9/95
☒ Department Director SM Brian	Date 5/10/95
☐ Vicar for Administration	Date
☐ Reviewed by Director of Personnel Services CJ	Date 6-8-95

Please Obtain Authorized Signatures and Return To Employee Services

Distribution:
☐ White: Employee Services ☐ Yellow: Department Director ☐ Pink: Vicar for Administration ☐ Gold: Agency Director

No perf. appraisal for Cardinal Bernardin

ARCHDIOCESE OF CHICAGO

Pastoral Center

1995 - 96 Priests' Salary Composition/Election Form

ENTERED JUL 06 1995

Name Rev. Robert L. Kealy	Position Judicial Vicar
Dept/Agency Court of Appeal	Dept/Agency Acct. No. 10-034
F/T _____ P/T X	Year of Ordination 1972

	Salary From Pastoral Center	Annual Salary	Monthly Salary
1	**Base Salary** ($9,150/yr., $762.50/mo. - Agency Dir., Administrator) ($6,850/yr., $570.83/mo. - Assoc. Dir., Faculty)	9150 $	$
2	**Transportation Allowance**	$5,575	$464.59
3	**Seniority Increment** - $110 X 23 yrs.	$ 2530	$
4	**Mass Stipends** Note: Normally, a resident priest receives his Mass stipends directly from his parish. If there is a variation from this policy, please notify your immediate supervisor.		
5	**Resident Priest Stipend** - Effective 1991 - 92 Note: A resident priest who assists a parish is to receive $100 per month directly from the parish.		
6	**Other Factors:** 40% paid by Court of Appeal 17,255 x 40% = $6902	$	$
7	**Total Salary From Pastoral Center**	$ 6902	$

Robert L. Kealy — Priest's Signature

5/9/95 — Date

Signature is required by each of the following offices before this payroll action will be executed

☒ Agency Director Robert L. Kealy	Date 5/9/95
☒ Department Director SM Brian	Date 5/10/95
☐ Vicar for Administration	Date
☐ Reviewed by Director of Personnel Services CJ	Date 6-8-95

Please Obtain Authorized Signatures and Return To Employee Services

Distribution:
☐ White: Employee Services ☐ Yellow: Department Director ☐ Pink: Vicar for Administration ☐ Gold: Agency Director

AOC 015619

ARCHDIOCESE OF CHICAGO

Pastoral Center

1995 - 96 Priests' Salary Composition/Election Form

Name Rev. Robert L. Kealy	Position Judicial Vicar
Dept/Agency Court of Appeal	Dept/Agency Acct. No. 10-034
F/T _____ P/T X	Year of Ordination 1972

	Salary From Pastoral Center	Annual Salary	Monthly Salary
1	**Base Salary** ($9,150/yr., $762.50/mo. - Agency Dir., Administrator) ($6,850/yr., $570.83/mo. - Assoc. Dir., Faculty)	$ 9150	$
2	**Transportation Allowance**	$5,575	$464.59
3	**Seniority Increment** - $110 X 23 yrs.	$ 2530	$
4	**Mass Stipends** Note: Normally, a resident priest receives his Mass stipends directly from his parish. If there is a variation from this policy, please notify your immediate supervisor.		
5	**Resident Priest Stipend** - Effective 1991 - 92 Note: A resident priest who assists a parish is to receive $100 per month directly from the parish.		
6	**Other Factors:** 40% PAID BY COURT OF APPEAL 17,255 x 40% = $6,902	$	$
7	**Total Salary From Pastoral Center**	$ 6902	$

Priest's Signature _____ Date _____

Signature is required by each of the following offices before this payroll action will be executed

☐ Agency Director	Date
☐ Department Director	Date
☐ Vicar for Administration	Date
☐ Reviewed by Director of Personnel Services CJ	Date 6-8-95

Please Obtain Authorized Signatures and Return To Employee Services

Distribution:
☐ White: Employee Services ☐ Yellow: Department Director ☐ Pink: Vicar for Administration ☐ Gold: Agency Director

ARCHDIOCESE OF CHICAGO

Payroll Authorization Form

ENTERED 6-17-96

Please Complete Applicable Sections. Incomplete Forms Delay Processing

Employee Rev. ROBERT L. KEALY	Current Position JUDICIAL VICAR
Current Department COURT OF APPEALS	Department Account # 10-034

* EFFECTIVE 7/1/96 THE COURT OF APPEALS WILL HANDLE ITS OWN PAYROLL. THE EMPLOYEES WILL REMAIN PART OF THE ARCHDIOCESES BENEFITS PROGRAM

A	**Salary Change** (Lay & Religious Employees only) Indicate hourly rate for part-time employees and annual rate for full time employees			
	Salary Increase of %		Effective Date	
	From	Per	To	Per
B	**New Hire** F/T_____ P/T_____		Hire Date	
	Salary	Per		
	If part-time, hours worked per week:_____			
C	**Transfer** _____ **Promotion** _____		**New Position** _____	
	New Department:		Department Account #	
	New Salary		Per	Effective
D	**Transfer From** F/T_____ P/T_____		**TO** F/T_____ P/T_____	
	New Salary		Per	Effective
	If part-time, hours worked per week:_____			
E	1 **Terminate** ☒ Effective JUNE 30, 1996			
	2 **Leave of Absence** ☐ Effective			
	3 **Return from Leave of Absence** ☐ Effective			

Signature is required by each of the following offices before this payroll action will be executed

☒ Agency Director Robert L. Kealy	Date 6/14/96
☐ Department Director	Date
☐ Vicar for Administration	Date
☐ Reviewed by Director of Employee Services	Date 6/17/96

JUN 17 1996

Please Obtain Authorized Signatures and Return To Employee Services

Distribution:
☐ White: Employee Services ☐ Yellow: Department Director ☐ Pink: Vicar for Administration ☐ Gold: Agency Director

PASTORAL CENTER

EMPLOYEE REASSIGMENTS OR TERMINATIONS
FORM PASTORAL CNETER PAYROLL

Date: 6-17-96

✓ Reassign _____ Terminate

Name: REV ROBERT L. KEALY ✓ ID# P 801

Current Dept. #: A 10-034 New Dept. #: A 9919

Effective Date of Change: 7-1-96

	YES	NO	PLAN	I/F
Dental:	✓		FC Conventional	I
Health:		✓		
Pension:		✓		
Life:		✓	Amount Per Month:	

Cafeteria Plan: yes_____ no ✓

The above employee has been reassigned, either through transfer or promotion, or the Pastoral Center employment has terminated. When you have updated the information for your benefits files, please initial the form below and pass it to the next person. If your are the last person to use the form, please return it to Christine

MR_____ AR YA CN CN

Chris:
billed to Immaculate Conception 1930
LER

AOC 015622

COPY

Reminder 2/6/97

ARCHDIOCESE OF CHICAGO

Office of Ministerial Evaluation
Phone: (312) 751-5265
Fax: (312) 751-5281

Post Office Box 1979
Chicago, Illinois 60690-1979

November 27, 1996

Reverend Farrell Kane, O.Carm., Dean
St Paul the Apostle Parish
6401 Gages Lake Rd.
Gurnee, Illinois 60031

Dear Father Kane,

Father Kealy was named pastor of Immaculate Conception Parish in 1992. He is now in the fifth year of his term of office which concludes on March 30, 1998. It is time to initiate the review process which will be considered in the renewal of Father's term as pastor or a future assignment.

The first step of the process is for the dean to select a review coordinator who will coordinate and take responsibility for the review process. As you select a review coordinator, would you please ascertain his willingness to serve in this role? It is very important that the review coordinator be a person who will follow through with the process in a timely fashion and in a way that provides helpful feedback for the pastor and the Priests' Placement Board. The deadline for completion of the evaluation report is September 30, 1997. A brief outline of the role of review coordinator is enclosed for your reference.

At this time I am alerting Father Kealy that is time to initiate his review process. When I receive the form from you I will write to ask that he select another priest to assist the review coordinator in managing the review process. He will also be asked to affirm the review coordinator you have selected.

After the review coordinator and team member have been named, I will provide inservice for them if they are not familiar with the process and I will be available to assist them in their role as the process unfolds.

Please mail the review coordinator's name back to my office within the next three weeks.

Sincerely,

Mary

Mary Yunger, Director
Office of Ministerial Evaluation

MY/jw

Encs: Response Form/Return Envelope
Review Coordinator Duties

AOC 015623

COPY

ARCHDIOCESE OF CHICAGO

Office of Ministerial Evaluation
Phone: (312) 751-5265
Fax: (312) 751-5281

Post Office Box 1979
Chicago, Illinois 60690-1979

December 4, 1996

Reverend Robert Kealy, Pastor
Immaculate Conception Parish
1590 Green Bay Rd.
Highland Park, IL 60035

Dear Father Kealy,

Our records indicate that you were named pastor of Immaculate Conception parish in 1991 and that you are now in the fifth year of your pastorate. It is time to initiate the review process which will be one of the factors considered in the renewal of your term for a future assignment.

The goals of this process are: 1) to provide support by recognizing talent, naming gifts, offering constructive feedback, and suggesting new ways to approach situations, and 2) to provide some of the input upon which a decision regarding renewal or a future assignment may be based.

The first step of the process is for the dean to select a review coordinator to manage and take responsibility for the review process. I have written Father Kane, O Carm., your dean, to request that he make his selection within the next three weeks. When I receive the form indicating his selection I will write you again, to ask that you select another priest who will assist in the review process. At this time you will be asked to affirm the priest who has been selected as review coordinator.

With this letter I am enclosing background article on the review process; an outline of the steps of the review process and a copy of the review feedback form which will be given to all parish staff and leadership and to several other representatives whom you will designate.

If you have questions regarding the process I encourage you to call. It is my hope that the process will benefit you in your pastoral ministry.

Sincerely,

Mary Yunger

Mary Yunger, Director
Office of Ministerial Evaluation

MY/jw

Encls: (3)

ARCHDIOCESE OF CHICAGO

Payroll Authorization Form

ENTERED

Please Complete Applicable Sections. Incomplete Forms Delay Processing

Employee Rev. Robert L. Kealy	Current Position Judicial Vicar
Current Department Court of Appeal	Department Account # E10034

A — **Salary Change** (Lay & Religious Employees only)
Indicate hourly rate for part-time employees and annual rate for full time employees

Salary Increase of %		Effective Date	
From	Per	To	Per

B

New Hire F/T_____ P/T X		Hire Date 12/19/94
Salary 6,632.00	Per year	
If part-time, hours worked per week: 16		

C

Transfer _____ **Promotion** _____		**New Position** _____
New Department:		Department Account #
New Salary	Per	Effective

D

Transfer From F/T_____ P/T_____	**TO** F/T_____ P/T_____	
New Salary	Per	Effective
If part-time, hours worked per week:_____		

E

1 **Terminate** ☐ Effective

2 **Leave of Absence** ☐ Effective

3 **Return from Leave of Absence** ☐ Effective

Signature is required by each of the following offices before this payroll action will be executed

☐ Agency Director S M Brogan	Date 12/6/94
☐ Department Director S M Brogan	Date 12/6/94
☐ Vicar for Administration [signature]	Date 12/8/94
☐ Reviewed by Director of Employee Services KO	Date 12/7/94

Please Obtain Authorized Signatures and Return To Employee Services

Distribution:

☐ White: Employee Services ☐ Yellow: Department Director ☐ Pink: Vicar for Administration ☐ Gold: Agency Director

PASTOR REVIEW TEAM MEMBERS

Fr. Robert Kealy, Pastor
(847) 433-0130

Fr. Patrick Cecil, Review Team Coordinator
(847) 244-4161

Fr. Francis Kane, Team Member
(847) 251-0771

Target date for submitting the evaluation report: 9/30/96 7

November 27, 1996

Pastor: Reverend Robert Kealy '72 **Term End: 3/30/98**

PAT CECIL (FROM ST PAT'S, WADSWORTH)
REVIEW COORDINATOR

IMMACULATE CONCEPTION
PARISH

Farrell Kane
SIGNATURE Reverend Farrell Kane, O Carm., Dean

3-9-97
DATE

Please return within the next three weeks to:

Mary Yunger, Director
Office of Ministerial Evaluation
ARCHDIOCESE OF CHICAGO
PO Box 1979
Chicago, IL 60690-1979

REC 5/17/97

ARCHDIOCESE OF CHICAGO

Office of Ministerial Evaluation
Phone: (312) 751-5265
Fax: (312) 751-5281

Post Office Box 1979
Chicago, Illinois 60690-1979

COPY
REMINDER 5/5/97

March 17, 1997

Reverend Robert Kealy, Pastor
Immaculate Conception Parish
1590 Green Bay Rd..
Highland Park, IL 60035

Dear Father Kealy,

We have received a response from Father Kane, O Carm, your dean, indicating his selection of the coordinator for your first term review. You may affirm this selection or indicate any concern you might have on the enclosed form.

At this time you are asked to select a priest to work with Father Patrick Cecil in conducting the review. It is helpful if you have ascertained his willingness to assist with your review. His responsibilities would include:

- in-service if he is unfamiliar with the process
- reviewing the feedback and formulating the content of the review summary report with the review coordinator
- and presenting the summary report to you with the review coordinator

You may indicate your selection on the enclosed form.

When the process begins, about 25 persons, including your staff and twelve to fifteen lay leaders and representative parishioners whom you designate will be asked to complete review feedback forms. The review coordinator will contact you after he has received the materials to set a date for this group to meet with him to go over the process and receive the forms.

If all goes well the process takes about three to four months. It should be concluded in sufficient time for the Placement Board's renewal procedure. To facilitate a timely completion, please return the green form within the next three weeks.

Thank you for your cooperation.

Sincerely,

Mary Yunger

Mary Yunger, Director
Office of Ministerial Evaluation

MY/jw

cc: Reverend Patrick Cecil, Review Coordinator
Reverend Farrell Kane, O Carm, Dean

Encls: Return Response/Return Envelope

ARCHDIOCESE OF CHICAGO

Office of Ministerial Evaluation
Phone: (312) 751-5265
Fax: (312) 751-5281

Post Office Box 1979
Chicago, Illinois 60690-1979

COPY

March 17, 1997

Reverend Farrell Kane, O Carm, Dean
St. Paul the Apostle Parish
6401 Gages Lake Rd.
Gurnee, IL 60031

Dear Father Kane,

Thank you for naming a review coordinator for Father Kealy. I appreciate your response to this request.

Sincerely,

Mary Yunger

Mary Yunger, Director
Office of Ministerial Evaluation

COPY
REMINDER 5/5/97

PASTOR RETURN RESPONSE

Reverend Robert Kealy

3/30/98 (Term End)

Please select the name of one priest whom you would like to serve on your review team.

REV. FRANCIS KANE

ALTERNATE

The review coordinator selected by your dean/vicar is Fr. Patrick Cecil. If for some reason you would prefer someone other than the above on your team, please notify me.

Robert L. Kealy
Signature

5/9/97
Date

PLEASE RETURN WITHIN THREE WEEKS TO:

MARY YUNGER, DIRECTOR
OFFICE OF MINISTERIAL EVALUATION
PO BOX 1979
CHICAGO IL 60690-1979

Rec'd 5/14
received
5/13/97

AOC 015631

ARCHDIOCESE OF CHICAGO

Office of Ministerial Evaluation
Phone: (312) 751-5265
Fax: (312) 751-5281

Post Office Box 1979
Chicago, Illinois 60690-1979

COPY

May 15, 1997

Reverend Francis Kane
Saint Joseph Parish
1747 Lake Ave.
Wilmette, Illinois 60091

Dear Father Kane,

Thank you for agreeing to serve on the team for Father Kealy's pastor review. The review coordinator with whom you will be working is Father Patrick Cecil of Saint Patrick parish.

Since you have capably served on several review teams in recent years, there is no need for you to attend an information meeting regarding the process.

The review packet is enclosed. We will ask Father Cecil to contact you with the timeline for the process.

Sincerely,

Mary Yunger

Mary Yunger, Director
Office of Ministerial Evaluation

MY/jw

enc.

cc: Reverend Patrick Cecil, Review Team Coordinator

ARCHDIOCESE OF CHICAGO

COPY

Office of Ministerial Evaluation
Phone: (312) 751-5265
Fax: (312) 751-5281

Post Office Box 1979
Chicago, Illinois 60690-1979

May 16, 1997

Reverend Patrick Cecil
Review Team Coordinator
St. Patrick Parish
15000 Wadsworth Rd.
Wadsworth Rd., IL 60083

Dear Father Cecil,

Thank you for agreeing to serve as review coordinator for Father Kealy's first term pastor review process. Father Francis Kane, selected by Father Kealy, will serve as team member to assist in the review process.

There will be an information meeting for review coordinators, team members, and pastors regarding the process on the following date. Materials will be distributed at that time.

Tuesday, July 1 at 1:00 to 2:30 p.m.
at
Archdiocesan Pastoral Center
5th Floor Conference Rm.

Since you have not recently served as a review coordinator, I would encourage you to attend the meeting. Please call the Office of Ministerial Evaluation (312) 751-5265 to R.S.V.P. whether you do or do not plan to attend. If you are unable to attend we will need to make alternate arrangements to distribute the materials and review the process.

Sincerely,

Mary Yunger

Mary Yunger, Director
Office of Ministerial Evaluation

ARCHDIOCESE OF CHICAGO

COPY

Office of Ministerial Evaluation
Phone: (312) 751-5265
Fax: (312) 751-5281

Post Office Box 1979
Chicago, Illinois 60690-1979

May 16, 1997

Reverend Robert Kealy, Pastor
Immaculate Conception Parish
1590 Green Bay Rd..
Highland Park, IL 60035

Dear Father Kealy,

Thank you for your prompt response and for re-sending the name of the team member to assist in coordinating your review of ministry.

As you know, the review customarily begins with an information meeting during which team coordinators, team members, and pastors review the process and receive materials. You are welcome to attend this meeting if you wish. The next meeting is scheduled for:

Tuesday, July 1, 1997
1:00 to 2:30 p.m.
at
Archdiocesan Pastoral Center, 155 E. Superior Ave.
Fifth Floor Conference Room

If you wish to attend the meeting, please call the Office of Ministerial Evaluation at **(312) 751-5265 to R.S.V.P.** If you do not plan to attend, your review coordinator will call or meet with you to review and initiate the process.

Sincerely,

Mary Yunger

Mary Yunger, Director
Office of Ministerial Evaluation

ARCHDIOCESE OF CHICAGO

COPY

Office of Ministerial Evaluation
Phone: (312) 751-5265
Fax: (312) 751-5281

Post Office Box 1979
Chicago, Illinois 60690-1979

July 7, 1997

Reverend Robert Kealy, Pastor
Immaculate Conception Parish
1590 Green Bay Rd.
Highland Park, IL 60035

Dear Father Kealy,

On July 1, I met with Father Cecil, coordinator, from your review team to discuss the process and distribute the materials.

Father Cecil agreed to contact Father Kane, the review team member, to discuss the process. I believe that Father Cecil will be contacting you in the near future to arrange a meeting with staff and parishioners who will be completing the review feedback forms. He will ask you for a list of the staff and parish leaders as well as others whom you are asking to complete the forms.

Father Cecil and Father Kane will also be sharing with you a packet of review materials for your information. Included in the packet is a blue self-assessment form which you are encouraged to complete and return to Father Cecil.

Please don't hesitate to contact me if you have questions as the process unfolds. Thank you for your cooperation with the process.

Sincerely,

Mary Yunger

Mary Yunger, Director
Office of Ministerial Evaluation

MY/jw

cc: Reverend Patrick Cecil, Review Team Coordinator
Reverend Farrell Kane, O Carm., Dean
Reverend Francis Kane, Review Team Member

SUPERVISOR ACKNOWLEDGEMENT

A priest who wishes a Sabbatical should discuss the implications of his departure among colleagues with whom he shares ministry.

The appropriate supervisor colleague (pastor, agency director, or dean) must be aware of the proposal before the application is made. Even when a priest's Sabbatical comes at a time of termination/transition, there should be discussion beforehand.

A pastor whose associate is making application should understand the Archdiocesan policy that the parish continues to pay full salary (minus the $200.00 ~~stole~~ honorarium) until the associate returns (maximum 6 months).

If a parish is on subsidy, the priest's salary will be paid by the Archdiocesan Parish Subsidy Fund.

If a pastor requests a Sabbatical, the dean should be informed and acknowledge that he is aware of the application.

Sabbatical Candidate Rev Robert L. Kealy

Supervisor's Signature [signature]

Title Dean

Date 7-10-97

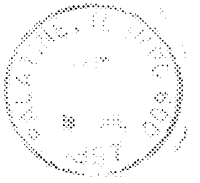
N.B. Sabbatical applications are considered in the order in which they arrive. Please endorse this form and return it to the Sabbatical candidate so that he can forward it with his application.

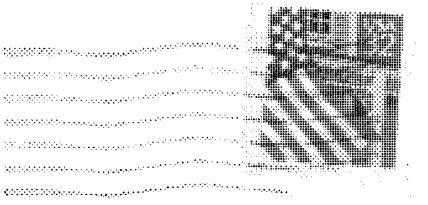
AOC 015636

Kraley

IMMACULATE CONCEPTION PARISH

770 West Deerfield Road, Highland Park, Illinois 60035





Marianne Keif

Administrative Coordinator

Center for Development in Ministry

University of St Mary of the Lake

Mundelein, IL 60060

AOC 015637

FATHER ROBERT L. KEALY

7/17/97

Dear Merlanne,

Welcome back from vacation.
Is this application complete?
Give me a call at [redacted].

Also I need the letter of
recommendation completed for
NAC - ICE.

Fr

AOC 015638

Cancelled

433-0130

(LEFT COLUMN BELOW FOR OFFICE USE)

_____ Application form sent 1/1

_____ Application returned 7/1997

_____ Request to Cardinal 1/1

CDM Advocate _____

___ Pastor/Dean letter received

___ Staff letter received

___ Clergy Personnel Board notified

Date approved _____

On leave _____

DATES SITES IN ORDER

_____

_____

_____

Catalog _____ Page _____

PRIMARY SABBATICAL MAILING ADDRESS

Site _____

% Director _____

Address _____

City/State _____

Zip/Country _____

Phone ( ) _____

TOTAL FUNDS APPROVED $ _____

DATE	AMOUNT	CHECKS REQUESTED
____	____	_____
____	____	_____
____	____	_____
____	____	_____
____	____	_____

SABBATICAL APPLICATION

Name REV. ROBERT L. KEALY

Ordination 19 72 Birthdate [redacted]

Phone: Day [redacted] Night Same

Assigned to (IMMACULATE CONVENTION PARISH HIGHLAND PARK + PROVINCIAL COURT OF APPEALS

Position PASTOR / JUDICIAL VICAR

Residence 770 W. DEERFIELD RD.

City/Zip HIGHLAND PARK IL 60035

The letter of acknowledgement from your superior must accompany this application. Name of pastor, agency director or dean:

REV. FARRELL T. KANE

What is the Personnel Board's expected termination date for you?

APRIL 1998 (FIRST SIX YEARS)

Does the Board list you as:
✓ extension or ___ transition

Social Security # [redacted]

Base salary after July 1, 19 97 :

$ 19,695

Is parish receiving subsidy? NO

While on Sabbatical your designated local contact will be:

Name REV. ALEC WOLFF

Address 770 W. DEERFIELD RD

City/Zip HIGHLAND PARK IL 60035

Phone: Day 847-433-0130 Night 847-433-0130

Relationship ASSOCIATE PASTOR
FRIEND

AOC 015639

NOTE: Priests who will be concluding a term and considering whether or not to request extension or early termination must ask the Personnel Board for status to be clarified prior to applying for a Sabbatical.

PREVIOUS EDUCATIONAL BACKGROUND

Chronologically list colleges, universities, graduate schools attended.

	INSTITUTION & LOCATION	ATTENDED	DEGREE	CONFERRED
A.	St. Mary of the Lake Seminary Mundelein, IL	MILES 1964-66 SHL 1966-68	B.A.	1968
B.	St. Mary of the Lake Seminary Mundelein, IL	1968-72	M. Div., S.T.L.	1972
C.	DePaul Univ. College of Law Chicago	1973-76	J.D.	1976
D.	Pontifical Gregorian University Rome	1982-85	J.C.D.	1986
E.	Middlebury College Summer Spanish Institute Middlebury, VT	1994		

Have you pursued opportunities for personal, educational, ministerial continuing growth and development?

Annual Conventions Offered by C.L.S.A.

Description Seminars in various areas of canon law

Annual Conventions Offered by Midwest Canon Law Society

Description Seminars in various areas of canon law

Italian & Spanish study Offered by various programs

Description Language study

Continuing development may be personalized, without structured programs. How have you grown in your own pursuits?

I read widely + regularly including theology, history, and literature. I participate regularly in two prayer groups. I [redacted]

AOC 015640

PROPOSED PROGRAM

Please give a description of the plans you have, or indicate what you would like the staff of the Center for Development in Ministry to help you arrange. Your selected site/s from the Sabbatical catalog is on Page/s 27.
If you have researched your own program, please attach a copy of the brochure. Please indicate the dates of your sabbatical program.

Dates: AUGUST 1, 1998 — NOVEMBER 30, 1998

AUGUST 1 - AUGUST 30: TRAVEL IN IRELAND, ENGLAND, FRANCE, ITALY
SEPT 1 - 7 RETREAT IN ITALY
SEPT 8 - NOV 25 INSTITUTE FOR CONTINUING THEOLOGICAL EDUCATION, ROME
INCLUDES 10-DAY TRIP TO HOLY LAND

TUITION, ROOM + BOARD

Expenses:
Tuition _____ Room and Board _____ Combination $6,200* (INCL. HOLY LAND)

~~(TUITION~~ (TUITION, ROOM + BOARD FOR BASIC PROGRAM IS $4500 + $700 FOR HOLY LAND STUDY)

Have you tentatively inquired about availability? Yes ✓ No _____

DATE CHRONOLOGICAL PREVIOUS ASSIGNMENTS (Beginning with current assignment)

1992 - PRESENT PASTOR, IMMACULATE CONCEPTION PARISH, FT. COLLINS, COLORADO
1993 - PRESENT JUDICIAL VICAR, PROVINCIAL COURT OF APPEALS
1985 - 1992 CHANCELLOR & DIRECTOR OF COMMUNICATIONS
1982 - 1985 GRADUATE STUDIES, ROME
1977 - 1982 JUDGE, METROPOLITAN TRIBUNAL
1972 - 1977 ST. GERMAINE, CAPE CORAL

If you will be returning to your present ministry, what arrangements do you anticipate making for your current work while you are on leave?

FR. ALEC WOLFF WILL BE AT THE PARISH. I WILL HAVE IN RESIDENCE A PRIEST FROM LACROSSE WHO WILL BE COMPLETING HIS STL AT MUNDELEIN

Is there anything else that that Sabbatical Board should know about you or your plans for ministry, in considering your application?

AFTER CELEBRATING MY 25TH ANNIVERSARY OF ORDINATION AND MY FIRST TERM AS PASTOR, I FEEL THAT THIS WILL BE A GOOD TIME TO BENEFIT FROM A SABBATICAL PROGRAM

AOC 015641

ALL INFORMATION PROVIDED WILL BE CONSIDERED CONFIDENTIAL

Is your Sabbatical proposal primarily a time designed for you spiritual, intellectual, or physical renewal; or a combination?

DEFINITELY A COMBINATION. THE FIRST MONTH OF VACATION AND TRAVEL WILL BE BOTH RELAXING AND ENRICHING. IN THE ICLE PROGRAM I AM PARTICULARLY INTERESTED IN THE STUDY OF SCRIPTURE AND READING IN THE CLASSICAL SPIRITUAL AUTHORS. THE HOLY LAND PILGRIMAGE WILL BE A NATURAL EXTENSION OF THAT.

How does your program fit your service to the diocesan or parish Church?

I AM CONFIDENT THAT IT WILL ENRICH MY PARISH MINISTRY AND MAKE ME A MORE EFFECTIVE PASTOR FOR THE TWO DECADES OR SO (GOD WILLING) THAT I WILL HAVE IN FRONT OF ME. I BELIEVE THAT SUCH OPPORTUNITIES ARE VALUABLE FOR HUMAN GROWTH, STABILITY, AND INTERIOR DEVELOPMENT AND THUS INDIRECTLY SERVE THE CHURCH.

Evaluate your ability to pursue a Sabbatical.

I CONSIDER MYSELF VERY ABLE TO PURSUE A SABBATICAL IN THE FALL OF 1995. I AM READY IN TERMS OF THE STAGES OF MY OWN PERSONAL LIFE & THE PARISH SITUATION (HAVING COMPLETED MY FIRST TERM, A CAPITAL CAMPAIGN AND CHURCH RENOVATION). ALSO I MAY NOT HAVE AN ASSOCIATE LONG AFTER THIS POINT BECAUSE ALEC WOLFF WILL BE COMPLETING HIS FIVE YEARS AT I.C. IN 1996 AND I DON'T EXPECT THAT HE WOULD BE REPLACED.

Have your ever had a Sabbatical opportunity? Yes _____ No ✓

When? _____

Where? _____

What? _____

AOC 015642

6 YEAR PASTORS - 1998

[redacted]

I/A	03/30/92	Robert L. Kealy '72	I.C./Highland	52

[redacted]

AOC 015643

6 YEAR PASTORS - 1998

[redacted]

I/A 03/30/92	Robert L. Kealy '72	I.C./Highland	52

[redacted]

AOC 015644

6 YEAR PASTORS - 1998

[redacted]

I/A	03/30/92 Robert L. Kealy '72	I.C./Highland	52

[redacted]

AOC 015645

SABBATICAL PROPOSAL

Today's Date: September 1, 1997
First Proposal: __X__ or Revised Proposal: _____ (please check one)

Applicant's Name: Rev. Robert L. Kealy

Advocate's Name: Merleanne Hiett Rampale

Dates of the Sabbatical: From: August 1, 1998 To: December 15, 1998
(include month, day and year)

Itinerary/Description of Sabbatical Program:

	Date	Activity/Location
1.	August 1 - 30	Travel in Ireland, England, France, Italy
2.	September 1-7	Retreat in Italy
3.	September 8-Nov. 25	Institute for Continuing Theological Education North American College, Rome, Italy Fall 1998 Program + 10 day Holyland Pilgrimage
4.	Dec. 1 - 15	Vacation

Budget: Fiscal Year: 1998-1999

	Activity	Cost
1.	1 month travel in Europe	$930
2.	1 week retreat in Italy	$300 approx.
3.	ICTE, North American College 3 month Fall 1998 program	$4,100
	Holyland Pilgrimage (10 days) (single supplement)	$1,950 approx.

Salary paid by: Immaculate Conception Parish, Highland Park

Transition: _____ Return to Same Assignment: __X__ Retirement: _____ (please check one)
(N.B. First term of six years is up in April, 1998. He is asking for an extension.)

If transition note termination date, if retirement note date of retirement: _____

Supervisor Acknowledgement: Yes: __X__ No: _____

Advocate's Recommendation: Bob has a good program which incorporates the proper spiritual, educational and rest components. I recommend that his program be approved with the maximum allowance of $6,000.

Date of Approval by Board: _____

AOC 015646

6 YEAR PASTORS - 1998

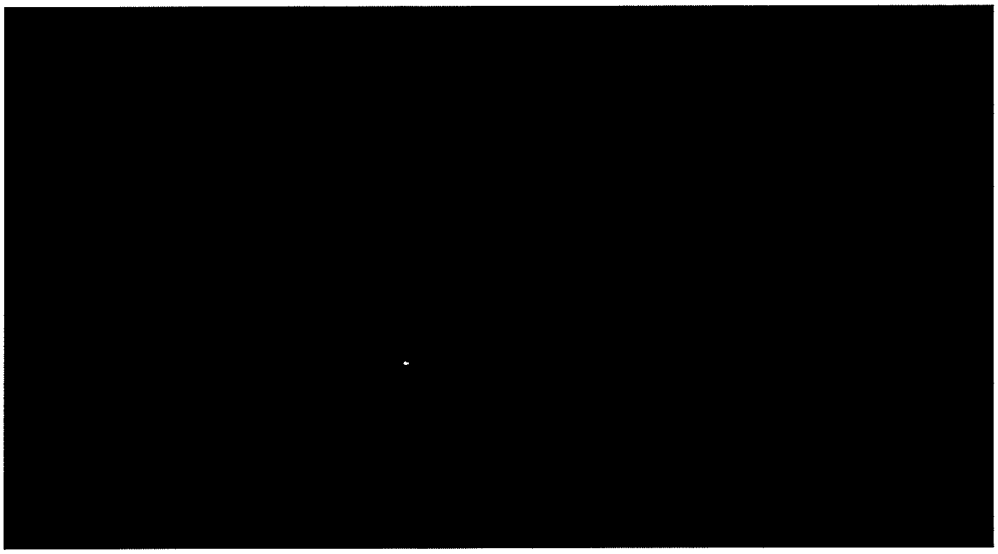
[redacted]

I/A	03/30/92 Robert L. Kealy '72	I.C./Highland	52

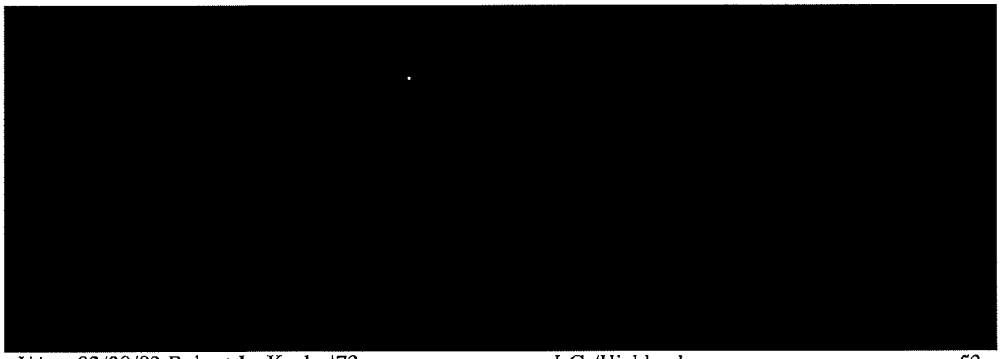
[redacted]

AOC 015647

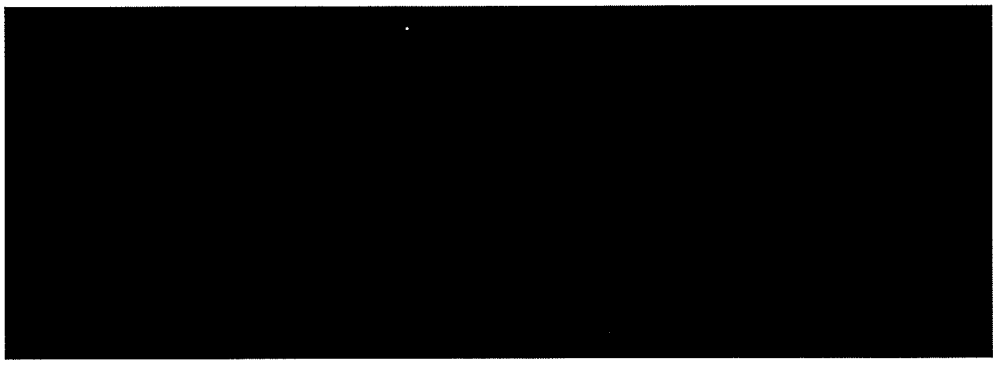
12 YEAR TERM ENDS/1998



6 YEAR PASTORS - 1998



I/A	03/30/92 Robert L. Kealy '72	I.C./Highland	52



AOC 015648

He will not
Ray Cordeiro
vicar general
to
permit

NORTH AMERICAN COLLEGE

INSTITUTE FOR CONTINUING THEOLOGICAL EDUCATION

00120 VATICAN CITY STATE

EUROPE

CONFIDENTIAL LETTER OF RECOMMENDATION FROM APPLICANT'S DIOCESAN BISHOP OR MAJOR SUPERIOR WRITTEN ON BEHALF OF:

(NAME) Rev. Robert L. Kealy

In order to be of most effective service to you and to the priest-applicant from your Diocese/Religious Province, the Admissions Committee of the Institute for Continuing Theological Education would be grateful to you if you would respond to the following questions about the candidate under consideration as completely as you are able.

1. Does the applicant seem satisfied and happy in his priestly ministry? Please describe and comment.

2. Does the applicant truly have interests and balance in his life?

FATHER ROBERT L. KEALY 9/17/97

Invitation

to the Annual Trustees

the Advisory Board

BY

3. Does the applicant enjoy a[n] e[asy] presence of others? Pleas[e] is peers.

Over, please . . .

AOC 015649

he will ask Ray Goedert via fax to submit

NORTH AMERICAN COLLEGE

INSTITUTE FOR CONTINUING THEOLOGICAL EDUCATION

00120 VATICAN CITY STATE

EUROPE

CONFIDENTIAL LETTER OF RECOMMENDATION FROM APPLICANT'S DIOCESAN BISHOP OR MAJOR SUPERIOR WRITTEN ON BEHALF OF:

(NAME) Rev. Robert L. Kealy

In order to be of most effective service to you and to the priest-applicant from your Diocese/Religious Province, the Admissions Committee of the Institute for Continuing Theological Education would be grateful to you if you would respond to the following questions about the candidate under consideration as completely as you are able.

1. Does the applicant seem satisfied and happy in his priestly ministry? Please describe and comment.

2. Does the applicant truly have interests and balance in his life?

3. Does the applicant enjoy adequate social adjustment? Is he happy with and in the presence of others? Please comment, especially on his acceptance of and by his peers.

Over, please . . .

AOC 015650

4. Does the applicant have any personal problems of which the Director of the ICTE should be aware? Please comment.

5. Does the applicant really desire theological study as well as time and travel abroad?

6. Do you see the applicant, and the local Church, and the other participants of the Institute benefiting by his acceptance? Please comment.

Therefore, I wish to make application for this priest of my Archdiocese/Diocese or Religious Community to participate in the Institute for Continuing Theological Education.

Your name: .....

Your signature: .....

Today's date: .....

Please note: The candidate's application dossier will be considered only if this letter of recommendation bears the signature of his Diocesan Bishop or Major Superior.

AOC 015651

TERMS END IN 1998

[redacted]

12 YEAR TERM ENDS/1998

[redacted]

6 YEAR PASTORS - 1998

[redacted]

I/A 03/30/92 Robert L. Kealy '72 I.C./Highland 52

[redacted]

NORTH AMERICAN COLLEGE

INSTITUTE FOR CONTINUING THEOLOGICAL EDUCATION

00120 VATICAN CITY STATE

EUROPE

CONFIDENTIAL LETTER OF RECOMMENDATION FROM APPLICANT'S DIOCESAN BISHOP OR MAJOR SUPERIOR WRITTEN ON BEHALF OF:

(NAME) Rev. Robert L. Kealy

In order to be of most effective service to you and to the priest-applicant from your Diocese/Religious Province, the Admissions Committee of the Institute for Continuing Theological Education would be grateful to you if you would respond to the following questions about the candidate under consideration as completely as you are able.

1. Does the applicant seem satisfied and happy in his priestly ministry? Please describe and comment.

   Bob has been pastor of a parish in the north suburbs and has done very well with his responsibilities. He is looked upon as a very effective pastor, is well liked by the parishioners, and had done good things both pastorally and administratively in the operation of the parish.

2. Does the applicant truly have interests and balance in his life?

   I know that Bob reads widely and has a genuine interest in theology, history and liturgy. He has a spiritual director and belongs to a priests' support group.

3. Does the applicant enjoy adequate social adjustment? Is he happy with and in the presence of others? Please comment, especially on his acceptance of and by his peers.

   He does have a good support group of friends both lay and ordained. He is well received and is popular in his parish and is respected here in the diocese.

Over, please . . .

AOC 015653

4. Does the applicant have any personal problems of which the Director of the ICTE should be aware? Please comment.

I am not aware of any.

5. Does the applicant really desire theological study as well as time and travel abroad?

From his past history, his work here at the Chancery Office and his time as a pastor, I believe that the study and travel will be well used.

6. Do you see the applicant, and the local Church, and the other participants of the Institute benefiting by his acceptance? Please comment.

Because of his outgoing personality and his years of ministry, I think Bob will be received as a very welcome participant in any study program that he would enter.

Therefore, I wish to make application for this priest of my Archdiocese/Diocese or Religious Community to participate in the Institute for Continuing Theological Education.

Your name: Most Rev. Raymond E. Goedert, Vicar General

Your signature: Raymond E. Goedert

Today's date: October 2, 1997

Please note: The candidate's application dossier will be considered only if this letter of recommendation bears the signature of his Diocesan Bishop or Major Superior.

AOC 015654

18. [redacted]

19. **Sabbatical Board:** The Sabbatical Board met on Tuesday 10/01/97 and granted sabbaticals for [redacted] and Robert Kealy '72 from 08/01/98 to 12/15/98.

19. **Sabbatical Board:** The Sabbatical Board met on Tuesday 10/01/97 and granted sabbaticals for [redacted] and Robert Kealy '72 from 08/01/98 thru 12/15/98.

20. [redacted]

21.

22.

IV **Acceptance of Agenda:** Accepted 6 - 0 - 0
With additions. [redacted]

V **Business:**

[redacted]

6 YEAR PASTORS - 1998

[redacted]

I/A 03/30/92 Robert L. Kealy '72 I.C./Highland 52

[redacted]

[redacted]

6 YEAR PASTORS - 1998

[redacted]

I/A	03/30/92 Robert L. Kealy '72	I.C./Highland	52

[redacted]

6 YEAR PASTORS - 1998

[redacted]

I/A	03/30/92 Robert L. Kealy '72	I.C./Highland	52

[redacted]

AOC 015659

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

Post Office Box 1979
Chicago, Illinois 60690-1979

October 20, 1997

Reverend Robert Kealy
Immaculate Conception Parish
1590 Green Bay Road
Highland Park, IL 60035

Dear Bob:

Father George Rutler, the National Chaplain of Legatus International, recently asked me to recommend a priest who might serve as a chaplain for the Chicago chapter of Legatus.

Your name has come highly recommended to me as someone who could serve the Chicago chapter quite well. I know you have many demands on your time. Would you be interested in serving as chaplain? Father Rutler mentioned to me that the time involved is not great. The position is voluntary, but the chaplain can have a significant influence on CEO's who are part of the membership of this organization.

Please call my assistant, Jim Lago, indicating whether or not you are interested. Thanks again for considering this.

Sincerely,

Most Rev. Francis E. George, O.M.I.
Archbishop of Chicago

FEG/gh

IMMACULATE CONCEPTION PARISH

770 West Deerfield Road, Highland Park, Illinois 60035
Phone: (847) 433-0130 • Fax: (847) 433-0669

October 27, 1997

Rev. D. Terrence Morgan
Director
Institute for Continuing Theological Education
North American College
00120 Vatican City State

Dear Father Morgan:

Thank you very much for your letter of October 8th, which just arrived. I am pleased to have been accepted into the ICTE program for the Fall of 1998; however, due to a change in my personal circumstances, I am going to be unable to go on sabbatical at that time. For now, I am not making any specific plans to reschedule the sabbatical. Rather, I am pursuing some language studies.

I regret any inconvenience that this may cause you and I am grateful for your assistance.

With cordial good wishes, I am

Sincerely yours in Christ,

Robert L. Kealy

Reverend Robert L. Kealy
Pastor

cc: Merleanne Rampale, Sabbatical Board

FATHER ROBERT L. KEALY

10/27/97

Dear Merleanne,

Thank you for all your help!

Bob

AOC 015661

[redacted]

6 YEAR PASTORS - 1998

[redacted]

I/A 03/30/92 Robert L. Kealy '72 I.C./Highland 52

[redacted]

[redacted]

6 YEAR PASTORS - 1998

[redacted]

I/A	03/30/92 Robert L. Kealy '72	I.C./Highland	52

[redacted]

[redacted]

I/A	03/30/92 Robert L. Kealy '72	I.C./Highland	52

[redacted]

[redacted]

Robert Kealy '72 withdrew his request at this time.

4. [redacted]

5.

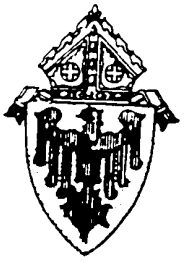
6.

7.

IV **Acceptance of Agenda:** 6- 0 - 0

V **Business:**

[redacted]



Department of Personnel Services
Office of Ministerial Evaluation
(312) 751-5265

CONFIDENTIAL

ARCHDIOCESE OF CHICAGO

TABULATION GUIDE

FOR THE

REVIEW OF MINISTRY FORM

[First Term Pastor Process]

THE TABULATION GUIDE FOR THE APPRAISAL OF PASTOR FORM

As the Evaluation Team Manager, you have been asked to gather up all of the completed surveys for the pastor being reviewed so he can become a more effective minister. This task can be enormous even with a few dozen responses. Therefore, this tabulation guide has been developed to assist you in the task of assembling the responses into one instrument which can help you when interpreting the data.

Obtaining a score for each item in the survey can provide valuable information about the relative strengths and weaknesses that emerge in the survey. The average score is an easy way to summarize the responses for a whole group. This calculation is made by weighing each response, adding them all together, and then dividing by the number of scores provided for that item. See Example 1.

EXAMPLE 1:

5. How would you describe the quality of the various educational programs in the parish?

Excellent Good Fair Poor None

( ) 5a. Child Religious Education Program

111	11111	11	1			
3 x4= 12	+ 5 x3= 15	+ 2 x2= 4	+ 1 x1= 1	== 32	÷ 11	== 2.9
				Total No.		Ave.

Tabulating the data where people just check a response category already given is straight-forward. However, when a person provides a "write-in" response, it needs to be scored also on the scale of the other choices for that item. It requires some judgement, and will not be perfect, but will allow you to include the write-in scores with the others in the final averages.

For example, if the person writes in for Question II a response such as: "I think he does a good job, but he gets boring when I listen to him." Looking at the range of choices they did not choose, you might see the write-in falling between the first and third choices. Then you might score this person's answer as a "1.5" and put it on the write-in scores as follows:

EXAMPLE 2:

( ) 11. Which of the following best sums up your pastor's usual teaching style?

11111	x1	He does most of the talking
11	x4	He listens to ideas from others and helps clarify them
1	x2	He tends to be "moralistic"
1111	x3	He shares his ideas and listens to others' ideas
Write-in Scores:		1.5

Sum total: 28.5 Divided by number of responses: 13 = Average: 2.2

Remember that this form is strictly confidential. Some of the respondents may have given permission for the pastor to see their comments about his ministry (check the back cover of the survey for each). If they did not give permission, then respect this wish and destroy the form after tabulation of their answers.

AOC 015667

When you have tabulated all of the surveys, calculate the average scores. Then write in the average scores on the Summary Sheet provided at the end of this form. Note the high scores and low scores. Make comments of your own and record the relevant comments of the others on the evaluation team below each item that is noteworthy. Indicate the score from the self-appraisal in the margin, perhaps in a different color. You may want to use this for preparing your initial report to the pastor. It may not be wise to show the pastor this tabulation form, but that is a judgement left to each evaluation manager.

This tabulation guide, like the survey, is divided into four areas:

A) the Pastor as Teacher
B) the Pastor as Spiritual Leader
C) the Pastor as Community Leader & Counselor
D) the Pastor as Organizational Leader

This first section gives a picture of who is responding to the survey. The question that should be asked about this information is: "Is this sample representative? What important segments of the parish may not be included?"

1. How long have you known your pastor? Mark the category closest to the person's response:

Less than one month	
Less than six months	
Less than one year	
One to four years	11
Over four years	𝍸 𝍸 𝍸 𝍸 𝍸 𝍸 𝍸 𝍸 𝍸 𝍸

2. Please indicate your role(s) with-in the parish.

Leader of parish organization	𝍸 𝍸
Member of parish organization	𝍸 𝍸 𝍸 𝍸 𝍸
Staff member	𝍸 𝍸 𝍸 𝍸 𝍸
Parishioner	𝍸 𝍸 𝍸 𝍸 𝍸
Other	𝍸 𝍸 𝍸 𝍸

3. How frequently do you see your pastor? (check the closest answer)

Daily	11
Once a week	𝍸 𝍸 𝍸 𝍸 𝍸 𝍸 𝍸 𝍸 𝍸 𝍸
Once a month	1
Less often	

4. How would you describe your pastor's general physical health?

Excellent	𝍸 𝍸
Good	𝍸 𝍸 𝍸 𝍸 𝍸 𝍸 𝍸 𝍸 𝍸 𝍸
Average	1
Fair	
Poor	

Note medical problems listed:

AOC 015668

Section A: the Pastor's Role as Teacher

5. How would you describe the quality of the various educational programs in the parish?

		Excellent	Good	Fair	Poor	None			
( )	5a. Child Religious Education (Parish Program)	5 x4= 20	8 x3= 24	___ x2= ___	___ x1= ___		== 44	÷ 17	== 3.3
							Total No.		Ave.
( )	5b. Parish School	NA							
		___ x4= ___	___ x3= ___	___ x2= ___	___ x1= ___		== ___	÷ ___	== ___
		PRE-SCHOOL					Total No.		Ave.
( )	5c. Youth Religious Education (ages 13-18)	1 x4= 4	4 x3= 12	6 x2= 12	1 x1= 1		== 29	÷ 14	== 2.1
							Total No.		Ave.
( )	5d. Youth Social Activities	2 x4= 8	7 x3= 21	6 x2= 12	1 x1= 1		== ___	÷ 16	== 2.6
							Total No.		Ave.
( )	5e. Adult Religious Education	4 x4= 16	12 x3= 36	1 x2= 2	1 x1= 1		== 56	÷ 18	== 3.3
							Total No.		Ave.
( )	5f. Adult Social Activities	12 x4= 48	10 x3= 30	___ x2= ___	___ x1= ___		== 78	÷ 22	== 3.5
							Total No.		Ave.
( )	5g. Note Other: PARENT FAITH FORMATION								
		___ x4= ___	1 x3= 3	___ x2= ___	___ x1= ___		== 3	÷ 1	== 3.0
							Total No.		Ave.

6. How would you describe the various educational programs in the parish overall?

		Always	Usually	Often	Rarely	Never			
( )	6a. They are well planned.	11 x4= 44	9 x3= 27	2 x2= 4	___ x1= ___		== ___	÷ ___	== 3.4
							Total No.		Ave.
( )	6b. They are well taught.	6 x4= 24	11 x3= 33	4 x2= 8	___ x1= ___		== 65	÷ ___	== 3.1
							Total No.		Ave.
( )	6c. They are well attended.	4 x4= 16	7 x3= 21	9 x2= 18	___ x1= ___		== ___	÷ ___	== 2.75
							Total No.		Ave.

AOC 015669

Rate each question below.

Excellent Good Fair Poor None

( ) 7. How would you rate the level of parish support for the educational mission of this parish?

___x4= ___ +___x3= ___ +___x2= ___ + ___ x1= ___ == ___ ÷ ___ == ___
Total No. Ave.

( ) 8. How would you rate your pastor's contributions to these educational programs in the parish?

___x4= ___ +___x3= ___ +___x2= ___ + ___ x1= ___ == ___ ÷ ___ == ___
Total No. Ave.

( ) 9. How would you rate your pastor's interest and involvement with the youth in general?

___x4= ___ +___x3= ___ +___x2= ___ + ___ x1= ___ == ___ ÷ ___ == ___
Total No. Ave.

( ) 10. How well do you think your pastor has kept current with contemporary issues in the things he teaches?

___x4= ___ +___x3= ___ +___x2= ___ + ___ x1= ___ == ___ ÷ ___ == ___
Total No. Ave.

( ) 11. Which of the following best sums up your pastor's usual teaching style?

___x1 He does most of the talking.
___x4 He listens to ideas from others and helps clarify them.
___x2 He tends to be "moralistic."
___x3 He shares his ideas and listens to the ideas of others.
Write-in Scores: _____

Sum total: ___ Divided by number of responses: ___ = Average: ___

( ) 12. How does your pastor relate to the school (if there is one)?

N.A.
___x3 He visits the school as often as needed.
___x4 He comes frequently and knows many names of the children.
___x1 He is rarely seen at the school.
Write-in Scores: _____

Sum total: ___ Divided by number of responses: ___ = Average: ___

( ) 13. How would you describe the School Board in the parish?

N.A.
___x3 We don't have a School Board.
___x4 We have a well accepted, hard-working board.
___x2 We have a board which is not functioning presently.
Write-in Scores: _____

Sum total: ___ Divided by number of responses: ___ = Average: ___

AOC 015670

(·) 14. Which best describes your pastor personally as a teacher?

𝍸 𝍸 | |	x3 21	He seems to be very comfortable.
|	x2 2	He tolerates it.
	x1	He avoids it when he can.
𝍸 |	x4 20	He is well-skilled and eager.
|	x1 1	He does some but not much.

Write-in Scores: 1 5

Sum total: [illegible] Divided by number of responses: 15 = Average: 3.0

( ) 15. Which best describes your pastor's skills to involve parishioners in teaching roles?

| | |	x2 6	He usually enables their involvement.
|	x1 1	He seldom enables their involvement.
𝍸 𝍸 | | |	x3 24	He enables the involvement of both sexes, and all ages.
𝍸 𝍸 |	x4 [illegible]	He consistently enables and develops both sexes and all ages.

Write-in Scores: 3, 5, 4

Sum total: [illegible] Divided by number of responses: 20 = Average: 3.1

( ) 16. What suggestions do you have so he could become a better teacher?
Briefly note the remarks, categorize them.

N. A.

MORE TIME TO APPROACH YOUTH

AOC 015671

Section B: the Pastor's role as Spiritual Leader

Rate each question below.

Excellent Good Fair Poor None

( ) 17. How would you rate your pastor's contribution to the spiritual life of the parish?

19 x4=76 + 4 x3=12 + ___x2=___ + ___x1=___ == 88 ÷ 24 == 3.8
Total No. Ave.

( ) 18. How would you rate the musicians and others who contribute at Mass?

15 x4=60 + 8 x3=24 + 1 x2=2 + ___x1=___ == 86 ÷ 24 == 3.6
Total No. Ave.

( ) 19. How would you rate your pastor's sensitivity to the spiritual needs of others?

17 x4=68 + 6 x3=18 + ___x2=___ + ___x1=___ == 86 ÷ 23 == 3.7
Total No. Ave.

( ) 20. Which best describes your pastor's style of presiding at Mass?

___x3 24 He makes people feel comfortable.
___x1 He leaves people bored and apathetic.
___x4 8 He stimulates and involves people.
___x2 He is just acceptable to most people.
Write-in Scores: 3.5, 3.5, 3.5

Sum total: 86.5 Divided by number of responses: 24 = Average: 3.6

( ) 21. Which best describes your pastor's homilies?

___x2 6 He seems to hold our attention most of the time.
___x3 21 He is organized and usually confident.
___x1 He is wordy and repeats himself at times.
___x4 56 He is well-organized and holds our attention all the time.
Write-in Scores:

Sum total: 83 Divided by number of responses: 24 = Average: 3.5

( ) 22. Which best describes the feeling of cohesion and community within the parish?

___x3 12 There is concern for the people who know each other already.
___x1 There is very little expression of concern for others.
___x2 4 There is concern for others only in crisis situations.
___x4 68 There is concern for all, even newcomers.
Write-in Scores: 2.5

Sum total: 84 Divided by number of responses: 24 = Average: 3.5

AOC 015672

( ) 23. How would you rate your pastor's contribution to this community feeling within the parish?

_____x1 He contributes very little.
IIII _____x3 He urges committees to work on strengthening community feeling.
IIII _____x2 He involves himself in strengthening community feeling.
IIII II _____x4 He involves his time and effort within committees and one-on-one.
Write-in Scores: _____

Sum total: _____ Divided by number of responses: 24 = Average: 3.0

( ) 24. Which best describes your pastor's relationship to other people?

I _____x1 He avoids being with people often.
IIII _____x3 He seems to enjoy being with other people.
_____x2 He seems to alienate some groups of people, such as (Note):_____
IIII IIII _____x4 He is outgoing and friendly.
Write-in Scores: 3,5

Sum total: 86 Divided by number of responses: 24 = Average: 3.6

( ) 25. What suggestions would help improve the spiritual life of the parish? Briefly note the remarks, categorize them.

EMPHASIS FROM THE
[illegible]
[illegible] COMMUNITIES
LATINOS
[illegible]
MORE PEOPLE TAKING [illegible] PROGRAMS
MORE ACCESS TO PRIESTS
[illegible]

AOC 015673

Section C: the Pastor's Role as Community Leader and Counselor

Rate each question below.

Excellent Good Fair Poor None

( ) 26. How would you rate your pastor's support for social outreach ministries?

x4= +x3= +x2= + x1= == ÷ == 3.4
Total No. Ave.

( ) 27. How would you rate your pastor's involvement in the lives of the parishioners generally?

x4= +x3= +x2= + x1= == ÷ == 3.4
Total No. Ave.

( ) 28. How would you rate your pastor's skills as a pastoral counselor?

x4= +x3= +x2= + x1= == ÷ == 3.6
Total No. Ave.

( ) 29. How would you sum up your pastor's involvement in the local community?

x4 He is active as a leader in community issues and groups.
x3 He is sometimes involved in community groups?
x2 He is often too involved in community affairs?
x1 He is not interested in issues that affect our community.

Write-in Scores: 4,

Sum total: 65 Divided by number of responses: 19 = Average: 3.4

( ) 30. How would you describe the social outreach ministries (such as feeding/ housing the poor) that this parish supports?

x4 We are doing a good job meeting the needs of others.
x2 We are not doing enough to help.
x1 We are too involved in these ministries.

Write-in Scores: 3,3,3

Sum total: 78 Divided by number of responses: 22 = Average: 3.5

( ) 31. Are there trained pastoral lay ministers in your parish?

Yes: No:

AOC 015674

32. In each area below, please rate your feelings about how often your pastor or other trained lay ministers visit.

Note the change for the scoring of response categories

	Visits too often	Good	Adequate	Needs more	Seriously lacking		
( ) 32a. in the hospitals							
***	2 x2=4	+ 17 x4=68	+ ___ x3=___	+ ___ x1=___	== 72	÷ 19 (Total No.)	== 3.8 (Ave.)
( ) 32b. the elderly home							
***	1 x2=2	+ 16 x4=64	+ 1 x3=3	+ 1 x1=1	== 72	÷ 19 (Total No.)	== 3.7 (Ave.)
( ) 32c. in nursing homes							
***	___ x2=___	+ 13 x4=52	+ 4 x3=12	+ 1 x1=1	== 65	÷ 18 (Total No.)	== 3.6 (Ave.)
( ) 32d. inactive parishioners							
***	___ x2=___	+ 5 x4=20	+ 3 x3=9	+ 4 x1=4	== 33	÷ 12 (Total No.)	== 2.75 (Ave.)
( ) 32e. active parishioners							
***	2 x2=4	+ 13 x4=52	+ 2 x3=6	+ 1 x1=1	== 63	÷ 18 (Total No.)	== 3.5 (Ave.)
( ) 32f. new families in parish							
***	___ x2=___	+ 9 x4=36	+ 3 x3=9	+ 4 x1=4	== 49	÷ 17 (Total No.)	== 2.9 (Ave.)
( ) 32g. families in crisis							
***	___ x2=___	+ 11 x4=44	+ 2 x3=6	+ 1 x1=1	== ___	÷ 14 (Total No.)	== 3.6 (Ave.)

( ) 33. What piece of advice would help your pastor to improve as a community leader or as a counselor?
Briefly note the remarks, categorize them.

PREACHING [illegible]
MORE VISITING
MORE ACTIVE W/ INACTIVE + CRISIS FAMILIES
KEEP ON DOING [illegible]
CONTINUE SUPPORT OF GROUPS

AOC 015675

Section D: the Pastor's role as an Organizational Leader

Rate each question below.

Excellent Good Fair Poor None

( ) 34. How would you rate your pastor's skills as administrator of the parish?

x4= + x3= + x2= + x1= == ÷ ==

Total No. Ave.

( ) 35. How would you rate your pastor's skills in managing the finances, budget and record-keeping in the parish?

x4= + x3= + x2= + x1= == ÷ ==

Total No. Ave.

( ) 36. How well does your pastor work cooperatively with the other staff members of the parish?

x4= + x3= + x2= + x1= == ÷ ==

Total No. Ave.

( ) 37. How well does your pastor handle and solve problems in the parish?

x4= + x3= + x2= + x1= == ÷ ==

Total No. Ave.

( ) 38. How would you rate the maintenance of the building(s) and grounds owned by the parish?

x4= + x3= + x2= + x1= == ÷ ==

Total No. Ave.

( ) 39. Which best sums up your pastor's leadership style?

_____x3 He is more concerned about people's feelings than getting the work done.

_____x1 He takes too little responsibility for being a leader.

_____x4 He is good at getting the job done while caring about people.

_____x2 He is more concerned about getting something done than how people are affected by it.

Write-in Scores: _____

Sum total: _____ Divided by number of responses: _____ = Average: _____

AOC 015676

40. How would you rate your pastor's understanding of the present and future needs of the parish?
Excellent Good Average Fair Poor

( ) 40a. Pastorally?
___x4=___ + ___x3=___ + ___x2=___ + ___x1=___ == ___ ÷ ___ == ___
Total No. Ave.

( ) 40b. Administratively?
___x4=___ + ___x3=___ + ___x2=___ + ___x1=___ == ___ ÷ ___ == ___
Total No. Ave.

( ) 41. Which best describes your pastor's use of planning in the parish?
___x3 He has his own clear goals and helps others set goals.
___x4 He has clear, creative goals and helps others have them also.
___x1 He lacks a clear picture of issues and muddles tasks..
___x2 He seems to have a grasp of his own goals and tasks.
Write-in Scores: _____

Sum total: ___ Divided by number of responses: ___ = Average: ___

42. How would you describe the Lay Leadership Group (e.g. Parish Council, Finance Committee, or some other group of parish lay leaders) involvement in the parish?

( ) 42a. They are broadly accepted by the members of the parish.
___x4=___ + ___x3=___ + ___x2=___ + ___x1=___ == ___ + ___ == ___
Total No. Ave.

( ) 42b. They are effective.
___x4=___ + ___x3=___ + ___x2=___ + ___x1=___ == ___ + ___ == ___
Total No. Ave.

( ) 43. When it comes to listening, how would you describe your pastor?
___x4 He skillfully and sensitively makes appropriate responses and sees the deeper meanings.
___x2 He occasionally hears and sees beyond the surface level of a person's words.
___x1 He seldom asks questions or makes responses to help others share their ideas.
___x3 He frequently sees the deeper meaning behind another's words and actions.
Write-in Scores: _____

Sum total: ___ Divided by number of responses: ___ = Average: ___

AOC 015677

( ) 44. Which best sums up your pastor if he is in a conflict situation?

III	x1	3 He tries to avoid getting involved in a conflict..
III	x3	9 He usually tries to compromise in a conflict.
I	x1	1 He sometimes pretends that a conflict doesn't exist.
I	x2	2 He tries to win a conflict
IIIIIIII	x4	32 He tries to get people working together to resolve conflicts.

Write-in Scores: _____

Sum total: 47 Divided by number of responses: 20 = Average: 3.15

( ) 45. How would you rate your pastor's skills to communicate with others?

	x2	He finds it difficult to get his meaning across.
	x1	He is often vague and unclear.
I	x1	1 He seems to go over the heads of his audience.
IIIIIIIIII	x4	36 He can get his ideas understood easily and well.

Write-in Scores: _____

Sum total: 37 Divided by number of responses: 22 = Average: 3.9

46. How would you rate your pastor's skills when communicating in the following ways?

Excellent Good Fair Poor None

( ) 46a. Written

IIII IIIIIIIIII _____ _____ _____ _____

24 x4=__ + __x3=__ +__x2=__ + __ x1= __ == 96 + 24 == 4.0

Total No. Ave.

( ) 46b. Orally

IIIIIIIII IIII _____ _____ _____ _____

12 x4=48 + 7 x3=21 +__x2=__ + __ x1= __ == 69 + 24 == 3.7

Total No. Ave.

( ) 47. Which best sums up your pastor's skills to make decisions?

IIII	x3	18 He usually knows the right time to make a decision.
II	x2	4 He sometimes makes decisions too early or too late.
	x1	He has a difficult time making decisions and puts them off as long as he can.
IIIIIIIII	x4	56 He consistently responds effectively and in a timely manner in crisis and everyday decisions.

Write-in Scores: _____

Sum total: 78 Divided by number of responses: 22 = Average: 3.5

AOC 015678

( ) 48. How does your pastor deal with stress?

||||| ||_____x2 He is usually able to cope under stress.
|||| |||| |||| |||| ||||_____x3 He maintains control and acts to reduce the stress.
|||| |_____x1 He usually gets defensive and more set in his ways.
_____x2 He shows his anxiety and becomes confused.
|||| |||| |||| |||| ||||_____x4 He stays open and sees the situation for what it is.

Write-in Scores: _____

Sum total: 54 Divided by number of responses: 18 = Average: 3.0

( ) 49. Which best describes your pastor's availability to parishioners?

Often Sometimes Rarely

( ) 49a. He attends functions in the parish.

|||| |||| |||| |

( ) 52. Briefly, tell us what you most appreciate about your pastor. Be as specific as you can. Briefly note the remarks, categorize them.

INVOLVED
FRIENDLY
LOVING
FAITHFUL
POSITIVE
BRINGS NEW LIFE
COMMUNICATOR
VISIBLE
ACCOMPLISHES GOALS
WONDERFUL SPEAKER
GIVES HOPE
INTELLIGENCE
SPIRITUAL
DELEGATOR
CONCERN FOR INDIVID.
NO HIDDEN AGENDA
STRONG
TENDER
LISTENER

( ) 53. Briefly, tell us what you think will help your pastor to be a better minister in this parish. Again, try to be specific. Briefly note the remarks, categorize them.

REACH OUT TO "UNCHURCHED PARISHIONERS"
PERFECT AS IS
FULL TIME PASTOR (NO TRI-PARISH)
DON'T PUSH SO HARD
BE MORE OPEN WARMER
REMOVE NO DANCE AT CAMP
BACK OFF FROM MORE "ON GOING"
DISTANT RELATIONSHIP
PROGRAM IN PASTORAL TEAM
DELEGATE RESPONSIBILITY BUT NOT AUTHORITY
TOO INTENSE
MORE CONTACT W/CHILDREN
IMPROVE YOUTH MINISTRY
BE MORE AVAILABLE
MORE ADULT ACTIVITY
CLOSER RELATIONSHIP
HOSPITAL VISITATION
TOO MUCH TO DO
ATTRACT

AOC 015680

TABULATION GUIDE SUMMARY SHEET

Section A: the Pastor's role as Teacher

		Average Score	Self-Appraisal
5.	Quality of the various educational programs in the parish:		
5a.	Child Religious Education (Parish Program)	3.3	4.0
5b.	Parish School (PRE-SCHOOL)	[illegible]	(4.0)
5c.	Youth Religious Education (ages 13-18)	[illegible]	2.0
5d.	Youth Social Activities	[illegible]	3.0
5e.	Adult Religious Education	[illegible]	[illegible]
5f.	Adult Social Activities	[illegible]	[illegible]
5g.	Other:_____	[illegible]	_____
6.	The educational programs in the parish overall:		
6a.	They are well planned.	[illegible]	[illegible]
6b.	They are well taught.	[illegible]	3.0
6c.	They are well attended.	[illegible]	2.0
7.	Level of parish support for the educational programs in the parish:	[illegible]	4.0
8.	The pastor's contributions to these educational programs in the parish:	[illegible]	[illegible]
9.	The pastor's interest and involvement with the youth in general:	[illegible]	[illegible]

AOC 015681

		Average Score	Self-Appraisal
10.	Is pastor current with contemporary issues in the things he teaches:	3.7	4.0
11.	The pastor's usual teaching style:	[illegible]	3.0
12.	How pastor relates to the school (if there is one):		4.0 (Ps.)
13.	Describe the School Board:		3.0
14.	The pastor personally as a teacher:	[illegible]	4.0
15.	The pastor's ability to involve parishioners in teaching roles:	[illegible]	4.0

16. Suggestions for the pastor's improvement as teacher?

AOC 015682

Section B: the Pastor's Role as Spiritual Leader

		Average Score	Self-Appraisal
17.	Pastor's contribution to the spiritual life of the parish:	3.8	4.0
18.	The musicians and others at Mass:	3.6	4.0
19.	Pastor's sensitivity to the spiritual needs of others:	3.7	4.0
20.	The pastor's style of presiding at Mass:	3.6	4.0
21.	Describe the pastor's homilies:	3.9	4.0
22.	Describe the feelings of cohesion and community within the parish:	3.8	4.0
23.	Pastor's contribution to this community feeling within the parish:	3.8	4.0
24.	Pastor's relationship to others:	3.6	4.0

25. Suggestions for improving the spiritual life of the parish?

AOC 015683

Section C: the Pastor's Role as Community Leader and Counselor

		Average Score	Self-Appraisal
26.	Pastor's support for social outreach ministries:	3.4	4.0
27.	The pastor's involvement in the lives of his parishioners generally:	3.4	4.0
28.	The pastor as a pastoral counselor:	3.6	3.6
29.	The pastor's involvement in the local community:	3.4	3.0
30.	The social outreach ministries that this parish supports:	3.5	4.0

31. Are there trained pastoral lay ministers in the parish? Yes 22 No 2

32. How often your pastor or other trained lay ministers visit:

32a.	in the hospitals	3.8	4.0
32b.	the elderly at home	3.7	4.0
32c.	in nursing homes	3.6	4.0
32d.	inactive parishioners	2.95	3.0
32e.	active parishioners	3.5	3.6
32f.	new families in parish	3.3	3.6
32g.	families in crisis	3.6	4.0

33. Advice for pastor's improvement as a community leader or as a counselor:

AOC 015684

Section D: the Pastor's Role as an Organizational Leader

		Average Score	Self-Appraisal
34.	The pastor's skills as administrator of the parish:	4.0	4.0
35.	The pastor's skills in managing the finances, budget and record keeping in the parish:	3.9	4.0
36	The pastor's cooperation with other staff members of the parish:	3.5	4.0
37.	The pastor's ability to handle and solve problems in the parish:	3.4	4.0
38.	Maintenance of the building(s) and grounds:	3.7	4.0
39.	The pastor's leadership style:	3.8	4.0
40.	The pastor's understanding of the present and future needs of the parish:		
	40a. Pastorally:	3.5	4.0
	40b. Administratively:	3.4	4.0
41.	The pastor's use of planning in the parish:	3.4	4.0
42.	Lay Leadership Group's involvement in the parish:		
	42a. They are broadly accepted by the parish	3.6	4.0
	42b. They are effective.	3.2	4.0
43.	The pastor's listening skills:	3.6	4.0
44.	The pastor's conflict style:	3.15	4.0

AOC 015685

		Average Score	Self-Appraisal
45.	The pastor's communication skills with others:	3.9	4.0
46.	The pastor's skills in communicating:		
46a.	Written:	4.0	4.0
46b.	Orally:	3.7	4.0
47.	The pastor's decision-making skills:	3.5	4.0
48.	How the pastor deals with stress:	3.0	3.0
49.	Pastor's availability to parishioners:		
49a.	Attending functions in the parish:	[illegible]	[illegible]
49b.	Returning calls:	3.9	[illegible]
49c.	Making time for people:	[illegible]	[illegible]
50.	The pastor's skills in delegating tasks to others:	[illegible]	4.0
51.	The pastor's skill regarding criticism and feedback:	[illegible]	4.0

AOC 015686

The following questions are sought for possible revisions to this form. Your comments will be helpful to us.

1. What difficulties did you have in using this tabulation form?

2. What changes or additions would you suggest in order to improve this tabulation guide?

AOC 015687

ARCHDIOCESE OF CHICAGO

Office of Ministerial Evaluation
Phone: (312) 751-5265
Fax: (312) 751-5281

Post Office Box 1979
Chicago, Illinois 60690-1979

January 15, 1998

Reverend Patrick Cecil
Review Team Coordinator
St. Patrick Parish
15000 Wadsworth Rd.
Wadsworth Rd., IL 60083

Dear Father Cecil,

We have recently reviewed our records regarding the progress of Father Kealy's first term pastor review. If our records are correct, you have received the majority of completed evaluation forms.

The next steps in the process are to:

- tabulate the feedback, noting key comments
- review the tabulation and commentary with Father Kane
- draft a summary report
- meet with Father Kealy to discuss the review report
- finalize the report (obtaining all three signatures)
- send copies of the report to the vicar, dean, Priests' Placement Board, and the pastor
- send the pink completion confirmation form to the Office of Ministerial Evaluation

This letter is just a reminder that the target date for completing the review process was December 30, 1997. If you are close to completing the review, I look forward to receiving the pink form soon. If completion of the report will be delayed significantly, please alert me so that I can inform both Father Kealy and the Placement Board.

Thank you for the work you are doing.

Sincerely,

Mary Yunger

Mary Yunger, Director
Office of Ministerial Evaluation

MY/jw

Cc: Reverend Robert Kealy, Pastor
Reverend Francis Kane, Team Member
Reverend Farrell Kane, O.Carm., Dean

The Church of St. Patrick
15000 W. Wadsworth Rd
Wadsworth, IL 60083
(847) 244-4161

received
1-16-98

FINAL REPORT / 6 YEAR EVALUATION
REV. ROBERT KEALY, PASTOR, IMMACULATE CONCEPTION, HIGHLAND PARK

I. STATISTICAL DATA

The staff (33%) and parishioners (67%) completed the report. The average length of time that they have known Father Kealy is over four years. Ninety-six percent of those who received the forms completed and returned them.

II. SUMMARY REPORT

A. FATHER KEALY

Bob is a great supporter of education and is an excellent spiritual leader. He is involved in the lives of his parishioners and is a highly qualified organizational leader. His only limitation is his outside responsibilities with the Archdiocese.

His areas of strengths are in teaching, spiritual leadership, liturgy, community leader, counselor, organizational leader, administrator, planner, listener and communicator. He is really available to people.

His areas of growth would be more contact with youth, inactive and new families. Bob is aware of these areas and has already begun initiatives in these areas.

B. IMMACULATE CONCEPTION PARISH

1. STRENGTHS - Education in general, liturgy, outreach, financial responsibility, physical facilities and lay leadership.
2. WEAKNESSES – Youth ministry, especially in regard to education, contact with inactive, new, and young families, attendance at educational programs.
3. PROGRAMS RECOMMENDED TO BE INITIATED – Youth religious education. Programs for young adults and young families. Steps have already been taken to begin such programs.
4. PROGRAMS RECOMMENDED TO BE REDESIGNED OR TERMINATED – None

C. OVERALL THEMES

It is quite clear that Bob has brought renewed life to Immaculate Conception Parish. He is truly a leader in all aspects of the word. Through his effort and the effort of the parish leadership, Immaculate Conception has been renewed in many ways. The parish appears ready to move forward in the areas of spiritual formation and to make increased contact with new and/or untouched families. The only concern seems to be Bob's responsibilities to the Archdiocese.

D. SPECIAL CONCERNS

I see no special concerns regarding Bob or the parish. Even those responding who expressed criticism were also supportive.

III. CONCLUSION

I would enthusiastically support a second term at Immaculate Conception Parish for Father Bob Kealy. The areas that he might give attention to are youth, young and/or new families. He may also want to address the reality and the perception (of his parishioners) of his responsibilities outside the parish.

COPY

ARCHDIOCESE OF CHICAGO

Office of Ministerial Evaluation
Phone: (312) 751-5265
Fax: (312) 751-5281

Post Office Box 1979
Chicago, Illinois 60690-1979

TO: OFFICE OF MINISTERIAL EVALUATION

THE PASTOR REVIEW FOR REV. ROBERT KEALY IS COMPLETE.

IT WAS SHARED WITH THE PASTOR ON 1/12/98.

IT WAS SENT TO:

EPISCOPAL VICAR ON 1/12/98.

PLACEMENT BOARD ON 1/12/98.

DEAN ON 1/12/98.

Rev Patrick B Cahill
SIGNATURE OF REVIEW COORDINATOR — DATE 1/12/98

Rev. Francis Kane
SIGNATURE OF REVIEW TEAM MEMBER — DATE 1/21/98

Robert L. Kealy
SIGNATURE OF PASTOR — DATE 1/12/98

ARCHDIOCESE OF CHICAGO

COPY

Office of Diocesan Priests' Personnel
Rev. Jeremiah M. Boland/Executive Sec.
312-751-5270

Post Office Box 1979
Chicago, IL 60690
FAX 312-751-5281

January 23, 1998

Dear Bob,

On March 30, 1998 you complete your first term as pastor of Immaculate Conception Parish in Highland Park. The members of the Placement Board hope you found the years both challenging and rewarding.

Now that your evaluation is completed, the Board can conclude this process. If you choose to apply for a second term as pastor, we ask you to write to the Placement Board with your formal request. After we receive your written request your Vicar and Dean will be consulted, and upon receipt of their letters the Board will make a formal recommendation to the Archbishop.

Your cooperation is greatly appreciated. If you have any questions concerning this process, please do not hesitate to call me at (312) 751-5270.

Sincerely,

Jerry Boland

Reverend Jeremiah M. Boland
Executive Secretary
Diocesan Priests' Placement Board

JMB/ljb

Reverend Robert L Kealy, Pastor
Immaculate Conception Parish
1590 Green Bay Road
Highland Park, IL 60035

ARCHDIOCESE OF CHICAGO

Office of Ministerial Evaluation
Phone: (312) 751-5265
Fax: (312) 751-5281

Post Office Box 1979
Chicago, Illinois 60690-1979

COPY

January 26, 1998

Reverend Francis Kane
Review Team Member
St. Joseph Parish
1747 Lake Ave.
Wilmette, IL 60091

Dear Father Kane,

I received the tabulation guide and form indicating that Father Kealy's first term pastor review has been completed. I have also been informed that the Priests' Placement Board received their copy of the summary report as well. Thank you so much for the time and energy that you gave to the process. I hope that the review of ministry was a beneficial experience for you and for Father Kealy. I appreciate your investment in the process.

Continued blessings in your ministry.

With appreciation,

Mary Yunger

Mary Yunger, Director
Office of Ministerial Evaluation

MY/jw

Thanks for your willingness to help - again. my

COPY

ARCHDIOCESE OF CHICAGO

Office of Ministerial Evaluation
Phone: (312) 751-5265
Fax: (312) 751-5281

Post Office Box 1979
Chicago, Illinois 60690-1979

January 26, 1998

Reverend Patrick Cecil
Review Team Coordinator
St. Patrick Parish
15000 Wadsworth Rd.
Wadsworth Rd., IL 60083

Dear Father Cecil,

I received the tabulation guide and form indicating that Father Kealy's first term pastor review has been completed. I have also been informed that the Priests' Placement Board received their copy of the summary report as well. Thank you so much for your time, thought, and care that you gave to the process. I am sure that the task was not easy, given your other responsibilities and commitments.

I hope that the review of ministry was a beneficial experience for you and for Father Kealy. I appreciate your investment in the process.

Continued blessings in your ministry.

With appreciation,

Mary Yunger

Mary Yunger, Director
Office of Ministerial Evaluation

MY/jw

IMMACULATE CONCEPTION PARISH

770 West Deerfield Road, Highland Park, Illinois 60035
Phone: (847) 433-0130 • Fax: (847) 433-0669

2-9-98

February 4, 1998

Diocesan Priests' Placement Board
Archdiocese of Chicago
P.O. Box 1979
Chicago, IL 60690

Dear Fathers:

I would like to formally request appointment for another term as pastor of Immaculate Conception Parish in Highland Park. The past six years have gone quickly and been very rewarding. When I asked Cardinal Bernardin for appointment as a pastor he said that he would agree to it if the parish were small enough and didn't have a school, so that I would still have time to remain active in canon law. Immaculate Conception Parish has proven to be an ideal fit for me and for the parish. My work at the Court of Appeals, which takes about a day and a half a week, does not interfere with my parish duties.

Since I have been at I.C., Sunday Mass attendance has increased 25% and ordinary income has increased 50%. Five years ago, we completed the Tomorrow's Parish Planning Process and we have substantially accomplished the goals that we set. Over the past six years, we have been able to do about $1,000,000 in deferred maintenance on the parish plant. In August, we completed a $1,000,000 renovation of the church and parking lot. My knowledge of Italian and Spanish has proven very useful in the parish. For several years, we have had a Spanish Mass each Sunday, which I usually celebrate. The pre-school which we started five years ago now has about fifty students and we are considering opening a Kindergarten. Over 400 parishioners are active in some ministry or service in the parish. There is a very dynamic and upbeat spirit in the parish. In the past six months, we have developed some exciting initiatives with the influx of young families moving into the parish and we are beginning the Cultivation Ministries youth program.

For all of the above reasons, I request appointment to another six year term as pastor of Immaculate Conception.

Sincerely,

Robert L. Kealy

Reverend Robert L. Kealy
Pastor

cc: Bishop Kicanas
Rev. Farrell Kane

AOC 015694

ARCHDIOCESE OF CHICAGO

Most Reverend Gerald F. Kicanas
Auxiliary Bishop of Chicago
Episcopal Vicar of Vicariate I
Phone: 708/549-0160



200 North Milwaukee Avenue
Suite 200
Libertyville, Illinois 60048
FAX: 708/549-0163

MEMORANDUM

TO: Archbishop George
FROM: Bishop Kicanas
DATE: February 10, 1998
SUBJECT: Rev. Robert Kealy, Pastor, Immaculate Conception Parish, Highland Park

Recently, Fr. Bob Kealy was evaluated, on the completion of his first term as pastor of Immaculate Conception Parish in Highland Park. In the evaluation, unanimous support was given for his continuance as pastor. He has done an excellent job, which has been affirmed by all those responding to the survey.

In these few short years, Fr. Kealy has strengthened the community at Immaculate Conception. I have visited there on several occasions, and had the opportunity to preach their parish mission. In all of those experiences, I have heard nothing but positive and enthusiastic support for his work. Under Fr. Kealy's leadership, greater attention has been given to the Hispanic community within the parish. They initiated a Sunday Mass in Spanish, which Fr. Kealy celebrates on a regular basis. In addition, he has done a great deal of work to renovate and improve the physical facility. The most important part of their effort has been the renovation of their church. It is now a much more fitting place of worship for the community.

I have been impressed by Fr. Kealy's desire to re-open his school. They have been working in cooperation with St. James Parish in Highwood. I hope this might continue even further.

Fr. Farrell Kane, our Dean and I would enthusiastically recommend Fr. Kealy for a second term at Immaculate Conception Parish. I realize that he is also involved in the Court of Appeals; this has not been a difficulty in carrying out his responsibilities as pastor.

Sincerely yours in Christ,

Most Reverend Gerald F. Kicanas
Auxiliary Bishop of Chicago

:mhl

cc: Rev. Robert Kealy
Rev. Gerald Boland
Rev. Farrell Kane

ARCHDIOCESE OF CHICAGO

COPY

Office of Diocesan Priests' Personnel
Rev. Jeremiah M. Boland/Executive Sec.
312-751-5270

Post Office Box 1979
Chicago, IL 60690
FAX 312-751-5281

February 10, 1998

Most Reverend Gerald F Kicanas Vicar
Vicariate I
Suite 200
200 N Milwaukee Ave
Libertyville, Illinois 60048

Dear Bishop Kicanas,

The evaluation for Father Robert Kealy, Pastor of Immaculate Conception Parish in Highland Park, has been completed. The Priests' Placement Board has received a letter from Bob requesting a second term. Before making a recommendation to Archbishop Francis George, the Board needs to know if you support his request.

I look forward to receiving your response as soon as possible, I remain

Very sincerely yours,

Jerry Boland

Reverend Jeremiah M. Boland
Executive Secretary
Diocesan Priests' Placement Board

JMB/ljb

ARCHDIOCESE OF CHICAGO

COPY

Office of Diocesan Priests' Personnel
Rev. Jeremiah M. Boland/Executive Sec.
312-751-5270

Post Office Box 1979
Chicago, IL 60690
FAX 312-751-5281

February 10, 1998

Reverend John J Hurley [Dean]
Deanery I-B
St. Edna Parish
2525 N Arlington Hts Road
Arlington Hts., Illinois 60004

Dear Father Hurley,

The evaluation for Father Robert Kealy, Pastor of Immaculate Conception Parish in Highland Park, has been completed. The Priests' Placement Board has received a letter from Bob requesting a second term. Before making a recommendation to Archbishop Francis George, the Board needs to know if you support his request.

I look forward to receiving your response as soon as possible, I remain

Very sincerely yours,

Jerry Boland

Reverend Jeremiah M. Boland
Executive Secretary
Diocesan Priests' Placement Board

JMB/ljb

G. [redacted]

H. **Status of Six (6) Year Pastors For 1998:**

[redacted]

MARCH:

[redacted]

I/A ROBERT L. KEALY '72 52 I.C./HIGHLAND
AWAITING B/V RESPONSE

6-1ST

NAME: REVEREND ROBERT KEALY '72

PARISH: IMMACULATE CONCEPTION PARISH
1590 GREEN BAY ROAD
HIGHLAND PARK IL 60035

PHONE: 708 433/0130 VICARIATE: I DEANERY: 1

EVALUATION RECEIVED: 1/16/98

FIRST TERM ENDS: 03/30/98 AGE IN: 52

LETTER TO PASTOR REQUESTING SECOND TERM: 1/23/98

REQUEST RECEIVED: 2/9/98

LETTERS TO: 2/10/98

VICAR: Kucanas

DEAN: Hurley

VICAR'S LETTER RECEIVED: 2/12/98

DEAN'S LETTER RECEIVED :

BOARD MEETING: 3/20/98

WSR TO CARDINAL:

March 11, 1994

V Business:

A.

B.

C.

D.

[redacted]

E. **Six Year Pastors:**

1. **Robert Kealy '72:**
MOTION: That Rev. Robert Kealy '72 be recommended for a second six year term as pastor of Immaculate Conception Parish/Highland Park effective 03/30/98.

Page 1032

D. [redacted]

E. **Six Year Pastors:**

1. **Robert Kealy '72:**
   MOTION: 7-0-0 That Rev. Robert Kealy '72 be recommended for a second six year term as pastor of Immaculate Conception Parish/Highland Park effective 03/30/98.

2. [redacted]

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

Post Office Box 1979
Chicago, Illinois 60690-1979

April 2, 1998

Dear Father Kealy,

In light of the recommendation of the Diocesan Priests' Placement Board, which reflects the endorsement of your Episcopal Vicar and Dean, I am pleased to appoint you to serve a second term as Pastor of Immaculate Conception Parish in Highland Park, commencing March 30, 1998, the date your previous term ended. Your term of office will be for an additional six years, but will officially remain in effect until you are reappointed or transferred or your successor is named.

The support you have received for this reappointment is an indication of the fine pastoral leadership you have rendered to the people of Immaculate Conception parish as you have proclaimed the Gospel message through your time and effort these past six years.

Bob, it is my hope that this will be a time of renewal for you personally as you continue to offer your priestly gifts with the people of God who have been entrusted to your care.

Fraternally yours in Christ,

Francis Cardinal George O.M.I.
Archbishop of Chicago

Rev. Kenneth Bilka
Ecclesiastical Notary

Reverend Robert L. Kealy
Immaculate Conception Parish
1590 Green Bay Road
Highland Park, Illinois 60035

AOC 015702

ARCHDIOCESE OF CHICAGO

Office of the Chancellor

Post Office Box 1979
Chicago, Illinois 60690

(312) 751-8220
Fax (312) 751-5381

August 26, 1998

Reverend Robert L. Kealy
Pastor
Immaculate Conception Parish
770 West Deerfield Road
Highland Park, Illinois 60035

Dear Father Kealy:

Cardinal George has asked me to inquire whether you would be willing to serve on the "Pastors' Review Board." In brief, a group of pastors is required by canon law from which the Cardinal could select two pastors to advise him in any case requiring the involuntary transfer or removal of a pastor. While it is not envisioned that such a need would arise very often, it is necessary for the Cardinal to be able to call on pastors from this group when circumstances arise which require an in-depth evaluation of a particular pastoral situation.

The five-year terms for the pastors selected for this group in 1993 have expired. Accordingly, in keeping with the procedure set forth in the Code of Canon Law, the Cardinal needs to propose to the Presbyteral Council a new list of pastors whom he would propose to serve on this board. The Presbyteral Council is then asked if there are any objections to any names on this list; if not, the Council would be asked to approve this list.

If I do not hear from you by **September 7, 1998**, I will inform the Cardinal that you would be willing to have your name proposed as a member of the Pastors' Review Board.

Thank you for your consideration.

With every best wish, I remain

Fraternally yours in Christ,

Thomas J. Paprocki

Reverend Thomas J. Paprocki
Chancellor

cc: Rev. Jeremiah M. Boland, Chairman, Presbyteral Council

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

Post Office Box 1979
Chicago, Illinois 60690-1979

(312) 751-8230
Fax (312) 337-6379

September 18, 1998

Reverend Robert L. Kealy
Immaculate Conception Parish
770 West Deerfield Road
Highland Park, Illinois 60035

Dear Father Kealy:

At the Presbyteral Council Meeting of September 15, 1998, unanimous approval was given to my appointing you and a number of other pastors to form a Pastors' Pool for the Canonical Removal Process (c. 1742). Consequently, I am hereby appointing you as a member of this panel for a period of five years.

If a situation should occur in which there are serious questions about a pastor's leadership, I will choose two or more of the members of the Pastors' Pool to advise me. Since there are now thirty-eight pastors available to choose from on this panel, and only two are needed in any given situation, it is likely that you will be asked to review very few cases and perhaps even none at all in the next five years.

While it is hoped that it will be unnecessary to call upon your assistance, I am very grateful for your willingness to serve.

Sincerely yours in Christ,

Francis Cardinal George

Francis Cardinal George, O.M.I.
Archbishop of Chicago

Given at the Chancery

Thomas J. Paprocki

Chancellor

April 21, 1999

Reverend Robert L. Kealy
Immaculate Conception Parish
770 W. Deerfield Road
Highland Park, IL 60035

Dear Fr. Kealy
We appreciate your interest in the Sabbatical Program. Enclosed please find a copy of the following:

1) Archdiocesan Sabbatical Board Mission Statement
2) Sabbatical Application Process
3) Sabbatical Application with Supervisor Acknowledgment inside
4) Role of Advocate for Priests
5) Sabbatical Guidelines
6) Ten Tips for a Good Sabbatical
7) Sabbatical Program for Priests, Religious, and Other Ministers

If you wish to apply, please return the application form complete with site selections and your letter of acknowledgment from your superior. Contact Fr. Dean Semmer (708/865-8071) for an interview and assistance in processing your application. An advocate is provided to be your representative/consultant and is not a member of the Board.

If you have any questions regarding your Sabbatical, or if we can be of further service to you, do not hesitate to contact us.

The Sabbatical Board looks forward to receiving your proposal and hopes that your sabbatical leave for your personal and professional development would be a time of enrichment and refreshment.

Sincerely,

Dean —
Fr. Kealy was approved
for a Sabbatical in 1997.
Enclosed is a copy of proposal.
Don

Don Wichlin
Administrative Assistant
(847/970-4930)

Sabbatical Board Members:
Rev. Peter Bowman, Chair
Rev. John Collins
Rev. Joseph Gedors, CM
Rev. Richard Kozak
Rev. Kevin Spiess
Rev. Michael Wulsch

Enclosures: 7

AOC 015705

4/23/99

Fr. Kealy called.
Decided to again
Cancel Lotteries.

TM

ARCHDIOCESE OF CHICAGO
VICAR FOR PRIESTS
645 NORTH MICHIGAN AVENUE, SUITE 543
CHICAGO, ILLINOIS 60611

Off: (312) 642-1837
Fax: (312) 642-4933

MEMORANDUM

Personal & Confidential

TO: Bishop Raymond E. Goedert

FROM: Rev. Lawrence P. McBrady LPMcB

RE: Rev. Robert L. Kealy

DATE: September 25, 2000

I am responding to your request for information concerning Bob Kealy's sudden departure from the Chancellor's Office. Our file on Bob contains no information explaining why he left the office.

I contacted Pat O'Malley since he was the vicar at that time. Pat said Bob was appointed pastor of Immaculate Conception Parish in March, 1992. This resulted from a telephone call (and subsequent interview) from a young adult male who claimed that Bob had made a sexual advance while he was at a party attended by Bob. This party had occurred recently. This allegation was of great concern to Cardinal Bernardin since Bob was playing a major role in dealing with priests accused of misconduct with minors. As an example, see the attached memo.

It was determined that Bob needed to leave the Chancellor's Office quickly and quietly. Pat states that Cardinal Bernardin handled this matter himself and, apparently, there is no written record in existence.

At the time of his departure Bob explained that he was interested in pastoring a parish.

IMMACULATE CONCEPTION PARISH

770 West Deerfield Road, Highland Park, Illinois 60035
Phone: (847) 433-0130 • Fax: (847) 433-0669

Received 3-12-01

March 7, 2001

Dear Members of the Priests' Placement Board:

On March 30th I begin my tenth year as pastor of Immaculate Conception Parish, Highland Park. It has been a wonderful experience for me and, I believe for the parish. The parish is healthy in all respects. I am very content at IC and would be happy to stay here as long as possible, but I believe that the policy of a limited tenure for pastors is a good one for the priest and for the parish. For my next parish, I am interested in a mid-sized parish, which has a school. I would like to continue my limited involvement in the Court of Appeals. As I thought about possible new parish assignments, several priests and mentors encouraged me to consider Saints Faith, Hope, and Charity and I have decided to apply for it .

As I read the profile of Faith, Hope and Charity, I was particularly struck by the "Letter to our new Pastor" from the Parish Council. It was an inspiring and heart-felt articulation of the hopes and needs of a vibrant Catholic community, pastored so well by Tom Ventura these past thirteen years. I am energized by the challenge of serving such a community and I believe that my talents and personality would be a good fit with the people of Faith, Hope.

I believe that a pastor should be available to his people and share their joys and sorrows, their hopes and disappointments. He needs to listen to the spiritual needs of the people and lead them to be a holier community of disciples. He needs to be man of faith, prayer, and justice himself. He needs to be kind and loving, patient and supportive. He needs to provide nourishment for growth in prayer and Christian formation. He needs to present the challenge of the Gospel in a humble and loving way that shows that he is constantly struggling to be a more faithful disciple himself.

Without repeating what I have said in the general pastor application, I would simply add that I try to follow these guiding principles:

- Respect each person and help them see their dignity as a child of God.
- A parish must have a missionary spirit, not a maintenance attitude.
- People want to be part of a dream, not part of a problem.
- "See everything; overlook most things; correct a few things" (Bl. John XXIII)

I would be happy to meet with the Board to discuss this further. Thank you for your consideration.

Sincerely yours in Christ,

Robert L. Kealy

Reverend Robert L. Kealy

AOC 015708

P. [redacted]

VI Old Business: [redacted]

VII New Business: [redacted]

VIII Adjournment: 3:36 p m
MOTION: 9 – 0 – 0

2001 CALENDAR OF THE 17TH BOARD:

02/22 - 04/06 *Pastors Interviewing Associates*

[redacted]

03/30 F [redacted]
11:30 Robert Kealy for Ss. Faith, Hope & Charity

[redacted]

[redacted]

11:30 Robert Kealy '72 for Ss. Faith Hope & Charity

[redacted]

B. [redacted]

[redacted]

Page 498

IV Acceptance of Agenda: 6 – 0 – 0

V Business:

A. Appointments:

1. [redacted]
2. **Robert Kealy '72:** Bob met with the Board regarding the pastor of Ss. Faith Hope & Charity
3. [redacted]

B. [redacted]

B. [redacted]

C. First Readings:

1. Ss. Faith, Hope & Charity/Winnetka:

MOTION: 8-0-0 That nominations be closed for the purpose of a First Reading.

[redacted]

Robert Kealy '72 3 3 3 3 3 3 3 3 24 (8)

Bob Mair will follow up with Bishop Conway.

D. [redacted]

E.

IV Acceptance of Agenda: *VOTE:*

V Business:

A. [redacted]

B.

C.

D. Second Readings:

1. Ss. Faith, Hope & Charity/Winnetka:

MOTION: That the First Reading be used for the purpose of a Second Reading.

MOTION: That Rev. Robert Kealy '72 be appointed to the pastorate of Ss. Faith Hope & Charity effective ??

[redacted]

E. [redacted]

F.

7b. [redacted]

8. Robert Kealy '72: Bishop Edwin Conway was pleased with the recommendation of Bob Kealy for the pastorate of Ss. Faith, Hope, & Charity.

IV Acceptance of Agenda: 7 – 0 – 0

V Business:

A. [redacted]

B. [redacted]

C. First Readings:

[redacted]

[redacted]

D. Second Readings:

1. Ss. Faith, Hope & Charity/Winnetka:

MOTION: 8-0-0 That the First Reading be used for the purpose of a Second Reading.

MOTION: 8-0-0 That Rev. Robert Kealy '72 be appointed to the pastorate of Ss. Faith Hope & Charity.

[redacted]

E. [redacted]

Page 525

5. [redacted]

6.

7.

8.

9. **Robert Kealy '72:** Clem reports that Bob was really appreciative of the opportunity to be pastor at Ss. Faith, Hope & Charity.

IV **Acceptance of Agenda: 9 – 0 – 0** With additions: [redacted]

V **Business:**

A. [redacted]

AOC 015716

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

Post Office Box 1979
Chicago, Illinois 60690-1979

MAY 22 2001

May 10, 2001

Dear Father Kealy:

It is my pleasure to appoint you as Pastor of Ss. Faith, Hope & Charity Parish. This appointment is made in consultation with the Diocesan Priests' Placement Board as well as the Vicar and Dean. This appointment is effective June 15, 2001. Your term of office will be for six years but will officially remain in effect until you are reappointed or transferred or your successor is named.

Bishop Edwin Conway will act as my delegate in receiving your Profession of Faith. I ask that you contact him regarding your formal installation.

Bob, I take this occasion to thank you for your service at Immaculate Conception in Highland Park these past 9 years. I know that your ministry there has touched the lives of the people of God. No doubt, your presence will be missed there as you leave for your new assignment.

I trust that the parish community at Ss. Faith, Hope & Charity will receive you and respond wholeheartedly to your pastoral leadership. The experience you have had in the past will be most helpful as you take up this new responsibility. Know that as you begin this pastoral charge you have my encouragement and prayerful support. I try to work closely with the pastors of the Archdiocese, and I depend on their cooperation and support. I am confident that you will work with me in carrying out the initiatives that are crucial to carrying forward the union of the Archdiocese.

In keeping with the recommendation of the Presbyteral Council, I ask that you participate in the Pastoring: an Essential Workshop offered by the Center for Development in Ministry. Please call the Center to register for this program, which is held in the spring and autumn of each year. The fee will be paid by the Pastoral Center as a sign of our support for you in your ministry.

I am grateful for your life and ministry as a priest of the Archdiocese. You are in my prayers; please keep me in yours.

Fraternally yours in Christ,

Francis Cardinal George O.M.I.
Archbishop of Chicago

Rev. Jeremiah Boland
Ecclesiastical Notary

Reverend Robert L. Kealy
Immaculate Conception Parish
1590 Green Bay Road
Highland Park, IL 60035

cc: Most Reverend Raymond E. Goedert, Vicar General
Mr. Jimmy Lago, Chancellor
Reverend Lawrence McBrady, Vicar for Priests
Reverend James Kaczorowski, Vicar for Priests
Most Reverend Edwin Conway, Vicar
Reverend Farrell Kane, Dean
Diocesan Priests' Placement Board
Office of Ministerial Evaluation
Office of Research and Planning
Thomas Brennan, Financial Operations
Reverend Thomas Ventura, pastor
Reverend William J. Stenzel
Center for Development in Ministry

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

Post Office Box 1979
Chicago, Illinois 60690-1979

May 10, 2001

Dear Bob,

One of my most important responsibilities as Archbishop of Chicago is to prepare suitable candidates for the priesthood. Since I have come to Chicago, I have taken this responsibility seriously and I have worked closely with the Administrators of Mundelein Seminary to continue to strengthen the program of priestly formation at the major seminary.

As you may know, Mundelein Seminary is the largest theologate in the United States. This year the enrollment was 209 students from 43 dioceses throughout the country. We have a faculty of 33 full time residential members who direct the academic, formation and pastoral preparation of our students.

I believe you already know that there is a Board of Advisors for Mundelein Seminary. This Board provides counsel and advice to me in setting policy for the major seminary and ensuring the future of our program for priestly formation.

The Board consists of Bishops who send seminarians to Mundelein, Vocation Directors, Priests from the Archdiocese and Catholic Lay People of various backgrounds. The Board consistently provides wisdom and insight for enhancing the training of our future priests.

The Board meets at Mundelein Seminary three times a year. The dates for the coming year are Friday, September 7, 2001, Friday, January 11, 2002 and Thursday, May 9, 2002.

The Nominating Committee of the Board of Advisors has suggested your name as a candidate for the Board. I am asking if you would consider joining the Board of Advisors for a three year term. I know your participation on the Board would be very beneficial.

Thank you for your consideration of this request. I look forward to hearing from you sometime soon.

Fraternally yours in Christ,

Francis Cardinal George, O.M.I.
Archbishop of Chicago

Reverend Robert Kealy
Immaculate Conception Parish
1590 Green Bay Road
Highland Park, IL 60035

AGENDA

Meeting: #61st - Seventeenth Board
Date: May 11, 2001
Place: Priests' Placement Board

Present: Rev.: Jeremiah M. Boland, Kurt D. Boras, John W. Clemens, Joseph P. Grembla, David A. Jones, Robert G. Mair, Daniel P. McCarthy, Martin E. O'Donovan, Michael J. Shanahan

Absent: Rev.

I **Opening Prayer:** Rev. Kurt Boras *TIME:* _____

II **Acceptance of Minutes:** _____

III **Reports:**

1. [redacted]

2. [redacted]

3. **Robert Kealy '72:** The Cardinal has appointed Bob as of Ss. Faith, Hope & Charity in Winnetka commencing 06/15/01. His term of office will be for six years but will officially remain in effect until he is reappointed or transferred or his successor is named.

4. [redacted]

IV **Acceptance of Agenda: Vote** _____

V **Business:**

[redacted]

MINUTES

Meeting: #61st - Seventeenth Board

Date: **May 11, 2001**
Place: Priests' Placement Board/Pastoral Center

Present: Rev.: Jeremiah M. Boland, Kurt D. Boras, John W. Clemens, Joseph P. Grembla, David A. Jones, Robert G. Mair, Daniel P. McCarthy, Martin E. O'Donovan (arriv 10:26), Michael J. Shanahan (arriv. 10:36)

Absent: Rev.

I **Opening Prayer:** Rev. Kurt Boras **10:24 am**

II **Acceptance of Minutes: 7 – 0 – 0**

III **Reports:**

1. [redacted]
2. [redacted]
3. **Robert Kealy '72:** The Cardinal has appointed Bob as of Ss. Faith, Hope & Charity in Winnetka commencing 06/15/01. His term of office will be for six years but will officially remain in effect until he is reappointed or transferred or his successor is named.
4. [redacted]
5. [redacted]
6. [redacted]
7. [redacted]

[redacted]

Robert Kealy '72: The Cardinal has appointed as Pastor of Ss. Faith, Hope & Charity effective 06/15/01. Your term of office will be for six years but will officially remain in effect until you are reappointed or transferred or your successor is named.

[redacted]

Page 550

10. [redacted]

11.

12

13.

14. **Robert Kealy '72:** The Cardinal has appointed as Pastor of Ss. Faith, Hope & Charity effective 06/15/01. Your term of office will be for six years but will officially remain in effect until you are reappointed or transferred or your successor is named.

15. [redacted]

16.

17.

18.

19.

20.

21.

22.

23.

24.

3. **Immaculate Conception/Highland Park:** Bob Mair and John Clemens attended the meeting. The people were very supportive, and are looking for a pastor in the mold of Bob Kealy '72. Candidates will have to know about plans with Highwood.

4. [redacted]

5.

6.

7.

E. [redacted]

F.

IMPORTANT NOTICE

You have a right to report accusations of child abuse to the Illinois Department of Children and Family Services. (The Department of Children and Family Services "hotline" telephone number is 1-800-252-2873). You also have a right to report such accusations to the State's Attorney's Office or other law enforcement agencies. (The Cook County State's Attorney's telephone number is (312) 443-5440; the Lake County State's Attorney's telephone number is (708) 360-6644). If you have any questions as to how to make such a report you may refer those questions to the Department of Children and Family Services or the State's Attorney's Office.

****

I have read and understood the above notice. A representative of the Archdiocese has given me a copy of the Department of Children and Family Services brochure describing the child abuse reporting laws. The representative of the Archdiocese whose name appears below has not discouraged me in any way from reporting to the authorities.

6/28/01
Date

[redacted]
Signature

[redacted]
Print Name

I presented a copy of this "Important Notice" and a copy of the Department of Children and Family Services brochure describing the child abuse reporting laws to the person whose printed name and signature appears above, on the date indicated in this document.

6-28-01
Date

Rev. Jim Kaczorowski
Signature

JIM KACZOROWSKI
Print Name

Kathleen Leggeter 6.28.01
Professional Future Review
Administrator

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility
Office of Assistance Ministry

Post Office Box 1979
Chicago, Illinois 60690

(312) 751 - 8256/8267
(312) 751 - 8307 (Fax)

Memorandum

To: PFR-~~77~~ error(D) 83

From: Kathleen Leggdas, Administrator

Re: **Response to [redacted] Allegation of Sexual Misconduct Against Rev. Robert Kealy**

Date: June 28, 2001

Present at Meeting:

Rev. Robert Kealy [RK], accused
Rev. James Kaczorowski, Vicar for Priests
Kathleen Leggdas, Professional Fitness Review Administrator [PFRA]

General Information:

Father Kealy arrived 20 minutes late for a 2:00 appointment. He was dressed in his clerical garb and appeared self-possessed and calm given the circumstances. He is currently Pastor at Faith, Hope and Charity Parish in Winnetka and was ordained in 1972. His first assignment was to St. Germaine in Oak Lawn where he served from 1972 through 1977.

Meeting Summary:

PFRA described the Review Board Process and Father Kaczorowski informed RK of his legal rights to have an attorney present or to decline talking with the Archdiocesan representatives. RK declined the offer of calling an attorney, stating that he did not feel it necessary. He indicated a willingness to talk with the interviewers. Father Kaczorowski described the role of the Vicar for Priests and asked if RK had any questions regarding the process. None were forthcoming.

PFRA then described the allegations and informed Father Kealy of the identity of the accuser. Father Kealy recalled the family name and described [redacted] as being one of the boys that was involved in sports in the parish – he did not specifically recall whether or not [redacted] was an altar server. He did also recall that [redacted] was among the boys who visited the rectory on occasion and were in his rooms. (For details of the allegation, see Allegation Summary Report).

Father Kealy's initial response to the allegation was that, in fact, alcohol and pot were available to high school students when they were at the rectory but that the students brought them and neither the drugs or alcohol were provided by RK. He admitted to drinking with the boys and to – on one occasion – smoking pot with them. He denies ever drinking so much or smoking so much that he would have been out of control. Later in the conversation he did add that in the 70's he "did drink too much." In a follow-up telephone conversation with PFRA he did admit to having black outs. He said there were mornings when he would wake up and not know what he had done the night before. He says that he stopped drinking in the 80's and that he now only occasionally takes a glass of wine.

He "felt confident" that the "grabbing" of [redacted]'s crotch never happened. He later denied ever having touched [redacted] and remembered no time when [redacted] was alone with him in the rectory. [redacted]

He later doubted that [redacted] had ever been to the rectory – was mistakenly thinking of his brother [redacted] – who [redacted] says was also a participant in the parties at the rectory and also claims to have been sexually abused by RK. In a follow-up telephone conversation with PFRA he recalls [redacted] being in the rectory as well. There was clearly some confusion in relationship to the identities of the individual brothers on the part of RK.

He admitted to the fact that drinking and smoking with the kids was poor judgement on his part but that nothing of a sexual nature ever occurred.

Summary:

Father Kealy was encouraged to keep in touch with Father Kaczorowski and to call PFRA if he thought of other pertinent information, which he did. Additional information has been incorporated into this report. He was asked to not be alone with minors and not to contact any of the men named in the allegation. Confidentiality was assured and the Review Board timeline presented.

Cc: Review Board Members
Rev. Thomas J. Paprocki, Cardinal's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests
Mr. John O'Malley, Office of Legal Services

Victim Statement Abstract:

This abstract replaces a memorandum to file, prepared by Kathleen Leggdas, Administrator of the Archdiocese of Chicago's Office of Professional Fitness Review and dated June 28, 2001, of a meeting between Ms. Leggdas; Rev. James Kaczorowski, Vicar for Priests; Michael Bland of the Office of Assistance Ministry; and Victim JD to formalize Victim JD's allegation of sexual abuse by Fr. Robert Kealy when Victim JD was a minor. According to the summary, Victim JD alleged he was abused by Kealy when he was a sophomore in high school at St. Germaine parish in the late 1970s. The abuse consisted of one instance of Fr. Kealy grabbing Victim JD's genitals over the clothes.

To: File

From: Jim Kaczorowski

Date: June 29, 2001

Re: Bob Kealy

On Friday, June 15, 2001 I had a call from [redacted] registering a concern about a friend of his who was abused by a priest as a youth. He revealed the priest's name as being Bob Kealy. The incident occurred around 1975-1977. [redacted] urged his friend to talk to me. On Monday, June 18, 2001, I received a call at the rectory from a person named [redacted] who declined giving his last name. He revealed that when he was 15 or 16, Bob Kealy invited a few boys to smoke pot and drink with him. [redacted] Thereafter, the group went to the rectory [redacted]. At one point when Bob Kealy and [redacted] were alone in the rectory around midnight, Bob grabbed [redacted] in the crotch over his clothes. [redacted]

[redacted]. [redacted] was also sexually molested by Bob Kealy. [redacted] was exposed to pot and drinking by Bob Kealy. Both of these men are also successful business men. [redacted].

On June 21, 2001 [redacted] called to say he would come forward. [redacted]

On June 25, 2001 [redacted] called me [redacted]. [redacted] does not want to come forward at this time. He said Bob Kealy went through a phase years ago and feels it is over.

[redacted] met with Kathleen Leggdas, Michael Bland and myself on June 28, 2001 in Kathleen's office.

ARCHDIOCESE OF CHICAGO

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676 N. St. Clair, Suite 1910
Chicago, Illinois 60611

Post Office Box 1979
Chicago, Illinois 60690-1979

(312)751-5205
Fax: (312)751-5279

Memorandum

To: File

From: Rev. Thomas J. Paprocki, Archbishop's Delegate for Professional Fitness Review

Re: **Review Board Meeting – Rev. Robert Kealy**
First Stage Review

Date: June 30, 2001

The Review Board conducted a First Stage Review in the case of the allegation of [redacted] against Rev. Robert Kealy. There were six members of the Review Board present ([redacted])

Kathleen Leggdas, PFRA, presented the summaries of her meetings with [redacted] and Father Kealy. Based on the information presented, the Review Board determined (6-0) that there was not reasonable cause to suspect sexual misconduct with a minor. They did determine that there was inappropriate behavior in having minors drinking alcohol and smoking marijuana in the rectory. The members of the Review Board further determined that minors are not presently at risk in Fr. Kealy's ministry. The Board recommended that Kathleen Leggdas and Father Jim Kaczorowski, Vicar for Priests, should discuss with Father Kealy the boundary issues involved in the inappropriate behavior.

After the Review Board meeting, I met with Cardinal George at his residence and he accepted the Review Board's determinations and recommendations. He asked that care be taken in communicating this information to [redacted].

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Professional Fitness Review Board

Special Meeting
June 30, 2001

Members of the Review Board Present:

[redacted]

Others Present:

Rev. Thomas Paprocki, Cardinal's Delegate to the Review Board
Kathleen Leggdas, Professional Fitness Review Administrator

The Review Board conducted a First Stage Review in the case of the allegation of [redacted] against Rev. Robert Kealy. There were six members of the Review Board present.

Kathleen Leggdas, PFRA, presented the summaries of her meetings with [redacted] and Father Kealy. Based on the information presented, the Review Board determined (6-0) that there was not reasonable cause to suspect sexual misconduct with a minor. They did determine that there was inappropriate behavior in having minors drinking alcohol and smoking marijuana in the rectory. The members of the Review Board further determined that minors are not presently at risk in Fr. Kealy's ministry. The Board recommended that Kathleen Leggdas and Father Jim Kaczorowski, Vicar for Priests, should discuss with Father Kealy the boundary issues involved in the inappropriate behavior.

After the Review Board meeting, I met with Cardinal George at his residence and he accepted the Review Board's determinations and recommendations. He asked that care be taken in communicating this information to [redacted]

Cc: Members of the Review Board
Rev. Thomas J. Paprocki, Cardinal's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priest

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Memorandum

To: File – PFR-77

From: Kathleen Leggdas

Re: **Rev. Robert Kealy**

Date: June 30, 2001

Summary of discussion from a Special Meeting of the Professional Fitness Review Board:

The Review Board conducted a First Stage Review in the case of the allegation of [redacted] against Rev. Robert Kealy. There were six members of the Review Board present.

Kathleen Leggdas, PFRA, presented the summaries of her meetings with [redacted] and Father Kealy. Based on the information presented, the Review Board determined (6-0) that there was not reasonable cause to suspect sexual misconduct with a minor. They did determine that there was inappropriate behavior in having minors drinking alcohol and smoking marijuana in the rectory. The members of the Review Board further determined that minors are not presently at risk in Fr. Kealy's ministry. The Board recommended that Kathleen Leggdas and Father Jim Kaczorowski, Vicar for Priests, should discuss with Father Kealy the boundary issues involved in the inappropriate behavior.

After the Review Board meeting, I met with Cardinal George at his residence and he accepted the Review Board's determinations and recommendations. He asked that care be taken in communicating this information to [redacted]

OFFICE OF PROFESSIONAL FITNESS REVIEW
CLIENT INFORMATION SHEET

(Revised 4/26/02)
Client.Info/LNP

FILE #: PFR-83

Opened Date: 6/30/01

Closed Date: 6/30/01

REVIEW STATUS: (DATE)

1st Stage: 6/30/01
2nd Stage:
Supplementary:

1. **Name:** Robert Kealy **Date Ordained:** 1972

   Birth Date: 1950 **Current S/S #:** [redacted]

2. **Current Residence:** Faith, Hope & Charity **Address:** 191 Linden, Winnetka, IL 60093 **Date:** Currently

   Telephone: Home: [redacted] (Private #) Office: Same **Pager:**

3. **Ministry:** Pastor

   Status (Check one) **Date:** Currently

   Active: ✓
   Deceased:
   Resigned:
   Withdrawn:
   Other:

4. **Allegation(s):**

Date:	Date of the Offense(s):	Sex/Age	Credibility: Yes	No
6/28/01	1975 - 1977	M/13-15	X	

5. **General Nature of Allegation(s):**
   Drinking, smoking pot, touching genitals over clothing.

6. **Protocol:** None **Original Date:**

   Review Dates:

   Review Dates:

7. **Assessment(s):**

Source:	Date:	Report on File: (?)	Date Received:
Pending			

8. **Therapy:**

Source:	Start Date:	Quarterly Report:	Date Received:
Pending			

9. **Education:**

Canon Law Degree

Civil Law Degree

10. **Ministerial Assignments:**

St. Germaine, Oak Lawn

Chancery

Immaculate Conception, Highland Park

Faith, Hope, Charity, Winnetka

11. **Family Composition:**

Parents:

Siblings:

12. **Monitors:**

Monitors:	Address:	Phone:
None		

13. **Emergency Contacts:**

1st	Relationship:	Home #:	Work #:
2nd	**Relationship:**	**Home #:**	**Work #:**

14. **Other Concerns:**

Use of alcohol in 1970's and 1980's.

Phone Conversation – PFR-77

Date: 6/29/01 Time: 12:56 p.m.
From: [redacted] – Car phone [redacted]
- Phoned
- Please call

Time: 2:00 p.m.
From: [redacted]
- PFRA questioned about [redacted] and description of rectory
- 1) [redacted] – recommended drug testing
- 2) Does know Fr. Becker – Add to [redacted] credibility?
- 3) What if this is the end of this?
- Questions deferred until after PFR Board Meeting

Date: 7/2/01 Time: 10:00 a.m.
From: [redacted]
- Called to see what Board determination was
- Informed that needed Cardinal's decision first

ARCHDIOCESE OF CHICAGO

COPY

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611

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Chicago, Illinois 60690-1979

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Fax: (312)751-5279

July 6, 2001

Francis Cardinal George, O.M.I.
Archbishop of Chicago
155 E. Superior Street
Chicago, Illinois 60611

Dear Cardinal George,

Please be advised that the Review Board met on June 30, 2001. The Board fully considered all oral and written reports in the matter of Rev. Robert Kealy. The Board conducted a First Stage pursuant to Article 1104.8 of the "Review Process For Continuation of Ministry."

Based on the information presented, the Review Board determined (6-0) that there was not reasonable cause to suspect sexual misconduct with a minor. They did determine that there was inappropriate behavior in having minors drinking alcohol, smoking marijuana in the rectory and joining them in these activities.

The members of the Review Board further determined that minors are not presently at risk in Father Kealy's ministry. The Board recommended that Kathleen Leggdas and Father James Kaczorowski, Vicar for Priests, should meet with Father Kealy to discuss the boundary issues involved in the inappropriate behavior.

If you have any questions, please contact me at your convenience.

Sincerely,

Kathleen Leggdas

Kathleen Leggdas
Professional Fitness Review Administrator

Cc: Review Board Members
Rev. Thomas J. Paprocki, Cardinal's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests
Michael Bland, Victim Assistance Ministry
John O'Malley, Legal Services

ARCHDIOCESE OF CHICAGO

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Chicago, Illinois 60690-1979

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Fax: (312)751-5279

Memorandum

To: File – PFR-77

From: Kathleen Leggdas, Professional Fitness Review Administrator [PFRA] KL

Re: Communication with [redacted]

Date: July 10, 2001

[redacted] was contacted by telephone regarding the findings and recommendations of both the Board and [redacted].

On July 10, 2001 [redacted] was informed by PFRA that Father Kealy was cooperating with the recommendation that he [redacted]

With Father Kealy's permission, [redacted] was informed that RK has stopped drinking and was sorry for any pain he may have caused [redacted] as a pre-adolescent/adolescent during the times at the rectory.

[redacted] was also informed of the fact that RK denied any "groping" but admitted that he and boys did drink and on one occasion RK smoked pot with the boys.

[redacted] asked clarifying questions regarding [redacted]

He appeared (by tone of voice and verbal responses) to be satisfied with the recommendations.

Cc: Review Board Members
Rev. Thomas J. Paprocki, Cardinal's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests
Mr. Michael J. Bland, Victim's Assistance Ministry
Mr. John O'Malley, Office of Legal Services

ARCHDIOCESE OF CHICAGO
VICAR FOR PRIESTS
645 NORTH MICHIGAN AVENUE, SUITE 543
CHICAGO, ILLINOIS 60611

Off: (312) 642-1837
Fax: (312) 642-4933

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an original document from the files of
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ARCHDIOCESE OF CHICAGO
This is a red ink stamp!
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MEMORANDUM

To: **Francis Cardinal George, OMI**

From: **Rev. Jim Kaczorowski**

Date: **July 13, 2001**

Re: **Rev. Robert Kealy**

As you know, Your Eminence, the Professional Fitness Review Board met on June 30, 2001 regarding Bob Kealy's situation. They determined that presently minors are not at risk in the presence of Bob. They unanimously decided that he would not be removed as pastor of Faith, Hope, and Charity Parish.

Father Kealy admitted to violating boundary limits with youth in his first assignment of priesthood at St. Germaine Parish. At this time he also engaged in smoking pot and drinking alcohol in his room with teenage boys.

[redacted]

[redacted]

[redacted] Having reviewed the situation and after having spoken with Bob, I feel we should go through with the celebration. Bob's installation invitations have been sent out and other public announcements of his installation as a pastor have been made. To cancel this event would not be fruitful. In my heart of hearts, I believe that Bob Kealy is not a risk to children. I also shared with Bob Kealy that it would be helpful to you and to him if the two of you had a conversation about the allegation following [redacted]. If you wish to speak with him now, that is your decision.

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

Post Office Box 1979
Chicago, Illinois 60690-1979

July 23, 2001

Ms. Kathleen Leggdas
Professional Fitness Review Administrator
676 N. St. Clair, Suite 1910
Chicago, IL 60611

Dear Kathleen,

I am writing in response to your letter of July 6, 2001 regarding the matter of **Reverend Robert L. Kealy**, following the First Stage Review conducted by the Review Board on June 30, 2001. Immediately after that meeting, Father Thomas Paprocki, my Delegate to the Review Board, met with me and we discussed the Review Board's determinations and recommendations. I communicated to him orally that I accepted the Review Board's determinations and recommendations and I now provide this letter as a written record of this.

In light of the information presented, I accept the Review Board's determination that there was not reasonable cause to suspect sexual misconduct with a minor. I also accept the Board's determination that there was inappropriate behavior in having minors drinking alcohol, smoking marijuana in the rectory and joining them in these activities.

I agree with the Review Board's determination that minors are not presently at risk in Father Kealy's ministry. I accept the Board's recommendation that you and Father James Kaczorowski, Vicar for Priests, should meet with Father Kealy to discuss the boundary issues involved in the inappropriate behavior.

As I discussed with Father Paprocki, I ask that great care be taken in communicating these determinations and recommendations to the accuser, [redacted]. Please assure him that you and Father Kaczorowski will follow-up with Father Kealy on addressing the boundary issues of his past inappropriate behavior.

Thank you for your assistance in this matter.

Sincerely yours in Christ,

Francis Cardinal George

Francis Cardinal George, O.M.I.
Archbishop of Chicago

Thomas J. Paprocki

Rev. Thomas J. Paprocki
Ecclesiastical Notary and
Archbishop's Delegate to the
Professional Fitness Review Board

cc: Most Reverend Raymond E. Goedert, Vicar General
✓Reverend Thomas J. Paprocki, Archbishop's Delegate
to the Professional Fitness Review Board
Reverend James T. Kaczorowski, Vicar for Priests
Mr. Michael J. Bland, Victim Assistance Minister
Mr. John C. O'Malley, Director of Legal Services

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(312)751-5205
Fax: (312)751-5279

Memorandum

To: File – PFR-77

From: Rev. Thomas J. Paprocki TJP
Archbishop's Delegate to the Professional Fitness Review Board

Re: **Review Board Meeting – Rev. Robert Kealy**

Date: August 18, 2001

[redacted] expressed her dismay that [redacted] after the Review Board decided not to [redacted].

Father Paprocki explained that [redacted] and the Review Board have different responsibilities and therefore different reasons for [redacted]. The Review Board had found no reasonable cause to suspect that sexual misconduct with a minor had occurred, and therefore [redacted]. On the other hand, [redacted] Also, the Cardinal was concerned about our communications with the alleged victim. [redacted] has been helpful for the reasons expressed, although not for the Review Board's purpose of determining risk to children.

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Memorandum

To: File – PFR-77

From: Kathleen Leggdas, Administrator

Re: **Rev. Robert Kealy**

Date: August 18, 2001

The following is a summary from the Professional Fitness Review Board meeting August 18, 2001:

[redacted] expressed her dismay that [redacted] after the Review Board decided not to [redacted]

Father Paprocki explained that [redacted] and the Review Board have different responsibilities and therefore different reasons for [redacted]. The Review Board had found no reasonable cause to suspect that sexual misconduct with a minor had occurred, and therefore [redacted]. On the other hand, [redacted] Also, the Cardinal was concerned about our communications with the alleged victim. [redacted] has been helpful for the reasons expressed, although not for the Review Board's purpose of determining risk to children.

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Memorandum

To: File – PFR-77

From: Kathleen Leggdas, Administrator KL

Re: **Rev. Robert Kealy**

Date: August 18, 2001

Review Board requested note to file regarding [redacted]
Due to the fact that Review Board found no reasonable cause to suspect that sexual misconduct occurred, no recommendation for [redacted] was made.

[redacted] made the recommendation [redacted] from a due diligence perspective.

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Professional Fitness Review Board

Saturday, August 18, 2001
10:00 – 12:00

MINUTES

Review Board Members Present:

[redacted]

Absent:

[redacted]

Non-members present:

Rev. Thomas J. Paprocki, Cardinal's Delegate to the Review Board
Kathleen Leggdas, Professional Fitness Review Administrator

I. Approval of minutes from April 21, 2001 and June 30, 2001 First Stage Review on Rev. Kealy

II. Case Reviews

A. [redacted]

B.

[redacted]

C. In the Matter of the Rev. Robert Kealy, PFR-77

[redacted] expressed her dismay that [redacted] after the Review Board decided not to [redacted]

Father Paprocki explained that [redacted] and the Review Board have different responsibilities and therefore different reasons for [redacted]. The Review Board had found no reasonable cause to suspect that sexual misconduct with a minor had occurred, and therefore [redacted]. On the other hand, [redacted] Also, the Cardinal was concerned about our communications with the alleged victim. [redacted]

D. [redacted]

III. [redacted]

Cc: Members of the Review Board
Rev. Thomas J. Paprocki, Cardinal's Delegate to Review Board
Rev. Larry McBrady, Vicar for Priests

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Professional Fitness Review Board

Saturday, August 18, 2001
10:00 – 12:00

I. Approval of Minutes from April 21, 2001 and Special Session, June 30, 2001

II. Case Reviews

A. [redacted]

B.

C.

D. In the Matter of Rev. Robert Kealy, PFR-77
- Update

III. Other Business
- Board Membership

Certificate of Installation of the Pastor
Archdiocese of Chicago

This is to certify that I, the undersigned, presented the Reverend

Robert L. Kealy

to the members of the parish community of

Ss. Faith, Hope and Charity

assembled in church.

In their presence, I have installed him as their pastor with the prescribed ceremonies, in accord with canon 527, §2, and have entrusted him with the leadership and pastoral care of this parish community with all the rights and responsibilities described in the general law of the Church, especially canon 519, as well as the particular statutes of the Archdiocese of Chicago, and his letter of appointment.

Given at Wilmette, Illinois, on the 9th day of the month of September, in the Year of Our Lord 2001

"It is He who gave apostles, prophets, evangelists, pastors and teachers in roles of service for the faithful to build up the body of Christ, till we become one in faith and in the knowledge of God's Son, and form that perfect man who is Christ come to full stature."
Ephesians 4:13

+ Edward M. Conway

NAME
Episcopal Vicar

TITLE

AOC 015748

ARCHDIOCESE OF CHICAGO

Profession of Faith
and
Oath of Fidelity

PROFESSION OF FAITH

(Formula for making the profession of faith in those cases where it is required by law)

I, ***Robert L. Kealy***, with firm faith believe and profess everything that is contained in the symbol of faith, namely:

I (*We) believe in one God, the Father, the Almighty, maker of heaven and earth, of all that is seen and unseen. I believe in one Lord, Jesus Christ, the only Son of God, eternally begotten of the Father, God from God, Light from Light, true God from true God, begotten, not made, one in Being with the Father. Through him all things were made. For us men and for our salvation he came down from heaven: By the power of the Holy Spirit he was born of the Virgin Mary, and became man. for our sake he was crucified under Pontius Pilate; he suffered, died and was buried. On the third day he rose again in fulfillment of the Scriptures; he ascended into heaven and is seated at the right hand of the Father. He will come again in glory to judge the living and the dead, and his kingdom will have no end. I believe in the Holy Spirit, the Lord, the giver of life, who proceeds from the Father and the Son. With the Father and the Son he is worshiped and glorified. He has spoken through the Prophets. I believe in one, holy, catholic and apostolic Church. I acknowledge one baptism for the forgiveness of sins. I look for the resurrection of the dead, and the life of the world to come. Amen.

With firm faith I also believe everything contained in God's word, written or handed down in tradition and proposed by the Church, whether by way of solemn judgment or through the ordinary and universal magisterium, as divinely revealed and calling for faith.

I also firmly accept and hold each and every thing that is proposed definitively by the Church regarding teaching on faith and morals.

Moreover, I adhere with religious submission of will and intellect to the teachings which either the Roman Pontiff or the college of bishops enunciate when they exercise the authentic magisterium, even if they proclaim those teachings by an act that is not definitive.

(*At a public liturgical ceremony, e.g. the installation of a Pastor, this paragraph may be recited in the plural together with the other members of the assembly.)

OATH OF FIDELITY ON ASSUMING AN OFFICE TO BE EXERCISED IN THE NAME OF THE CHURCH

(In the Archdiocese of Chicago this form applies to those assuming the office mentioned in the canon 833, nn. 5-6, i.e. vicars general, episcopal vicars, judicial vicars, pastors, seminary rectors, professors of theology and philosophy in seminaries, and those to be ordained deacons.)

I, ***Robert L. Kealy*** , in assuming the office of ***Pastor*** , promise that both in my words and in my conduct I shall always preserve communion with the Catholic Church.

I shall carry out with the greatest care and fidelity the duties incumbent on me toward both the universal Church and the particular Church in which, according to the provisions of the law, I have been called to exercise my service.

In fulfilling the charge entrusted to me in the name of the Church, I shall hold fast to the deposit of faith in its entirety, I shall faithfully hand it on and explain it, and I shall avoid any teachings opposed to that faith.

I shall follow and foster the common discipline of the whole Church and I shall observe all ecclesiastical laws, especially those which are contained in the Code of Canon Law.

In Christian obedience I shall unite myself with what is declared by the bishops as authentic doctors and teachers of the faith or established by them as those responsible for the governance of the Church; I shall also faithfully assist the diocesan bishops, in order that the apostolic activity exercised in the name and by mandate of the Church may be carried out in the communion of the same Church.

So help me God, and God's holy Gospels, on which I place my hand.

Rev. Robert L. Kealy
Signature

Witnessed by:

†Edward M. Conway
Name

Episcopal Vicar
Title

Dated at Wimetka , Illinois

On the 9th Day of the Month of September

In the Year of Our Lord 2001

AOC 015750

Page 91

[redacted]

2. **Parishes:**

a) **Ss Faith Hope & Charity/Winnetka:** Robert Kealy '72 [new pastor] is doing fine.

b) [redacted]

c)

d)

e)

f)

g)

h)

i)

j)

k)

l)

m)

n)

o)

p)

Saints Faith, Hope and Charity Rectory
191 LINDEN STREET . WINNETKA, ILLINOIS 60093-3832

March 25, 2002

His Eminence
Francis Cardinal George
Archbishop of Chicago
P.O. Box 1979
Chicago, IL 60690

Your Eminence:

I hereby submit my resignation as Pastor of Saints Faith, Hope and Charity Parish, effective immediately.

Sincerely yours in Christ,

Robert L. Kealy

Reverend Robert L. Kealy
Pastor

ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611

Post Office Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

Memorandum

To: File - PFR-83

From: Kathleen Leggdas, Professional Fitness Review Administrator

Re: **Rev. Robert Kealy**
Review Board Meeting – Supplementary Review

Date: March 25, 2002

The Review Board conducted a Supplemental Review by telephone conference call into the allegations of [redacted], against Rev. Robert L. Kealy. The Supplemental Review was prompted by [redacted]'s continued pursuit of his allegations and Father Kealy's admission to Fr. James Kaczorowski today that he [redacted] years ago, that he doesn't remember, but these events could have happened. Father Kealy did admit to two other instances of abuse with minors. In light of this, Father Kealy has resigned as Pastor of Ss. Faith, Hope and Charity Parish and Cardinal George has accepted his resignation.

Based on this new information, the Board determined that there is reasonable cause to suspect sexual misconduct with a minor. Father Kealy has agreed to reside at Koenig Hall. The Board asked that the usual restrictions be imposed, i.e. no access to minors, be monitored by Father Anthony Talarico, no unaccompanied travel out of state. [redacted] The Board asked that Kathleen and Father Kealy if there have been any other possible violations of sexual misconduct with minors. [redacted]. The Board also recommended that Father Kealy continue to refrain from alcohol and other abusive substances. The Board recommends these restrictions as preventative measures to protect the safety of minors. While he may not currently be a risk, the Board cannot be sure given his lack of credibility on these previous allegations.

Saints Faith, Hope and Charity Rectory

191 LINDEN STREET ... WINNETKA, ILLINOIS 60093-3832

March 25, 2002

Your Eminence,

Again I am deeply sorry. I am very grateful to you for your compassion and for being my pastor.

Oremus pro invicem,

Bob

AOC 015754

Chicago priest is accused of abuse

Case turned over to state's attorney

By Julia Lieblich 3/27
Tribune religion reporter

The Archdiocese of Chicago said Tuesday it reported a 20- to 25-year-old case of sexual abuse by a priest to the Cook County state's attorney's office and the accused priest has resigned from his parish.

The archdiocese would not release the priest's name, the age of the victim or victims, or whether any prior complaints have been made against the priest.

"We will not give out particulars until we tell the parish," said spokesman James Dwyer.

Marcy O'Boyle, a spokeswoman for the state's attorney's office, confirmed the sex crimes division was contacted about 4 p.m. about allegations of sexual abuse involving a priest. The office is investigating, she said, declining further comment.

As a priest sex scandal has escalated in Boston and elsewhere across the country, more people have been coming forward with reports of sexual abuse, church officials say. At the same time, victim advocates are calling on the church to relax the secrecy that has surrounded previous settlements with victims.

Under policies the archdiocese adopted in 1992, a nine-mem-

PLEASE SEE **SETTLEMENT**, BACK PAGE

SETTLEMENT: Archdiocese in L.A. backs openness

CONTINUED FROM PAGE 1

ber review board looks into allegations of abuse and reports cases it finds credible to the state's attorney's office and the Illinois Department of Children and Family Services.

Officials say they have reported about a dozen cases of abuse involving children to civil authorities in the last 10 years. Two of those resulted in criminal convictions.

Nine of the accused priests were withdrawn from ministry because they were viewed as a danger to children, officials said, although one was later reinstated. Two priests were allowed to remain pastors and one as an assistant pastor on the condition that they submit to strict monitoring.

Attorney Jeff Anderson, who has handled about 400 cases of priest sexual misconduct nationwide, said Tuesday that in the last 24 hours he has reported two cases of active priests accused of abusing children to the Chicago archdiocese.

Dwyer said the archdiocese would provide more details about the accused priest on Wednesday.

Encouraged by the new attention being paid to sexual abuse by priests, victim advocates are pushing for greater openness on the part of church officials.

On Tuesday, they said Chicago should follow the lead of the Archdiocese of Los Angeles in telling victims they no longer have to comply with secrecy agreements they signed as part of settlements.

While the terms of those settlements with the Chicago archdiocese differ, lawyers say, most victims signed agreements not to discuss some details of their cases, be it the names of priests or the amount of the settlement.

Cardinal Roger M. Mahony of Los Angeles said in a homily Monday that he supported the decision of any victims "to make their stories public."

All victims "are released from confidentiality as the result of past settlement agreements," said Tod Tamberg, a spokesman for the Los Angeles archdiocese.

"Cardinal Mahony's main concern is for victims of abuse, and his belief is that anything that helps bring about healing is something that should be done," Tamberg said.

Earlier this month the Boston archdiocese, under pressure from civil authorities, also released victims from confidentiality agreements.

The Archdiocese of Chicago has prided itself on its policy for investigating cases of priest misconduct. Rev. Thomas Paprocki, Cardinal Francis George's delegate to the review board that evaluates abuse claims, did not say whether the archdiocese would reconsider confidentiality agreements.

"We haven't really talked about that," he said.

Attorney Joseph Klest, who has represented Chicago plaintiffs in more than 15 cases, applauded the Los Angeles move and called on Chicago to do the same. "It would be a wonderful gesture in terms of opening the door a little bit and letting people back in," said Klest, who represented a victim abused by Norbert Maday, a priest who received a 20-year prison sentence in 1994 for molesting two teenage boys.

"Gag orders just keep the pattern of silence going," he said. "I know of some victims who would probably be happy to speak out in Illinois."

He says silence agreements with the archdiocese have been less restrictive since the mid-1990s and usually prevent victims only from discussing the amount of settlements.

In the last 10 years, the archdiocese has paid about $5 million in settlements to an undisclosed number of victims, archdiocese officials have said.

Attorney Keith Aeschliman, who has represented Chicago plaintiffs, said releasing victims from such agreements would shed more light on the money the archdiocese has spent on settlements.

David Clohessy, the head of the Survivors Network of those Abused by Priests, has long opposed confidentiality pacts.

"The church should never have coerced victims into secrecy in the first place," said Clohessy, who believes a release from such agreements would shed light on the prevalence of cases in Chicago.

Tribune staff reporter Matthew Walberg contributed to this report.

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Suburban priest resigns amid sex abuse charges

By Cathleen Falsani, Carlos Sadovi and Frank Main
Staff Reporters STMon 3/27

Cook County prosecutors are investigating new allegations of sexual abuse against a Roman Catholic priest, in the first case of alleged abuse to surface publicly in the Chicago archdiocese since a national scandal broke earlier this year.

Accused is a longtime priest in a north suburban parish. The priest, whom officials would not name, resigned Tuesday, Cardinal Francis George said.

The case involves incidents that allegedly occurred 20 to 25 years ago, according to Jim Dwyer, spokesman for the archdiocese.

Prosecutors don't know if the victim is alive, where he is living or whether he'd be willing to participate in the investigation, a source close to the investigation said.

The last time Cook County prosecutors prosecuted a Roman Catholic priest for sexually abusing a minor was in 1993, when the Rev. Ralph Strand of St. Francis Borgia in Chicago was charged with nine counts of sexually abusing an adolescent boy. Strand was found guilty and sentenced to four years in prison in July 1995.

It's not clear how the latest case was brought to the attention of church officials. Since the clergy sex abuse scandal broke in Boston in January, Chicago church officials have heard about a dozen new allegations of abuse, most involving additional alleged victims of

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Priest

Continued from Previous Page

priests who already had been dealt with by the archdiocese.

Since 1992, when the Chicago archdiocese implemented a detailed policy for dealing with accusations of clergy sexual abuse of minors, officials have fielded about 75 complaints, chancellor Jimmy Lago said earlier this month. Of those, fewer than a dozen were substantiated and of that group all but four of the accused priests have resigned from their positions or have died.

Of the four priests who did not leave the priesthood, only one, the Rev. John Calicott of Holy Angels parish on the South Side, was removed from parish ministry. Later, he was returned to the same parish. The others remained parish priests. All had to agree to be monitored for life, officials said.

Dwyer did not offer more details on the case given to prosecutors.

"We will not confirm any more of the details as to who, what, where, when or why because we are in the process of informing the parish, and we owe them that courtesy, to let them know first," he said.

The case may be too old to prosecute because the statute of limitations has expired. In Illinois, the statute of limitations for sex crimes is three years after the victim's 18th birthday.

"That's not for us to decide. That's someone else's decision," Dwyer said.

Barbara Blaine, founder of Survivors Network of those Abused by Priests, based in Chicago, said it's important to report cases of abuse, even if they cannot be prosecuted.

"It doesn't matter—they should still turn it over," Blaine said. "Let the prosecutors decide if there's a case. For all we know, this guy could have been abusing last week."

AOC 015756

CHURCH SEX SCANDAL

Area priest investigated for sex abuse

Archdiocese of Chicago turns over information to Cook Co. state's attorney's office

By Allison Hantschel
Staff writer STOLEN 3/27

The Cook County state's attorney's office is investigating allegations of criminal sexual abuse by an Archdiocese of Chicago priest.

The Roman Catholic archdiocese contacted the state's attorney Tuesday afternoon to report the accusations.

"They notified us, and we initiated an investigation," said state's attorney spokesman Marcy O'Boyle, declining to release the name of the priest.

"It is an investigation of one individual."

The Archdiocese of Chicago's 10-year-old priest misconduct policy states that once a credible accusation against a priest has been made and that priest has been removed from ministry, the allegations will be reported to the state's attorney's office.

O'Boyle said the last case the state's attorney's office handled concerning allegations of sexual abuse against a priest was in 1993 and resulted in the conviction of the Rev. Ralph S. Strand, former pastor of St. Francis Borgia parish on Chicago's Northwest Side.

That same year, the late Cardinal Joseph Bernardin faced accusations of sexual abuse in a lawsuit, but his accuser later recanted.

The priest currently being investigated no longer is working in ministry at his parish, though archdiocese spokesman Jim Dwyer refused to release details of the allegations or the name of the priest because the parish had not been notified Tuesday evening.

"I expect they will be told sooner, rather than later," Dwyer said.

See **PRIEST**, back page

A golden opportunity

Cautious but galvanized, liberal Catholics see opportunities emerging from sex-abuse scandal.
Nation-World, A9

Priest

Continued from page A1

Boston scandal fuels investigations

This week, the Archdiocese of Chicago began investigating allegations of abuse made against area priests since news of Boston's clergy abuse scandal surfaced last fall.

The Daily Southtown reported March 14 that archdiocese officials intended to review all its reported cases involving abuse of minors by priests during the past 10 years in light of the scandal in Boston and in other dioceses.

In the past six months, clergy in a half-dozen states have been accused of sexual abuse of minors after a scandal in the Archdiocese of Boston. The bishop of Palm Beach resigned last week after admitting he sexually abused a teenager at a seminary more than 25 years ago.

Other dioceses have turned over names of dozens of accused priests to law enforcement agencies and removed clergy from ministry after the publicity caused by Boston's troubles.

About a dozen removals in 10 years

In the decade since the late Cardinal Joseph Bernardin implemented a policy to deal with misconduct, there have been about a dozen cases of permanent removal of Chicago-area priests from ministry because of sexual abuse, according to officials.

If an accusation of sexual misconduct against a priest is deemed credible, the archdiocese by law must report it to the Illinois Department of Children and Family Services, which then conducts its own investigation.

And if a priest is removed from ministry, the allegations also are reported to the state's attorney's office.

In a column distributed to parishioners last Sunday, Cardinal Francis George called priest sexual abuse "deeply sinful" and said while sin can be forgiven, "even forgiven sins have consequences.

"The archdiocesan policies governing sexual misconduct by priests attempt to meet some of the consequences of this great sin."

The incident currently under investigation reportedly happened 25 years ago.

Allison Hantschel may be reached at (708) 633-5998.

AOC 015757

Catholics disappointed by church's reactions

By Robert Davis
USA Today 3/27/02

Most Catholics say their church has done a poor job handling the problem of sexual abuse by priests, and almost a third say they are less likely now to give money to the church, according to two new USA Today/CNN/Gallup Polls.

"They pretend to be so pious and mighty, and you turn around and see all of their doing," says Mary Taylor, 58, of Malverne, N.Y. "You saw things were always covered up."

As revelations of abuse cases have swept the country, shaking the church and damaging the credibility of American bishops, Taylor is among 72 percent of Catholics who say the leadership has done a bad job dealing with sexual abuse by priests, and 74 percent who say the church is more concerned with protecting its own image than solving the problem.

"Anything that goes wrong, they try to present a good image," says Taylor, who attended Catholic schools. "They try to keep everything looking perfect when it's not."

Taylor responded to a telephone survey of 522 Catholic adults that was conducted March 18 to 20 and Friday through Sunday. The survey has a margin of error of plus or minus 5 percentage points.

Other findings from that poll:

- 74 percent say they would not be willing to accept a priest who was known to have abused young people as their parish priest, even if he had undergone rehabilitation.
- 75 percent say they favor allowing Catholic priests to marry.
- 55 percent say they think sexual abuse of young people by priests is a widespread problem.

Liberal Catholics see opportunities

By David Crary
The Associated Press 3/27

NEW YORK — For Roman Catholic dissidents who want women and married men in the priesthood, the sex abuse scandal now shaking the church is a golden opportunity bearing a "handle with care" label.

Though wary of seeming exploitive, liberal activists believe the crisis is creating ferment that makes their long-sought goals more plausible than ever — even if conservatives still predict they'll fail.

"The pedophilia scandal is not anything we want to be seen as capitalizing on," said Erin Hanley of the Women's Ordination Conference. "But sometimes great joy and rebirth comes out of great suffering."

The ordination conference, like several other liberal Catholic groups, kept a low profile during the scandal's early stages. On Monday, however, the sex-abuse problem figured prominently in protests marking World Day of Prayer for Women's Ordination.

"This is an opportunity to break the silence on a number of issues that people around the world have concerns with," Hanley said. "A lot of Catholics who've been upset with the church, but were fearful of speaking up, are finally saying, 'This isn't right.' "

Leaders of the group CORPUS, which advocates a more inclusive priesthood, said their reaction to the scandal was cautious yet determined.

"Just as you wouldn't want to injure a wounded animal, there's a concern about using this as an opportunity for what people might consider cheap shots," said the group's vice president, Russ Ditzel.

But CORPUS cited the scandal in a recent statement urging the church to end a "conspiracy of silence" and become more accountable.

"We don't want to build the need for reform on the scandal and the heartache itself," said Anthony Padovano, one of the group's founders. "There should be married clergy and women clergy even if there's not a single problem with celibacy."

Padovano, who left the active priesthood after getting married, contended that the pivotal issue in the scandal is really abuse of power by church leaders.

"You could eliminate pedophilia from all levels of the priesthood and still not change anything that is essentially wrong with the structure itself," he said. "We need a church that's more open than it is now."

Sister Maureen Fiedler, co-host of an interfaith radio talk show and a leading advocate of ordaining women, said the scandal reinforced her doubts about the church's insistence on all-male leadership.

"Statistically speaking, women are almost never pedophiles or sexual abusers, so if you wanted a priesthood that was not as likely to have sexual abuse, opening it to women clearly would do that," she said.

AOC 015758

3/27

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Suburban Parish To Be Told Of Allegations Against Priest



The Chicago archdiocese says the parish whose priest is under investigation for alleged sexual misconduct is being told today.

The priest is from a North Suburban parish.

The archdiocese is not identifying him by name or parish.

Archdiocese Spokesman Jim Dwyer says the parish leadership is sending out a letter today to parishioners, telling them about the priest who is under investigation by the Cook County state's attorney's office for alleged sexual misconduct against a minor.

Dwyer says this is a "sad moment" for the parish.

WBBM has learned that the alleged victim is a man, someone who is still alive. It's not clear what role he'll play in the investigation. The allegations stem from at least one incident 20 to 25 years ago.

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Winnetka Priest Identified In Alleged Abuse Case

CHICAGO (AP) -- A longtime Roman Catholic priest in a suburb north of Chicago has resigned amid sex abuse allegations, Archdiocese of Chicago officials said.

Rev. Robert L. Kealy, formerly the pastor Sts. Faith, Hope and Charity Parish in Winnetka, resigned Tuesday, Cardinal Francis George said.

Kealy has withdrawn from active ministry and lives in a "restricted, monitored setting," according to a letter to parishioners released Wednesday by the Most Rev. Edwin M. Conway, an auxiliary bishop.

The letter also says Kealy resigned after new allegations that he "engaged in inappropriate sexual misconduct with a minor teen-ager more than 25 years ago" when he was pastor of St. Germaine Parish in south suburban Oak Lawn.

The case is the first of alleged abuse to surface publicly in the Chicago archdiocese since a priest sex scandal escalated earlier this year in Boston and across the country.

According to Conway's letter, Kealy's resignation stems from information recently received by the archdiocese's professional review board. Allegations of sexual misconduct that surfaced in the summer of 2001 could not be confirmed, the letter states.

Marcy O'Boyle, a spokeswoman for the Cook County state's attorney's office, confirmed the sex crimes division was contacted Tuesday about allegations of sexual abuse involving a priest. The office is investigating, she said.

The last time Cook County prosecutors prosecuted a Roman Catholic priest for sexually abusing a minor was in 1993, when the Rev.

AOC 015760

Ralph Strand of St. Francis Borgia in Chicago was charged with nine counts of sexually abusing an adolescent boy. Strand was found guilty and sentenced to four years in prison in July 1995.

Church officials have fielded about 75 complaints since 1992, when the Chicago archdiocese implemented a policy for dealing with accusations of clergy sexual abuse of minors, chancellor Jimmy Lago said earlier this month.

Of those, fewer than a dozen were substantiated, and of that group, all but four of the accused priests have resigned from their positions or have died.

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INDIVIDUAL SPECIFIC PROTOCOL
For
Father Robert Kealy

The Individual Specific Protocol (ISP) reflects the primary goal of protecting minors and the integrity of the Church. Additionally, the ISP serves as a safeguard for the individual priest/deacon with regard to the possibility of subsequent allegations.

Professional Fitness Review clients will be subject to appropriate restrictions and monitoring by the Professional Fitness Review Administrator (PFRA) throughout the life of the individual as a priest/deacon in the Archdiocese of Chicago.

The ISP for **Fr. Kealy** includes but is not limited to the following:

1. Restricted from being alone with minors without the presence of another responsible adult.
2. Prior approval required from PFRA for vacations and nights spent away from residence. Approved monitor must accompany for any overnight travel.
3. Call in to PFRA once daily between 9:00 a.m. and 4:45 p.m.
4. Pre-approval of Vicar and PFRA required for any public celebrations of Sacraments or Mass.
5. Meet with PFRA twice annually.
6. Completion of daily log submitted monthly.
7. [redacted]
8. Provide Administrator with monthly printout of Internet sites visited.
9. Refrain from use of alcohol and drugs.
10. This is a working document which can be changed, altered or superceded when there is an indicated need to do so.

I have reviewed, understand, and agree to all requirements of this Protocol.

Signed: Robert T. Kealy Date: 3/27/07

Printed Name: ROBERT L. KEALY

Signature of PFRA: Kathleen Leggatt Date: 3/27/07

A copy of this Protocol will be kept on file in Professional Fitness Review and Vicar for Priests Offices.

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For
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5. Meet with PFRA twice annually.
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9. Refrain from use of alcohol and drugs.
10. This is a working document which can be changed, altered or superceded when there is an indicated need to do so.

I have reviewed, understand, and agree to all requirements of this Protocol.

Signed: _____ Date: _____

Printed Name: _____

Signature of PFRA: _____ Date: _____

A copy of this Protocol will be kept on file in Professional Fitness Review and Vicar for Priests Offices.

ARCHDIOCESE OF CHICAGO

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Memorandum

To: File – PFR-83

From: Kathleen Leggdas, Administrator KL

Re: **Salary for Rev. Robert Kealy**

Date: March 27, 2002

Rev. Robert Kealy '72

Pay to RK - $21,350 annually
Less 10% for PFR expenses ($2,135) = $19,215.00
$19,215 ÷ 12 = $1,601 per month

Cc: Rev. Robert Kealy
Rev. James Kaczorowski, Vicar for Priests

Top local priest accused of abusing teen

By Cathleen Falsani, Carlos Sadovi and Annie Sweeney
Staff Reporters Sun-Times 5/26

He was once one of the highest-ranking officials in the Roman Catholic Archdiocese of Chicago, a canon lawyer who was one of the founding members of the review board created to handle allegations of clergy sexual abuse.

Earlier this week, the Rev. Robert Kealy, 55, resigned his position as pastor of Saints Faith, Hope and Charity parish in Winnetka—one of the wealthiest in the Chicago Archdiocese—amid allegations that he "engaged in inappropriate sexual misconduct with a minor teenager" at another parish in the 1970s.

Kealy, who was chancellor of the

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Priest

Continued from Previous Page

Chicago Archdiocese for seven years under Cardinal Joseph Bernardin, is accused of sexual misconduct with a teenage boy at St. Germaine parish in Oak Lawn more than 25 years ago, according to sources.

Allegations of sexual misconduct by Kealy first surfaced in "early summer 2001," around the time he was named pastor of the Winnetka parish, according to a letter from Bishop Edwin Conway sent to parishioners Wednesday.

"The [Professional Fitness Review] Board reviewed the allegation and determined, based on the information it had at the time, that the allegation could not be substantiated," Conway wrote. "Father Kealy's resignation was prompted by new information recently received by" the board.

Kealy is being monitored under the supervision of the review board in a "restricted setting," said Jim Lago, the archdiocese's current chancellor.

In 1992, when the Professional Fitness Review Board was created by Bernardin as part of a sweeping policy to deal with allegations of sexual abuse, Kealy was one of three priests on the board.

As a member of the board composed of three priests and six lay people, Kealy would have heard allegations of abuse and helped determine whether they were valid and whether the cleric accused should be removed from active ministry.

Jim Dwyer, spokesman for the archdiocese, said he was unaware of any other allegations of sexual abuse leveled against Kealy. The priest has no criminal record in Cook County.

Barbara Blaine, founder of Survivors Network of those Abused by Priests, which monitors reports of abuse from victims across the nation, said she hadn't heard any allegations about Kealy.

The new allegations against Kealy came as a shocking blow to parishioners at Saints Faith, Hope and Charity who were still recovering from the loss of their longtime pastor, the Rev. Thomas Ventura, who left the parish—and the priesthood—last year.

A man who called himself a close friend of Kealy's since meeting him in 1994 at Immaculate Conception Church in Highland Park said he would trust his three children with Kealy.

"What is happening around the country is a witch hunt," said the man, who declined to give his name but said his family has been with the parish since its founding in 1936. "How can you defend yourself against a 25-year-old accusation?" he asked.

In 1997, parents at the Winnetka parish successfully fought to bar another priest, accused of sexually abusing a teenage boy at another parish years earlier, from being appointed to their parish.

Saints Faith, Hope and Charity parishioners refused to allow the Rev. Thomas Swade to live in the rectory. In June 1992, archdiocesan officials had removed Swade from St. Dorothy parish in Chicago after a 25-year-old male parishioner accused him of touching him improperly when the parishioner was 14. No criminal charges were filed.

After Swade's removal from St. Dorothy's, five other people accused him of sexual misconduct. He was sent to a rehabilitation program for four years. Swade, now 66, runs racial sensitivity training workshops for the archdiocese.

Jim Williamson, who has lived across the street from Saints Faith, Hope and Charity for 30 years, said while he's not Catholic, he would occasionally come to services when Kealy was saying mass.

"I would attend church just because of him," Williamson said. "He is well-spoken, straightforward and a nice person to talk to. I simply don't believe it. . . . It's going to have to be proven to me."

Outside St. Germaine parish in Oak Lawn late Wednesday, one longtime parishioner wept when she heard the news about Kealy.

"My kids were growing up when he was in charge of the teen club," said the woman, who asked not to be identified. "I thought he was very caring and very concerned with the kids."

THE REV. ROBERT L. KEALY

June-December 1971: Deacon, St. Norbert, Northbrook
May 1972: Ordained
May 1972-June 1977: Associate pastor, St. Germaine, Oak Lawn
June 1977-March 1978: Associate pastor, St. Cletus, La Grange
Jan. 1978-Aug. 1980: Full-time advocate in the Metropolitan Marriage Tribunal
Feb. 1978-Sept. 1982: Resident, St. Boniface (now closed)
Aug. 1980-Sept. 1982: Judge, Metropolitan Marriage Tribunal
Sept. 1982-Aug. 1985: Post-graduate studies in canon law, Gregorian University, Rome
Sept. 1985-Feb. 1992: Resident, Queen of All Saints Basilica
Aug. 1985-March 1992: Chancellor of the Chicago Archdiocese and director of department of executive services
March 1992-June 2001: Pastor, Immaculate Conception, Highland Park
Jan. 1994-March 2002: Judicial vicar of the Interdiocesan Tribunal, Chicago Province
June 2001-March 2002: Pastor, Saints Faith, Hope and Charity, Winnetka

Misconduct Clips

3-28-02

AOC 015765

Dallas diocese's lesson in reform

By Matt Slagle STOWN
The Associated Press 3/24

DALLAS — Five years ago, the Roman Catholic Diocese of Dallas went through the kind of turmoil now going on in Boston, and learned from the experience.

In 1997, the diocese was hit with a record-breaking verdict of nearly $120 million after being accused in a lawsuit of allowing a priest to molest altar boys and conspiring to cover it up. The verdict was ultimately cut by about three-quarters on appeal, but parishioners were demoralized and angry, and the diocese had to sell property to cover the debt.

Since then, the diocese has imposed strict guidelines that require fingerprinting and criminal background checks for all workers, mandate the installation of windows in every office door and forbid adults to be alone with children in certain circumstances.

The U.S. Conference of Catholic Bishops calls Dallas a model for others.

Critics say the diocese of 840,000 Catholics has merely undertaken a public relations effort that fails to address the underlying causes of abuse. But Diocese Chancellor Mary Edlund said the program has enabled people to recognize the signs of child-molestation and report them promptly.

She said the diocese dealt swiftly with two reports of sexual abuse since the program was implemented.



Catholic Diocese of Dallas Chancellor Mary Edlund discusses the strict guidlines aimed at heading off child abuse.

Accused priest held key post

Former chancellor handled sex abuse cases for church

By Julia Lieblich
and Todd Lighty 3/24
Tribune staff reporters

A Catholic priest who as chancellor helped handle sex-abuse cases within the Archdiocese of Chicago has himself been accused of "inappropriate sexual misconduct" with a teenager more than 25 years ago, church officials disclosed Wednesday.

Rev. Robert Kealy, 55, has resigned as pastor of Sts. Faith, Hope and Charity in Winnetka and is now living in a "restricted, monitored setting," the archdiocese said in a letter to parishioners.

Under Cardinal Joseph Bernardin, Kealy was a high-ranking lawyer who served on the committee that monitored priests thought to have committed sexual abuse. As chancellor, he also drafted letters informing priests that they were being placed on administrative leave because of sexual abuse allegations, church officials said.



Tribune file photo

Rev. Robert Kealy, shown in 1997, has resigned as pastor of Sts. Faith, Hope and Charity.

In the letter to parishioners Auxiliary Bishop Edwin M Conway said Kealy has been accused of sexual misconduct while serving as associate pastor at St. Germaine parish in Oak Lawn, a position he held from 1972 to 1977.

The archdiocese referred the case to law enforcement authorities who said Wednesday that they have begun an investigation. However, even if the allegations were substantiated, criminal charges based solely or

PLEASE SEE **PRIEST**, PAGE 22

AOC 015766

PRIEST: Allegations first leveled last June

CONTINUED FROM PAGE 1

those accusations are unlikely because the statute of limitations has apparently expired, officials said.

The current chancellor, Jimmy Lago, said the alleged victim initially came forward last June. A review board established to hear such claims was not able to substantiate them at the time. Additional information was revealed last week, however, and the review board met again and found the charges credible enough to act on, Lago said.

'Good and productive priest'

"I think this a very sad moment, a very depressing moment," Lago said. "This has been a very good and productive priest for the past 20 years. He's a canon lawyer as well as a civil lawyer who contributed a lot of time to the legal clinics."

He added: "This really does vindicate our policies. We take the issue seriously even 20 years later when the victim comes forward and the priest is prominent."

Kealy started out as deacon in St. Norbert parish in Northbrook in 1971. After his 1972 ordination, he became an associate pastor at St. Germaine parish. In 1976 he received a law degree from DePaul University College of Law.

From 1977 to 1978, he served as an associate pastor at St. Cletus in La Grange. He then was a resident at St. Boniface in Chicago, which has since closed, until 1982. After studying in Rome for three years, he resided at Queen of All Saints Basilica in Chicago until 1992 while serving as chancellor and director of the Department of Executive Services at the archdiocese.

Kealy served as pastor of Immaculate Conception in Highland Park from 1992 to 2001. In June he became pastor of Sts. Faith, Hope and Charity.

Under Illinois criminal code, the statute of limitations for sex-related crimes involving children usually is three years after the child's 18th birthday. Under some cases, however, it can be longer.

The Cook County state's attorney's office was looking into the accusations nonetheless, said Mark Cavins, head of the Child Advocacy and Protection Unit.

"You must investigate. What if it didn't happen in 1975 or 1978? What if it happened in 1988? What if we find other victims? We will not rely strictly on what the archdiocese reported. We will build on that," Cavins said.

Generally, statutes of limitations are placed on criminal and civil cases as a means of fairness to a defendant, according to Ronald J. Allen, a Northwestern University law professor. Over time, witnesses' and victims' memories fade and evidence disappears, he added.

Victims' advocates say such laws are unfair when applied to victims of sexual abuse by priests, saying most victims are too traumatized to report crimes until years later.

Rev. Bill Malloy, who has served six years as pastor at St. Germaine, said he was shocked when told Wednesday morning of the alleged abuse in his parish years ago.

'Great sadness'

"There is great sadness" among the parishioners who have heard the news, Malloy said. "People knew him and admired him. Their hearts are broken because they put so much trust in him."

Malloy noted that, ironically, St. Germaine is the patron saint of abused children. "I hope some good will come of this in the long run," he said. "We need to pray for the victims and the priest and for each other.

Parishioners at Immaculate Conception said Wednesday they could not believe the allegations were true of the priest they knew.

Patricia Ginnelly said she had just sent Kealy an Easter card. "I don't believe the charges at all. He really brought the parish together. The parish was devastated to lose him last spring."

Betty O'Sullivan agreed: "He's a wonderful, wonderful man. You can talk to him about everything."

Two parishioners who stopped by Sts. Faith, Hope and Charity on Wednesday night expressed strong support for Kealy.

"He is doing wonderful things for this parish. If it's true, I'm devastated," said Shannon Spencer, 34, of Winnetka, a lifelong member of the congregation. "Our hearts go out to Father Kealy and our prayers."

A third longtime parishioner, who declined to be identified, said she had been impressed with Kealy during his short tenure and was saddened by the allegations.

Nonetheless, she said, Kealy shouldn't remain as her parish priest if the abuse did happen. "If that's what he did, he doesn't belong here," she said.

Previous parish debate

The Winnetka parish has struggled before with the issue of priests accused of sexual misconduct. In 1997, parishioners debated whether a priest who had been removed from parish duty five years earlier should be allowed to be reinstated at the church.

In the end, they voted not to admit him, citing fears for their children's safety. The priest now works for the archdiocese's Office for Racial Justice.

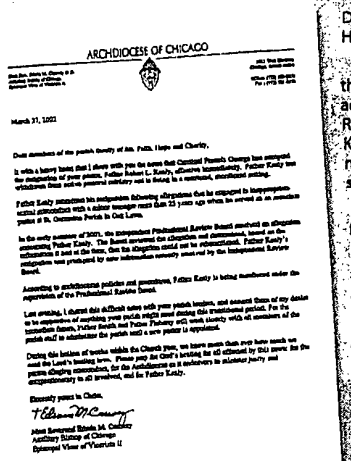
In a church bulletin dated March 24, Kealy addressed the Winnetka parish regarding the recent spate of sex scandals within the Catholic Church.

"Recently, there has been extensive news coverage of clerical scandals in Boston and elsewhere," he wrote. "Catholics have been deeply troubled by these events. There is anger, disappointment, sadness, confusion and a host of other feelings."

Kealy referred parishioners to a number of articles on sexual misconduct in the priesthood and the church's policy toward sexual abuse, before concluding: "As we enter into the Holy Week mysteries of death and resurrection, may we pray that the priesthood and hierarchy will be purified and renewed. With love, Father Bob Kealy."

Tribune staff reporters Donna Freedman, Crystal Yednak, Kaaren Rivedal and Matthew Waldberg contributed to this report.

Complete text of letter sent to Rev. Robert Kealy's parishioners



ARCHDIOCESE OF CHICAGO

March 31, 2002

Dear members of the parish family of Sts. Faith, Hope and Charity,

It is with a heavy heart that I share with you the news that Cardinal Francis George has accepted the resignation of your pastor, Father Robert L. Kealy, effective immediately. Father Kealy has withdrawn from active pastoral ministry and is living in a restricted, monitored setting.

Father Kealy submitted his resignation following allegations that he engaged in inappropriate sexual misconduct with a minor teenager more than 25 years ago when he served as an associate pastor at St. Germaine Parish in Oak Lawn.

In the early summer of 2001, the Independent Professional Review Board received an allegation concerning Father Kealy. The board reviewed the allegation and determined, based on the information it had at the time, that the allegation could not be substantiated. Father Kealy's resignation was prompted by new information recently received by the Independent Review Board.

According to archdiocesan policies and procedures, Father Kealy is being monitored under the supervision of the Professional Review Board.

Last evening, I shared this difficult news with your parish leaders, and assured them of my desire to be supportive of anything your parish might need during this transitional period. For the immediate future, Father Smith and Father Flaherty will work closely with all members of the parish staff to administer the parish until a new pastor is appointed.

During this holiest of weeks within the Church year, we know more than ever how much we need the Lord's healing love. Please pray for God's healing for all affected by this news: for the person alleging misconduct, for the Archdiocese as it endeavors to minister justly and compassionately to all involved, and to Father Kealy.

Sincerely yours in Christ,
Most Reverend Edwin M. Conway
Auxiliary Bishop of Chicago

AOC 015767



KUP'S COLUMN

Irv Kupcinet

Sun-Times

Contributing: *Stella Foster*

Peter Jennings, ABC News anchorman, is doing a "Primetime Live" special, "Pedophile Priest," airing April 3. The piece will focus on little-known rural towns where priests convicted of molestation and possessing child pornography have been integrated back into the church and community and exposed to other unsuspecting children.

MARY RICHARDSON-LOWRY, the former city building commis-



Michael SNEED

Sun-Times

The pedophile problem ...

A warning: Before we go absolutely bonkers over the pedophile priest scandal rocking the Roman Catholic Church, know this:

Pedophiles are found wherever there are children. Boy Scouts. Big Brothers. Schoolteachers. Ministers. Hospitals. Pedophiles have to be near children. Their compulsion is that strong.

Back in 1977, a newspaper series I co-authored resulted in the nation's first child pornography legislation. I wish I could erase what I saw. What was so disturbing is that pedophiles for the most part do not think what they've done is wrong.

It's shocking. It's ugly. It scars children for life. But before we paint the church — which has to clean up its act — with the pedophile smear, know the paint hits nearly every segment of our society.

And one other thing: Do not assume all pedophiles are gay. Not true. It was the gay community who brought my attention to the pedophilia problem in the first place and wanted help in getting rid of the chicken hawks — the men who cruise the North Side for young boys.

There was once a group called the Guyon Society that claimed "Sex After Eight (years old) Was Too Late."

Imagine.

CHURCH SEX SCANDAL HITS HOME

Archdiocese: Priest abused Germaine teen

By Allison Bartholet
Staff writer

Sun-Times 3/27

Revelations of sexual molestation at an Oak Lawn church provided this week's resignation of a Roman Catholic priest, Archdiocese of Chicago officials said Wednesday.

Almost two decades ago the Rev. Robert J. Kealy, pastor of Our Lady of Hope and Charity in north suburban Winnetka, was the associate pastor at St. Germaine in Oak Lawn when he "engaged in inappropriate sexual misconduct with a minor teenager," according to a letter sent Wednesday from Bishop Edwin Conway to Kealy's current parishioners.

The first report about Kealy's conduct was received in early summer 2001, Conway wrote, by an archdiocesan panel which reviews all priest sex abuse cases.

"The board reviewed the allegation and determined, based on the information it had at the time, that the allegation could not be substantiated," he wrote.

See PRIEST, page A5



The Rev. Robert Kealy was associate pastor at St. Germaine in Oak Lawn when the alleged molestation took place more than 25 years ago.

Model church

Dallas diocese learned from its own scandal

Kathy Wurtz, A11

AOC 015768

Priest

Continued from page A1

"Father Kealy's resignation was prompted by new information recently received by the independent review board."

The Cook County state's attorney's sex crimes unit this week began an inquiry into Kealy's conduct.

Kealy was ordained in 1972. St. Germaine was his first assignment as a parish priest. He served there as associate pastor until 1977.

He later served as chancellor of the archdiocese, a position where he supervised the operations of the church, for nearly seven years.

Current Chancellor Jimmy Lago said the archdiocese has received only one report about Kealy, from one man who was a teenager at the time the abuse is alleged to have occurred.

The alleged molestation took place more than 25 years ago.

He said the archdiocese was trying to determine if they should be looking for others who may have been victims.

"The victim came back to us and restated his case and indicated there were other people who could substantiate his allegations," Lago said. "The review board interviewed Father Kealy and was able to refresh his memory about what had occurred and he resigned."

'He was well-liked here'

St. Germaine's current pastor, the Rev. William Malloy, said Kealy was well-remembered by many parishioners and was viewed as an "up-and-comer" in the archdiocese.

"He was a very popular and energetic priest and he was well-liked here," said Malloy, who was a class behind Kealy in seminary. "I feel very badly about this. No one ever mentioned they ever suspected anything about him. It's a terrible tragedy for everyone, especially the victim."

Malloy said he intended to address the issue with his parishioners and inform them of what he knew about the situation, but he didn't know how.

"I'm sure they'll all be as shocked as I am," he said. "He did many wonderful things while he was here, but they're all wiped out by this great sin."

In addition to St. Germaine and Sts. Faith, Hope and Charity, Kealy served as pastor of Immaculate Conception in Highland Park from 1992-2001. He was associate pastor of St. Cletus in La Grange from 1977 to 1978; resident priest at St. Boniface on Chicago's Northwest Side from 1978 to 1982; and resident at Queen of All Saints Basilica in Chicago from 1985 to 1992.

He was appointed to the Winnetka parish in June 2001.

On Tuesday, the Cook County state's attorney's office reported the archdiocese had turned over the name of a priest for investigation.

The archdiocese declined to release Kealy's name until parishioners were notified.

"Father Kealy has withdrawn from active, pastoral ministry and is living in a restricted, monitored setting," Conway wrote in his letter.

The last time Cook County prosecuted a Roman Catholic priest for abusing a minor was in 1993, when the Rev. Ralph Strand of St. Francis Borgia in Chicago was charged with nine counts of sexually abusing an adolescent boy. Strand was sentenced to four years in prison in 1995.

The Archdiocese of Chicago's 10-year-old priest misconduct policy states that once a credible accusation against a priest has been made and that priest has been removed from ministry, the allegations will be reported to the state's attorney's office.

Lago said he wanted to stress that the archdiocese had followed its procedures.

"Everything we did and said was in accordance with our policies," he said. "The review board addressed this with all due diligence."

Past cases under review

Dioceses across the country have removed priests from ministry and turned over names of suspected offenders in the clergy to law enforcement as a sexual abuse scandal engulfs the Roman Catholic church.

This week the Archdiocese of Chicago began investigating cases which had been referred to it since news of Boston's clergy abuse scandal surfaced last fall.

Diocese of Joliet officials said they are also reviewing their past cases and policies to see if any changes need to be made. In the early 1990s, the Joliet diocese settled several sexual abuse lawsuits against priests who served in the Joliet area.

In the past six months, clergy in a number of states have been removed from their parishes after a scandal in the Archdiocese of Boston.

Other dioceses have turned over names of dozens of accused priests to law enforcement agencies and removed other clergy from ministry following the publicity caused by Boston's troubles.

Mayor Richard Daley said Wednesday that an entire vocation should not be stigmatized because of the actions of a few members.

"The situation exists in society and not just in religious orders," Daley said during a news conference. "It's all over. Go to juvenile court. Profession after profession, family after family, it doesn't stay to one profession or one family. Unfortunately it does exist in our society."

At the end of Conway's letter he asked Kealy's parishioners to pray for their priest.

"Please pray for God's healing for all affected by this news," he wrote, "for the person alleging misconduct, for the Archdiocese as it endeavors to minister justly and compassionately to all involved, and for Father Kealy."

Sun-Times religion writer Allison Hantschel may be reached at ahantschel@dailysouthtown.com or (708) 633-5998.

AOC 015769

Priest resigns amid allegations of sex abuse 25 years ago

By Teresa Mask
and Dave Orrick
Daily Herald Staff Writers 3/28/02

Amid allegations that he sexually abused a teenager 25 years ago, a North suburban Roman Catholic priest has resigned his position in the Archdiocese of Chicago.

For the past six months, the Rev. Robert L. Kealy had worked as pastor of Sts. Faith, Hope and Charity Church in Winnetka. He will remain in the priesthood but has withdrawn from active ministry.

No charges have been filed against Kealy, but investigators in the sexual crimes unit of the Cook County's state's attorney's office continue to look into the issue, said spokeswoman Marcy O'Boyle. She declined to elaborate about why



Robert Kealy

charges haven't been filed, citing an ongoing investigation.

Kealy resigned after allegations were made public Tuesday that more than 25 years ago he "engaged in inappropriate sexual misconduct with a minor teenager." At the time, Kealy was associate pastor of St. Germaine Church in Oak Lawn, according to the archdiocese.

"I'm shocked, just shocked," Sts. Faith, Hope and Charity church volunteer Jill Andrews said Wednesday upon hearing that Kealy was the target of an investigation. "I have only met him a few times, but he baptized my baby, which really freaks me out."

Jim Dwyer, director of communications for the archdiocese, said it's a sad situation. "Obviously, he was a very learned man. It's a sad moment for everybody. ... Our hearts go out to the victim, if this is true. And it indeed may be."

Ordained in 1972, Kealy also has held positions at St. Norbert Church in Northbrook, St. Cletus Church in LaGrange and Immaculate Conception Church in Highland Park.

In 1987 Kealy received the John Courtney Murray Award from DePaul University. The award honors individuals whose work, faith and involvement strive to end religious conflict and further religious freedom.

The archdiocese is not releasing any information about the person who raised the allegations. Officials have confirmed that last summer the archdiocese's Independent Professional Review Board received the allegation.

Jimmy Lago, chancellor for the Archdiocese of Chicago, said the review board did not report the case then because it didn't have enough information.

In recent weeks, the person making the allegations returned to the archdiocese with more evidence, Lago said. He said that's when the review board turned the case over to the state's attorney's office and recommended that Kealy be removed from his position.

After resigning Tuesday, Kealy moved out of the parish rectory into an undisclosed "restricted, monitored setting," according to a letter to parishioners from the archdiocese.

Bishop Edwin M. Conway sent the letter to Sts. Faith, Hope and Charity congregation members Wednesday informing parishioners of the allegations. Conway, vicar for Vicariate II where the church is located, will oversee Easter services there.

Prior to Kealy taking the pastor's post in Winnetka, the previous pastor, the Rev. Thomas Ventura announced he was leaving the priesthood to get married, Lago said. Ventura was ordained in 1961.

Last week, the archdiocese announced it was going to be revisiting its policy on how it handles sexual abuse cases. Dwyer said it's unlikely that church officials will change the procedure for when they report cases to the state's attorney's office.

"We're not trying to excuse the real abuse that does happen, but we can't automatically hang people out to dry," he said.

Dwyer said when a report is made, all purported victims are given a form that includes the state's attorney's number as a contact while the archdiocese investigates. But he said often the people making the allegations aren't interested in prosecuting. And he said the archdiocese policy doesn't allow officials to rush to judgment without some due process.

"If the allegations are true, it is among the most serious violations a person can endure," Dwyer said. "If the allegations are not true, it is one of the most serious violations of a person's reputation..."

AOC 015770

[redacted]

(Via fax to Pratt)

March 28, 2002

Dear Cardinal George,

We met at the dinner for Christians and Jews soon after you came to Chicago. You seemed to be a sensitive, caring priest. Please read the enclosed letter and forward it on to Father Kealy. We realize, you had to report him to the authorities. Now, you need to minister to him in his time of need. We have found him to be a most wonderful priest. He should not be lost to us forever. Help him and pray for him.

Thank you.

Sincerely,

[redacted]

[redacted]

COPY
of an original document from the files of
VICAR FOR PRIESTS OFFICE
ARCHDIOCESE OF CHICAGO
This is a red ink stamp!
DO NOT COPY

APR 01 2002

Ed Conway's
Remarks @
St. F H C
+Ralph

3-29-2002

Good Evening, I am Bishop Conway, the Vicar for this area of the Archdiocese. I am here because of the matter, which I addressed in the letter I sent to you the other day. In case you did not receive the letter, I wish to tell how sad I am that we had to accept the resignation of your pastor, Father Kealy because of an allegation of an inappropriate sexual encounter with a minor twenty five years ago.

I regret intruding into your celebration of The Tridnum and Holy Week, but I would like to briefly communicate a few messages.

The Archdiocese, The Cardinal personally, Father Kane our Dean and myself express our sorrow and apologies for the hurt that is yours because of Father Kealy's resignation. I realize it is not easy to loose a man in this way in whom you have placed trust and hope. Father Kealy asked me to also convey his apology to each of you for any hurt he has caused you.

Events like this give rise to all sort of emotional responses. Concern for the person experiencing the misconduct, the possible damage to the life of the parish, the sense of lose of trust, questions about the Church and priesthood, concern for Father Kealy himself. There could even be a sense of shame rising among us. In a counter stance other feelings also emerge. The need for prayer, the seeking of reconciliation and forgiveness, realization of our unity in Christ and His Church, the desire to do something to make things different. Initially at least, we could experience frustration, because we can't get over the shock and put all this together.

I want to assure by my presence here tonight, on Saturday evening and at the Masses on Sunday that the Archdiocese and I personally are willing to do whatever is necessary and appropriate with you to pass through this period of sorrow and hurt, into the future. You may wish over the next few weeks or month to contact me personally. Please feel free to do so. My telephone number and address are on the letterhead you received. I will also be at the rear of Church after Mass, if you wish to talk for a moment. If we need some extended time for discussion we can also assemble in the rectory for awhile.

As I said in the beginning, I did not want to invade the beauty of your Holy Week prayer. I ~~wish~~ you a Happy Easter in the realization that in someway in the mystery of God's love we will all be healed. This is my prayer for you and <u>with</u> you today.

Please pray for yourselves these days. Pray for the former minor that is mentioned in my letter to you and all who experience sexual misconduct. Pray for Father Kealy. Pray for this parish and for the Church. Finally pray for priests. These are very rough days for them.

Thank you to the leadership of the parish and the staff for giving me the opportunity to speak to you during this solemn celebration and for all the support you are giving to the parish. May God bless you and protect in these days.

FROM : Panasonic FAX SYSTEM PHONE NO. : MAR. 29 2002 10:24AM P2

Parishioners recall 'cool' priest

Accusations stun those who knew Kealy as 'top-of-the-line'

By Chris Fusco
and Janet Rausa Fuller
Staff Reporters 3/24

Fresh out of seminary, the Rev. Robert Kealy was "the cool priest" at St. Germaine parish in Oak Lawn.

He drove a sports car. The kids trusted him enough to do their confessions face to face.

"You felt good listening to him because he talked normal. He was from the new school," said Gary Kostrubala, a 1978 St. Germaine graduate and former altar boy. "He was a guy you could talk to and still respect the traditions of the church."

As Kealy evolved into the Chicago Roman Catholic Archdiocese's chancellor and pastor of two high-profile parishes, he never lost that new-school attitude, preaching enthusiastic homilies and attending everything from women's club meetings to scouting events.



Upon arrival, the Rev. Robert Kealy was known at St. Germaine parish as "the cool priest."

"This guy was so professional," said Andrew Fleury, a member of Highland Park's Immaculate Conception Church, where Kealy was pastor from March 1992 to June 2001.

Though he sometimes admonished people for walking into church late, "he just seemed like a top-of-the-line priest," Fleury said.

Which is what makes the news about Kealy so shocking to Fleury and others.

The 55-year-old priest resigned earlier this week as pastor of Saints Faith, Hope and Charity parish in Winnetka amid allegations that he "engaged in inappropriate sexual conduct with a minor teenager" in his first job at St. Germaine in the 1970s.

While Kealy likely can't be prosecuted for the alleged crime because its statute of limitations has long since expired, the Cook County state's attorney's office is investigating because other accusations might surface.

"I heard everything, and I just can't believe it," said Yvonne Pasquesi, an Immaculate Conception parishioner since 1954. "He's personable and very intelligent. . . .

Polish archbishop resigns amid abuse charges; Page 18

He married my daughter, and he was a very good fund-raiser."

Kenneth A. Skopec, a charter member at St. Germaine, said he considers Kealy "almost a member of my family." He called him "a brilliant mind" because of Kealy's proficiency in both canon and civil law.

At St. Germaine, Kealy helped head up the teen club, organizing ski trips for its members. The priest has two brothers and a sister, all of whom Skopec has met.

"I am a firm believer that a man is innocent until proven guilty," Skopec said. "It's a nightmare with all the difficulty going on in the Catholic Church. That's what makes this so devastating."

Bernice Kostrubala, a self-described overprotective mom, called all of her five grown children Thursday to make sure they were OK.

All attended St. Germaine school during Kealy's time as an associate pastor from 1972 to 1977.

"Years ago, when I went to pick up the kids, I always thought, 'Wasn't he a kind of cool priest?' " she said. "He was attractive, friendly and very well-liked. I was just stunned."

Her daughter Sharon Kostrubala remembered the priest's sports car, a black Ford Torino.

"He was a good-looking priest," said the 1977 St. Germaine grad.

Despite their warm thoughts for Kealy, many parishioners said he deserved to be punished if the allegations against him are true.

Dawn Meiners, a parishioner at Saints Faith, Hope and Charity, said she believes the archdiocese needs to be doing more about the issue of sexual abuse in general.

"I think they don't realize the effect of this on the children," she said. "It's not about the priest, it's about the children."

Meiners admitted to having one run-in with Kealy, when he came up to her early on in his tenure and chastised her for being late to mass.

"I didn't like him from the start," she said.

Contributing: *Carlos Sadovi and Frank Main*

AOC 015773

Several Priests Under Inquiry In St. Louis, Prosecutor Says

ST. LOUIS, March 28 (AP) — The authorities are investigating complaints of child sexual abuse involving several current and former Roman Catholic priests, among them a defrocked cleric who worked as a school counselor, a prosecutor said today.

The prosecutor, Circuit Attorney Jennifer Joyce, said some 20 of the complaints involved the defrocked priest, James A. Beine, dismissed from the clergy in 1977. Until last week, he was employed by the St. Louis public school system as an elementary school counselor.

Mr. Beine, 60, was arrested early today in the town of Highland in nearby Madison County, Ill., on three counts of sexual misconduct involving a child. He is being held in Madison County, and Ms. Joyce said she did not know whether he would waive extradition to Missouri.

An elementary-school counselor is among new sex abuse suspects.

The three counts stem from incidents at Patrick Henry Elementary School, where, prosecutors said, Mr. Beine exposed himself to two brothers, ages 9 and 10, in the boys' restroom. "This is one of the most serious predators I have ever dealt with in my years as prosecutor," Ms. Joyce said.

Mr. Beine was suspended last week after the school district learned that the St. Louis Archdiocese paid $110,000 in the late 1990's to settle two suits accusing him of sexually abusing boys when he was a priest.

The school district hired Mr. Beine as a counselor in January 1991, based in part on a recommendation from the archdiocese, said Cleveland Hammonds Jr., the district's superintendent. But the archdiocese said it was highly unlikely that it had provided such a recommendation.

Mr. Beine, who was ordained in 1967, was suspended by the archdiocese in 1977, over a matter unrelated to sex abuse: the church said he had set up a rogue ministry that claimed to offer Catholic sacraments. The archdiocese publicly disassociated itself from him two years later.

Rich Fanning, a spokesman for the archdiocese, said the church had not been contacted by Ms. Joyce's office regarding the new complaints about other priests.

The accusations are the latest of many to roil the church. On Wednesday, a Missouri priest who was accused of sexual molestation two decades ago resigned after new accusations of sex abuse. The Archdiocese of St. Louis also placed another priest on leave after receiving an accusation that he had had "inappropriate contact with a minor."

In Illinois, meanwhile, a longtime priest in a suburb north of Chicago has resigned after being similarly accused, officials of the Chicago Archdiocese said.

That priest, the Rev. Robert L. Kealy, formerly pastor at Sts. Faith, Hope and Charity Parish in Winnetka, has withdrawn from active ministry and lives in a "restricted, monitored setting," said a letter that the diocese issued to parishioners on Wednesday.

The letter cited accusations that Father Kealy "engaged in inappropriate sexual misconduct with a minor teenager more than 25 years ago," when he was pastor of St. Germaine Parish in south suburban Oak Lawn.

Marcy O'Boyle, a spokeswoman for the office of the Cook County state's attorney, said it had been contacted about accusations of sexual abuse involving a priest. The office is investigating, she said.

Pope Accepts Polish Archbishop's Resignation

By JOHN TAGLIABUE

ROME, March 28 — Pope John Paul II today accepted the resignation of a high-ranking Polish prelate accused of molesting young seminarians, bowing to pressure to resolve a sex scandal that had torn the church in intensely Catholic Poland.

In a brief statement, the Vatican said that Archbishop Juliusz Paetz agreed to resign as spiritual leader of Poznan in western Poland and that he would be replaced by the auxiliary bishop of the nearby archdiocese of Gniezno, Stanislaw Gadecki. No reason was given for Archbishop Paetz's resignation.

It was the second time this month that John Paul was obliged to accept the resignation of a senior prelate accused of sexual molestation. In that earlier case, he accepted the resignation of the bishop of Palm Beach, Fla., Anthony J. O'Connell. At that time, the Vatican cited a canon law clause allowing prelates to retire for reasons of health or "other grave cause."

Last year, after demands for an investigation by priests and lay leaders of the diocese, the Vatican was pressed into an investigation of reports that Archbishop Paetz made homosexual advances to teenage seminarians. Archbishop Paetz denied the reports, saying he was the victim of a media-orchestrated smear campaign.

In November, the Vatican sent representatives to Poznan to interview priests and seminarians, some of whom confirmed the reports.

Archbishop Paetz repeated his denial of any wrongdoing today. Addressing priests and lay people assembled in the Poznan cathedral for Holy Thursday Mass, he said his resignation was not the result of a Vatican verdict against him, but of a desire for "unity and stability" among Polish Catholics, according to news agency reports.

He said the Vatican had made no accusation against him and had not subjected him to a trial. The accusations, he said, were the result of misunderstood behavior.

The second departure this month of a prelate accused of sexual abuse.

"Not everyone understood my genuine openness and spontaneity toward people," the official Polish Catholic news agency, KAI, quoted him as saying. "There was a misinterpretation of my words and gestures."

Indeed, he said that on a visit to Rome this year, he was offered a prestigious Vatican job by the Vatican secretary of state, Cardinal Angelo Sodano, but that he had refused for reasons of age and poor health. Archbishop Paetz, 67, recently underwent surgery for a hernia.

A Vatican spokesman, the Rev. Ciro Benedettini, asked about the grounds for the archbishop's resignation, said today that it was "well known that there were pressures against him." He did not elaborate. No further action is planned against the archbishop, he said, adding, "The rest is up to him, to do what his conscience dictates."

The resolution of the scandal was in line with the practice in many European countries, including conservative Poland, where such scandals are generally handled more discreetly than in the United States. Among American Catholics, accusations of sexual misconduct by priests have often resulted from lawsuits by the victims or their family members.

"It is the attitude of the church not to humiliate people," said the Rev. Adam Boniecki, the editor of a Polish Catholic weekly newspaper and a close friend of Pope John Paul. He said it was significant that the Vatican had cited no canon law grounds.

For his part, the pope returned today to the subject of sexual abuse, if very indirectly, in a homily he delivered at a Holy Thursday Mass he concelebrated with other priests and prelates at St. Peter's. "We pray for those priestly brothers of ours who have not lived up to the commitments they made when they were ordained," John Paul said, without mentioning Archbishop Paetz, "for who are going through a period of difficulty and crisis."

AOC 015774

Parishioners puzzled but confident in their church

By Crystal Yednak
Tribune staff reporter 3/29

On Easter Sunday, parishioners at Sts. Faith, Hope and Charity Church will walk through the church's heavy doors, pass into the marbled lobby and seat themselves in sleek wooden pews, as usual.

But their pastor will be missing from the pulpit.

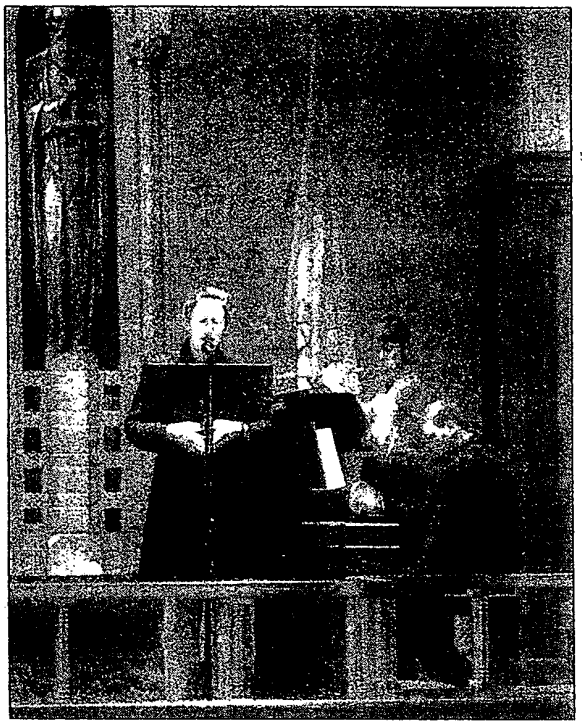
Rev. Robert Kealy, who was named to head the Winnetka parish in June, stepped down this week after being accused of inappropriate sexual misconduct with a teenager more than 25 years ago at a southwest suburban parish.

The announcement of his resignation jarred many members of the parish. They had just started to get to know the new pastor, described as a personable man who delivered his homilies in a traditional style.

The news cast a pall over the congregation as it prepared to mark the end of one of the most somber and reflective periods in the Catholic faith with the celebration of Easter.

But parishioners said they remain confident the church, one of the most affluent in the archdiocese, will pull through intact. Many also are skeptical of the allegations against Kealy.

"We're all hoping it's not true," said parishioner Jill Andrews.



Tribune photo by Jerry Tomaselli

Musicians rehearse Thursday in Sts. Faith, Hope and Charity Church, a parish rocked this week by the departure of its pastor.

Allegations known earlier

One member of the congregation, attorney John T. Burke, questioned why the allegations were not brought to the parish's attention when the church was looking for a new pastor last summer.

Archdiocese officials have said the alleged victim contacted them in mid-June but the claims could not be substantiated at that time. Kealy arrived at Sts. Faith, Hope and Charity "somewhere around June 15," according to archdiocesan spokesman James Dwyer.

Last week, officials said, new information surfaced that led them to report Kealy to the Cook County state's attorney's office.

"A man is innocent until proven guilty," said Burke. "But I am disappointed that this board interviewed Father Kealy last June and we in the parish never knew anything about this."

At a Holy Thursday mass in the evening, associate pastor Rev. Gene Smith said he had received numerous calls of encouragement from parishioners and passed them on to Kealy, who was grateful for their prayers.

Kealy is being monitored by the archdiocese in an undisclosed location.

"During the past few days, Father Kealy has been brought forward and made to stand there, and during the past few days, the people of Faith, Hope and Charity have come forward to stand there with him," he said.

Auxiliary Bishop Edwin M. Conway also spoke, apologizing for "the hurt caused by the resignation of Father Kealy."

Earlier Thursday, some parishioners said it was difficult to know what to think.

Andrew Cavallari, an usher at the church for more than 30 years, pointed out that allegations of abuse against the late Cardinal Joseph Bernardin turned out to be false.

Many years ago

"This happened 25 years ago," Cavallari said of the claims about Kealy. "Nobody knows what the whole story is. Look at what they did to Cardinal Bernardin and that was all wrong."

Parishioners also were having trouble processing the information, especially finding ways to talk to their children about it.

When her children heard the story on the TV news and asked why Kealy was leaving, Mary Pomerantz said she could not find the words to explain.

"How do you explain it to a 10-year-old and an 8-year-old?" Pomerantz asked.

It's not the first time the parish has dealt with difficult questions relating to its clergy.

In 1997, the archdiocese asked the parish if a priest who had been accused of sexual misconduct but found by therapists not to be a risk to children could live at the parish and say mass. The church decided against it.

Another pastor left parish

The parish's most recent pastor, the well-liked Rev. Thomas Ventura, announced in December his intentions to leave the priesthood, later telling friends and church members that he planned to marry.

"Every single person I've talked to about it is happy for him," Pomerantz said.

The church was formed in 1936, and the first few masses were held in the auditorium of New Trier High School. Ground was broken on the first chapel in 1939, and in the mid-1960s the congregation moved into the current church.

From 1936 to 1971 the parish was led by the charismatic Monsignor Thomas Burke. Monsignor Eugene Lyons succeeded Burke and served until 1988, when Ventura took over.

Parishioners attending Thursday's mass said they would not let the situation affect their observance of the holiday.

"We're very saddened because we like Father Kealy, but this doesn't change our relationship with God," said Betty Morand. "We'll all get through this together."

Tribune staff reporter Matthew Walberg contributed to this report.

AOC 015775

Chicago Archdiocese defends its policy

By Brandon Loomis
The Associated Press

Archdiocese of Chicago officials are defending the sex abuse policy that left an accused priest in office nearly 10 months as a necessary balance between safety and privacy.

A victims group called it immoral.

"The only clear moral choice is to err on the side of protecting kids," said David Clohessy, national director of the Survivors Network of Those Abused by Priests.

Accused priest Robert Kealy, 55, resigned Tuesday as a church review panel was recommending his dismissal, making him the first Chicago-area casualty since priest abuse in Boston sparked a national scandal this year.

Kealy first was accused last June of a 25-year-old charge of inappropriate contact with a teenager in Oak Lawn, according to church officials.

But a review board could not substantiate the claim and authorities were not notified.

"It confirms what we have believed all along — that no institution even with the best of motives can police itself," Clohessy said Thursday. His group of 3,600 self-proclaimed victims and family members is calling for immediate police notification of all allegations received by the church.

Kealy so far has not made public statements, either to the media or the church.

The Archdiocese of Chicago has boasted that its review policy — implemented a decade ago around the time late Cardinal Joseph Bernardin was falsely accused — is more responsive than those in other dioceses.

A panel of church appointees and lay experts interviews the victims and determines whether the claims seem credible. If they do, the panel recommends the priest's removal during investigation and the church notifies authorities.

That's what happened this week, said Chancellor Jimmy Lago of the archdiocese.

Nine-year review board member Domeena Renshaw, a psychiatrist at Loyola University Medical School, said it's not easy to decide an accuser's credibility.

"You've got to be very careful," she said. "You've got to listen, listen, listen."

Still, she said, pedophiles typically are compulsive and rack up numerous victims, so it's important to intervene quickly.

Polish archbishop quits amid sex-abuse scandal

By Andrzej Stylinski
The Associated Press

WARSAW, Poland — An archbishop who was one of the few Poles at the Vatican when John Paul II became pope announced his resignation Thursday, the highest-ranking prelate to be brought down in a spate of sexual harassment allegations shaking the Roman Catholic Church.

Archbishop Juliusz Paetz of Poznan, an appointee and longtime acquaintance of the only Polish pope in history, stepped down amid a mounting scandal in the overwhelmingly Catholic country over accusations that he made sexual advances on young clerics.

At a mass at Poznan's cathedral, Paetz said he was resigning "for the good of the church" but protested his innocence, saying that "my kindness and spontaneity were misinterpreted."

"Not everyone understood my open attitude to people and their problems," Paetz, 67, said of the allegations, which became public in February when the newspaper Rzeczpospolita cited unidentified priests as saying he archbishop had been accused by numerous priests.

Church officials in Poland then confirmed the Vatican had launched an investigation. The Vatican said Thursday that the pope accepted Paetz's resignation and named Stanislaw Gadecki, an auxiliary bishop from nearby Gniezno, as his successor in the western Polish city.

Rzeczpospolita reported that clerics in Poznan first complained to their superiors more than two years ago, asking them in vain to raise the issue with Paetz. The Polish church has said almost nothing about the case and its governing body, the Episcopate, declined to comment Thursday.

The archbishop's resignation came a week after John Paul broke his silence on recent sex abuse cases rocking the church in the United States and several European countries, saying those who were guilty had succumbed to evil and cast a shadow of suspicion over all priests.

Paetz is the highest-ranking prelate to resign or be removed since Austrian Cardinal Hans Hermann Groer was forced to give up all his duties in 1998.

AOC 015776

CHURCH SEX SCANDAL
THE REV. ROBERT KEALY

'We're embarrassed ... but we're not embarrassed to be Catholic.' ■ Stephanie Cummings

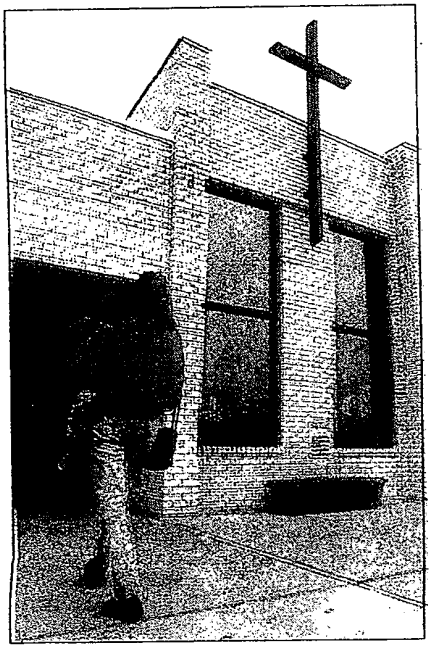
'IT'S JUST SICK'

COMMUNITY STUNNED BY ST. GERMAINE MOLESTATION SCANDAL



Photos by Joseph P. Meier/Daily Southtown

St. Germaine graduates Stephanie Cummings (left), 14, of Oak Lawn, and Hilary Sterk, 15, of Oak Lawn, pass the church on the way to soccer practice on Thursday.



A mom and her child enter St. Germaine Catholic Church in Oak Lawn for a 1:30 p.m. Holy Thursday mass.

By Sara Gadola and Allison Hantschel
Staff writers

The Rev. Robert Kealy was by many accounts a bright young man who related well to the youngest and oldest of his parishioners.

The popular Kealy set up a teen club at St. Germaine Catholic Church in Oak Lawn during his first assignment as an associate pastor in the early 1970s.

The club took ski trips and went to concerts, but mostly its members just hung out together in the church basement. Kealy, everybody's favorite, was often there with them.

Many who knew him admit they are stunned by allegations Kealy sexually molested a teenage boy while working as an associate pastor at St. Germaine Catholic Church in Oak Lawn in the early 1970s. Today, the boy would be in his early 40s.

After an investigation by the Archdiocese of Chicago, Kealy resigned this week as pastor of Sts. Faith, Hope and Charity in Winnetka, a post he held for the past six months.

Kealy was a "personal, loving and spiritual young priest. He was a bright mind," said Terry Vorderer, an Oak Lawn police detective who helped found St. Germaine in 1964.

"But nobody can justify that kind of conduct. We were all so taken aback by this."

Another longtime parishioner remembers belonging to Kealy's club — and how the teens all considered the priest "a great guy, a very fun guy."

"I have personal friends who are still good friends with him," said the parishioner, a 40-year-old Oak Lawn man who asked not to be named. "He would be the last guy I could think of who would pull something like this.

"But if he did, I probably know the person who has come forward. We were all there. He may have screwed up one of my friends' lives."

Kealy investigation continues

In a letter to parishioners, Bishop Edwin Conway wrote that Kealy had "engaged in inappropriate sexual misconduct with a minor teenager" as an associate pastor at St. Germaine more than 25 years ago.

See ST. GERMAINE, back page

Harvey minister investigated

Pastor at New Life Church charged with sexual abuse relating to two incidents with a 15-year-old boy.
Page A3

Archbishop in Poland resigns

Church leader from pope's homeland steps down after sex-abuse allegations.
Back page

Coming Sunday

The Roman Catholic Church faces a crisis that has turned the priesthood into a talk-show punchline. What will happen next?

AOC 015777

Teacher faces sex charges

Prosecutors say he stayed on job despite allegations

BY CARLOS SADOVI AND FRANK MAIN
STAFF REPORTERS Tribune 3/30

A renowned Lincoln Park High School music teacher charged with sex crimes against four female students was allowed to continue teaching even after the parents of the first girl complained to school officials last year, prosecutors said in Bond Court on Friday.

Chicago Public Schools administrators have launched an investigation into the conduct of the teacher, Keith T. Hampton, 45, and are moving to have him fired April 3, said Lucy Ramirez, a school district spokeswoman.

Judge Nicholas Ford expressed outrage that Hampton, who has been a Chicago public school teacher since August, allegedly was allowed to continue teaching even after parents notified school officials about allegations against him last fall.

"I find it shocking and unbelievable that he remained on Lincoln Park High School's payroll when there was an outcry in autumn," Ford said as he shook his head. "He can't be around any children."

He ordered Hampton, of the 2600 block of South Indiana, held on $150,000 bail. Ford said he set the bond high because of his role as a teacher.

Hampton is charged with three counts of sex abuse and one count of indecent solicitation of a child. The incidents involved three 15-year-old girls and a 17-year-old.

Hampton faces up to seven years in prison for each of the sex abuse charges and up to five years for the solicitation charge, if convicted, said Assistant Cook County State's Attorney Jeff Chrones.

Hampton, whose average class size was 20 students, was arrested at the school Monday after a 15-year-old girl made allegations against Hampton to friends, who then approached another teacher with details.

Hampton refers to the teen as his "girlfriend" in e-mails police found in his computer, Chrones said.

He allegedly kissed the teen on two occasions in January, once in the school and another time backstage at a DePaul University auditorium when he was giving the girl a tour after a concert. He also is accused of forcing the girl to touch his penis through his pants.

Aside from his duties at Lincoln Park High, Hampton is the assistant director of choral activities at DePaul and conducts male, female and community choruses. DePaul is removing him from the part-time post.

He served as the director of choral ensembles and was a part-time teacher at Lake Forest College from 1999 until last year, said Rami Levin, the head of Lake Forest's music department. He also served as conductor of the Chicago Children's Choir in the 1980s and at various churches.

He also served as a choir teacher in high schools in Baltimore and Pittsburgh, and earned a doctorate in church music from Northwestern University. Choirs across the country perform his composition "Praise His Holy Name."

"He is well-known in the Chicago area," Levin said.

He is accused of stroking the thigh of a 15-year-old student in early fall and putting his head on her breast; sitting on the lap of a 17-year-old girl and performing a "lap dance" by gyrating on the girl's lap, and touching a 15-year-old girl's thigh in November and offering to perform oral sex on her, authorities said.



Keith Hampton
Music instructor

The 15-year-old girl told her parents, who then approached school officials soon after the incident, Chrones said.

While Chicago Public Schools officials disputed the claim that teachers were informed last fall, their investigation will examine if earlier allegations were made, Ramirez said. Hampton has been removed from the classroom and put on administrative duty away from students, Ramirez said.

"The principal was not made aware of any allegations until Friday [March 22], and he took immediate action and launched the investigation," Ramirez said.

AOC 015778

St. Germaine

Continued from page A1

He now is living in a "restricted, monitored setting."

The archdiocese turned over Kealy's name to the Cook County state's attorney's office, which this week began investigating Kealy's conduct. Spokeswoman Marcy O'Boyle said Thursday the investigation of Kealy continues, but she did not know if or when charges would be filed.

Under the Illinois Criminal Code, the statute of limitations for sex-related crimes involving children is 10 years after the victim's 18th birthday if the victim was a minor at the time of the abuse. The allegations against Kealy first were received in early summer 2001, and were reviewed by an archdiocesan panel that oversees all priest sex abuse cases. At that time, the panel determined the allegations could not be substantiated, Conway wrote in his letter.

The archdiocese is trying to determine if it should be looking for others who may have been victims, chancellor Jimmy Lago said. "The victim came back to us and restated his case and indicated there were other people who could substantiate his allegations," Lago said Wednesday.

"The review board interviewed Father Kealy and was able to refresh his memory about what had occurred, and he resigned."

Kealy was ordained in 1972. St. Germaine was his first assignment as a parish priest and he served there as associate pastor until 1977. He later supervised church operations as the chancellor of the Archdiocese of Chicago for seven years.

As chancellor, Kealy sat on a committee that examined sexual abuse accusations, but by the time an official review panel was established in 1992, he had left the chancery, archdiocese spokesman Jim Dwyer said.



Robert Milkowski/Daily Southtown

St. Germaine parishioner Jerry Cahill discusses his feelings Thursday about the former St. Germaine pastor who was accused of sexual misconduct. Cahill had children who attended St. Germaine school during the priest's tenure.

St. Germaine today is 'warm place'

As workers scrubbed and vacuumed the church Thursday in preparation for Holy Week and Easter celebrations, some members of St. Germaine felt compelled to defend their neighborhood parish.

Though St. Germaine has more than 2,000 members, parishioner Joanne McKevitt of Oak Lawn described it as a congregation bound by familiarity — a place "where everybody knows everybody."

"You know what everybody does," she said. "If somebody goes on vacation, you know about it. A lot of people who have grown up here have come back and raised their kids here. They send their kids to school here."

A six-year member of St. Germaine, McKevitt said sexual-abuse allegations such as the ones facing Kealy could surface at any time in any church.

"It just so happens to be ours," she said. "We have a great parish and a great pastor, and it has nothing to do with this community. It's sad. There are a lot of people who grow up and who are just kind of teetering as to their faith. They see this and they fall."

Steve Rosenbaum, who sends his children to St. Germaine School, called the current leadership at St. Germaine a "paragon of priesthood."

"I hope no one would think less of the family of St. Germaine," said Rosenbaum, a church member since 1987 and an Oak Lawn village board trustee. "It's a warm place to be. We have just always been on the positive side of it, and I feel for any individual who hasn't."

Every seat in the church was filled during services Thursday night.

"I'm glad you're here," the Rev. Mark Walter said during his sermon. "With all the bad news, it is nice to see your faces. It means a lot to us."

Walter said there is evil in the world and said abusers are only focused on themselves, not on God or others. He reminded parishioners the Catholic church has survived other scandals, and encouraged them not to be ashamed of being Catholic.

"We need to help each other," he said. "God reaches out to us, and our challenge is to also reach out. Let's not let the bad and the evil get us down."

All churches under scrutiny

In recent months, news of priests being investigated, removed and charged with sexual abuse has surfaced in dioceses across the country and overseas.

A Polish archbishop resigned Thursday after a Vatican investigation of homosexual advances he is alleged to have made to young clerics.

A priest in the Archdiocese of St. Louis also resigned this week after new allegations of sex abuse were made against him. Similar accusations had been leveled against this priest more than two decades ago.

The Archdiocese of Milwaukee plans public hearings next week on how the Catholic Church handles sexual misconduct cases. That archdiocese also is examining the cases of six priests accused of abuse who continue to serve in ministry.

Another priest is on trial in California for molesting two teenage girls in the late 1970s and early 1980s.

Earlier this year, Boston's Cardinal Bernard Law turned over to authorities the names of more than 80 priests accused of abuse after coming under scrutiny in the case of one now defrocked cleric, who is alleged to have abused more than 100 children.

Law now faces pressure to resign because of allegations he moved offending priests from parish to parish rather than disciplining them.

Not embarrassed to be Catholic

Hilary Sterk, 15, and Stephanie Cummings, 14, walked past St. Germaine Thursday morning on their way to soccer practice at Mother McAuley High School in Chicago.

The two St. Germaine graduates said they had talked in their theology classes about the scandal enveloping the Roman Catholic church.

"We're embarrassed about it — but we're not embarrassed to be Catholic" or to be attending a Catholic high school, Cummings said. "It's just sick and sad and disgusting."

Both said they hope the entire truth will come out about what happened while Kealy was at St. Germaine.

"They could take him to court," Sterk said. "He would have to swear on a Bible or something.

"He can't lie. He's a priest."

Staff writer Jennifer Martinean contributed to this report.

AOC 015779

Priest review is trying, but not a trial

By Julia Lieblich
Tribune religion reporter

3/ 29

Days after accusations of sexual abuse are made against a priest, a small group of people gather in a conference room at the Archdiocese of Chicago to begin poring over paperwork, weighing the allegations.

No victims tell their stories before the board; no priests defend their reputations.

An archdiocesan employee, a social worker, has previously interviewed alleged victims and priests and recorded their testimony. She has visited parishes to gather more information, attempted to corroborate stories, and may have ordered a psychological evaluation of the priest.

With her paperwork in hand, the nine members get to work, reading.

■ Polish archbishop quits in sex scandal. PAGE 3

Over two meetings, typically, they will decide if the allegations are substantiated and whether the priest should be placed in a restricted, monitored setting.

Last week, this board met to weigh accusations that Rev. Robert Kealy, a prominent priest and former high-ranking archdiocesan official, abused a teenager more than 25 years ago. The board found the claims to be substantiated and Kealy resigned as pastor of his Win-

PLEASE SEE REVIEW, PAGE 17

REVIEW: Proof burden far different from court

CONTINUED FROM PAGE 1

netka parish.

Members of that review board would not discuss the case against Kealy, including why last year they found the same accusations unsubstantiated.

But interviews with three members reveal how the board conducts its business generally, opening the door on a little-known process that uses a threshold of proof far different from that used in civil and criminal courtrooms.

"It isn't like we've got 90 attorneys and 70 researchers coming up with information," said chairman Steve Basinski, an executive coach. "We've got what's there: very accurate reporting on interviews."

"We discuss all the possibilities we can think of to determine whether an allegation is correct," Basinski said. "And we err on the side of conservatism in protecting children."

3 priests on panel

Three priests also sit on the board, in part because they may know something about the accused. One member is a psychiatrist who specializes in sexual problems. There's the mother of a victim, one lawyer, one psychologist, a social worker and a parish council member.

Formed in 1993, the Professional Fitness Review Board was never intended to be a court that determined a priest's guilt or innocence. A cornerstone of the policy on clergy sexual abuse with minors established in 1992 under Cardinal Joseph Bernardin, the group is charged with weighing the testimony of alleged victims and priests to determine whether there is cause to suspect misconduct.

The 1993 policy requires the archdiocese to refer cases to law enforcement when cases are substantiated. Since its creation, the board has referred the names of about a dozen priests to the Cook County state's attorney's office. In that time, just one of the cases resulted in criminal charges.

When hearing a claim, the board usually meets once a month. But according to the archdiocesan policy, a minimum of five board members must convene within three to five days after an allegation is made. In emergencies they've had conference calls to decide whether an allegation was substantiated.

They spend most of their two- to four-hour sessions discussing summaries of the testimony and asking questions of the archdiocese's professional fitness review administrator, Kathleen Leggdas, a social worker.

Usually they make a decision in two sessions. Sometimes they ask Leggdas to come back with more information, such as testimony from other victims.

Never do they have police reports. And ultimately, the standard of proof is much lower than is set in a courtroom, said board member and psychiatrist Domeena Renshaw.

"It's almost impossible to get all the details. But we err on the side of protecting children," said Renshaw, who said her job as a psychiatrist is to remind board members of the high rate of recidivism among priests who abuse children.

Given the lack of evidence, said attorney and board member Raymond J. Horn, the group relies partly on instinct.

"You try to look at all the facts in the case. (But) I guess you get a gut reaction and you think about it. Other people agree or disagree and you try to come to a consensus."

In the nine years Renshaw has served on the board, she said it has heard cases involving 12 priests. Many are more than 20 years old and some involve priests who have died.

Most of the cases the board has found to be substantiated by the evidence.

"We've not had frivolous complaints on the board. In only two cases was there a real question of veracity," she said.

One of those cases involved Stephen Cook, who accused Cardinal Joseph Bernardin of abusing him. Before he died, Cook recanted those allegations.

Old accusations

None of the cases in recent years involved current accusations of abuse, said Basinski.

A minimum of five people are required to deem the allegation credible. In such cases, they recommend to Cardinal Francis George that he impose restrictions immediately, ranging from monitoring to removing a priest from his parish.

Basinski said he believes the group has never made a wrong call, even in the original review last year of the allegations against Kealy, which determined the case against him was not substantiated.

Horn said he couldn't talk about the group's deliberations.

"We're bound by confidentiality concerns there to protect victims, the clerics, the church. What can happen in these cases is someone can feel we're hiding something. All we can do is assure people we look at this clearly."

Ultimately, said Horn, it's a question of balance.

"We've got to protect individuals out there and think of the priests. That's what makes this job so difficult. We're making decisions that affect people's lives in such a dramatic way. I am concerned about that. I am concerned that this is changing someone's life."

AOC 015780

Catholic priests fear Easter message may be lost in sex scandal

By Teresa Mask
Daily Herald Staff Writer 3/31

Easter is the holiest day on the Christian calendar, traditionally observed with joyous celebration.

Yet today, in Roman Catholic churches across the suburbs, the celebration may be hindered by talk of sexual sin by priests throughout the country.

Catholic priests from dioceses in Chicago, Rockford and Joliet have not been given specific direction to talk about priest misconduct during their Easter homilies, officials from the dioceses said.

But some say it is unlikely that pastors will be able to share their traditional Easter message of hope and love without mentioning what Pope John Paul II recently deemed the most heinous of sins — sexual abuse by clergy.

For months now, local pastors have broached the issue from the pulpit as the national spotlight on the subject has gone from Boston to Chicago with revealing allegations of priest misconduct.

In response to the growing scandal, Cardinal Francis George, archbishop of Chicago, asked priests to include a copy of a column he wrote on the issue in Palm Sunday bulletins.

The Rev. Marc Reszel of St. Mary Church in Buffalo Grove did just that. He also expected the topic would come up during Holy Thursday services as the news hit that a Winnetka priest now is among the accused.

And Reszel said he and fellow priests likely will talk about it today. "(Easter is) an affirmation of God's victory over sin and death. It's the reason why we hope, rather than despair," Reszel said. "I would assume that those who preach, while not given any directions ... may want to apply that sense of hope to the current situation in the diocese as well."

But the Rev. Chris Groh of Joliet's Holy Cross Church said he won't bring the topic up today.

"I'm not sure it's appropriate for an Easter sermon," he said. "I'm not planning on discussing it."

Instead, he said he'll focus on the true significance of the day — Christ's death and resurrection.

Easter, which is celebrated by most Christians today, recognizes the life of Jesus Christ, whom Christians believe is the Messiah.

Christians believe Jesus was crucified on a cross and later rose from the dead. For that reason, Easter is a popular time for new Christians to be baptized and begin a "new life" as a believer of Jesus.

Orthodox Christians celebrate Easter on May 5 this year.



Tribune photo by Scott Strazzante

Rev. Matt Foley watches the Good Friday Way of the Cross procession at St. Agnes of Bohemia in Little Village. Foley likened the feelings of abuse victims to the betrayal felt by Christ.

Looking for light in the darkness

As archdiocesan priests celebrate the hope of the Easter season, they feel their brethren's shame

By Flynn McRoberts
Tribune staff reporter

3/31

This holiest Sunday of the Roman Catholic calendar celebrates hope and resurrection. Yet the men leading those celebrations can't help but bring to this Easter season a measure of shame and anger.

Rev. Bill Malloy, pastor at St. Germaine parish, spoke for many of those priests last week as church authorities revealed that Rev. Robert Kealy, who served in the Oak Lawn church in the 1970s, had resigned over allegations of sexual misconduct.

"Catholics believe in resurrection: Something dies but something can be reborn," said Malloy. "There's the death of innocence, but there can be the rebirth of hope. There's going to be light in the darkness. But we're not there yet."

Malloy and other Chicago priests know what their brothers in Boston, New York and Cleveland are experiencing. They know the bitter phone calls, the suspicious stares, the soul-wrenching embarrassment, the desire not to wear their Roman collar in public.

They know because they went through it all a decade ago. A good portion of them took their first turn behind the pulpit as the Archdiocese of Chicago was defrocking priests in its own sexual misconduct scandal.

In dioceses confronting clerical sexual misdeeds for the first time; priests in recent weeks have complained that the few bad ones among their fraternity have tarred them all.

But many Chicago priests—perhaps because they've faced this before—speak with an absence of self-pity, a maturity born of painful experience.

After numerous accusations against priests, the Chicago archdiocese in 1992 adopted a re-

PLEASE SEE **PRIESTS,** PAGE 12

■ The sacrifice and the sacrilege. **PERSPECTIVE**
■ Online religion resources growing. **HEALTH & FAMILY**
■ Photo essay records and celebrates spiritual devotion. **ARTS & ENTERTAINMENT, PAGE 5**

AOC 015781

www.nytimes.com
The New York Times ON THE WEB

March 31, 2002

Cardinal Law Asks 'Wounded' Church to Keep Faith

By REUTERS

Filed at 5:00 p.m. ET

BOSTON (Reuters) - Boston's Cardinal Bernard Law, referring to the Roman Catholic Church as ``a community wounded by public scandal,'' called on the faithful to maintain their belief despite the wrenching scandal over sexual abuse of children by priests that has rocked the U.S. church this year.

Law, who celebrated Easter Mass at the Cathedral of the Holy Cross in Boston, did not apologize to victims of priestly abuse. Instead, he urged Catholics to focus their gaze on the "unseen mystery of Easter," the holiest day of the year for Christians.

Law's sermon came as yet another Catholic priest admitted to sexual misconduct. The Michigan priest, who abruptly resigned in January, admitted to having ``inappropriate sexual contact'' with a minor more than 20 years ago in a letter read to his former congregation, a Michigan newspaper reported.

Rev. Vincent DeLorenzo, 63, made the admission following allegations of sexual abuse of an 8 year-old boy over a five-year period beginning in the late 1970s, the Flint Journal newspaper reported on Sunday.

``Many years ago, I had inappropriate sexual contact with a minor,'' DeLorenzo said in the statement read during services on Friday and Saturday at the Holy Redeemer Catholic Church in Burton, located outside of Flint, Michigan.

``This has caused harm to that young person. I am sorry it happened and now publicly apologize for what I did,'' he wrote in the letter.

Law told worshipers that ``even though we carry in our hearts those who bear the wounds of betrayal ... especially by clergy, even though we experience the pain of dissent within the church ... nonetheless we fix our gaze with unshakable faith on the risen Lord.''

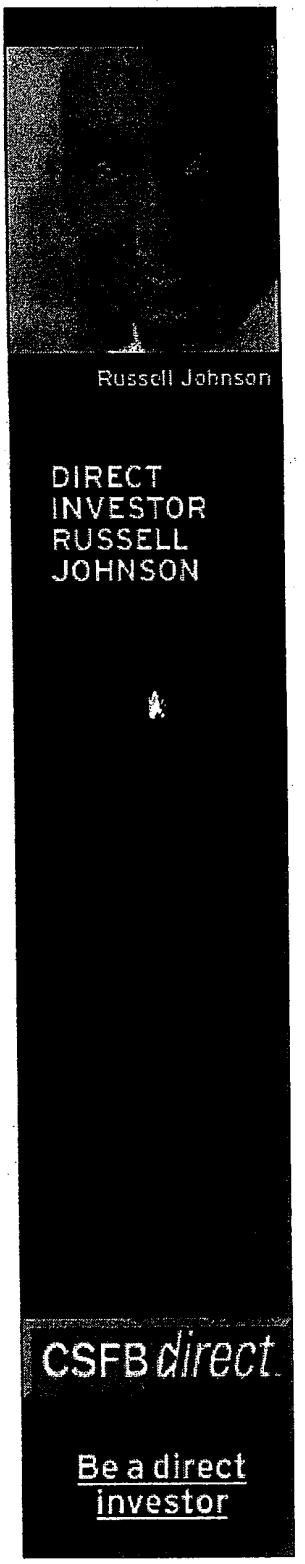
HOLIEST DAY OF CHRISTIAN CALENDAR

Easter Sunday marks what Christians believe is the day Jesus of Nazareth rose from the dead after he was crucified.

Outside the cathedral, a handful of protesters carried signs calling attention to the scandal and demanding Law's resignation. Law has repeatedly apologized to victims of sexual abuse by priests, but has rejected calls for his resignation.

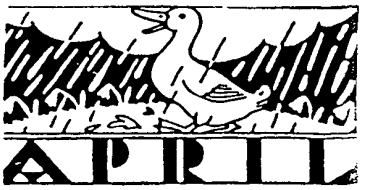
The scandal sweeping the Catholic Church in the United States started in Boston, where a former priest has been accused by some 130 people of molesting them during a more than 30-year career as a Boston-area priest.

The priest, John Geoghan, is serving a nine-to-10-year prison sentence for fondling a schoolboy. The Boston diocese has settled dozens of cases against Geoghan for about $45



LARRY — KAZ — FYI Ruth

Newsletter for Our Volunteers and Friends



THE COURAGE PROGRAM

9711 South Kolin Avenue • Oak Lawn, IL 60453 • 708/636-8001

DID YOU KNOW HIM?..

..Years ago, Fr. Bob Kealy was assigned to St. Germaine. He was young, brilliant and very involved in our parish ministries.

Fr. Kealy married, buried, baptized and anointed our family members. He visited homebound parishioners. He celebrated children's liturgies on First Fridays and moderated discussion groups in parishioners' homes. He laughed and ate with us at family parties and we were proud to call him "friend."

His charism and intelligence were recognized by the hierarchy and his law degree was the first step in grooming him for prominence in our archdiocese.

We knew him when he was our parish priest.. before he was the Chancellor..before the "substantiated allegations." And because we knew him, we grieve for Father as we do for the young person who came forward to tell this story.

How very sad to realize that we were unaware and unable to spare these young people, parishioner and priest, from the pain and suffering that lie before them.

Armchair sexologists muse about how and why this happened. What about alcohol abuse, a personality disorder, isolation, unreasonable expectations placed on a young priest? People struggle to find answers as if any of them would make a bit of difference.

Sins of the flesh bring out the worst in the offenders and the onlookers. The lack of understanding and public humiliation could lead one to forgot all the good and focus on the evil.

Many people here at St. Germaine will not do that to an old friend. Father Kealy is a good priest and we pray for forgiveness and healing for all involved in this sad, sad story.

SPRING FLING..

..So many good people to thank for gifts and goodies and cash donations! Merci to

..St. Adrian Parishioners
..St. Mary Star of the Sea Women's Guild
..[redacted]
..Crown Mortgage
..[redacted] and Friends
..[redacted]
..St. Jane de Chantal Men's Club
..[redacted]
..St. Catherine's Hoping Society
..[redacted]
..[redacted] and her 4th Graders from Queen of Martyrs
..Anonymous Easter Bunnies
..Sr. [redacted] Our Lady of Snows

..Now the volunteers are getting into the act! Congrats to [redacted] and [redacted] on their babies-to-be and to [redacted]'s family as they welcome a newly adopted grandchild.

..We're happy to announce that [redacted] is our newest volunteer and she comes with lots of life experience..mom, gram and great-gram.

..We offer prayers for [redacted] from our Grams Group and for [redacted]'s husband as he recuperates from heart surgery.

..[redacted] all helped out at Carson's Community Day Sale and we are $60C richer for their efforts. Of course, the [redacted] family bought out the store.

..We give thanks for the lives of [redacted] and [redacted] and also offer prayers for [redacted]'s brother who passed all too soon.

..Check out the Pastors and parishes who were so very generous in responding to our annual appeal for help with our COURAGE families!

..Christ the King
..St. Emeric
..Fr. Larry Craig/Assumption Parish
..Incarnation
..Our Lady of Hope
..Our Lady of the Ridge
..Queen of Martyrs
..Fr. Greg Rom/St. Isidore the Farmer
..Sacred Heart
..St. Adrian
..St. Barnabas
..St. Bede the Venerable
..St. Cajetan



BRIAN JACKSON/SUN-TIMES

Cardinal Francis George defended accused priest Robert Kealy as "a good man" and said the church's treatment of him was now "a family matter" while speaking to reporters Sunday after Easter mass at Holy Name Cathedral. The cardinal also suggested that the church may study changes in the celibacy requirement.

Priests 'not a criminal class'

Pray for us, George asks worshippers at Easter mass

BY DEBRA PICKETT
STAFF REPORTER

Cardinal Francis George asked worshippers at Holy Name Cathedral's Easter mass to pray for him and for the priests embroiled in the sexual abuse scandals that have plagued the Catholic Church in recent months.

In a special message following his Easter homily, George offered an emphatic defense of the church and the priesthood, saying, "Priests are not a criminal class."

"Throughout the ages, some priests have sinned," he told the congregation. "Some bishops have been neglectful. So it is in our time, as well. To the extent that sin made public purifies us and brings us to repentance and change, it is a grace from God."

Despite the allegations made public last week against the Rev. Robert Kealy, George defended the archdiocese for its handling of abuse claims, saying that its procedures "work to protect the innocent, have done so and will do so in the future."

But George stopped short of promising there would be no more abuse revelations, cautioning worshippers that his statement "... does not mean to say that I will not be neglectful, or sinful or any other priest the same."

In the Oak Lawn parish of St. Germaine, where Kealy was accused of sexual misconduct with a teenage boy more than 25 years ago, the associate pastor confronted the issue more directly.

"If a priest abuses, he has committed an amoral and illegal act, and he should be dealt with," the Rev. Mark Walter told his congregation during the noon mass. "The church should never harbor abusers."

At Kealy's last parish, Saints Faith, Hope and Charity in Winnetka, the Rev. Paul H. Wachdorf called upon worshippers to unite as they face the allegations made against their former priest.

"What we need to do in this dark and difficult time is walk together. We need to unite in faith," Wachdorf said.

Auxiliary Bishop Edwin M. Conway, attending masses at the North Shore church as a representative of the Chicago Archdiocese, apologized to the congregation for "the hurt caused by the resignation of Father Kealy."

Speaking to reporters after the mass at Holy Name, George said of Kealy, "He is a forgiven sinner. He is a good man."

George said the public part of the investigation into Kealy's conduct was complete and the church's treatment of Kealy was now "a family matter."

Asked whether the abuse scandals across the nation might lead to reforms in the priesthood, George took a hard line against the ordination of women but seemed to open the door to some change in the celibacy requirement.

"We can look at that again and probably will," he said, adding that the issue "should be argued on its own terms and not because some priests have abused minors."

Contributing: Kate N. Grossman, Lucio Guerrero

Other faiths join talks on clergy abuse

BY CATHLEEN FALSANI
RELIGION REPORTER

Chicago's foremost Christian, Jewish and Muslim leaders plan to meet later this month to analyze the crisis of sexual abuse by clergy.

The Council of Religious Leaders of Metropolitan Chicago, which includes Cardinal Francis George, the president of the Chicago Board of Rabbis, and bishops of the Episcopal, Lutheran and Presbyterian churches, plans to meet within the next 30 days to examine policies governing clergy sexual misconduct in each religious group, said the Rev. Paul Rutgers, council director.

The issue of sexual abuse by clergy "was brought before the council as it met a couple of weeks ago, and there was recognition around the table that this was an issue that affected every one of our groups and society in general," said Rutgers, who also is executive presbyter emeritus for the Presbyterian Church USA in Chicago.

"This scandal could be the last straw for persons teetering on the brink of faith and doubt."

—William Persell, Chicago's Episcopal bishop

In a stirringly candid Good Friday homily at St. James Cathedral, Chicago's Episcopal bishop, William Persell, who also is the president of the Council of Religious Leaders, expressed sorrow over the scandal rocking the American Catholic Church and asked all Christians to pray for George and other Roman Catholic leaders.

"The shock and extreme distress caused by this scandal is severely shaking the Roman Catholic Church, and the implications of what has happened will continue to influence the church for years to come," Persell said.

"This scandal could be the last straw for persons teetering on the brink of faith and doubt. It could be what pushes them out the door of the church forever. . . . We would be naive and dishonest were we to say this is a Roman Catholic problem and has nothing to do with us because we have married and female priests in our church. Sin and abusive behavior know no ecclesial or other boundaries."

The decision to call the "extended meeting" about clergy sexual abuse was made before new allegations of sexual misconduct surfaced last week against a high-profile Catholic priest here. In addition to religious leaders themselves, personnel directors from each denomination or faith tradition and lawyers who have worked on clergy sex abuse cases in the past also are expected to participate in the meeting.

"I don't know any of our major [religious] groups who have not made major investments in dealing with it and making policies and procedures," Rutgers said. "Our churches also have become far more conscious of dealing with [abuse], not just in terms of clergy, but in our volunteer cadres. That's a tough one to deal with. How far do you go with background checks . . . in a community that has always been built on trust?"

The Rev. Stanley Davis, executive director of the National Conference for Community and Justice and one of the Council of Religious Leaders' 45 members, said he hopes the meeting will help determine the boundaries between religious duty and civil responsibility.

"If someone is accused, yes, there is a process inside the religious institution, but at what point in your investigation do you mess up the criminal investigation with your poking around?" Davis said.

The Roman Catholic Church in particular has been criticized for its internal investigations of accused clergymen—often conducted under a shroud of secrecy, in effect obstructing potential criminal investigations of accused pedophiles or sexual predators.

"That's not to say that the religious institution doesn't have an obligation to investigate itself," Davis said. "There's obviously a tension there, but it ought to be worked out so the legal system is able to function fully."

AOC 015784



Tribune photo by Chris Walker

Cardinal Francis George offers Holy Communion at mass Sunday in Holy Name Cathedral in Chicago.

Catholics call for forgiveness

Parish, cardinal address charges of priest abuse

By Tom McCann and Lisa Black
Tribune staff reporters 4/1



Tribune photo by John Smierciak

Rev. Mark Walter meets parishioners after Easter mass in St. Germaine Church in Oak Lawn.

To rousing applause, the associate pastor of St. Germaine Catholic Church in Oak Lawn used Easter mass Sunday to confront the abuse allegations against one of its former priests, saying the church's handling of pedophilia "should never be shrouded in darkness again."

Before a crowd of more than 300 people, Rev. Mark Walter said the church must face the sexual abuse scandal with compassion and openness.

"In the past, the church's biggest problem with abuse was that so much of it was shrouded in darkness," Walter said. "But keeping it dark and keeping it hidden only makes the sin grow bigger. We have to let in the light."

At Holy Name Cathedral on Sunday, Cardinal Francis George didn't specifically mention the scandal during his Easter homily but asked the 2,000 in attendance to pray for him and for those priests who have sinned.

"People come to church because they need to be forgiven, including priests," George said after mass. "Maybe this is a call to deepen their faith."

On Sunday, many parishioners at St. Germaine were still in disbelief that Rev. Robert Kealy is alleged to have abused a teenager there when he was an associate pastor in the 1970s. Kealy, 55, a past chancellor of the Archdiocese of Chi-

PLEASE SEE CATHOLICS, PAGE 4

MISCONDUCT CLIPS 3/29-4/01/02

AOC 015785

CATHOLICS: Priest's abuse stirs parish's healing spirit

CONTINUED FROM PAGE 1

cago, resigned last week from his Winnetka parish after an archdiocese review board found the claims to be substantiated.

"He was a lovely man. He was an asset to this parish," said Janet Birmingham, 70, who has worshipped at St. Germaine, 4240 W. 98th St., for more than 40 years. Kealy performed the wedding ceremony for one of her daughters, who will celebrate her 25th anniversary Tuesday.

"It's hard to believe he'd be accused of doing something like this," Birmingham said. "But if he did do it, we have to pray for him."

The Oak Lawn parish of 2,500 families is celebrating its 40th anniversary this year, associate pastor Walter said. The community is conservative and solidly middle class. More than 50 percent are 65 and older.

But unlike Birmingham, most of the congregation moved into the parish long after Kealy left and don't remember his time there. Nonetheless, they said the news was a shock.

"I couldn't believe it happened so close to home, but I think it has made us stronger," said Nancy Gryz, 50, a parishioner for more than 22 years. "I didn't know the man, but I believe in forgiveness."

Carol Cronin, whose son is a 1st grader at St. Germaine Elementary School, said the news about Kealy convinced her that priests should be allowed to marry. But it didn't make her fear her parish or her priests.

"Priests are human like everyone else. It hasn't shaken my faith or made me want to take my kid out of school," Cronin said. "It happened so long ago. It was a different parish then, a different time."

The church's pastor, Rev. Bill Malloy, looked on as Walter said the noon mass. Malloy believes the allegations have tested the community's foundations.

"But the people have been very forgiving, thank God. They know this was a horrible deed, but their sticking together and they're sticking by us," he said.

Walter told his Easter gathering that the issue of sexual abuse cannot be ignored.

"If there's a priest who's abusing children, he has done an illegal and immoral act and should be dealt with," Walter said. "And the victim should be consoled, whether that person comes forward 6 months or 25 years after the fact.

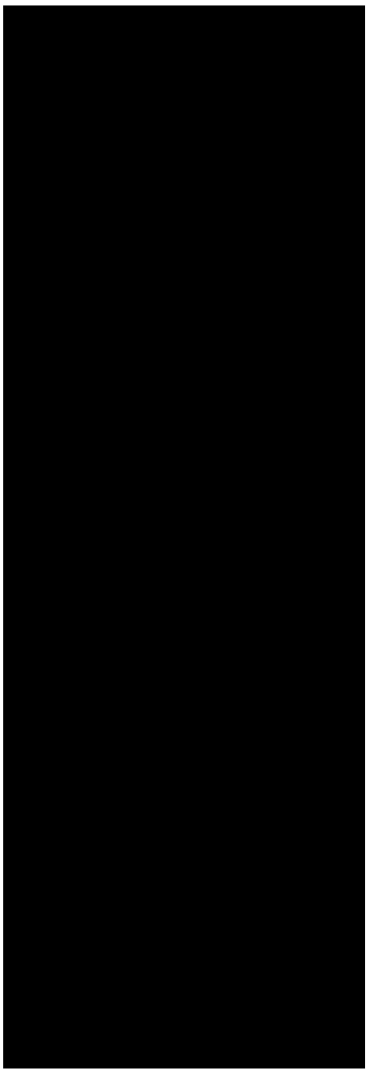
"There's never an excuse for physical or sexual abuse, never. The Catholic Church should never be a harborer of abusers."

At the end of his homily, Walter asked his congregation to forgive. He received applause.

George also received hearty applause for defending the church's good priests, who he said are being tarnished by the misdeeds of others.

"There is a movement in the minds of some people to make priests a criminal class," George said at the end of the standing-room-only service in Holy Name. "That is unfair. There is protection of children that has to be a primary concern. Now there is also the reputation of priests."

Speaking of Kealy, George said: "He has been removed from the ministry. He has to come to terms with what happened. He's been an exemplary priest for 20 years. He is a forgiven sinner."



AOC 015786

ARCHDIOCESE OF CHICAGO

Most Rev. Edwin M. Conway D.D.
Auxiliary Bishop of Chicago
Episcopal Vicar of Vicariate II

1651 West Diversey
Chicago, Illinois 60614

Office: (773) 388-8670
Fax: (773) 388-8676

MEMORANDUM

COPY
of an original document from the files of
VICAR FOR PRIESTS OFFICE
ARCHDIOCESE OF CHICAGO
This is a red ink stamp!
DO NOT COPY

TO: Mr. Ralph Bonaccorsi
Rev. James Kaczorowski

FROM: Most Reverend Edwin M. Conway +EMC

DATE: April 3, 2002

RE: SS. Faith, Hope and Charity Parish

CC: Francis Cardinal George, OMI
Most Reverend Raymond Goedert
Mr. Jimmy Lago

I will just list a few bullets which will let you know the flavor of what happened during Holy Week, Easter Sunday and subsequent days because of the matter at SS. Faith, Hope and Charity parish.

- A number of parishioners were very grateful that Ralph and myself had been present early in the matter, to advise them of what was going to happen. They are also deeply grateful that I appeared at the Holy Week services and Sunday Masses.
- The majority of people who spoke to me were very supportive of Father Kealy. Some have gone to the extent of asking if he could return, and a few people suggested that they were even going to try to form a petition to that end.
- The vast number of people who spoke to me also advised me that the new pastor should have thick skin; that they are a very difficult group of people to have as parishioners and to relate to. The parish ranges from people of very strong conservative convictions to those who are very liberal. He will be following Father Tom Ventura, who apparently allowed people to have their own way in many matters, and they are resistive to receiving any sort of control or oversight.
- Two attorneys approached me about the fact that we probably have committed some illegalities in the way we handle these procedures. They claim that the very fact that the priest is not present to the Commission violates his civil rights. Secondly, they believe that instead of myself or anyone else in the Archdiocese being present to the parish community, it should be members of the Commission who made the decision that the matter was serious enough to remove Father Kealy. I tried to advise them that this was done with Father Kealy's consent, and that there is an attempt to share

all the information with the committee, the victim and the perpetrator. I don't think I convinced them.

- There is some feeling that Father Kealy was beginning to "crack down" and change things at SS. Faith, Hope and Charity. Small things, such as asking people not to be indiscriminate in using the rectory, and also implementing the correct procedure for receiving Communion caused an overreaction by many people. I had a discussion with a men's group who felt that they were "ousted from the rectory." After we discussed the matter, they began to realize how they had overreacted.
- Many people who were supportive of Father Kealy and the Archdiocese suggested that perhaps when the school parents return next week, things could change. They see the school parents as being much more "hyper" about their children's welfare, and may have many more questions.

Some suggestions I heard from the people about a new pastor:

- The man should have thick skin and be able to withstand a lot of rejection initially.
- He should go slowly and listen to all sides so that he wins the trust of the people. The main thing is to restore trust in the parish. Then he can begin to change things if he wishes to do so.
- The parish has had a sense of disunity because of the way in which Father Ventura was willing to allow people to be creative and go their own way, and yet on the other hand, was very controlling of other people. I heard from several people that this crisis has brought the parish back together. I believe that the new man should try to win everyone's trust, or at least the majority of people's trust by listening carefully to what people are saying.
- I believe that the man should be appointed quickly so as to fill any gaps. There also is an acknowledgment by all parishioners who spoke to me, and also by the priests that it is a very difficult assignment for associate pastors. People tend to be executives and look to the pastor, rather than to the associates. The new pastor, as Father Kealy was doing, should make extensive gestures showing the incorporation of the other priests into the parish life.

Jack Higgins' Opinion



Celibacy is outdated, unjustified

For the second time in little more than a month, Roman Catholic priest Andrew M. Greeley writes a column about pedophilia and celibacy in which he once again attempts to defend priestly celibacy — a long outdated (and perhaps never justified) practice for which there is no logical defense.

In his column of March 31, Father Greeley again gives us a graphic demonstration of the paralysis that is rooted in entrenched religious doctrine. When you boil down all of his words, his logic seems to be, "We've done it for a thousand years and that's why we will continue to do it."

The Catholic Church is in need of sweeping changes, of which celibacy is only one.

Can they make the necessary changes? If Father Greeley is representative of the church hierarchy, I doubt it.

Ed Staehlin
Park Forest

STOWN 4/4

Thanks, we needed that

Thanks and congratulations to Laura Washington for her April 1 commentary "Amid turmoil in church, nuns shine." Nun-bashing and mockery of religious women in the media and arts has been popular and profitable for years now. It was very refreshing and affirming to read her commentary, her thoughtful analysis of the place of "nuns and other Catholic women" in the Roman Catholic Church, and her final, "So what about the nuns? God bless them all."

Nuns—religious women today—come in a wide variety of ministries, spiritualities, ethnic backgrounds, ages, traditions and communities. In our diversity, our common mission is to continue Jesus Christ's mission in our world today.

So, from "all of us," thank you, Laura, and God bless you, too!

Sister Carole Mary Capoun,
director of associates,
Felician Sisters,
Chicago Province

STMES 4/4

Closer to thee

How wonderful to hear that Boston's Cardinal Bernard Law is feeling close to Jesus these days (Tempo, April 1). I wonder if those sexually assaulted feel that way also or have lost their faith over the betrayal of their church.

Patricia Ehler
Elgin

TRIB 4/4

Women vital to church

God bless Laura Washington for her April 1 column in which she "pay[s] tribute to the sisters." After all the manifestations of popular culture devoted to criticizing and ridiculing the nuns, it is great to see a columnist in the mainstream media paying tribute to these wonderful women. They obviously played a pivotal role in the intellectual, moral and spiritual development of Washington, as they have in mine and in those of millions of Catholics throughout the world. We owe them a never-repayable debt of gratitude and respect.

Washington argues for a greater role for women in the Church. She concedes "that Jesus himself designated the apostles—today represented by priests—as his only representatives." But perhaps Washington is conceding too much. After all, Scripture records that the first witness to our Lord's resurrection was Mary Magdalene. The Samaritan woman at the well was the first missionary, effectively converting her entire town to belief in the itinerant Jewish preacher. The sisters of Lazarus, Martha and Mary, were prototypes for the differing, but equally valid, active and contemplative approaches to the service of God. And Christian tradition holds that, after Christ's death, His mother was a key participant in the spread of the faith established by her son.

Women have long taken an active role in the church. Indeed, the typical Catholic parish could not survive, could not function, without the work done by its women, lay and religious. But it is time that the Church allow women to take more visible roles in its leadership. And we don't have to claim the passage of time as justification for doing so. Scripture and tradition itself make such a role imperative.

Mark M. Quinn, Naperville

STMES 4/4

Maybe not a good man

In response to Cardinal Francis George's defense of the Rev. Robert Kealy [news story, April 1]: He may be a forgiven sinner, but a "good man" would not have abused children in the first place.

In reference to "How far do you go with background checks . . . in a community that has always been built on trust?" You can't go back far enough.

Marilyn Koperniak,
Garfield Ridge

AOC 015789

ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611

Post Office Box 1979
Chicago, Illinois 60690-1979

(312)751-5205
Fax: (312)751-5279

Memorandum

To: File – PFR-83

From: Kathleen Leggdas, Professional Fitness Review Administrator [PFRA]

Re: **Rev. Robert Kealy**

Date: April 4, 2002

Father Kaczorowski, Vicar for Priests, Rev. Robert Kealy and Kathleen Leggdas met at Immaculate Conception Parish to review and sign Individual Specific Protocol for PFR office.

PFRA questioned Father Kealy regarding disclosure of sexual misconduct with minors. He did not remember abuse of [redacted] but did remember a [redacted] and [redacted] both of whom declined to make allegations at the time [redacted] came forward. Father Kealy said he [redacted] during the years in question so he could not be certain of victims.

Upon further questioning, Father Kealy expressed the desire to consult with an attorney regarding confidentiality of records and his rights. Further discussion postponed until legal advice obtained.

Cc: Rev. Thomas J. Paprocki, Cardinal's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests

Job security

If I, as a teacher, had molested one of the students in my care, my career would be gone and I would face stiff criminal penalties.

I guess there is job security in the priesthood.

Steven Zahareas
Park Ridge

Blaming religion

A letter writer listed some of the things he purports to be caused by religion ("Misled by religion," Voice of the people, April 2).

But celibacy does not cause pedophilia.

First, despite the recent news and despite the fact that even one is too many, only a small percentage of priests are pedophiles.

Second, most pedophiles are not priests and, presumably, are not celibate.

Yes, there are those who use religion to achieve their evil ends, but it is through what religion teaches us that evil is recognized.

Finally, to accuse religion of causing someone's mental illness is, well, rather farfetched and certainly not very scientific.

Look, you don't have to believe.

But please don't belittle.

Kerry Kleiber
Lafayette, Ind.

A few bad seeds

I am writing in response to Carl Ayala's April 2 comments that religion is a malignancy of the mind. Much like the rest of the people in society who try to diminish religion and Christianity, he has decided to single out a few extreme cases to make an argument.

It is people like him who refuse to accept the fact that every group, regardless of faith, color, sex or political orientation, has a few bad apples.

Yes, these people give the rest of us bad names. But what about the good seeds out there? There are more good seeds than bad seeds, but society caters to the lowest common denominator. Why do you think that Howard Stern and Jerry Springer have television shows?

Ask yourself this question every day: Where do you want to spend eternity? You have two choices: heaven (a paradise) and hell (not a paradise). The way into paradise is narrow; but the way into hell is wide.

Matt Phipps
Nappanee, Ind.

Prosecute priests

A pedophile is a criminal who commits a crime. No slaps on the wrist, no turning them loose in another parish. Prosecute them. It's a crime.

Robert Griffin
South Haven, Mich.



TRIB 4/7 Barrie Maguire

Charges of abuse

Letter-writer Carl Ayala stated, "Restricted to celibacy by their faith, some priests turn to pedophilia."

He also called religion "a malignancy of the mind."

Ayala is wrong in trying to imply a relationship between clerical celibacy and pedophilia. When the Chicago archdiocese examined the records of all 2,252 priests who had served between 1951 and 1991, credible charges of abuse that could have stood up to the standards of civil court, but not the stricter standards of criminal court, were found to have been made against a mere 39 priests. The overwhelming number of these cases involved sexual contact between priests and teenage boys. This is a moral offence in God's eyes, but it certainly does not approach the vileness of true pedophilia.

I would ask Ayala and others not to make groundless statements as a result of a personal bias against religion.

Ryan Larson
Emmaus Ministries
Chicago

Denied allegation

While I believe your coverage of the sexual abuse allegation against Rev. Robert Kealy on March 28 overall attempted to fairly present the facts, I found it disturbing that your coverage failed to mention that Kealy has vehemently denied the allegation.

Kealy is a priest admired and respected by many Chicagoans, myself included. He celebrated my marriage, baptized my two children and has been a close and good friend of my family for years. Not only is he exceedingly bright and highly educated, but, more important, he has a big heart, as many of his friends and parishioners would and did attest in your article.

I can only hope, as occurred with Cardinal Joseph Bernardin, that the allegation against Kealy is untrue. I think it is fair and right to give a man loved and respected by many upstanding people some benefit of the doubt until an allegation is actually proven.

Therefore, I believe that there is an obligation for the media to cover Kealy's side of this story as further details unfold.

Tom Haleas
Clarendon Hills

Blaming celibacy

If the cure for clergy sexual abuse of minors is to end celibacy, as many people are suggesting, then why do we have non-celibate, already married people abusing minors?

If celibacy itself is the problem, then why aren't we reading stories of nuns abusing minors?

Celibacy seems like an easy target, especially for people in our sex-focused society who can't fathom any other way of living life.

It seems to me that the problems that priests are facing are reflective of our society, which has not found out the best ways to discuss matters related to our sexual feelings and emotions, and healthy ways in which we can handle them.

Michel Johnson
Chicago

Abuse of power

In comments about pedophile priests, David Walsh proclaims the problem to be a social one resulting from a "hyper-sexed society" ("Priestly celibacy is not the problem; Secular prejudices get in the way," Commentary, March 31).

He says society has defined sexual gratification as a primary human need and implies that stricter laws could change human nature.

Maybe he believes both physics and biology can be altered through faith.

I think he's wrong.

Priests, like everyone else, choose sexual partners, or not. The question should be why, when there are more outlets for just about any kind of consensual activity, anonymous or otherwise, do so many priests choose children as their sexual targets?

My guess is that it has more to do with power than with sex.

From an outsider's point of view, the Catholic Church should re-examine the hierarchical structure of its organization with a view toward decentralizing and flattening it.

If local pastors had more authority over congregations, maybe they wouldn't take their frustrations out on children.

In other words, if the Catholic Church were less Roman and more holy, fewer priests would have power fantasies about kids.

Bud Ilic
Chicago

Ryan should resign

Gov. George Ryan is an embarrassment to the great State of Illinois and its residents ("U.S. accuses Ryan fund, 2 ex-aides of corruption; Charges widen 4-year-old probe into bribes-for-licenses scandal," Page 1, April 3).

He should resign.

Timothy R. Esbrook
Chicago

AOC 015791

To: File

From: Jim Kaczorowski

Date: April 11, 2002

Re: Robert Kealy

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On the weekend of March 23, 2002 I received two calls from [redacted] telling me that he intended to go public regarding an allegation of sexual misconduct against Bob Kealy. He wanted to notify the Oak Lawn police as well as the local press. [redacted] was not satisfied with the Review Board's decision in June. There was no action taken at that time since the Board felt there was insufficient information and that it did not support a reasonable cause for misconduct. [redacted] further indicated that he was calling [redacted] regarding the sexual misconduct episode. [redacted] I spoke with [redacted] who said [redacted] told him that Bob Kealy abused [redacted] over 20 years ago in St. Germaine's rectory when [redacted] was 16 years old. [redacted] also shared the information with [redacted] and told [redacted] that he was going public. I called Father Kealy and shared the happenings of the weekend with him and indicated that we needed to meet immediately.

Bob Kealy came to the Vicars' Office on Monday, March 25, 2002. Without reservation Bob admitted that he had engaged in sexual misconduct with [redacted] He said it must have happened when he was drinking heavily and had blackouts. Bob expressed his desire to reconcile with [redacted] and ask his forgiveness. I called the Cardinal and Bishop Goedert to convey the information regarding Bob Kealy's admission of misconduct with [redacted] Kathleen Leggdas was informed about these happenings so that she could share it with the Review Board who was to decide whether there was reasonable cause to suspect misconduct with a minor. The Review Board conducted a conference call on the evening of March 25, 2002 and decided that the case presented reasonable cause for misconduct. The Board recommended to the Cardinal that Bob be placed under strict protocol. The Cardinal accepted the recommendation.

On March 26, 2002 the following persons gathered at [redacted] to bring about a reconciliation between [redacted] and Bob Kealy: [redacted], Bob Kealy and myself. Bob asked [redacted] for forgiveness and [redacted] accepted his offer. [redacted] mentioned that he did not want this affair to go public and that further, he is not interested in a settlement or in therapy. [redacted]

On Easter Sunday, March 31, 2002, Bishop Conway spoke at all the liturgies at Faith Hope and Charity and read Bob Kealy's letter of resignation to the parishioners as pastor of the parish. Bishop Conway further informed the parishioners of the Review Board's

decision that there is reasonable cause to suspect sexual misconduct with a minor on the part of Bob Kealy some 25 years ago.

On Tuesday, April 9, 2002 I met with Bob Kealy at Koenig Hall where he is presently residing. I advised him to [redacted] and that he devote his time to those activities for the next six months rather than undertake anything different. I further told him to consult with his attorney, Tom Breen, before making any decisions.

A letter to the editor appeared in the Sunday Tribune, 4/7/02, in which one of Bob's friends indicated that Bob vehemently denied the misconduct issue. I called [redacted] to say Bob had no control over this letter to the editor. Bob called [redacted] to see the contents of his letter to the editor were not true. Bob is doing well because of the support he receives from friends who pray for him as well as for the victim and all those affected by this incident. I am keeping in daily contact with Bob to see how he is faring.

ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611

Post Office Box 1979
Chicago, Illinois 60690-1979

(312)751-5205
Fax: (312)751-5279

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Memorandum

To: File – PFR-83

From: Kathleen Leggdas, Administrator

Re: **Salary for Rev. Robert Kealy**

Date: April 15, 2002

Rev. Robert Kealy '72

Pay to RK - $21,350 annually
Less 10% for PFR expenses ($2,135) = $19,215.00
$19,215 ÷ 12 = $1,601 per month

Cc: Rev. Robert Kealy
Rev. James Kaczorowski, Vicar for Priests

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RECEIVED
APR 29 2002
OFFICE OF THE
ARCHBISHOP

MEMORANDUM

To: **Cardinal George**

From: **Father Robert Kealy**

Re: **Canonical Issues Regarding Clerical Sexual Misconduct with Minors**

Date: **April 28, 2002**

Your Eminence:

As you might imagine, I have been following with keen interest the news about the debate within the hierarchy about the penalties for misconduct with minors. I greatly appreciate your efforts to bring careful analysis to this complex problem.

As a canonist and an interested observer of the discussions which are going on, I would like to offer for your consideration a few points which, I hope, might be helpful.

Justice Oliver Wendell Holmes, Jr. once wrote: "Great cases, like hard cases, make bad law. For great cases are called great, not by reason of their real importance in shaping the law of the future, but because of some accident of immediate overwhelming interest which appeals to the feelings and distorts the judgment." (Dissent in *U.S. v. Northern Securities*, March 14, 1904). The present crisis of dealing with sexual misconduct is such a case.

In the Code of Canon Law, the Church provides a process for dealing with offenses allegedly committed by clergy. They are supplemented by particular law decreed by bishops for their dioceses (and it looks like the U.S. will have permission to decree particular law for all the dioceses in the United States). Let's look at a few pertinent canons:

Canon law provides that each case is to be judged on its own merits with all of its aggravating or mitigating circumstances. For example canon 1324.1.2 says that "One who violates a law or precept is not exempt from a penalty but the penalty set by law or precept must be tempered or a penance substituted in its place if the offense was committed by a person who lacked the use of reason due to drunkenness or another similar mental disturbance which was culpable." On the other hand, canon 1326.1.2 provides that "A judge can punish more severely than a law or precept has stated a person who has been given some dignified position or who has abused authority or office in order to commit the offense."

In the section of the Code on the "Application of Penalties," canon 1341 states: "Only after he has ascertained that scandal cannot be sufficiently repaired, that justice cannot be sufficiently restored and that the accused cannot sufficiently be reformed by fraternal correction, rebuke, and other ways of pastoral care is the ordinary then to provide for a judicial or administrative procedure to impose or declare penalties." In other words, the bishop has to look

both at societal order, where justice needs to done and be seen as being done, and at the individual offender, where the concern is his personal reform.

More specifically, the situation of a cleric's sexual misconduct with minors is treated in canon 1395.2 ("If a cleric has otherwise committed an offense against the sixth commandment of the Decalogue with force or threats or publicly or with a minor below the age of sixteen, the cleric is to be punished with just penalties, including dismissal from the clerical state if the case warrants it." This canon has a five year statue of limitations for bringing an action against a cleric) and the special norms issued in April, 1994 for the United States. These norms provide that where alleged delicts with minors under sixteen years old occurred before April 25, 1994 an ecclesiastical penal process may be initiated against a cleric until the minor in question celebrates his or her 23rd birthday. For alleged delicts with a minor under the age of eighteen which occurred after April 25, 1994, an ecclesiastical penal action against a cleric may be initiated until the minor in question celebrates his or her 28th birthday.

In the case of someone alleged to have committed a sexual offense with a sixteen year old 25 years ago, the statute of limitations has long since passed for initiating any canonical penal action as well as for initiating any civil or criminal process.

Where the statute of limitations has passed, a bishop could only prevent a cleric from exercising his ministry if it were determined that he were suffering from some serious psychiatric problem. (Canon 1044.2.2: "The following are impeded from exercising orders: a person who is afflicted with insanity or some other psychic defect mentioned in canon 1041, n. 1, until the time when the ordinary after consultation with an expert, permits him the exercise of that order.)

Canon 1313.1 precludes even the Holy See from changing the statute of limitations an applying it *ex post facto:* "If a law is changed after an offense has been committed the law which is more favorable to the accused is to be applied." To do otherwise would establish a Kafka-esque system of "justice" in which penalties are changed after an offense has been committed.

What about the question of creating a penalty of automatic dismissal from the clerical state for future sexual misconduct with someone under eighteen? Certainly, the Church could establish such a law, but I would caution that we should consider the Law of Unintended Consequences. Establishing such a Draconian penalty may mean that some victims will be reluctant to come forward, especially if they have some positive feelings toward the accused. I would think that accused clerics would also be inclined to exercise their canonical right to remain silent (canon 1728) or perhaps to deny or fight an allegation, thus making it more difficult to determine the truth of an allegation and to achieve healing if the offense actually occurred.

One final issue which may come up is the Chicago process of having lay people investigate allegations against clerics. When we were designing the Chicago process in 1992, Father Frank Morrisey, who was a consultant, advised us that it was canonically required that only priests investigate accusations against clerics; I offered a dissenting opinion which was accepted by Cardinal Bernardin and which should be able to be found in the archives of the Commission on Sexual Misconduct. The prevailing canonical opinion, exemplified by Morrisey,

is based on canon 483.2 ("...a priest must be the notary in cases in which the reputation of a priest can be called into question"). This position was maintained by the Apostolic Signatura in a private response issued June 11, 1968 (*Apollinaris* vol. 43, 1970, pp. 454-456.) This position is still maintained in the *Clergy Procedural Handbook* published in 1992 by the CLSA (p. 214). At the present time I don't remember how I constructed my argument, but I believe that it was based on the fact that canon 1717.1 does not indicate any limit on whom a bishop may appoint to conduct an initial investigation. (Canon 1717.1: "Whenever the ordinary receives information which at least seems to be true of an offense, he shall cautiously inquire personally or through another suitable person about the facts and circumstances and about imputability unless this investigation appears to be entirely superfluous."). I believe that I argued that the limitation put on the lesser office of notary should not necessarily apply to the more important office of investigator because the notary's function is merely ministerial (like a court stenographer), whereas the investigator's function requires special skill and judgment and is more akin to the role of judge, and lay persons may exercise the role of ecclesiastical judge. Cardinal Bernardin went out on a canonical limb in establishing our Chicago procedures because the Commission felt that it was absolutely necessary for credibility that such investigations be done by lay people. To my knowledge, the Holy See has never ruled on the validity of our interpretation and it remains an open question.

Please know that you are in my daily prayers as you try to deal with the current crisis.

ARCHDIOCESE OF CHICAGO

Office of the Cardinal

Post Office Box 1979
Chicago, Illinois 60690-1979

May 14, 2002

Reverend Robert L. Kealy
Cardinal Stritch Retreat House
1000 E. Maple
Mundelein, IL 60060-1174

Dear Father Kealy,

I thank you for your letter of resignation as pastor of Saints Faith, Hope and Charity Parish, as of March 25, 2002. I accept as well your resignation as a member of the Board of Advisors of Mundelein Seminary and as a member of the Board of Advisors of St. Joseph Seminary, also effective as of March 25th.

I realize how difficult it must have been for you to write those short notes, but I also know that you recognize and live daily the action of the Lord's grace which brings good out of great suffering. You are daily in my prayers; please keep me in yours.

Sincerely yours in Christ,

Francis Cardinal George, O.M.I.
Archbishop of Chicago

bc: Most Rev. Raymond Goedert
Rev. John Canary
Rev. James Presta
Vicar For Priests

AOC 015798

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Story of the day:

ABUSE-ANALYSIS May-20-2002 (1,270 words) xxxi

Vatican reservations emerging over U.S. direction on sex abuse

By John Thavis
Catholic News Service

VATICAN CITY (CNS) -- Recent statements by two Vatican officials have underscored reservations in Rome over the direction U.S. bishops are taking as they formulate a national policy on clerical sex abuse.

In particular, the officials believe it would be wrong to oblige bishops to report all sex abuse allegations to civil authorities, a policy that has been adopted by an increasing number of U.S. dioceses.

For these canon law specialists, the crux of the issue is that bishops should be functioning as pastors, not policemen. They believe that when bishops start acting as reporting agents for the state, they compromise their own pastoral goals -- one of which is to retrieve an errant priest and rehabilitate him spiritually.

U.S. cardinals left a Vatican summit in late April saying they were committed to "zero tolerance" of priestly sex abuse and would aim to formulate national norms at their June meeting in Dallas. If the Vatican approves the norms, they would be binding on all U.S. dioceses.

In mid-May, Jesuit Father Gianfranco Ghirlanda, a Vatican City appeals court judge and a leading consulter on church law to several Vatican agencies, outlined a number of legal concerns in an article published in the influential Jesuit magazine, La Civilta Cattolica (Catholic Civilization).

He said bishops -- unless clearly negligent in investigating and correcting abuse situations -- generally are not morally or legally responsible for the actions of their priests. Although he was speaking from a perspective of church law, his point underlined Vatican perplexity over the U.S. legal system and the fact that dioceses have been sued because of the actions of a single cleric.

Father Ghirlanda also cautioned on three procedural matters: He said it was not good pastoral practice to notify civil authorities of all priestly sex abuse accusations; that psychological testing should not be required of suspected clerical abusers; and that, if reassigning a past abuser to

AOC 015799

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active ministry, a bishop should not tell parishioners of the past abuse.

Jesuit Father Thomas Reese, editor of America magazine, said that on all three points "most U.S. bishops are already doing the opposite: they are notifying the police, they are requiring psychological evaluation of accused priests, and they are telling parishes of a priest's history of abuse."

"At their June meeting in Dallas, the U.S. bishops will likely take positions opposite of the three points made by Ghirlanda," Father Reese said. He said it was clear that "the U.S. bishops are going to have to present some strong arguments to convince the Vatican of their position."

Father Reese based his comments on a Catholic News Service story about the Civilta article.

In a speech delivered a week after the U.S.-Vatican summit, the head of the Vatican agency that interprets canon law, Archbishop Julian Herranz, criticized attempts to require church leaders to report all abuse accusations to civil authorities and turn over relevant documents.

Like Father Ghirlanda, Archbishop Herranz also argued that the church's own means of dealing with clerical sex abusers should not be short-circuited by policies adopted out of bishops' fear of civil liability.

In an interview with Catholic News Service May 19, Father Ghirlanda said his article should not be seen as a Vatican "directive" to U.S. bishops as they approach their June meeting. Although the Vatican reviews Civilta Cattolica content prior to publication, Father Ghirlanda said the article represented his own opinion and was written well before the U.S.-Vatican summit.

"I honestly don't know if the Holy See will accept these points," he said.

Father Ghirlanda's opinion carries weight, however. He is dean of the canon law faculty at Rome's Gregorian University and is an official adviser to seven main Vatican agencies and to its highest appeals court.

Father Ghirlanda said the question of notifying civil authorities risks confusing the church's investigative role with that of the state.

"My position is this: If a bishop is questioned (by the state) he should respond. If he is not questioned, he should not report," he said.

Instead, he said, the bishop who receives a report of clerical

AOC 015800

sex abuse should conduct his own investigation, if necessary removing the accused priest quietly and temporarily from ministry. The bishop's investigation should be undertaken with concern for the victim and the church community, but also for the accused priest, he said.

"Even if a priest is guilty, the bishop remains the pastor of that priest. And I would say, from a Catholic and Christian point of view, even if the priest is guilty, the first thing a bishop should do is try to (spiritually) recover him," he said.

"Certainly, this should be done while protecting the Christian community, taking all the precautionary measures so that he cannot do harm," he said.

On the other hand, Father Ghirlanda said, if a bishop does not proceed with the investigative methods offered by church law, but instead "wants to cover up the affair even from a canonical point of view" and simply moves the priest to another parish where he commits more abuse, then the bishop would be morally, canonically and perhaps even civilly responsible.

He said the important thing was to allow both systems -- civil law and church law -- to run their course. Currently in the United States, the two systems are experiencing "very strong tension," he said.

"Maybe the solution could be found if representatives of the Holy See, the bishops' conference and the government were to sit around a table and discuss how to arrive at mutual respect of the reciprocal areas of competence," he said.

He said that where states have laws requiring bishops to report all clerical sex abuse accusations to civil authorities, the bishop may have to decide what comes first: his pastoral or civil responsibilities. He sketched a scenario under which a bishop might go to jail rather than comply with a law requiring automatic reporting of every allegation.

"In this case, I would say being a bishop comes first, not being a citizen," he said.

In addition, he said, civil authorities that question a bishop are going to want information, for example, which people the bishop has questioned in his own investigation, and what answers he received.

"But this falls under secrecy and is kept in the secret archives of the bishop," he said.

Father Ghirlanda said he thinks some bishops have been so intimidated by the risk of civil proceedings that they have made settlement payments unwisely.

AOC 015801

"I sometimes have the impression that the bishops are seized by such fear that they are perhaps disposed to immediately come to a settlement and pay. ... If there's that much psychological fear, then it's better to go to trial," he said.

In that case, a civil trial could determine the guilt or innocence of the priest and determine reparation, he said. The publicity might be painful, but in the end the procedure might be fairer, he said.

In the interview, Father Ghirlanda also took issue with the "one strike and you're out" policy, advocated by some bishops, under which a priest would be barred from ministry after one episode of sexual abuse.

Father Ghirlanda offered the hypothetical example of a priest who committed an act of abuse 30 years ago, who repented and who was never involved in another such episode.

"Yes, it was a sin, it was a mistake and it was a crime. But he reformed himself and there was never any other such act in his life. How can the church go after him? He's been forgiven by God, and the church is not greater than God," he said.

END

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AOC 015802

DEFICIENCIES OF THE CHICAGO POLICIES & PROCEDURES

- The policies ignore the motu proprio, *Sacramentorum Sanctitatis Tutela,* issued by the Holy Father on May 18, 2001 which requires that after the preliminary process is concluded, bishops are to refer allegations of sexual misconduct against clerics to the Congregation of the Holy Office, which has "exclusive competence" over such offenses.

- "Sexual misconduct" is not defined.

- Section 1102.4 is ambiguous. Does it mean that the Vicar for Priests and the Vicar for Deacons are to be the ordinary conduits of reports of misconduct? Probably the meaning is that the Vicars are to report such allegations or admissions when they happen to receive them, but that is not clear from the wording of the policy.

- There are numerous references to the "Archbishop's Delegate" without explaining what is meant or who has that role. Is it the same person in all cases or are there numerous delegates? In regard to religious, it seems to be the Vicar for Religious. It regard to extern priests, it seems to be the Archbishop's Delegate for Extern Priests. In regard to deacons, it seems to be the Vicar for the Diaconate Community. It regard to the Professional Fitness Review Board (PFRB) it seems to be a different person.

- The process is described as being pastoral in character. It is also described as being consultative and advisory, not adversarial and adjudicative, and yet the policies were established as particular law for the Archdiocese. They carry consequences which the Code of Canon Law would consider penal, yet there is no canonical due process for determining such conclusions. In particular, no consideration is given to the canonical statutes of limitations.

- The standard of proof is whether there is "reasonable cause to suspect that the accused had engaged in sexual misconduct with a minor" (1104.2) and the policy states that "the rules of evidence shall not strictly apply" (1104.3.6). In the criminal forum, reasonable cause would be a basis for an indictment, but the standard of proof for a conviction is "beyond a reasonable doubt.". In a civil suit the standard of proof would be "a preponderance of the evidence." In a canonical forum for penalizing a cleric, the standard of proof is "moral certitude," which is canonical language for "beyond a reasonable doubt." Since the decision of the review board is used as the basis for removing a priest from office or imposing restrictions on his ministry and freedom, the standard of proof is too low.

- It is not clear when the Archbishop may take action on his own initiative, without referring a matter to the PFRB or without having the PFRB complete the stages of its process, which does happen.

- There is no provision for giving an accused cleric a written statement of the charges against him or the findings of the PFRB or the Archbishop

- The role of the PCAC, which is very significant, is nowhere mentioned in the policies.

- In Section 1105, the introductory paragraph misstates the policies which follow. The introduction states: "Section 1105 recognizes that such a (withdrawn) cleric may never return to parish ministry or ministry that includes access to minors." However policy 1105.3.1 is more nuanced. It states: "A cleric who was withdrawn from ministry and whom the Board did not recommend should return to ministry after a Second Stage or Supplementary Review or who did not request such a review may not return to ministry except in accordance with the following policy:" Policy 1105.3.2 goes on: "Such a cleric shall never return to parish ministry or a ministry that includes access to minors."

- Policy 1105.3.3, no. 2 seems to state that an accused cleric cannot be returned to any ministry until he has completed a two year treatment program. If this is what is meant, it would be at variance with the Code of Canon Law. Restrictions on a priest's ministry, especially for a period longer than the time necessary for the initial investigation, must follow canonical due process.

5/26/02

Your Eminence,

These observations, which I promised you, are based on my study of the Chicago Policies, those of Australia and England, and other canonical literature.

The Australian Guidelines are the best I've seen.

You are in my prayers.

Sincerely,

B.V. Healy

AOC 015805

PROPOSED POLICY RECOMMENDATIONS BASED ON THE CHICAGO MODEL

1. A **Victim Assistance Minister** should minister to the victim, the victim's family or other persons affected.

2. Accusations of sexual misconduct with minors should be judged by a **Professional Fitness Review Board**. In Chicago, there are nine members appointed by the Archbishop. Six members are lay Catholics who are not employees of the Archdiocese and six members are priests. Three of the lay Catholics include a psychiatrist, a psychologist or social worker, and an attorney; the three representatives of the Church at large include a parish council member, a parent, and a victim/survivor or parent of a victim/survivor of child sexual abuse.

3. Each diocese or religious order should comply with all civil reporting requirements.

4. Where an allegation of child sexual misconduct by a priest has been determined to be founded, decisions about future ministry should be made in consultation with the Office of Professional Fitness Review. They should be guided by the question, "Are children at risk if the priest performs this ministry?"

ADDITIONAL RECOMMENDATIONS

1. Where applicable, bishops should support a change in the civil law to extend the statute of limitations to correspond with that now in place in the Church.

2. Victims of child sexual abuse should not be held to confidentiality agreements..

3. Where the canonical statute of limitations has run, a bishop could remove a pastor according to the process described in canons 1740-1747. Canon 1740 states: "When the ministry of any pastor has become detrimental or at least ineffective for any reason, even through no grave fault of his own, he can be removed from the parish by the diocesan bishop."

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

Post Office Box 1979
Chicago, Illinois 60690-1979

May 30, 2002

To the People of Sts. Faith, Hope and Charity Parish

Dear Friends,

I am happy to announce that I have appointed Father Kevin Spiess as the new pastor of Sts. Faith, Hope and Charity Parish. Father Spiess comes to you as a well-educated and experienced pastor. In his present capacity as pastor of St. Alphonsus Parish in Lemont, Illinois, he has brought together several parishes in collaborative work around schools and other ministries. He has also intensified and supported the religious education of children, both in Catholic schools as well as those attending public schools.

Previous to his assignment as a pastor, Father Spiess was Moderator of the Curia for the Archdiocese (Vicar for Administration). In that capacity he was responsible for the day-to-day operation of many of the agencies in the Archdiocese. Holding several degrees in education and management, he has a background in teaching as well as administration. Coupled with these acquired talents is a dedicated spirit based upon his personal search for holiness and on God's grace given him in the Sacrament of Holy Orders.

I believe that Father Spiess will shepherd well the people of Sts. Faith, Hope and Charity Parish as together you address all the issues before you as a Catholic parish of the Archdiocese. I am grateful to the Parish Pastoral Council for their advice to me and their service to all of you.

I wish to thank the staff and all the parishioners of Sts. Faith, Hope and Charity Parish for your patience, honesty and support during the trying days of the last several months. You have shown the strength of your parish through your perseverance and mutual collaboration. You are in my prayers; please keep me in yours.

Sincerely yours in Christ,

Francis Card George

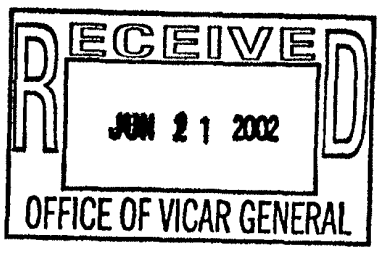
Francis Cardinal George, O.M.I.
Archbishop of Chicago

CC: Rev. Kevin Spiess
Rev. Francis Kane, Dean
Most Rev. Edwin M. Conway, Vicar

Eitz, Mercedes

From: [redacted]
Sent: Friday, June 21, 2002 8:53
To: meitz@archdiocese-chgo.org
Subject: (no subject)

Merce,
Please give this to Bishop Goedert when he comes in. Thanks.
Father Kealy



6/21/02

MEMORANDUM

TO: **Cardinal George**

FROM: **Father Kealy**

RE: **My Case**

DATE: **June 16, 2002**

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1. **No sexual abuse.** The *Charter for the Protection of Children and Young People* adopted on June 14 by the USCCB incorporates the definition of sexual abuse adopted by the Canadian bishops. An important element of that is that "**the child is being used as an object of sexual gratification** for the adult." This is comparable to the civil law definition of sexual abuse in which a necessary element is "the intent of sexual gratification." Indeed it is the intent which differentiates a coach's innocent pat of the buttocks of a player from a touching of the buttocks which would be considered sexually abusive. It is also important to note the canonical definition of sexual abuse (canon 1395, §2), incorporated in the *Charter,* is "an **offense against the sixth commandment of the decalogue.**" Canon 1395, §1 makes it clear that what is referred to is an **external** sin. This refers to an action which would objectively be a **mortal sin,** for there is an established principle that "the law does not concern itself with trifles."

In my case there is a single accusation of a single instance of inappropriate behavior. As I understand the accusation (I have never seen a copy of it), the pertinent aspect is that I am accused of grabbing the crotch (over the clothes) of the accuser [redacted]. There is not even an allegation that there was an intent of sexual gratification. Whatever may have happened, I strongly deny that there was any intention of sexual gratification. My attorney, Tom Breen, tells me that even if the event took place today I would not be charged with sexual abuse. I admit that I was guilty of inappropriate behavior and I am deeply sorry for any harm that I caused, but I strongly deny that there was any intention of sexual gratification.

2. **Due Process.** My case was put "on hold" pending the decision of the bishops in Dallas. Now that they have passed the *Norms* and *Charter*, I would like the opportunity to move my case to the Second Stage Review and appear before the Review Board with my attorney. Prior to that, I believe that it needs to be established with the Review Board that the operative definitions of sexual abuse are those contained in the *Charter*, i.e., the definition of the Canadian bishops, and the definition of the Code of Canon Law. It should also be clarified with the Review Board, as provided in the *Norms,* that their responsibility is to advise you as to whether an allegation of sexual abuse against me appears to be **credible.** I interpret this to be a higher standard of proof than that contained in the Chicago guidelines which describe the standard as whether there is "**reasonable cause to suspect** that the accused engaged in sexual misconduct with a minor" (1104.2). Deciding that there is a credible accusation of sexual abuse is akin to deciding that there is **probable cause** to proceed with a canonical trial to determine whether there is **moral certainty** of an accusation of sexual abuse.

IMPLEMENTATION OF USCCB *NORMS & CHARTER* ON SEXUAL ABUSE OF MINORS AS THEY RELATE TO CLERICS

General Principles

On June 14, 2002, the USCCB approved the *Charter for the Protection of Children and Young People* (hereafter referred to as *Charter*) and the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests, Deacons, and Other Church Personnel* (hereafter referred to as *Norms*). Because certain elements of the *Norms* are at variance with the universal law of the Church, the USCCB stated that it is submitting the *Norms* to the Holy See for *recognitio.* Actually that is a misnomer for *recognitio* applies to liturgical documents sent to the Holy See for approval. In this case, what is needed is a *rescript* which would permit exceptions to the universal law of the Church.

Pending approval of the *Norms* by the Holy See, the **universal law** of the Church **prevails** over any elements of the norms which may be at variance with the universal law of the Church. Any elements which are not at variance with the universal law of the Church can be implemented immediately, however **the *Norms* themselves state that they are not binding until the approval of the Holy See is received.**

Issues of Procedural Due Process

At the outset it should be noted that there are **internal contradictions** within the documents. The *Charter* shows due attention for the fact that the implementation of the *Norms* must follow **due process** and states in article 5: "In every case the processes provided for in canon law must be considered (cf. *Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995 (hereafter referred to as *Canonical Delicts*) ; cf. Letter from the Congregation for the Doctrine of the Faith, May 18, 2001 (entitled *Sacramentorum Sanctitatis Tutela*, hereafter referred to as *Sacramentorum*)." However, *Sacramentorum* states:

> It must be noted that the criminal action on delicts reserved to the Congregation for the Doctrine of the Faith is extinguished by a **prescription** of ten years...however, in the delict perpetrated with a minor by a cleric, the prescription begins to run from the day when the minor has completed the 18th year of age.

Canonical Delicts points out that sexual abuse prior to April 25, 1994 falls under the aggravating nature of delicts punished by canon 1395, §2 only if the minor was under the **age** of16. For sexual abuse from that date forward the operative age is 18.

Canonical Delicts also states that an act of sexual abuse with a minor is "punishable by expiatory penalties, including dismissal from the clerical state, *if the **circumstances** warrant it* (emphasis in the original). In this regard, the diocesan bishop must carefully weigh the particular

facts of the situation to determine whether the harm of the offense in question rises to the level that calls for a permanent expiatory penalty." This is still the proper application of the universal law which prevails, pending a decision by the Holy See on the *Norms*.

Also canon 1313, §1 states: If a **law is changed** after an offense has been committed the law which is **more favorable** to the accused is to be **applied**."

Another element to be considered is the principle enunciated in canon 18: "Laws which establish a penalty or restrict the free exercise of rights or which contain an exception to the law are subject to a **strict interpretation**." This means that they are to be interpreted narrowly, with the priest or deacon involved (in this case) maintaining the free exercise of his rights which are not clearly restricted or removed by the penal process.

Because these norms are universal law they cannot be changed or derogated from by an episcopal conference without a rescript from the Holy See. Pending such a rescript, the universal law prevails.

This also means that those who currently hold an ecclesiastical office (i.e. pastor, judicial vicar) cannot be removed from their office without canonical due process. It also means that priests currently in ministry and holding the faculties of the Archdiocese cannot be deprived of their ministry, their faculties, their right to present themselves as priests, their right to wear the Roman collar, and their freedom of residence without following canonical due process.

Definition of sexual abuse

Especially because the penalties established by the *Norms* are so grave, it is important to pay strict attention to the definition of sexual abuse At the end of the *Charter*, the document says:

> Cf. C. 1395, §2. Notice that a sexual offense violative of §2 need not be a complete act of intercourse, nor should the term necessarily be equated with the definitions of sexual abuse or other crimes in the civil law. "Sexual abuse (includes) contacts or interactions between a child and an adult when the child is being **used as an object of sexual gratification** for the adult. A child is abused whether or not this activity involves explicit force, whether or not it involves genital or physical contact, whether or not it is initiated by the child, and whether or not there is discernible harmful outcome" (Canadian Conference of Bishops, From Pain to Hope, 1992, p. 20) If there is any doubt about whether a specific act fulfills this definition, the writings of recognized moral theologians should be consulted and, if necessary, the opinion of a recognized expert be obtained (*Canonical Delicts,* p.6) We also note that diocesan/eparchial policies must be in accord with the civil law.

It is important to note that essential to this definition/description is that "the child is being used as an object of sexual gratification." This is comparable to the civil law definitions of sexual abuse in which a necessary element is "the intent of sexual gratification." Indeed it is the intention

which differentiates a coach's innocent pat of the buttocks of a player from a touching of the buttocks which might be abusive. It is also important to note the canonical definition of sexual abuse (canon 1395, §2), incorporated in the *Charter*, is "**an offense against the sixth commandment of the decalogue.**" Canon 1395, §1 makes it clear that what is referred to is an **external sin.** This refers to an action which would objectively be a **mortal sin.** There is an established canonical principle that "the law does not concern itself with trifles."

The Review Board

Canonically, the role of the Review Board would be part of the preliminary investigation. It is not determinative of the final outcome of a case. This is reflected in the *Norms* which states that one of the functions of the Review Board is assess allegations of **sexual abuse** in order to advise the bishop on whether or not the allegations appear to be **credible.** It should be noted that some allegations of inappropriate behavior do not constitute allegations of sexual abuse, because they do not allege an intention of sexual gratification.

In the Chicago guidelines the standard of proof is "**reasonable cause to suspect** that the accused had engaged in sexual misconduct with a minor" (1104.2) The *Norms* raise this standard of proof, and appropriately so since the consequences are so grave. It would seem that the standard for deciding that an accusation is credible and should proceed with a further investigation is **probable cause** to believe that the accused has engaged in sexual misconduct with a minor. This is the norm of the civil law for indicting a person and proceeding to trial, which is equivalent to what happens in the next stage of the canonical process.

Note that the Review Board cannot determine that an allegation is **substantiated.** To deem an accusation substantiated requires **moral certitude** and this can only be determined at the end of the entire canonical process. Moral certitude is canonical language for **beyond a reasonable doubt..**

If a delict were **canonically prescripted** (i.e., beyond the statute of limitations and thus ineligible for determination as to whether it is *substantiated),* canonical penalties could not be imposed; however it seems reasonable that the Review Board could still issue a finding that an accusation of sexual abuse was *credible* and this could be taken into account in determining an appropriate ministerial assignment for a priest, as long as he would still be considered a priest in good standing and provided with some appropriate ministerial assignment.

The Appellate Review Board

The **Norms** call for the establishment of a provincial appellate board, whose function would be simply to **offer its advice** to the bishop upon request by the bishop, the alleged victim, or the accused. Even though such a body is not envisioned in the universal law, since its function is merely advisory there would seem to be no reason why this could not be instituted immediately.

Preliminary Investigation

Canonical Delicts in pages 8-11 explains the preliminary investigation of an accusation, which is governed by canons 1717-1719. It refers to the **investigator** who in the Chicago model, would be the team comprising the Administrator of the Review Board and the review board itself. While the *Norms* do not expressly call for a function such as that fulfilled by our Administrator of the Review Board, it seems reasonable to expect that the Review Board would need assistance in acquiring the information it would need to reach a finding.

This process is to be **confidential.** Throughout the process "care must be taken lest anyone's good name be endangered by the investigation." (Canon 1718, §2). This important provision requires confidentially about the details of the allegation throughout the whole process. It would seem inappropriate for a diocese even to make a public statement that a priest has been accused of sexual abuse until such time as the allegation has been deemed credible or made public by the accuser or someone else. Of course, the public authorities need to be informed immediately but even they do not ordinarily make public that a person is under investigation until an arrest is made or the grand jury returns an indictment.

Canonical Delicts points out that in the preliminary process, the canonical **norms for investigating witnesses** (canons 1558-1571) are to be observed in so far as applicable. Canon 50 implies that the **accused should be heard** at this point. (In the Chicago model, this would be the First Stage Review).

If the bishop decides to place the accused on "**administrative leave**" (e.g., excluding the accused from ministry or placing him in a special residence) then the procedure outlined in canon 1722 must be observed. Canon 1722 requires that the **Promoter of Justice** be consulted and the accused be issued a canonical citation, which invites him to name an advocate. Once the penal process has been concluded or abandoned, all restrictions on the priest's ministry must cease.

After the citation, the **accused must be given the opportunity to respond fully** to the accusations which have been made against him. He is to be informed of the accusation and all the proofs obtained (canon 1720, 1°).(In the Chicago process, this would be the Second Stage Review). Also pertinent is canon 1728, §2 which states that the accused is not bound to confess the offense and cannot be obliged to take an oath. At any stage, the accused always has the right to write or speak last (canon 1725). During the course of an investigation, the accused priest cannot be compelled to take a psychological evaluation against his will (canon 220).

The Promoter of Justice is bound by office not only to advise the bishop as to whether a priest should be canonically cited; he is also to see to it that the safeguards and requirements of the law are being equitably applied. Canon 1724, § 1 provides that at any stage of the process the Promoter of Justice can drop the charges against the accused either at the order of the diocesan bishop or with his consent.

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Determination (Canon 1718)

After the results of the preliminary investigation (Second Stage Review/ Supplementary Reviews) are presented to the diocesan bishop, *he* must decide:

(a) Whether the cleric's conduct represents a **basis** for initiating a penal process. "In other words, has the cleric in fact committed a canonically imputable delict?" (*Canonical Delicts,* p. 10).

(b) Whether it is **possible** to initiate a penal process (e.g., is it prescripted?)

(c) Whether it is **expedient** to initiate a penal process. In deciding this, the bishop is to consider what is necessary to repair the harm caused by scandal, what is necessary to restore justice, and what is necessary for the reform of the accused.

If the bishop decides to proceed with a penal process, he is to **submit the case** to the **Congregation for the Doctrine of the Faith** (hereafter CDF) for a determination as to whether it will handle the case itself or whether it will have a diocesan tribunal adjudicate it according to secret norms which it sends to the diocese.

> As often as an ordinary or hierarch has at least probable knowledge of a reserved delict, after he has carried out the preliminary investigation he is to indicate it to the Congregation of the Doctrine of the Faith, which unless it calls the case to itself because of special circumstances of things, after transmitting appropriate norms, orders the ordinary to proceed ahead with his own tribunal...(*Sacramentorum Sanctitatis Tutela).*

This document states that the CDF has "**exclusive competence**" over such cases.

Other consideration

It should also be noted that a priest who leaves the active ministry may not be compelled to seek laicization.(canon 125, §2).

(b) Definition. As used in this Section, to "pierce" means to make a hole in the body in order to insert or allow the insertion of any ring, hoop, stud, or other object for the purpose of ornamentation of the body.

(c) Exceptions. This Section may not be construed in any way to prohibit any injection, incision, acupuncture, or similar medical or dental procedure performed by a licensed health care professional or other person authorized to perform that procedure. This Section does not prohibit ear piercing. This Section does not apply to a minor emancipated under the Juvenile Court Act of 1987 [1] or the Emancipation of Mature Minors Act [2] or by marriage.

Laws 1961, p. 1983, § 12–10.1, added by P.A. 91–412, § 5, eff. Sept. 5, 1999.

[1] 705 ILCS 405/1–1 et seq.

[2] 750 ILCS 30/1 et seq.

5/12–11. Home Invasion

§ 12–11. Home Invasion.

(a) A person who is not a peace officer acting in the line of duty commits home invasion when without authority he or she knowingly enters the dwelling place of another when he or she knows or has reason to know that one or more persons is present or he or she knowingly enters the dwelling place of another and remains in such dwelling place until he or she knows or has reason to know that one or more persons is present and

(1) While armed with a dangerous weapon, other than a firearm, uses force or threatens the imminent use of force upon any person or persons within such dwelling place whether or not injury occurs, or

(2) Intentionally causes any injury, except as provided in subsection (a)(5), to any person or persons within such dwelling place, or

(3) While armed with a firearm uses force or threatens the imminent use of force upon any person or persons within such dwelling place whether or not injury occurs, or

(4) Uses force or threatens the imminent use of force upon any person or persons within such dwelling place whether or not injury occurs and during the commission of the offense personally discharges a firearm, or

(5) Personally discharges a firearm that proximately causes great bodily harm, permanent disability, permanent disfigurement, or death to another person within such dwelling place, or

(6) Commits, against any person or persons within that dwelling place, a violation of Section 12–13, 12–14, 12–14.1, 12–15, or 12–16 of the Criminal Code of 1961.[1]

(b) It is an affirmative defense to a charge of home invasion that the accused who knowingly enters the dwelling place of another and remains in such dwelling place until he or she knows or has reason to know that one or more persons is present either immediately leaves such premises or surrenders to the person or persons lawfully present therein without either attempting to cause or causing serious bodily injury to any person present therein.

(c) Sentence. Home invasion in violation of subsection (a)(1), (a)(2) or (a)(6) is a Class X felony. A violation of subsection (a)(3) is a Class X felony for which 15 years shall be added to the term of imprisonment imposed by the court. A violation of subsection (a)(4) is a Class X felony for which 20 years shall be added to the term of imprisonment imposed by the court. A violation of subsection (a)(5) is a Class X felony for which 25 years or up to a term of natural life shall be added to the term of imprisonment imposed by the court.

(d) For purposes of this Section, "dwelling place of another" includes a dwelling place where the defendant maintains a tenancy interest but from which the defendant has been barred by a divorce decree, judgment of dissolution of marriage, order of protection, or other court order.

Laws 1961, p. 1983, § 12–11, added by P.A. 80–1392, § 1, eff. Aug. 22, 1978. Amended by P.A. 85–1387, § 1, eff. Sept. 2, 1988; P.A. 85–1433, § 3, eff. Jan. 11, 1989; P.A. 86–820, Art. II, § 2–16, eff. Sept. 7, 1989; P.A. 90–787, § 5, eff. Aug. 14, 1998; P.A. 91–404, § 5, eff. Jan. 1, 2000; P.A. 91–928, § 5, eff. June 1, 2001.

Formerly Ill.Rev.Stat.1991, ch. 38, ¶ 12–11.

[1] 720 ILCS 5/12–13, 5/12–14, 5/12–114.1, 5/12–15 or 5/12–116.

P.A. 91–928 incorporated the amendment by P.A. 91–404.

5/12–11.1. Vehicular invasion

§ 12–11.1. Vehicular invasion. (a) A person commits vehicular invasion who knowingly, by force and without lawful justification, enters or reaches into the interior of a motor vehicle as defined in The Illinois Vehicle Code [1] while such motor vehicle is occupied by another person or persons, with the intent to commit therein a theft or felony.

(b) Sentence. Vehicular invasion is a Class 1 felony.

Laws 1961, p. 1983, § 12–11.1, added by P.A. 86–1392, § 1, eff. Jan. 1, 1991.

Formerly Ill.Rev.Stat.1991, ch. 38, ¶ 12–11.1.

[1] 625 ILCS 5/1–101 et seq.

5/12–12. Definitions

§ 12–12. Definitions. For the purposes of Sections 12–13 through 12–18 of this Code, the terms used in these Sections shall have the following meanings ascribed to them:

(a) "Accused" means a person accused of an offense prohibited by Sections 12–13, 12–14, 12–15 or 12–16 of this Code or a person for whose conduct the accused is legally responsible under Article 5 of this Code.[1]

(b) "Bodily harm" means physical harm, and includes, but is not limited to, sexually transmitted disease, pregnancy and impotence.

(c) "Family member" means a parent, grandparent, or child, whether by whole blood, half-blood or adoption and includes a step-grandparent, step-parent or step-child. "Family member" also means, where the victim is a child under 18 years of age, an accused who has resided in the household with such child continuously for at least one year.

(d) "Force or threat of force" means the use of force or violence, or the threat of force or violence, including but not limited to the following situations:

(1) when the accused threatens to use force or violence on the victim or on any other person, and the victim under the circumstances reasonably believed that the accused had the ability to execute that threat; or

(2) when the accused has overcome the victim by use of superior strength or size, physical restraint or physical confinement.

(e) "Sexual conduct" means any intentional or knowing touching or fondling by the victim or the accused, either directly or through clothing, of the sex organs, anus or breast of the victim or the accused, or any part of the body of a child under 13 years of age, or any transfer or transmission of semen by the accused upon any part of the clothed or unclothed body of the victim, for the purpose of sexual gratification or arousal of the victim or the accused.

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(f) "Sexual penetration" means any contact, however slight, between the sex organ or anus of one person by an object, the sex organ, mouth or anus of another person, or any intrusion, however slight, of any part of the body of one person or of any animal or object into the sex organ or anus of another person, including but not limited to cunnilingus, fellatio or anal penetration. Evidence of emission of semen is not required to prove sexual penetration.

(g) "Victim" means a person alleging to have been subjected to an offense prohibited by Sections 12–13, 12–14, 12–15 or 12–16 of this Code.

Laws 1961, p. 1983, § 12–12, added by P.A. 83–1067, § 1, eff. July 1, 1984. Amended by P.A. 83–1117, § 1, eff. July 1, 1984; P.A. 88–167, § 5, eff. Jan. 1, 1994; P.A. 91–116, § 5, eff. Jan. 1, 2000.

Formerly Ill.Rev.Stat.1991, ch. 38, ¶ 12–12.

1 720 ILCS 5/5–1 et seq.

Section 53 of P.A. 83–1067 provided:

"Saving clause; construction. The abolition of any offense by this Act does not affect any prosecution pending, penalty, punishment, disqualification from office or employment, forfeiture incurred, or rights, powers or remedies accrued under any law in effect immediately prior to the effective date of this amendatory Act of 1983, which related to the abolished offense. The provisions of this amendatory Act insofar as they are the same or substantially the same as those of any prior statute, shall be construed as a continuation of such prior statute and not as a new enactment.

"This amendatory Act of 1983 shall only apply to those persons who commit offenses prohibited under Sections 12–13 through 12–16 of the Criminal Code of 1961, as amended, on or after the effective date of this amendatory Act."

5/12–13. Criminal Sexual Assault

§ 12–13. Criminal Sexual Assault. (a) The accused commits criminal sexual assault if he or she:

(1) commits an act of sexual penetration by the use of force or threat of force; or

(2) commits an act of sexual penetration and the accused knew that the victim was unable to understand the nature of the act or was unable to give knowing consent; or

(3) commits an act of sexual penetration with a victim who was under 18 years of age when the act was committed and the accused was a family member; or

(4) commits an act of sexual penetration with a victim who was at least 13 years of age but under 18 years of age when the act was committed and the accused was 17 years of age or over and held a position of trust, authority or supervision in relation to the victim.

(b) Sentence.

(1) Criminal sexual assault is a Class 1 felony.

(2) A person who is convicted of the offense of criminal sexual assault as defined in paragraph (a)(1) or (a)(2) after having previously been convicted of the offense of criminal sexual assault, or who is convicted of the offense of criminal sexual assault as defined in paragraph (a)(1) or (a)(2) after having previously been convicted under the laws of this State or any other state of an offense that is substantially equivalent to the offense of criminal sexual assault, commits a Class X felony for which the person shall be sentenced to a term of imprisonment of not less than 30 years and not more than 60 years. The commission of the second or subsequent offense is required to have been after the initial conviction for this paragraph (2) to apply.

(3) A person who is convicted of the offense of criminal sexual assault as defined in paragraph (a)(1) or (a)(2) after having previously been convicted of the offense of aggravated criminal sexual assault or the offense of predatory criminal sexual assault of a child, or who is convicted of the offense of criminal sexual assault as defined in paragraph (a)(1) or (a)(2) after having previously been convicted under the laws of this State or any other state of an offense that is substantially equivalent to the offense of aggravated criminal sexual assault or the offense of criminal predatory sexual assault shall be sentenced to a term of natural life imprisonment. The commission of the second or subsequent offense is required to have been after the initial conviction for this paragraph (3) to apply.

(4) A second or subsequent conviction for a violation of paragraph (a)(3) or (a)(4) or under any similar statute of this State or any other state for any offense involving criminal sexual assault that is substantially equivalent to or more serious than the sexual assault prohibited under paragraph (a)(3) or (a)(4) is a Class X felony.

(5) When a person has any such prior conviction, the information or indictment charging that person shall state such prior conviction so as to give notice of the State's intention to treat the charge as a Class X felony. The fact of such prior conviction is not an element of the offense and may not be disclosed to the jury during trial unless otherwise permitted by issues properly raised during such trial.

Laws 1961, p. 1983, § 12–13, added by P.A. 83–1067, § 1, eff. July 1, 1984. Amended by P.A. 83–1117, § 1, eff. July 1, 1984; P.A. 85–837, § 2, eff. Jan. 1, 1988; P.A. 85–1030, § 2, eff. July 1, 1988; P.A. 85–1209, Art. II, § 2–23, eff. Aug. 30, 1988; P.A. 85–1440, Art. II, § 2–9, eff. Feb. 1, 1989; P.A. 90–396, § 5, eff. Jan. 1, 1998.

Formerly Ill.Rev.Stat.1991, ch. 38, ¶ 12–13.

For saving clause, construction and application of P.A. 83–1067, see Historical and Statutory Notes following 720 ILCS 5/12–12.

5/12–14. Aggravated Criminal Sexual Assault

§ 12–14. Aggravated Criminal Sexual Assault.

(a) The accused commits aggravated criminal sexual assault if he or she commits criminal sexual assault and any of the following aggravating circumstances existed during, or for the purposes of paragraph (7) of this subsection (a) as part of the same course of conduct as, the commission of the offense:

(1) the accused displayed, threatened to use, or used a dangerous weapon, other than a firearm, or any object fashioned or utilized in such a manner as to lead the victim under the circumstances reasonably to believe it to be a dangerous weapon; or

(2) the accused caused bodily harm, except as provided in subsection (a)(10), to the victim; or

(3) the accused acted in such a manner as to threaten or endanger the life of the victim or any other person; or

(4) the criminal sexual assault was perpetrated during the course of the commission or attempted commission of any other felony by the accused; or

(5) the victim was 60 years of age or over when the offense was committed; or

(6) the victim was a physically handicapped person; or

(7) the accused delivered (by injection, inhalation, ingestion, transfer of possession, or any other means) to the victim without his or her consent, or by threat or deception, and for other than medical purposes, any controlled substance; or

(8) the accused was armed with a firearm; or

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(9) the accused personally discharged a firearm during the commission of the offense; or

(10) the accused, during the commission of the offense, personally discharged a firearm that proximately caused great bodily harm, permanent disability, permanent disfigurement, or death to another person.

(b) The accused commits aggravated criminal sexual assault if the accused was under 17 years of age and (i) commits an act of sexual penetration with a victim who was under 9 years of age when the act was committed; or (ii) commits an act of sexual penetration with a victim who was at least 9 years of age but under 13 years of age when the act was committed and the accused used force or threat of force to commit the act.

(c) The accused commits aggravated criminal sexual assault if he or she commits an act of sexual penetration with a victim who was a severely or profoundly mentally retarded person at the time the act was committed.

(d) Sentence.

(1) Aggravated criminal sexual assault in violation of paragraph (1), (2), (3), (4), (5), (6), or (7) of subsection (a) or in violation of subsection (b) or (c) is a Class X felony. A violation of subsection (a)(8) is a Class X felony for which 15 years shall be added to the term of imprisonment imposed by the court. A violation of subsection (a)(9) is a Class X felony for which 20 years shall be added to the term of imprisonment imposed by the court. A violation of subsection (a)(10) is a Class X felony for which 25 years or up to a term of natural life imprisonment shall be added to the term of imprisonment imposed by the court.

(2) A person who is convicted of a second or subsequent offense of aggravated criminal sexual assault, or who is convicted of the offense of aggravated criminal sexual assault after having previously been convicted of the offense of criminal sexual assault or the offense of predatory criminal sexual assault of a child, or who is convicted of the offense of aggravated criminal sexual assault after having previously been convicted under the laws of this or any other state of an offense that is substantially equivalent to the offense of criminal sexual assault, the offense of aggravated criminal sexual assault or the offense of predatory criminal sexual assault of a child, shall be sentenced to a term of natural life imprisonment. The commission of the second or subsequent offense is required to have been after the initial conviction for this paragraph (2) to apply.

Laws 1961, p. 1983, § 12-14, added by P.A. 83-1067, § 1, eff. July 1, 1984. Amended by P.A. 83-1117, § 1, eff. July 1, 1984; P.A. 85-691, § 1, eff. Jan. 1, 1988; P.A. 85-1392, § 1, eff. Jan. 1, 1989; P.A. 89-428, Art. 2, § 260, eff. Dec. 13, 1995; P.A. 89-462, Art. 2, § 260, eff. May 29, 1996; P.A. 90-396, § 5, eff. Jan. 1, 1998; P.A. 90-735, § 5, eff. Aug. 11, 1998; P.A. 91-404, § 5, eff. Jan. 1, 2000; P.A. 92-434, § 5, eff. Jan. 1, 2002; P.A. 92-502, § 10, eff. Dec. 19, 2001.

Formerly Ill.Rev.Stat.1991, ch. 38, ¶ 12-14.

For saving clause, construction and application of P.A. 83-1067, see note following 720 ILCS 5/12-12.

P.A. 89-428 was held by the Illinois Supreme Court to be in violation of the single subject requirement of subsection (d) of Section 8 of Article IV of the Illinois Constitution in the case of Johnson v. Edgar, 1997, 176 Ill.2d 499, 680 N.E.2d 1372, 224 Ill.Dec. 1. Public Act 89-462 reenacted the amendment of this text by P.A. 89-428.

P.A. 92-502 incorporated the amendment by P.A. 92-434.

5/12-14.1. Predatory criminal sexual assault of a child

§ 12-14.1. Predatory criminal sexual assault of a child.

(a) The accused commits predatory criminal sexual assault of a child if:

(1) the accused was 17 years of age or over and commits an act of sexual penetration with a victim who was under 13 years of age when the act was committed; or

(1.1) the accused was 17 years of age or over and, while armed with a firearm, commits an act of sexual penetration with a victim who was under 13 years of age when the act was committed; or

(1.2) the accused was 17 years of age or over and commits an act of sexual penetration with a victim who was under 13 years of age when the act was committed and, during the commission of the offense, the accused personally discharged a firearm; or

(2) the accused was 17 years of age or over and commits an act of sexual penetration with a victim who was under 13 years of age when the act was committed and the accused caused great bodily harm to the victim that:

(A) resulted in permanent disability; or

(B) was life threatening; or

(3) the accused was 17 years of age or over and commits an act of sexual penetration with a victim who was under 13 years of age when the act was committed and the accused delivered (by injection, inhalation, ingestion, transfer of possession, or any other means) to the victim without his or her consent, or by threat or deception, and for other than medical purposes, any controlled substance.

(b) Sentence.

(1) A person convicted of a violation of subsection (a)(1) commits a Class X felony. A person convicted of a violation of subsection (a)(1.1) commits a Class X felony for which 15 years shall be added to the term of imprisonment imposed by the court. A person convicted of a violation of subsection (a)(1.2) commits a Class X felony for which 20 years shall be added to the term of imprisonment imposed by the court. A person convicted of a violation of subsection (a)(2) commits a Class X felony for which the person shall be sentenced to a term of imprisonment of not less than 50 years or up to a term of natural life imprisonment.

(1.1) A person convicted of a violation of subsection (a)(3) commits a Class X felony for which the person shall be sentenced to a term of imprisonment of not less than 50 years and not more than 60 years.

(1.2) A person convicted of predatory criminal sexual assault of a child committed against 2 or more persons regardless of whether the offenses occurred as the result of the same act or of several related or unrelated acts shall be sentenced to a term of natural life imprisonment.

(2) A person who is convicted of a second or subsequent offense of predatory criminal sexual assault of a child, or who is convicted of the offense of predatory criminal sexual assault of a child after having previously been convicted of the offense of criminal sexual assault or the offense of aggravated criminal sexual assault, or who is convicted of the offense of predatory criminal sexual assault of a child after having previously been convicted under the laws of this State or any other state of an offense that is substantially equivalent to the offense of predatory criminal sexual assault of a child, the offense of aggravated criminal sexual assault or the offense of criminal sexual assault, shall be sentenced to a term of natural life imprisonment. The commission of the second or subsequent offense is re-

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AOC 015817

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Laws 1961, p. 1983, § 12-14.1, added by P.A. 89-428, Art. 2, § 260, eff. Dec. 13, 1995; P.A. 89-462, Art. 2, § 260, eff. May 29, 1996. Amended by P.A. 90-396, § 5, eff. Jan. 1, 1998; P.A. 90-735, § 5, eff. Aug. 11, 1998; P.A. 91-238, § 5, eff. Jan. 1, 2000; P.A. 91-404, § 5, eff. Jan. 1, 2000; P.A. 92-16, § 88, eff. June 28, 2001.

P.A. 89-428 was held by the Illinois Supreme Court to be in violation of the single subject requirement of subsection (d) of Section 8 of Article IV of the Illinois Constitution in the case of Johnson v. Edgar, 1997, 176 Ill.2d 499, 680 N.E.2d 1372, 224 Ill.Dec. 1. Public Act 89-462 reenacted the addition of this text by P.A. 89-428.

5/12-15. Criminal sexual abuse

§ 12-15. Criminal sexual abuse.

(a) The accused commits criminal sexual abuse if he or she:

(1) commits an act of sexual conduct by the use of force or threat of force; or

(2) commits an act of sexual conduct and the accused knew that the victim was unable to understand the nature of the act or was unable to give knowing consent.

(b) The accused commits criminal sexual abuse if the accused was under 17 years of age and commits an act of sexual penetration or sexual conduct with a victim who was at least 9 years of age but under 17 years of age when the act was committed.

(c) The accused commits criminal sexual abuse if he or she commits an act of sexual penetration or sexual conduct with a victim who was at least 13 years of age but under 17 years of age and the accused was less than 5 years older than the victim.

(d) Sentence. Criminal sexual abuse for a violation of subsection (b) or (c) of this Section is a Class A misdemeanor. Criminal sexual abuse for a violation of paragraph (1) or (2) of subsection (a) of this Section is a Class 4 felony. A second or subsequent conviction for a violation of subsection (a) of this Section is a Class 2 felony. For purposes of this Section it is a second or subsequent conviction if the accused has at any time been convicted under this Section or under any similar statute of this State or any other state for any offense involving sexual abuse or sexual assault that is substantially equivalent to or more serious than the sexual abuse prohibited under this Section.

Laws 1961, p. 1983, § 12-15, added by P.A. 83-1067, § 1, eff. July 1, 1984. Amended by P.A. 83-1117, § 1, eff. July 1, 1984; P.A. 85-651, § 1, eff. Jan. 1, 1988; P.A. 91-389, § 5, eff. Jan. 1, 2000.

Formerly Ill.Rev.Stat.1991, ch. 38, ¶ 12-15.

For saving clause, construction and application of P.A. 83-1067, see note following 720 ILCS 5/12-12.

5/12-16. Aggravated Criminal Sexual Abuse

§ 12-16. Aggravated Criminal Sexual Abuse.

(a) The accused commits aggravated criminal sexual abuse if he or she commits criminal sexual abuse as defined in subsection (a) of Section 12-15 of this Code and any of the following aggravating circumstances existed during, or for the purposes of paragraph (7) of this subsection (a) as part of the same course of conduct as, the commission of the offense:

(1) the accused displayed, threatened to use or used a dangerous weapon or any object fashioned or utilized in such a manner as to lead the victim under the circumstances reasonably to believe it to be a dangerous weapon; or

(2) the accused caused bodily harm to the victim; or

(3) the victim was 60 years of age or over when the offense was committed; or

(4) the victim was a physically handicapped person; or

(5) the accused acted in such a manner as to threaten or endanger the life of the victim or any other person; or

(6) the criminal sexual abuse was perpetrated during the course of the commission or attempted commission of any other felony by the accused; or

(7) the accused delivered (by injection, inhalation, ingestion, transfer of possession, or any other means) to the victim without his or her consent, or by threat or deception, and for other than medical purposes, any controlled substance.

(b) The accused commits aggravated criminal sexual abuse if he or she commits an act of sexual conduct with a victim who was under 18 years of age when the act was committed and the accused was a family member.

(c) The accused commits aggravated criminal sexual abuse if:

(1) the accused was 17 years of age or over and (i) commits an act of sexual conduct with a victim who was under 13 years of age when the act was committed; or (ii) commits an act of sexual conduct with a victim who was at least 13 years of age but under 17 years of age when the act was committed and the accused used force or threat of force to commit the act; or

(2) the accused was under 17 years of age and (i) commits an act of sexual conduct with a victim who was under 9 years of age when the act was committed; or (ii) commits an act of sexual conduct with a victim who was at least 9 years of age but under 17 years of age when the act was committed and the accused used force or threat of force to commit the act.

(d) The accused commits aggravated criminal sexual abuse if he or she commits an act of sexual penetration or sexual conduct with a victim who was at least 13 years of age but under 17 years of age and the accused was at least 5 years older than the victim.

(e) The accused commits aggravated criminal sexual abuse if he or she commits an act of sexual conduct with a victim who was a severely or profoundly mentally retarded person at the time the act was committed.

(f) The accused commits aggravated criminal sexual abuse if he or she commits an act of sexual conduct with a victim who was at least 13 years of age but under 18 years of age when the act was committed and the accused was 17 years of age or over and held a position of trust, authority or supervision in relation to the victim.

(g) Sentence. Aggravated criminal sexual abuse is a Class 2 felony.

Laws 1961, p. 1983, § 12-16, added by P.A. 83-1067, § 1, eff. July 1, 1984. Amended by P.A. 83-1117, § 1, eff. July 1, 1984; P.A. 85-651, § 1, eff. Jan. 1, 1988; P.A. 85-691, § 1, eff. Jan. 1, 1988; P.A. 85-1030, § 2, eff. July 1, 1988; P.A. 85-1209, Art. II, § 2-23, eff. Aug. 30, 1988; P.A. 85-1392, § 1, eff. Jan. 1, 1989; P.A. 85-1440, Art. II, § 2-9, eff. Feb. 1, 1989; P.A. 88-99, § 5, eff. July 20, 1993; P.A. 89-586, § 5, eff. Jan. 1, 1997; P.A. 90-735, § 5, eff. Aug. 11, 1998; P.A. 92-434, § 5, eff. Jan. 1, 2002.

Formerly Ill.Rev.Stat.1991, ch. 38, ¶ 12-16.

AOC 015818

MEMORANDUM

TO: **Bishop Goedert**

FROM: **Father Kealy**

RE: **The Role of the Review Board in My Case**

DATE: **June 23, 2002**

Pursuant to our discussion this evening, I am sending at your request this memo as to my understanding of the role of the Review Board in my case.

On June 30, 2001 the Review Board met to consider the allegation made against me. As I understand the allegation (I have never received a copy of it), the accuser stated that I was drinking and smoking marijuana with him and two other 16 years in the rectory at St. Germaine in 1977. He said the other two left and he remained. He said [redacted] that I grabbed his crotch over the clothes. [redacted] He then got up and left. I admitted to drinking and smoking marijuana, but I had no recollection of "goosing" him and felt sure that his recollection was faulty.

I was given a copy of the Review Board's finding from the First Stage Review. The report said: "Based on the information presented, the Review Board determined (6-0) that there was not reasonable cause to suspect sexual misconduct with a minor. They did determine that there was inappropriate behavior in having minors drinking alcohol and smoking marijuana in the rectory. The members of the Review Board further determined that minors are not presently at risk in Fr. Kealy's ministry. The Board recommended that Kathleen Leggdas and Father Jim Kaczorowski, Vicar for Priests, should discuss with Fr. Kealy the boundary issues involved in the inappropriate behavior."

In March of this year, the accuser contacted the Archdiocese again, stating that he remembered that in 1977 he had told a classmate ([redacted] what had happened. At the request of the accuser, [redacted] contacted Father Kaczorowski and confirmed that in 1977 he had been told this. I was asked to come in to meet with Father Kaczorowski on Monday, March 25, 2002. I was told that the accuser had hired an attorney and was threatening a lawsuit if I did not apologize to him for the incident. He said that he was not seeking any money; that he just wanted an apology. I told Father Kaczorowski that I still did not remember "goosing" the person, but that if he had told his classmate about it "it must have happened." I met that morning with Cardinal George and told him the same thing. I never considered the act in question to be sexual in nature. Rather it was in the nature of inappropriate "horsing around." In order to avoid the possibility of a law suit and to bring healing, I agreed to meet with my accuser and apologize and that happened

the next day. The meeting went very well, but at that meeting he stated that he also wanted me out of parish ministry. I believe that it was the next day that Father Kaczorowski informed me that [redacted] wanted me to resign from the parish. I did so for the good of the parish and because in the environment of media hysteria I didn't think that I could function as pastor with this hanging over my head. In my mind (and in the civil law) what was alleged was not sexual abuse.

I believe that it was at the end of April that I asked Kathleen Leggdas if I could have a copy of the finding of the Review Board in my case. She told me that the Review Board had never reconsidered my case, that it was handled between the accuser's lawyers and the diocesan lawyers and the Review Board was not involved. To this day, that is still my understanding of what happened.

By the way, I would like to receive a written copy of the allegation made against me.

ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611

Post Office Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

June 25, 2002

Rev. Robert Kealy
Cardinal Stritch Retreat House
Koenig Hall
P.O. Box 455
Mundelein, IL 60060-0455

Dear Father Kealy,

It has come to my attention that you may not have received a letter with the official findings of the Professional Fitness Review Board spelled out.

The Review Board met in March and considered all oral and written reports in the matter. The Board found reasonable cause to suspect that you did engage in sexual misconduct with a minor. The recommendation that you live in a supervised setting with an individual protocol was made to Archbishop George and he accepted that recommendation.

If you have questions regarding the determination or the recommendations, please contact me at your convenience.

Sincerely,

Kathleen Leggdas

Kathleen Leggdas
Professional Fitness Review Administrator

Cc: Rev. Thomas J. Paprocki, Cardinal's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests

E. [redacted]

F. [redacted]

G. Vicar for Priests Agenda:

I Priests:

a) [redacted]
b)
c)
d)
e)
f) Robert Kealy '72
g) [redacted]
h)
i)

Page 428

F. [redacted]

G. Vicar for Priests Agenda:

I Priests:

a) [redacted]

b)

c)

d)

e)

f) Robert Kealy '72: Bob is in the monitoring program.

AOC 015823

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Rev. Robert L. Kealy
P.O. Box 455
Mundelein, IL 60060
(847) - 566-7372

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July 1, 2002

Mr. John O'Malley
Office of Legal Services
Archdiocese of Chicago
P.O. Box 1979
Chicago, Illinois 60690

Dear John:

I am being represented by Thomas M. Breen of 53 W. Washington St., Suite 1460, Chicago, IL 60604 (Tel [redacted]). I would like to have him review whatever Archdiocesan files might be pertinent to my case. I don't know whether they have been consolidated or whether separate files would be contained at your office, the Office of Professional Fitness Review and the Office of the Vicar for Priests.

Tom Breen will be getting in touch with you. I appreciate your assistance in providing him with an opportunity to do this review.

Thanks very much.

Sincerely yours,

Reverend Robert L. Kealy

cc: Kathleen Leggdas, Office of Professional Fitness Review
Most Reverend Raymond E. Goedert, Vicar General
Reverend James Kaczorowki, Vicar for Priests Office
Thomas M. Breen

Kay,

[redacted]

Thanks. Bob

Rev. Robert L. Kealy
P.O. Box 455
Mundelein, IL 60060

July 1, 2002

Ms. Kathleen M. Leggdas
Administrator
Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, IL 60611

Dear Kathleen:

Thank you very much for your letter of June 25, 2002 reporting on the meeting of the Professional Fitness Review Board "in March" regarding the accusation against me.

I noticed that the format of the letter which you sent me was different than the one I received reporting on the meeting of the review board on June 30, 2001. That report had the date of the meeting, a list of the members of the review board who were present, and the vote of the board. In view of the gravity of this matter, I would be grateful if you would send me a letter containing that additional information for the meeting of the review board in March, 2002.

Thank you very much for your assistance.

Sincerely yours,

Robert L. Kealy

Reverend Robert L. Kealy

Rev. Robert L. Kealy
P.O. Box 455
Mundelein, IL 60060
(847) - 566-7372

COPY

July 8, 2002

Mr. John O'Malley
Office of Legal Services
Archdiocese of Chicago
P.O. Box 1979
Chicago, Illinois 60690

Dear John:

In my letter to you of July 1st I gave you the wrong address for Tom Breen. It is 53 W. **Jackson** Blvd., Suite 1460, Chicago, IL 60604. His phone number is [redacted].

Thank you very much.

With cordial good wishes, I remain

Sincerely yours,

Reverend Robert L. Kealy

cc: Kathleen Leggdas, Office of Professional Fitness Review
Most Reverend Raymond E. Goedert, Vicar General
Reverend James Kaczorowki, Vicar for Priests Office
Thomas M. Breen

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Rev. Robert L. Kealy
P.O. Box 455
Mundelein, IL 60060

July 30, 2002

Rev. James Kaczorowski
Vicar for Priests
645 N. Michigan Ave., Suite 543
Chicago, IL 60611

Dear Kaz:

Here is the information on my trip to Lake Geneva with Chris Gustafson. We are leaving here Sunday afternoon, August 11 and returning here on Thursday afternoon, August 15. We will be staying at the home of a friend, [redacted], who is letting us use his place. The phone number there is [redacted]. Also I will have my cell phone, which is [redacted]

Since the retreat house will be closed August 12-21 and since you said it would be ok to visit my brother [redacted] in Califonia, I have made reservations to go there from August 16-21. The plane reservation info is enclosed. My brother [redacted]'s phone number in [redacted] California is [redacted]. Obviously, he is familiar with my situation.

Thanks very much, Kaz. I appreciate your kindness and support. You and Tom are in my daily prayers.

Fraternally,

Bob

P.S. Kaz, do I need to give all this information to Lana at the OPFR?

Am I correct that I don't need to call in each day during this period?

TRANS WORLD TRAVEL
734 CENTRAL AVE
HIGHLAND PARK IL [redacted]

CLIENT: KEALY/ROBERT

INVOICE: 76857 PAGE:01

16 AUG FR	UNITED	FLIGHT: 671	CLASS: T	14C
	CHICAGO/OHARE	DEPART: 1030A		
	SAN FRANCISCO	ARRIVE: 1255P		
21 AUG WE	UNITED	FLIGHT: 134	CLASS: T	13C
	SAN FRANCISCO	DEPART: 1200N		
	CHICAGO/OHARE	ARRIVE: 608P		

TICKET: 0167223448441
FARE: USD198.00

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ARCHDIOCESE OF CHICAGO
PAYROLL AUTHORIZATION/CHANGE FORM/PAYROLL SET UP

DATED 8/21/02

ARCHDIOCESE PRIESTS

Kealey, Robert [redacted] 200801
Last Name, First, Middle Initial — Social Security Number — Employee Number

Active F/T_____ Active P/T_____ Active P/T Benefits _____ Position _____

Ordination Date 1992 Transfer to P.C. _____ DateTransfer from Agency/Parish/School#_____

Dept. Name Personnel Services No. 10350 Agency Interim Salaries No. 10359

Pay through payroll **Effective Date:** _____

Regular Salary (Compensation Book)	$ 19,215		
Other: Type		**Non-Payroll Compensation Type**	
_____	$_____	_____	$_____
_____	$_____	_____	$_____
_____	$_____	_____	$_____
_____	$_____	_____	$_____
Total through Payroll	$_____	**Total Non-Payroll**	$_____

Comments _____

Birth Date_____ EEOC: OM____ PR____ OC____ SW____ SL____ ADM____ Other____ Veteran____

Home Phone_____ Work Phone_____ Handicap: Yes_____ No_____

Mailing Address _____

_____
Street, City, State, Zip Code

Dental Insurance: Yes___ No___ Name of Dental Plan_____

Payroll Direct Deposit: Yes___ No___ Forms attached: Yes___ No___ Federal/State Taxes: Yes___ No___ Forms attached: Yes___ No___

AUG -8 2002

Defined Contribution Plan (AETNA) Yes____ No____ Amount per year $_____

TRANSFERS – EFFECTIVE DATE August 16, 2002

Transfer From 10169 To 10359
Name Parish #, School #, or Agency # — Personnel Services – Interim Salary #

Transfer From _____ To _____
Personnel Services – Interim Salary # — Name Parish #, School #, or Agency #

Transfer From _____ To _____
Location — Location

Termination/Resignation/Date_____ Reason_____

_____ _____ _____
Agency Director/Date — Department Director/Date — Director, Human Resources/Date

_____ Carol Fowler 8/7/02
Chancellor/Date — Director, Personnel Services/Date

Original: Payroll — Yellow: Human Resources — Pink: Agency — Gold: Benefits

Created: July, 2000

ARCHDIOCESE OF CHICAGO

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Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611

Post Office Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

August 27, 2002

[redacted]

Dear [redacted]

Our records indicate that you were not notified of the Review Board's findings from the First Stage Review conducted on June 30, 2001 pursuant to Article §1104.8 of the Review Process For Continuation of Ministry.

In the matter of Rev. Robert Kealy, Archbishop George accepted the Board's determination that there was not reasonable cause to suspect sexual misconduct with a minor occurred but it was determined that there was inappropriate behavior in having minors drinking alcohol, smoking marijuana in the rectory and joining them in these activities.

The Board recommended that the Professional Fitness Review Administrator and Father James Kaczorowski, Vicar for Priests, meet with Father Kealy and discuss the boundary issues involved in the inappropriate behavior.

Please know that the Office of Assistance Ministry (312.751.8267) continues to be available to you.

Sincerely,

Leah McCluskey
Interim, Professional Fitness Review Administrator

Cc: Rev. Thomas J. Paprocki, Cardinal's Delegate to the Review Board
Victim Assistance Ministry
John O'Malley, Legal Services

Sent to Patt V. 10-8-02

Rev. Robert L. Kealy
P.O. Box 455
Mundelein, IL 60060

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August 31, 2002

Reverend James Kaczorowski
Vicar for Priests
645 N. Michigan, Suite 543
Chicago, IL 60611

Dear Kaz:

I am writing to try to ask you to get my pay corrected. As you know, there is a new system whereby we are to receive a computer-generated check every two weeks. When we received our first check under this new system, however, the notation read that it was for the period ending August 31. We never got paid for August 1 -17.

One of the guys called downtown and was told that the checks that we were getting around the fifteenth of the month from the Office of Professional Fitness Review were for the month ahead and so we had been paid by the OPFR through the fifteenth of August. That is not correct and could be verified by talking with Laura in the OPFR who prepared the checks.

My last check from my parish was on April 1st for the month of March. Then I received monthly checks from the OPFR on: April 15, May 17, June 20, and July 23. Laura had old me that she prepared the checks for each month around the 15th instead of waiting until the end of the month.

According to the Archdiocesan scale for an associate pastor ordained 30 years, my annual salary should be $21,350. With the 10% deduction exacted by the Archdiocese, the net was $1,601 per month, which is what I was getting as monthly gross (I have $125 per month taken out for my ING retirement plan, so my net is $1476). The gross pay I received for August 31st was for $739.04 (my ING retirement deduction brought the net to $614.04). This would be the correct amount for a two week period.

The bottom line of this is that my pay was short $861.96 ($1601 minus $739.04) for the month of August..

Kaz, I would appreciate it if you could get this straightened out. Thanks very much.

Fraternally yours in Christ,

Reverend Robert L. Kealy

[redacted]

Rev. Robert L. Kealy
P.O. Box 455
Mundelein, IL 60060

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September 8, 2002

Dear Kaz,

Some time ago, you gave me approval to go on vacation with Chris Gustafson to Hawaii from October 20-31. As it turns out, we have changed our plans. Instead, we will be going to Ft. Lauderdale, Florida from October 20-28. We will be staying at the home of [redacted]. Their phone number is [redacted].

Also, my sister has invited me to join her family for Thanksgiving at her son's home in Maine. I would be flying to Portland, Maine on Wednesday, November 27, where I will meet my sister and brother-in-law and drive together to my nephew's house. I would be returning on Saturday, November 30.

I would also like to spend Christmas at my brother [redacted]'s in [redacted] California. I would fly to Oakland on December 24 and return on December 30.

Thanks for your support and prayers, Kaz.

Fraternally in Christ,

Bob

FR-83

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ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611

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Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

September 10, 2002

[redacted]

Dear [redacted]

On August 27, 2002 a letter was sent informing you of the Review Board's findings from the First Stage Review conducted on June 30, 2001 in the matter of Rev. Robert Kealy. This information is outdated. We apologize for our error. The corrected information follows below:

The Review Board conducted a Supplemental Review on March 25, 2002. The Board determined that there is reasonable cause to suspect sexual misconduct with a minor occurred. Father Kealy has been removed from ministry and has been placed on restricted monitoring.

[redacted] I invite your call in the event that you wish further clarification or have any questions of me. You may reach me at 312.751.5206.

Sincerely,

Leah McCluskey
Interim, Professional Fitness Review Administrator

Cc: Rev. Thomas J. Paprocki, Cardinal's Delegate to the Review Board
Victim Assistance Ministry
John O'Malley, Legal Services

ARCHDIOCESE OF CHICAGO

Department of Personnel Services
Human Resources Information Systems Manager

Post Office Box 1979
Chicago, Illinois 60690-1979

(312) 751-5338
Fax: (312) 751-9806

MEMO

To: Linda Burns
Sr. Mary Ann Zrust

From: Sr. Jo Anne Murphy
Date: September 11, 2002
Re: Request for new Status Code for Diocesan Priests
CC: Carol Fowler, Fred van den Hende

Carol Fowler and I reviewed your request in light of the codes currently in the Lawson system. We have decided to CHANGE the status code to NS, effective July 1, 2002, for the following diocesan priests: Revs. Daniel Buck, John Calicott, Robert Kealy, John Keehan, Donald Musloff, James Ray, [redacted] and [redacted]

These are the factors involved in the decision at this time. If any of these changes, contact Carol or myself to reevaluate the situation at that time.

1. None of these men are actively pursuing leaving the Archdiocese therefore we cannot use any of the Leave terminology. None of them is canonically suspended, so we cannot use the Suspension terminology.

2. All of them will be paid through the Pastoral Center Interim Salaries account. Their benefits will not change. So, there are no distinctions in handling their accounts from the handling of any other priests in the Interim Salaries account.

3. They are NOT to get Celebret cards. But this is ultimately a manual process handled by the Chancellor's office in conjunction with the Vicar for Priests.

4. Their names and address WILL appear in the Archdiocesan directory as long as they have not resigned from ministry. They WILL continue to receive all communications designated for Chicago diocesan priests.

5. They should NOT be tallied in parish counts. Even those that are pastors are not to be counted as parish ministers. I will check with HR and IT to make sure this is accurate.

6. Three currently have the title pastor. For these three men, their position as pastor will remain on the Lawson system until some official notice states otherwise. However, the mail for their respective parishes must go to the parish in the name of the parish administrator. This will be accommodated via the Levels system.

Your offices will be maintaining communication with these priests directly and will be aware of changes in their status with the Archdiocese. If any timely issues arise about their statuses and Lawson, we leave the decision in your hands. If I can be of further help, let me know.

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility
Office of Assistance Ministry

Post Office Box 1979
Chicago, Illinois 60690

(312) 751 - 8256/8267
(312) 751 - 8307 (Fax)

MEMORANDUM

CONFIDENTIAL

TO: Leah McCluskey
Rev. Thomas Paprocki
Review Board Members

FROM: Ralph Bonaccorsi

RE: [redacted] **[v. Robert Kealy]**

DATE: September 20, 2002

I spoke with [redacted] today. He is not satisfied with the Second Stage Review Letter wording. He believes, and wants the language to include the fact that the priest admitted to the allegation. He will appreciate a response from the *appropriate* party regarding his request.

National Catholic Reporter, September 27, 2002
This week's front page

Church in Crisis

Vatican expected to deny approval of sex abuse norms

By JOHN L. ALLEN JR.
Rome

While affirming the intent of the U.S. bishops to protect young people from sexual abuse, the Vatican will not grant legal approval to new American norms adopted in Dallas June 14. Instead, sources say that Rome will invite U.S. prelates to discuss how those rules can be harmonized with the church's universal law.

Vatican sources said that formal notice of this decision is likely to be issued in early October. The result means that, as a matter of law, the Dallas norms will not yet be binding on American dioceses. Moreover, elements that differ from the Code of Canon Law, such as the statute of limitations for sexual abuse, may not be enforceable, or could be subject to reversal should a case be appealed to a church court in Rome.

The outcome has been widely expected, given a spate of critical comments on the American approach from Vatican officials both before and after the June vote (*NCR*, May 31).

The result also reflects a growing concern from within the United States, especially among canon lawyers worried that the Dallas norms fail to adequately protect the due process rights of accused priests. Widely circulated critiques include those of prominent canonists such as Msgr. Thomas Green of The Catholic University of America and Fr. Robert Kealy of the Chicago archdiocese. (Full texts available at **www.nat**

cath.org/ncr_onli.htm)

The Dallas norms are expected to be a main topic of conversation at the Canon Law Society of America meeting in Cincinnati Oct. 7-10, roughly the same time that the Vatican announcement is expected.

Observers say the concerns raised by the American canonists are largely those shared in the Vatican.

In his 5,000-word critique, Green identified a number of positive features of the Dallas documents, including "a forceful commitment in principle to pastoral healing, accountability and dialogue within the Catholic community."

Green also identified several negatives, including:

- The lack of due process considerations, especially the power to impose "administrative leave" without establishing that the normal criteria for such a provision have been met (which include preventing scandal, protecting witnesses and safeguarding the course of justice), as well as allowing the accused the possibility of response or recourse.

AOC 015836

- An overly broad definition of "sexual abuse" that can encompass a whole range of physical and non-physical acts.
- The fact that the penalty for sexual abuse (permanent removal from ministry) is the same no matter what the "abuse" may be, which Green argues is "contrary to our traditional penal emphasis on proportionality."
- Disregard of the statute of limitations (known as "prescription" in canon law), leading to removal from ministry for offenses that may have occurred 20 or 30 years in the past. Canon law presently specifies that the clock runs out for offenses committed before Nov. 27, 1983, after five years from the date of the offense; for offenses committed on or after Nov. 27, 1983, and prior to April 25, 1994, five years after the victim has completed the 18th year; and for offenses committed on or after April 25, 1994, 10 years after the victim has completed the 18th year.
- A near-exclusive focus on priests, with no attention to the accountability of bishops, either for abuse they may have committed, or for failing to respond adequately to abuse carried out by priests under their supervision.

"These are not minor points, but serious issues that need much more reflection," Green told *NCR*.

Kealy touches some of the same points, and in addition raises questions about the review boards called for by the norms, as well as confidentiality. Some canonists grumble that American bishops are making public announcements when they suspend priests with little regard for what canon law defines as their right to protect their "good name."

An analysis of the Dallas norms prepared by the Canon Law Society of America in August raises another dimension of the confidentiality issue, which is to what extent bishops ought to share privileged communications with their priests with civil authorities.

Though the Dallas norms seem to envision the full cooperation of bishops, the Canon Law Society analysis calls for caution: "For the bishop to release to the public authorities statements made to him by a priest would make the bishop, effectively, an agent of the civil prosecutor."

Vatican jurisprudence has long emphasized the due process rights of the accused in canonical procedures, leading some bishops to complain of being hamstrung. An illustration came with a recent ruling by a Vatican court to reinstate an Australian priest, Fr. James Barry Whelan, who had been suspended in 1996 by Archbishop George Pell, then of Melbourne, following accusations of sexual abuse. Whelan appealed to Rome and won. Ironically, his reinstatement came at roughly the same time that new allegations against him surfaced.

Analysts have warned of negative public reaction should the Vatican not approve the American norms, and sources in Rome say the Vatican document has been thoroughly vetted to seem positive and sympathetic.

At the same time, some in Rome, and in the United States, believe that American public opinion has shifted away from a rigid "get tough" approach.

"There's less rage right now," Marist Fr. Ted Keating, executive director of the Conference of Major Superiors of Men, told *NCR*.

"As people realized that there are men back in ministry for 20 or more years who are dynamite pastors, where the local community knew their background, who now have been removed, there has been a counter-reaction," Keating said.

AOC 015837

The Conference of Major Superiors of Men, an umbrella group for men's religious orders, adopted a statement Aug. 10 that calls for honoring the Dallas norms by removing abusers from ministry, but at the same time not necessarily to eject them from religious life.

Several canonists contacted by *NCR* argued that the Vatican reaction has some merit.

"The only thing that mattered in Dallas is public opinion," one prominent canon lawyer said. "Due process, the presumption of innocence, the right to a defense, the right not to be tried by new penal laws or after the statute of limitations has expired, the right to face one's accuser or even know his identity -- many of these rights are ignored by bishops when it comes to their own priests."

John L. Allen Jr. is NCR *Rome correspondent. His e-mail address is* **jallen@natcath.org.**

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National Catholic Reporter
115 E. Armour Blvd.
Kansas City, MO 64111

AOC 015838

NATIONAL CATHOLIC REPORTER, 115 EAST ARMOUR BOULEVARD, KANSAS CITY, MO 64111, E-MAIL: NCR_EDITOR@NATCATH.ORG

Now it's Rome's turn on sex abuse charter

Many touted the U.S. bishops' June meeting in Dallas as a watershed gathering, and in many ways it was. The bishops listened to victims, apologized eloquently for their mishandling of the crisis, heard strong critiques from laypeople and agreed on a stringent policy that they hoped would put them on a new footing with the public and the Catholic community.

The zero-tolerance policy adopted in June purchased some calm from protests and media criticism, but increasingly Catholics are asking: At what cost? Doubts about the justice of the Dallas solution, on both substantive and procedural levels, are multiplying.

Catholics are angry that the zero-tolerance policy has deprived some congregations of priests they considered long rehabilitated and trustworthy. Meanwhile new allegations keep arising. Priests increasingly distrust their bishops and some, accused and removed with no recourse to due process, are striking back and taking their cases on appeal to Rome.

Things are about to take another turn with the news, reported this week in *NCR* (see Page 8), that the Vatican wants a dialogue before it will approve the U.S. norms. Dallas, it turns out, was one frame in a motion picture whose conclusion we do not yet know.

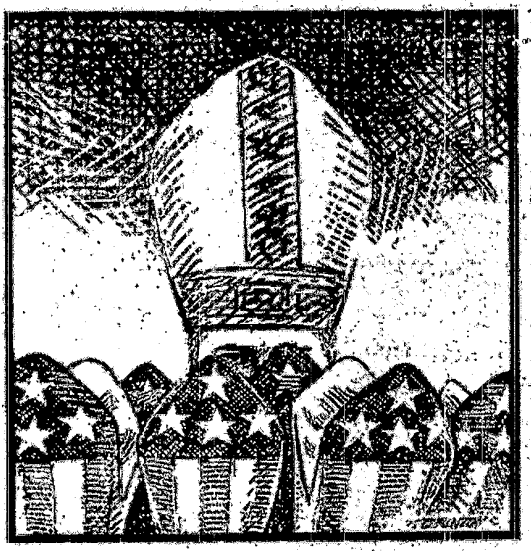
So where do we go from here?

While we have spoken at length on this page about structural reform that is essential if the church is to deal long-term with not only this crisis but with other deficiencies the crisis has made apparent, a more immediate concern is the growing number of priests being removed from ministry because of accusations. The church must be fair to them while at the same time making sure that such concern does not further undermine the efforts of victims to bring abuse to light.

The Vatican and much of the canon law community in the United States have raised issues in this regard, some of which seem justified.

For starters, the description of "sexual abuse," borrowed from the Canadian bishops and placed in the Dallas charter, is so broad it could include a number of actions or statements that might be inappropriate but hardly criminal and certainly not a basis for permanent removal from ministry. Under the standard of nonphysical "interactions," for example, a priest who recommends the novel *Lolita* to a 17-year-old high school senior could be charged with abuse. (In theory he would have to have done so for motives of sexual gratification for this to count, but who's to say?) One could argue for a "reasonable man" standard, that is, that reasonable people wouldn't apply the description in such a way, but that raises the whole matter of who defines what's reasonable.

There are cases in which one offense 30 years ago simply doesn't seem a just basis for permanently removing a man from ministry. Canon law has long stressed the principle of proportionality, meaning that the punishment imposed must fit the crime committed. Mandatory sentencing policies inevitably gloss over the complexity of individual situations, and leave no room for mercy or redemption, the very values the church is supposed to incarnate. It certainly will be much more difficult now for the Catholic church in the United States to oppose harsh policies in the secular criminal justice system such as mandatory sentencing, including "three strikes and you're out" rules, when we have brought them into our own house.



There is also concern about due process, since some priests accused under the Dallas norms have been placed on "administrative leave," in effect suspended indefinitely without the safeguards envisioned in canon law being observed. False accusations have been leveled, and one injustice cannot be corrected with another. Imposing penalties without respecting the right to a fair defense does exactly that.

Officials in Rome also have difficulty with lay boards whose duties are ill defined. *NCR* has made clear that greater lay involvement — serious involvement at the level of decision making — is essential to any solution to this crisis. At the same time, it is confusing and possibly detrimental to lay involvement to have boards appointed and operating without clear mandates. It seems no one has clearly thought through what the national review will do, short of calling on public opinion to help right the wrongs it perceives.

Rome also has expressed understandable concern over the matter of confidentiality and bishops' relationships with law-enforcement agencies. While in the past bishops have arguably been complicit in aiding and abetting criminal behavior, is it wise to go to the other extreme? Should every scrap of paper a bishop has on a priest be fair game just because someone makes an accusation, however unsubstantiated it may be? Certainly it is legitimate for the church to assert some kind of privacy for its personnel records, as other institutions in society do, turning them over, for example, only where there is a warrant (which means, at least in theory, that a charge has been determined to be credible).

It is no secret that more than a few U.S. bishops, including some who voted for the Dallas norms, are quietly hoping Rome will intervene because they feel the document, necessary to "stop the bleeding" at the time, is flawed.

Canon lawyers are almost unanimous in expressing reservations about the Dallas norms, largely because they abandon in significant ways the procedural rules laid down in the Code of Canon Law. It's true that canon law is heavily weighted in favor of the accused, and perhaps some balancing is required. But jettisoning due process or embracing mandatory penalties that leave little room for discretion or mercy is not the answer.

Finally, there is still the unresolved question of accountability for the bishops themselves. Perhaps if clearer policies are in place to deal with accused priests, we can get around to the equally pressing question of how to hold bishops accountable.

The sexual abuse crisis both revealed and aggravated the tragic estrangement between American Catholics and their leaders. One key to healing that breach is for bishops to subject themselves to the same scrutiny and the same disciplinary measures, up to and including removal from ministry, they are asking of the rest of the Catholic community. This, too, should be part of the looming dialogue with Rome. □

The gospel in retreat in Los Angeles

People are going to think there's something awfully wrong in the Los Angeles archdiocese, and they'll be right.

Cardinal Roger Mahony opened a $200 million cathedral one week, and closed down all Catholic campus ministry and half the detention ministry — and much else besides — the next week. All to meet a $4.3 million budget shortfall.

The archdiocese contends, and they can be quite correct (though they won't open the books either to lay employees or journalists), that all this is due to a catastrophic fall in income from its investment portfolio. Seniors on fixed incomes looking at 2.5 percent interest rates on CDs and boomers who thought they had their golden years all taken care of with technology stock investments know the feeling.

Certainly Mahony and his managers must be hurting having to do it, and rightly cringing at the remarks and insights of those most deeply affected (see story Page 27).

The public perception will be disastrous. The Catholic public is seriously affected in one way, the general public in another.

We are told that Catholic young people headed to a secular college in the world's largest archdiocese will find no one at the Newman Center. No Catholic ministry.

The thousands of Catholics and others detained in bleak Immigration and Naturalization Service centers, and dangerous juvenile halls and holding pens, plus those imprisoned in the region's jails, will have fewer, if any, Catholic chaplains.

What? It's true.

Family life outreach, justice and peace, interfaith and interreligious work all face cuts or elimination.

OK, so there's a financial shortfall. That's happened before, especially in cyclically economic boom-and-bust California. Where's the forward planning, where are the contingency funds? Who's running the store?

What vision of church is this?

What price the cathedral on the hill now?

One soon-to-be-lopped employee, knowing who will no longer be served and perceiving that the public carrying of the gospel is in retreat in Los Angeles, asked: "What are they doing to our church?"

What indeed. □

LAST WORDS

He then announced good news of great joy to the young cashier: 'These are my things! And I am going to be a first grader!'

—Fr. William C. Graham, Page 22

AOC 015839

To: Fr. Jim Kaczorowski — I would like to grant this request. Do you have any canonical advice? If not, please arrange & let Rob & me know. Thanks. JK

Rev. Robert L. Kealy
P.O. Box 455
Mundelein, IL 60060

cc. Jim Fgr — fyi

RECEIVED
SEP 30 2002
OFFICE OF THE ARCHBISHOP

September 28, 2002

His Eminence
Francis Cardinal George, O.M.I.
Archbishop of Chicago
P.O. Box 1979
Chicago, IL 60690

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Your Eminence:

I would like to review all of the Archdiocesan files pertaining to the accusation against me. As I understand it there are separate files in the Vicar for Priests Office, the Office of Professional Fitness Review and the Chancery. It is my understanding that the process is to write to you and that you will authorize arrangements to be made for such a review.

I ask that I be allowed to review all of these files at the Office of the Vicar for Priests. It would be exceedingly awkward and embarrassing for me to have to come to the Pastoral Center to review the files, since I know so many people there.

Thank you for making these arrangements. I look forward to seeing you next Friday at 3:00 p.m. at the Residence.

Be assured that you are remembered in my thoughts and prayers.

Sincerely yours in Christ,

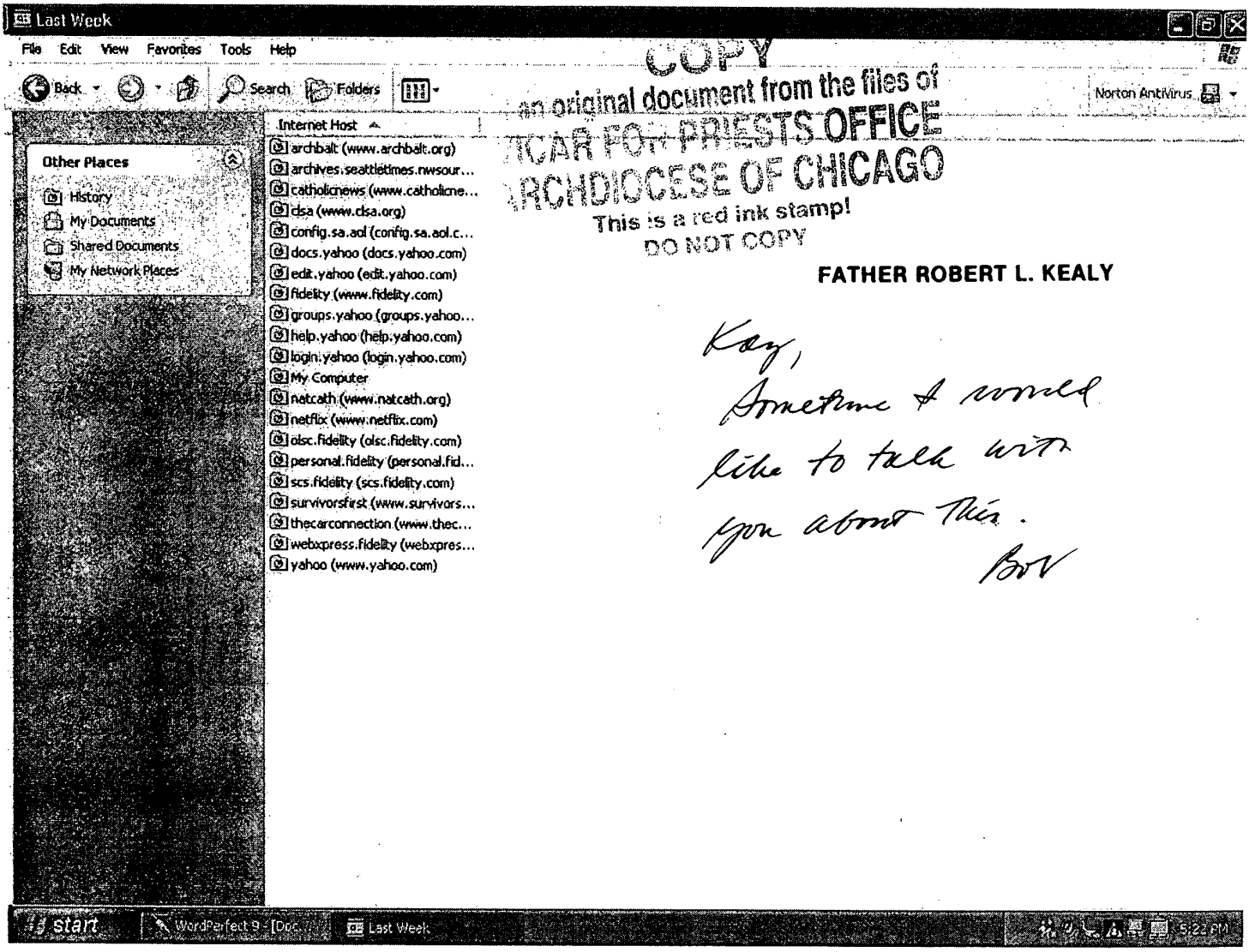
Robert L. Kealy

Reverend Robert L. Kealy

cc: Reverend James Kaczorowski

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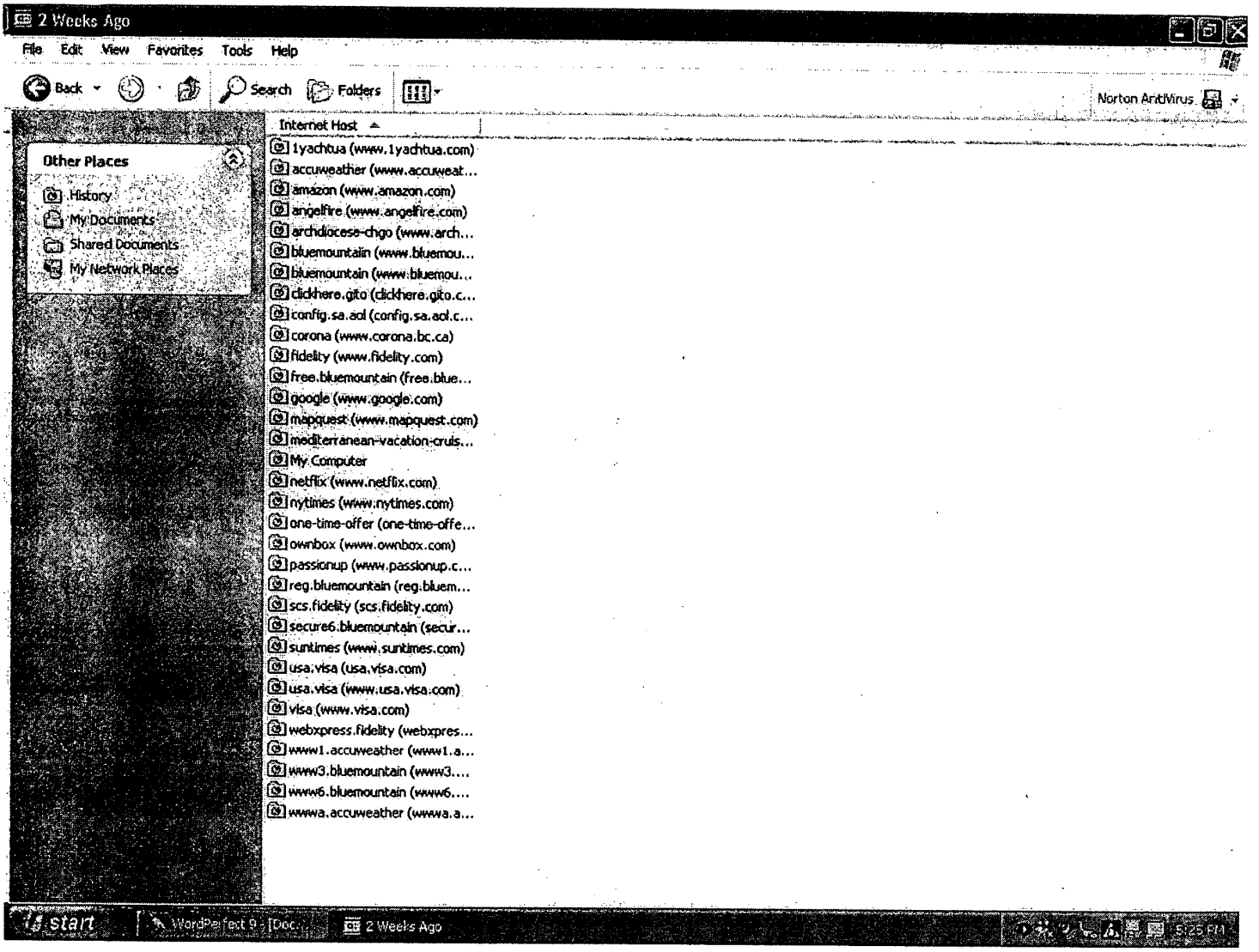
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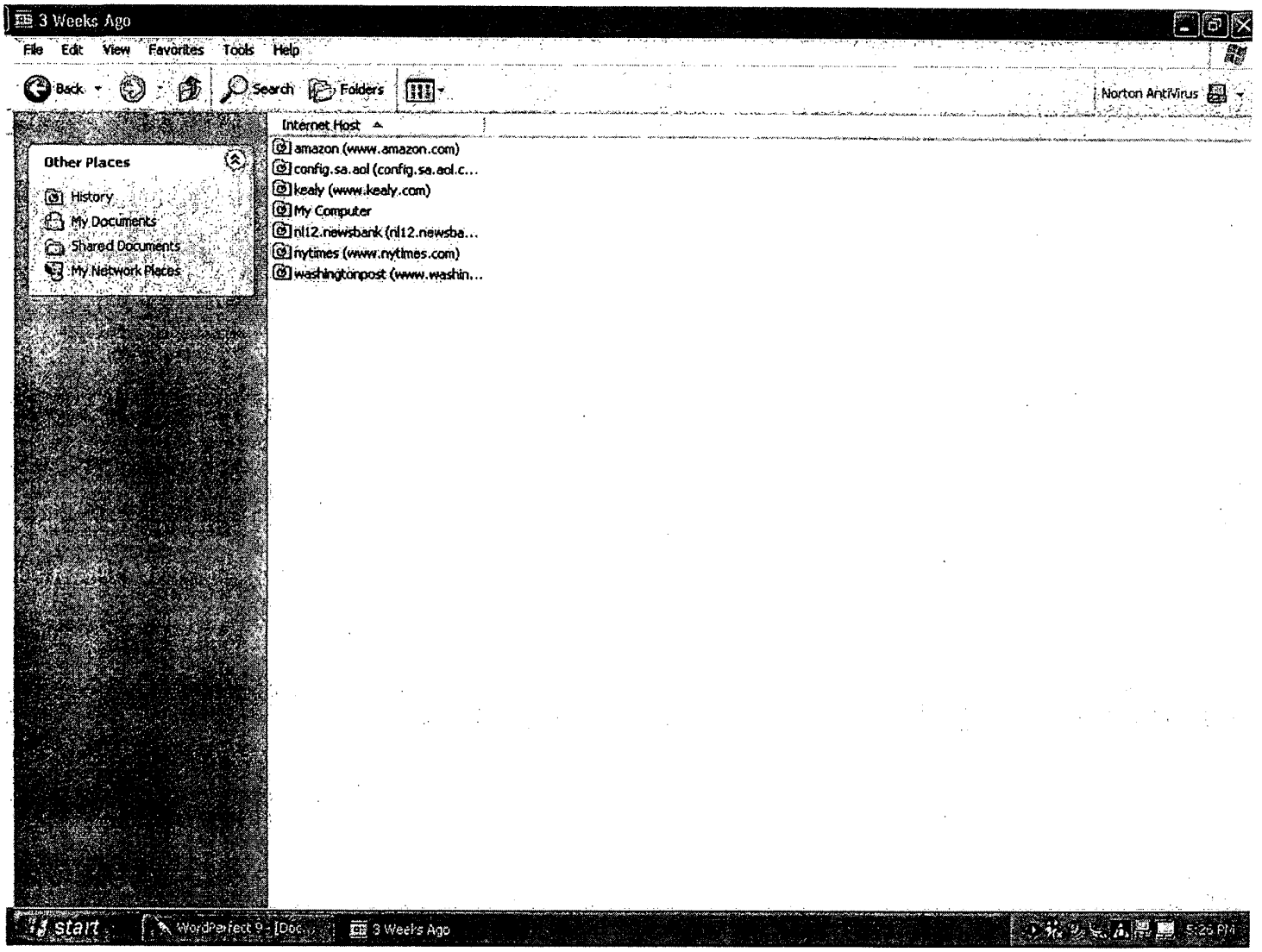


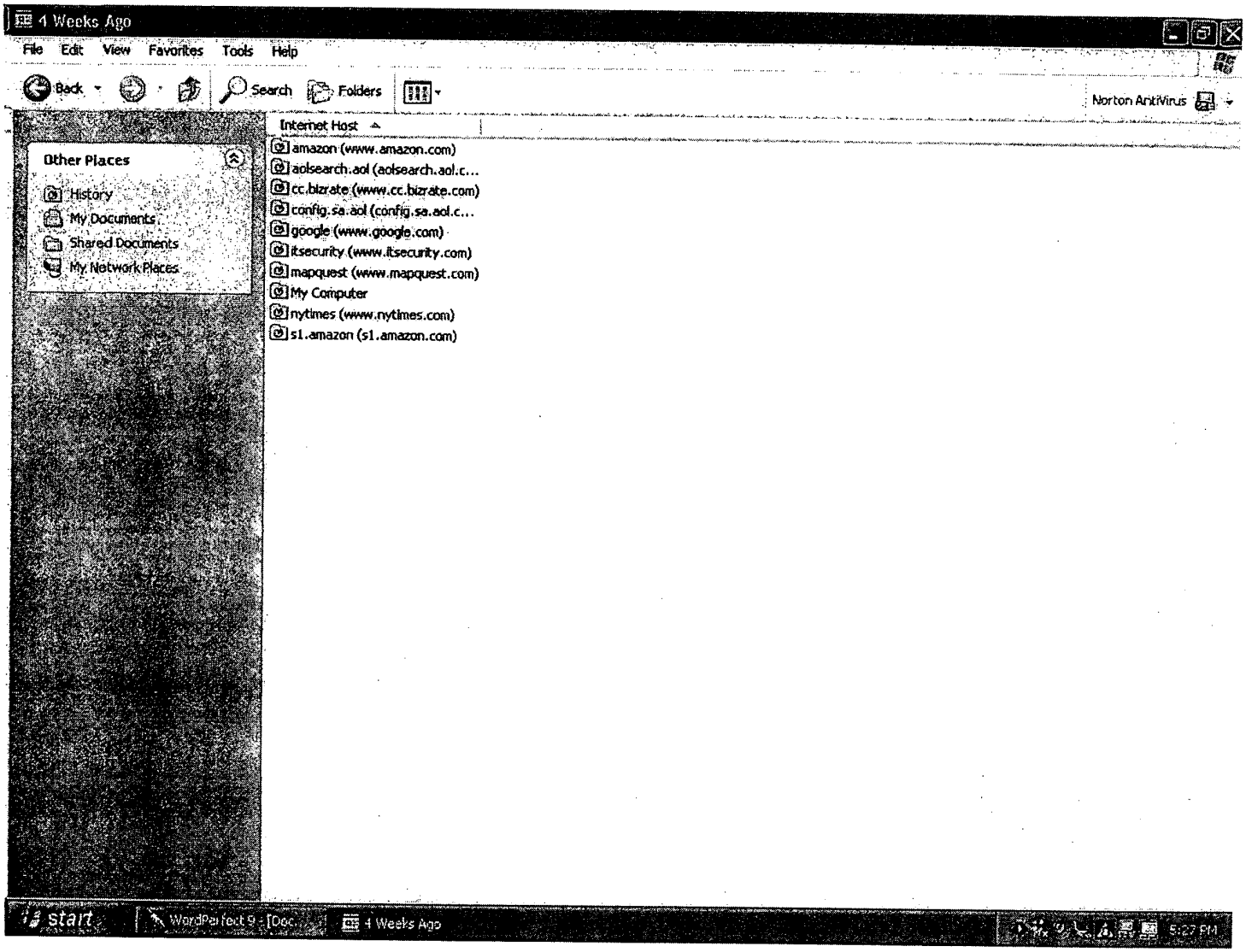
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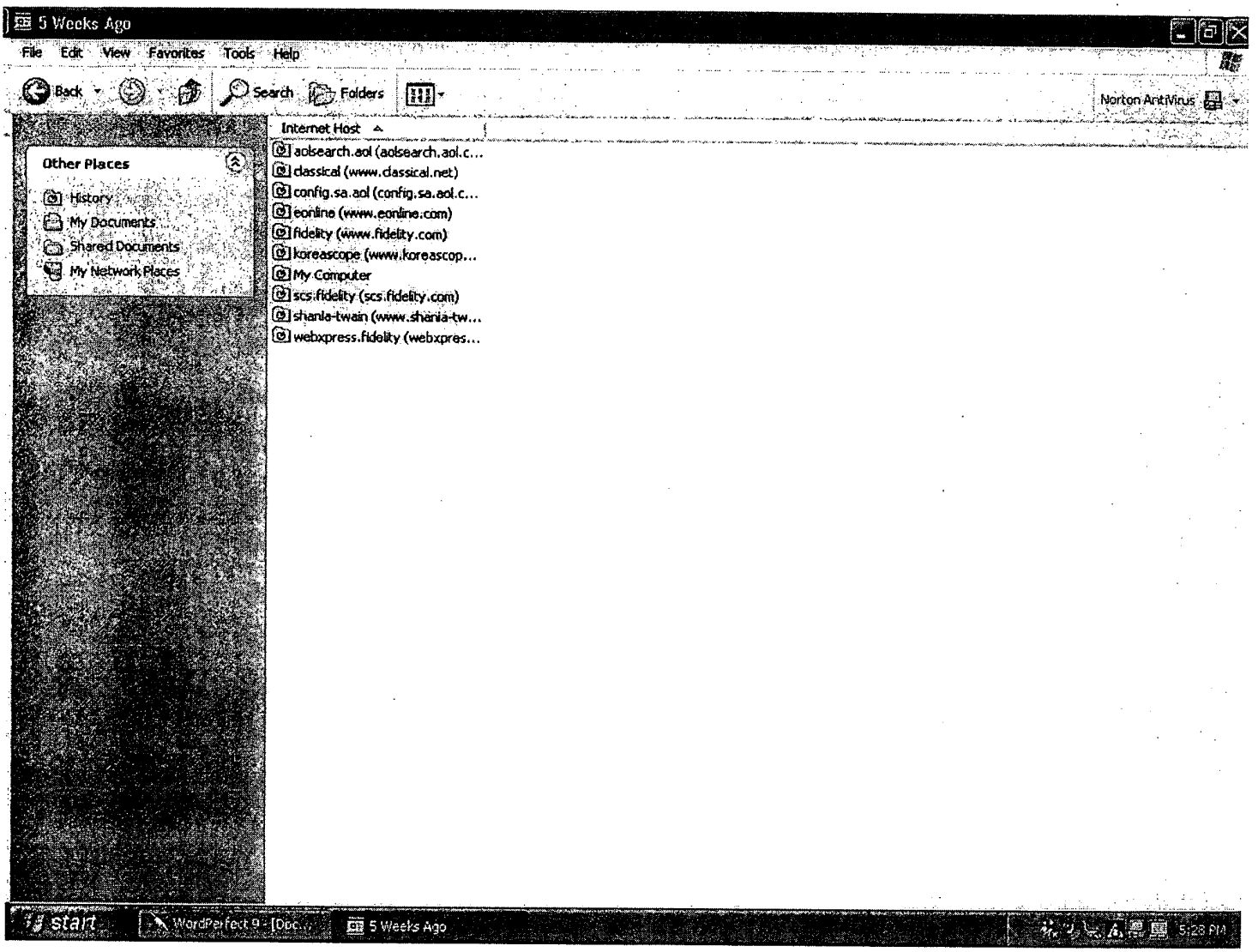
FATHER ROBERT L. KEALY

Kay,
Sometime I would like to talk with you about this.
Bob


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PFR-151
Father [redacted] / [redacted]

McCluskey, Leah

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From: McCluskey, Leah
Sent: Saturday, October 05, 2002 1:44 PM
To: [redacted]
Subject: allegation

Dear [redacted],

My name is Leah McCluskey and I am the Interim Professional Fitness Review Administrator at the Archdiocese of Chicago. Kathleen Leggdas, the Professional Fitness Review Administrator is on an extended medical leave.

It is my responsibility to receive all allegations of sexual misconduct against priests/clergy of the Archdiocese and to speak with victims to determine if they would be interested in formalizing their allegations. I then present the allegations to the accused if the whereabouts of the priest are known and if the priest is still alive. It has come to my attention that you sent an e-mail to the Archdiocese dated March 28, 2002 regarding an allegation against Rev. [redacted]. You also mentioned Rev. Kealy. I understand that this response to your e-mail has been inexcusably delayed, but I cannot express enough my desire to speak with you regarding your allegation.

If you would be interested in speaking, please contact me at (312) 751-5206 or via e-mail. I look forward to hearing from you.

Sincerely,

Leah McCluskey
Interim, Professional Fitness Review Administrator

Had to correct start date to reflect 8/1 eff date

XA/3.2

ARCHDIOCESE OF CHICAGO
PAYROLL AUTHORIZATION/CHANGE FORM/PAYROLL SET UP

Checked Word OK 12/20/02

POSTED

ARCHDIOCESE PRIESTS

Kealy, Robert — [redacted] — 200801

Last Name, First, Middle Initial | Social Security Number | Employee Number

Active F/T X Active P/T _____ Active P/T Benefits _____ Position _____

Ordination Date 1973 Transfer to P.C. _____ DateTransfer from Agency/Parish/School# _____

Dept. Name _____ No. _____ Agency _____ No. _____

Pay through payroll **Effective Date:** _____

Regular Salary (Compensation Book)	$		
Other: Type		**Non-Payroll Compensation Type**	
_____	$ _____	_____	$ _____
_____	$ _____	_____	$ _____
_____	$ _____	_____	$ _____
_____	$ _____	_____	$ _____
Total through Payroll	$ _____	**Total Non-Payroll**	$ _____

Comments _____

Birth Date _____ EEOC: OM____ PR____ OC____ SW____ SL____ ADM____ Other____ Veteran____

Home Phone _____ Work Phone _____ Handicap: Yes_____ No_____

Mailing Address _____

Street, City, State, Zip Code

Dental Insurance: Yes___ No___ Name of Dental Plan _____

Payroll Direct Deposit: Yes___ No___ Forms attached: Yes___ No___ Federal/State Taxes: Yes___ No___ Forms attached: Yes___ No___

Defined Contribution Plan (AETNA) Yes____ No____ Amount per year $ _____

OCT -9 2002

TRANSFERS – EFFECTIVE DATE August 1, 2002

Transfer From 10169 (Name Parish #, School #, or Agency #) To 10359 (Personnel Services – Interim Salary #)

Transfer From _____ (Personnel Services – Interim Salary #) To _____ (Name Parish #, School #, or Agency #)

Transfer From _____ (Location) To _____ (Location)

Termination/Resignation/Date _____ Reason _____

_____	CJ 10/9/02	_____
Agency Director/Date	Department Director/Date	Director, Human Resources/Date
_____	David Fowler 10/9/02	
Chancellor/Date	Director, Personnel Services/Date	

Original: Payroll | Yellow: Human Resources | Pink: Agency | Gold: Benefits

Created: July, 2000

AOC 015847

Rev. Robert L. Kealy
P.O. Box 455
Mundelein, IL 60060

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October 19, 2002

Dear Kaz,

I am sending this letter to your residence to make it clear that it is a personal letter and not intended for the files.

Ralph Bonaccorsi's memo to Leah McCluskey states:

> "I spoke with [redacted] today. He is not satisfied with the Second Stage Review Letter wording. He believes, and wants the language to include the fact that the priest admitted to the allegation. He will appreciate a response from the appropriate party regarding his request."

I would recommend that you make the following points to Leah:

1. The policy of the Review Board should be that the only statement they make is that they determined that there was (or was not) reasonable cause to suspect sexual misconduct with a minor occurred. I think this is all she should say to [redacted]. If she has any doubts she should check with ~~John~~ O'Malley.

For the Review Board to go further than that prejudices the rights of the parties because the Review Board never heard the parties directly.

2. For the sake of clarification, the allegation makes no mention that the alleged act was done with an intention of sexual gratification. As I have maintained all along, I do not remember goosing him and, if it happened, I am convinced that there was no intent of sexual gratification. (I am preparing a memo to the Review Board to explain what I believe were misstatements attributed to me).

3. By the way, it should be explained to Ralph that a "Supplemental Review" (which the March 25, 2002 review was) is not the same as a "Second Stage Review."

Thanks, Kaz. I appreciate all your efforts and prayers.

Fraternally,

Bob

MEMORANDUM

TO: **Father Jim Kaczorowski**

FROM: **Father Robert Kealy**

RE: **Correction of File Memo**

DATE: **October 19, 2002**

When I was reviewing my files on Monday, October 14, 2002, I found a memo in the Vicar for Priests files dated September 25, 2000. The memo was from Father McBrady to Bishop Goedert. That memo contained erroneous information and I would like to have this response clipped to that memo.

Father Pat O'Malley's recollection was garbled. There was no accusation made against me of any inappropriate behavior while I was Chancellor. What happened was that a priest told Cardinal Bernardin in 1992 that someone had recently told him that I had engaged in inappropriate behavior with this person in 1979. This person was in his mid-20's at that time.

I have personally explained the matter to Cardinal Bernardin and to Cardinal George.

Robert L. Kealy

ARCHDIOCESE OF CHICAGO

COPY

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611

Post Office Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

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November 10, 2002

[redacted]

Dear Mr. [redacted],

My name is Leah McCluskey and I am the Interim Professional Fitness Review Administrator at the Archdiocese of Chicago. I work in the Office of Professional Fitness Review, where we receive all allegations of sexual misconduct made against priests. Kathleen Leggdas, the Professional Fitness Review Administrator is on an extended medical leave.

I am writing this letter to you in response to your phone conversation with Ralph Bonaccorsi regarding your question of the wording of the letter that you received concerning Second Stage Review of your allegation of misconduct against Robert Kealy. I understand your request to have the language of the letter to reflect Robert Kealy's admittance to your allegation. I have read Robert Kealy's response to your allegation [as prepared by Kathleen Leggdas] where he noted the following:

1. Robert Kealy "recalled the family name and described [redacted] as being one of the boys that was involved in sports in the parish-he did not specifically recall whether or not [redacted] was an altar server. He also did recall that [redacted] was among the boys who visited the rectory on occasion and were in his rooms."

2. Robert Kealy stated that alcohol and pot were available to high school students while at the rectory, however he stated that he did not provide either mentioned substance to minors.

3. Robert Kealy stated that he "'felt confident' that the 'grabbing' of [redacted] crotch never happened."

4. Robert Kealy "admitted to the fact that drinking and smoking with the kids was poor judgement on his part but that nothing of a sexual nature ever occurred."

These are the specifics from Robert Kealy's response to your allegations of sexual misconduct made against him. As a result of your allegations and Robert Kealy's response, the letter that you received dated September 10, 2002 reflects the Review Board's recommendation "that there is reasonable cause to suspect sexual misconduct with a minor occurred."

If I can answer any additional questions or concerns regarding this extremely difficult and sensitive matter, please feel free to contact me:

Leah McCluskey
Interim, Professional Fitness Review Administrator
676 N. St. Clair, Suite 1910
Chicago, Illinios 60690
312.751.5206

Sincerely,

Leah McCluskey
Interim, Professional Fitness Review Administrator

Cc: Rev. Thomas J. Paprocki, Cardinal's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests
Ralph Bonaccorsi, Victim Assistance Ministry
John O'Malley, Legal Services

MEMO

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To: **Leah McCluskey**

From: **Fr. Jim Kaczorowski**

Date: **November 11, 2002**

Re: **Robert Kealy**

Father Bob Kealy spoke with me after he reviewed his files in the PFR office. He mentioned that Ralph Bonaccorsi's memo to you may have some discrepancies in it. Ralph said that he spoke with [redacted] who indicated he is not satisfied with the Second Stage Review wording in the letter. He wanted the language to include the fact that the priest admitted to the allegation. He also desires a response from the appropriate party concerning his request.

I would like to point out that in actuality the policy of the Review Board states that the only statement they make is their determination whether there was (or was not) reasonable cause to suspect sexual misconduct with a minor. It seems that this is all that can be said to [redacted] Should you have any doubts with regard to the clarity of such a statement, it might be well to check with Father Paprocki.

If the Review Board went further than this it may prejudice the rights of the parties because the Review Board never heard the parties directly.

Further, a "Supplemental Review" is not the same as a "Second Stage Review".

If you have questions concerning the above, please feel free to contact me.

TRANSMISSION-REPORT

TIME : NOV 14 '02 16:27
TEL NUMBER : 1-312-751-5279
NAME : PROF. FITNESS REVIEW

NBR	DATE	TIME	DURATION	PGS	TO	MODE	STATUS
171	NOV.14	16:25	01/28	02	3127515252	G3	[redacted]

Faxed letter dated 11/10/02 to [redacted] Legal Services LNP to Jan,

AOC 015853

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NOV 25

Rev. Robert L. Kealy
P.O. Box 455
Mundelein, IL 60060

RECEIVED
NOV 20 2002
OFFICE OF THE VICAR FOR PRIESTS
ARCHDIOCESE OF CHICAGO

November 18, 2002

His Eminence
Francis Cardinal George, O.M.I.
Archbishop of Chicago
P.O. Box 1979
Chicago, IL 60690

Re: Salary

Your Eminence:

My apologies for having to bother you with a mundane matter, but I hope that you can resolve the question of my base salary. On April 1, 2002, the Pastoral Center started paying my salary and I was told that my base salary would be that of an Associate Pastor, even though I continue to be the Judicial Vicar of the Court of Appeals.

Recently I learned that some time ago you gave handwritten instructions that I was to be paid at the level of the Judicial Vicar (which is the same as that of a pastor), but that Carol Fowler has declined to implement your decision.

I would appreciate it very much if you could get this corrected for me and if it could be retroactive to April 1st.

Thank you very much for your consideration. Know that you are in my daily prayers.

Sincerely yours in Christ,

Robert L. Kealy

Reverend Robert L. Kealy

If Carol Fowler:
salary minus 10 %, thanks.
P.S.
(Feel free to call me about this if necessary)

AOC 015854

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Reverend Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

MEMORANDUM

From: Father Robert Kealy

To: File of Father James Kaczorowski, Vicar for Priest

Re: Objections to statements in his April 11, 2002 Memorandum

Date: November 24, 2002

On Monday, October 14, 2002, I finally was given an opportunity to see and read the files from the Office of Professional Fitness Review Board, the Vicar for Priests Office, and the Chancery, regarding the allegation of [redacted] against me. I reviewed these files in the presence of Father Kaczorowski at the office of the Vicar for Priests.

When I reviewed my files, I discovered for the first time that Father Kaczorowski had written a memorandum on April 11, 2002 about our meeting of March 25, 2002. His typewritten memorandum was contained in the file kept in the Vicar for Priests Office.

In his memorandum, Father Kaczorowski stated, "Without reservation, Bob admitted that he had engaged in sexual misconduct with [redacted]" I want to make the record clear that I did not ever make any such statement or admission to Father Kaczorowski or anyone else.

It is important to note that, on October 14, 2002, when I met with Father Kaczorowski to review my files, upon discovering this statement I told him that I had never said such a thing. I told him "sexual abuse" was a conclusion that he had improperly drawn from our conversation, because it was not what I said, nor was it what I meant.

When I objected to this erroneous statement in Father Kaczorowski's memorandum, he conceded that he had not made any notes during our meeting of March 25, 2002 and the memorandum was written sixteen days after that meeting. I told him that he had seriously misunderstood me in our discussion on March 25, 2002 and that I thought he should have recorded the actual words of our conversation.

I am writing this memorandum to register my strenuous objection to these misstatements and to set the record straight.

Robert L. Kealy

COPY

received
11-27-02 CNA

Reverend Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

November 26, 2002

Ms. Leah McCloskey
Administrator, Professional Fitness Review Board
676 N. St. Clair , Suite 1910
Chicago, Illinois 60611

Re: allegation brought by [redacted] & corrections to misstatements in my file

Dear Ms. McCloskey:

The purpose of this letter is to put on record my strenuous objection to certain statements which I discovered in my file at the Professional Fitness Review Board. Please include this letter in my file.

On Monday, October 14, 2002, I finally was given an opportunity to see and read the file regarding the allegation of [redacted] against me. I reviewed the file in the presence of Father James Kaczorowski at the office of the Vicar for Priests. This occurred after numerous delays engendered by contradictory information about whether I could obtain access to my file.

In the file of the Office of Professional Fitness Review Board, there are erroneous statements in a memorandum authored by Kathleen Leggdas, the former Administrator of the Fitness Review Board. Her memorandum recited the findings of the Supplemental Review by the Review Board regarding the allegation of [redacted] This Supplemental Review was apparently done by conference call on March 25, 2002.

In her memorandum, Ms. Leggdas said: "The Supplemental Review was prompted by [redacted]s continued pursuit of his allegations and Father Kealy's admission to Father James Kaczorowski today that he experienced many blackouts from excessive drinking years ago, that he doesn't remember, but these events could have happened. Father Kealy did admit to two other instances of abuse with minors."

- I absolutely deny that I ever said that sexual abuse with [redacted] could have happened. It did not happen and I never said that it could have.

- I also strongly deny that I ever admitted to any other instances of abuse with minors. I never said such a thing!

- I also deny that I experienced many blackouts due to excessive drinking. In particular I deny that I had a blackout of the night in question.

It would appear that these alleged admissions were erroneously presented to the review board as facts.

I am writing to you now to set the record straight. Until the action of the United States Conference of Catholic Bishops on November 13, 2002 approving the Revised Norms, it was unclear as to whom I should address my objections. I will now be pursuing my case through a canonical process.

Sincerely yours,

Robert L. Kealy

Reverend Robert L. Kealy

cc: Father James Kaczorowski (copy for Vicar for Priests Office file)

AOC 015857

PFR-151 [redacted]

COPY

McCluskey, Leah

From: McCluskey, Leah
Sent: Tuesday, November 26, 2002 10:57 AM
To: [redacted]

Dear [redacted]

I had sent you an e-mail on October 2, 2002 regarding your concerns about Rev. Kealy and Rev. [redacted] that you e-mailed to the Archdiocese on March 27, 2002. I understand that the response to your initial e-mail from this office was significantly delayed, which does not negate the seriousness of your concerns.

I have a great interest in speaking with you regarding Rev. Kealy and Rev. [redacted]. When and if you so choose, please contact me at any of the following:

Leah McCluskey
Interim, Professional Fitness Review Administrator
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611
Phone: 312.751.5206
E-mail: lmccluskey@archdiocese-chgo.org

Sincerely,

Leah McCluskey
Interim, Professional Fitness Review Administrator

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Reverend Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

November 26, 2002

Reverend James Kaczorowski
Vicar for Priests Office
645 N. Michigan Avenue, Suite 543
Chicago, Illinois 60611

Dear Jim:

The purpose of this letter is to put on record my strenuous objection to certain statements which I discovered in my files at the Vicar for Priests Office. Please attach the enclosed memo to your file copy of your April 11, 2002 memorandum of your meeting with me.

Since I am now involved in a canonical process, I am also writing to inform you that I consider any conversations which I had with you and any notes you made of those conversations to be canonically privileged information, which you are not free to disclose without my permission. As you noted in your letter to the priests of the Archdiocese on August 26, 2002: "The Vicars for Priests serve as advocate, liaison, and counsel for priests." My conversations with you were with this understanding.

Archbishop Julian Herranz, the President of the Pontifical Council for Legislative Texts, gave an interview with the Zenit News Service which was published on November 14, 2002. Archbishop Herranz is the chief interpreter of canon law for the Catholic Church. His interview gave the Vatican's understanding of the Revised Norms recently passed by the United States Conference of Catholic Bishops. In his interview, Archbishop Herranz cited canon 1548, §2 in support of the Church's understanding that bishops and other priests are not to testify in canonical proceedings with respect to matters which were "revealed to them by reason of their sacred ministry."

Should you be asked by <u>anyone</u> about conversations which we had or about notes which you may have made of those conversations, please inform them that that is canonically privileged information. If they question that, I am to be informed so that I may address that issue before any information is released by you to anyone.

Thank you very much.

Sincerely yours in Christ,

Robert L. Kealy

Reverend Robert L. Kealy

ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611

Post Office Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

MEMORANDUM

To: File – PFR-83

From: Leah McCluskey, Interim, Professional Fitness Review Administrator

Re: **Kealy, Robert (Withdrawn)/[redacted]**

Date: December 3, 2002

PFRA received an e-mail from "[redacted]" dated 11/28/02 regarding Fr. [redacted] and Fr. Kealy. [redacted] first contacted this office via e-mail on 3/27/02 and expressed her concerns with the two mentioned priests and suggested that they be "investigated." PFRA sent e-mails to [redacted] dated 10/2/02 and 11/26/02, inviting her to contact this office regarding any allegations of misconduct that she may have against Fr. Kealy and Fr. [redacted]

Please refer to the attached e-mail from [redacted] dated 11/28/02 and response from PFRA dated 12/3/02. [redacted] has informed PFRA via e-mail that there is not an interest at this time to formalize any allegations against Fr. [redacted] or Fr. Kealy. It is unclear to PFRA if [redacted] has contacted this office on behalf of individuals who may have allegations against the named priests and/or if [redacted] is the individual who has allegations of misconduct to present.

PFRA will update the file when any additional information or contact is received from [redacted]

Cc: Rev. Thomas J. Paprocki, Cardinal's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests
Ralph Bonaccorsi, Victim Assistance Ministry
John O'Malley, Legal Services

McCluskey, Leah

From: McCluskey, Leah
Sent: Tuesday, December 03, 2002 7:56 AM
To: [redacted]
Subject: RE:

Dear [redacted]

It was very good to hear from you. I would like to offer any help and assistance that I can in regards to your concerns about Fr. Kealy and Fr. [redacted].

From how I have interpreted your e-mail, is it correct to assume that you had initially contacted the Archdiocese on behalf of other individuals who have allegations of misconduct against Fr. Kealy and Fr. [redacted]? If you would have any interest in an explanation of our process of responding to formal allegations of misconduct against priests, I would be more than happy to provide you with that information. From your e-mail, I understand that there is a concern regarding the closure that formalizing an allegation may or may not provide to an individual who has come forward with an allegation. This is completely understandable and I would be more than happy to answer any questions that you or anyone else may have.

In regards to speaking with Fr. Kealy and Fr. [redacted], I do not contact the accused directly. When there is a formal allegation that has come through this office, I contact the Vicar for Priests office and one of the vicars contacts the accused. I then meet with the vicar and the accused in order to read the accused the formal allegation of misconduct. Again, please let me know if you have an interest in the complete process that we follow in regards to receiving an allegation of misconduct against a priest. I have not gone into detail at this point due to the fact that I do not want to give you any information that you are not interested in receiving at this time.

Take care and please feel free to contact me.

Leah McCluskey
Interim, Professional Fitness Review Administrator
676 N. St. Clair, Suite 1910
Chicago, IL 60611
Phone: 312.751.5206
E-mail: lmccluskey@archdiocese-chgo.org

Sincerely,

Leah McCluskey
Interim, Professional Fitness Review Administrator

-----Original Message-----
From: [redacted]
Sent: Thursday, November 28, 2002 12:46 PM
To: McCluskey, Leah
Subject: Re:

> "In light of the poor manner that these inquiries have been handled by the archdiocese and the apparent lack of policing or punishing, we do not wish to further pursue this matter, until such time as you can assure a finality and closure as a result of the archdiocese's actions" - response(s) from the individuals I previously spoke about. Sorry! Maybe at a later date. Maybe you could first "quiz" the clerics involved and see how their conscience holds up.
>
> [redacted]
>
> *"McCluskey, Leah" <lmccluskey@Archdiocese-chgo.org>* wrote:

Dear [redacted]

I had sent you an e-mail on October 2, 2002 regarding your concerns about Rev. Kealy and Rev. [redacted] that you e-mailed to the Archdiocese on March 27, 2002. I understand that the response to your initial e-mail from this office was significantly delayed, which does not negate the seriousness of your concerns.

I have a great interest in speaking with you regarding Rev. Kealy and Rev. [redacted]. When and if you so choose, please contact me at any of the following:

Leah McCluskey
Interim, Professional Fitness Review Administrator
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611
Phone: 312.751.5206
E-mail: lmccluskey@archdiocese-chgo.org

Sincerely,

Leah McCluskey
Interim, Professional Fitness Review Administrator

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Dec 9, 2002

Dear Kay,

I hope you are doing well. You are in my prayers.

Kay, I need your approval for two trips. The first is with Chris Gustafson to Palm Beach from Feb. 2-13. We will be staying at the home of [redacted]

The other trip is with [redacted], a friend from Bridgeport, CT. We plan to go to Tequesta, FL March 9-17, staying at the home of [redacted]

Have a grace-filled Advent and Christmas.

Fraternally in Christ,

Bob Healy

Salary change only!

ARCHDIOCESE OF CHICAGO
PAYROLL AUTHORIZATION/CHANGE FORM/PAYROLL SET UP

ARCHDIOCESE PRIESTS

200801
~~200601~~

Kealy, Robert
Last Name, First, Middle Initial

[redacted]
Social Security Number

Employee Number

Active F/T____Active P/T_____Active P/T Benefits _____ Position _____

Ordination Date_____ Transfer to P.C. _____ DateTransfer from Agency/Parish/School#_____

Dept. Name_____No._____Agency_____No._____

Pay through payroll **Effective Date:** January 1, 2003

Regular Salary (Compensation Book)	$ 21,915.	**Non-Payroll Compensation**	
Other: Type		**Type**	
_____	$_____	_____	$_____
_____	$_____	_____	$_____
_____	$_____	_____	$_____
_____	$_____	_____	$_____
Total through Payroll	$_____	**Total Non-Payroll**	$_____

Comments_____

Birth Date_____ EEOC: OM____ PR____ OC____ SW____ SL____ ADM____ Other____ Veteran_____

Home Phone_____ Work Phone_____ Handicap: Yes_____ No_____

Mailing Address _____

_____
Street, City, State, Zip Code

Dental Insurance: Yes___ No___Name of Dental Plan_____

Payroll Direct Deposit: Yes___ No___Forms attached: Yes___ No___Federal/State Taxes: Yes___ No___ Forms attached: Yes___ No___

Defined Contribution Plan (AETNA) Yes_____ No_____ Amount per year $_____

TRANSFERS – EFFECTIVE DATE _____

Transfer From _____ To_____
Name Parish #, School #, or Agency # Personnel Services – Interim Salary #

Transfer From _____ To_____
Personnel Services – Interim Salary # Name Parish #, School #, or Agency #

Transfer From _____ To_____
Location Location

Termination/Resignation/Date_____ Reason_____

_____ LJ 12-20-02 _____
Agency Director/Date Department Director/Date Director, Human Resources/Date

12/29/02 Carol Fuller
Chancellor/Date Director, Personnel Services/Date

Original: Payroll Yellow: Human Resources Pink: Agency Gold: Benefits

Created: July, 2000

AOC 015864

Office of Professional Responsibility

PFR-83– Robert Kealy

JULY 1, 2003 TO DECEMBER 31, 2003

Monitor/Therapy Schedule

Dates/Times	Event (Therapy, Spriritual Direction, Vacation , etc.) Where, When, How Long	Therapist, Spiritual Leader, Doctor, Monitor, etc. (Include names)
March 7, 28, 2003	[redacted]	[redacted]
April 11, 25, 2003		
May 9, 23, 2003		
June 6, 20, 2003		
July 8-10, 2003	[redacted]	[redacted]
July 24-27, 2003	[redacted]	[redacted]
August 29, 2003	[redacted]	[redacted]
September 13-17, 2003	New York City – Staying at Mayfair Hotel, 242 W. 49th St., NY, NY 10019	[redacted], president of Opus Bono Sacerdotii
October 11-15, 2003	Portland, Oregon – CLSA convention – Staying at the Doubletree Hotel, 1000 NE Multnomah Blvd., Portland, OR 97232	Fr. John Lucas

Office of Professional Responsibility

PFR-83– Robert Kealy

JULY 1, 2003 TO DECEMBER 31, 2003
Monitor/Therapy Schedule

Dates/Times	Event (Therapy, Spriritual Direction, Vacation , etc.) Where, When, How Long	Therapist, Spiritual Leader, Doctor, Monitor, etc. (Include names)
July 19-21, 2003	Conference – Opus Bono Sacerdotii in Detroit, Michigan – 3days	Msgr. Bill Varvaro (traveling companion)
August 2-3, 2003	80th Birthday celebration for aunt inn St. Louis, Missouri – 2 days	[redacted] (aunt)

Office of Professional Responsibility

PFR-83– Robert Kealy

JULY 1, 2003 TO DECEMBER 31, 2003

Monitor/Therapy Schedule

Dates/Times	Event (Therapy, Spriritual Direction, Vacation , etc.) Where, When, How Long	Therapist, Spiritual Leader, Doctor, Monitor, etc. (Include names)
November 3 – 10, 2003	Visit with [redacted] in [redacted], Florida	Fr. Christopher Gustafson (traveling companion)
November 26 – 30, 2003	Thanksgiving in Madison, Virginia	[redacted] (sister)
December 23 – 29, 2003	Christmas – [redacted] California	[redacted] (traveling companion)

BENEDICTINE

SISTERS

OF CHICAGO

•

St. Scholastica

Monastery

•

7430 North

Ridge Boulevard

•

Chicago, Illinois

60645-1913

•

Telephone

773.764.2413

Fax

773.761.5131

Web site

ttp://www.benedictine-sisters.org

RE: **Character reference for Rev. Robert L. Kealy**

I have been a member of the Benedictine Sisters of Chicago since 1962. During that time I have served as a junior high teacher at Queen of All Saints and St. Hilary's schools. I also taught at St. Scholastica High School and served in the capacity of Assistant Principal in charge of Curriculum. I became principal at Queen of All Saints School in 1977 and served in that capacity until 1994. During my 17 year term as principal I had the good fortune to be associated with **Rev. Robert L. Kealy** who came to Queen of All Saints as a resident while he served the archdiocese as Chancellor.

As a child, adolescent, young adult and now Benedictine womanI have come to know and revere many Chicago priests,. Many of those priests have been models of what our church teaches, the values that my mother taught me and that have become important to me. Among those priests who have served as models of spirituality, prayerfulness and reverence for God, for himself, for our church and for others is **Rev. Robert L. Kealy.**

Fr. Kealy is one priest who stands out as a holy and service-oriented priest. Each morning, before he went to the office, he would celebrate the 6:30 am liturgy. Under his ministry there developed a community of worshippers who valued that time and liturgical celebration together. The morning he announced that he would be leaving Queen of All Saints was (as one parishioner expressed) "a day of infamy for all of us." And, indeed his personal serenity, prayerfulness, and simplicity, along with his reverence and respect for each us, was greatly missed. **Fr. Kealy** was not only a religious man, but he was also a spiritual priest.

There is no doubt that I would welcome the opportunity to once again serve in a parish or in an office with **Fr. Kealy.** He is kind and gentle, yet strong and hard working. In many ways his strength is in his gentleness.

Fr. Robert Kealy is an asset to the Chicago priesthood and to our church. I would ask you to consider my respect for and experiences with **Rev. Robert L. Kealy** in your deliberations.

[redacted], O.S.B.

McCahill, Ann

From: [redacted]

Sent: Tuesday, January 14, 2003 5:46

To: amccahill@archdiocese-chgo.org

Subject: Recourse

Sister Ann,

On Tuesday, January 7th, I dropped off at the Pastoral Center an envelope for Cardinal George. It contained a recourse petition which I asked him to transmit to the Papal Nuncio, to be forwarded to Cardinal Ratzinger.

Because there is a time limit on when a recourse can be filed, I would be grateful if you could let me know when the document was sent to the Papal Nuncio in Washington.

Thank you very much.

Father Bob Kealy

JAN 15 2003

1/15/03

ARCHDIOCESE OF CHICAGO

Department of Personnel Services

Post Office Box 1979
Chicago, Illinois 60690-1979

312-751-8349
Fax: 312-751-9806
cfowler@archdiocese-chgo.org

January 17, 2003

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Rev. Robert Kealy
PO Box 455
Mundelein, IL 60060

Dear Fr. Kealy,

I apologize for the tardiness of this response but it took me some time to get the information I needed to respond accurately.

I would like to clarify that I was not directed to change your salary by Cardinal George nor did I receive handwritten instructions from him until the end of November after your letter to him. Therefore, I did not decline to implement the Cardinal's decision as you indicated in your letter to him. I have attached his note to me that was written on your letter so that you can be aware of his instructions.

The other points to clarify are that Cardinal George instructed that the pastor's salary is to be restored but the 10% deduction is to remain in place. The salary check does not include ministerial allowance money because that is only reimbursed upon presentation of receipts. You did send in a reimbursement request which was apparently then lost. I am including that amount in the check I request for you today.

Your salary was adjusted effective January 1, 2003 to reflect the current payment schedule. If that amount is not correct please let me know. The amount should be $24,350 per year less 10% which is $2343 which equals $21,082 per year divided by 26 pay periods: $842.88 per pay period.

Therefore, I have arrived at the following conclusions:
You were ordained in 1972:

From April 1 – June 30, 2002 you received an Associate's salary for 29 years of ordination for 3 months less 10% of:	$4778.00
From July 1 – December 31, 2002 you received an Associate's salary for 30 years of ordination for 6 months less 10% of:	$9607.50
You should have received a Pastor's salary less 10% for April 1- June, 30	$5270.50
And a Pastor's salary less 10% for July 1 – Dec. 31, 2002 of	10957.50
You were paid a total of:	14,385.50
You should have been paid:	16,228.00
Difference:	$1,842.50
Plus reimbursement for Ministerial Expenses per request:	401.99
TOTAL:	**$2,244.49**

Please call me or e-mail if this isn't clear of if you think I am in error. I will do my best to address any concern you may have. I hope you are doing well and I pray for you daily.

Sincerely,

Carol Fowler

Cc: Francis Cardinal George, O.M.I.
Jim Lago
Rev. James Kaczorowski

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Reverend Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

January 21, 2003

His Eminence
Francis Cardinal George, O.M.I.
Archbishop of Chicago
P.O. Box 1979
Chicago, IL 60690

Your Eminence:

I am writing to protest the statement made by the Chancellor of the Archdiocese, Jimmy Lago, in the cover memo of his "Ten Year Report on Clerical Sexual Abuse of Minors in the Archdiocese of Chicago," which was publicly released on January 16, 2003:

> "... the underlying sad fact remains: three dozen priests have abused children (in some cases more than one), betrayed their vocations, damaged the mission of this local church, and caused many individuals to question the ministry of priesthood and bishop."

I consider the statement to be defamatory, and even inflammatory, and a correction and an apology are in order.

To illustrate my point, I could note that on page three of his report, the Chancellor stated that there will be canonical trials "to discover the truth" about these allegations, but from what he has written, it would appear that he has already determined the truth of the allegations, even against eight priests who are dead (giving new meaning to "the defense rests"). Not only did he issue his finding of guilt, he demonized the accused before they have had any canonical process!

It is very difficult to accept that the Archdiocese is issuing statements which equate a finding that there is "reasonable cause to suspect" an allegation (a very low threshold indeed) with a determination of guilt, as exemplified both in the quote above and in other references in the report to a "substantiated allegation" (p. 2) and a "founded allegation" (pp. 2, 6). A fundamental sense of justice that most people learned in grade school civics seems to be lacking. It is hard to see how an accused priest can receive a fair trial when he has already been declared guilty in an official statement of the Archdiocese.

The gravity of the harm done by the Chancellor's statement is magnified by the fact that this is a report which was in preparation for months and, one might assume, was carefully reviewed by key Archdiocesan officials before it was released to the public. This seems to indicate a pervasive lack of awareness of basic principles of justice and due process of law, or indicates a pandering to public opinion and the media.

Obviously the issue of clerical sexual abuse of minors is most serious and requires a thorough examination. But the truth is not served by a rush to judgment before the facts have been examined in a canonical process which weighs the evidence dispassionately. Fortunately, in a discussion about the Ten Year Report on the television program *Chicago Tonight* last Friday, Bruce Dold, the Editorial Page Editor of the *Chicago Tribune,* pointed out that most of the accused priests never had a criminal trial and none has had a canonical trial and so they still deserve a presumption of innocence. It would be welcome if Archdiocesan officials would show the same balance.

It would be appreciated, I'm sure, by many people, if the Archdiocese, in some official way, could disassociate itself from this statement and take means to protect the reputations of all those involved.

Respectfully yours in Christ,

Reverend Robert L. Kealy

cc: Jimmy M. Lago, Chancellor
Rev. Thomas J. Paprocki, Cardinal's Liaison to the Professional Fitness Review Board
Rev. William H. Woestman, O.M.I., Promoter of Justice
Rev. Patrick M. Lagges, Judicial Vicar and Director of Canonical Services
Rev. Edward R. Fialkowski, Chairman, Presbyteral Council
Rev. James Kaczorowski, Co-Vicar for Priests
Rev. Thomas A. Tivy, Co-Vicar for Priests

AOC 015873

January 28, 2003

Dear Kay,

As it turns out, I will be going to Florida with Chris Gustafson from Feb. 5 until the evening of Feb. 13.

We will be staying in Ft Lauderdale at the home of [redacted]. ([redacted] / Phone [redacted])

Thanks for your support.

Fraternally,

Bob

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2/28/03

Dear Kay,

I am planning to visit my sister [redacted] for the Triduum. I will be gone April 17-21. She lives in [redacted] Virginia. Thanks.

Bob

2/28/03

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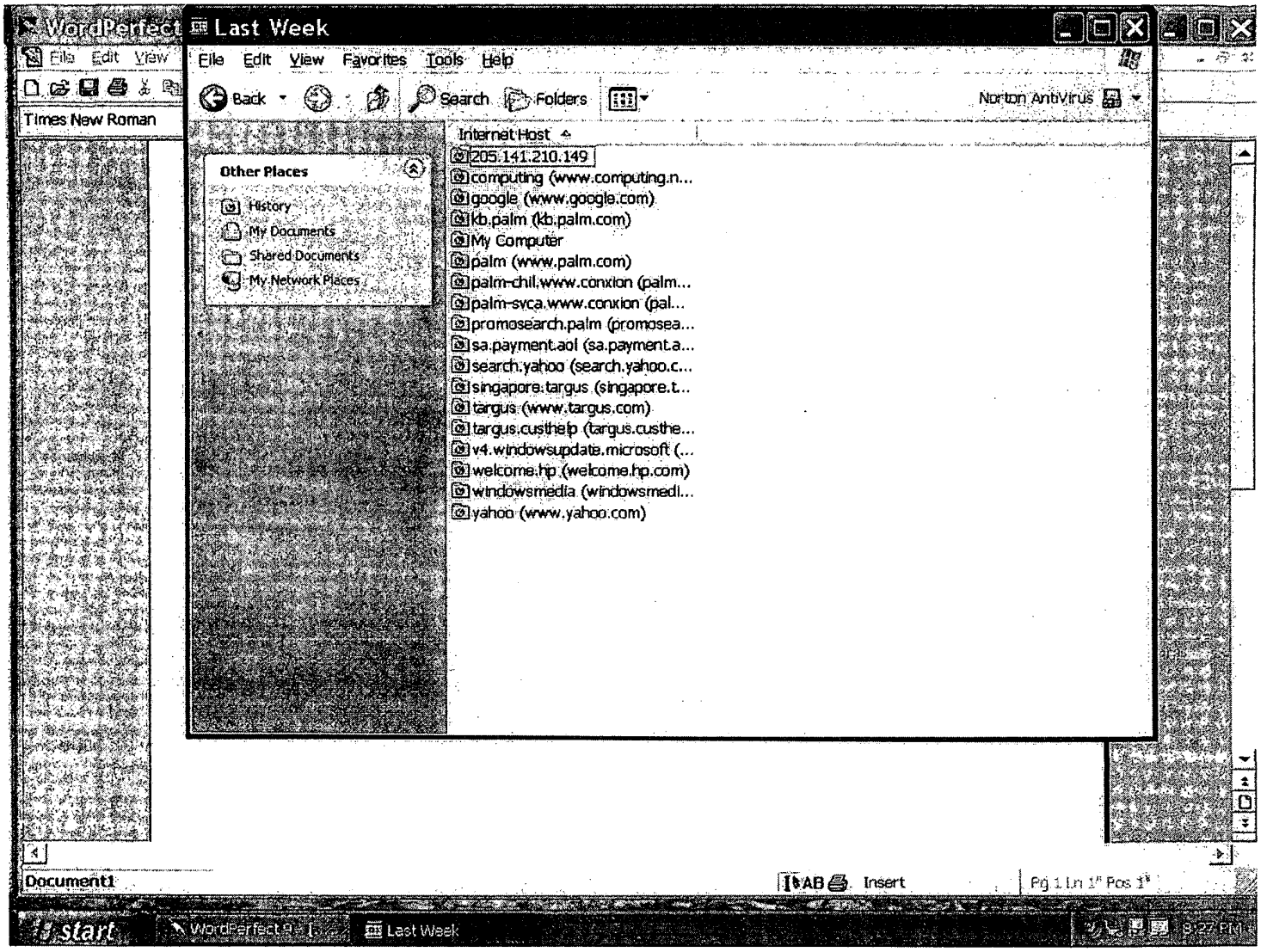
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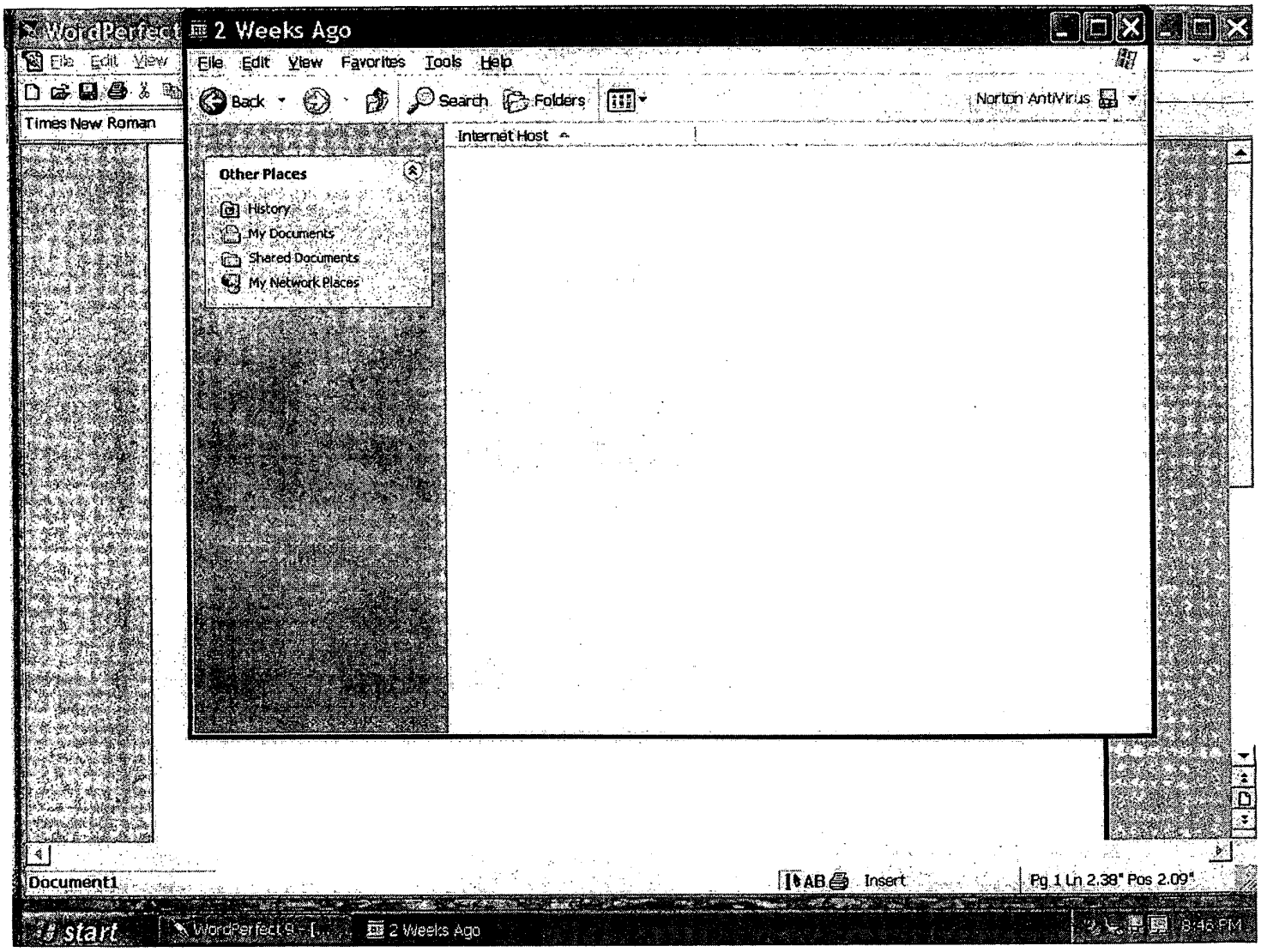
My computer "went down" last week. I had a company (PC Medic, Inc) fix it. I got it back last Monday. Unfortunately, when I went to print the Internet History for February, I discovered that everything in the Internet History files before last week were lost. The pages come up blank, as you can see.

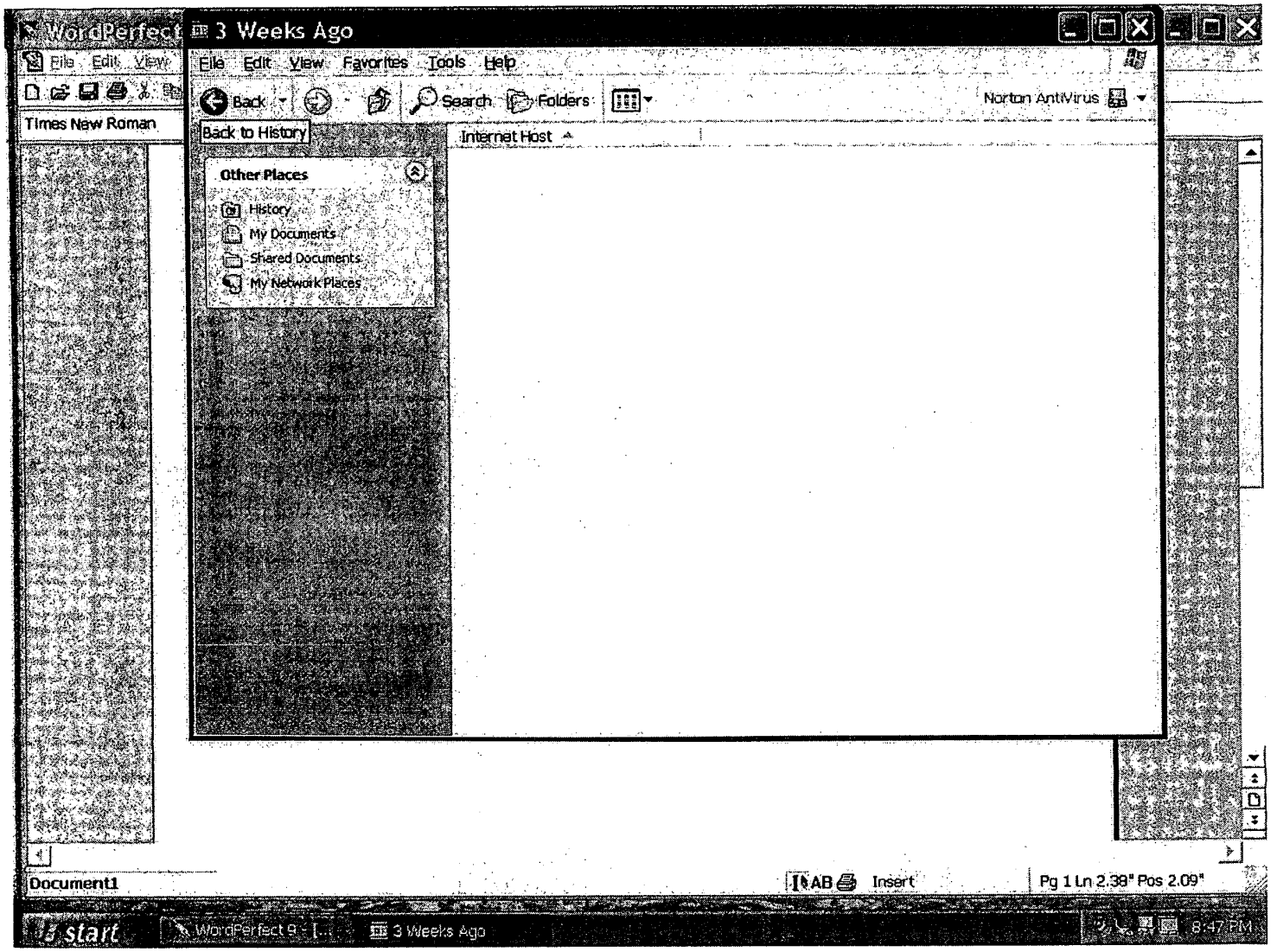
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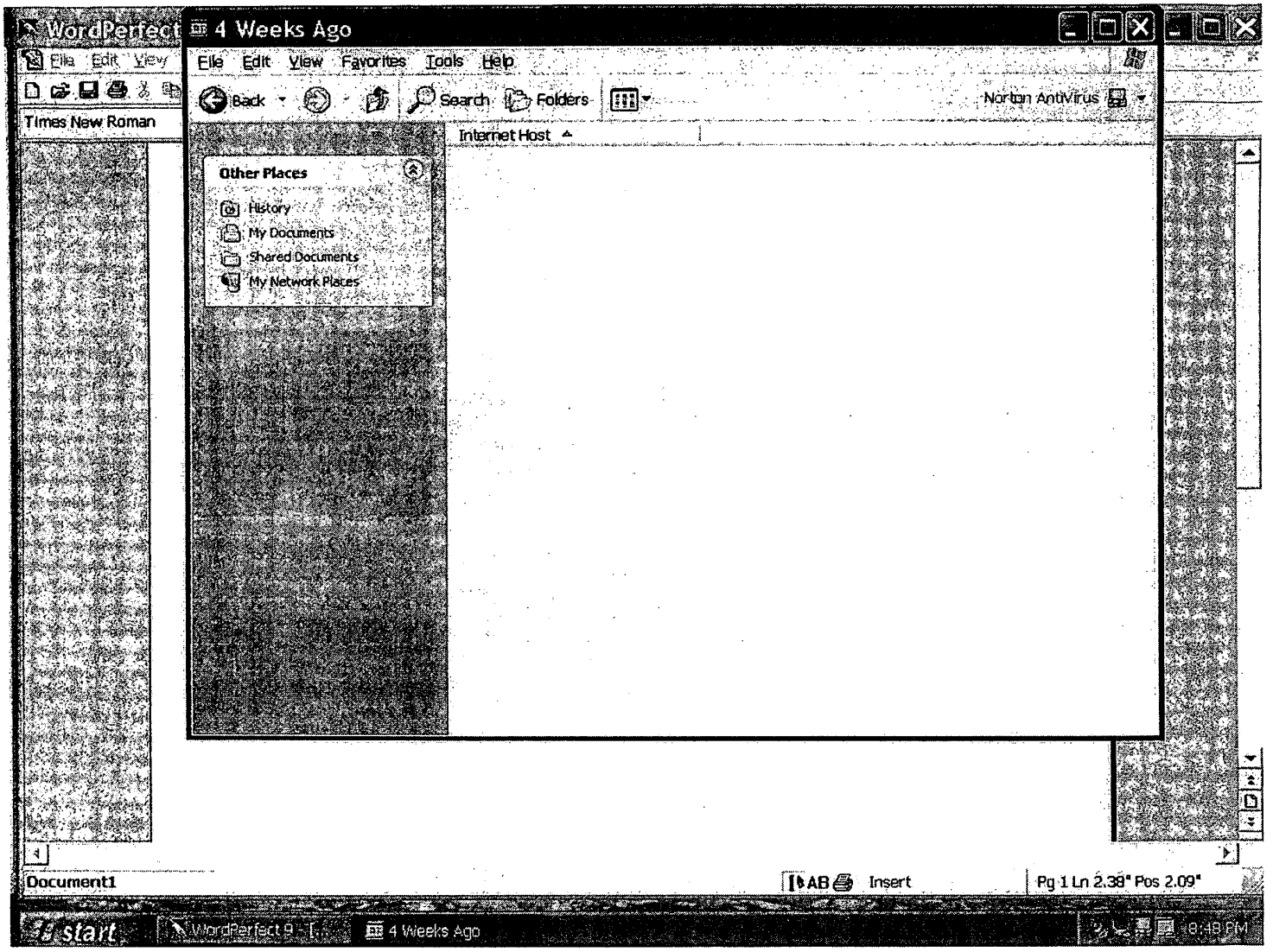
He filled out log sheets by hand. - sent to Kealy

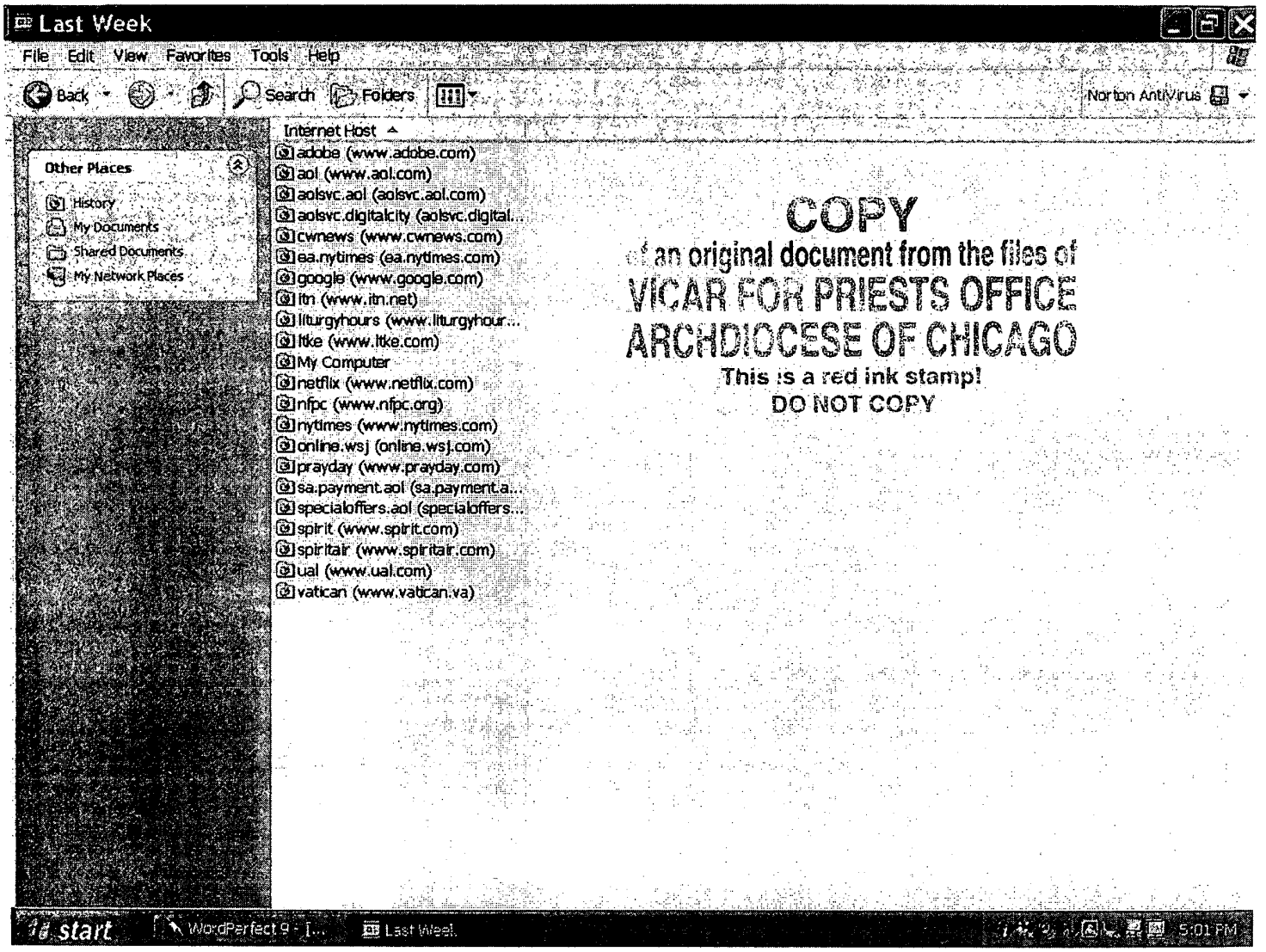
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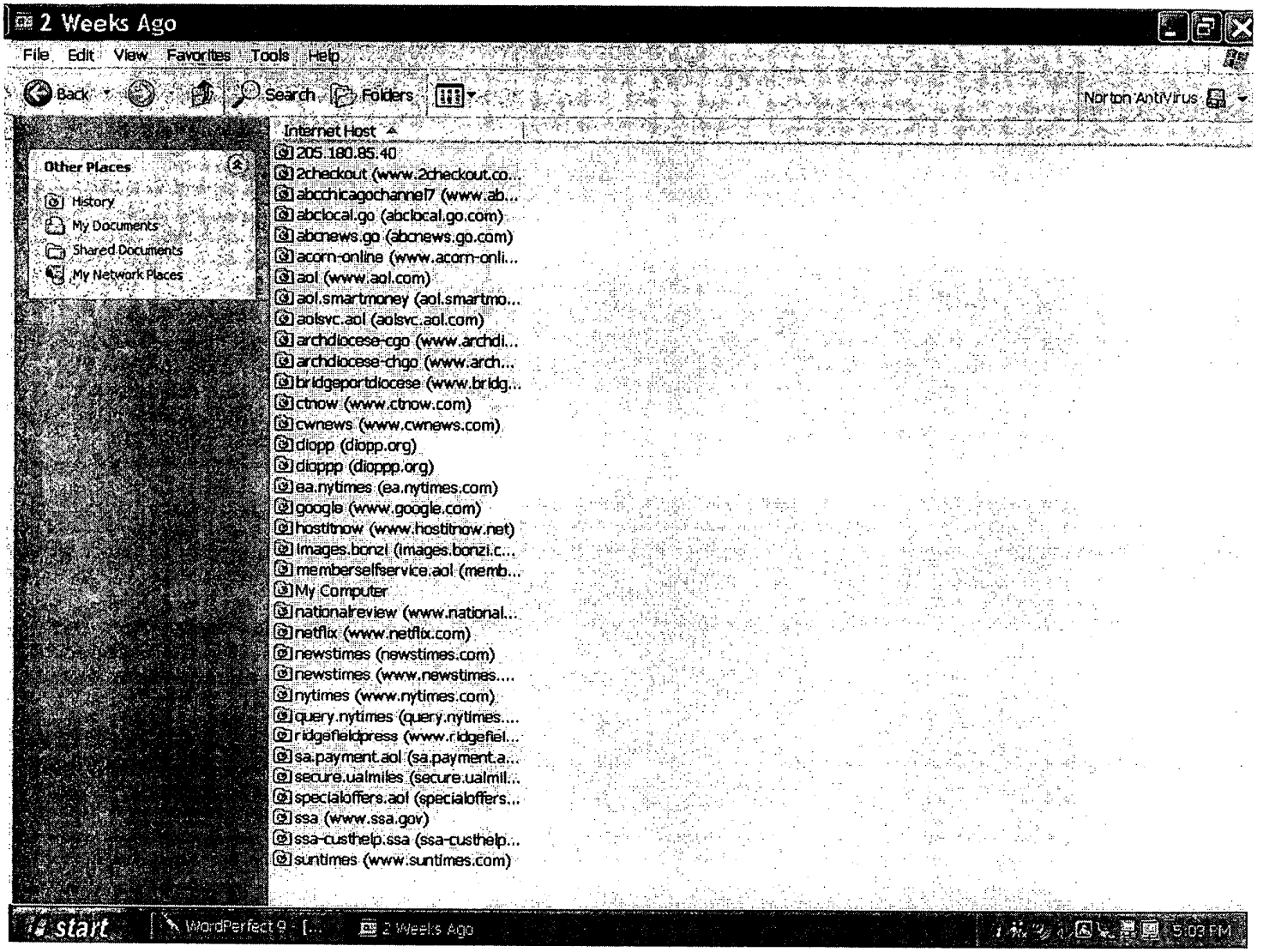

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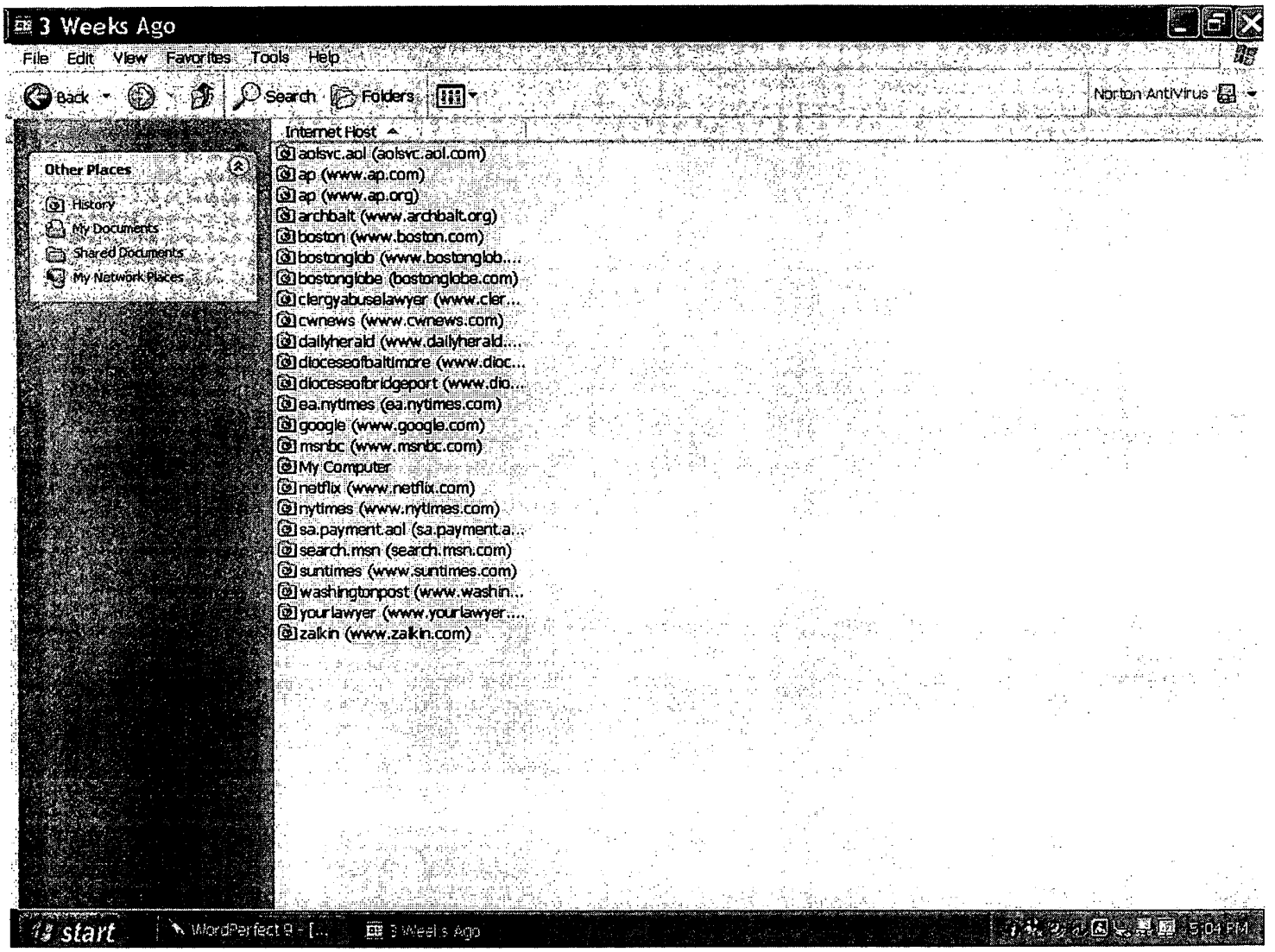

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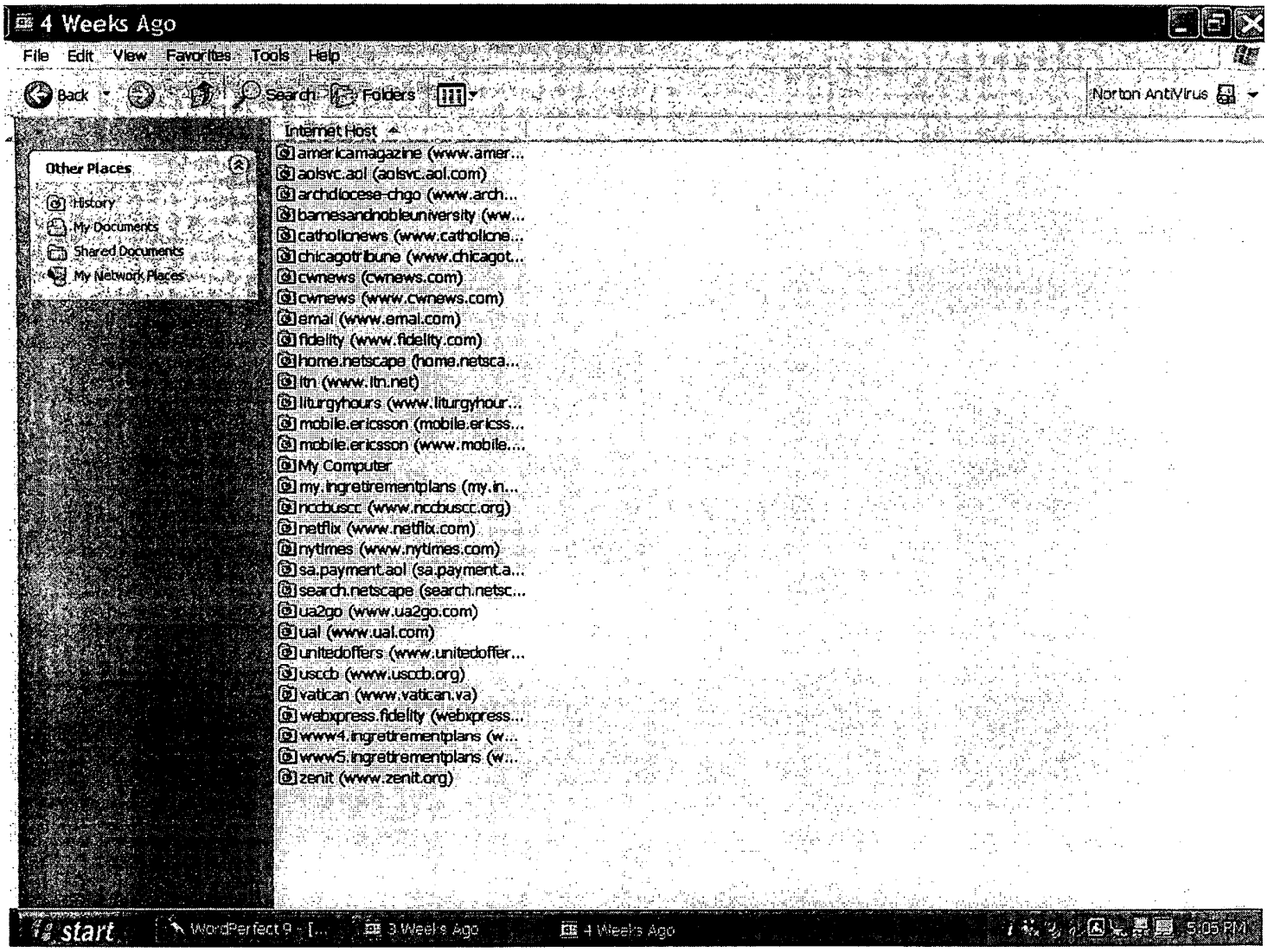

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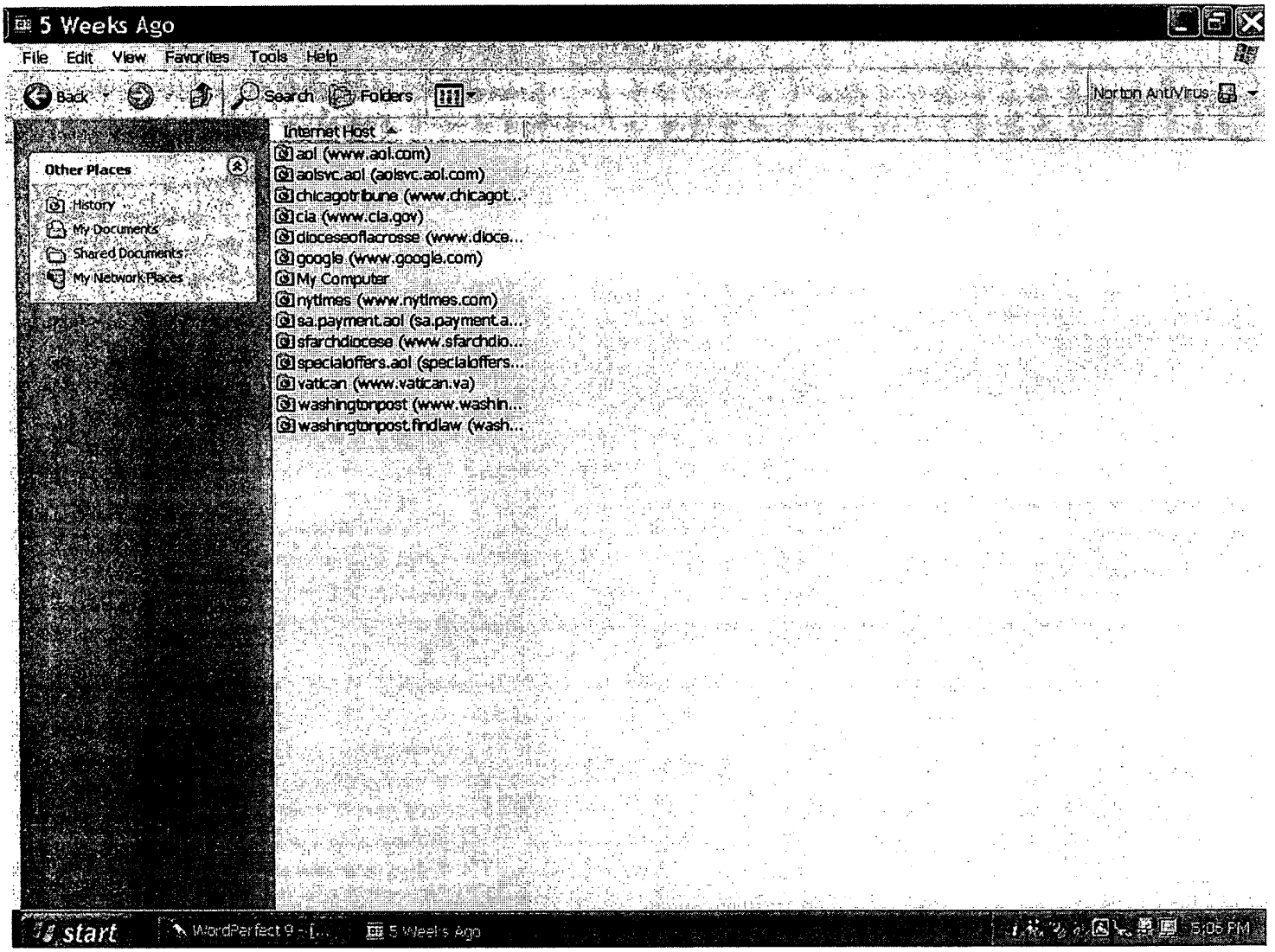

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March 7, 2003

PETITION

Your Eminence:

After careful study of the new Archdiocesan policies and procedures entitled, "*§1100 Sexual Abuse of Minors: Policies for Education, Prevention, Assistance to Victim and Procedures for Determination of Fitness to Ministry*," dated 3-1-03, (hereafter referred to as the *New Chicago Policies*), it is my conviction that in many fundamental respects they are canonically flawed and contrary to or inconsistent with the universal law of the Church and its underlying theological values. Therefore, under canon 1734 §1, I formally petition you to amend these policies and procedures to bring them into compliance with the universal law of the Church. In Section IV of this petition I offer some suggestions as to how that can be done.

I. THE ECCLESIAL AND LEGAL CONTEXT OF THE *NEW CHICAGO POLICIES*

The "Chicago Model" for addressing allegations of clerical sexual abuse of minors was created in the Archdiocesan policies promulgated by Cardinal Joseph Bernardin on September 21, 1992 as particular law for the Archdiocese of Chicago. With minor variations over time, the "Chicago Model" has been used by the Archdiocese of Chicago until the present time.

The "Chicago Model" accomplished a restoration of trust among the People of God and the public at large that children were being protected. Unfortunately, it did so by disregarding principles of fundamental fairness and justice and by depriving accused priests of their natural and ecclesial rights. In the "Chicago Model," the ordinary, in effect, abdicated his responsibility as the judge of such accusations. No canonical decrees of any kind were issued. The ordinary did not appoint a canonical investigator, with the powers and responsibilities of an auditor (c. 1717 §3). A canonical notary was never used. No canonical process was followed or provided for.

The "Chicago Model" prescinded from canonical norms and procedures and substituted disciplinary procedures modeled on those of the Attorney Registration and Disciplinary Commission of the State of Illinois. Although the "Chicago Model" was widely imitated in other dioceses, its canonical validity was never challenged. The "Chicago Model" was marginally acceptable when the diocesan bishop had the discretionary latitude to transfer an accused priest to a non-parochial ministry. However, the mandatory zero-tolerance approach adopted by the U.S. Conference of Catholic Bishops precludes overlooking the violations of canonical due process.

In both the old Chicago policies and the *New Chicago Policies*, there is a nine-member Review Board, with a lay Administrator. This lay Administrator, who has no familiarity with canon law, is given the responsibility to interview the accuser and the accused and to collect "evidence" about an allegation. The Administrator "analyzes" and "summarizes" this information and presents a report, with recommendations, to the Review Board and to the Archbishop. The

Review Board itself improperly functions as a tribunal, ostensibly investigating allegations and issuing "findings" or "determinations." The Review Board holds "appearances" at which the accuser and the accused may be invited to appear with attorneys.

In the various versions of the Chicago Policies, since 1992, the standard of proof for restriction of a cleric's ministry or the removal of a cleric from ministry has been whether the Review Board determined that there was "reasonable cause to suspect" that a cleric had engaged in "sexual misconduct" with a minor. This determination has been based upon the decision of the Administrator as to whether the accuser is credible. Until now, there was no operative norm or description for "sexual misconduct." It depended on the subjective judgment of the Review Board. Although a "reasonable cause to suspect" sexual abuse of a minor would be the minimal determination by an ordinary that is needed to *begin* a canonical preliminary investigation, it was treated as a finding of guilt sufficient to remove a priest from ministry and to announce that publicly.

In 1995, Cardinal Bernardin made minor revisions to the Chicago Policies. Cardinal George made other minor modifications, in the version dated July 1, 2000.

During the spring of 2002, the daily media coverage of allegations of sexual abuse by priests was intense. There was severe criticism that some bishops had failed to address such problems appropriately. Certain lawyers were advertising for clients and filing hundreds of lawsuits against dioceses, which then faced potential liabilities in the millions of dollars. Victims advocacy groups demanded a "zero tolerance" policy mandating that any priest who had ever abused a minor be expelled from the priesthood.

On April 23-24, 2002, an unprecedented summit meeting on clergy sexual abuse of minors was held in Rome. Pope John Paul II met with 15 U.S. Church leaders --12 of them Cardinals-- and 8 top Vatican officials. Apparently, this meeting was asked for by the U.S. Cardinals in order to express their concerns and to obtain the mind of the Holy See.

In June, the USCCB met in Dallas, Texas and on June 14, 2002 adopted the *Charter for the Protection of Children and Young People* and a companion document, the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests, Deacons, and Other Church Personnel.* The *Norms* document, popularly known as the *Dallas Norms*, was sent to the Holy See for *recognitio*. The *Norms* and *Charter* required "that for even a single act of sexual abuse of a minor – past, present, or future – the offending priest or deacon will be permanently removed from ministry." (*Charter*, Art. 5). This agreement by the bishops to forego other canonical options and impose this one remedy and this one penalty was of profound significance for all local situations. Eventually, Rome required serious changes in the Dallas Norms because they were not in complete harmony with canon law.

On August 7, 2002, in an attempt to correlate the Chicago policies with the *Dallas Norms* and *Charter*, the Archdiocese issued another version of its policies. These were intended to be

AOC 015887

provisional until national polices were approved by the Holy See.

On October 14, 2002, Cardinal Re, the Prefect of the Congregation for Bishops, issued an announcement stating:

> "...the application of the policies adopted at the Plenary Assembly in Dallas can be the source of confusion and ambiguity, because the "Norms" and the "Charter" contain provisions which in some aspects are difficult to reconcile with the universal law of the Church. Moreover, the experience of the last few months has shown that the terminology of these documents is at times vague or imprecise and therefore difficult to interpret. Questions also remain concerning the concrete manner in which the procedures outlined in the "Norms" and "Charter" are to be applied in conjunction with the requirements of the Code of Canon Law and the Motu proprio *Sacramentorum sanctitatis tutela.*
>
> "For these reasons, it has been judged appropriate that before the recognitio can be granted, a further reflection on and revision of the "Norms" and the "Charter" are necessary. In order to facilitate this work, the Holy See proposes that a Mixed Commission be established, composed of four bishops chosen from the Episcopal Conference of the United States, and four representatives from those dicasteries of the Holy See which have direct competence in the matter ..."

The Mixed Commission met in Rome on October 28-29, 2002. On October 29th it issued a set of *Revised Norms*. These were approved by the USCCB on November 13, 2002 as the *Essential Norms for Diocesan/Eparchial Policies Dealing With Allegations of Sexual Abuse of Minors by Priests and Deacons* (hereafter referred to as *Essential Norms*). They received *recognitio* from the Holy See on December 8, 2002. The President of the USCCB promulgated them on December 12, 2002 and announced that they would take effect March 1, 2003.

On January 16, 2003, the Archdiocese released to the public a long-awaited document entitled *Ten Year Report on Clerical Sexual Abuse of Minors in the Archdiocese of Chicago, January 1, 1993- January 16, 2003* (hereafter referred to as *Ten Year Report*). This report found that:

> "Since January 1, 1993, the Archdiocese of Chicago's independent Review Board has determined that there was reasonable cause to suspect that sexual abuse of a minor occurred in 55 matters dating back 40 years involving 36 Archdiocesan priests."

Although none of these priests had been afforded any canonical process, the *Ten Year Report* referred to these allegations as "founded" (pp. 2, 6) and "substantiated" (p. 2). In the cover memorandum of this report, the Chancellor of the Archdiocese stated:

> "... the underlying sad fact remains: three dozen priests have abused children (in some cases more than one), betrayed their vocations, damaged the mission of this local church, and caused many individuals to question the ministry of priesthood and bishop."

AOC 015888

This statement totally ignored the presumption of innocence and the fact that the accused priests had not been afforded any canonical process whatsoever. On page 3 of the report, the Chancellor stated that there would be canonical trials "to discover the truth" about these allegations, but from what he wrote, the allegations have already been proven true. Eight of these accused priests were dead when they were accused.

Although the Archdiocese did not release the names of the priests covered by these findings, it did indicate to the media that their names had been announced at the time they were removed from ministry. Thus, the newspapers reviewed their files and printed a list of the priests.

Included as an Appendix to the *Ten Year Report* was the 12-19-2002 Draft Revision to the Archdiocesan policies. This draft was entitled: "*Sexual Abuse of Minors: Policies for Education, Prevention, Assistance to Victims and Procedures for Determination of Fitness for Ministry.*" This draft stated that it had incorporated the *Essential Norms* and the *Charter* of the USCCB, as well as the universal law of the Church. With the change of only a few words, this draft has now been promulgated by you as new Archdiocesan policy, effective March 1, 2003.

Also included as an Appendix to the *Ten Year Report* is a three-page document entitled *Canonical Process: Trials for Inflicting Penalties* (hereafter referred to as *Canonical Process*). This document, while informal in tone, seems to reflect the mind of the Archdiocese as to how to adapt the "Chicago Model" to bring it into conformity with canon law. In some respects, *Canonical Process* shows a lack of understanding of fundamental requirements of the universal law. It appears that *Canonical Process* is a preliminary articulation, by the Archdiocese, of how the *New Chicago Policies* will be applied in practice.

While the *New Chicago Policies* claim to be providing "the processes provided for in canon law" (Policy §1105.1, A), in effect, they put new wine into old wineskins. Both the old and the new policies are a confused mixture of canon law, civil law and procedures *sui generis*, which exhibit many of the defects cited in three recent decisions of the Congregation of the Clergy involving dioceses in Australia (Prot. N. 2000.1201, Prot. N. 2001.1099, and Prot. N. 2001.0081; attached). By contrast, the procedures and offices set forth in the 1983 Code provide a fair and just method of proceeding.

These policies and procedures are of the gravest importance. For the Church, its commitment to the protection of children and its credibility as a defender of the dignity of the human person require that norms and procedures be followed which adequately determine the truth of an allegation and the culpability of the accused. Not only does sexual abuse harm the victim and the victim's family, it harms the whole Church. On the other hand, a false accusation of sexual abuse not only victimizes the accused cleric, it victimizes the community he serves and the whole Church. For the accused cleric, what is at stake is nothing less than this:

1. a possible criminal trial and imprisonment
2. a possible civil lawsuit and the potential loss of all of a cleric's assets

AOC 015889

3. permanent removal from ministry
4. the permanent destruction of a cleric's good name

Precisely because the issues and consequences involved are of such grave importance, I believe it is vitally important to reconsider carefully this legislation and to make the adaptations necessary to bring it into conformity with the universal law of the Church.

II. THE LAW

A. CANONICAL DUE PROCESS

1. Basic Principle of Canonical Due Process

It is undisputed that all procedures employed in any canonical investigation and judgment leading up to the imposition of canonical penalties must be congruent with the procedures envisioned by and explicated in the 1983 Code of Canon Law.

> "The Christian faithful have the right not to be punished with canonical penalties except according to the norm of law" (c. 221 §3).

Deploring the recent failure by many dioceses to honor and effectively apply the right of canonical due process, one canonist states:

> "These actions certainly appear to ignore the basic right expressed in c. 221 § 3, which provides that the Christian faithful have the right not to be punished with canonical penalties except in accord with the norm of canon law. According to accepted jurisprudence, this right is an application of the natural law which does not admit of dispensation." (Ingels, G., "Dismissal from the Clerical State: An Examination of the Penal Process," Studia canonica (1999), p. 170).

2. Application of the Principle of Canonical Due Process

Because the Catholic life is manifest socially in the context of community, Church and society, it requires structure and order. The application of canon law is the long established methodology by which the Catholic community structures and orders itself, to facilitate living the Catholic Christian life. The Church fulfills its mission to protect the rights of all the faithful by complying with its own procedures and by the proper exercise of canonical offices. The Code of Canon Law indicates quite clearly what canonical procedures must be followed by what canonical officers in addressing an accusation of clerical sexual abuse of a minor.

This right to canonical due process includes the right to be judged according to the law applied with equity (c. 221 §2). This right applies to both judicial and administrative processes. (Canon

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Law Society of America, "New Commentary on the Code of Canon Law," New York: Paulist Press (2000), p. 281; hereafter referred to as *CLSA Commentary*) This right results from an application of the natural law, which does "not admit of dispensation." (Ingels, *supra*, p. 170). Indeed canon 87 §1 states that the diocesan bishop "is not able to dispense, however, from procedural or penal laws nor from those who dispensation is specifically reserved to the Apostolic See or some other authority." Therefore, judgments and penalties inflicted pursuant to local procedures similar to those used in Chicago have been overturned by the Holy See (cf. Congregation for the Clergy, Prot. Nos. 2000.1201, 2001.1099, and 2001.0081). Furthermore, there is a duty to use canon law even if it seems "cumbersome, arcane and outdated" to those unaware of the mechanisms and balances effectuated therein over centuries. One canonist recently wrote, "... it is incumbent upon all of us in the Church to try to use this (canonical penal) process properly and effectively." (Ingels, *supra*, pp. 170, 169-212).

Another canonist noted, in an article criticizing local procedures quite similar to those used in Chicago, that, unfortunately, canonical procedures have been ignored recently in the United States. He pointed out that the duty to act legally must be observed for the benefit of the whole Church.

> "Unless the church's hierarchy is willing to honor so fundamental and uncontroversial a right as the right to what we Americans call 'due process of law', other and more contentious rights will continue to be treated summarily or even trampled on." (Beals, J.P., "Hiding in the thickets of the Law", *America* 15 (October 7, 2002), p.18.).

The *Essential Norms*, cited above, contain six (6) explicit statements that the universal law of the Church still applies and all national and diocesan procedures must be "in accord" with the Code of Canon Law. These six explicit references emphasize the intent that canonical procedures be properly applied and canonical offices be properly exercised:

- The Preamble to the Essential Norms states: "These norms are complementary to the universal law of the Church ..." (par. 3).
- Norm 2, dealing with the written policy of each diocese, states: "This policy is to comply fully with, and is to specify in more detail, the steps to be taken in implementing the requirements of canon law ..."
- Norm 6 deals with the preliminary investigation, and as pointed out above, states: "When an allegation ...is received, a preliminary investigation in harmony with canon law will be initiated and conducted ... objectively (c. 1717)."
- Norm 8 states that penalties can only be inflicted: "... after an appropriate process in accord with canon law ..."
- Norm 8A states: "In every case involving canonical penalties, the processes

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provided for in canon law must be observed and the various provisions of canon law must be considered."

- And, Norm 9 states that administrative acts in cases such as these should be consistent with and observant of "the provisions of canon law." (Underlines added).

The explicit reference or citation in Norm 6 to canon 1717 as a whole is significant because, when read as a whole, canon 1717 clearly indicates and mandates specific canonical procedures to be followed, as well as the ecclesiastical offices that are to carry out the canonical preliminary investigation prescribed there.

The affirmation of the need for canonical due process in any action against one of the faithful is further bolstered in the *Essential Norms* by the explicit, articulated provision of the right to "civil counsel" for an accused (Norm 6, sentence 3). This right is repeated again in Norm 8A (sentence 4). Therefore, if a lawyer is to be involved, by logical extension some legitimate body of law is to be followed.

Again, consistent with the principle that canonical due process must be followed by the diocese, is the fact that the *Essential Norms* twice specifically refer to an accused's right to "canonical counsel" (Norm 6, sentence 3; and Norm 8A, sentence 4). And, the *Essential Norms* are so concerned with the implementation of this right that they even provide for using diocesan funds or resources to "supply canonical counsel" to the accused (Norm 8A, sentence 5). Obviously, again by logical extension a canon lawyer would be of no use unless canon law was supposed to be followed.

Therefore, it seems clear and beyond any doubt that incorporated into, and guiding all proceedings under, any diocesan procedures are the principles, authority, precedent, traditions, procedures, and ecclesiastical offices of canon law.

> "Incidents of sexual abuse by the clergy have become one of the most distressing issues which the church has had to confront in recent decades.... While a canonical penal trial is among the most difficult...procedures that we have to deal with as canonists, this process does stand as a testament to the Church's commitment to provide a means which will effectively investigate and resolve issues as stressful as these in a just and equitable manner. The responsibility of assuring that such procedures succeed falls to each of us." (Ingels, *supra,* pp. 207-208) (Underlines added).

3. Corollaries to Principle of Canonical Due Process

The universal law of the Church must be interpreted in such a manner as to "be linked to authentic values" underlaying the norms.(*CLSA Commentary*, p. 3) And, a norm is only validly interpreted when it promotes, supports, and protects a the underlying value; otherwise it would

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not serve the common good. The values protected by c. 221 §3 are the inviolable dignity of the human person, the value of an individual's reputation, the value of every person being presumed innocent until proven guilty, the value of every person having legitimate means to vindicate their rights, the value of a cleric having stability in the exercise of his ministry, the value of privacy, and the value of fundamental fairness and canonical due process.

Canon 1321 §1 establishes that no one is to be punished unless the external violation of a law or precept, committed by the person, is gravely imputable by reason of malice or negligence." Sometimes an accusation alleges that a cleric engaged in behavior which would have been inappropriate, foolish, or offensive, but which would not be an external, objectively grave violation of the sixth commandment, even if the allegation were true. The canonical norm of sexual abuse, "an external, objectively grave violation of the sixth commandment" (*Essential Norms*, Preamble, Par. 4), requires lustful intent. This can presumed from certain behaviors; but in the case of ambiguous touching, for example, lustful intent must be proven.

In addition, "laws which establish a penalty...are subject to strict interpretation" (c.18 of the 1983 Code and c. 19 of the 1917 Code). "Strict interpretation of penal laws is necessary to protect the rights of persons, including those who have ... been accused of a crime." (*CLSA Commentary*, p. 76)

A prime example of this concept is canon 1313 §1 which states: "If a law is changed after a delict has been committed, the law more favorable to the accused is to be applied." It is illegitimate to attempt to apply to an alleged delict of 35 or 45 years ago, a more severe penalty which may be contained in the *Essential Norms*. It is also illegitimate to apply particular law contained in the *Chicago Policies* which ignores established canonical protections for the accused.

Moreover, canon 135 §2 states: "A lower level legislator cannot validly issue a law contrary to a higher law." The *recognitio* which the *Essential Norms* received from the Congregation for Bishops does not constitute a derogation from the law. Only the Holy Father can grant a derogation from the law. (Indeed, the Holy Father did grant a derogation from some laws in a *Motu proprio* dated February 7, 2003). Rather than being a derogation from the law, the *recognitio* is a determintion that the *Essential Norms* can be interpreted in such a way as to be consistent with the universal law of the Church. Any interpretation of the *Essential Norms* which is not consistent with the universal law of the Church is invalid. Therefore all of the local diocesan policies and procedures and officers used to investigate and judge a case should strictly comply with the procedures and ecclesiastical offices prescribed by the 1983 Code (cc. 146-183, 1717-1719) and other official legal texts of the Church.

Canon 1717 §2 provides that: "Care must be taken so that the good name of anyone is not endangered from this investigation." This is a corollary of canon 220:

> "No one is permitted to harm illegitimately the good reputation which a person possesses

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nor to injure the right of any person to protect his or her own privacy."

Last and most important, by natural law and canon law, the accused is to be presumed innocent until proven guilty (cf. cc. 221 §§2, 3 and Congregation for the Clergy, Prot. N. 2002.1201). The burden of proof is on the accuser/Promoter of Justice (c. 1526 §1). This burden of proof has three essential elements: (a) the burden of providing or collecting sufficient evidence to prove the accusation; (b) the burden of moving the case forward to a final judgment; and (c) the burden of proving the alleged delict with moral certitude.

Therefore the application of canonical procedure must be consistent with the presumption of innocence, which mandates that the burden of proof should never be shifted. Interpreting legislation or creating processes which, in effect, require the accused to prove himself innocent violate this principle.

B. CANONICAL OFFICES REQUIRED FOR THE PRELIMINARY INVESTIGATION

Canon 145 describes the concept of "ecclesiastical office". These offices carry powers attached by canon law (c. 131) together with specific qualifications and specific duties unique to and created by canon law. In a canonical preliminary investigation there are three essential ecclesiastical offices: the ordinary (exercising his role as judge), the investigator (exercising the role of auditor), and the notary. To properly conduct a canonical preliminary investigation, these three officers must exercise their offices as defined and directed by the Code of Canon Law.

1. The Ordinary-as- Judge.

In canon law, the ordinary exercises a multitude of roles. Canon 381 §1 describes the ordinary's overall role as pastor:

> "A diocesan bishop in the diocese entrusted to him has all ordinary, proper, and immediate power which is required for the exercise of *his pastoral function* except for cases which the law or a decree of the Supreme Pontiff reserves to the supreme authority or to another ecclesiastical authority."(Italics added).

In exercising his pastoral role, the ordinary exercises distinct legislative, executive, and judicial functions: "It is for the diocesan bishop to govern the particular church entrusted to him with *legislative, executive, and judicial power* according to the norm of law."(c. 391 §1) (Italics added). Canon 1419 §1 says that in the diocese "the judge of first instance is the diocesan bishop..."

In dealing with an accusation of clerical sexual abuse of a minor, the ordinary's role as judge is paramount. (Thus, this role is hereafter referred to as "ordinary-as-judge," in order to distinguish it from the other roles of the ordinary). It is important to distinguish the proper exercise of the

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various roles of the ordinary, because in the investigation of an accusation of clerical sexual abuse of a minor, an ordinary may be involved in some way and yet not be exercising his canonically mandated role as judge.

a. Initial judgment

Pursuant to canon 1717 §1, the ordinary-as-judge has the responsibility, first of all, to determine whether an accusation of a delict allegedly committed by a cleric "at least seems true." If he so finds, he should then initiate a canonical preliminary investigation. Canon 1717 §1 says he is to "carefully to inquire personally or through another suitable person about the facts, circumstances, and imputability, unless such inquiry seems entirely superfluous."

When would an inquiry into an accusation be superfluous?

- An investigation would be superfluous if the behavior alleged, if proven, would not constitute "an external, objectively grave violation of the sixth commandment."

- An allegation would be superfluous if the accuser, at the time of the alleged abuse, was above the canonical age the law stipulates under the delict of sexual abuse of a minor. If the alleged delict occurred before April 25, 1994, there is no violation of canon 1395 §2 of the 1983 Code or canon 2359 §2 of the 1917 Code if the minor was 16 or older at the time of the alleged offense. If the alleged delict occurred on or after April 25, 1994, there is no violation of canon 1395 §2 if the accuser was 18 or older at the time of the alleged offense (cf. 1994 Rescript for the United States).

- An investigation would be superfluous if it is obvious that the accused could not have been in the place where the offense allegedly occurred (e.g., he was studying in Rome at the time he allegedly committed an offense in Chicago).

- An investigation would be superfluous if it is obvious that the accusation is baseless (e.g., the accuser says that the accused emerged from a space ship and abducted the person into the space ship).

- An investigation would be superfluous if the accused cleric is dead, because the truth cannot be determined if the accused cannot defend himself. A canonical penal process cannot be brought against a dead person.

- An investigation would usually be superfluous if the accused has formally left the active ministry, since the ordinary has no authority to compel him to participate in a penal trial and since restriction on his ministry would be redundant. However, an accusation would not be superfluous if the accused were still an employee of the

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Archdiocese. Even if an accusation would be superfluous, some note of the accusation should be made, in the event that the accused ever petitions to return to active ministry.

- Usually, an accusation of a delict which is barred from prosecution by prescription would be superfluous. In secular criminal law, once it is determined that the statute of limitations has run, the prosecutor does not pursue an investigation into an allegation. A complication, of course, is raised by Norm 8A of the *Essential Norms* which provides for a dispensation from prescription. This puts the ordinary in the difficult and awkward position of conducting an investigation which may be virtually impossible because of the long passage of time.

Does a cleric's admission of the accusation make a preliminary investigation superfluous? The USCCB booklet *Canonical Delicts* seems to say so (p. 9), but that text was written before the issuance of *Sacramentorum sanctitatis tutela* (and the derogations of February 7, 2003) and the promulgation of the *Essential Norms*. The answer now must be, "No." Even if the ordinary petitions the Holy Father or the CDF to dismiss the accused from the clerical state, in keeping with the *Motu proprio* of February 7, 2003 the ordinary must submit proofs. For cases which go to a canonical trial, a preliminary investigation is needed to create the Acts on which the ordinary-as-judge and then the trial court can base their judgment. For all cases, various canons apply which indicate that an admission does not constitute conclusive proof of guilt (cc. 1535-38). In addition, the accused might be confused about the accusation or about the canonical elements of a delict against canon 1395 §2, such as the necessity of lustful intent and imputability.

In most cases, the ordinary's decision whether to initiate and authorize a canonical preliminary investigation could be made after a few days reflection on the accusation and the response and upon consideration of the credibility of the accuser and the accused.

b. Judge conducting or presiding over the preliminary investigation

If the ordinary decides that a canonical preliminary investigation is to be conducted, he must first issue a decree opening the investigation (c. 1719) and either conduct the investigation himself or, by decree, appoint a "suitable person" as the investigator (c. 1717 §1). This investigator has the powers and obligations of an auditor (c. 1717 §3). Canon 1428 §3 points out: "It is for the auditor, according to the mandate of the judge, only to collect the proofs and hand them over to the judge." Thus the ordinary retains his judicial role; he is not able to delegate it to anyone else, even the investigator-auditor, and he may not abdicate it. His role as judge requires that he view the canonically obtained evidence personally (c. 1428 §3).

The ordinary-as-judge has to decide based on the Acts of the case (known as the "Record" in American Common Law courts) and not on any "off-the-record" information of whatever kind.

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Canon 1604 §1 says: "It is absolutely forbidden for information given to the judge by the parties, advocates, or even other persons to remain outside the Acts of the case." Also, canon 1608 §2 says that the judge must base his judgment "from the Acts and the proofs."

In order to be included in the Acts of the case, testimony must be taken in a canonically valid manner. This requires that the accuser be interviewed alone (c. 1560), in person (c. 1558), and under oath (c. 1530). The judge (or the auditor) is to establish the identity of the witness (c. 1563). He is to ask the witness "the source of his or her knowledge and the precise time when the witness learned what he or she asserts" (c. 1563).

Canon 1548 §2 grants an exemption from testifying to "clerics regarding what has been made known to them by reason of sacred ministry ... and others bound by professional secrecy." In his November 14, 2002 interview with Zenit News Service, Archbishop Julian Herranz, the President of the Pontifical Council for Legislative Texts, pointed out that this exemption also applies to bishops themselves. The reason for these exemptions is that the special nature of these professional and ecclesial relationships requires the ability to speak with candor, with the assurance of confidentiality.

In determining the trustworthiness of testimonies, the judge, "after having requested testimonial letters if necessary is to consider the following:

1° what the condition or reputation of the person is;
2° whether the testimony derives from personal knowledge, especially from what has been seen or heard personally, or whether from opinion, rumor, or hearsay;
3° whether the witness is reliable and firmly consistent or inconsistent, uncertain, or vacillating;
4° whether the witness has co-witnesses to the testimony or is supported or not by other elements of proof." (c. 1572).

Canon 1573 says: "The testimony of one witness cannot produce full proof ... unless the circumstances of things and persons suggest otherwise."

Canon 1574 says: "The assistance of experts must be used whenever the prescript of a law or of the judge requires their examination and opinion based on the precepts of art or science in order to establish some fact or to discern the true nature of some matter." In cases in which the validity of the memories of the accuser or the accused may be at issue, expert testimony might be valuable.

Proper documentary proof is covered in canons 1539-1546. Proper documentary proof is necessary to establish the age of the accuser. It also may be helpful to establish other facts.

Canon 1582 allows the judge to conduct a "judicial examination and inspection":

> " If, in order to decide a case, the judge considers it opportune to visit some place or to

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inspect some thing, the judge, after having heard the parties, is to order it by a decree describing in summary fashion those things which must be exhibited during the visitation or inspection."

When the visit or inspection has been completed, a report about it is to be drafted (c. 1583).

c. Concluding judgment

The canonical preliminary investigation continues until the ordinary-as-judge is able to determine either:

(a) that there is sufficient evidence of the alleged delict (c. 1718 §1) to warrant sending the case to the Congregation for the Doctrine of the Faith (May 18, 2001 Letter of the Congregation for the Doctrine of the Faith, *Sacramentorum sanctitas tutela* and Norms of the Congregation for the Doctrine of the Faith for penal trials, Art. 13) and whether it is expedient (c. 1718 §1, 2°), or

(b) that there is insufficient canonically appropriate evidence to move to the next stage a and so the case should be closed.

It seems important to point out that the real purpose of the judgment by the ordinary-as-judge at the conclusion of the canonical preliminary investigation is to determine whether there is moral certitude that the Acts of the case contain sufficient evidence to proceed to a trial (c.1718 §1).

"Once all of the proofs have been gathered .... it then falls to the ordinary himself to determine whether he has arrived at moral certitude concerning the sufficiency of the evidence ..." (Ingels, *supra,* p. 179).

At this point, it is not proper for the ordinary to decide or pronounce guilt.

"A clear distinction must be made between moral certitude concerning the sufficiency of the evidence and moral certitude concerning the guilt of the accused. It is for the penalty phase of the process to assess the question of guilt. Since the ordinary cannot provide for the right of defense of the accused during the prior investigation he can only address the question of whether the evidence is sufficient to move forward with the process." (Ingels, *supra,* p. 179, n. 20) (Underlines added).

The ordinary-as-judge concludes the canonical preliminary investigation with a decree stating his moral certitude that the Acts (the Record) are sufficient to move the case forward to a canonical trial (c. 1719 and Ingels, *supra,* p. 190, 178). If the ordinary-as-judge cannot arrive at moral certitude that the quantity and quality of the evidence is sufficient, he must then issue a decree which declares this finding of insufficiency of the evidence and conclude the canonical preliminary investigation (c. 1719).

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> "Finally, if the ordinary does not find the proofs compelling enough for him to arrive at a conclusion of the probability of the priest's responsibility for the crime of which he has been accused, he must issue a decree which declares this finding, absolves the accused, and brings the penal process to conclusion." (Ingels, *supra,* p. 192).

Obviously this judgment of the ordinary-as-judge requires knowledge of canonical procedures and canonical rules of evidence. When the ordinary-as-judge is making the judgment required by canon 1718 to conclude the canonical preliminary investigation, "the ordinary may hear two judges or other experts in the law if he considers it prudent"(c. 1718 §3). The basis of the judgment of the ordinary-as-judge is revealed in the emphasis on the canonical knowledge required by these judges or canonical experts. This provision clearly indicates the need to decide the issues presented at the conclusion of a canonical preliminary investigation according to the evidentiary requirements of the Code of Canon Law. This requires an awareness of the standards for canonically admissible evidence, cognizance of the proper ecclesiastical procedures, and an understanding of the proper role of the ecclesiastical offices prescribed by the Code of Canon Law.

In the present climate, in the wake of a national crisis for the Church, it is more important than ever that the ordinary-as-judge uphold the integrity of this office and abide by the canonical duties and obligations of this office. Because the U.S. bishops have raised the stakes by declaring a policy that no cleric who has ever committed an act of sexual abuse with a minor may ever again exercise ministry, the Holy See has insisted on the right to a canonical trial for the accused, except in extraordinary circumstances. Because of the gravity of the matters at issue, the Church insists on a rigorous, formal penal process to determine the truth of the allegation and to protect the rights of both accuser and accused. The penal process must be followed in both letter and spirit.

Failure to conduct a canonically valid preliminary investigation and to conclude it with a canonically proper finding creates a case that cannot be brought to a canonical trial.

2. The Investigator-Auditor

a. Sources in the law

The sources of the ecclesiastical office of "investigator" in a canonical preliminary investigation are cc. 1717-1719. Canon 1717 §1 provides that the ordinary can conduct the canonical investigation personally. However, canonists usually recommend that the ordinary not do so:

> "This recommendation is made on the basis of the principle found in c. 1717 §3, which prohibits the investigator from later acting as a judge in the case ..." (Ingels, *supra,* p. 174).

> "... it is preferable that the *diocesan bishop* himself not conduct the investigation. He must be in a position to evaluate its results objectively; personal involvement may

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interfere with this critical duty." (*Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State, USCCB,* 1995, reprinted 2002, p. 9) (Italics in original).

This demonstrates an important point about the source of the office of the investigator-auditor in the canonical preliminary investigation. It is derived by dividing the inherent power of the ordinary to inquire into the facts and his responsibility to independently, objectively judge the facts as established in the Acts (the Record).

Canon 1717 §3 provides that the ordinary-as-judge can appoint a "suitable person" to conduct the canonical investigation and gather canonically appropriate evidence. This canonical officer is called the "investigator" (c. 1718 §4). Canon 1717 §3 also specifies that the investigator has "the same powers and obligations as an auditor in the process." (For this reason and to distinguish the canonical investigator from that utilized in Chicago, I will hereafter refer to this canonical officer as the "investigator-auditor.")

b. Appointment by decree

In each case, the canonical investigator, who acts as an auditor in the canonical preliminary investigation, must be appointed by a decree from the ordinary-as-judge (c. 1719). This decree should also express the parameters of the mandate given to the investigator-auditor (c. 1428 §3). This decree must be placed in the Acts of the case (Congregation for the Clergy, Prot. N. 2000.1201). A proper appointment is important because it conveys the authority of the diocesan bishop to interrogate and inquire in the name of the Church, and an assurance that the investigator has proper character, qualifications, ability, canonical knowledge, and trustworthiness.

c. Qualifications

Canon 1428 §2 says that persons appointed as auditors are to be "outstanding for their good character, prudence, and doctrine."

Canonical Delicts says that the investigator need not be a priest and "in some cases a team approach may be advisable" (p. 9). However, canon 1717 §3 refers to "a suitable person" and the Congregation for the Clergy has ruled that the ordinary "must appoint a single Delegate to act on his behalf" (Prot. N. 2000.1201). Also prominent experts in the penal law of the Church, such as Francis Morrisey, O.M.I. and Gregory Ingels, maintain that the investigator must be a priest. Their argument is based by analogy with canon 483 §2 requiring the notary in such cases to be a priest. One could also add that canon 1717 §3 says that the investigator has the powers and responsibilities of an auditor and canon 1428 §1 says that the auditor carries out the responsibilities of the judge in instructing the case and the CDF Norms for penal trials say: "... only priests can validly carry out the functions of judge, promoter of justice, notary, and patron" (Art. 11). The requirement of priesthood can be dispensed by the CDF (*Motu proprio*, February

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7, 2003).

The investigator-auditor also must be objective and not charged with any conflicting responsibilities in order to conduct a fair, unbiased objective inquiry (c. 1448 §2). The duty to be objective and unbiased is also affirmed and emphasized in the *Essential Norms*.

> "Norm 6. When an allegation of sexual abuse of a minor by priest or a deacon is received, a preliminary investigation in harmony with canon law will be initiated and conducted promptly and objectively (c. 1717)." (Underline added).

Above all, the nature of the role of the investigator-auditor conducting a canonical preliminary investigation requires that the investigator have a thorough knowledge of canon law. The investigator-auditor must be familiar with the powers and duties of an auditor in a canonical process as well as the evidentiary requirements of canon law.

The investigator-auditor should be skilled in conducting canonically valid examinations of witnesses (detailed above in the treatment of the ordinary-as-judge). The investigator-auditor must also have a thorough knowledge of the constitutive elements of canons pertaining to the delict of sexual abuse of minors (c. 1395, §2) and the application of penalties, especially canonically aggravating and mitigating circumstances (cc.1324-27). The investigator should also be knowledgeable about the Illinois Criminal Code, civil law, and the laws pertaining to the gathering of evidence, since canon law can incorporate or "canonize" the local civil law of the respective diocese, because the 1983 Code exhorts and requires the observance of civil laws not contradictory to the canon law (c. 22). Therefore it seems clear that the investigator-auditor must be someone with professional sensitivity to and awareness of both canon and civil law.

Furthermore the investigator-auditor must be someone familiar with the unique issues involving child abuse allegations, for the reasons discussed below. The crucial point is that the investigator-auditor must be able to properly interrogate those involved in such cases, properly inquire to expose falsehood, and create canonically proper evidence. This is a vastly different role that that of an investigator in American civil or criminal law.

d. Functions

Canon 1428 §3 says: "It is for the auditor ... only to collect the proofs and hand them over to the judge." The word "only" limits these duties to indicate that there is no judgmental, determinative, nor advisory role that is included in the auditor's responsibilities or powers. The powers and obligations of an auditor are also limited to only deciding "what proofs are to be collected and in what manner" (c. 1428 §3).

The purpose of the canonical preliminary investigation is not to indict or try the accused at this stage but rather to gather facts, investigate the circumstances, and explore the question of

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imputability.

> "The preliminary investigation is geared to ascertaining whether there are solid grounds for judging that an ecclesiastical delict...has been committed..." (*CLSA Commentary*, Comment p. 1808). (Underlines added).

The inquiry conducted by the investigator-auditor must be far more thorough and objective than the investigation usually conducted under the Common Law model. Under the Common Law, the adversarial method is relied upon to complete the investigation, to correct errors, to add or explain facts in a light most favorable to the accused as well as the accuser, and to expose biases, conflicts of interest or inadequacies of witnesses. In the canonical model, this must be performed by the investigator-auditor.

Therefore the investigator-auditor is charged with the responsibility of completely and thoroughly investigating the charges, gathering evidence and proofs that address fully and completely all sides of the issues including that evidence favorable to the accused. In other words, facts to support a defense, or mitigation, should also be carefully collected by the investigator-auditor, since no defense or inquiry can be mounted at this stage by the accused, and since these proofs act as the basic evidence at the later trial. Failure to do so can seriously effect the accused's ability to defend himself.

Although it may be appropriate for the investigator-auditor to talk informally with a witness prior the formal interview, care should obviously be exercised to prevent the investigator-auditor from influencing the witness. Canon 1565 says: "Questions must not be communicated to the witness beforehand."An investigator-auditor has to be careful to reduce witness statements, untainted and uninfluenced, to a formal statement under oath, recorded verbatim and signed by the witness. (Ingels, *supra,* p. 177). The significance here is that the investigator-auditor has the duty to collect evidence and facts in such a way as to not distort the evidence and to support both sides to the dispute completely.

From the outset of a canonical preliminary investigation, it is essential that the allegation of the accuser be obtained in a canonically valid manner with sufficient specificity as to time, place, circumstances, and witnesses, so that the investigator-auditor knows what proofs need to be obtained and so that the accused has sufficient knowledge of the accusation to be able to respond and prepare his defense. The clear intent of canon law is that without an oath no accusation regarding criminal conduct should be given credibility. Failure to obtain a canonically valid statement of the accusation at the commencement of the preliminary investigation is also improper and unfair because it can result in the accusations evolving and "constantly changing, others being added or not mentioned anymore, seemingly at will and not accord to any mode of canon law." (cf. Congregation for the Clergy, Prot. N. 2001.1099)

3. The Canonical Notary

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a. Sources in the law

In collecting the proofs, the judge or the investigator-auditor must be accompanied by and assisted by a canonical notary (cc. 1437 §1 and 1561). The role of the canonical notary is crucial in the canonical preliminary investigation because the notary documents and guards the record which is utilized ultimately to reach the decision called for at the conclusion of the canonical preliminary investigation stage and also, if necessary, at the trial stage. "A notary is to take part in any process, so much so that the acts are null if the notary has not signed them."(c.1437 §1).

b. Appointment by decree

As with other officers whom the diocesan bishop appoints to take part in a canonical preliminary investigation, the notary is to be appointed to the case by a decree issued by the diocesan bishop (c. 48). This is extremely important because the integrity of the record (the Acts) upon which the whole process depends is entrusted to this one ecclesiastical officer.

c. Qualifications

The canonical notary must be "of unimpaired reputation and above all suspicion" (c. 483 §2). In cases involving accusations of clerical sexual abuse, the canonical notary must be a priest (c. 483 §2 and Congregation for the Doctrine of the Faith, Norms for penal trials, Art. 12), although this requirement can be dispensed by the CDF (*Motu proprio,* February 7, 2003).

The notary must be very knowledgeable about canonical penal procedures, especially the manifold duties of the notary, which are essential to establishing the official Acts of the preliminary investigation.

d. Functions

The canonical notary is charged with performing the following duties:

- drawing up acts and instruments which require his action (c. 484, 1 °)
- witnessing the signature of the ordinary on all of the decrees issued in the penal process (c. 484, 2 °)
- being present at the taking of any statements made by the accuser or other persons in order to act as an official witness (c.1569 §2)
- being present to witness the administration of an oath, thereby insuring that the statement is sworn to (c. 1562 §2). The reasons for requiring sworn testimony by the accuser and by witnesses are not technical or frivolous. Sworn deponents can

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be punished for perjury. In all legal systems, the fact that a statement or testimony is sworn is an important criterion for weighing truthfulness and accuracy. Sworn testimony also provides a basis during the trial stage for cross-examination or impeachment.

- transcribing accurately or recording verbatim any statements or depositions taken from the accuser or other witnesses (c. 1567), "giving the witness the opportunity to add, suppress, correct or change it" (c. 1569 §1);

- signing the Acts of the deposition, at the end of a deposition, and seeing to it that it is signed by the deponent and the investigator-auditor (c. 1569 §2);

- assembling and guarding the Acts of the case (the Record) (cc. 484, 486). This is of major significance because the penal process depends on the Acts. The importance of a proper record of both the canonical preliminary investigation stage and later trial stage can not be emphasized enough. It is from this information and this information alone, that all subsequent decisions are required to flow. An accurate record is an essential element not only of canon law, but of every respected system of law. The alternative is to disregard principles of law and justice and to run the risk of a sham legal proceeding – or a kangaroo court. Off-the-record information cannot be used in the penal process, because it deprives the accused of his right to confront all the evidence marshaled against him, thereby depriving him of his right to a defense. Obviously, the accused has no opportunity to confront information if the ordinary-as-judge receives that information outside the record.

- placing, at the conclusion of the investigation,"the Acts of the investigation, the decrees of the ordinary which initiated and concluded the investigation, and everything which preceded the investigation" in the secret archive of the diocese, unless necessary for the penal process (c. 1719). This serves several greater purposes, discussed below.

C. PERIOD OF PRESCRIPTION

In 1994, the U.S. bishops asked the Holy See for derogations from the Code of Canon Law for the United States in regard to alleged delicts of sexual abuse of minors. On April 25, 1994, the Holy Father extended the period of prescription, in the United States, for alleged delicts with a minor to 10 years after the accuser's 18th birthday. This was not retroactive; and it applied only to delicts committed on or after April 25, 1994.

However, the Holy Father also promulgated a transitory norm, affecting some delicts committed prior to April 25, 1994. Such delicts with a minor, below the age of sixteen, "are deemed to be

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actionable by criminal process until the minor in question completes his or her twenty-third birthday."

On April 30, 2001, Pope John Paul II in the Apostolic Letter *Sacramentorum sanctitatis tutela,* issued *motu proprio,* promulgated in *forma specifica* the norms contained in the May 18, 2001 letter of the Congregation of the Faith *De delictis gravioribus,* which determined the prescription for such offenses as ten years, running from the day the minor has completed the eighteenth year:

> "It must be noted that the criminal action on delicts reserved to the Congregation for the Doctrine of the Faith is extinguished by a prescription of ten years ... however, in the delict perpetrated with a minor by a cleric, the prescription begins to run from the day when the minor has completed the 18th year of age."

The *Essential Norms* do not eliminate nor do away with the period of prescription. In fact, these norms explicitly recognize the viability of prescription:

> "If the case would otherwise be barred by prescription, because sexual abuse of a minor is a grave offense, the bishop/eparch shall apply to the Congregation for the Doctrine of the Faith for a dispensation from the prescription, while indicating appropriate pastoral reasons." *Essential Norms* (Norm 8A).

In his November 14, 2002 interview with Zenit News Service, Archbishop Julian Herranz, the President of the Pontifical Council for the Interpretation of Legislative Texts explained the purpose of retaining the period of prescription:

> "While there are some who advocated the elimination of any statute of limitations in these cases, such a proposal ignores the virtual impossibility of determining the truth or falsity of allegations concerning conduct that happened in the distant past. Indeed, in the context of ecclesiastical penal proceedings, it would be extremely difficult for the victim and the Promoter of Justice to meet the standard of proof necessary for a finding that a delict had occurred, and equally difficult for the accused cleric to assemble an adequate defense. It is that practical reality, and not any desire to cover up crimes or reward criminals, that has been responsible for the introduction of the concept of statutes of limitations in all modern juridical systems."

These observations are quite consistent with the rationale behind civil and criminal statutes of limitations, expressed quite well in a Comment about the statute of limitations utilized by the United States Model Penal Code, Sec. 1.06, 1985:

> "There are several reasons for the imposition of time limitations:
>
> "First, and foremost, is the desirability that prosecutions be based upon reasonably fresh evidence. With the passage of time memories fade, witnesses die or leave the area, and

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physical evidence becomes more difficult to obtain, identify, or preserve. In short, the possibility of erroneous conviction is minimized when prosecution is prompt.

"Second, if the actor refrains from further criminal activity, the likelihood increases that he has reformed, diminishing the necessity for imposition of criminal sanctions. If he has repeated his criminal behavior, he can be prosecuted for recent offenses committed within the period of limitations. Hence, the necessity of protecting society against the perpetrator of a particular offense becomes less compelling as the years pass.

"Third, after a protracted period the retributive impulse which may have existed in the community is likely to yield to a sense of compassion aroused by the prosecution for an offense long forgotten.

"Fourth, it is desirable to reduce the possibility of blackmail based on a threat to prosecute or to disclose evidence to enforcement officials.

"Finally, statutes of limitations promote repose by giving security and stability to human affairs."

Furthermore, a prominent canonist also pointed out the rationale behind the period of prescription.

"...prescription of penal actions or a statute of limitations exists because the law, in its wisdom, recognizes that the passage of time renders prosecution of and defense against complaints increasingly difficult. With the passage of time, potential witnesses disappear, memories dim, relevant documents are lost..." (Beal, *supra,* p. 18).

It therefore seems that canonical due process requires taking into consideration the period of prescription, if it applies, and the unique impact of the passage of time on the proofs, testimoy, and documents in each individual case.

D. REPUTATION AND PRIVACY

Canon 220 states: "No one is permitted to harm illegitimately the good reputation which a person possesses nor to injure the right of any person to protect his or her own privacy." In addition, canon 1717 §2 states, in regard to the preliminary investigation of a delict: "Care must be taken so that the good name of anyone is not endangered from this investigation." Furthermore, the *Essential Norms* state in Norm 6: "All appropriate steps shall be taken to protect the reputation of the accused during the investigation."

For a priest, his good name, reputation, and legitimate privacy are especially sacred, because the

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effectiveness of his sacred ministry depends upon his ability to be recognized and accepted by the People of God as a suitable witness to Christ the High Priest and the Good Shepherd. For this reason, the diocesan bishop's obligation to defend the rights of his priests (c. 384), applies in a special way to the priest's right to his good name, reputation, and privacy. (Cf. Gianfranco Ghirlanda, S.J., "Duties and Rights Involved in Cases of Sexual Abuse Perpetrated by Clerics," *La Civiltá Catolica,* May 18, 2002, pp. 341-353).

The canonical norms for trials also require confidentiality. Canon 1455 §1 says that, "Judges and other tribunal personnel are always bound to observe secrecy of office in a penal trial..." As proof of how seriously the universal law regards this obligation of confidentiality, canon 1457 §1 provides that those who violate it can be punished "with fitting penalties, not excluding privation from office..."

So important and so sacred is the duty of confidentiality that the Holy See has repeatedly decreed that investigations of clerical delicts against morals are under pontifical secrecy, which binds under pain of excommunication. The pertinent document which explains pontifical secrecy says:

> "Deservedly, therefore, some things are entrusted to those who are assigned to the people of God, which must be surrounded with secrecy, those things, namely, which, if revealed, or if revealed at the wrong time or in the wrong way, are prejudicial to the building up of the Church, or destroy the public good, or, finally, offend the inviolable rights of individuals and communities (see instruction, *Communio et progressio,* n. 121)...
>
> "Included under pontifical secrecy are: ... (4) Extrajudicial denunciations received regarding delicts against the faith and against morals... Likewise, the process and decision which pertain to those denunciations, always safeguarding the right of him who has been reported to authorities to know of the denunciation if such knowledge is necessary for his own defense." (*Secreta continere,* Instruction of the Secretariat of State, rescript from an audience, February 4, 1977; AAS, 66 (1974), p. 89).

Sacramentorum sanctitatis tutela, in footnote 31, confirms that the norms of the Instruction *Secreta continere* remain in force. Article 25 §1 of *Sacramentorum sanctitatis tutela* also states that pontifical secrecy applies to penal trials.

Also Article III, 2 of *Secreta continere* provides:

> "If a violation has reached the external forum, he who is accused of violating the secrecy will be judged by a certain special commission which will be constituted by the Cardinal Prefect ...; this commission will inflict penalties in keeping with the gravity of the delict or the harm done."

This requirement of confidentiality is consistent with the norms which apply to an American civil trial. Key portions of the record of the case (depositions and exhibits) assembled by the attorneys

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are confidential until the facts are presented at trial or the trial is concluded. Otherwise, there would be the risk of (1) trying the case in the media instead of through the legal process, (2) judgments being made by the public based on piecemeal information, and (3) possible pollution of testimony as potential witnesses become aware of the testimony given by other parties. In an American criminal prosecution, the grand jury proceedings are secret and no public announcement is made until an indictment is issued, based on a finding of probable cause that the defendant has committed the crime, after presentation of testimony under oath.

In the case of an accusation of sexual abuse of a minor against a cleric, it would seem that canon law requires confidentiality should be maintained until the ordinary-as-judge determines at the conclusion of the preliminary investigation that the case is to be sent to the Congregation for the Doctrine of the Faith. The Congregation can indicate what, if anything, can be publicly disclosed and when. Because prescription may bar a penal trial and the Congregation may determine that it would be unjust to dispense from prescription, it would be manifestly unfair to the accused to announce the accusation, since the accused would have no way of vindicating his good name and reputation.

Also, it should be noted that intense media coverage and the Internet have increased exponentially the damage done to an accused priest's reputation by a violation of the mandated confidentiality. The public announcements made by dioceses are posted on numerous websites. There are databases giving easy access to any newspaper article, no matter how distorted or erroneous, about any priest who has been accused of sexual abuse (e.g, www.poynter.org). There are law firms which specialize in lawsuits alleging sexual abuse of priests and these law firms seek new clients by posting the names of accused priests. Entering "clergy sexual abuse databases" into the popular Google search engine results in a listing of 2,140 websites. The allegations are available to anyone in the world who has access to the Internet and they remain as a permanent stain on the reputation of many priests who have never been proven guilty of any sexual abuse.

The implications of the violation of the canonical requirements of confidentiality are enormous. The British weekly the *Economist* said: "No crime, not even murder, is so vilified in the western world as paedophilia. Being accused, even wrongly, of anything to do with child abuse can ruin people's lives." (January 18, 2003, p.10).

Cardinal Francis George has said that he believes anxiety over false accusations of sexual abuse against Cardinal Joseph Bernardin hastened his death from pancreatic cancer in 1996. In an interview reported in the *Chicago Sun-Times* o May 3, 2002, Cardinal George said:

> "I think it killed him...He told me once, 'Now, whenever my story is told, the accusation, even though it was a false accusation, will always be associated with my name.' This was a man who had a sense of his own role in history, and he was saddened by this. It was a great tragedy," George said. "This is why some sense of caution, in my experience and I've said this, accusations against priests in this domain usually have some truth to them .

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. . but not always. And in this or any other domain, we should all be more careful about making huge statements and false accusations, or any accusations, unless we know they are true."

III. CANONICAL DEFICIENCIES OF THE NEW CHICAGO POLICIES.

When the policies, procedures and officers of the *New Chicago Policies* are compared to the standards of canon law, it is obvious that canonical procedures are not properly applied. Instead, local administrative procedures and standards and local administrative officers are used to investigate and judge these cases in ways that are foreign to canon law. According to the *Essential Norms*, the Review Board is to exercise only an advisory role; however, in the *New Chicago Policies*, the Review Board exercises both investigative and judicial functions. In the *New Chicago Policies*, the Administrator exercises both investigative and judicial functions. However, the Administrator is not qualified to exercise the role of investigator-auditor and the Administrator is precluded by canon law from exercising any judicial role. In the *New Chicago Policies*, the diocesan bishop abdicates the judicial role which can be exercised only by him and which cannot be delegated.

Instead of using the refined, subtle and proven procedures of canon law to determine the truth of such allegations, the *New Chicago Policies* employ processes adopted from a totally different legal system. The result is an unacceptable hybrid of canon law and procedures *sui generis*. Instead of the accused having the presumption of innocence, the policies and procedures are biased against the accused. Instead of creating an accurate and unbiased record (the Acts), the *New Chicago Policies* result in the acceptance of tainted and polluted testimony. The *New Chicago Policies* allow for an accused cleric to be removed publicly from ministry, with permanent damage to his reputation, even before a finding that there is "reasonable cause *to suspect*" sexual abuse of a minor. Should the canonical process ultimately result in a decision in the cleric's favor, the damage already caused by premature publicity makes it exceedingly difficult for him to return to ministry, especially parish ministry.

A. THE DIOCESAN BISHOP'S JUDICIAL DUTIES ARE IGNORED

1. The diocesan bishop does not exercise his role as judge

- There is no provision in the *New Chicago Policies* for the diocesan bishop to exercise the duty to make an initial judgment, as required by canon 1717 §1, that the accusations "at least seems true" and warrant a canonical preliminary investigation. In the *New Chicago Policies*, the diocesan bishop does not make this judgment.

- There is no provision in the *New Chicago Policies* for the diocesan bishop to exercise his duty to issue a decree opening a canonical preliminary investigation,

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as required by canon 1719. In the *New Chicago Policies,* the diocesan bishop does not initiate a canonical investigation. As will be shown below, the Administrator and the Review Board inappropriately determine the nature and scope of an investigation.

- There is no provision in the *New Chicago Policies* for the diocesan bishop to exercise his duty to properly appoint a canonical investigator, acting with the same powers and obligations as an auditor, as required by canon 1717 §§1, 3.

- In the *New Chicago Policies,* the diocesan bishop does not exercise his duty to oversee the canonical preliminary investigation and to ensure that it is conducted in accord with the prescribed procedures of Church law as set out in canons 1717-1719 and related canons. The inquiry which is provided for in the *New Chicago Policies* is conducted by those not canonically authorized to participate in it.

- In the *New Chicago Policies*, the diocesan bishop does not exercise his duty to judge a case only on the record compiled by the investigator-auditor and confirmed as correct by the notary. The *New Chicago Policies* allow judgments to be made on unsworn statements, telephone conversations, hearsay, summaries, and opinions of the Administrator and the Review Board.

- In the *New Chicago Policies,* the diocesan bishop commits himself to meet with "victims and their families ... to listen with compassion to their experiences and concerns ..." (Policy §1102.2). This compromises his impartiality as judge and his duty to make his decisions based only on the Acts. It would seem better to follow the practice of the Cardinal Archbishop of New York, who has a policy against meeting personally with complainants.

- The *New Chicago Policies* seriously misrepresent the duty of the diocesan bishop to weigh the value of any admission which may have been made by the accused cleric. In the *New Chicago Policies,* there are several references to the admission of a cleric making an investigation superfluous (Policy §1104.7.3) or being equivalent to a determination of guilt after a canonical process (Policies §1104.12.1 and §1105.1). These references disregard canon 1536, §2 which says that even a juridical confession does not have "the full force of proof" and canon 1538 which states: "A confession or any other declaration of a party lacks any force if it is shown that it was made due to an error of fact or extorted by force or grave fear." It is for the diocesan bishop to consider all the circumstances and "decide how much value must be accorded an extrajudicial confession ..." (c. 1537).

- In the *New Chicago Policies,* there is no provision for the diocesan bishop, in making the judgment required by canon 1718, "to hear two judges or other experts

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in the law if he considers it prudent."(c. 1718 §3).

- In the *New Chicago Policies*, there is no provision for the diocesan bishop to exercise his duty, at the conclusion of a canonical preliminary investigation, to decide whether he has moral certitude that there is sufficient evidence in the record to warrant proceeding to trial (c. 1718 §1).

- In the *New Chicago Policies*, there is no provision for the diocesan bishop to exercise his duty, at the conclusion of the preliminary investigation, to determine whether it is expedient to initiate a penal process (c. 1718 §1), i.e., a penal process should be initiated only when the various "means of pastoral solicitude cannot sufficiently repair the scandal, restore justice, reform the offender" (c. 1341). Although canon 1341 is mentioned in Policy §1104.7.3, it is inappropriately applied to the time when an allegation is received, before a preliminary investigation has been conducted. This implies that the diocesan bishop is to apply this canon before determining the probable truth of the accusation. In other words, the guilt of the accused is assumed.

- In the *New Chicago Policies,* there is no provision for the duty of the diocesan bishop to conclude the preliminary investigation by issuing a canonical decree closing the preliminary investigation, as required by canon 1719.

2. Judicial functions are exercised by the Review Board and the Administrator

In the *New Chicago Policies* the ordinary-as-judge impermissibly delegates judicial duties and authority to the Administrator and the Review Board.

a. The Review Board

In the *New Chicago Policies,* the Review Board operates as a tribunal, engaging in investigative and judicial functions. Norm 4 of the *Essential Norms* makes it clear that the function of the Review Board should be exclusively an advisory one. (I would see it as similar to the College of Consultors or the Diocesan Finance Council). The Review Board should have no powers to investigate or to judge. Yet, in the *New Chicago Policies,* it is obvious that the Review Board decides facts and renders judgments which are within the sole province of the ordinary. The Review Board should not be involved in any investigative process, according to the *Essential Norms.*

An investigative/judicial role for the Review Board is described in Policy §1104.3.6.2 which provides for an opportunity for the accuser or the accused to appear before the Review Board and policy §1104.3.6.3 which allows the accuser or the accused to bring attorneys with them to these appearances. These are inappropriate incursions of the Review Board into the ordinary's role as

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judge. Confusion is further fostered by attempting to imitate an American jury, without any of the multitude of safeguards erected around that deliberative body to insure knowledgeable, unbiased decision-making.

Also, the *New Chicago Policies* provide for steps called the "Initial Review," the "Review for Cause," and the "Supplementary Review." (Previously the steps were called "First Stage Review," "Second Stage Review," and the "Supplementary Review"). These steps involve the Review Board in the functions of a tribunal, which is not allowed by the *Essential Norms*, nor anywhere in canon law.

Policy §1104.3.6.1 says: "The Board, may, in its discretion, limit the information it receives or considers ..." This statement gives the Review Board control over the scope of the evidence, which is, essentially, control over the whole inquiry. The *Essential Norms* (Norm 4) state that the Review Board is to function only in an advisory capacity. The Review Board cannot be given the authority to control the admissibility of evidence or authority to decide relevancy. These are functions which, under canon law, are reserved to the ordinary-as-judge or to his delegated canonical investigator.

Policy §1104.3.6.1 goes on to say, "... and the rules of evidence shall not strictly apply." However, according to canon law, canonical rules of evidence and procedure *shall* strictly apply.

In addition, "determinations" and other actions equivalent to judgments, to be made by the Review Board, are mentioned in the *New Chicago Policies* in Policies §1104.3.6.1, §1104.3.7, §1104.4.3 (b), §1104.8.1, §1104.8.2, §1104.9.1, §1104.9.3, §1104.11.1, §1104.11.3, and §1104.12.1. In canon law, only the diocesan bishop has the authority to make such decisions and judgments. Although the *Essential Norms* do recognize a role for a Review Board, it is very important to note that its role is limited to "advising" the ordinary and not making decisions, judgments, or assessments of the credibility of witnesses or of the weight of the evidence.

Also policy §1104.12.3 speaks of cases being under "continuing jurisdiction and oversight by the Review Board." As an advisory group to the Archbishop, the Review Board should not exercise any jurisdiction at all. This policy also speaks of a monitoring protocol being "approved" by the Review Board in each case. Because the Review Board is an advisory group, it doesn't have the authority to approve anything. Again, this language is indicative of how seriously the *New Chicago Policies* violate basic elements of canon law.

For its part, the Review Board is directed under Policy §1104.8 to "meet within approximately three to five days after an allegation is completed to conduct a Preliminary Review." At this Preliminary Review, according to Policy §1104.8.1, the Review Board "shall *determine:* (1) whether the interim actions recommended by the Administrator were appropriate to provide for the safety of children; (2) its recommendations based on its expertise regarding the scope and course of the investigation; (3) what further preliminary action should be taken with respect to the allegation." Under Policy §1104.8.2, the Review Board, at the Preliminary Review, is also to

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make recommendations to the Archbishop about whether an accused cleric should be withdrawn from ministry, with little or no proper canonical evidence before it.

In the *New Chicago Policies*, a Review for Cause (Policy §1104.9) is ordinarily held 30-180 days after the Preliminary Review. At the Review for Cause, "the Board shall *determine* whether there is *reasonable cause to suspect* that the accused engaged in sexual abuse of a minor..." From the point of view of a canonical investigation, this Review for Cause makes no sense. In canon law, once the diocesan bishop has determined that an accusation "at least seems true," he must commence a canonical preliminary investigation. The canonical preliminary investigation continues until the diocesan bishop, himself, determines that there is "sufficient evidence" of the alleged delict (c. 1718 §1).

b. The Administrator

In the *New Chicago Policies,* judicial functions are also exercised by the Administrator. Under Policy §1104.4.3, the Administrator is improperly assigned the duty to "receive and analyze" the allegation. Then she is to "promptly and objectively *initiate* and conduct such inquiries as may be appropriate ..." Amazingly, the accusation is received and the inquiry is begun without the diocesan bishop being involved in *any* way. Canon law (c. 1717) requires the ordinary to determine that the accusation "at least seems true." Canon law (c. 1719) then requires the ordinary to issue a decree opening an investigation. Canon law also requires the ordinary to issue a decree appointing an investigator (with the powers and duties of an auditor) to this particular case (c. 1717 §3).

The Administrator improperly exercises a judicial function when she is *analyzing* the information, *initiating* inquiries, and preparing reports *summarizing* the allegations (Policy §1104.4.3). Unfortunately, these judgments of the Administrator are the basis on which all the other judgments down the line are made by the Review Board and the Archbishop. The Review Board and the Archbishop are always making judgments based upon these filtered judgments of the Administrator.

Therefore, based entirely on the Administrator's recommendation to the Archbishop, the accused may be publicly withdrawn from ministry (Policy §1104.7.2). The Archbishop makes this determination without ever exercising his mandated responsibility as the judge to see the actual sworn, verbatim, signed statement of the accuser and the written statement of the response of the accused. Judgments regarding the credibility of the parties and the weight of the evidence are improperly delegated to the Administrator.

Related to the role of the Administrator, who improperly functions as an investigator, is a concern about the role of the Vicar for Priests in an investigation. Prior to 1992, the Vicar for Priests acted as the investigator of allegations. One of the reasons that was changed is that it was felt that the Vicar would operate more suitably as an advocate for the accused priest in this process, offering needed guidance and support.

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In Policy §1102 of the *New Chicago Policies,* the Vicar for Priests is described as a "pastor to the priests of the Archdiocese." Policy §1104.4.3, Procedure (A) says, " ... The Vicar for Priests is primarily responsible for pastoral and spiritual life concerns and treatment questions that require a sensitivity to confidences." A letter sent by the Vicar for Priests on August 26, 2002 to the priests of the Archdiocese says: "The Vicars for Priests serve as advocate, liaison, and counsel for priest." Yet policy §1102.4 says: "In the case of any disclosure of sexual abuse by a cleric with a minor, the Vicar for Priests or Vicar for Deacons shall report the fact to the Review Board Administrator." These descriptions of the role of the Vicar for Priests are in conflict.

The Vicar for Priests represents the ordinary in his pastoral care for his priests. In a canonical proceeding, bishops and priests are exempt from testifying "regarding what has been made known to them by reason of sacred ministry..." (c. 1548, §2, 1°). This canon also covers physicians, advocates "and others bound by professional secrecy." The reason for this exception is that the special nature of these relationships requires the ability to speak with candor, with the assurance of confidentiality.

Policy §1102.4 is ambiguous. It could apply to at least four different situations. It is unclear as to how this policy does or should apply to each of these possible situations:

- One situation would be if someone (other than the accused priest) tells the Vicar about sexual abuse of a minor by a cleric. In the State of Illinois, even a psychologist is not required to report "third party accusations."

- A second situation is that a cleric could self-report to the Vicar that he had sexually abused a minor in the past. If the victim is now an adult, there is not a legal duty to report this. In the State of Illinois, this is true even for a psychologist. The premise is that there is no evidence that minors are currently at risk and a person should be able to seek needed professional or spiritual help, in such a situation.

- A third situation is that a cleric could self-report to the Vicar that he had sexually abused a minor and the victim is still a minor. In this situation, in the State of Illinois a psychologist would be required to report this to the State Department of Children and Family Services. It is my understanding that, at this time, a Vicar for Priests would not be legally required to report this to civil authorities. The Vicar for Priests would certainly have a moral responsibility to make sure that no minors are currently at risk, but it would seem that the question of whether he has a duty to report the admission has to be weighed in the context of the particular facts and circumstances.

- Finally, there is the complex situation of a cleric who speaks with the ordinary or his Vicar after the cleric has been accused of the sexual abuse of a minor. The accusation has already been made and reported to the civil authorities and the

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> Administrator. In this situation it seems appropriate for the conversation between the bishop or his Vicar and the cleric to be a privileged communication. The sacred relationship between a cleric and his ordinary-as-pastor, and the Vicar who represents the ordinary, should encourage openness and honesty in a pastoral context. To require the Vicar to report on such conversations is no more appropriate than requiring the ordinary to do so. It makes the Vicar an arm of the canonical investigation and the civil prosecutor. If that is to be his role, then the cleric should be given a "Miranda" warning before talking with his ordinary or Vicar (i.e., "You have a right to remain silent. You have the right to counsel. Anything you say can and will be used against you in a court of law."). If that is to be the role of the Vicar then his conversations with an accused cleric should observe the canonical formalities and the Archdiocese should make no pretense that the Vicar's role is to be an "advocate" for clerics. Without observing those canonical formalities, the likelihood increases that casual comments may be misrepresented and that testimony could be distorted.

In addition, the Vicars for Priests are members of the Professional Conduct Administrative Committee (PCAC), which is referred to in policy 1104.3.7 (9), footnote 4. Clarity needs to be established about what, if anything, the Vicars could or should report to the PCAC about their conversations with accused priests.

The ambiguities in these policies create unnecessary burdens and conflicts for the Vicars and the clerics to whom they minister; they eviscerate the sacred relationship which is the context for such communications; and they jeopardize the civil and canonical rights of priests.

3. An improper standard of proof is utilized.

The *New Chicago Policies* use as the standard of proof and judgment *"reasonable cause to suspect"* that a cleric engaged in sexual abuse with a minor (Policy 1104.9.1). This standard is totally insufficient as a conclusion of a canonical investigation.

Gregory Ingels has stated: "Once all of the proofs have been gathered....it then falls to the ordinary himself to determine whether he has arrived at moral certitude concerning the sufficiency of the evidence..." (Ingels, *supra,* p. 179)

In making his judgment at the conclusion of the canonical preliminary investigation, the diocesan bishop, himself, has to determine -- based on the Acts of the case and not on any "off-the-record" memoranda -- that there has been a *canonically valid* preliminary process and that there is sufficient *canonically admissible* evidence to proceed to a penal trial. The diocesan bishop has to evaluate the quality and caliber of the evidence regarding (1) the facts of the alleged complaint, (2) the circumstances surrounding the alleged offense, and (3) the imputability of the alleged delict to the accused. Or stated in another way, the diocesan bishop personally must decide whether the standard of proof has been met at the conclusion of the preliminary investigation. (c.

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1718 §1, 1 °). None of this is mentioned in the *New Chicago Policies.*

On the contrary, under the *New Chicago Policies*, instead of the ordinary-as-judge being the evaluator of the proofs collected, that role is abdicated and delegated to the Administrator and to the Review Board. The ordinary does not see any proper canonical evidence as generated by a canonical investigator or gathered, documented, and preserved by a canonical notary (i.e., the Acts of the case). At best, the diocesan bishop sees summaries of statements prepared by the Administrator.

The procedures set forth in the *New Chicago Policies* do not create a canonically valid process nor do they produce canonically admissible evidence; thus they actually become impediments to determining the truth of the allegations, as well as depriving the accused of canonical due process. Most egregiously, the inartful involvement of local Archdiocesan administrative personnel could actually lead to corruption of memories of the accusers, by manifesting immediate belief , by inadequate probing and questioning, by affirmative acceptance, and by public affirmation by the Archdiocese of the credibility of their stories.

In this vein, the *New Chicago Policies* use the words victim(s) or victim/survivor in twenty-two places. In nine places there are references to the Victim Assistance Minister. Although there are places where the policies refer to an "alleged victim" (Policy §1104.2 (G)) or "victim or person making an allegation" (Policy §1104.4.3 (4)), this usage is inconsistent. Usually the person making an allegation is simply referred to as a "victim." In practice, once a person makes an allegation, they are categorized as a victim; they are referred to the Office of Victim Assistance and assigned a Victim Assistance Minister.

Certainly the Church needs to provide assistance and counseling to people who believe they were abused, but it is prejudicial to the accused cleric to label the accuser a victim before a finding that the allegation is true.

It is also a disservice to accusers to validate their accusations without any proof, because if their memories are false, their healing will require coming to terms with that.

The practice of categorizing an accuser as a victim and offering the services of a Victim Assistance Minister implies a pre-judgment of the guilt of the accused, which makes it additionally difficult for the accused to defend himself against the accusation.

B. THE DUTIES OF A CANONICAL INVESTIGATOR ARE IGNORED

Canon 1717 provides that if the ordinary does not conduct the preliminary investigation personally, he is to assign a *single* investigator (c. 1717 §1 and Congregation for the Clergy, Prot. N. 200.1201), who has the same powers and obligations as an auditor (c. 1717 §3). The investigator-auditor is to conduct the investigation following the procedures laid out in Book VII of the *Code of Canon Law*. In the *New Chicago Policies*, there are no provisions for the proper

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performance of these duties.

1. Neither the Administrator nor the Review Board have the proper qualifications

a. The Administrator

In the *New Chicago Policies,* the primary officer given the responsibility for conducting the investigation (also referred to as an "inquiry" in the *New Chicago Policies*) is the lay Administrator (Policy §1104.4.3).

Canon law seems to require that the investigator-auditor be a priest. This argument is developed by analogy with canon 483 §2, which requires that even a notary in such cases be a priest and by analogy with Article 12 of *Sacramentorum sanctitatis tutela* ("...only priests can validly carry out the functions of judge, promoter of justice, notary, and patron."). If the Archdiocese wishes to use a lay investigator, it seems that a dispensation should be sought from the CDF.

Also, the investigator must be aware of the powers and responsibilities of an auditor in carrying out the functions of a canonical investigator. There is nothing in the *New Chicago Policies* which addresses the need for the person conducting the inquiry to possess the requisite skills of a canonical investigator-auditor (cf. Policy §1104.4.1 on the qualifications of the Administrator). This is a crucial deficiency because in the *New Chicago Policies*, everything hinges on the Administrator.

It is telling that procedure (b) under policy §1104.4.3 provides: "Under the Board's supervision, the Administrator may retain whatever professional assistance necessary and appropriate to conduct a thorough investigation of the allegation." The alarming implications of this are contained in the Archdiocesan document *Canonical Process* (Appendix to *Ten Year Report)*, where it states:

> "To accomplish this (investigation), the bishop may want to call upon members of the Catholic laity who may have experience in doing such investigations in their professions (social workers, counselors, police investigators who deal with sex crimes, etc.)."

These provisions manifest a lack of understanding of the unique character of a canonical investigation and indicate an intention of the Archdiocese to conduct such an investigation according to standards which are alien to those of an ecclesiastical penal process. Indeed, the *Canonical Process* document contains the extraordinary and revealing statement: "there is nothing in the canon (1717) which states how the investigation is to be done." Evidently the crucial significance of canon 1717 §3 was missed entirely.

Further illustrations of this lack of awareness of the requisites for a canonical penal investigation are contained in the procedures under Policy §1104.2 which deal with receiving allegations. Procedure (b) allows for allegations to be reported "either by telephone, writing, or by meeting in person with the Administrator." Procedure (c) says: "*To the extent possible,* the person making the

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report should meet in person with the Administrator..." (emphasis added). Under these provisions, accusations against priests could be found by the Review Board to constitute a "reasonable cause to suspect" sexual abuse and result in a cleric's public removal from ministry and a public announcement of such, despite the fact that the accuser was interviewed only on the telephone by the Administrator. This is not appropriate given the gravity of the matters at issue.

Canon 1563 requires that the identity of the witness be established. Canon 1560 requires that each witness be examined separately (whereas, in Chicago, the Victim Assistance Minister is present when the accuser meets with the Administrator). Canon 1532 requires that an oath be administered. In a published canonical opinion, the eminent canonist Cardinal Zenon Grocholewski explained why interviews which are not done in person and under oath "do not satisfy the requirements given by canons 1530-1534; 1556-1570; and 1678 of the Code on Canon Law." (*CLSA Advisory Opinions: 1984-1993*, p. 461).

From the outset of a preliminary investigation, it is essential that the allegation of the accuser be obtained in a canonically valid manner with sufficient specificity as to time, place, circumstances, and witnesses, so that the investigator-auditor knows what proofs need to be obtained and so that the accused has sufficient knowledge of the accusation to be able to respond to it and to prepare his defense. Failure to obtain a canonically valid statement of the accusation at the commencement of the preliminary investigation has been censured because it can result in accusations evolving and "constantly changing, others being added or not mentioned anymore, seemingly at will and not accord to any mode of canon law." (cf. Congregation for the Clergy, Prot. N. 2001.1099)

One canonical qualification which deserves special mention is the expectation that the investigator-auditor be able to conduct an objective, fair and unbiased investigation (*Essential Norms*, Norm 6). The need for objectivity in conducting an appropriate canonical preliminary investigation is explained by a noted canonist:

> The investigation of sexual criminal misconduct can be most difficult and often results in having to deal with the anger and emotions of persons who have been the victims of such misconduct. It is completely natural and appropriate to respond with great sympathy and pastoral solicitude to such victims. By its very nature, however, this response clearly jeopardizes the impartiality which is necessary in making decisions in the case.....if a case is particularly difficult or burdened by the emotions of persons who are angry or upset and especially if the case has generated media attention, it will be difficult if not impossible for an ordinary.... to maintain a sense of 'judicial discretion' in rendering dispassionate, impartial and correct determinations..." (Ingels, *supra,* p.174).

The Administrator, with her multitude of conflicting responsibilities assigned by the *New Chicago Policies*, is not in a position to perform an objective investigation.

Unfortunately, the expectation of impartiality is compromised in the Archdiocese of Chicago by the fact that the Administrator shares an office suite and work environment with the Office of

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Victim Assistance, which is staffed by "Victim Assistance Ministers." It would seem difficult for the Administrator to remain neutral and objective, when her principal daily colleagues are advocates and/or counselors for those who have brought allegations. It would also be difficult for the Administrator to observe the requisite confidentiality.

There is a danger that the Victim Assistance Minister can taint the objectivity of the evidence which needs to be obtained. There is ample scientific evidence that a troubled person is susceptible to unconscious suggestions and influences by counselors and therapists (e.g., Terence W. Campbell, Ph.D., *Smoke and Mirrors: The Devastating Effect of False Sexual Abuse Claims,* New York: Insight Books, 1998; Dr. Elizabeth Loftus and Katherine Ketcham, *The Myth of Repressed Memory: False Memories and Allegations of Sexual Abuse,* New York: St. Martin's Press, 1994).

The close interaction between the Administrator and the Victim Assistance Minister pollutes the impartiality of the investigation.

b. The Review Board

As stated above, the Review Board acts as a tribunal, exercising both investigative and judicial functions. The Review Board does not possess the qualifications required for the ecclesiastical office of investigator-auditor.

First, the *Essential Norms* (Norm 4) state that the role of the Review Board is exclusively that of a confidential advisory body. It is not proper for an advisory body also to be carrying on investigative functions.

Second, canon 1717 §3 allows the bishop to appoint a "suitable person" as the investigator-auditor; and the Congregation for the Clergy has said that said that the ordinary "must appoint a single Delegate to act on his behalf." (Prot. N. 2000.1201). A group, such as the Review Board, cannot legitimately engage in investigative functions.

Third, although some priests serve on the Review Board, most of the members of the Review Board are lay persons, without any background, knowledge or training in canon law, its procedures or rules of evidence. There is no evidence that any of the members of the Review Board possess any knowledge of the canonical requirements for conducting a canonical preliminary investigation. This knowledge is an essential qualification for the role of an investigator.

Fourth, Policy § 1104.3.1 stipulates that one of the members of the review board must be a victim/survivor or parent of a victim/survivor of child sexual abuse. Furthermore, Procedure (b) under this policy provides that for "the nomination of the Board member who is a victim/survivor or parent of a victim/survivor of child sexual abuse, the Nominating Committee should consult with the Victim Assistance Minister." This would not be a problem if the Review Board were not improperly engaging in investigative and judicial functions, but it is.

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In a criminal or civil trial, a person with such a personal history would ordinarily be disqualified from serving on a jury because of the likelihood of bias against the accused. As long as the Review Board engages in investigative and judicial functions, the impartial determination of the truth of an accusation and the Church's image of impartiality are not served by the requirement that one of the positions on the review board be filled by such a person.

2. Neither the Administrator nor the Review Board perform the functions of the canonical investigator

Canon 1428 §2 points out that the *only* role of the investigator-auditor is "to collect the proofs and hand them over to the judge." Other canons, cited in the law section, instruct the investigator-auditor on how this responsibility is to be performed.

a. The Administrator

In the *New Chicago Policies*, the initial inquiry into the facts is assigned to the Administrator. This local officer does not fulfill the functions which the Code of Canon Law assigns to the investigator-auditor.

Canon 1428 §3 points out that the *only* role of the investigator-auditor is "to collect the proofs and hand them over to the judge." Yet, the *Chicago Policies* are rife with duties given to the Administrator which are contrary to or inconsistent with canon law.

- Policy §1104.4.3 (1) states that the Administrator shall "analyze" the information and allegations of sexual abuse.
- Policy §1104.4.3 (5) states that the Administrator shall "assist the Board by preparing and submitting reports pertaining to allegations..."
- Policy §1104.4.3 (6) gives the Administrator the responsibility for "preparing and submitting reports summarizing the allegations, the responses of the accused clerics, and the rationale by which the Board arrived at its determinations and recommendations."
- Policy §1104.4.3, Procedure (a) says that the Administrator "shall be primarily responsible for the development, implementation, and operation of the program for monitoring clerics."
- Procedure §1104.6, Procedure (a) states that the "Administrator is the custodian of all information described in Sections 1104.4 and 1104.5 ,.." (in spite of canon 1428 §2 which requires that all of the proofs be handed over to the "Ordinary-as-Judge" and canon 1719 which requires that they be kept in the secret archive of the Archdiocese).

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- Procedure 1104.7.2 (4) says that the Administrator is to "assess" whether the safety of children requires interim action and promptly communicate a recommendation to the Archbishop. Procedure (a) under this policy states that "interim action can include temporary withdrawal from ministry, monitoring, restrictions or other actions deemed appropriate ..."

- Policy 1104.7.3, Procedure (a), provides that instead of simply presenting the acquired proofs to the "ordinary-as-judge," the Administrator "shall prepare one or more written reports of these inquiries."

- Policy §1104.11.2 gives the Administrator the authority to initiate a Supplementary Review by the Review Board.

- Policy §1104.12.3 requires "clerics who use the Internet to provide the Review Board Administrator with a monthly printout of Internet sites visited."

Instead of collecting the evidence in a canonically appropriate way, the Administrator is a filter, an evaluator, an assessor, and a judge of the evidence. Instead of the ordinary-as-judge seeing all the evidence, he receives a distilled version of the evidence, collected invalidly without the procedural safeguards required to prevent distortion. This is one of the most egregious discrepancies between the *New Chicago Policies* and the universal law of the Church. In the *New Chicago Policies,* the Administrator of the Review Board has been given a package of duties far different from those belonging to the canonical investigator-auditor.

b. The Review Board

In the *New Chicago Policies,* the Review Board bases its determinations on the oral and written reports of the Administrator, who simply speaks to the accuser and the accused, and writes up a summary of the conversation. No statements are taken under oath. No statements are accurately transcribed. No statements are notarized.

A fallacy underlying the way in which accusations are treated is the assumption that a person who expresses, with apparent sincerity, that he or she has been abused is probably telling the truth. Scientific evidence, however, proves that this assumption is unwarranted, especially when the accusations are from many years ago. For example, Dr. Terence Campbell is a forensic psychologist who is a nationally recognized expert in false accusation of sexual abuse. In his book *Smoke and Mirrors: The Devastating Effect of False Sexual Abuse Claims* (*cited above*) he writes:

- "The accumulated evidence, however, clearly demonstrates that retrospective memory is notoriously inaccurate." (pp. 174-75)

- "In particular, retrospective memory is especially unreliable when trying to remember ambiguous circumstances open to interpretation." (p. 176)

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- "With the passage of time, adult memories of childhood and adolescence often change enormously. People frequently reinvent the past in response to contemporary needs and circumstances." (p. 177)

- "...human memory is much more fragile – and prone to distortion and decay – than most people realize." (p. 177)

- "The results (of research) reveal a powerful illusion of memory: people remember events that never happened." (p. 185)

- "The accuracy with which we remember past events open to varying interpretations is quite poor. More than anything else, here-and-now attitudes influence our memories for such events." (p. 203)

In practice, under the *New Chicago Policies*, if a cleric has had more than one accusation made against him, there is an immediate presumption credibility assigned to the accuser. This despite the fact that Dr. Campbell, Dr. Loftus (cited above) and others have shown that the public reporting of an accusation against a cleric can create false memories in others that they too were abused. The Review Board has no mechanism for exploring these considerations with objectivity.

It is the duty of the investigator-auditor to explore facts favorable to the accused as well as the accuser. Thus the canonical investigator has a duty to explore possible contamination of the accuser's memories through undue influences and other factors.

> "An auditor in canon law is not simply some sort of 'special prosecutor' with the single responsibility of making the case that a crime has taken place and naming persons who should be indicted..
>
> "In the Church's legal tradition which is more similar to a number of European traditions than the American common law system, it is the judge who has the responsibility of fully investigating any matter which has been placed before him. He does not represent the interests of only one side or the other; rather he is bound by office with the duty of looking into all sides of an issue...The person who undertakes a prior investigation , therefore , is called on to gather proofs which address fully all sides of the issue: not only those which point to the commission...but also those issues which address questions touching on the defense of the accused..." (Ingels, *supra,* p. 174-175).

This duty to thoroughly and objectively investigate both sides of the case cannot be met by the Review Board.

C. THE DUTIES OF A CANONICAL NOTARY ARE IGNORED

1. No canonical notary is appointed

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Despite the canonical requirement of canons 1437 §1 and 1561 that the judge or the investigator-auditor, in collecting the proofs, must be accompanied by and assisted by a canonical notary, no such notary is appointed or utilized. Furthermore, in the *New Chicago Policies* there is no requirement that the canonical investigator use a canonical notary in conducting interviews.

2. No Acts are created

Because a canonical notary is not used, no Acts of a canonical process are created. Canon 1437 §1 clearly states: "A notary is to take part in any process, so much so that the Acts are null if the notary has not signed them."

The reason for this requirement is evident from the description in the Law Section above, describing the functions of a notary. A notary has a duty to witness the administration of the oath to complainants or witnesses before their statements are taken. The significance of this requirement is that it ensures that the accuser is being as accurate and truthful as possible and it incorporates the consequence of both the mortal sin of lying under oath and the threat of the crime of perjury. No legitimate legal system recognizes allegations rendered if the accuser is not under oath.

The notary is also charged with the duty to accurately record the testimony and ensure accuracy by giving the deponent an opportunity to review it. The deposition is to be signed by the complainant, as well as the investigator-auditor and the notary. The significance of these requirements is to ensure accuracy and avoid mistakes by the interrogator or recorder.

The notary is to assemble and guard the Acts of the process (cc. 484, 486). The significance of this duty is to preclude piece-meal distribution of the evidence, influence of witnesses by knowledge of what prior witnesses have said, and trial-by-media. Unfortunately, in the *New Chicago Policies*, piece-meal distribution of the evidence, influence of witnesses, and trial-by-media is likely to result.

Canon 1608 §2 says that the ordinary-as-judge must base his judgment "from the Acts and the proofs." In addition, Canon 1604 §1 says:

> "It is absolutely forbidden for information given to the judge by the parties, advocates, or even other persons to remain outside the Acts of the case."

In other words, the ordinary-as-judge may not consider any information which is not contained in the Acts of the case. He may not make a decision based on "off-the-record" information, private knowledge, oral reports, or information which is not contained in the official record, called the "Acts."

The sound reasons for this are obvious. The alternative would be to open the door to abuses. Judgments could be made on inaccurate reports, distortions of testimony, and prejudices and deprive the parties of a fair trial based on evidence openly available to both sides.

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Unfortunately, the *New Chicago Policies* ignore these canons and contradict these values. No fair process is devised for confronting or thoroughly examining the complainant by any unbiased ecclesiastical officer or canon lawyer. Taking and using informal statements as a basis of a judgment shifts the burden of proof to the accused. And, by not providing a mechanism for recording accurately allegations from the accusers, the Archdiocese precludes the accused's ability to mount a defense.

Also, as noted above, in the section on the role of the Administrator, canon 1719 requires that the Acts of the penal preliminary process are to be maintained in the secret archive of the Archdiocese, once they are no longer needed for the investigation.

This section should also include reference to canon 489, §2, which currently is not observed in the Archdiocese of Chicago: "Each year documents of criminal cases in matters of morals, in which the accused parties have died or ten years have elapsed from the condemnatory sentence, are to be destroyed. A brief summary of what occurred along with the text of the definitive sentence is to be retained."

D. PRESCRIPTION IS IGNORED IN THE CHICAGO POLICIES

The *New Chicago Policies* ignore the period of prescription. If the canonical period of prescription has lapsed, delays of many decades in bringing accusations often make a canonical trial both futile and unjust.

1. A dispensation from prescription is not warranted when the burden of proof cannot be met.

While there is the possibility in law for a dispensation from prescription, it should only be granted in egregious and clear cases in which scandal would be caused by a failure to impose penalties on a miscreant cleric. Archbishop Herranz, in his interview with Zenit News Service on November 14, 2002 (quoted in the Law Section), makes it clear that the period of prescription still applies and he explains the rationale for this.

Archbishop Herranz mentions the "virtual impossibility of determining the truth or falsity of allegations concerning conduct that happened in the distant past." He says, "Indeed, in the context of ecclesiastical penal proceedings, it would be extremely difficult for the victim and the Promoter of Justice to meet the standard of proof necessary for a finding that a delict had occurred, and equally difficult for the accused cleric to assemble an adequate defense."

In canon law the accused has the presumption of innocence. An accusation of a delict must be proven with moral certitude. In the case of decades old accusations, where witnesses have died, documents have been discarded and memories have failed it would be virtually impossible to meet that burden of proof. The case would come down to one person's testimony against another's and canon 1573 says: "The testimony of one witness cannot produce full proof ... unless the

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circumstances of things and persons suggest otherwise."

2. A dispensation from prescription is not warranted when it places on the accused an unjust burden of defense.

Archbishop Herranz also cites as one of the reasons for maintaining the period of prescription that, in accusations from the distant past, it would be "equally difficult for the accused cleric to assemble an adequate defense," for the following reasons:

- The accusers cannot be reasonably specific as to the day or date of the alleged offenses. This deprives the accused of the ability to rebut the accusations because there is no way to determine where the accused was at the uncertain time and unspecified date, precluding the opportunity to find evidence or witnesses to disprove his presence at the alleged time; and this deprives him of the ability to know, with any degree of certainty, the age of the accuser at the time of the alleged abuse.

- A dispensation from prescription would force the cleric unfairly to defend himself without the testimony of vital defense witnesses who have died. If allegations had been brought within the period of prescription, the cleric could call as witnesses persons of stature who may have irreplaceable knowledge about his character, habits, and reputation. The absence of credible witnesses supports the rationale for adhering to the period of prescription.

- A dispensation from prescription unfairly forces the cleric to defend himself if documents which could have aided in defense are no longer available. Calendars, journals, and appointment books might have allowed him to know where he was on a specific date with notes that could have refreshed his memory.

In all legal systems it is recognized that it is unduly burdensome to a defendant to try to defend himself against accusations from the distant past. In short, the possibility of erroneous convictions is greatly increased.

The *Essential Norms* (Norm 8A) state, "If the case would otherwise be barred by prescription ... the bishop/eparch shall apply to the Congregation for the Doctrine of the Faith for a dispensation from the prescription, while indicating pastoral reasons." Unless a case were egregious and clear-cut and the accused were a predator, it is hard to see how such pastoral reasons would exist. Under the *New Chicago Policies*, as with the previous policies, the Administrator and the Review Board have a bias toward believing an accusation because their primary responsibility is the protection of children (e.g., Policy §1104). Thus, they tend to accept an allegation at face value and decide that an allegation constitutes "reasonable cause to suspect" clerical sexual misconduct with a minor, even if there is no corroboration for the accusation. The result is that we have seen many exemplary priests, even a number of retired priests, publicly removed from all ministry, with their

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reputations destroyed, on the basis of an allegation from decades ago, even from five or six decades ago. This is an injustice which cries out for rectification.

E. THE DUTIES TO PROTECT REPUTATION AND PRIVACY ARE IGNORED

The *New Chicago Policies,* in the Introduction, echo the statement of the USCCB *Charter* expressing the commitment to "be as open as possible with the people in parishes and communities about instances of sexual abuse of minors, with respect always for the privacy and the reputation of the individuals involved."(p. [1100]- 2). These principles of course are hard to reconcile. (Procedure (6) of policy §1104.6, contains another expression of these conflicting principles).

The practice of the Archdiocese until now has been guided by a commitment to be as open as possible, at the expense of the reputation of the accused priest. The routine procedure is that as soon as the Review Board issues a finding that there is "reasonable cause to suspect" that sexual abuse has occurred, before any canonical preliminary investigation, the Archdiocese issues a press release naming the priest and announcing the accusation against him. The press release includes a list of all of the parish assignments of the priest and states that the priest is now in "a restricted, monitored setting." Often the gender of the accuser and his or her age at the time of the alleged abuse are released. A team from the Archdiocese goes to the priest's parish and meets with the staff, including the school principal. A handout is sent to each parent advising them of the allegation against the priest and how they should explain it to their children if questions arise. The local episcopal vicar goes to the parish and reads a statement announcing the allegation at all the Masses the following weekend. Archdiocesan officials are available for interviews with the news media, often giving detailed explanations of the deliberations of the Review Board.

To my knowledge, there has never been a statement by the Archdiocese that an accused priest is to be considered innocent until proven guilty.

Canon 220 states: "No one is permitted to harm illegitimately the good reputation which a person possesses nor to injure the right of any person to protect his or her own privacy." Canon 384 states that the diocesan bishop has a duty to protect the rights of his priests.

What seems to be overlooked in the past practices and now, unfortunately, in the *New Chicago Policies,* is that such public statements about accused priests are a violation of natural justice, canonical requirements, and pontifical secrecy (see Law section, above, on confidentiality).

In the case of an accusation of sexual abuse of a minor against a cleric, it would seem that confidentiality should be maintained until probable cause is determined and the case is sent to the Congregation for the Doctrine of the Faith. The Congregation can indicate what, if anything, can be publicly disclosed and when. Because prescription may bar a penal trial and the Congregation may determine that it would be unjust to dispense from prescription, it would be manifestly unfair to the accused to announce the accusation, since the accused would have no way of vindicating his

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good name and reputation.

Especially since the Archdiocese has routinely ignored the ecclesial requirements for confidentiality in these matters and, thus, has created a public expectation of a practice of openness which is not in keeping with the law of the Church, or principles of a fair trial in any legitimate legal system, it would seem that the *New Chicago Policies* should explicitly incorporate the canonical provisions requiring confidentiality.

Also, it is the routine practice of the Archdiocese, when a priest is removed from ministry after a finding of "reasonable cause to suspect" sexual abuse of a minor, to announce that the accused priest is in a "restricted, monitored setting." (cf. Policy §1104.12.3). This can create an impression in the public mind that the accused is considered by the Archdiocese to be a dangerous predator. This is damaging to the good name and reputation of the accused.

IV. PROPOSED REMEDY: UTILIZE CANONICAL PROCEDURES AND ECCLESIASTICAL OFFICERS

The *New Chicago Policies*, like the older versions, ignore the canonical procedures and ecclesiastical offices described herein. However, with all due respect it would seem that an obvious and just solution is simply to follow and adopt those procedures and offices set forth in the 1983 Code of Canon Law, as outlined and discussed above.

Of course, any new policies must incorporate these commitments:

- the Archdiocese is committed to the protection of children
- the Archdiocese is committed to appropriate protection of the rights and the reputation of accused priests
- the Archdiocese will report such allegations to civil authorities
- the Archdiocese is committed to objective, effective investigations
- the Archdiocese is committed to a fair and timely canonical resolution of accusations
- the Archdiocese is committed to respecting the criminal and civil law dimensions of these matters

All of these considerations can be accommodated, if the local policies of Chicago simply would eliminate the involvement of the Administrator and the Review Board from the investigative and adjudicative process and substitute the canonical preliminary investigation as prescribed in the Code of Canon Law. If this were effectuated by the diocesan bishop acting as judge, the canonical investigator exercising the powers and duties of an auditor, and the canonical notary, the Chicago procedures could easily comply with the time-tested universal law of the Church.

The Code of 1983 provides methodologies as fair and effective as any legal system could provide. The canonical procedures provide the needed mechanisms for uncovering wrong, while

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protecting the legitimate rights of the accused. The theology of Vatican II, which infuses the 1983 Code, is far better served through the canonical procedures and ecclesiastical offices prescribed in canon law than in the arbitrary amalgam of procedures in the *New Chicago Policies.*

The procedures set forth in the 1983 Code are far more practicable than those set forth in the *New Chicago Policies* because the potential for false accusations is greatly reduced and the potential for erroneous reporting of the evidence is eliminated by the employment of the canonically trained investigator and notary. Furthermore the potential for infringing upon or seriously violating the accused's rights to privacy and due process are almost totally eliminated. And most importantly, it is obvious that a fair and just determination of the facts and the law is far more likely with less potential for costly and time-consuming appeals due to blatant procedural errors.

The potential for false accusation is reduced by the requirement that the accuser swear to the truth of the allegations, and by the requirement that the accuser, and other witnesses, be questioned in person by a qualified ecclesiastical officer knowledgeable in canon law and its rules of evidence and aware of the duty of the examiner to interrogate witnesses from a neutral stance adducing information supportive of both the allegations and the of the defenses.

The potential for the erroneous rendition of testimony and collection of faulty evidence is eliminated by the canonical procedure of requiring verbatim transcripts recording the exact questions and answers of the investigator and the accuser, certified as accurate by the notary and the investigator as well as the deponent.

In addition, the potential for injustice would be reduced by the reluctance of the Archdiocese to consider accusations brought beyond the period of prescription, unless they are of an egregious nature. Canon law, like all major legal systems, provides time limits on such charges to allow the accused a fair opportunity to summon testimony and documentation in his behalf before it is eroded or destroyed by the passage of time.

Furthermore the canonical procedures can be easily adapted to allow lay participation and a commensurate degree of accountability and transparency without destroying the accused's rights to privacy and fair trial. By simply removing the Administrator and the Review Board from the investigative and judicial process, for which they are woefully ill-equipped, the Archdiocese can easily draft and implement the procedures advocated here.

Lay participation through the Administrator and through the Review Board can occur at the inception of a canonically correct process, before the Archbishop initiates the canonical preliminary investigation. There is no prohibition on those offices being made aware of accusations if they are committed to the principles of privacy and confidentiality. And they certainly can render a recommendation to the Archbishop as to whether they believe he should initiate a preliminary investigation pursuant to canon 1717. As long as the Archbishop recognizes that it is his responsibility to make this decision and doesn't defer to the Review Board, no harm could ensue. However, no other advice about the merits of the accusation, other than the propriety of beginning the canonical preliminary investigation, should be sought from them; and they

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should absolutely not participate in the collecting of evidence or interviewing the accuser, the accused or the witnesses. The Administrator could still receive accusations as long as she advised the complainant that they must put their allegations in writing. If a canonical preliminary investigation is begun, she would have nothing further to do with it.

The Administrator could still perform many of the other functions and duties assigned to her in the *New Chicago Policies*, as long as she is not exercising an investigative or judicial role. The Review Board, also, could advise the Archbishop about many matters related to the protection of children, such as the assignment of clerics, without being involved in the investigation or judgment of allegations.

Also these lay officers could certainly have a role in proffering advice after the canonical preliminary investigation is concluded by the ordinary-as-judge himself making the proper finding and then facing the question of what course to undertake (c. 1341).

There is no greater cost in following the canonical procedures described. Archdiocesan canonists could be used. The ecclesiastical officers would be trained professionals, who could efficiently dispatch their duties – and with far fewer meetings.

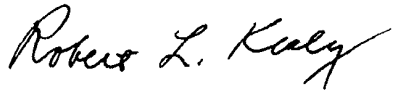
If proper canonical procedures, exercised by the ecclesiastical officers prescribed by the Code, had been utilized by dioceses, the problem of clerical sexual abuse could not have grown to the proportions we now confront. Unfortunately, if canon law is yet again ignored, we will confront another tragedy – the on-going spectacle of good priests having their reputations destroyed and being unfairly driven out of the ministry.

Conclusion

The *New Chicago Policies* provide only cosmetic changes to the previous policies. Although my conviction that they seriously violate canon law and its underlying values is based on the scholarly research contained herein, it is also based on my knowledge of many cases in which they have resulted in grave injustices to priests.

My desire is that a remedy can be found through dialogue and collaboration. In the alternative, with all due respect, I would consider myself obligated to initiate legislative recourse to the Pontifical Council for the Interpretation of Legislative Texts. Article 158 of *Pastor Bonus* provides that, "at the request of those interested, this Council determines whether particular laws and general decrees are in agreement or not with the universal laws of the Church."

Sincerely yours in Christ,



Reverend Robert L. Kealy

AOC 015929

CONGREGATIO PRO CLERICIS
Prot. N. 2000.1201

nº 1

Decree

Whereas on 30th October 1998 recourse was entered into by the Rev. John Nestor of the Diocese of Wollongong, Australia, His Lordship, the Most Rev. Philip Wilson, on 7th August 1998, wherein the Rev. Nestor is denied any further ecclesiastical appointment subject to the condition of a full psychological appraisal to be carried out by *Encompass Australia*, and

Whereas the application was made to revoke said decree on 23rd August 1998 and refused by the Bishop on 11th September 1998 and

Whereas the issuance of the above mentioned Decree had been proceeded by an investigation by the Most Rev. Ordinary after an accusation .of sexual abuse made against the priest had been heard and adjudicated by the civil system as being unfounded in civil law, and

Whereas the priest had willingly cooperated in acceding to the Bishop's request that he absent himself from the active ministry during this period of time, and

Whereas subsequently the Bishop, indicated in a letter to the priest dated 19th December 1997, that "The weight of information made available to me including significant additional material that I have received during this past month, has been cause of worry concerning your suitability for a further pastoral appointment in this diocese or any other", and decided to initiate an investigation according to the norms of canon 1717, at the same time citing a procedure in accordance with a local policy entitled Towards Healing and states, "In the light of this new information, I repeat my personal request...that you continue to stand aside from public ministry", and

Whereas canon 221, §3, assures the Christian faithful that "...ius est, ne poennis canonicis nisi ad normam legis plectantur," then it is clear that any procedures employed in an investigation leading to the imposition of a penalty, must be congruent with those envisioned by the Code of Canon Law, and whereas the subsequent "Preliminary Investigation" followed a course of action that is not clearly recognizable as that prescribed by canon law; the Bishop did not carry out the investigation himself, however under these circumstances he must appoint a single Delegate to act on his behalf, as is envisioned by canon 1717§2, but the "Acta" do not indicate any such appointment congruent with the canon; there is no indication that the purposes of the "Preliminary Investigation", outlined in canon 1718, were clearly arrived at; no decree of closure of the "preliminary Investigation" , as envisioned by canon 1719form part of the "Acta" presented, nor is there indication of the placing of the materials in the secret archive of the Diocese, and

Whereas investigations were carried our, in the name of the Diocese, by individuals not appointed in accordance with the law, and following procedures not consistent with those of the *Code of Canon Law*; the "Acta" presented do not show any verification of the identity of the accusers; there is no written, sworn testimony form them, indicating dates, times, places and witnesses; there is no indication that individual accusations were verified by recognizable legal means; accusations appear to be taken at face value, overturning any presumption of innocence which may be afforded to the accused by natural law; public statements are made that, at least appear to aggravate the provisions of canons 220, and 1717§2, and

Whereas despite the fact that no decree is presented in the "Acta" opening either an administrative or judicial process, (canons 1720, 1721), thus possibly allowing the application of the provisions of canon 1722, the priest was effectively excluded from active ministry and has remained in that state to the present, and

Whereas, having begun the "Preliminary Investigation" in accord with canon 1717 on the 19th November 1997, which carried out as indicated above, the Most Rev. Ordinary issued his decision in a Decree dated the 7th August 1998, in which he required Father Nestor, "as a prerequisite to any further psychological nature at an Institution names "Encompass Australia", this decision being arrived at in a fashion not in conformity with canons 27 and following, and

Whereas the Most Rev. Ordinary cites as reasons for his action the assessment of an Elizabeth Hanna and a Howard Murray, which, despite the acquittal of Fr. Nestor by the civil authorities, re-presents that matters indicative of a problem on the part of the priest and list other accusations of a 'sexual nature", which were never verified, the only information being presented was the word of a "complainant" who would not "formalize the complaint", nor is the nature of the accusation explained; another accusation made by a young man" was that he "believed" that the priest acted in a manner which was "sexual in intent", without again there being any verification of the accusation; there are "five other complainants" mentioned, the nature of whose complaints were that the priest told sexual innuendoes, encouraged group urination and genital size contests, swam naked with the boys, insisted that they shower naked in his presence, indicated and interest in and discussed the physical development of some boys with them", and

Whereas the priest had previously responded to all these accusations, denying them in writing, and asking for canonical process in order to prove his innocence, (as he had in the civil forum, at a personal cost of $75,000), there is no indication that such an opportunity was ever afforded him, and

Whereas the Most Rev. Ordinary in his decree states that the criteria of proof to be appiled "is not that of 'beyond reasonable doubt' but the lesser standards of 'balance of probabilities' and unacceptable risk"', all of which criteria are foreign to Canon Law and its processes, and from such processes, no dispensation is possible, (canon 87§1), and

AOC 015930

Whereas the Most Rev. Ordinary indicates in his decree, (quoting and without question, accepting the report presented to him), that he had "no choice but to place on Fr. Nestor the onus for him to establish to your satisfaction that he is a person of integrity, whom you could confidently reappoint to a priestly ministry and without fear that you may be exposing the community to any risk by so doing. It is also the opinion of the Resource Group that the only effective and acceptable way for Fr. Nestor to establish these matters to your satisfaction is by his submitting to a comprehensive appraisal by *Encompass Australia*", and such conclusions were arrived at in a manner not consistent with canonical investigation, and

Whereas the pries had been found "idoneous" for ministry so as to be ordained, he had worked with youth both before and after his ordination without any question being raised as to his behavior, had successfully defended himself against an accusation of sexual abuse in the civil forum, which action was promoted by officials of his diocese, had been exonerated by the civil judicial system, has expended $75,000 personally in his own defense, has furthermore defended himself in writing against the accusations presented, sought canonical trial in order to vindicate his rights in the ecclesiastical form, which was denied him; has been deprived of his ministry as a priest for a number of years, suffered loss of his good name, has not received remuneration assured him by canons 281§1and 2, and has been forced to seek employment in the secular world as a bus driver in order to support himself and his sick mother,

This Congregation, mindful, of its many attempts to have Diocesan authority remedy this situation, to no avail, hereby decrees:

> **that the recourse of the Rev. Nestor against the administrative act dated the 7th August 1998 issues by the Ordinary of the Diocese of Woolongoug, is upheld due to lack of compliance, *de procedendo* with the norms of the Code of Canon Law for canonical process, and in regard to *de decernendo*, in that it lacked basis in law and in fact, thus said decree lacks any juridic effect; furthermore in keeping with the discipline of canon 128, the Rev. Nestor is to be restored immediately to the full exercise of his priestly ministry in the Diocese of Woolongong and restitution is to be made of that of which he was deprived in keeping with the Diocesan norms for remuneration of Clergy and canon 281.**

Given at the Seat of the Congregation for the Clergy
Vatican City
21st December 2000

Whereas on 17th July 1998, the then Ordinary of the Archdiocese of Melbourne, the Most Rev. George Pell, indicated be the communication of a Decree to the Rev. Peter Searson, a priest of the Archdiocese of Melbourne, *that his pastoral office requires that I protect the unity of the people of God and the building up of the body of Christ...Remedial considerations arising from that responsibility lead me to derogate from the normal diocesan custom and withdraw as from this date your faculty to celebrate the Eucharist publicly, to hear confession and to preach...These remedies will remain in force fro such time as is necessary for the public good of the Church,* and

whereas on 4 August 1998 petition was lodged before the same Ordinary requesting revocation of the aforesaid Decree, and this was refused by a Decree dated 11 August 1998, and,

whereas, in a separate, but related action, the Rev. Searson agreed to resign, due to age, from his office of Pastor in accord with Canon 1072 and duly did so, and

whereas in a cover letter to the Decree of 11 August 1998, addressed to the Rev. K. Matthews, the Advocate of the Rev. Searson, the Most Rev. Ordinary indicated that the request for revocation of the decree of the Decree of 17th July *was made without the benefit of the detailed findings of the duly appointed Commissioner who investigated allegations against Fr. Searson. These are available to the Promoter of Justice when action was originally taken under canon 1722,* and

whereas on the 23rd August 1998, the Rev. Searson entered hierarchical recourse against the aforementioned decrees of his Most Rev. Ordinary indicating the *Grounds for my recourse are that no motives were expressed in his Decree and that a basis for the removal of my faculties had not been canonically proven,* and

whereas this Dicastery requested the Acta from the Most Rev. Ordinary and were duly received and studied by this Dicastery, and

whereas this recourse has been subjected to much delay in hope that accord could be reached between the parties, and,

whereas, despite the many failed attempts on the part of this Congregation to have the matter resolved outside of this forum, it is constrained by the virtue of its entrusted responsibilities, to tender decision in the matter, and

whereas the Dicastery finds much confusion within the Acta between civil and canonical processes; local ecclesiastical procedures unknown to canon law, matters pertaining to actions within the Sacrament of Confession reserved to the Congregation for the Doctrine of the Faith, (of which it does not attempt to treat), and

whereas the Congregation will only address the procedures followed in the matters pertaining to its competency, and

whereas the Most Rev.Ordinary cites his use of canons 1717 and 1722 in the *Acta* provided by him, the Dicastery understands these as referring to *Pars IV. DE PROCESSU POENALI* of the extant Code of Canon Law, canons 1717ff, as he also mentions an "Investigation" by a *duly appointed Commissioner and certain findings* of same, and

whereas canon 221 §1 states: *Christifedelibus competit ut iura, quibus in Ecclesia gaudent, legitime vindicent atque defendant in foro competenti ecclesiastico ad normmmam iuris,* and §3 states: *Christifedelibus ius est, ne poenis canonicis nisi ad normam legis plectantur,* and

whereas canon 51 states: *Decretum scriptum feratur expressis, saltem summarie, si agatur de decisione, motives,* and

whereas canon 39 states: *Condiciones in actu administrativo tunc tantum ad validitutem censentur adiectai, cum per particulas si, nisi, dummodo expirmuntur,* and

whereas canon 1717 indicates that the Ordinary once having received *notitiam, saltem verismilem, is to caute inquirat per se vel per aliam idoneam personam, circa facta et circumstantias et circa imputabilitatem,* and

whereas the Congregation notes the discipline of canon 483 §2,...*in causis quibus fama sacerdotis in discrimen vocari posit, notarius debet essere sacerdos,* and

whereas in the *Acta* provided there is a letter of appointment, dated 29 October 1996, *hereby rescind all the faculties of the Archdiocese for this period of leave, including the faculty to hear confessions and the faculty to assist at marriages. I also remove your faculty to preach during this time... You may celebrate Mass privately, but only in circumstances that could lead no one to presume that you have the faculties of the Archdiocese. Should you be asked to supply any priestly ministry, you are to state that you are unavailable for supply...You may not reside in the Doveton Presbytery, nor indeed within the boundaries of the Doveton parish. You are required to leave the parish before 12 noon tomorrow...I emphasise that these actions in no way signify that there has been a decision as to whether on not the allegations against you have been made out...* effectively applying canon 1722 without there clearly being a canonically recognizable administrative or judicial process underway, as required for application of this discipline, which is also not seen as being a perpetual situation, and

whereas the Most Rev. Ordinary, on the same date, wrote a letter explaining the circumstances to the parishioners of the parish at Doveton, which was followed by a "Media Release" from the Archdiocese dated 18 March 1997,

whereas in this regard, the Dicastery notes the discipline of canons 1717 §2 and 220, and

whereas the Promoter of Justice, Mary Wright IBVM, JCD viewed the "Acta" and in a "votum" dated 13 May 1998, was *satisfied that the rights of the defendant have been respected and that the appropriate procedures for investigation have been observed and reiterates* and makes her own the opinion of the Commissioner whch is that *Fr. Searson should not be returned to ministry,* and

AOC 015932

whereas the Dicastery notes that the "Acta contain no indication that either an administrative or judicial process is actually under way or has been decreed by the Ordinary, and that the priest had canon 1722 applies to him on the 14 March 1997, with no indication of the activity of the Promoter of Justice at that time as is required by the same canon - yet again a procedure, sui generis, is operative, and

whereas such procedure led to the Decree of the Ordinary of 17 July 1999, against which hierarchical recourse has been lodged, and

whereas the Ordinary continues to uphold the removal of faculties, *sine die*, citing *remedial considerations*, despite the resignation of the priest from the office of Pastor or his advanced age. He is not seeking restoration to active pastoral office, merely the restoration of full faculties of the Archdiocese. If remedial concerns are what motivate the continuation of the withdrawal of faculties then it would appear that such "remedial" expiation has already reasonably occurred since the first imposition of this situation by the Most Rev. Ordinary on 14 March 1997 and which continues, without suspension, despite the matter of a pending appeal, until the present time, and

whereas the Dicastery has already indicated that it tried, unsuccessfully, on many occasions to have Diocesan authority enter into negotiations with the recurrent; that the procedures followed in this case are a confused mixture of canon law, civil law, procedures, *sui generis*, but leading to the effective deprivation of priestly ministry of Fr. Searson,

whereas a judicial process was sought by the priest but was not granted in violation of canon 221 §1,

whereas the accusations involved were constantly changing, others being added or not mentioned any more, seemingly at will and not according to any mode of canon law,

whereas, as far as the Dicastery can determine, such accusations, were they true, were prescripted,

whereas canons 1717 §2 and 220 were violated by information circulated by the Archdiocese,

whereas the decree of the 17th July 1998, against which recourse has been taken does not meet the requirements of canon 51, nor was it arrived at following an appropriate canonical process,

whereas canon 1722 was improperly applied and outside of a recognisable process thereby violating 221 §3 as well,

Therefore this Dicastery, taking into account all of the foregoing, and aware of the discipline of canons 47 and 57 decrees:

> **that the Decree of the Most Rev. Ordinary of the Archdiocese of Melbourne dated 17th July 1998 and addressed to the Rev. Peter Searson, is null and void and without juridical effect because of serious flaws, *de procedendo* in this particular case.**

Given at the Seat of the Congregation for the Clergy
Vatican City
On 23rd August 2001

Whereas on 3rd September 1998, the then Ordinary of the Archdiocese of Melbourne, the Most Re. George Pell, indicated by the communication of a Decree to the Rev. J.B. Whelan, a priest of the Archdiocese of Melbourne, that his pastoral office requires that he *protect the unity of the people of God and the building up of the body of Christ... Remedial considerations arising from that responsibility lead me to derogate from the normal diocesan custom and withdraw as from this date your faculty to celebrate the Eucharist publicly, to hear confession and to preach,*

whereas on 18th September 1998 petition was lodged before the same Ordinary requesting amendment of the time period involved from 12 months to 3, or the revocation of the aforesaid Decree, and this was refused by a Decree dated 9 October 1998, and

whereas on the 12th October 1998, the Rev. Whelan entered hierarchical recourse against the aforementioned decrees of his Most Rev. Ordinary indicating the grounds for the recourse are that no motives were expressed in the Decree, that no canonical process had taken place, he requested costs and damages as well as restoration of faculties, and

whereas this Dicastery requested the Acta from the Most Rev. Ordinary and were duly received and studied by this Dicastery, and

whereas this recourse has been subjected to much delay in hope that accord could be reached between the parties, and,

whereas, despite the many failed attempts on the part of this Congregation to have the matter resolved outside of this forum, it is constrained, by virtue of its entrusted responsibilities, to render decision in the matter, and

whereas the Rev. Whelan has had his faculties restored as of 3rd September 1999, he is *still desirous* that the action proceed as he maintains his innocence of the charge leveled, and

whereas the Dicastery finds much confusion within the Acta between civil and canonical processes and local ecclesiastical procedures unknown to canon law, which were used to arrive at "findings", (which is in practice a "finding of fact"), upon which the Most Rev. Ordinary based his actions;

whereas the unverified allegations of sexual abuse of [redacted] against the priest are alleged to have occurred in the 1960's, thus well outside any possible interpretation of prescription, and

whereas these allegations form the heart of the reason for the actions of the Most Rev. Ordinary, and

whereas there are many other procedural irregularities which ar of grave concern to this Dicastery in the local process on the matter of prescription having precluded any valid subsequent canonical action, therefore, the Decree of the Most Rev. Ordinary of 3 September 1998, lacks a basis in law or in fact and furthermore it does not meet the requirements of canon 51 which states: *Decretum scriptum feratur expressis, saltem summarie, si agatur de decisione, motives,* and

whereas, the Dicastery has already indicated that it tried, unsuccessfully, on many occasions, to have Diocesan authority enter into negotiations with the recurrent; that the procedures followed in this case are a confused mixture of canon law, civil law, procedures, *sui generis*, but which lead to the practical deprivation of priestly ministry from Fr. Whelan, or at least its severe limitation, and

whereas a judicial process was sought by the priest but was not granted in violation of canon 221 §1,

whereas the decree of the 3rd September 1998, against which recourse has been taken does not meet the requirements of canon 51, nor was it arrived at following an appropriate canonical process, in violation of canon 221 §3,

Therefore, this Dicastery, taking into account all of the foregoing, and aware of the discipline of canons 47 and 57 decrees:

> **that the decree of the Most Re. Ordinary of the Archdiocese of Melbourne dated 3rd September 1998 and addressed to the Rev. J. B. Whelan, is null and void and without juridical effect because of serious flaws, *de procedendo et de decernendo* in this particular case and, as the procedure *sui generis* was imposed without option by the Archdiocese, and due to its peculiar nature, required the employment of civil advocacy for an adequate defense of the accused, the Archdiocese is ordered to pay the costs of Fr. Whelan in this matter, and the assessment of further damages are not deemed appropriate, and lastly, as to the incidental question posed regarding suspension of the execution of a Decree during pending appeal, canon 1353 indicates its granting by the law itself.**

Given at the Seat of the Congregation for the Clergy
Vatican City
On 23rd August 2001

AOC 015934

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

155 E. Superior St.
Chicago, Illinois 60611

March 14, 2003

Rev. Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

Dear Bob:

I realize you must have many questions about what is happening with regard to your situation. I have appreciated your patience and understanding, and I thank you again for agreeing not to exercise ministry while your case is pending. As you know, the Dallas Charter and Norms created a canonical difficulty. They required bishops to act immediately, but Church law prohibited us from taking any action under the Norms until they received the approval of the Holy See. I am very grateful to each of you for cooperating in the implementation of the Charter and Norms, even though that cooperation has taken a toll on you.

The Holy See approved the revised Norms on December 8, 2002, and Bishop Gregory indicated they would go into effect March 1, 2003. I want you to be aware of the implications of this, so that at least you will understand how we will be proceeding in the Archdiocese of Chicago. There are still some aspects of the process that the USCCB Committee on Canonical Affairs is working on, so some part of the process are less clear than others.

In the near future, I will be submitting each of your cases to the Congregation for the Doctrine of the Faith, as required by the Norms that Congregation issued in 2001. At that time, I will ask the Congregation for a dispensation from the statute of limitations so that we are free to conduct a trial according to the Code of Canon Law.

The reason for my request will be that the seriousness and the nature of the matter demand it. The sexual misconduct of clergy has caused great harm to the Church in the United States. Unless the Church appears to be taking these allegations seriously, we will lose the confidence of our faithful people and the Church in the United States will no longer have a credible voice.

Moreover, the nature of sexual abuse is such that those who are abused often repress the memory of these actions for many years. It has taken great courage on the part of many of them to come forward with these accusations. I can assure you that they did not make their decisions easily. Whether these actions took place, who was involved, and other such matters are things that are to be dealt with in a canonical trial. But I do not doubt for a moment the sincerity of those who have claimed to be victimized.

At the same time I submit the case to the Congregation for the Doctrine of the Faith, I will make formal what up to now has been simply an agreement between you and me. The

Essential Norms for the United States require that at this time I issue a decree, in virtue of canon 1722, prohibiting you from exercising sacred ministry and directing where you are to reside.

If the Congregation for the Doctrine of the Faith dispenses from the statute of limitations and directs me to conduct a trial here in Chicago, I will then submit all the material from your case to Father Bill Woestman, the Promoter of Justice, who will the present a petition to the Metropolitan Tribunal. The petition will ask the Tribunal to decide two issues: Did you commit an act of sexual misconduct, as described in canon 1395? If the answer to that is affirmative, shall the penalty of dismissal from the clerical state be applied to you?

At this point, if you have not already engaged the services of a canonical advocate, you will be required to do so. Your advocate's job is to ensure the protection of your rights and to raise any issues with regard to the above questions.

According to the wishes of the USCCB, the judges for the trial will be chosen from a pool of judges who will be trained in Washington during the last two weeks of February. This will ensure that no Archdiocesan priest will be deciding your case.

The judges will use the information that has been gathered by the Fitness Review Board Administrator, the Vicar for Priests, the Victim Assistance Minister, and your own personnel file. They may also ask for additional information in the case, as they see fit. You or your advocate can also propose other questions to the judges that would assist them in their investigation.

After the judges have collected all the information in the case, you and your advocate will be allowed access to all of the information that the judges will be using in making their decision. You will also be allowed to comment on the information you review, and your advocate will be given an opportunity to present arguments in the case.

At the conclusion of the process, both the Promoter of Justice and you can appeal the decision of the Tribunal. The appeal can be based upon the procedures that were followed during the course of the trial or upon the merits of the decision that was handed down. According to the 2001 Norms of the Congregation for the Doctrine of the Faith, these appeals are to be directed to the Supreme Apostolic Tribunal of that Congregation.

I believe that this is the most effective way to ensure that justice is served in the Church. By using our legal system, the rights of all parties are guaranteed and decisions are made on the basis of correct jurisprudence. Regardless of the outcome, the decisions will not only *be* just, but they will also *appear* just in the eyes of our people. This will demonstrate that decisions are not made in an arbitrary manner in the Church, but are made in an orderly and well-reasoned manner.

It is for this reason that I will not make any administrative decisions about the disposition of your case. I believe the judicial process will allow you and your advocate to present arguments concerning the substance of the case and the procedures that have been followed. The judges will then be able to render a decision on this matter which is consistent with our jurisprudence and canonical practice.

I am very much aware of the pain that you have gone through during these months. While this has been personally painful for you, I believe this time has also given our people an opportunity to look at this issue more thoroughly and realize its complexity. Some of the stridency has lessened, and people seem to be reassured that the cases will be handled in a just and equitable manner.

You have been in my prayers each day, and I ask that you continue to keep me in yours.

Fraternally yours in Christ,

Francis Cardinal George, O.M.I.
Archbishop of Chicago

You did a major critique of the Charter — and the norms are approved by the Holy See — and the policies are now linked to the norms. Still, we'll pursue the critique, hopefully leaving the norms as is only for 5 years.

FK.

AOC 015937

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

Post Office Box 1979
Chicago, Illinois 60690-1979

March 31, 2003

Reverend Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

Dear Father Kealy,

I was somewhat surprised by your letter of March 24, 2003, because you interpreted a personal note put at the end of a letter on another subject as an official response to your critique of our Archdiocesan policies. The postscript was intended only to encourage you in a difficult situation and express my appreciation of the extensive work that you did.

Your interpreting it as an official response has now brought the process one step farther, and I suppose that can be a good thing, both in the long and in the short run. There is some irony in the fact that our policies were, as I have been told, greatly influenced by your own work when you were Chancellor. The situation has now, of course, radically changed.

This is not in any sense an official response to your letter of March 24. It is merely an acknowledgement that that letter has been received, along with your earlier critique. The official response will follow according to the canonical procedures, as will all our communications from now on.

Sincerely yours in Christ,

Francis Cardinal George, O.M.I.
Archbishop of Chicago

cc: Reverend Patrick Lagges

ARCHDIOCESE OF CHICAGO

Vicar General

Post Office Box 1979
Chicago, Illinois 60690-1979

(312) 751-8271
Fax: (312) 337-6379

MEMORANDUM

DATE: **APRIL 21, 2003**

TO: **FRANCIS CARDINAL GEORGE, O.M.I.**

FROM: BISHOP RAYMOND GOEDERT

RE: **LETTER OF APRIL 14, 2003 FROM FATHER KEALY**

I am returning Bob's letter which you asked me to read. As I have mentioned to you, I agreed with several of the revisions Bob recommended to make our Archdiocesan policies consistent with the requirements of Canon Law. That is the reason why I convened a meeting of Tom Paprocki, Pat Lagges and myself on April 11. Tom Paprocki is going to make the necessary changes in the policies, discuss them with the other members of his committee and bring them back to you, the Presbyteral Council and the Archdiocesan Pastoral Council before they are promulgated.

cc: Most Reverend Thomas Paprocki
Reverend Patrick Lagges

IMMACULATE CONCEPTION PARISH

770 West Deerfield Road, Highland Park, Illinois 60035
Phone: (847) 433-0130 • Fax: (847) 433-0669

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OFFICE OF THE
ARCHBISHOP

April 23, 03

His Eminence
Francis Cardinal George
Archbishop of Chicago
155 E. Superior St
Chicago, IL 60611

Your Eminence,

Greetings of Easter Season. Thank you for all that you do to lead the People of God to greater heights of holiness. Wish you the best. This letter comes to you as a sign of my great appreciation and praise for Rev. Robert L. Kealy, who was my pastor for four years. There is no saint without a past and no sinner without a future. Ever since I have known him, he has been an exemplary priest. I like to call him a gentleman priest. There is such nobility in his conduct and behavior when it comes to dealing with people. He is liked by all the parishioners. Himself a devout and conscientious priest, he leads people to greater heights of sanctity. He is a great pastor, who knows his people by name. He is a priest available to his people. Disciplined and highly organized as he is that everything about him is perfect. He loves the church and is very faithful to the teachings of the church. He is a very trustworthy man who tries his best to hand down the faith of the church in tact. In short, he is a man of God, a great priest and an effective pastor. May God bless him.
I wish him well and pray for a speedy resolution of the situation he is in. The church is losing so much of his valuable services and we cannot afford to forfeit that at this time and in this age. With much prayers for him and you,

Yours filially in Christ

George Velloorattil

Rev. George Velloorattil

IMMACULATE CONCEPTION PARISH
770 West Deerfield Road, Highland Park, Illinois 60035
Phone: (847) 433-0130 • Fax: (847) 433-0669

April 24, 03

His Eminence
Francis Cardinal George
Archbishop of Chicago
155 E. Superior St
Chicago, IL 60611

Your Eminence,

This is just a word of commendation of my good friend Father Robert Kealy. I have known him since he was just a kid at St. Gertrude's parish, Chicago. The pastor of the parish was his uncle, Msgr. J. Gerald Kealy, who was Rector of Mundelein Seminary during my study there, 1930-36. (Good Friday this year, April 18, was the 67thanniversary of my ordination there at the Seminary). Four years ago Fr. Bob Kealy invited me to come here to live at Immaculate Conception Rectory when I was looking for a retirement home. I have always considered him as a saint. I know the people of this parish would fully agree. I have served under half a dozen pastors and he was the best.

With great respect,

Sincerely

Rev. Edward Norkett

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+ Jul Rozmus ackd.

April 26, '03

Cardinal George,

I am writing you about a wonderful human being, an extra-ordinary priest and a true follower of Christ. I have know Father Bob Kealy for eleven years, since he Come to Immaculate Conception Parish in Highland Park. Through the years, Father Kealy, my husband and I became good, close friends and he would come often to our home for dinner.

[redacted]

[redacted]

I have been a member of Immaculate Conception Parish since 1961, [redacted] I can truthfully say that it was a pretty dismal and uninspiring parish up to the time Father Kealy came. There are no words to explain nor express what Father Kealy did with this parish. He infused it with life, joy, vitality, beauty and excitement. He brought beautiful music and made the church an inspiring place in which to worship and pray. He made people, both young and old, want to be involved with the parish; from

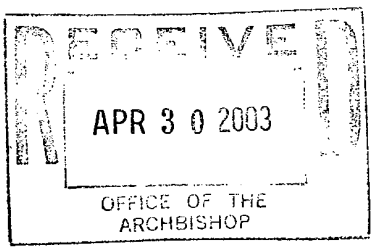
AOC 015943

servers at Mass to lectors, Eucharistic Ministers and Ministers of Care. His warmth, humor and caring has touched us all; it was a very, very sad day when he left. He is as sorely missed now as he was when he left.

For me, Father Kealy is the embodiment of all that a priest and the priesthood is, and represents. I truly believe that if there were more priests that came even close to what Father Kealy is, we, the Church, would be blessed beyond belief.

Sincerely yours in Christ,

[redacted]


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Subj: **Bob: my letter to Cardinal George - [redacted]**
Date: 6/2/2003 9:49:33 PM Central Standard Time
From: [redacted]
To:

[redacted]

April 27, 2003

His Eminence Francis Cardinal George, OMI
155 E. Superior
Chicago, IL 60611

Dear Cardinal George: I am writing on behalf of Fr. Bob Kealy and for his reinstatement to the full duties and privileges of the priesthood. I have known Fr. Bob for over twenty years. He has been a close family friend all these years just like his uncle before him, the late Monsignor Jerome Kealy. Fr. Bob has been at [redacted] family gatherings for many years, from birthdays, baptisms, weddings, Christmas, Easter, holidays and at my Dad's funeral in 1999. In all these years, I have never seen Fr. Bob at any time acting in any way that would bring discredit to the priesthood.

As an involved Catholic in many parish, school and charitable activities [redacted] I have had the pleasure of knowing many wonderful priests. I think I know a good priest when I see one. Everything I know and have experienced about Fr. Bob is that he is a wonderful man, he is a dedicated priest and he has a great deal to offer to this vocation that defines his very core.

Cardinal, George, you may recall that I have been one to speak out when I have seen abuse within the church. I do not want any man who is unqualified to serve the church I love. I know that Fr. Bob is not such a person. He has my unqualified support and that of my family. Please work to restore him to the position he loves so much and to which he is so well suited.

Sincerely,

[redacted]

Fr. Jim Kriegmont ack'd.

[redacted]

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April 27, 2003

His Eminence Francis Cardinal George, OMI
155 E. Superior
Chicago, IL 60611

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Cardinal, George, you may recall that I have been one to speak out when I have seen abuse within the church. I do not want any man who is unqualified to serve the church I love. I know that Fr. Bob is not such a person. He has my unqualified support and that of my family. Please work to restore him to the position he loves so much and to which he is so well suited.

Sincerely,

[redacted]

[redacted]

[redacted]

Fr Rozynek ackd.

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April 28, 2003

Francis Cardinal George, OMI
Archdiocese of Chicago
P.O. Box 1979
Chicago, IL 60690

Your Eminence:

I am an active member of St. Michael's Parish in Orland Park. [redacted] I am writing this letter as a testament to a very close friend of mine, Father Bob Kealy.

Having been part of St. Germaine Parish for my entire parochial school life, I met Father Kealy upon graduation from St. Germaine, prior to the start of my high school years at [redacted] High School. He was recently ordained and had just been appointed as the new Associate Pastor. Before he arrived at St. Germaine, there were no activities for the teens. Seeing this need, he founded our Teen Club, which became very active and successful. [redacted] During that time, Father Kealy and I worked closely together in crafting the start-up of the group and building its foundation. The many hours spent with Father Kealy during those years gave me a great degree of insight as to his faith, kindness, generosity and value-based character. He was highly respected and well-liked by the teens of which a number of them remain friends of his to this day.

[redacted] For myself, he has been priest, friend, and mentor over the years. He has played a vital role in my personal development. In addition, he has been a part of my entire family's life. Whether it was celebrating the life of my father at his burial service or celebrating the baptism of my [redacted] daughters, Father Kealy has remained a vital link as part of the entire [redacted] family. Not only spiritually, but also in a much broader role as the link between generations for my family and a great many other families.

Serving as a counselor of sorts on behalf of both parents and children can be an arduous task but Father Kealy repeatedly proved quite capable of the task. In retrospect, I would imagine that this beginning was one of the many tests where Father Kealy's spirituality, character and understanding were proven.

[redacted]

[redacted]

[redacted]

Over the years, I was able to continue to be a part of his life. Meeting a great number of his parishioners over the years, I can attest that his ministry continued to be exceptionally effective. Meeting with numerous young people from these various parishes, I continued to hear a reaffirmation of what I knew years earlier. Father Kealy was and is truly a fine priest, a terrific leader of a parish and unparalleled as a leader and teacher of young Catholic families.

I know that I speak on behalf of a great number of families that have been touched by Father Bob Kealy when I say that, in my experience, there is no priest who has so dedicated his life to the spiritual betterment of families within the various parishes in which he has served. His ability to galvanize a family, a parish, a community is beyond question.

I respectfully appreciate your consideration in reading this note and pray that Father Kealy is able to return to active ministry within our Archdiocese sometime in the very near future.

Respectfully yours,

[redacted]

[redacted]

IMMACULATE CONCEPTION PARISH

770 West Deerfield Road, Highland Park, Illinois 60035
Phone: (847) 433-0130 • Fax: (847) 433-0669

May 6, 2003

PERSONAL AND CONFIDENTIAL

His Eminence Francis Cardinal George
Archbishop of Chicago
Archdiocese Pastoral Center
155 East Superior Street
Chicago, Illinois 60611

Dear Cardinal George,

I'm sure you are aware I am the pastor who replaced Father Robert L. Kealy at Immaculate Conception Parish in Highland Park, Illinois when Father Kealy was transferred to SS. Faith, Hope and Charity in Winnetka, Illinois. He was subsequently removed because of alleged sexual misconduct.

In replacing Father Kealy, I believe I am specially qualified to recommend every consideration and opportunity to be given to Father Kealy in regards to reviewing his case. The reason I recommend a review of Father Kealy's present situation is the vast majority of parishioners do stand behind him one hundred percent. It is their opinion, nothing of this sort has ever happened in this parish and they have the utmost confidence and admiration for Father Kealy. I am in total agreement.

Personally, I would humbly suggest every consideration be granted Father Kealy. I have served in a number of parishes as Pastor and Associate Pastor. I have never served in a parish as organized and ministerial effective.

Simply, Immaculate Conception parish is in excellent condition physically, ministerially and spiritually because of Father Kealy's leadership.

My sincerely prayers and hope is Father Robert L. Kealy will be able to continue to serve the church.

Sincerely,

Rev. Terrence A. McCarthy

Reverend Terrence A. McCarthy
Pastor

TAM/li

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Reverend Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

May 15, 2003

Reverend Patrick M. Lagges
Vicar for Canonical Services
Archdiocese of Chicago
P.O. Box 1979
Chicago, IL 60690

Re: Confidentiality of Vicar's Files

Dear Father Lagges:

In Cardinal George's letter of March 14, 2003 to all of the priests who have been removed from active ministry, he stated that included in the information which would be used in a canonical penal process would be that "gathered by ... the Vicar for Priests."

I strenuously object to the use of any files or statements from the Vicar for Priests being used in any canonical penal or disciplinary proceedings against me. In my conversations with the Vicar for Priests, it was my understanding that these conversations were confidential communications with the surrogate of my ordinary, in his role as pastor to his priests. Canon law, moral theology, and civil law preclude the use of the Vicar for Priests's files or statements in an ecclesiastical penal or disciplinary proceeding.

1. *Canon Law Requires the Confidentiality of Communications Between a Priest and His Bishop or the Vicar for Priests.*

Canon 384 states:

> "With special solicitude, a diocesan bishop is to attend to presbyters and listen to them as assistants and counselors. He is to protect their rights and take care that they correctly fulfill the obligations proper to their state ..."

The CLSA's *"Guide to the Implementation of the U.S. Bishops' Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons"* says:

> "The bishop is a pastor or a father to his priests. Their relationship is rooted in the sharing of orders and a common mission. Ordinarily, a priest's personal disclosures to his bishop would be considered confidential communications (*CIC* c. 1548, §2, 1°; *CCEO* c. 1229, §2,

1°)." (p. 29).

With one inconsistency, which will be discussed below, this principle is reflected in our Archdiocesan policies.

In the Archdiocese of Chicago, prior to 1992, the Vicar for Clergy acted as the investigator of allegations of misconduct against clerics. In the Archdiocesan policies for dealing with allegations of clerical sexual abuse of a minor, created in 1992 and followed with minor adaptations since then, the duty of investigating allegations of sexual abuse of minors was assigned to the Administrator of the Review Board and to the Review Board itself. The Vicar for Priests is to exercise a pastoral function as the Archbishop's surrogate as pastor to Archdiocesan priests. The Vicar for Priests is to offer confidential counsel, guidance, and support to priests. In the case of accusations of misconduct, the Vicar for Priests is to serve as an advocate for the accused priest in the process.

- In Policy §1102 of the Archdiocese of Chicago Policies effective July 1, 2000 (the policies in effect at the time of the allegation made against me), the Vicar for Priests is described as a "pastor to the priests of the Archdiocese."

- In Policy §1102.4, sentence 2, it says: "These vicars are the representatives of the Archbishop who minister to the clergy of the Archdiocese by providing assistance, advice, support, and by facilitating referrals to resource persons and other professionals."

- Policy §1104.4.3, Procedure (A) says, " ... The Vicar for Priests is primarily responsible for pastoral and spiritual life concerns and treatment questions that require a sensitivity to confidences."

- A letter sent by the Vicar for Priests on August 26, 2002 to the priests of the Archdiocese says: 'The Vicars for Priests serve as advocate, liaison, and counsel for priest.'

The Vicar for Priests represents the ordinary in his pastoral care for his priests. In a canonical proceeding, bishops and priests are exempt from testifying "regarding what has been made known to them by reason of sacred ministry..." (c. 1548, §2, 1°). This canon also covers physicians, advocates "and others bound by professional secrecy." The reason for this exception is that the special nature of these roles requires that persons in need of their professional guidance be able to confide in them with the assurance of confidentiality.

Archbishop Julian Herranz, the President of the Pontifical Council for Legislative Texts, gave an interview to Zenit New Service on November 14, 2002, in which he addressed this issue:

> "Q. What problem did the original U.S. norms pose for bishop-priest confidentiality?
>
> "A. From the perspective of the Church, the relationship between a diocesan bishop and his priests is likened to that shared by a father and his sons. The richness of the theological reality

AOC 015952

is impoverished if we see the relationship solely in the secular terms of employer and employee or, even worse, as adversaries. For the good of the Church, a priest has to be free to approach his diocesan bishop and to speak to him with honesty and openness.

"With that in mind, the Church recognizes an exemption from testifying in ecclesiastical proceedings for bishops and other clerics with respect to those matter that were 'revealed to them by reason of their sacred ministry' (cf. Code of Canon Law, can. 1548 §2, 1°).

"Sadly, the civil laws do not always recognize that important need and, instead, sometimes foster an attitude of fear and suspicion. We would do well to bring to the attention of those responsible for civil legislation the importance of recognizing the unique nature of the pastoral dialogue shared by diocesan bishops and their priests, which certainly merits at least the same kinds of protection that are given to communications between lawyers and their clients or physicians and their patients.

"Even in the absence of such protections, it is my hope that the revisions to the norms which were recently accepted by the USCCB will – because of their increased clarity, their greater certainty, and their insistence on basic fairness – significantly reduce the tension that has been reported between some priests and their bishops."

Archbishop Herranz underscores the profound ecclesiological reality which is the theological foundation for the confidentiality of communications between a priest and his ordinary. By incardination, a spiritual and canonical bond is established between a priest and his bishop. The priest promises respect and obedience to his bishop and the bishop adopts the priest as his spiritual son. By incardination, a mutual bond is created by which the priest commits himself to life-long service of the diocese and the bishop commits the diocese to life-long acceptance of the priest and his service.

When a bishop or his Vicar asks a priest to open his soul to his spiritual father, the priest does so with the expectation that these conversations are sacred communications in the internal, non-sacramental forum. That was certainly my understanding, and my expectation, in my conversations with Father Kaczorowski, the Vicar for Priests, and with Cardinal George.

It should be pointed out that the first sentence of Policy §1102.4 of the Archdiocesan Policies, effective July 1, 2000 is grossly inconsistent with the above principles and, so, is inconsistent with the universal law of the Church. This policy states:

"In the case of any disclosure of sexual abuse by a cleric with a minor, the Vicar for Priests or Vicar for Deacons shall report the fact to the Professional Fitness Review Administrator."

Policy §1102.4 is an overly-broad statement of the exceptions to the principle of confidentiality. The exceptions will be explained below, in the section on moral theology. In my case, there is certainly nothing which would allow an exception to the principle of confidentiality of my communications with the Vicar for Priests.

AOC 015953

When a bishop or his Vicar talk with a priest in the pastoral context of the sacred relationship between a cleric and his ordinary-as-pastor, they reasonably expect and deserve openness and honesty from the priest. The priest understands their expectation and, in turn, the priest reasonably expects that they will treat the information he discloses to them as confidential and secret. It is understood, according to the overwhelming weight of Catholic tradition, canon law, and the Archdiocesan policies, that these conversations are in a pastoral, not a penal context. That was my understanding in my conversations with the Vicar for Priests and with Cardinal George.

To require the Vicar to report on such conversations is no more appropriate than requiring the bishop to do so. It makes the Vicar an arm of the canonical investigation and the civil prosecutor. If that is to be his role, then the cleric should be given a 'Miranda' warning before talking with his ordinary or Vicar (i.e., "You have a right to remain silent. You have the right to counsel. Anything you say can and will be used against you in a court of law and in an ecclesiastical proceeding."). If that is to be the role of the Vicar then his conversations with an accused cleric should observe the canonical formalities and the Archdiocese should make no pretense that the Vicar's role is to be an "advocate" for clerics. Without observing those canonical formalities, the likelihood increases that casual comments may be misrepresented and that testimony could be distorted. However, for the Archdiocese to take the position that these conversations are not confidential, would be to eviscerate the sacred relationship between a bishop or his Vicar and the clergy of the diocese.

In addition, the Vicars for Priests are bound to maintain the confidentiality of their communications with priests when talking with other officers or agents of the Archdiocese, such as the Review Board; the Administrator of the Review Board; the Promoter of Justice; the Vicar for Canonical Services; diocesan lawyers; insurance companies; and members of the Professional Conduct Administrative Committee (PCAC), which is referred to in policy 1104.3.7 (8), footnote 3.

2. *Principles of Moral Theology Require the Confidentiality of Communications Between a Priest and His Bishop or the Vicar for Priests.*

Attached to this letter is a memorandum by Father Patrick Boyle, S.J., the highly respected professor of moral theology at Mundelein Seminary. Father Boyle's memorandum is entitled, "The Moral Principles Governing the Confidentiality of Communication between a Priest and His Ordinary or the Vicar for Priests."

Father Boyle situates the principles governing confidentiality in the right to privacy, a basic human right. Applying general principles governing the confidentiality of communications to the specific case of communications between a priest and his ordinary or the Vicar for Priests, Father Boyle says that the threshold question is the understanding which the priest had as to the nature of the communication. Father Boyle differentiates between a situation in which the Vicar for Priests office was an investigative arm of the bishop and a situation in which " the common understanding of the Vicar for Priests office was that it is priest-friendly and the Vicar was the advocate for priests." When I met with the Vicar for Priests, it was my understanding that the nature of the Vicar for Priests office

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was the latter. This understanding is supported by the Archdiocesan policies quoted above on page two.

Father Boyle says that in this case "the presumption has to be given to the accused individual's right to privacy and confidential information many not be divulged without his knowledge and consent."

Father Boyle mentions two exceptions to this presumption of confidentiality. Neither applies in my case. One exception would be "if the Vicar for Priests advised the accused individual at the time of his interview that the information in the interview was matter for public domain and could possibly be used against him in a judicial proceeding." Although Father Kaczorowski, the Vicar for Priests, had advised me in general about my right to canonical and legal counsel in regard to the accusation against me, it was my understanding that he could disclose my communications with him only to the Archbishop, whom the Vicar was representing in his pastoral capacity, and no one else.

Father Boyle says that, when the communication with the Vicar for Priests is understood by a priest to be confidential, "then the only reason which justifies the revealing of confidential information is if withholding the information poses a serious danger to an innocent person or to society." He adds, "There has to be moral certitude that the danger truly exists." In my own case, Father Kaczorowski already had seen a psychological evaluation which determined that I did not pose a risk to others and there was no need to impose restrictions on my ministry (see attached transcript of Psychological Evaluation Reference, a form filled out by Father Kaczorowski, summarizing the recommendations given in my psychological evaluation). Indeed, my exemplary reputation for decades in positions of truest in parish ministry and in diocesan administration indicates the validity of the finding that I pose no risk to others or to society. Thus, as Father Boyle concludes, "If such certitude (of danger) is absent, the information must remain confidential. It would be morally unacceptable to divulge it."

3. *Civil Law Respects the Confidentiality of Communications Between a Priest and His Bishop or the Vicar for Priests.*

Many dioceses in the United States have gone to great efforts and great expense to defend the confidentiality of the files of Vicars for Priests. If the Archdiocese of Chicago intends to use the files of the Vicar for Priests in any ecclesiastical disciplinary process, it could well be waiving the confidentiality of all of the files of the Vicars for Priests in any criminal or civil proceedings brought against a priest or against the Archdiocese.

In an excellent scholarly presentation on April 4, 2003 at a symposium at Boston College, Professor Norman Abrams of the UCLA law school addressed, "The Dual Nature of the Clergy Privilege in State Statutes and the Statutory Duty to Report Child Abuse." (The talk will be printed in the Fall issues of the Boston College Law Review and is available now in draft form from the Boston College Law School). Professor Abrams described the relevant confidential communications of clergy as falling into two broad categories: religious confessions and spiritual advice and counsel. Abrams gave an extended analysis of a New Jersey decision, Corsie v. Campanalongo, a civil suit brought by two

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brothers against a priest and against the Archdiocese of Newark, alleging sexual molestation by the priest. Abrams wrote:

> "Plaintiffs requested that the Archdiocese produce all documents contained in the file of the Vicar for Priests relating to the defendant Campanalongo and all files regarding sexual misconduct by any priest since 1960 and any documents regarding any law suit arising from sexual misconduct. As part of his response at the trial level, the Vicar certified that he 'serves as a confidant to priest in need. Accordingly, priests who confide in the Vicar ... do so with an expectation of privacy and confidentiality. The relationship is the same as a confessional matter with any other penitent. Through the Vicar for Priests, priests in distress seek counsel and support regarding matters related to the stresses and tension involved in Ministry.'
>
> "On appeal, the plaintiffs only sought production of documents related to Campanalongo. The court found that it was undisputed that the Vicar was acting in his 'professional character, or as a spiritual advisor' when, or if, Campanalongo confided in him respecting the alleged sexual assaults or any other personal or professional matter'; that 'so long as ... (the) communications to the Vicar were 'confessions' or otherwise made with an expectation of confidentiality,' the documents were protected against disclosure.
>
> "The Vicar, of course, had tried to put his files in the same category as confessional material. Because the New Jersey privilege statute applied as well to spiritual advice, the court did not have to resolve the question of whether the communications of individual priests to the Vicar were equivalent to communications in the confessional.
>
> "Plaintiffs also sought other documents relating to Campanalongo in the Archdiocese's possession unrelated to the Vicar's files. This material did not raise questions under the clergy privilege, but the Archdiocese claimed confidentiality directly under the First Amendment ... The lower court had ruled that these files were protected under the Constitution. The appellate court, however, rejected the Constitutional claim ...
>
> "The Corsie case, of course, ... involves larger questions since it was not simply access to the Vicar's Campanalongo file that was at issue. If his file was required to be disclosed, all of the Vicar's files would seem to lose privilege protection."

This conclusion of Professor Abrams implies that if the files of the Vicar for Priests are used in a canonical penal or disciplinary process, which by its nature is in the external forum, we could lose the protection of the files of the Vicar for Priests as legally privileged documents.

In another prominent case, the Connecticut Court of Appeals is about to issue a ruling in a lawsuit brought against the Diocese of Bridgeport by the New York Times, the Washington Post, and the Hartford Courant seeking disclosure of all of the diocese's clergy files involving allegations of sexual abuse. The Diocese of Bridgeport has vigorously defended the confidentiality of its files.

AOC 015956

Of course, the Archdiocese of Chicago, itself, successfully argued the confidentiality of such files before the Supreme Court of Illinois in 1992. The files of priests accused of abuse had been subpoenaed by the State's Attorney of Cook County. While I am not familiar with all of the details of the ruling of the Illinois Supreme Court, it would seem that if the Archdiocese were to use the files of the Vicar for Priests in a canonical penal or disciplinary proceeding, the files and the conversations between an accused priest and the Vicar for Priests could lose their status as privileged communications. These broad legal ramifications should be considered by the Archdiocese, if it contemplates using the Vicar for Priest's files in a canonical proceeding.

I respectfully submit that, in my case, the proper position for the Archdiocese is to maintain the confidentiality of my conversations with the Vicar for Priests and the files he generated and to exclude them from use in any canonical penal or disciplinary proceeding or any administrative proceeding. They should not be included in any form in any information or material submitted to the Review Board, the Administrator of the Review Board, the Congregation for the Doctrine of the Faith, the Promoter of Justice, or a judicial process. This would also be true in other cases in which the two exceptions explained by Father Boyle do not apply.

Sincerely yours in Christ,

Reverend Robert L. Kealy

cc: Rev. James Kaczorowski, Vicar for Priests

AOC 015957

University of Saint Mary of the Lake
Mundelein Seminary
• 1844 •

1000 East Maple Avenue • Mundelein, IL 60060-1174 • www.usml.edu

THE MORAL PRINCIPLES GOVERNING THE CONFIDENTIALITY OF COMMUNICATION BETWEEN A PRIEST AND HIS ORDINARY OR THE VICAR FOR PRIESTS

Most moralists consider the right to privacy a basic human right. They root it in the equality between human beings which every human person possesses, being created in the image and likeness of God. Confidential information about oneself and other confidential facts that one possesses are part and parcel of that right. This right creates in others an obligation to respect that right and keep confidential all the private information which a person may choose to reveal to another. All secrets, whether natural, promised, or entrusted, enjoy this confidentiality and morally bind the recipient of the information to use it only according to the dictates of the revealer.

This right of privacy is not absolute. It is a limited right. Love of self and love of neighbor limit the extent of that right. This means that there are times when it is morally acceptable to reveal a secret of another and is not considered a violation of that person's right of privacy. Examples of such times are listed as follows:

- The disclosed information poses a serious harm to the revealer of the information, suicide for example.

- The disclosed information poses a serious harm to the recipient of the information, for example, a threat of bodily harm to the recipient.

- The disclosed information poses a serious harm to an innocent third party, for example, threats against the life of a third party.

- The disclosed information poses a serious threat to society, for example, planting a bomb on a school bus.

Revelation of such information falls outside the purview of the right and may be divulged only to those who can remedy the situation. Thus, love of self and love

of neighbor limit one's right to privacy. This is not an exception to the right; the circumstances rather push the information beyond the parameters of the right.

In the case of one accused of a crime, if at the time of the investigation by the diocese it was commonly understood that the Vicar for Priests office was an investigative arm of the bishop and that the one accused of the crime knew this, then the information revealed by him to the Vicar is not considered confidential and can be revealed. On the other hand, if the common understanding of the Vicar for Priests office was that it was priest-friendly and the Vicar was the advocate for priests, then the presumption has to be given to the accused individual's right to privacy and confidential information may not be divulged without his knowledge and consent. However, even in this understanding of the Vicar for Priests office if the Vicar for Priests advised the accused individual at the time of his interview that the information in the interview was matter for public domain and could possibly be used against him in a judicial proceeding, then the information is no longer considered confidential.

If no such warning was forthcoming from the Vicar and the Vicar for Priests office is priest friendly, then the only reason which justifies the revealing of confidential information is if withholding the information poses a serious danger to an innocent person or to society. The acknowledgement of such a danger should not be interpreted loosely. Since a human right is in the balance, this danger has to be based on fact, not on presumption. There has to be moral certitude that the danger truly exists. If such certitude is absent, the information must remain confidential. It would be morally unacceptable to divulge it.

Patrick J. Boyle, S.J.
Associate Professor
Christian Life Department
University of St. Mary of the Lake

Note: I transcribed this text on 10/14/02
when I was allowed to review my files and to make
handwritten notes, but not to photocopy anything.
It is a summary by Father Kaczorowski of the pertinent
recommendations contained in my [redacted]
- Robert L. Kealy

Archdiocese of Chicago
Vicar for Priests Office
645 N. Michigan Avenue, Suite 543
Chicago, IL 60611

[redacted]

[redacted]

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

155 E. Superior St.
Chicago, Illinois 60611

P R E C E P T

Bishops "have been designated by the Holy Spirit to take the place of the apostles as pastors of souls and, together with the Supreme Pontiff and subject to his authority, they are commissioned to perpetuate the work of Christ, the eternal Pastor." (*Christus dominus*, n.2b) However, since the pastors of the Church can never be expected to carry the burden of pastoral ministry alone (*Lumen gentium*, n. 30), they have been given the order of priests to cooperate in shepherding and guiding God's people. Indeed, bishops, "because of the gift of the Holy Spirit that has been given to priests at their ordination, will regard them as indispensable helpers and advisers in the ministry and in the task of teaching, sanctifying and shepherding the People of God." (*Presbyterorum ordinis,* n. 7)

Because of this common task, "bishops are to regard their priests as brothers and friends, and are to take the greatest interest they are capable of in their welfare, both temporal and spiritual. For on their shoulders particularly falls the burden of sanctifying their priests." (*Presbyterorum ordinis,* n. 7b)

Moreover, the *Directory on the Pastoral Ministry of Bishops* states, "In the same way as Jesus showed his love for his disciples....so also a bishop....can hardly fail to realize that he should show his greatest love and chief concern for priests....Led by a sense of duty and sincere and invincible charity he gives willing assistance in every way to help priests to esteem the loftiness of their priestly vocation, to live serenely, to spread joy to those about them and to fulfill their duties faithfully." (n. 107a)

This same document urges bishops to do "everything possible to prevent the troubles his priests could have....To keep them safe from trouble he takes prompt and prudent measures." (n. 112)

The Code of Canon Law has described precepts as a means by which ecclesiastical authority "directly and legitimately enjoins a specific person or persons to do or omit something, especially in order to urge the observance of law" (c. 49).

Therefore, I issue this precept, in accordance with c. 49, to urge **Reverend Robert Kealy** to fulfill the obligations which were placed upon him at the time of his ordination. Because some suspicion has arisen about his fidelity to the sacred promises he made at his ordination, I urge him in particular to lead a life which is in keeping with the holiness of his vocation. Although he is not presently exercising public ministry in the Church, he ought to pursue holiness of life in the way that he lives. He is also still bound to the obligation to pray the liturgy of the hours daily, to set aside time for spiritual retreats, to engage in mental prayer, to approach the sacrament of penance frequently, to honor the Virgin Mother of God with particular veneration as Queen of Priests, and to use any other means of sanctification which he finds helpful (c. 276).

Because of the obligation to observe perfect and perpetual continence for the sake of the kingdom of heaven, **Father Kealy** is to act with due prudence toward persons who could endanger the obligation to observe continence (c. 277§1), and to observe the particulars of the attached Individual Specific Protocol (c. 277§3) which I have established in consultation with him.

He is to avoid all those things which are unbecoming the clerical state, or those things which are foreign to the clerical state (c. 285), especially those things which are set forth in the attached Individual Specific Protocol which I have established in consultation with him.

Father Kealy is hereby dispensed from his obligation to wear ecclesiastical garb (c. 284), and is strongly urged not to do so until such time as the case against him can be resolved and more permanent determinations can be made. Although not removed from office, he is nonetheless urged not to exercise the rights of any ecclesiastical office, in accordance with the Individual Specific Protocol which I have established in consultation with him.

In order to ensure that these obligations are met, I have delegated **Ms. Leah McCluskey** to receive information regarding **Father Kealy's** fulfillment of this precept and his Individual Specific Protocol. She is to submit a report to me no less than quarterly regarding this matter, and may report to the Professional Fitness Review Board more frequently as needed or requested.

I am establishing this precept in a spirit of fraternal charity, mindful of my responsibility to encourage my priests to remain faithful to the obligations of the clerical state. Because the attached Individual Specific Protocol has been established in dialog between **Father Kealy** and the Vicar for Priests, I accept the provisions of this document, and urge **Father Kealy** to fulfil them in accordance with the obedience he is to show to me as his ordinary (c. 273), and which he promised at his ordination.

Given in Chicago, Illinois on the 23rd day of May, 2003.

Francis Cardinal George, O.M.I.
Archbishop of Chicago

ARCHIDIOECESIS CHICAGIENSIS

Ecclesiastical Notary

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ARCHDIOCESE OF CHICAGO

Office of the Archbishop

155 E. Superior St.
Chicago, Illinois 60611

May 23, 2003

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ARCHDIOCESE OF CHICAGO
PROFESSIONAL FITNESS REVIEW

Ms. Leah McCluskey
Professional Fitness Review Administrator
676 North St. Clair
Chicago, IL 60611

Dear Ms. McCluskey:

Accompanying this letter is a decree which appoints you as the investigator into an allegation of sexual misconduct with a minor that was made against **Rev. Robert Kealy**. The terms of this investigation are spelled out in the decree.

At the same time, I am designating you as the person who is to supervise the "monitoring protocol" which has been established for Father Kealy. I ask that you report to me on a regular basis, but no less than quarterly, on Father Kealy's compliance with this protocol. You may also wish to report more frequently to the Professional Fitness Review Board so that they can make further recommendations to me on this matter.

In order to ensure confidentiality in this matter, I ask that you perform this task personally and not designate anyone else for this purpose. Should there be periods of time when you will not be able to perform this task personally, please refer the matter to the Vicar for Priests.

Thank you for agreeing to take on these additional tasks.

Sincerely yours in Christ,

Francis Cardinal George, O.M.I.
Archbishop of Chicago

ARCHIDIOECESIS CHICAGIENSIS

Ecclesiastical Notary

Marine Unit cops gain duties after terror alert rises

By Rick Jervis
Tribune staff reporter

Capt. Dave Strandberg starts his workday with 57 miles of responsibility shimmering in front of him.

A patrol captain with the Chicago Police Marine Unit, Strandberg will look for the usual things along Lake Michigan's shoreline and the Chicago River: boaters without life jackets, stranded fishing boats, someone speeding through a no-wake zone.

But with the launch of the summer boating season, which opened May 15, and the country's newly raised "orange" terror threat level, his task list will include a few extra duties, such as monitoring the city's water filtration plant and looking for suspicious divers near tour boats.



Capt. Dave Strandberg, a 30-year Police Department veteran, says the Marine Unit is "just keeping a keener eye out."

His vessel, a 48-foot offshore patrol boat, still carries extra life jackets for stranded swimmers and scuba tanks for underwater searches—right next to the newly installed chest of M-16 rifles and gas masks.

"We're really not doing anything too much differently," Strandberg, 56, said Saturday afternoon, as his boat eased through the lime green waters of DuSable Harbor and out into Lake Michigan. "Just keeping a keener eye out."

The Marine Unit uses 43 officers and seven boats to patrol 27 miles of lakefront and 30 miles of the Chicago River year-round. The officers spend eight-hour shifts mostly ticketing speeding boaters, diving for guns or bodies during homicide investigations, or towing in broken-down boats.

But since the terror attacks of Sept. 11, 2001, the unit has been peppered with "special alert" intelligence reports from federal agencies, faxed to the Marine Unit via Chica-

PLEASE SEE **MARINE**, PAGE 6

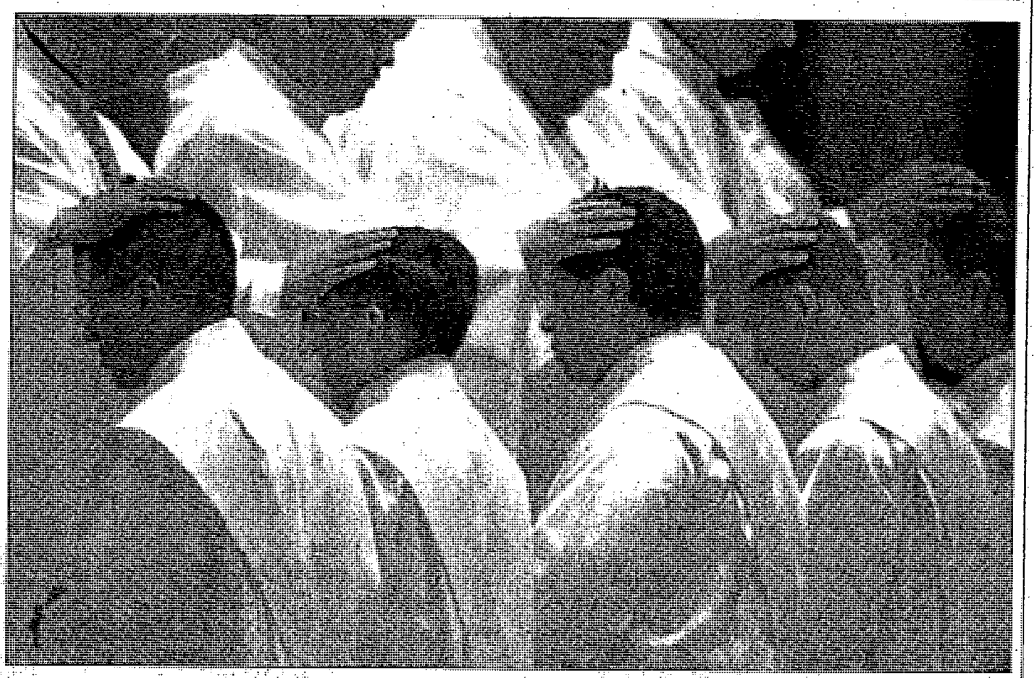
Group of 15 embraces new life in priesthood

By Gayle Worland
Tribune staff reporter

"We shall be changed" went the words of the hymn as Chicago's 15 newest Catholic priests—the largest class for the archdiocese since 1986—began their ordination mass Saturday morning.

Gone were the polo shirts and jeans of their seminary life, replaced by the white robe, or alb, of the men's new vocation. For the next two hours, an invitation-only crowd of more than 1,000 would witness a series of centuries-old rites—the laying on of hands, the anointing with oil—that bridge ancient tradition and hope for a fresh start in the church.

In his homily, Cardinal Francis George spoke of peace and mercy. "Much is discouraged or even forbidden" in the church, he said from the altar at Holy Name Cathedral. "But in the end, everything, everything can be forgiven."



Tribune photo by Bonnie Trafelet

Priests at Holy Name Cathedral ordained 15 new priests Saturday, including (from left) Edgar Rodriguez-Quintana, Elmer Romero, Ismael Sandoval-Manzo, Waldemar Stawiarski and Robert Stuglik. The Class of 2003 is the largest class for the Chicago archdiocese since 1986.

The cardinal told the men that the public role of a priest "demands a personal discipline of the soul." He urged them to turn to confession and the spiritual guidance of experts, "especially in life's demanding moments."

The relatively large size of the Class of 2003—the largest class of new priests in the nation this year—is good news for the Chicago archdiocese, which like the entire Catholic Church has been hit hard by the revelation of child sex abusers among its clergy.

According to its own report issued in January, the archdiocese has confirmed accusations against 36 diocesan priests—with none of the abuse occurring in the last decade—and has poured $16.8 million into victim settlements and related costs. None of the 36 priests remains in ministry.

Publicity about the abuse

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CHICAGO TRIBUNE, MAY 25, 2003 FIRST PAGE OF METRO SECTION

AOC 015964

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

155 E. Superior St.
Chicago, Illinois 60611

May 27, 2003

Rev. Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

Dear Bob:

I am again writing to you to give you an update as to what is happening concerning the allegations of sexual misconduct with a minor which have been made against you. I am extremely grateful to you for your patience in this matter. As you know, the Dallas Charter required me to act quickly in cases involving allegations of clerical sexual misconduct with a minor to ensure that no priest with a credible accusation was engaged in public ministry. However, because the accompanying Norms had not been approved by the Holy See, I have not been able to act as quickly as I would have liked in getting your case resolved.

With the Norms having gone into effect on March 1, 2003, along with further instructions which came from the Holy See in February, we are now in a position to begin referring our cases to the Congregation for the Doctrine of the Faith. Before I make such a referral, I will gather any additional information that seems necessary and review the matter once again. I will then send your advocate a copy of the letter I will be sending to the Holy See, and allow him or her the opportunity to offer an opinion as well. I anticipate this being done by the middle of July.

To that end, I have delegated Ms. Leah McCluskey to review each of the cases to see if more information needs to be gathered. I have asked her to report back to me within one month so that I can make a determination about referring the case to the Congregation for the Doctrine of the Faith. According to the recommendation of the Canonical Affairs Committee of the United States Conference of Catholic Bishops, if the Congregation for the Doctrine of the Faith directs me to begin a penal trial, the judges to be used will not be priests serving in the Archdiocese of Chicago. They will be chosen from a list of priests who have been trained to hear cases of clerical sexual misconduct.

In referring your case to the Congregation for the Doctrine of the Faith, I will also consult with the Promoter of Justice and issue a decree which formalizes those things which I asked you to do for the good of the Church and under your promise of obedience to me. The imposition of this decree is required by Norm 6 of the Essential Norms established by the United States Conference of Catholic Bishops.

I have also designated Ms. McCluskey as the person to ensure that the "monitoring protocol" which you signed is being followed. She will report to me and to the Professional Fitness Review Board concerning your compliance with this protocol. I have asked that she perform this function personally, with the Vicar for Priests doing so in her absence. This will ensure the confidentiality and professionalism of this monitoring.

The protocols which you sign from time to time are not to be considered as penalties imposed on you. Instead, they are ways in which I exercise my responsibility to ensure that you fulfill the obligations which you received when you were ordained. I am establishing these protocols as individual precepts, which canon 49 describes as "a decree which directly and legitimately enjoins [you] to do or omit something, especially in order to urge the observance of law." You will receive a copy of my precept at the same time you receive a copy of your protocol.

I hope this clarifies the process somewhat for you. I am grateful that we can finally begin a process for the resolution of your case. I know this has been a very difficult period of time for you in your priesthood. You have always been in my prayers during this time. I ask that you continue to keep me in yours.

Sincerely yours in Christ,

Francis Cardinal George, O.M.I.
Archbishop of Chicago

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

155 E. Superior St.
Chicago, Illinois 60611

D E C R E E

Having received the recommendation of the Archdiocesan Professional Fitness Review Board that there is "reasonable cause to suspect" that **Reverend Robert L. Kealy** engaged in sexual misconduct with a minor, I have concluded that this constitutes information which "at least seems to be true" (c. 1717).

Therefore, in accordance with the aforementioned canon, I decree that an inquiry be done into the facts and circumstances of this accusation, as well as its imputability to **Father Kealy**.

Since my other duties prevent me from conducting this investigation personally, I hereby appoint **Ms. Leah McCluskey** to act as the investigator in this matter. In carrying out these duties, Ms. McCluskey will have all of the authority of an auditor, in accordance with cc. 1428 and 1717. She is to collect any additional proofs she deems necessary in accordance with the norm of law as they relate to the present allegation. She is delegated to take testimony from the accused and from any witnesses (cc. 1530 – 1538 and 1547 – 1573), to obtain any necessary documents (cc. 1540 – 1546), to enlist the services of any experts deemed necessary (cc. 1574 – 1581), and to have access to places or things which she deems necessary for her investigation.

In conducting her investigation, Ms. McCluskey is to take care that such an investigation does nothing to harm **Father Kealy's** name or to violate his right to protect his privacy. Nor may he be asked to do anything which violates his conscience or is morally unacceptable according to the Church's moral teachings.

After she has concluded her investigation, Ms. McCluskey is to make a written report to me, no later than thirty days from the date of this appointment. This report is to address the facts, circumstances, and imputability concerning the alleged offense.

Given on 23 May, 2003 at Chicago, Illinois.

Francis Cardinal George, O.M.I.
Archbishop of Chicago

Ecclesiastical Notary

ARCHDIOCESE OF CHICAGO

Office of the Metropolitan Tribunal

Reverend Alec J. Wolff, STL, JCL
Judge

155 East Superior Street
Chicago, Illinois 60611

312.751.8279 • FAX: 312.751.8314
EMAIL: awolff@archchicago.org

PROT: T.CORR.GF280503

28 May 2003

His Eminence,
Francis Cardinal George, OMI
Archbishop of Chicago
Archdiocese of Chicago
155 East Superior Avenue
Chicago, Illinois 60611

Your Eminence:

I have been asked by Father Robert Kealy to offer a letter attesting to Father's character. I have had the privilege of knowing Father Kealy for over ten years. In the early 1990s I worked with him, when he was Chancellor, on the Mass-for-Shut-Ins as the diocesan representative to WGN television. Beginning in 1994, I was his associate pastor at Immaculate Conception Parish, Highland Park for five years. Thus, I see myself as having some credible and useful insight into Father's character.

What strikes me most is Father's attitude and vision towards ministry. From him I learned the importance of respecting those whom I serve, accepting their praise and criticisms with grace and humility, and the utmost importance of gathering the community around the Eucharist. While other parishes would be scaling back Mass schedules, Father added an afternoon Mass as a convenience for those returning from work. It continues to be well attended. He began an aggressive program to reach out and provide services for our growing Hispanic community. And, he continued to see the importance of religious education, reflected in his many decisions for the direction of parish services. Above all, he did all this in a truly collaborative style which accounts for the respect and friendships he enjoys among the parish staff, even to this day. It is difficult to see how he could be seen in any other light than that of a fine priest, dedicated to his flock.

Most of Father's "innovations" in the parish community were centered around making the Eucharistic experience more transparent and prayerful. His renovations of the church, which you kindly dedicated in 1997, the focus on a Eucharistic chapel, and the overall renovations of the parish facility all point to this conviction and vision. Notably, while one would expect parishioners to have serious reservations overs such changes, the parish was overwhelmingly positive and most supportive of his efforts. Even the most reluctant or critical person cannot ignore the many circumstances of his priestly and personal life which point to this probity of character. Time and again, I am asked by parishioners to extend their greetings and prayers for his return to ministry. Their generosity and concern continue to impress me that Father is still regarded with fondness and respect.

Father's reputation as an outstanding pastor and priest also extended to the community at large. He began a concerted effort to communicate with the many synagogues and several Protestant churches in Highland Park as they celebrated important days of worship. He instituted a weekly pra-

yer, by name, for each of these congregations in the Prayers of the Faithful. And, he actively sponsored ecumenical celebrations at the parish. Indeed, he had led the parish, known to be somewhat insular, to become known for its ecumenical openness and hospitality.

On a personal note, I wish to direct your attention to the matter of Father's character observed from my experience of living and working with him for over seven years as a colleague. In essence, I found a remarkable congruence between his public and private persona. His kindness and pastoral concern towards me was both as a priest who is still learning and as a friend whose encouragement was heartfelt. There was a gentleness in his honesty and in his fraternal corrections of my work. I found in him a prayerfulness and centeredness around the Eucharist.

With respect, and heeding the call for true justice which we are bound to observe, I would ask Your Eminence to consider how Father may have his good name restored and be returned to the priestly life in which he has flourished — sharing it selflessly and without reproach for our people. Certainly, the fact of over thirty years exemplary service to the diocese ought not be dismissed without the clearest evidence of a grievous breech of priestly conduct or service. Nor would it seem an observance of justice to ignore the genuine respect and love Father enjoys from the people whom he has served. Additionally, there is the matter of our unwavering witness to forgiveness and to the exercise of Christian charity for all, whether convenient or inconvenient.

I thank you for your prayerful consideration of this letter. And, I continue to offer own my prayers of gratitude for your most challenging service to our people. I am,

Sincerely yours,

Reverend Alec J. Wolff

FILE COPY

[redacted]

[redacted]

May 28, 2003

Francis Cardinal George, O.M.I.
Archbishop of Chicago
P.O. Box 1979
Chicago, Illinois 60690

Your Eminence:

I have had the privilege of meeting you on a number of occasions, most of which have involved events sponsored by the Saint Joseph College Seminary. [redacted] I consider it an honor to write you a letter to offer a character reference for Reverend Robert L. Kealy.

I have been a member of Sacred Heart Parish in Winnetka since 1956. Indeed, I served my first mass for Monsignor Hillenbrand. [redacted]

This background is not intended for self-aggrandizement, but rather to assure you, I hope, of the importance our family places on Catholic education and institutions, and the priests and religious who administer them. I have entrusted each of my [redacted] children to the care of priests often. The ability to do that is essential if they are to receive the Catholic training they need. Today, as in the past, I would entrust each of them to Father Kealy at any time under any circumstances.

I have known Father Bob for at least 10 years. We met when I would "sneak" up to morning mass at Immaculate Conception Parish. Immaculate Conception's masses were earlier than Sacred Heart's and fit my train schedule better! The mutual affection and respect between Father Bob and his parishioners was evident and obvious from the first time I attended mass at IC.

I never expected that, in addition to the grace I hoped to receive from mass and communion, I would also meet a role model, friend and shepherd. Since those first meetings, we have become close friends and have shared a professional, social and, most importantly, religious

relationship that has meant a great deal to my family and me. It was Father Kealy who introduced me to Father Presta, which led to the small role at St. Joseph's I cherish so much.

Father Bob and I share a great many common friends and parishioners. Their and my feelings for him as priest, pastor and confessor are unqualifiedly firm and unshaken by the current allegation for the very basic reason that it is utterly inconsistent with all of our experiences with him. The support Father has in Immaculate Conception Parish, Saints Faith Hope and Charity Parish and Sacred Heart Parish, where he has preached, is extremely strong simply because of the reputation he built for honesty and holiness long before this allegation arose.

In addition, and of great significance to me, Father Bob is a fellow attorney. Consequently, I feel an added, professional responsibility to be certain of his veracity. That faith in Bob's word is as strong as it ever was, and, I can assure you that every attorney I know who knows Father shares that trust.

Your Eminence, Father Kealy's reputation for honesty, holiness and priestliness everywhere he has served our Archdiocese remains strong. Among those who know him, it has not wavered in the least. We all pray for and eagerly await the day when he can fully resume his priestly duties.

Certainly, if you or anyone has any questions or would like to discuss my reference of Father Kealy, you or they should not hesitate to call me at any time.

Respectfully,

[redacted]

ARCHDIOCESE OF CHICAGO

Office for Canonical Services
Rev. Patrick R. Lagges, J.C.D., Vicar
Phone: (312) 751-8384
e-mail: plagges@archchicago.org

155 E. Superior St.
Chicago, Illinois 60611
Fax: (312) 751-8314

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28 May, 2003

Rev. Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

Dear Father Kealy:

I received your letter of May 15 in which you voiced your objections to any material from the Vicar for Priests file being used in any canonical procedures against you.

While I can make note of your objections, I cannot answer your specific concerns since at the present time there is no material being released from any of your files in any canonical procedure. Moreover, since I will not be involved in the adjudication of any cases of priests of the Archdiocese of Chicago, I do not have any control over what proofs are to be collected. If the Congregation for the Doctrine of the Faith permits a penal trial to be conducted in your case, it will be up to the judges of the tribunal to determine what proofs are to be collected.

It would seem to be more appropriate if you or your advocate would raise these questions at that time and before those judges. Questions can be posed as an "incidental case" after the trial has begun, according to the norms of cc. 1587-1591 and 1656-1670. This would require the matter to be resolved in a judicial manner, either before or at the time of a definitive sentence. It would also allow the judges to gather more evidence about the internal/external forum issues related to the Vicar for Priests Office and to make an informed decision.

I am sorry I cannot give you a more definitive answer at this point. I hope the question can be resolved in a more judicious manner in the context of a trial. I will also share your concerns about the legal ramifications of the release of information with our Legal Services office.

Sincerely yours,

(Rev.) Patrick R. Lagges
Vicar for Canonical Services

cc: Rev. James Kaczorowski
Mr. John C. O'Malley

IMMACULATE CONCEPTION PARISH

770 West Deerfield Road, Highland Park, Illinois 60035
Phone: (847) 433-0130 • Fax: (847) 433-0669

May 30, 2003

Francis Cardinal George, O.M.I.
Archbishop of Chicago
P.O. Box 1979
Chicago, Illinois 60690

Dear Cardinal George,

Currently I am employed by Immaculate Conception Parish as Pastoral Associate. This is a position I have been blessed with for the past twelve years and I am certified as such by the Archdiocese. I was privileged to serve in this capacity during the years Father Robert Kealy served Immaculate Conception as Pastor. Our professional and personal relationship was exemplary. As my immediate boss he was both mentor and teacher and always available. He encouraged and supported programs that he felt would benefit the spiritual and temporal life of our parishioners. Once, however, something was initiated, he willingly stepped back and let his staff, with his blessing, carry the ball. He was a joy to work with for you knew that as long as you worked in harmony with the parish goals, you had his total support and affirming guidance.

I feel that I am in an excellent position to evaluate the impact Father Kealy has had on the lives of our parishioners. As I visit the sick and homebound or work with the many active groups within our parish, most of which he began, they tell me how much they love and miss him and how much he helped them grow in their faith. Not only do they realize and feel grateful for his intelligent and caring leadership but they also know the example of his deep spirituality and reverence helped nurture their own relationship with God.

As a member of the South East Clergy Association, comprised of the local religious leaders in Highland Park and Deerfield, both Christian and Jewish he was considered an ecumenical priest, able to bring together in prayer and dialog their commonality while honoring their differences. He began the Spanish ministry in this parish and shortly before he left he encouraged me to work toward developing a Peace and Justice committee at Immaculate Conception. This committee continues to flourish and is actively involved in the community. He also put his full support behind an inter parish program called Simply Spiritual that each fall serves many members form here, St. James, Holy Cross and St. Mary's. He was always open to our looking for new and better ways to serve the spiritual needs of God's people.

There is much more I could say about this multi-talented and deeply spiritual man but in summary I want you to know, Cardinal George, that I consider it both an honor and a blessing to have been his colleague and friend. I, and the people of this parish, are closer to the Lord because of his time among us.

Sincerely,

Ann Moorman

Ann Moorman
Pastoral Associate

AM/li

AOC 015973

[redacted]

May 30, 2003

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Francis Cardinal George
Archbishop of Chicago
P.O. Box 1979
Chicago, IL 60690

Dear Cardinal George:

I am writing to you to express our deep concern for the future of our former pastor, Father Robert L. Kealy.

As a lifelong member of Immaculate Conception Parish in Highland Park, (graduate of our grammar school [redacted] during the tenure of Reverend James David O'Neill) I feel qualified and compelled to offer you some of my thoughts and feelings about Father Kealy.

In all the years that I have lived in Highland Park and been involved in our parish, I can tell you that Father Kealy was the best pastor we have ever been blessed to have.

I was fortunate to serve as [redacted] for four of the nearly ten years that Father Kealy was our pastor. We worked together on many projects for the parish and for the community. He was always ready to take on challenges, entertain ideas from other people, and most importantly, make intelligent decisions.

Immaculate Conception parish had the good fortune to have Father Kealy come to us in the early 1990's, at a time that the parish was floundering and there was little or no enthusiasm for anyone to get involved.

During the next ten years he energized the entire parish, started over twenty new ministries, brought countless number of "disinterested" Catholics back into the fold, and raised mass attendance over 50% during his tenure. In addition, he was inspirational in bringing new converts into the church.

Father Kealy was actively involved in and developed strong bonds with the clergy of the various Protestant and Jewish denominations within Highland Park.

He was responsible for instituting our very first Parish Council. He pursued re-opening our elementary school, and provided leadership in a cooperative effort with St. James parish in Highwood.

Father Kealy encouraged interest in the Equestrian Order of the Holy Sepulchre, and instigated the forming of the Midwest chapter of Patrons of the Vatican Arts.

[redacted]

Father Kealy has touched so many lives and has created a bond of love and admiration within this parish, that we hope and pray he will be allowed to continue his priestly duties and use his talents for the benefit of the Church.

Sincerely yours,

[redacted]

THE REVEREND RONALD T. KUNKEL, S.T.L.
HOLY NAME CATHEDRAL
730 NORTH WABASH AVENUE
CHICAGO, ILLINOIS 60611
(312) 573-4438

May 31, 2003

Francis Cardinal George, O.M.I.
Archbishop of Chicago
P.O. Box 1979
Chicago, IL 60690

Your Eminence:

I am writing this letter on behalf of the Reverend Robert L. Kealy. I have been asked to offer a testimony to his character and I am very pleased to do so.

I am a priest of the Archdiocese of Chicago, having been ordained to the priesthood on May 20, 2000. I currently serve as Associate Pastor and Director of Liturgy at Holy Name Cathedral, as well as serving as an adjunct faculty member at both Mundelein Seminary and the Liturgical Institute.

I have had the privilege of knowing Father Kealy for the past seven years. We first met when I was in my first year of theological studies as a seminarian. During the summer of 1998, Father Kealy welcomed me to Immaculate Conception Parish in Highland Park, Illinois, where he was serving as Pastor. I spent approximately two months at Immaculate Conception, living in the rectory and carrying out various duties and projects as a seminarian intern. At the invitation of Father Kealy, I served as a resident priest at Immaculate Conception for three months during the summer of 2000 prior to my return to Rome for completion of advanced theological studies. In addition, Father Kealy served as my official mentor in my first year of full-time parish ministry, in accord with the requirements for newly ordained priests set out by the Archdiocese of Chicago. I have thus known Father Kealy as a supervisor and a mentor, as a brother priest and a friend.

In my opinion, Father Kealy was very highly regarded and respected by the parishioners and staff of Immaculate Conception Parish in Highland Park. His reputation in the community was that of a dedicated and caring pastor, a man of honesty and integrity.

Having lived with Father Kealy in the same rectory for several months as both a seminarian and a priest, I can testify that he was a model of priestly conduct. I know Father Kealy to be a man of prayer, dedicated to daily celebration of the Mass and the Liturgy of the Hours. In all aspects of his conduct and priestly ministry, I found him to be an individual of virtue and high moral character. I have never witnessed any behavior on the part of Father Kealy that I would consider to be improper or inappropriate. On the contrary, I believe that the witness of his life and ministry was exemplary.

Father Kealy has been of great benefit to me in my own vocational discernment and in my early years as a priest. Both by word and example, he has inspired me to be a dedicated and prayerful priest, focused on building up the Body of Christ in holiness. From the many conversations I have had with parishioners from both Immaculate Conception, Highland Park, and Saints Faith, Hope and Charity, Winnetka, I know that Father Kealy has had a profound, positive impact on both of those parish communities. Finally, Father Kealy is well-respected by his brother priests, both in the Archdiocese of Chicago and elsewhere. Many who have worked with him, both in parish ministry or in various settings related to his work as a canon lawyer, have expressed highly positive opinions of him.

I am grateful to have had this opportunity to express my respect, admiration and affection for Father Kealy. Please let me know if I can be of any further assistance in this matter.

Sincerely in Christ,

Rev. Ronald T. Kunkel

The Reverend Ronald. T. Kunkel

[redacted]

May 31, 2003

Francis Cardinal George O.M.I.
Archbishop of Chicago
P.O. Box 1979
Chicago, Ill. 60690

Your Eminence,

The purpose of this letter is to offer a character reference for Reverend Robert L. Healy, former pastor of Ste. Faith, Hope, and Charity Parish of Winnetka, Ill.

First, I would like to describe my own background.

[redacted]

I knew during my time at DePaul that I met Father Healy and became closely associated with him in working on the problems of, and plans for, the New World Catholic newspaper.

[redacted]

AOC 015978

Father Healy helped officiate at our daughter's wedding, and was a guest in our home a number of times. Thus his resignation as the pastor of Saints Faith, Hope and Charity Parish left the [redacted] family broken-hearted. It is the reason I wrote to [redacted] that I had known and worked with Father Healy for over 25 years and had found him to be one of the most compassionate, saintly, faith-filled, sensitive, caring, serving and capable human beings I had ever known.

The letter concluded with the statement that it would be sad if such ability and virtues would go unutilized. Since I have been a member of Sts. Faith, Hope and Charity parish for over 50 years, I felt compelled to write about how distressed I was over Father Healy's resignation.

And I was pleased that so many of my fellow parishioners agreed with me.

Sincerely yours,

[redacted]

Fr. Kayrouz
for the Clergy
Bills Docket

May 31, 2003

His Eminence Francis Cardinal George, O. M. I.
Archbishop of Chicago
155 E. Superior
Chicago, IL 60611

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Your Eminence,

I am writing you regarding Father Robert L. Kealy, a priest of the Archdiocese of Chicago. I am writing this letter as a personal recommendation for Fr. Kealy.

I have nothing but the highest regard for Father Kealy. He was the pastor of Immaculate Conception Parish in Highland Park, Illinois where I served as a transitional deacon and newly ordained priest from December 1993 until June 1995. During that time I lived in the rectory and assisted Father Kealy with various parish responsibilities.

Based on my experience at the parish, I consider Father Kealy an outstanding priest. He is faithful to praying the Liturgy of the Hours and offering Mass daily. During his pastorate at Immaculate Conception Fr. Kealy strengthened the parish by the reverent celebration of the sacraments, the renewal of religious education and his warm pastoral presence. In addition, I was impressed by Father Kealy's sensitivity to Catholic/Jewish relations, particularly in Highland Park, a predominantly Jewish community. The people of the parish benefited tremendously from Father Kealy's leadership during his pastorate.

I also know Father Kealy as a devoted friend of nine years. We led a pilgrimage to the Holy Land together in November 1999 and have visited Rome together twice. Over the years we would see each other socially several times per month, plus we participated together in a prayer group for priests. I have always been impressed by Fr. Kealy's prayerfulness and his integrity as a priest. He has sound judgement and always displays a healthy balance of work, prayer and recreation in his life.

Fr. Kealy has also been a wise mentor for me, providing good advice in my early years as a priest. He is a generous person, always offering me help when I needed it. Fr. Kealy also has a good sense of humor, and an intelligent mind. He works very hard because he has a strong sense of vocation. Fr. Kealy has applied his many talents to various projects, all of which have benefited the church.

Thank you, Your Eminence, for the opportunity to offer this recommendation for Fr. Robert L. Kealy. I will remember you in my prayers; please remember me in yours.

Sincerely yours in Christ,

Reverend Michael G. McGovern

[redacted]

June 2, 2003

Francis Cardinal George, O.M.I.
Archbishop of Chicago
P.O. Box 1979
Chicago, IL 60690

Dear Cardinal George:

I'm writing to offer you a character reference for Father Bob Kealy, whom I have known and admired for eight years. I met Father Kealy when he served as pastor of Immaculate Conception Church in Highland Park. [redacted] I had a great deal of interaction with Father Kealy. We often met socially at parish functions, both formal and informal, and, since my wife spent a great deal of time at Immaculate Conception, so did I. Father Kealy and I enjoyed each other's company and found we both enjoyed opera and public relations, a field in which I make my living as a consultant.

Father Kealy served the people of Immaculate Conception with great distinction. When he left us for Sts. Faith, Hope and Charity, [redacted] and I felt a great loss. Like everyone else in the parish, we were shocked and saddened by the news that he had been placed on administrative leave for alleged acts committed some years ago.

Father Bob Kealy is a diligent, prayerful, caring man, who worked harder than any priest I have known. He was pragmatic when the situation required, but always acted in the spirit of his beliefs. He cared about the details that make a parish a second home to its people.

Father Kealy was a spiritual role model for many. Under his administration, four new deacons were trained and ordained. And he always went considerably out of his way to befriend and support the seminarians who came to the parish to teach religious education.

Many parishioners loved Father Kealy and I believe he earned that love. He was always available and counted people from every sector of our parish among his friends.

It has been and will continue to be my great fortune to know Father Bob. He strengthened my faith in the priesthood. I ask that you give him every consideration as you decide his future.

Sincerely,

[redacted]

[redacted]

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June 2, 2003

Francis Cardinal George, O.M.I.
Archbishop of Chicago
P.O. Box 1979
Chicago, IL 60690

Dear Cardinal George:

I am writing this letter to offer a character reference for Father Robert L. Kealy. I have known Father Kealy for over thirty years since he came to St. Germaine as an associate pastor and I was in high school. At that time, Father Kealy started the teen club at St. Germaine to encourage teenagers' participation in parish life. As it happened, Fr. Kealy became very involved with my group of friends, and I saw him a great deal in a variety of situations.

At all times, Fr. Kealy was the model priest who was thought of very favorably by all members of the St. Germaine family. He was young and energetic, full of ideas and able to connect to parishioners young and old. I always heard people speak of Father Kealy in the highest of terms, not only in my circle of acquaintances, but also my parents' friends. Father Kealy was liked as a person and respected as a priest, sought after as a spiritual counselor for whatever needs people had. He was there as a consoler in people's time of grief and as a celebrant at joyous occasions such as weddings and christenings.

Father Kealy had a profound impact on my life as well. As I stated, I spent a great deal of time with him, especially in my younger years from ages 14 to 20. Father Kealy encouraged and helped me get into the [redacted]. At the time, I thought that was a dream beyond my reach, but he helped me to believe in my abilities and to realize that dream. As you might know, Father Kealy went to law school

several years after his ordination. His example was a factor in my decision to go to law school [redacted] Father Kealy was one of the co-celebrants of our wedding Mass. Part of my current success can be directly attributed to the influence that Father Kealy has had on my life and the choices he helped me to make.

In summary, I would like to say that Father Kealy is one of the finest persons whom I have ever known. I have benefited from his guidance and am proud to consider him a friend.

Sincerely,

[redacted]

[redacted]

June 2, 2003

Francis Cardinal George, O.M.I..
Archbishop of Chicago
P.O. Box 1979
Chicago, IL 60690

Dear Cardinal George:

[redacted] In this capacity, it was my good fortune to work for eight of those years with Fr. Bob Kealy at Immaculate Conception Parish in Highland Park. I am writing you to offer a character reference for him. He has had a strong, positive impact on both my ministry as a religious educator and as a parishioner in the pew. I consider Fr. Kealy a good friend.

Whenever Fr. Kealy preached or celebrated the sacraments, he always impressed me with his sincerity and goodness of heart. He was able to connect the Word and its message to our daily life. It was evident that his concern for our spiritual needs was genuine. He provided so many prayerful occasions for us to deepen our faith. I am especially grateful for the Eucharistic Adoration Chapel the parish now has because of him and for our experience of Taize Prayer. Coupled with prayer though was his outreach to the poor, making us move from "our own small box" to reach out to our brothers and sisters in need.

Working on the parish staff gave me a true picture of collaborative ministry. Fr. Kealy valued the role of the laity and was very inclusive. He recognized the individual gifts of our staff, while encouraging us to serve as a team. His organizational skills were excellent! He never missed a meeting or forgot to return a call. Most importantly, he knew how to listen well, question wisely and be a co-worker. I grew personally from his willingness/challenge to try new approaches – be more effective. I would say strong leader, community builder and motivator are all adjectives that describe him well.

Because he modeled his faith for us; because his spirituality was real; because he cared about all of us; and because he respected the cultural diversity in our parish – I know Fr. Kealy is loved and is missed very much. [redacted]

I believe forgiveness is central to our Catholic faith. It restores us to a good relationship with God by allowing us to accept his unconditional mercy. I think Fr. Kealy should be given this forgiveness for whatever happened 30 years ago. It's who he is now, as he serves the Church with compassion and grace, that is most important to me.

Sincerely,

[redacted]

ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review

Post Office Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

MEMORANDUM

To: File - PFR-83

From: Leah McCluskey, Professional Fitness Review Administrator

Re: **Kealy, Robert [Withdrawn]**

Date: June 4, 2003

PFRA received a phone call on June 3, 2003 from an anonymous individual who requested that their gender not be disclosed as well.

This individual voiced concerns regarding [redacted]

This individual has also seen Fr. Kealy at masses celebrated by Fr. [redacted] at [redacted]. As per this individual, Fr. Kealy has been seen wearing his collar as well. It is the opinion of this individual that both Fr. Kealy and Fr. [redacted] are "rude and arrogant" and feels that being a practicing priest, Fr. [redacted] "should go on a retreat" in order to address his rudeness and arrogance.

[redacted]

PFRA informed the caller that this information would be documented and forwarded to Fr. James Kaczorowski of the Vicar for Priests office. The caller declined to leave a contact number and stated that a follow up call would be placed to PFRA.

Cc: Rev. Daniel Smilanic, Archbishop's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests

[redacted]

June 5, 2003

Dear Cardinal George,

I am writing to offer a Character Reference for Father Bob Kealy. We have been Parishioners of Immaculate Conception for almost forty years. Since that time we have chaired many events and have been on numerous committees. [redacted]

One of the best things that have happened to us in our involvement with Immaculate Conception, is the arrival of Father Kealy. He came to Immaculate Conception when we were in need of leadership. At this time, many Committees had fallen by the wayside. We decided to have Father come to our home and we invited many people from the Church to meet him. Everyone was immediately drawn to him, as we were.

Before long the Parish community was back on track. He not only brought the structural systems up to where they should be, but also restored many of the Spiritual traditions that had been ignored for many years. Father Kealy was always at the doors of the church greeting people and even calling them by their first names. It was easy to see that his focus was Immaculate Conception and its parishioners.

To this day we can walk into the church and see father's influence everywhere. We feel that we are able to speak with authority about Father Kealy due to the many times we worked side by side with him while he spent time at our Parish. We truly feel blessed that he was assigned to our Parish, even though it was not a long period of time.

Sincerely
Yours in Christ

[redacted]

Reverend Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

June 6, 2003

His Eminence
Francis Cardinal George, O.M.I.
Archbishop of Chicago
P.O. Box 1979
Chicago, IL 60690

Re: Issues raised in your letter of May 27, 2003

Your Eminence:

Thank you for your letter of May 27, 2003, which was received on May 31, 2003. In your letter you inform me:

(a) that you have delegated Ms. Leah McCluskey, the Administrator of the Review Board, "to review each of the cases to see if more information needs to be gathered"; and

(b) that you have designated Ms. McCluskey as the person to ensure that the monitoring protocol which I signed is being followed.

(c) that:

> "The protocols which you sign from time to time are not to be considered as penalties imposed upon you. Instead, they are ways in which I exercise my responsibility to ensure that you fulfill the obligations which you received when you were ordained. I am establishing these protocols as individual precepts, which canon 49 describes as 'a decree which directly and legitimately enjoins [you] to do or omit something, especially in order to urge the observance of the law.' You will receive a copy of my precept at the same time you receive a copy of your protocol."

I am writing in response to the issues raised by your decisions. I believe that the Archdiocese continues to build practices based on improper policies.

I. The Gathering of Information

With all due respect to you and Ms. McCluskey, it is not proper to appoint her "to review each of the cases to see if more information needs to be gathered." In the pending cases, the Review Board made a determination that there was "reasonable cause to suspect" sexual misconduct with a minor. Once the decision of the Review Board has been reached, the Administrator of the Review Board

should play no further role in the investigation of the case. – why?

Under canon law, if the ordinary agreed with the advice of the Review Board, he should initiate a canonical preliminary investigation, following canonical procedures. (c. 17171-1722) However, no canonical preliminary investigations have been conducted.

To my knowledge, no decrees initiating investigations have been issued (c.1719); there has been no appointment of an investigator (c. 1717 §1) with the powers and duties of an auditor (c. 1717 §3); there has been no appointment of a canonical notary (cc. 1437 §1 and 1561); the ordinary has not exercised his role as judge to oversee the collection of proofs by the investigator-auditor (c. 1428 §3), to ensure that testimony is collected in a canonically proper manner (cc. 1530-1558, 1560, 1563, et. al.), to determine the trustworthiness of testimonies (c. 1572), to personally view the canonically obtained evidence (c. 1428 §3), to personally decide that there is sufficient evidence of the alleged delict (c. 1718 §1), and to issue a decree closing the preliminary investigation (c. 1719).

judicial canons.

Even though no canonical process was followed, based on a judgment by the Review Board that there was "reasonable cause to suspect" sexual misconduct with a minor, the Archdiocese issued a statement by the Chancellor proclaiming the guilt of each of the priests (January 16, 2003 report of the Chancellor, *Ten Year Report on Clerical Sexual Abuse of Minors in the Archdiocese of Chicago*).

The information contained in the files which *have* been created, has been collected in a canonically improper manner and in a manner contradictory to the standards for proper collection of evidence under any recognized judicial system; and therefore must be disregarded. There are no sworn accusations, nor any verbatim statements, for example.

Now the appointment of the Administrator of the Review Board "to review each of the cases to see if more information needs to be gathered" is a further violation of the canonical process. First of all, the Administrator of the Review Board can be given no authority broader than the Review Board itself. The Review Board has no investigatory role (cf. CLSA, *Guide to the Implementation of the U.S. Bishops' Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons,* p. 27).

✓

Secondly, Ms. McCluskey is not a canonist and has no qualifications to determine what canonical evidence needs to be collected in a case, nor how it should be collected. The canonically required procedure is to conduct a formal canonical preliminary investigation, as detailed in the paragraph above and explained in detail in my legislative Recourse Petition filed with you on March 7, 2003.

Improper application.

Third, noted canonists hold that in initiating the canonical preliminary investigation, the auditor and the notary who are appointed must be priests, unless a dispensation is obtained from the Congregation for the Doctrine of the Faith (*Sacramentorum Sanctitatis Tutela,* Art. 12). However, even if a lay person is directly appointed without a dispensation, it seems essential, logical, and immensely practical that the lay auditor be a degreed canonist, in order that she/he be able to appreciate the canonical procedures and rules of evidence. (For example, Sr. Joyce Hoban, J.C.L.,

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of the Tribunal staff is an eminently qualified person).

II. Protocols & Monitoring

Your letter also raises issue regarding the protocols which priests are compelled to sign, under duress, and the monitoring of those protocols. The policies related to protocols and to monitoring in both the present Archdiocesan policies and the proposed Archdiocesan policies (§1104.12 of the 5-5-03 Draft Revision) are not in keeping with the universal law of the Church. The decisions which you announced in your letter of May 28, 2003 are also not in keeping with Church law.

Your letter of May 28, 2003 presents, as the canonical rationale for these restrictive protocols, canon 49, which provides for individual precepts. However, this is not a correct application of canon 49. Canon 49 can be used when a priest is failing to observe a law or is violating a law. (See CLSA, *New Commentary on the Code of Canon Law,* pp. 109-110). It has no application to protocols restricting a priest's legitimate freedom.

I agree that monitoring protocols are not penalties. However, they are restrictions on legitimate personal freedoms. As such, they may be imposed only insofar as the law allows (c. 18).

Monitoring in Archdiocesan Policy and Practice

In both the present and the proposed Archdiocesan policies, Policy §1104.12.1 says:

> "Monitoring protocols and programs for those who have been accused or who have engaged in sexual abuse of minors must reflect the primary goals of protecting children and the integrity of the church. Monitoring is implemented when deemed appropriate at an Initial Review, when a cleric has been temporarily withdrawn from ministry pending further inquiry or when a cleric has been permanently removed from ministry but allowed to remain a cleric when sexual abuse by the cleric is admitted or is established after an appropriate investigation in accord with canon law."

The "Procedure" under this policy includes the following statement about monitoring protocols:

> "...They must be consistent and fair, and the application in a given case not be arbitrary, but recognize individual circumstances."

In both the present and the proposed Archdiocesan policies (Policy §1104.12.3 and the Procedure under this policy), the components which must be included in all cases include:

> "A provision requiring clerics who use the Internet to provide the Review Board Administrator with a monthly printout of Internet sites visited."

In practice, individual monitoring protocols for even an accused priest often include the following:

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- Residence in a "restricted, monitored setting."
- Prior approval required from the Administrator of the Review Board for vacations and nights spent away from the residence.
- Call in to the Administrator of the Professional Fitness Review Board once daily between 9:00 a.m and 4:45 p.m.
- Pre-approval of the Vicar and the Administrator of the Professional Fitness Review Board for any public celebrations of the sacraments.
- Meet with the Administrator of the Professional Fitness Review Board twice annually.
- Completion on an hour-by-hour log of daily activities submitted monthly.
- [redacted]
- Refrain from the use of alcohol and drugs.

These policies and practices raise these important issues:

(1) What restrictions may be legitimately and appropriately imposed upon the ministry and freedoms of a priest?

(2) Who has the authority to impose restrictions?

(3) Who may be given the authority to monitor a priest's compliance with the restrictions imposed upon him?

(1) What restrictions may be legitimately and appropriately imposed upon the ministry and freedoms of a diocesan priest?

The starting principle is that a priest enjoys the free exercise of his priestly faculties and his freedoms unless they have been legitimately restricted. Canon 18, in the section on General Norms of the Code of Canon Law states:

> "Laws which establish a penalty, *restrict the free exercise of rights*, or contain an exception from the law are subject to strict interpretation."

This ecclesial principle is in keeping with the basic notion of human freedom contained in various public statements of human rights. Our Constitution guarantees the rights to "life, liberty, and the pursuit of happiness." One Supreme Court opinion described "the right to be left alone" as a basic Constitutional right. This same idea is enshrined in various international declarations on human rights. For example, the United Nations' Universal Declaration on Human Rights says:

> "No one shall be subjected to arbitrary interference with his privacy, family, home, or

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correspondence, nor to attacks upon his honor and reputation."[1]

Writing about the Universal Declaration on Human Rights and subsequent similar documents, Cardinal Avery Dulles commented:

> "The remarkable consensus reflected in these documents was the product of generations of political thought in which the medieval natural law tradition interacted with modern democratic theory and 20th century personalism. The atrocities of totalitarian dictatorships gave strong motivation to spell out binding norms that would limit the naked power of the state."[2]

With all due respect, one might add that the canonical protection of human rights is designed to avoid an authoritarian exercise of power in the Church.

The Second Vatican Council affirmed the fundamental liberty of every person. For example, *Gaudium et spes* said:

> "For its part, authentic freedom is an exceptional sign of the divine image within man. For God has willed that man be left 'in the hand of his own counsel' so that he can seek his Creator spontaneously..." (Par. 17).

The Second Vatican Council's Declaration on Religious Liberty (*Dignitatis Humanae)* begins:

> "A sense of the dignity of the human person has been impressing itself more and more deeply on the consciousness of contemporary man. And the demand is increasingly made that men should act on their own judgment, enjoying and making use of a responsible freedom, not driven by coercion but motivated by a sense of duty. The demands is also made that constitutional limits should be set to the powers of government, in order that there may be no encroachment on the rightful freedom of the person and of associations."

Other declarations of human liberty are contained in *Dignitatis humanae*, par. 2, 3; *Gaudium et spes*, par. 27; *Inter mirifica,* par. 5, 8; *Optatum totius*, par. 6; *Perfectae caritatis*, par. 18, 28; One might also cite *Redemptor hominis*, par. 17.

An element of the inalienable right of liberty of the human person is the right of privacy enshrined

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[1]United Nations, *Universal Declaration of Human Rights*, Article Twelve, in I. Brownlie (ed.), *Basic Documents on Human Rights*, p. 23; quoted in Michael Bradley, *"Nemini licet ... ius cuiusque personae ad propriam intimtatem tuendam violare,"* Doctoral dissertation, Lueven University, 2002, p. 11.

[2]A. Dulles, *Human Rights: Papal Teaching and the United Nations*, in *America* 179, (December 5, 1998), pp. 14-15; quoted in Bradley, op. cit., p. 10

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in canon 220:

> "No one is permitted to harm illegitimately the good reputation which a person possesses nor to injure the right of any person to protect his or her own privacy."

Furthermore, canon 384 places a special duty on bishops to protect the rights of their priests.

Father Michael Bradley, of our Metropolitan Tribunal, has recently completed an excellent doctoral dissertation on the right to privacy[3]. (Many of these citations are drawn from Father Bradley's dissertation.) In his work, Father Bradley also offers these salient quotes:

- An official of the Congregation for the Clergy, Msgr. J. Anthony McDaid, has stated that "it is necessary to ensure that a proper and dignified approach to the human person be assured under all circumstances."[4]

- This same official of the Congregation for the Clergy has also written that "in attempting to deal with one set of victims care must be exercised so as not to create a new group of victims, namely those whose fundamental human rights regarding privacy are denied them in practice by those exercising authority, while at the same time, the law of the land and of the Church proclaim such rights as inalienable."[5]

In addition, canon 218 guarantees the Christian faithful the right to intellectual inquiry. This, too, is considered a fundamental human right protected by the Church.

Another basic principle is the right to autonomy of life for the diocesan priest. There is a critical and fundamental difference between the *vow* of obedience made by members of religious communities and the *promise* of obedience made by a diocesan priest.

Religious take a *vow* of obedience, by which they forego their autonomy of life and subject themselves completely to their superiors.

The *promise* of obedience made at ordination by a diocesan priest to his bishop and his successors[6]

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[3]Bradley, *op. cit.*

[4]Bradley, *op. cit.*, p. 126.

[5]Bradley, *op. cit.*, p. 132

[6]Canon 273.

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"refers to the duties of office, but a cleric's personal life is left basically undisturbed."[7] Thus inquiries by a diocesan priest's superiors into how he spends his time, what movies he sees, what Internet sites he uses, what friends he associates with, what his personal finances are, and so on, are inappropriate intrusions into the diocesan priest's autonomy of life.

The fundamental freedoms which belong to the diocesan priest, as they do to any Catholic or any citizen, may be limited only to the extent allowed by law. The moral law would allow restrictions only where there is danger to others.

According to one psychological expert in this field, there are only two reliable indicators of risk to minors: the *frequency* of sexual contact with minors and the *recency* of sexual contact with minors. In other words, on the spectrum of risk, the high end would be a priest against whom there were many allegations of recent sexual contact with minors. At the other end of the spectrum of risk, would be a priest against whom there was a single allegation of sexual contact with a minor many decades ago. The proper way of determining whether such a risk exists would be to try to obtain a risk assessment in each case from a reputable psychologist who has professional knowledge of the priest.

It might be noted that in the criminal justice system, even a convicted sexual offender is not required, after serving his sentence, to do anything other than register with the local police. His behavior is not monitored. Society considers registration of a convicted sex offender to be sufficient protection.

Once an accused priest has been legitimately restricted from active ministry and from residence in a parish (c. 1722), and from being alone with a minor under the age of 18 (c. 222 §3), it is hard to imagine how the accused priest would be pose a risk to minors, unless there is evidence that he is a sexual predator.

I do not know of another diocese which imposes the monitoring restrictions which the Archdiocese of Chicago routinely imposes on priests accused of sexual misconduct with a minor. In most dioceses, while the canonical process is pending, the accused priest is free to live on his own and come and go as he wishes, without reporting to anyone.

Given the lack of monitoring of accused or convicted priests in other dioceses and in the criminal justice system, it would be hard to argue that the restrictions imposed by the Archdiocese of Chicago are necessary or legitimate. If they are reasonable, they would be normative in all or most dioceses.

The Archdiocese of Chicago, however, in announcing an accusation against a priest, states that the priest is living in "a restricted, monitored setting." This announcement by the Archdiocese of Chicago is tantamount to stating that the Archdiocese has determined that the priest is a serial predator who presents a substantial risk to minors.

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[7]J.F. Reinhardt, *Die heiligen Diener oder Kleriker,* in *Munsterischer Kommentar*, p. 273/2, quoted in Bradley, *op. cit.*, p. 26.

AOC 015993

(2) Who has the authority to impose restrictions?

Clearly the Review Board does not have the authority to impose monitoring restrictions upon a priest. According to the *Essential Norms* (Norm 4), the Review Board is a "confidential consultative body." It does not have any other authority, nor can it be given any other authority.

Contrary to what is stated in our Archdiocesan Policy §1104.12, neither the Review Board nor the Administrator of the Review Board can be given authority to determine monitoring restrictions.

Canon 1722 does allow the ordinary to impose certain restrictions upon the ministry and freedoms of a priest, after consulting the Promoter of Justice and after having issued a canonical citation:

- to exclude him from the ministry or from some office or ecclesiastical function
- to impose or forbid residence in some place or territory
- to prohibit public participation in the Eucharist

The restrictions allowed by canon 1722 do not include the type of monitoring restrictions commonly imposed by the Archdiocese of Chicago. And, as cited above, canon 18 says that laws which restrict one's personal freedom must be interpreted strictly.

Furthermore, nothing in the *Essential Norms* grants the diocesan bishop the right to impose the range of restrictions on personal privacy and autonomy claimed by the Archdiocese.

Given the very elastic interpretation of the common good (c. 223 §2) used by the Archdiocese in removing many priests from ministry after the Dallas USCCB meeting last June, I can imagine that some might argue that canon 223 §2 provides a basis for these restrictions. However, canon 223 §2 gives the ordinary the authority to direct the exercise of rights in view of the common good. It does not give him the authority to deny the exercise of rights.

Because, as canon 18 points out, limitations on human liberty have to be interpreted narrowly, in order for a diocesan bishop to impose such restrictions there must be a reasonable basis for determining that they are necessary. Canon 223 §2 would give the ordinary the authority to decree that an accused priest may not be alone with a minor under the age of 18. This would be prudent until the truth of the accusation is determined. Not only does this protect minors; it also protects the priest and the Archdiocese from the risk of "copy-cat" accusations.

However, the other monitoring restrictions cited above are of a far different nature and are intrusions into a priest's legitimate privacy and autonomy of life.

For example, the blanket requirement of the Procedures under the present and the proposed Policy §1104.12.3 that "clerics who use the Internet" are required "to provide the Review Board Administrator with a monthly printout to Internet sites visited," is illegitimate. It would be legitimate

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only where there evidence that an accused priest constitutes a current risk to minors or where a cleric is known to have accessed child pornography on the Internet. Otherwise, such a restriction is an illegitimate restriction of a priest's personal freedom and his freedom of intellectual inquiry as guaranteed by the Code of Canon Law.

(3) Who may be given the authority to monitor a priest's compliance with the restrictions legitimately imposed upon him?

The provisions of Archdiocesan Policy §1104.12, give such monitoring authority to the Administrator of the Review Board is invalid. It is not within the scope of authority granted to the Review Board by the *Essential Norms*.

Monitoring is an exercise of jurisdiction. In canon law, jurisdiction may only be delegated to a cleric. The monitoring function might appropriately be assigned to the Vicar for Priests in his pastoral role or any other responsible priest, such as the on-site monitor at the retreat house.

Conclusion

I respectfully ask for reconsideration of the decisions announced in your letter of May 27, 2003. I ask that all accused priests be afforded the canonical due process to which they are entitled. I also respectfully ask that the Archdiocesan policies and practices regarding protocols restricting a priest's freedoms and the monitoring of those protocols be brought into compliance with the universal law of the Church, the Code of Canon Law, and fundamental principles of human dignity.

Sincerely yours in Christ,

Reverend Robert L. Kealy

cc: Most Reverend Raymond Goedert , Vicar General
Reverend Patrick Lagges, Judicial Vicar
Reverend Daniel Smilanic , Adjutant Promoter of Justice
Ms. Leah McCluskey, Administrator of the Review Board
Rev. James Kaczorowski, Vicar for Priests
Rev. Thomas Tivy, Vicar for Priests

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June 6, 2003

Francis Cardinal George, O.M.I.
Archbishop of Chicago
P.O. Box 1979
Chicago, IL 60690

Your Eminence:

[redacted] and I are writing to you today about our former pastor, Father Robert Kealy.

We have been members of Immaculate Conception Parish in Highland Park since 1986. [redacted]

We first met Father Kealy when he became the pastor at Immaculate Conception over 10 years ago. We have had the privilege to know Father Kealy as priest, pastor and friend. Father Kealy was responsible for encouraging and nurturing our vocation [redacted]

There is much to be said about the character of Father Kealy. As a pastor and priest his actions were always fair and above reproach. He treated everyone with respect, especially the retired associates who lived in the parish. His life is an example of priestliness to parishioners and to other priests and clergy. Every parishioner will attest that Father Kealy had a tremendous impact on them somewhere in their lives, not only as Catholics but as human beings. We are certain that if you asked any parishioner they would tell you that Father Kealy's care and concern touched each of us in some way.

As far as his ministry, Father Kealy always gave his best to the parish, the parishioners and the church. He always seemed to be able to see beyond the local parish to the greater church, recognizing the need to establish a Spanish community in the parish. No doubt his example is the reason that even after he departed, the parishioners welcomed a Korean community in the parish also.

It was through his leadership and care that parish life at Immaculate Conception was revitalized and has continued at the same pace even after his departure. When we first came to I.C. very little happened except on Sunday. Nowadays, it is difficult to find a night when every room in the Parish Center is not in use and there is not some kind of devotion, be it Adoration of the Blessed Sacrament or the Rosary in the church as well.

Having lived in a number of places both in the United States and in foreign countries and having come to know a number of priests during that time, [redacted] and I can say unequivocally that Father Kealy is truly the finest priest and pastor we have ever had

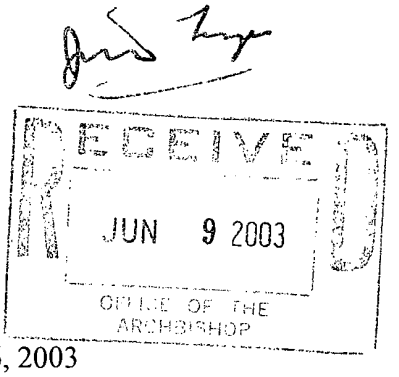
the privilege of knowing. In our case, he was the one who helped us recognize our vocation and nurtured us not only during formation, but after ordination ensuring that the parish community understood the importance of deacons to the church and to parish life.

But perhaps, the real test of a priest's impact on a parish is seen after he leaves. How that parish continues and how the people show their Christianity to others are indications of the character and holiness of their pastor. In this case, almost two years after Father Kealy's departure, the parish continues to be spiritually vital and strong. The parishioners make a sincere effort to model those Christlike traits that they saw in Father Kealy.

In closing, let us say two final things about Father Kealy. First, amongst his many exceptional attributes, Father Kealy is a real gentleman of impeccable character. Second, if you decided to return Father Kealy to I.C., it would be a joyous day for every parishioner. He is deeply loved by those humble, faithful people: People who saw and met their God in and through Father Kealy. And perhaps in the final accounting, that says everything about who this man is, that we call Father.



Reverend Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060



June 6, 2003

His Eminence
Francis Cardinal George, O.M.I.
Archbishop of Chicago
P.O. Box 1979
Chicago, IL 60690

Your Eminence:

Attached is a copy of an article which appeared in the *Chicago Tribune* on Sunday, May 25, 2003, on the first page of the Metro section. The article was about the ordination of priests for the Archdiocese of Chicago, which occurred the day before. The article states:

> "According to its own report issued in January, the archdiocese has confirmed accusations against 36 diocesan priests – with none of the abuse occurring in the last decade – and has poured $16.8 million into victim settlements and related costs. None of the 36 priests remains in ministry."

As you know, I wrote to you on January 21, 2003 to protest the defamatory statements made by Mr. Jimmy Lago, the Chancellor of the Archdiocese, in his report entitled *"Ten Year Report on Clerical Sexual Abuse of Minors in the Archdiocese of Chicago,"* which was publicly released on January 16, 2003. The Chancellor stated in that report:

> "...the underlying sad fact remains: three dozen priests have abused children (in some cases more than one), betrayed their vocations, damaged the mission of this local church, and caused many individuals to question the ministry of priesthood and bishop."

In the report, the Chancellor also referred to these accusations as "substantiated" (p. 2) and "founded" (pp. 2, 6).

This statement by the Chancellor was a violation of the right of an accused priest to be considered innocent until proven guilty. The burden of proof rests upon the person who makes an allegation (c. 1526). An allegation must be proven with moral certitude (c. 1608 §1). The Chancellor gratuitously proclaimed the guilt all of the priests about whom the Review Board had found that there was "reasonable cause to suspect" sexual misconduct with a minor. This finding of the Review Board constitutes a basis for beginning a canonical investigation, not for concluding one. In none of these cases has any canonical preliminary investigation been conducted. Yet the Archdiocese has already pronounced everyone to be guilty.

Furthermore, the Chancellor's report suggests that he is privy to the evidence in these cases, which would be improper. Although he holds a canonical office, he is not a canonist. He should not have any role in these cases, nor should he be given confidential information about these cases. That would be a violation of the pontifical secrecy which is to govern these cases.

On February 11, 2003, you responded to my letter and you defended the Chancellor's comments. You declined my request that you offer a public correction of his remarks.

This article in the *Chicago Tribune* accurately presents the substance of the Chancellor's statements. It is an indication of the continuing damage unjustly caused to the reputations of the accused priests by the failure of the Archdiocese to issue a correction of the Chancellor's remarks. This is an on-going violation of canon 220 ("No one is permitted to harm illegitimately the good reputation which a person possesses...").

The defamatory misinformation propagated by the Archdiocese makes it difficult for an accused priest to receive a fair trial or to vindicate his good name. By putting the moral authority of the Church behind the statement that the accusations against the priests have been confirmed or substantiated, the Archdiocese has polluted the well of public opinion and polluted the minds of potential witnesses.

Also, the Archdiocese has created a situation in which it is all the more difficult to restore to the ministry a priest who is found not guilty at the conclusion of a canonical process.

I respectfully reiterate my request that you correct this grave injustice.

With the assurance of my prayers, I remain

Sincerely yours in Christ,

Robert L. Kealy

Reverend Robert L. Kealy

encl: copy of *Chicago Tribune* article of May 25, 2003

cc: Most Rev. Raymond Goedert, Vicar General
Rev. Patrick Lagges, Vicar for Canonical Services
Rev. William Woestman, O.M.I., Promoter of Justice
Rev. Daniel Smilanic, Adjutant Promoter of Justice
Rev. James Kaczorowski, Vicar for Priests
Rev. Thomas Tivy, Vicar for Priests

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Francis Cardinal George, O.M.I.
Archbishop of Chicago
P.O. Box 1979
Tuesday, June 10, 2003

Your Eminence:

I am a parishioner of Immaculate Conception Parish (IC) and I have been a parishioner most of my life. [redacted]

My involvement in the parish grew [redacted] I'd like to think this was partly due to my spiritual growth but I truly believe that it was greatly influenced by my mentor, pastor and friend Father Bob Kealy.
I have known Fr. Kealy ever since he was assigned to our parish. He was my mentor for the [redacted] program; he encouraged and enabled me to grow in this ministry. He has allowed the [redacted] to be visible and perform all the duties of our ministry. He is responsible for revitalizing our parish with programs such as Renew, Taize', Eucharistic Adoration, CRHP. He formed a Finance Committee & Pastoral Council. He recognized the different gifts of the parishioners and encouraged participation. He established neighborhood meetings in order to introduce himself and field any questions as the new pastor.

He is highly respected not only by our parish community but also by the greater Highland Park Community as well, a diverse community of social, religious, and economical backgrounds. He is welcoming and engaging with great personal skills.

I know him to be a priest who loves his priesthood; his spirituality is clearly visible in all that he does.

He has profoundly influenced my life and that of my family. [redacted] He always remembered us on special occasions, such as Thanksgiving, Easter and Mothers day with flowers or a card.

Immaculate Conception was truly blessed to have a Godly man, a man who communicated well with all his parishioners, a sensitive man, a leader who inspired and challenged us to move away from our comfort zone and to step out in faith. He is greatly missed by me, and if it were up to me, he would be back here at IC in a heartbeat. There are many more parishioners that feel the way I do. He is a gifted and blessed man, and those gifts and talents, must be used

In your service,



ELEMENTS TO BE CONSIDERED IN DETERMINING ACTIONS REGARDING PRIESTS ACCUSED OF SEXUAL MISCONDUCT WITH MINORS

TYPES OF CASES

A. Those in which it has been determined that **sexual abuse** with a minor **occurred**

B Those which must be **processed or reviewed to determine** whether there is a **credible accusation** of sexual abuse.

- **Age of the minor**: For those actions which allegedly occurred before April 25, 1994, the canonical penal process can only be instituted if the minor was under 16 years of age. For those actions which allegedly occurred after April 25, 1994, the canonical penal process can be instituted if the minor was under 18.

- **Prescription (Statute of Limitations).** *"It must be noted that the criminal action on delicts reserved to the Congregation for the Doctrine of the Faith is extinguished by a prescription of ten years...however, in the delict perpetrated with a minor by a cleric, the prescription begins to run from the day the minor has completed the 18th year of age."* (*Sacrosanctum Santitatis Tutela)*

C. Those in which the allegation of sexual abuse is **determined not to be credible, but** in which **some inappropriate behavior** occurred.

D. Those in which the allegation is deemed to **have no basis.**

THE DEFINITION OF SEXUAL ABUSE

The *Charter* gives two major elements to defining sexual abuse:

A. Reference to canon 1395, §2

Canonical Delicts says the "norm is whether the act in question is an external act that qualifies as an **objectively grave violation of the sixth commandment.** If there is doubt about whether a specific act fulfills this definition, ...consult the writings of recognized moral theologians and, if necessary, obtain the opinion of a recognized expert." In other words, the act must be an external act which would objectively be a mortal sin.

Canonical Delicts also says the action must be **imputable** to the acccused. "The traditional rules abut the requisites for personal culpability (full use of reason and full consent of the will) must be addressed ..." (p. 38). It goes on: "The external act alone does not suffice. It must be a human act, posited with sufficient internal deliberation and freedom to be gravely

imputable..." (p. 39)

B. The Canadian definition

"Sexual abuse (includes) contacts or interactions between a child and an adult when the child is being **used as an object of sexual gratification** for the adult." The intent of sexual gratification is an essential element of the Illinois statutes on criminal sexual abuse.

It should also be noted that canon 18 states: "Laws which establish a penalty ... are subject to a strict interpretation." In other words, they are **to be interpreted narrowly**, i.e, in a way most favorable to the accused.

THE ROLE OF THE REVIEW BOARD

(See memo on Implementation of USCCB Norms and Charter)

SOME PERTINENT CANONICAL PROCEDURES

A. Removal of a pastor

The canonical process of canons 1740-1747 must be followed

B. "Administrative Leave"

According to canon 1722: "To preclude scandals, to protect the freedom of witnesses and to safeguard the course of justice, having heard the promoter of justice and having cited the accused, the ordinary at any stage of the process can remove the accused from the sacred ministry or from any ecclesiastical office or function, can impose or prohibit residence in a given place or territory, or even prohibit public participation in the Most Holy Eucharist; all these measures must be revoked once the reason for them ceases; they also end by the law itself once the penal process ceases."

Such measures could be imposed administratively while a case is being investigated or reviewed.

C. The Imposition of Expiatory Penalties

If the initial investigation determines that there is credible evidence that a cleric has committed an imputable delict which is not prescripted, the diocesan bishop is to submit the case to the CDF. It seems that the bishop could conduct an administrative process to impose temporary expiatory penalties, such as those mentioned in canon 1722 and denial of the right to

wear clerical garb (cf. *Canonical Delicts*, pp. 19-21). If expiatory penalties are imposed through an administrative process, however, the cleric may initiate recourse against the decree and the penalties are suspended while the recourse is pending. (c. 1353) The permanent imposition of expiatory penalties requires a judicial process (c. 1342, §2).

AOC 016004

COMMENTARY

ON THE

5-5-03 DRAFT REVISION

OF

ARCHDIOCESAN POLICIES, SECTION §1100

Rev. Robert L. Kealy
June 11, 2003

MEMORANDUM

TO: **Policy Revision Committee**

FROM: **Father Robert L. Kealy**

RE: **Attached Commentary**

DATE: **June 11, 2003**

I am grateful for the opportunity to offer the attached comments on the 5-5-03 draft revision of the Archdiocesan policies, Section §1100.

My comments should be understood in the context of the arguments I presented in my Legislative Recourse petition of March 7, 2003. I have tried to avoid lengthy repetition of those arguments in this commentary, but the Legislative Recourse petition can be consulted for a fuller explanation of the premises underlying these comments.

Attached to this commentary is a copy of my June 6, 2003 letter to Cardinal George. This letter provides more extensive argumentation about monitoring issues.

Rev. Robert L. Kealy
June 11, 2003

COMMENTARY ON THE 5-5-03 DRAFT REVISION OF ARCHDIOCESAN POLICIES, SECTION §1100

Preliminary Comment regarding Promulgation

It seems that policies are being put into effect without promulgation:

- A revised Policy §1100, dated August 7, 2003, was posted on the Archdiocesan website, but no notification was given to priests or to the public that the policies had been revised.

- The March 1, 2003 revision of Policy § 1100 was not announced and was not even posted on the Archdiocesan website.

Canon 8 §2 says: "Particular laws are promulgated in the manner determined by the legislator and begin to oblige a month after the day of promulgation unless the law itself established another time period."

Thus, there is some latitude as to how diocesan policies are promulgated, but it would seem that, at a minimum, for policies affecting priests, there should be a notice in the *New World*, the policies should be posted on the Archdiocesan website, and priests should be sent a letter informing that the policies have been revised and can be found on the Archdiocesan website. This promulgation should indicate the date on which the new policies will become effective.

§1101.1 Establishment of Policy
(1) says: "The primary purposes of these policies and procedures are the safety of children, the well being of the community, and the integrity of the Church. The policies and procedures shall be fair and responsive to the pastoral needs of the victim, the victim's family, the community, and the cleric."

Comments:
1. The policy should state that one of the primary purposes of the policies is to ensure canonical due process, in compliance with the universal law of the Church and the Code of Canon Law, to determine the truth of accusations.

2. References to "the victim" and "the victim's family" imply that the accusation is true. It would be more accurate to say "the accuser."

3. While it is nice that the policies and procedures attempt to be "fair and responsive to the pastoral needs of ... the cleric," it is more important to the accused cleric that the policies and procedures provide for the rights of the accused cleric through canonical due process.

§1101.4 Review and Amendment

Comment: The Archdiocesan Pastoral Council and the Presbyteral Council should participate in the periodic review of the policies. The policies should also be reviewed periodically by canonists with specialized expertise in this field.

§1102 Assistance to Those Affected

Comments:
1. I was informed that the title "Victim Assistance Minister" will be changed to "Assistance Minister." This is a significant improvement because it recognizes the all-pervasive importance of the presumption of innocence.

2. The initial reference is to "alleged sexual abuse," but then it falls into saying "abuse" and "victims."

§1102.2 Assistance to Alleged Victim/Survivor

Comments:
1. The policy says: "The first obligation of the Church with regard to the victims is for healing and reconciliation." It should say: "The first obligation of the Church is to determine the truth of an accusation through canonical due process. When an accusation is proven, the Church will help the victim to find healing and reconciliation."

2. While the title of this policy says "alleged victim/survivor" there are 5 references in this policy to "victim" or "victims." This logical inconsistency must be corrected.

3. The policy states that the Archbishop or his delegate will meet with victims and their families and to share "the profound sense of solidarity and concern." This seemingly innocuous policy is fraught with dangers. The investigation of an accusation must be impartial. The Archbishop has a canonical role as judge in the canonical preliminary investigation. It is improper for a judge to show support for one side in a dispute. Also, the policy implies that the accusations have been deemed to be true, or else the accuser is not truly a victim. If the Archbishop or his representative expresses "solidarity" with an accuser, before the determination of the truth of the accusation, he is giving credibility to the accusation. If the accusation is false or inaccurate, he is reinforcing that false or inaccurate accusation.

4. The policy says that "the pastoral outreach by the Archbishop or his delegate will also be directed to faith communities in which the sexual abuse occurred." Again, there is an implied

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assumption that the accusation is true. It is inappropriate for the Archbishop or his delegate to make any statements at a parish which would pronounce or imply that the accused is guilty. The presumption of innocence must be honored by the Archdiocese in compliance with the Code of Canon Law. According to the Code, guilt must be proven with moral certitude at the conclusion of a canonical process. Privacy and confidentiality need to be protected to ensure the integrity of the process and to protect the reputation of the innocent.

§1102.4 Assistance to Clergy

Comments: The first sentence of this policy states: "In the case of any disclosure of sexual abuse by a cleric with a minor, the Vicar for Priests or Vicar for Deacons shall report the fact to the Review Board Administrator." This statement raises profound issues about the role of the Vicar for Priests.

As a statement of policy, this sentence is fatally flawed because it is impermissibly ambiguous and it ignores canon law, moral theology, and civil law regarding the confidentiality of communications with the Vicar for Priests.

A) The Policy Is Impermissibly Ambiguous.

This policy statement could apply to at least four very different situations. It is unclear as to how this policy is intended to apply to each of these possible situations:

1. One situation would be if someone (other than the accuser or the accused priest) tells the Vicar about sexual abuse of a minor by a cleric. In the State of Illinois, even a psychologist is not required to report "third party accusations."

2. A second situation is that a cleric could self-report to the Vicar that he had sexual contact with a minor in the past, but that person is now an adult. In the State of Illinois, even a psychologist does not have a legal duty to report this. The premise is that there is no evidence that minors are currently at risk and a perpetrator should be able to seek needed professional or spiritual help, in such a situation.

3. A third situation is that a cleric could confide in the Vicar that he had sexual contact with a minor, that person is still a minor, and the sexual contact was previously unreported. In this situation, in the State of Illinois a psychologist would be required to report this to the State Department of Children and Family Services. However, a Vicar for Priests, or any priest for that matter, would not be obligated to report this if the information was confided to the priest in the context of his ministry. Furthermore, as will be explained below, principles of moral theology would require the Vicar for Priests to maintain the confidentiality of this communication unless he had moral certainty that minors were currently at risk.

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4. Finally, there is the complex situation of a cleric who speaks with the ordinary or his Vicar *after* the cleric has been accused of the sexual abuse of a minor. The accusation has already been made and reported to the civil authorities and the Administrator. In this situation, the appropriate authorities are already ensuring that minors are not at risk. Therefore, the confidentiality of the communication to the Vicar for Priests must be maintained. The sacred relationship between a cleric and his ordinary-as-pastor, and the Vicar who represents the ordinary, should encourage openness and honesty in a pastoral context.

The ambiguities in this policy create unnecessary burdens and conflicts for the Vicars and the clerics to whom they minister; they eviscerate the sacred relationship which is the context for such communications; and they jeopardize the civil and canonical rights of priests.

B) Canon Law Requires the Confidentiality of Communications Between a Priest and His Bishop or the Vicar for Priests.

Canon 384 states:

> "With special solicitude, a diocesan bishop is to attend to presbyters and listen to them as assistants and counselors. He is to protect their rights and take care that they correctly fulfill the obligations proper to their state ..."

The CLSA's *"Guide to the Implementation of the U.S. Bishops' Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons"* says:

> "The bishop is a pastor or a father to his priests. Their relationship is rooted in the sharing of orders and a common mission. Ordinarily, a priest's personal disclosures to his bishop would be considered confidential communications (*CIC* c. 1548, §2, 1°; *CCEO* c. 1229, §2, 1°)." (p. 29).

In the Archdiocesan policies for dealing with allegations of clerical sexual abuse of a minor, created in 1992 and followed with minor adaptations since then, the duty of investigating allegations of sexual abuse of minors was assigned to the Administrator of the Review Board and to the Review Board itself. The Vicar for Priests is to exercise a pastoral function as the Archbishop's surrogate as pastor to Archdiocesan priests (hence his title, "Vicar for Priests.") The Vicar for Priests is to offer confidential counsel, guidance, and support to priests. In the case of accusations of misconduct, the Vicar for Priests is to serve as an advocate for the accused priest in the process.

This understanding of the Vicar's role is substantiated by these other official statements:

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- The introduction to Policy §1102 says that the Vicar for Priests is a "pastor to the priests of the Archdiocese."

- In Policy §1102.4, sentence 2 says: "These vicars are the representatives of the Archbishop who minister to the clergy of the Archdiocese by providing assistance, advice, support, and by facilitating referrals to resource persons and other professionals."

- Policy §1104.4.3, Procedure (A) says, " ... The Vicar for Priests is primarily responsible for pastoral and spiritual life concerns and treatment questions that require a sensitivity to confidences."

- A letter sent by the Vicar for Priests on August 26, 2002 to the priests of the Archdiocese says: 'The Vicars for Priests serve as advocate, liaison, and counsel for priest.'

The Vicar for Priests represents the ordinary in his pastoral care for his priests. In a canonical proceeding, bishops and priests are exempt from testifying "regarding what has been made known to them by reason of sacred ministry..." (c. 1548, §2, 1°). This canon also covers physicians, advocates "and others bound by professional secrecy." The reason for this exception is that the special nature of these roles requires that persons in need of their professional guidance be able to confide in them with the assurance of confidentiality.

Archbishop Julian Herranz, the President of the Pontifical Council for Legislative Texts, gave an interview to Zenit New Service on November 14, 2002, in which he addressed this issue:

> "Q. What problem did the original U.S. norms pose for bishop-priest confidentiality?
>
> "A. From the perspective of the Church, the relationship between a diocesan bishop and his priests is likened to that shared by a father and his sons. The richness of the theological reality is impoverished if we see the relationship solely in the secular terms of employer and employee or, even worse, as adversaries. For the good of the Church, a priest has to be free to approach his diocesan bishop and to speak to him with honesty and openness.
>
> "With that in mind, the Church recognizes an exemption from testifying in ecclesiastical proceedings for bishops and other clerics with respect to those matter that were 'revealed to them by reason of their sacred ministry' (cf. Code of Canon Law, can. 1548 §2, 1°).
>
> "Sadly, the civil laws do not always recognize that important need and, instead, sometimes foster an attitude of fear and suspicion. We would do well to bring to the attention of those responsible for civil legislation the importance of recognizing the unique nature of the pastoral dialogue shared by diocesan bishops and their priests, which certainly merits at least the same kinds of protection that are given to communications between lawyers and

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their clients or physicians and their patients.

> "Even in the absence of such protections, it is my hope that the revisions to the norms which were recently accepted by the USCCB will – because of their increased clarity, their greater certainty, and their insistence on basic fairness – significantly reduce the tension that has been reported between some priests and their bishops."

Archbishop Herranz underscores the profound ecclesiological reality which is the theological foundation for the confidentiality of communications between a priest and his ordinary.

It is understood, according to the overwhelming weight of Catholic tradition, canon law, and the Archdiocesan policies, that these conversations are in a pastoral, not a penal context.

The first sentence of Policy §1102.4 is inconsistent with the above principles and, so, is inconsistent with the universal law of the Church.

To require the Vicar to report on such conversations is no more appropriate than requiring the bishop to do so. It makes the Vicar an arm of the canonical investigation and the civil prosecutor. If that is to be his role, then the cleric should be given a 'Miranda' warning before talking with his ordinary or Vicar (i.e., "You have a right to remain silent. You have the right to counsel. Anything you say can and will be used against you in a court of law and in an ecclesiastical proceeding.") If that is to be the role of the Vicar then his conversations with an accused cleric should observe the canonical formalities and the Archdiocese should make no pretense that the Vicar's role is to be an "advocate" for clerics. Without observing those canonical formalities, the likelihood increases that casual comments may be misrepresented and that testimony could be distorted. However, for the Archdiocese to take the position that these conversations are not confidential, would be to eviscerate the sacred relationship between a bishop or his Vicar and the clergy of the diocese.

In addition, the Vicars for Priests are bound to maintain the confidentiality of their communications with priests when talking with other officers or agents of the Archdiocese, such as the Review Board; the Administrator of the Review Board; the Promoter of Justice; the Vicar for Canonical Services; diocesan lawyers; insurance companies; and members of the Professional Conduct Administrative Committee (PCAC), which is referred to in policy 1104.3.7 (8), footnote 3.

C) Principles of Moral Theology Require the Confidentiality of Communications Between a Priest and His Bishop or the Vicar for Priests.

Father Patrick Boyle, S.J., the highly respected professor of moral theology at Mundelein Seminary, has written a memorandum entitled, "The Moral Principles Governing the Confidentiality of Communication between a Priest and His Ordinary or the Vicar for Priests."

Father Boyle situates the principles governing confidentiality in the right to privacy, a basic

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human right. Applying general principles governing the confidentiality of communications to the specific case of communications between a priest and his ordinary or the Vicar for Priests, Father Boyle says that the threshold question is the understanding which the priest had as to the nature of the communication. Father Boyle differentiates between a situation in which the Vicar for Priests office was an investigative arm of the bishop and a situation in which " the common understanding of the Vicar for Priests office was that it is priest-friendly and the Vicar was the advocate for priests." Father Boyle says that in this case "the presumption has to be given to the accused individual's right to privacy and confidential information many not be divulged without his knowledge and consent."

Father Boyle mentions two exceptions to this presumption of confidentiality. One exception would be "if the Vicar for Priests advised the accused individual at the time of his interview that the information in the interview was matter for public domain and could possibly be used against him in a judicial proceeding."

Father Boyle says that, when the communication with the Vicar for Priests is understood by a priest to be confidential, "then the only reason which justifies the revealing of confidential information is if withholding the information poses a serious danger to an innocent person or to society." He adds, "There has to be moral certitude that the danger truly exists." Father Boyle concludes, "If such certitude (of danger) is absent, the information must remain confidential. It would be morally unacceptable to divulge it."

D) Civil Law Respects the Confidentiality of Communications Between a Priest and His Bishop or the Vicar for Priests.

Many dioceses in the United States have gone to great efforts and great expense to defend the confidentiality of communications between priests and the Vicar for Priests. The first sentence of Policy §1102.4 could be construed as waiving the confidentiality of these communications in any criminal or civil proceedings brought against a priest or against the Archdiocese.

In an excellent scholarly presentation on April 4, 2003 at a symposium at Boston College, Professor Norman Abrams of the UCLA law school addressed, "The Dual Nature of the Clergy Privilege in State Statutes and the Statutory Duty to Report Child Abuse." Professor Abrams described the relevant confidential communications of clergy as falling into two broad categories: religious confessions and spiritual advice and counsel.

Abrams gave an extended analysis of a New Jersey decision, Corsie v. Campanalongo, a civil suit brought by two brothers against a priest and against the Archdiocese of Newark, alleging sexual molestation by the priest. Abrams wrote:

> "Plaintiffs requested that the Archdiocese produce all documents contained in the file of the Vicar for Priests relating to the defendant Campanalongo and all files regarding sexual

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misconduct by any priest since 1960 and any documents regarding any law suit arising from sexual misconduct. As part of his response at the trial level, the Vicar certified that he 'serves as a confidant to priest in need. Accordingly, priests who confide in the Vicar ... do so with an expectation of privacy and confidentiality...

"On appeal, the plaintiffs only sought production of documents related to Campanalongo. The court found that it was undisputed that the Vicar was acting in his 'professional character, or as a spiritual advisor' when, or if, Campanalongo confided in him respecting the alleged sexual assaults or any other personal or professional matter'; that 'so long as ... (the) communications to the Vicar were 'confessions' or otherwise made with an expectation of confidentiality,' the documents were protected against disclosure...

"The Corsie case, of course, ... involves larger questions since it was not simply access to the Vicar's Campanalongo file that was at issue. If his file was required to be disclosed, all of the Vicar's files would seem to lose privilege protection."

This conclusion of Professor Abrams implies that if the confidentiality of communications to the Vicar for Priests or the Vicar for Deacons is breached through the disclosure required by Policy §1102.4, none of the communications to the Vicar for Priests or the Vicar for Deacons would be legally privileged as confidential communications.

Of course, the Archdiocese of Chicago, itself, successfully argued the confidentiality of such files before the Supreme Court of Illinois in 1992. The files of priests accused of abuse had been subpoenaed by the State's Attorney of Cook County. While I am not familiar with all of the details of the ruling of the Illinois Supreme Court, it would seem that if the Archdiocese were to create, by policy, an exclusion to the confidentiality of communications to the Vicar for Priests or the Vicar for Deacons, it is possible that all of the conversations between an accused cleric and the Vicar could lose their status as privileged communications. These broad legal ramifications should be considered by the Archdiocese.

Solution: This sentence in Policy §1102.4 should be deleted.

Policy §1103.2.2 Religious Communities and Clergy of Other Dioceses

Comment: The policy requires a Eastern rite eparch or a religious ordinary to inform the Archbishop of Chicago about any act of sexual abuse committed by a priest or deacon of their jurisdiction even if the cleric is not going to conduct any ministry in the Archdiocese and will simply be living in a religious community house. This seems to be a violation of the autonomy of religious communities of Pontifical rite or of Eastern rites *sui iure*.

Policy §1104 Review Process for Continuation in Ministry

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Comments:

1. This section should have a different title. The current title (and the current process) puts the cart before the horse, by making a judgment about whether a priest is fit to remain in ministry or return to ministry before there is even proof that an offense occurred. This section could be called: "The Process for Investigating Allegations and Determining a Cleric's Fitness for Ministry."

2. The introduction to this policy states: "Allegations of sexual abuse by a cleric with a minor will initially be considered by a Review Board Administrator who will make a recommendation to the Archbishop." While it is canonically proper for the Administrator to receive the initial accusation and to convey to the Archbishop her impressions of the accuser, it is not canonically proper for her to offer an opinion as to the truth or falsity of the accusation. Nor is it canonically proper, at this stage, for her to make a recommendation regarding a priest's fitness for ministry. At the initial stage of an accusation being received, the task of the Administrator should be to obtain a written, verbatim statement of the accusation and the response of the accused in order to determine whether there is reason for the Archbishop to initiate a canonical preliminary investigation.

3. The introduction to this policy states that the Review Board "will review the initial recommendation" of the Administrator. The Review Board should review the statements collected by the Administrator and not just her recommendation. Because of the grave consequences of such an allegation, there is a serious danger if all the information the Review Board receives is filtered through the Administrator. If all they receive is the report of the Administrator, they are basing their advice to the Archbishop on hearsay.

4. The introduction to this policy states: "The process is declared to be consultative and advisory, not adversarial and adjudicative, and is directed toward pastoral reconciliation and healing." This fundamental statement is canonically erroneous and gives a false perspective on the nature of the process, which has to focus on facts not feelings. Feelings are important and are dealt with by the Assistance Minister and other pastoral outreach. However, given the enormous consequences of an accusation of sexual abuse, this process must be directed at determining the truth of the accusation. The process must respect the fact that the accused cleric enjoys the presumption of innocence and that an accusation must be proven with moral certitude.

5. The introduction to this policy states: "In this context the safety and well being of the community is of primary concern. Another concern is protecting the reputation of clerics who may be subjected to inaccurate or false accusations." This statement leads to an obvious bias towards believing an accusation. One newspaper account quoted a Review Board member (anonymously) as saying that the Review Board errs on the side of protecting the safety of children. In a matter of this gravity, there should not be any bias. A better formulation would be: "The primary concern of this process is to protect both the community and the accused cleric by providing a fair and thorough process for determining the truth or falsity of accusations and then taking the appropriate

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steps indicated by these findings."

Policy §1104.1 Establishment of Process

The policy states: "Determinations and recommendations regarding the continuation of ministry of any cleric who is the subject of an allegation of sexual abuse of a minor shall be made to the Archbishop according to the consultative and advisory process established in Section 1104."

Comments:

1. At the initial stage of an accusation it is inappropriate for the Archbishop to remove an accused cleric from ministry, unless there is an accusation that the accused cleric is presently engaged in the sexual abuse of a minors and there is strong evidence to support the accusation.

2. It is inappropriate for the Administrator or the Review Board to make "determinations." This is a judicial function and is incompatible with the advisory nature of the Review Board and its Administrator.

3. Because neither the Administrator nor the Review Board is likely to know the accused priest well, they are not in a position to determine whether he presents a risk to minors. The assumption must be that he does not present a risk until there is strong evidence to the contrary. It is inappropriate to make a recommendation when one does not have all of the information available. The Review Board should confine itself to offering its advice as to whether the accusation constitutes a reasonable basis for initiating a canonical preliminary investigation.

Policy 1104.2 Reporting Requirements, Compliance and Cooperation

The policy states: "These personnel [all Archdiocesan clergy and all religious, employees, and volunteers working for the Archdiocese] are expected to promptly report allegations of a cleric's sexual abuse of a minor to the Review Board Administrator unless prohibited by applicable church law."

Comment: This statement suffers from the same defects as Policy §1102.4. Archdiocesan personnel should not be required to report third party accusations. Confidential communications to an ecclesial minister would be governed by the same principles governing communications to the Vicar for Priests or the Vicar for Deacons (all of which are not contained in canon law; some are governed by principles of moral theology dealing with confidential communications). This sentence should be deleted or the ending of it should be changed to read: "...unless prohibited by principles governing confidential communications."

Policy 1104.2, Procedure c)

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Comments:

1. The qualifying phrase "To the extent possible" which begins this statement should be deleted. Considering the serious consequences of an accusation of sexual abuse, it is inappropriate to accept an accusation when the accuser is unwilling to meet in person with the Administrator. If the accuser lives a great distance away, arrangements can be made for the accuser to be interviewed by an official of his or her local diocese. I am familiar with a case in which a priest was removed from ministry based on an accusation made in a long-distance telephone call and the accuser was never interviewed in person. This is highly improper in a matter of such gravity.

Policy §1104.3.2 Review Board Appointments

Comment: There should be a provision that the Archbishop can terminate an appointment to the Review Board for cause, such as failure to attend meetings, a violation of confidentiality, or behavior which is detrimental to the workings of the Review Board. The Review Board should be warned that leaks could expose them to liability for money damages in law suits.

Policy 1104.3.4 Relationship with Archbishop

Comment: It is improper to state that the Review Board is the principal advisor of the Archbishop in his assessment of allegations of sexual abuse of minors and in his determination of suitability for ministry. It should say: "The Review Board acts in an advisory capacity to the Archbishop in his assessment of whether an allegation of sexual abuse constitutes sufficient reason to initiate a canonical preliminary investigation." Once the canonical preliminary investigation has begun, the investigator, with the powers and duties of an auditor, is to submit the evidence to the ordinary, acting as judge. The ordinary is then to judge whether the evidence is sufficient to initiate a penal process. In making that judgment, the ordinary may consult two experts in the law. The Review Board has no expertise in canon law and should play no role in judging the evidence collected. (See my Legislative Recourse petition, pp. 13-14).

Policy §1104.3.6 Review Board Meetings

Comments:

1. The policy states: "The meeting shall reflect the pastoral character of this process which is consultative and advisory, not adversarial and adjudicative." Again, this is a fundamentally erroneous characterization of the nature of the Review Board activity. Given the gravity of an accusation of sexual abuse and the necessity of providing canonical due process, the meetings of the review board cannot be described as the policy states. Also, the statement is contrary to the nature of the canonical process for determining the truth of an accusation. In practice, this

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statement is also contrary to the way in which our Review Board operates. The policy sets up a standard of a pastoral process and then the Review Board acts as a tribunal, hearing testimony and making judgments.

2. The Review Board cannot "formulate ...determinations." That is a judicial role, which belongs only to the ordinary.

3. The policy states: "The Board may in its discretion, limit the information it receives or considers, and the rules of evidence shall not strictly apply." This is appropriate only if the role of the Review Board is carefully circumscribed to advising the Archbishop as to whether there is sufficient reason to initiate a canonical preliminary investigation.

Policy §1104.3.6, Procedure a)

Given the gravity of an accusation of sexual abuse, the Board should be required to meet in person to discuss it. The provision that they could formulate their advice to the Archbishop based only on a telephone conference seems inappropriate and inconsistent with the principle of fundamental fairness.

Policy §1104.3.6, Procedure b)

The policy states: "After the Review Board process is completed and, if warranted by the outcome, after the Congregation of the Doctrine of the Faith is notified, the Promoter of Justice will proceed as instructed by the Archbishop in accord with directions from the Congregation for the Doctrine of the Faith, unless the Congregation calls the case to itself because of special circumstances."

Comment: This statement is a massive violation of canonical due process! This statement completely overlooks the necessity of conducting a canonical preliminary investigation. It jumps right from the Review Board process to the CDF.

Policy §1104.4.1 Qualifications of Administrator

Comment: The policy should also state that the Administrator should be completely knowledgeable about the provisions of civil law and canon law regarding accusations of sexual abuse. The Administrator must also be aware of the obligation of impartiality in gathering information that is needed to make a determination as to whether to conduct a canonical preliminary investigation.

Policy §1104.4.2 Appointment of Administrator

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Comment: Since the office of Administrator of the Review Board was created in 1992, there have been at least four persons appointed to that position. At least for the past three Administrators, I am unaware of any announcement of these appointments by the Archdiocese to the public at large or to the priests. The policy should state that the Archdiocese should make a public announcement of the appointment of an Administrator and publicly explain the qualifications and training of the person appointed.

Policy §1104.4.3 (5) and (6) Duties of the Administrator

Comments:

1. The provision that the Administrator is to prepare reports for the Review Board gives the Administrator an inappropriate role as a filter of information and evidence. This is one of the failures of the current practice. The advice of the Review Board often hinges on the Administrator's perceptions of the sincerity and credibility of the accuser and the accused.

2. In (6), the reference to "determinations" should be deleted. Making determinations is a judicial role and is beyond the scope of authority of the Review Board.

Policy §1104.3, Procedure a)

Comment: It is inappropriate for the Administrator to be responsible for monitoring clerics. (See the comments below regarding Policy §1104.12 on monitoring).

Policy §1104.3, Procedure b)

Comment: The policy states: "...the Administrator may retain whatever professional assistance necessary and appropriate to conduct a thorough investigation of an allegation." This policy invalidly creates an intrusion by the Administrator into the canonical preliminary investigation. Once the Review Board has given its advice to the Archbishop as to whether there is a reasonable basis for him to initiate a canonical preliminary investigation, the Administrator should have nothing to do with the investigation of the case. That is the responsibility of the duly appointed canonical investigator, who should be a canonist, and who should not be the Administrator.

Policy §1104.6, a) and b) Confidentiality and Disclosure of Information

Comment: This policy states that the Administrator is the custodian of all information described in Sections 1104.4 and 1104.5. This is a flawed policy. Once the Archbishop initiates a canonical preliminary investigation, the Administrator of the Review Board should turn over to the

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canonical notary the information she has gathered.

Collecting and guarding the Acts of an investigation is the responsibility of the canonical notary appointed for the canonical preliminary investigation (cc. 484, 486). At the conclusion of the investigation, the canonical notary is to place "the Acts of the investigation, the decrees of the ordinary which initiated and concluded the investigation, and everything which preceded the investigation" in the secret archive of the diocese, unless necessary for the penal process (c. 1719).

Canon 489 §2 provides: "Each year documents of criminal cases in matters of morals, in which the accused parties have died or ten years have elapsed from the condemnatory sentence, are to be destroyed. A brief summary of what occurred along with the text of the definitive sentence is to be retained."

Policy §1104.6, b), 2) Confidentiality and Disclosure of Information

Comment: Because the Review Board is a confidential advisory body to the Archbishop, it is improper for the Administrator or the Review Board to disclose to anyone the advice that the Review Board gives to the Archbishop. The ordinary, acting as judge, should take responsibility for the decisions made in a case, for ultimately they are his alone.

Policy §1104.6, b), 6) Confidentiality and Disclosure of Information

Comment: It is very difficult, if not impossible, to make a commitment to transparency and openness about a matter which falls under pontifical secrecy, the *Essential Norms* notwithstanding. In Canada, the law requires a news blackout on a case until it comes to trial. The reason is to avoid trial-by-media and to avoid polluting the minds of potential witnesses. Unfortunately, this practice is not followed in the United States, where cases become a media circus once an accusation is made. It is especially unfortunate that dioceses have fed that media frenzy, unfairly damaged the reputations of the accused, and undermining the right to canonical due process by making inappropriate announcements.

It is not permissible for the Archdiocese to announce that an accusation has been made against a priest. It is never permissible for the Archdiocese to announce the recommendations of the Review Board. Nor should the Archdiocese make any announcements about the status of cases.

If it is necessary to assist a parish community affected by an accusation against one of its priests, for example, because the accuser has made the accusation public, the Archdiocese should acknowledge that an accusation has been made and is being investigated and the accused should be presumed innocent until proven guilty. No further details should be given out.

(See my Legislative Recourse petition, pp. 21-24).

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Policy §1104.7.1, Procedure Preliminary Actions and Inquiry

Comment: The procedure under this policy states: "The Administrator shall review the cleric's files or background ..." The Administrator has no authority, and may be given no authority, to review any confidential files of a cleric, for example, those of the Vicar for Priests. The Administrator may review general personnel files.

Policy §1104.7.2, (4) Preliminary Actions and Inquiry

Comment: This policy states that ordinarily the Administrator shall: "assess whether the safety of children requires interim action and promptly communicate a recommendation to the Archbishop." Again, "assessment" is a judicial function and the administrator is not ordinarily in a position to know the accused priest or to make an adequate appraisal as to whether children are at risk, especially at this stage of the process. The Administrator should convey to the Archbishop the information she has about the case and the Archbishop must make the determination as to whether some interim action should be taken.

Policy §1104.7.2, Procedure c) Preliminary Actions and Inquiry

Comment: This procedure states: "Before initiating a judicial or administrative process to impose or declare penalties, the Archbishop should seek the cleric's voluntary cooperation to avoid or repair scandal, restore justice and reform the offender through various means of pastoral solicitude." This procedure is inappropriately placed here in the section of the policies dealing with the initial inquiry by the Review Board and the Administrator. It belongs at the conclusion of the canonical preliminary investigation. This statement is based on canon 1341; however, *Sacramentorum sanctitatis tutela* precludes the use of an administrative process.

Policy §1104.7.2, Procedure d) Preliminary Actions and Inquiry

Comment: This procedure refers to asking the accused priest to obtain a psychological evaluation. It seems inappropriate at this stage, even before a canonical preliminary investigation has been conducted.

Policy §1104.8.1, (3) and (4) Questions for Review

Comment: These two points say that the Review Board shall make recommendations "regarding the scope and course of the investigation" and "what further interim action should be taken with respect to the allegation." These actions are completely beyond the competence of the Review

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Board. They must be determined by the ordinary, acting as judge, and the investigator-auditor (c. 1428 §3).

Policy §1104.8.2 Determinations and Recommendations

Comments:

1. This title should be changed to "Recommendations." The Review Board has no competence to make "determinations." That is a judicial function.

2. Points (1) and (2) deal with a cleric being withdrawn from ministry. In almost all cases, this would be far too early to make such recommendations. Unless it is an egregious case, no recommendation about withdrawal from ministry should be made until the preliminary canonical investigation has been completed.

Policy §1104.8.3 Preliminary Investigation

Comment: This restatement of canon 1717 misrepresents the significance of an admission. With the issuance of *Sacramentorum sanctitatis tutela* (and the derogations of February 7, 2003) and the promulgation of the *Essential Norms*, it is clear that a cleric's admission of the accusation does not make a canonical preliminary investigation superfluous. Even if the ordinary petitions the Holy Father or the CDF to dismiss the accused from the clerical state, in keeping with the *Motu proprio* of February 7, 2003 the ordinary must submit proofs. For cases which go to a canonical trial, a preliminary investigation is needed to create the Acts on which the ordinary-as-judge and then the trial court can base their judgment. For all cases, various canons apply which indicate that an admission does not constitute conclusive proof of guilt (cc. 1535-38). In addition, the accused might be confused about the accusation or about the canonical elements of a delict against canon 1395 §2, such as the necessity of lustful intent and imputability.

Indeed, the unfortunate truth about the practical application of our procedures in Chicago has been that, all too often, a priest is blind-sided by an accusation out-of-the-blue and he is then induced to make nebulous statements which are inaccurately construed as an admission of some sort.

Policy §1104.8.3, Procedure a) Preliminary Investigation

Comments:

1. This procedure should state that, in the circumstances described, the Archbishop shall issue a canonical decree initiating a canonical preliminary investigation (c. 1719).

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2. Rather than say that the Archbishop is to appoint an "auditor," it seems more accurate to say that he is to appoint an "investigator" (c. 1718 §4), with the powers and duties of an auditor (c. 1718 §3). For clarity and convenience, we could refer to this canonical officer as the "investigator-auditor."

3. It is improper to set, as a matter or policy, that the investigator-auditor be a lay person. Prominent experts in the penal law of the Church, such as Francis Morrisey, O.M.I. and Gregory Ingels, maintain that the investigator must be a priest if the accused is a priest. Their argument is based by analogy with canon 483 §2 requiring the notary in such cases to be a priest. One could also add that canon 1717 §3 says that the investigator has the powers and responsibilities of an auditor and canon 1428 §1 says that the auditor carries out the responsibilities of the judge in instructing the case and the CDF Norms for penal trials say: "... only priests can validly carry out the functions of judge, promoter of justice, notary, and patron" (Art. 11). The requirement that the canonical officers in a penal investigation be priests seems based on the Church's concern for the confidentiality required in such cases and the potential for enormous damage to the reputation of an innocent priest if confidentiality is breached. The requirement of priesthood can be dispensed by the CDF (*Motu proprio*, February 7, 2003). It seems that if the ordinary wishes to appoint a lay investigator-auditor, he must obtain a dispensation from the Congregation for the Doctrine of the Faith.

4. The policy should state that the investigator-auditor is to be a degreed canonist who is familiar with the particular nature of a canonical penal investigation.

5. This policy should also state that the Archbishop is to appoint a canonical notary. In collecting the proofs, the judge or the investigator-auditor must be accompanied by and assisted by a canonical notary (cc. 1437 §1 and 1561). The role of the canonical notary is crucial in the canonical preliminary investigation because the notary documents and guards the record which is utilized ultimately to reach the decision called for at the conclusion of the canonical preliminary investigation stage and also, if necessary, at the trial stage. "A notary is to take part in any process, so much so that the acts are null if the notary has not signed them."(c.1437 §1).

As with other officers whom the diocesan bishop appoints to take part in a canonical preliminary investigation, the notary is to be appointed to the case by a decree issued by the diocesan bishop (c. 48). This is extremely important because the integrity of the record (the Acts) upon which the whole process depends is entrusted to this one ecclesiastical officer.

The canonical notary must be "of unimpaired reputation and above all suspicion" (c. 483 §2). In cases involving accusations of clerical sexual abuse, the canonical notary must be a priest (c. 483 §2 and Congregation for the Doctrine of the Faith, Norms for penal trials, Art. 12), although this requirement can be dispensed by the CDF (*Motu proprio,* February 7, 2003).

The notary must be very knowledgeable about canonical penal procedures, especially the manifold duties of the notary, which are essential to establishing the official Acts of the preliminary

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investigation.

The canonical notary is charged with performing the following duties:

- drawing up acts and instruments which require his action (c. 484, 1 °)
- witnessing the signature of the ordinary on all of the decrees issued in the penal process (c. 484, 2 °)
- being present at the taking of any statements made by the accuser or other persons in order to act as an official witness (c.1569 §2)
- being present to witness the administration of an oath, thereby insuring that the statement is sworn to (c. 1562 §2). The reasons for requiring sworn testimony by the accuser and by witnesses are not technical or frivolous. Sworn deponents can be punished for perjury. In all legal systems, the fact that a statement or testimony is sworn is an important criterion for weighing truthfulness and accuracy. Sworn testimony also provides a basis during the trial stage for cross-examination or impeachment.
- transcribing accurately or recording verbatim any statements or depositions taken from the accuser or other witnesses (c. 1567), "giving the witness the opportunity to add, suppress, correct or change it" (c. 1569 §1);
- signing the Acts of the deposition, at the end of a deposition, and seeing to it that it is signed by the deponent and the investigator-auditor (c. 1569 §2);
- assembling and guarding the Acts of the case (cc. 484, 486). This is of major significance because the penal process depends on the Acts. The importance of a proper record of both the canonical preliminary investigation stage and later trial stage can not be emphasized enough. It is from this information and this information alone, that all subsequent decisions are required to flow. An accurate record is an essential element not only of canon law, but of every respected system of law. The alternative is to disregard principles of law and justice and to run the risk of a sham legal proceeding – or a kangaroo court. Off-the-record information cannot be used in the penal process, because it deprives the accused of his right to confront all the evidence marshaled against him, thereby depriving him of his right to a defense. Obviously, the accused has no opportunity to confront information if the ordinary-as-judge receives that information outside the record.
- placing, at the conclusion of the investigation,"the Acts of the investigation, the decrees of the ordinary which initiated and concluded the investigation, and everything which preceded the investigation" in the secret archive of the diocese,

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unless necessary for the penal process (c. 1719). This serves several greater purposes, discussed below.

Policy §1104.8.3, Procedure b) Preliminary Investigation

Comments: This procedure contains a garbled and totally confused understanding of the role of the investigator-auditor, to wit:

1. The investigator-auditor is not allowed to prepare any "reports." The investigator is to collect the testimony or proofs and present them, without filtering or comment, to the judge. Canon 1428 §3 says: "It is for the auditor, according to the mandate of the judge, only to collect the proofs and hand them over to the judge." The word "only" limits these duties to indicate that there is no judgmental, determinative, nor advisory role that is included in the auditor's responsibilities or powers. The powers and obligations of an auditor are also limited to only deciding "what proofs are to be collected and in what manner" (c. 1428 §3). Thus the ordinary retains his judicial role; he is not able to delegate it to the investigator-auditor, and he may not abdicate it. His role as judge requires that he view the canonically obtained evidence personally and make his decision based only on the written record before him.

2. The investigator-auditor is to present the proofs to the judge, i.e., the Archbishop, not to the Review Board. The Review Board has no role at this stage of the canonically prescribed investigation.

3. The last sentence of this procedure refers to the investigator-auditor preparing reports, which "should include descriptions of the actions taken by the Administrator, such additional inquiry as may be required, and identification or information that was not available to the Administrator and why that information was not available." The investigator-auditor begins with the informal statements collected by the Administrator and then proceeds to conduct a formal, canonical preliminary investigation. From that point on, the information collected by the Administrator is canonically irrelevant and should not be referred to.

The purpose of the canonical preliminary investigation is not to indict or try the accused at this stage but rather to gather facts, investigate the circumstances, and explore aggravating and mitigating factors, the question of imputability and the issue of prescription.

The significance here is that the investigator-auditor has the duty to collect evidence and facts in such a way as to not distort the evidence and to support both sides to the dispute completely. The cl[illegible] intent of canon law is that without an oath no accusation regarding criminal conduct should [illegible]edibility. Failure to obtain a canonically valid statement of the accusation at the [illegible]ement of the preliminary investigation is also improper and unfair because it can result [illegible]ccusations evolving and "constantly changing, others being added or not mentioned [illegible]ore, seemingly at will and not accord to any mode of canon law." (cf. Congregation for the

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...rgy, Prot. N. 2001.1099) (See my Legislative Recourse petition, pp. 14-18).

Policy §1104.9 Review for Cause

Comment: This whole section on Review for Cause makes no sense canonically and must be eliminated! Once the Ordinary has decided, after hearing the Review Board, that a canonical preliminary investigation should be conducted, the Review Board has no role in the process, unless the Ordinary chooses to present to them the results of the preliminary investigation and to discuss with them his decision as to whether there is sufficient evidence to submit the case to the Congregation for the Doctrine of the Faith.

When an accusation comes in, ordinarily the Administrator is to conduct her inquiries within a few days and present the evidence to the Review Board. Ordinarily, at the meeting of the Review Board, it makes a recommendation to the Archbishop as to whether there is reasonable cause to initiate a canonical preliminary investigation. This whole process might take a week or so. It ight happen that the Review Board, at the Initial Review, feels that it needs a little more time or ittle more information to formulate its recommendation.

e is no reason for the Review Board to conduct a hearing 30-180 days later. The whole notion Review for Cause is an illegitimate carry-over of the canonically invalid procedures used in chdiocese since 1992 until the present day, whereby the Review Board acts as a tribunal, ing judicial and investigatory functions. This whole notion of a Review for Cause must be ed because it is totally foreign to the process required by canon law and the *Essential*

04.11 Supplementary Review

e notion of a Supplementary Review does seem appropriate. One can envision, for e Review Board, at the Initial Review, advised the Archbishop that there was no for conducting a canonical preliminary investigation, but later new information 't's attention and the Board must meet to consider whether a canonical d for.

...terminations and Recommendations

...n of the Review Board making "determinations."

unless necessary for the penal process (c. 1719). This serves several greater purposes, discussed below.

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2. The investigator-auditor is to present the proofs to the judge, i.e., the Archbishop, not to the Review Board. The Review Board has no role at this stage of the canonically prescribed investigation.

3. The last sentence of this procedure refers to the investigator-auditor preparing reports, which "should include descriptions of the actions taken by the Administrator, such additional inquiry as may be required, and identification or information that was not available to the Administrator and why that information was not available." The investigator-auditor begins with the informal statements collected by the Administrator and then proceeds to conduct a formal, canonical preliminary investigation. From that point on, the information collected by the Administrator is canonically irrelevant and should not be referred to.

The purpose of the canonical preliminary investigation is not to indict or try the accused at this stage but rather to gather facts, investigate the circumstances, and explore aggravating and mitigating factors, the question of imputability and the issue of prescription.

The significance here is that the investigator-auditor has the duty to collect evidence and facts in such a way as to not distort the evidence and to support both sides to the dispute completely. The clear intent of canon law is that without an oath no accusation regarding criminal conduct should be given credibility. Failure to obtain a canonically valid statement of the accusation at the commencement of the preliminary investigation is also improper and unfair because it can result in the accusations evolving and "constantly changing, others being added or not mentioned anymore, seemingly at will and not accord to any mode of canon law." (cf. Congregation for the

AOC 016027

Clergy, Prot. N. 2001.1099) (See my Legislative Recourse petition, pp. 14-18).

Policy §1104.9 Review for Cause

Comment: This whole section on Review for Cause makes no sense canonically and must be eliminated! Once the Ordinary has decided, after hearing the Review Board, that a canonical preliminary investigation should be conducted, the Review Board has no role in the process, unless the Ordinary chooses to present to them the results of the preliminary investigation and to discuss with them his decision as to whether there is sufficient evidence to submit the case to the Congregation for the Doctrine of the Faith.

When an accusation comes in, ordinarily the Administrator is to conduct her inquiries within a few days and present the evidence to the Review Board. Ordinarily, at the meeting of the Review Board, it makes a recommendation to the Archbishop as to whether there is reasonable cause to initiate a canonical preliminary investigation. This whole process might take a week or so. It might happen that the Review Board, at the Initial Review, feels that it needs a little more time or a little more information to formulate its recommendation.

There is no reason for the Review Board to conduct a hearing 30-180 days later. The whole notion of a Review for Cause is an illegitimate carry-over of the canonically invalid procedures used in the Archdiocese since 1992 until the present day, whereby the Review Board acts as a tribunal, exercising judicial and investigatory functions. This whole notion of a Review for Cause must be abandoned because it is totally foreign to the process required by canon law and the *Essential Norms*.

Policy §1104.11 Supplementary Review

Comment: The notion of a Supplementary Review does seem appropriate. One can envision, for example, that the Review Board, at the Initial Review, advised the Archbishop that there was no reasonable basis for conducting a canonical preliminary investigation, but later new information comes to the Board's attention and the Board must meet to consider whether a canonical investigation is called for.

Policy §1104.11.3 Determinations and Recommendations

Comment: Again, it is improper to speak of the Review Board making "determinations."

Policy §1104.12 Monitoring

AOC 016028

Comment: The phrase "is admitted or"; should be deleted for the reasons mentioned in the comment on Policy §1104.8.3.

Policy §1104.12.2 Life-long Monitoring

Comment: This policy is based on a fallacious assumption. Every instance of sexual contact with a minor is sinful and illegal, but it may not represent a psychological dysfunction requiring or justifying life-long monitoring. A qualifying phrase, like "ordinarily," should be put at the beginning of the policy.

Policy §1104.12.3 Monitoring Protocols

Comments:

1. Only the ordinary has the authority to impose monitoring restrictions on a cleric. Even the ordinary may impose restrictions on the freedoms or activities of a diocesan priest only when there is strong evidence that they are necessary, and only as allowed by law.

2. I contend that monitoring is an exercise of jurisdiction and so the monitoring function may only be delegated to a cleric (c. 129 §1). Thus, the Vicar for Priest could be an appropriate monitor or a priest with whom a priest being monitored is in residence, but not the Administrator of the Review Board or the Review Board itself. The monitor can send reports to the Review Board.

3. The blanket restriction on being alone with anyone under the age of 18 may not be imposed as a life-long restriction in every case. For example, could a priest under monitoring never babysit for his sibling's grandchildren?

4. The provision on providing a printout of Internet sites visited is a canonically illegitimate restriction on a priest's privacy and intellectual freedom, unless there was some evidence that this priest had accessed child pornography on the Internet.

(For more information on monitoring, see my June 6 letter to Cardinal George).

Policy §1105 Canonical Considerations

Comments:

1. This section needs a new title. The title implies that canonical considerations are reserved to this section. If the policies are properly revised, canonical considerations should permeate Section §1100. Perhaps this could be entitled: "Various Canonical Outcomes" or something like that.

AOC 016029

2. The introduction to this section quotes the Holy Father in a one-sided way. It should be balanced by another statement he made in his April 23, 2002 address: "At the same time ... we cannot forget the power of Christian conversion, that radical decision to turn away from sin and back to God, which reaches to the depths of a person's soul and can work extraordinary change."

Policy §1105.1 Removal from Ministry, Penalties and Restrictions

Comments:

1. The phrase "is admitted or" should be deleted for the reasons cited above in the comment on policy §1104.8.3.

2. The phrase "the safety of children requires certain measures to be taken even after there is forgiveness" is a gratuitous assertion implying that in every case children are at risk.

3. Section A doesn't fit in here. It belongs in policy §1104.8.3. Leaving it here makes this whole policy appear to be an afterthought, as though Norm 8 of the *Essential Norms* was just tacked-on to the old policies.

Policy §1105.2 Executive Power of Governance

Comment: I recognize that this policy is a quotation from Norm 9 of the *Essential Norms*, but it must be balanced by other canonical provisions. The bishop, for example, cannot apply the Norms retroactively (*CLSA Guide*, p. 2). The bishop cannot remove a cleric from ministry if a judicial sentence determines that he should remain in ministry (*CLSA Guide*, p. 36). The bishop cannot remove from ministry one whose action was not imputable (*CLSA Guide*, p. 16).

Policy §1105, Procedures Executive Power of Governance

Comments:

1. Procedure A ignores the qualifying phrase in canon 1341 and policy §1105.1: "if the case so warrants."

2. The requirement in Procedure A that the priest live in a supervised setting cannot be made a blanket requirement. There must be strong evidence that others are at risk.

3.. In Procedure B, I again point out that the Administrator may not be delegated to monitor compliance protocols (c. 129 §1).

AOC 016030

Policy §1106 Priest Personnel Records

Comment: The general provision for a unified priest personnel record and the three policies thereunder are violations of canon law, as will be explained below.

Policy §1106.1 Priest Personnel Records

Comment: Canon law requires that several kinds of records be segregated and not included in a general file. For example, the records of the Vicar for Priests are confidential and must remain so. In the case of an accusation of sexual misconduct, "the Acts of the investigation, the decrees of the ordinary which initiated and concluded the investigation, and everything which preceded the investigation and the subsequent process are to be maintained in the secret archive of the curia, if they are not necessary for the penal process." (c. 1719).

Canon 489 §2 provides: "Each year documents of criminal cases in matters of morals, in which the accused parties have died or ten years have elapsed from the condemnatory sentence, are to be destroyed. A brief summary of what occurred along with the text of the definitive sentence is to be retained."

Policy §1106.2 Transfer of Records

Comment: The records of the Vicar for Priests are confidential and may never be transferred. When a priest dies they are to be destroyed. In keeping with canon 489 §2, in matters related to accusations of sexual abuse, after ten years they are to be destroyed.

Policy §1106.3 Confidentiality of Records

Comment: The records of the Vicar for Priests or the records of an accusation of sexual abuse may not be shared with the Priest's Placement Board nor with the Administrator of the Review Board. They are not canonical officers with a duty to know that information and they are not entitled to it. To release that information to them is a violation of confidentiality.

AOC 016031

Francis Cardinal George,O.M.I,
Archbishop of Chicago
P.O. Bos 1979
Chicago, IL 60690

June 11, 2003

Dear Cardinal George:

I am writing this letter to offer a character reference for Rev. Robert L. Kealy. Please, give me a few moments to express my feelings.

I have known Rev. Kealy for approximately ten years and I feel honored and proud to be his friend. My husband (now deceased) and I were privileged to meet him through [redacted] and we developed a friendship, which we both treasured, and I continue to treasure. [redacted]

The funeral mass was officiated by Rev. Kealy, and his touching words will be remembered by me and my family forever.

Some of the most memorable days are those of the Pilgrimage to the Holy Land in 1999, with Father Kealy being one of the priests on that journey. Most of my fellow travelers were from the Immaculate Conception Church in Highland Park, which was at that time Father Kealy's parish. [redacted] Watching Father Kealy daily with his absolute devotion to his church [redacted] He is so greatly admired, not only by me and my family, but by so many people for his priestliness, his honesty, his complete integrity.

Very truly yours,

[redacted]

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

155 E. Superior St.
Chicago, Illinois 60611

June 12, 2003

Rev. Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

Dear Father Kealy:

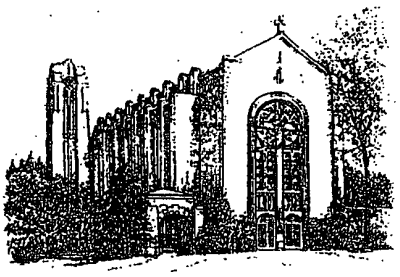
I received your letter of June 6 in which you asked me to reconsider the decisions I announced in my letter to you of May 27, 2003.

While I respect your opinion on these matters and your right to make such a request, I will not change the provisions I have made in your case. The issues which you raise are more appropriately handled during the course of a trial. Either you or your advocate could bring such matters before the judge so that an interlocutory decision can be made. The matter could also be brought before the Congregation for the Doctrine of the Faith in any appellate process.

In the meantime, I ask that you comply with my directives.

Sincerely yours in Christ,

Francis Cardinal George, O.M.I.
Archbishop of Chicago



SAINT JOSEPH RECTORY
1747 Lake Avenue • Wilmette, Illinois 60091-1537
(847) 251-0771

June 12, 2003

His Eminence, Francis Cardinal George, O.M.I.
Archbishop of Chicago
P.O. Box 1979
Chicago, IL 60690

Your Eminence:

I am writing to offer a character reference for Reverend Robert L. Kealy.

I have been a priest of the Archdiocese of Chicago for 29 years and have served as associate pastor of two parishes, the director of DePaul University's Center for Church/State Studies, the director of the Office for Catechesis in the Archdiocese, the director of the United States Bishops' Office for the Catechism and the director of the Department of Evangelization and Catechesis in the Archdiocese. I am presently pastor of St. Joseph Parish, Wilmette, IL.

I have known Father Kealy for over thirty years as a fellow seminarian, a priest, a pastor and a friend. I worked closely with him during his tenure as Chancellor of the Archdiocese. I have served on many committees and task forces with him over the years and have enjoyed a warm and cordial relationship. He, a few other priests and I have been members of the same prayer group for over fifteen years.

In my view Father Kealy is a man of exemplary virtue, superior character and admirable integrity. His priestliness is characterized by sincere fidelity and moral honesty. He celebrates the Eucharist and Liturgy of the Hours daily and has a genuine devotion to the Blessed Virgin Mary. He has a deep sense of conviction and carefully adheres to the doctrine and Magisterium of the Church. He is loyal to the Holy See. He consistently demonstrates good general pastoral abilities in preaching, teaching and in the administration of the sacraments. He is perceived as a leader, is open to dialogue and an effective collaborator. He has been an extremely successful pastor. He is well-liked and respected by his peers, the lay faithful, the general public and civic authorities.

With gratitude for your consideration of this letter, I am

Respectfully yours in Christ,

John E. Pollard

Reverend John E. Pollard
Pastor

CHURCH OF ST. MARY
175 E. Illinois Road • Lake Forest, IL 60045-1998
(847) 234-0205 • Fax (847) 234-9860

June 16, 2003

His Eminence, Francis Cardinal George, OMI
Archbishop of Chicago
P.O. Box 1979
Chicago, Illinois 60690

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Dear Eminence:

I respectfully write to you to express my most sincere and unqualified support of Reverend Robert Kealy. I do so as one who has been in the unique position of having been privileged to know Bob for nearly all of my life and for the entirety of his priesthood. I do so as one who knows Bob as a mentor, confidant, brother priest and close friend. Never, in any context, have I ever known Bob to be anything less than a faithful, committed, inspiring witness to priestly life lived with the greatest depth and integrity. Never have I personally heard or otherwise been made aware of anyone, other than the individual making the present allegation, who considers Bob less than an exemplary priest. He has enjoyed the love and respect of parishioners and clergy alike for 31 years of priesthood and I am deeply saddened by the turn of events over the past 15 months and his removal from priestly ministry. I pray for the day when this matter can be resolved.

When Bob was newly ordained, he was assigned to St. Germaine parish where my family and I were parishioners. My two brothers and three sisters and I (currently ages 39 to 46) came to know Fr. Kealy in many contexts. He taught us in the school, celebrated Masses at which we served, and moderated the Teen Club to which we belonged. We lived across the street from the church and rectory and saw Fr. Kealy frequently. I also had the additional privilege of working in the rectory where Bob worked and lived. I answered the phones and the door and was in a position to witness the comings and goings of both Fr. Kealy and visitors. All of us, as well as our network of friends dating from that time, remain dumbfounded about the allegation levied against him. Bob never acted any way but professionally and priestly, nor did his actions attest to anything but that he was a holy and devoted priest. Indeed, my interest and desire to later pursue priesthood was in many ways inspired by what I observed in Fr. Kealy.

When I was a young adult, I specifically sought out Fr. Kealy [redacted] In the countless spiritual conversations that would follow, both formal and informal, I came to know in a personal way the depth of his spiritual insight and pastoral integrity. During my seminary years, I continued to benefit from this as I lived and worked with him for a summer at Immaculate Conception Parish where he served as pastor. I continued to assist at the

parish throughout the following year helping with religious education and youth ministry. I came to know so many of the parishioners of all ages at the parish and all loved and respected Bob without qualification. I know this to be true to this day. As a priest I also lived and worked with Bob for a 3 month period. My convictions about the health and integration of his life and ministry were nothing but strengthened and were very helpful for me to witness and from which to learn.

Throughout my priesthood I have enjoyed the mentoring, guidance and support of Bob. We often share our free time together and have often vacationed together. I suspect that I know Bob better than anyone else on earth. He is all priest. He is a man of prayer who reflects deeply on the blessings and challenges of his own life and the lives of others. He is utterly devoted to God and the Church. Never have I had the slightest inkling that there was something lacking in his character or development or his life and ministry.

I have also observed with the greatest admiration and respect the manner in which Bob has embraced this trial in his life. It has been a powerful witness to his tremendous trust in the Lord and his deep desire to grow in holiness. Without bitterness, he has accepted this trial and sought the blessings hidden within for him and for his priesthood. He has never wavered in his love and respect for you, Your Eminence, and for the Church.

Thank you for your kind consideration of my thoughts. I continue to pray daily for you and for the Church, that as the burden of this crisis weighs heavily, you will always have the wisdom, the strength, and the love of God to guide and support you.

In Christ,

Rev. Chr. Gus

Reverend Christopher M. Gustafson

DEPAUL UNIVERSITY

Office of Catholic Collaboration
1 East Jackson Boulevard
Chicago, Illinois 60604-2287
312/362-8397
FAX: 312/362-6637

June 18, 2003

His Eminence
Francis Cardinal George
Archbishop of Chicago
155 East Superior Street
Chicago, Illinois 60611

Your Eminence:

My priestly service to the Church of Chicago has brought me to parish ministry, chancery work, and missionary activity through Catholic Extension and now responsibilities at a major Catholic institution, DePaul University.

I have been privileged to work closely and enjoy the friendship of talented and generous priests.

At the top of this group I list Father Robert Kealy. I have known Bob Kealy for nearly forty years. Our paths first crossed at the college seminary where we were both studying for the Archdiocese. Although there has been close contact all throughout these past four decades, we collaborated most when he served as Chancellor and I was in the Office of the Archbishop, as Executive Assistant to Cardinal Bernardin.

Bob is a talented, skilled, generous and caring priest of the Archdiocese. While everyone understood and appreciates his ability for administration, his reputation and credibility soared when he assumed the office of pastor and exhibited great strength and wisdom. He was truly successful in his leadership of a parish, which until his arrival, languished with pastors who suffered ill health and/or lacked relational skills.

My diaconate in 1972 was at Immaculate Conception, Highland Park, where Bob later served as pastor. My knowledge and friendship with parishioners allowed me to hear firsthand of his compassion, care, and most of all, clarity with which he proclaimed the Gospel to these people. I was always edified by the witness he rendered to his people.

For the past eighteen years Bob has been a key figure behind the effort of a group of priests to gather for prayer on a regular basis. In these moments as we articulated insights and shared vulnerabilities, I always found Bob to be a humble and faith-filled servant of the Lord. I left those gatherings with renewed spirit and deeper appreciation of the faith and priesthood with which we have been gifted.

Through these past months I have tried to journey with Bob at a time in his life when he is being "tested in fire". I have found his deep faith and love of the priesthood to be alive and filled with hope. My fervent prayer is that he can resume his ministry in the Church which he loves so much and has served so well.

Sincerely,

Kenneth Velo

Reverend Monsignor Kenneth Velo
Senior Executive

[redacted]

June 18, 2003

Francis Cardinal George, O.M.I.
Archbishop of Chicago
P.O. Box 1979
Chicago, Illinois

Your Eminence:

I am writing this letter of character reference for Father Robert L. Kealy

I first met Father Kealy [redacted] when I was a seminarian [redacted] at Mundelein. I had entered the seminary after graduating from the [redacted]. Father Kealy was very supportive of vocations to the priesthood and had a number of seminarians working in his parish, Immaculate Conception in Highland Park. Each year, a seminary deacon was assigned to his parish. There were a number of seminarians teaching in the religious education program.

Father Kealy and I had a number of mutual friends and acquaintances. When we got to know each other, he invited me to work in the parish on weekends doing youth ministry. [redacted] I stayed at the rectory on weekends and over breaks when I was working at the parish. [redacted] We worked and prayed together, took meals together, sought each other's counsel, and, in short, we became a cohesive community.

I have always been a gregarious person, and when at Immaculate Conception, I enjoyed many a long and ranging conversation with Father Kealy. We discussed history, canon law, scripture, his experiences as a priest over the years, and many more things. Father Kealy always made time for me in what I knew were very busy days and evenings. As often as we could, we prayed Vespers together in the rectory chapel.

All through my experience at Immaculate Conception Parish, Father Kealy conducted himself in

an exemplary and admirable manner. He was very strict about visitors to the rectory. He made it clear that the house was a shared and private residence and that it was not appropriate to invite guests other than family beyond the first floor sitting room or dining room.

In every way, Father Kealy was a mentor to me. Especially in spiritual matters, Father Kealy taught me much in the time I was living in the rectory. He especially taught me how to pray through scripture and how to be a man of action and still a man of contemplation.

In time, I realized that I did not have a vocation to the priesthood; however, had I continued on to ordination, I would have asked Father Kealy to be present and to participate in every ritual of Holy Orders. He was the model of the priest I wanted to be and he is the finest priest I have ever known.

When I decided to leave Mundelein, Father Kealy was very supportive. He continued to mentor me toward being a Catholic layman of prayer and spirituality.

Eventually, I took a full-time [redacted] job and frequently found myself using the knowledge that Father Kealy taught me, or imparting pieces of advice that he had once imparted to me. Now as I prepare to enter law school this fall, it is with the hope that I will gain the comprehensive knowledge of the law and the compassionate sense of justice that I admire in Father Kealy.

[redacted]

I hope that this letter is of assistance to you, Your Eminence, and to Father Kealy. The people of the Archdiocese are missing a man of tremendous goodness.

Sincerely,

[redacted]

Reverend Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

June 30, 2003

Ms. Leah McCluskey
Administrator
Office of Professional Fitness Review
Suite 1910
676 N. St. Clair
Chicago, IL 60611

Dear Leah:

I guess these daily logs go to you now, although I have not yet received formal notice of when the new procedures go into effect.

Since you do not know me, I thought it would be helpful to send you also the enclosed sampling of letters of character reference which were sent to the Cardinal about me. I am also enclosing the [redacted]

I look forward to meeting you.

Sincerely yours,

Bob Kealy

Reverend Robert L. Kealy

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July 8, 2003

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Fr. Robert Kealy
PO Box 455
Mundelein, Illinois 60060

Dear Fr. Kealy,

Enclosed you will find documentation regarding the newly revised Monitoring Protocols. Fr. James Kaczorowski will be contacting you in the near future to schedule a meeting so that the three of us may discuss and review the enclosed information. Fr. Daniel Smilanic, Promoter of Justice and Delegate to the Cardinal, will also be present at the meeting to address any canonical questions.

I have also enclosed a copy of the most recent policies and procedures, *1100 Sexual Abuse of Minors: Policies for Education, Prevention, Assistance to Victims and Procedures for Determination of Fitness for Ministry*. A newly revised copy of the policies and procedures are to be effective on July 15, 2003 and as a result, are not yet available.

Please feel free to contact me with any questions or concerns:

Leah McCluskey
Office of Professional Responsibility
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611
312 751-5205, office
312 751-5279, fax
lmccluskey@arhcchicago.org

Sincerely,

Leah McCluskey
Professional Responsibility Administrator

Enclosures

Cc: Rev. Daniel Smilanic, Archbishop's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests

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Reverend Robert L. Kealy
Cardinal Stritch Retreat House
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Reverend James Kaczorowski
Vicar for Priests
645 N. Michigan Ave., St. 543
Chicago, IL 60611

Re: Out of town travel

Dear Kaz:

This letter is for your records. You have approved the following two trips which I will be taking out of town:

Sunday, July 19 - Tuesday, July 21: I will be attending a conference for Opus Bono Sacerdotii in Detroit. I will be flying up on United Airlines #1583, leaving Chicago at 1:20 PM and arriving in Detroit at 3:34 PM. I will be returning on United Airlines #775, leaving Detroit at 10:50 AM and arriving at O'Hare at 11:02 AM. I don't know yet what hotel they will be putting us up in, but Msgr. Bill Varvaro will be my monitor and he will have the room next door to me.

Saturday, August 2 - Sunday, August 3: I will be attending the 80th birthday celebration of my aunt, [redacted], in St. Louis. I will be staying with her. She will be my monitor. I will leave O'Hare at 1:15 PM on United #5565 and arrive in St. Louis at 2:30 PM. I will return on Sunday at 1:40 PM on United #7774, arriving at O'Hare at 3:05 PM.

Thank you very much. I understand that in the future I am to make arrangements for permission for out-of-town travel with Leah McCluskey.

I look forward to seeing you Thursday.

Fraternally yours in Christ,

Reverend Robert L. Kealy

cc: Leah McCluskey

ARCHDIOCESE OF CHICAGO

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Chicago, IL 60611

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July 9, 2003

Rev. Robert L. Kealy
P.O. Box 455
Mundelein, IL 60060-0455

Dear Fr. Kealy,

Enclosed you will find copies of the Travel/Vacation Agreements that I completed upon receiving your letter dated July 6, 2003 regarding your vacation plans.

I appreciate you writing a letter prior to your departure and wanted you to have copies of the aforementioned agreements that will be placed in your file. I assume that your monitor Fr. Anthony Talarico is aware of your travel plans. I do understand that you will be traveling with Msgr. Bill Varvaro and will act as your monitor from July 19, 2003 until your return on July 21, 2003. I also understand that your aunt [redacted] will act as your monitor when traveling to St. Louis from August 2, 2003 until your return on August 3, 2003.

Take care and I wish you safety in your travels.

Sincerely,

Leah McCluskey
Professional Review Administrator

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Enclosures

Cc: Rev. James Kaczorowski, Vicar for Priests

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility
676 N. St. Clair, Suite 1910
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MEMORANDUM

To: File - PFR-83

From: Leah McCluskey, Professional Responsibility Administrator [PRA]

Re: Kealy, Robert

Date: July 10, 2003

PRA, Fr. James Kaczorowski [Vicar for Priests], and Fr. Daniel Smilanic [Promoter of Justice, Delegate to the Cardinal] met with Fr. Robert Kealy on July 10, 2003 to review Fr. Kealy's new monitoring protocols. PRA informed Fr. Kealy that he would be receiving copies of the monitoring protocols as well as the most recent *1100 Sexual Abuse of Minors: Policies for Education, Prevention, Assistance to Victims and Procedures for Determination of Fitness for Ministry* via mail. PRA informed Fr. Kealy that the same information was mailed to his canonical advocate, Rev. Francis G. Morrisey.

PRA reviewed the Individual Specific Monitoring Protocol with Fr. Kealy, as well as the "Clergy Daily Log" and "Travel/Vacation Agreement" forms. At Fr. Kealy's request, PRA initialed all applicable monitoring protocols detailed on his Individual Specific Protocol form. Fr. Kealy was provided a copy of the aforementioned form so that he would be able to discuss the information with Fr. Morrisey.

Fr. Kealy agreed that he would speak with Fr. Morrisey within the next 10 days to discuss the monitoring protocols presented to him. PRA and Fr. Kaczorowski discussed with Fr. Kealy scheduling a time to meet in Mundelein to sign the protocols after Fr. Kealy has had the opportunity to speak with Fr. Morrisey. Fr. Kaczorowski will be in contact with Fr. Kealy to schedule the meeting to take place in approximately two weeks.

PRA provided Fr. Kealy with the aforementioned Individual Specific Protocol, Daily Log, and Travel/Vacation Agreement forms. Fr. Kealy informed PRA that he would be willing to comply with the monitoring protocols that are asked of him, however, he expressed his hesitancy to sign the Individual Specific Protocol itself.

At the end of the meeting, Fr. Kealy informed PRA that he would be staying at the Hilton Suites at the Metro Airport in Detroit, Michigan from July 19, 2003 until July 21, 2003 [see Travel/Vacation Agreement dated July 9, 2003].

Cc: Rev. Daniel Smilanic, Archbishop's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests

JUL 16 2003

COPY

Reverend Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

July 11, 2003

Ms. Leah McCluskey
Professional Responsibility Administrator
Archdiocese of Chicago
676 N. St. Clair, Suite 1910
Chicago, IL 60611

Re: Our meeting of July 10, 2003

Dear Leah:

It was a pleasure to meet you for the first time yesterday at our conference with Father Kaczorowski and Father Smilanic. I very much appreciated the respectful and friendly tone of our discussion.

The "Travel/Vacation Agreement" says in Point 1: "The designated companion agrees to accompany the client at all his activities. Client is not allowed to be by himself." For the record, I was informed at our conference yesterday that this is not an accurate statement of the expectation. What is required, I was told, is that the designated companion know where I am, if I am not in his presence for part of the day.

Furthermore, in Cardinal George's May 27, 2003 letter to me and the other removed priests, he said that he was "establishing these protocols as individual precepts..." He also said, "You will receive a copy of my precept at the same time you receive a copy of your protocol." This has not yet been done. When I do receive a decree from Cardinal George, stating his reasons and the canonical basis for these restrictions on my freedoms (cc. 51, 18), I will then be in a position to discuss these matters with my advocate.

With cordial good wishes, I remain

Sincerely yours in Christ,

Reverend Robert L. Kealy

cc: Rev. James Kaczorowski
Rev. Daniel Smilanic
Rev. Francis G. Morrisey, O.M.I.

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility
676 N. St. Clair, Suite 1910
Chicago, IL 60611

(312)751-5205
1-800-994-6200
Fax (312)751-5279

July 11, 2003

Francis Cardinal George, O.M.I.
Archbishop of Chicago
155 E. Superior Street
Chicago, Illinois 60611

Dear Cardinal George,

As the Auditor whom you appointed in accord with Canon 1717 to conduct a Preliminary Investigation into the allegations of sexual abuse of minors that have been made against the Rev. Robert Kealy, a priest of the Archdiocese of Chicago, I would like to inform you that the investigation has been completed.

As required by Canon 1718, a sufficient amount of material is now present for you to make a determination. I have examined the files of the investigations of the allegations of sexual misconduct with minors by Fr. Kealy, and I have found them to be complete.

There is at least one allegation that was submitted to the Archdiocesan Professional Responsibility Review Board in which the Board recommended to you that there is reasonable cause to suspect that the alleged misconduct did occur. Given the material gathered as the Board's instruction of the case, it is now necessary for you to determine if the elements meet the required standard of proof. The Board reported their finding to you after having discussed the evidence and the arguments in two formal sessions. As part of the procedure followed by the Board, Fr. Kealy was read the allegations made against him and provided a response. With reference to his involvement in the instruction of the case, Fr. Kealy had the advice of legal counsel.

I now submit this matter to your Eminence for a determination. It is my recommendation that the allegation of sexual misconduct with a minor against the Rev. Robert Kealy has the semblance of truth (*notitiam saltem verisimilem*) as required by Canon 1717 and Article 13 of the Procedural Norms *de gravioribus delicitis*, and consequently the case should be sent to the Congregation for the Doctrine of the Faith.

There is at least one allegation of sexual misconduct against Fr. Kealy. The Professional Responsibility Review Board has been presented all allegations against Fr. Kealy, and has reported to you the finding that the allegations provide reasonable cause to suspect that the alleged incidents of misconduct did occur. It is my recommendation that the aforementioned allegations have the semblance of truth (*notitiam saltem verisimilem*) as

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required by Canon Law. As a result, there is no additional information that needs to be gathered at this time regarding the allegations made against Fr. Kealy.

If you have any questions or concerns, please contact me at 312 751-5205.

Sincerely,

Leah McCluskey
Professional Responsibility Administrator

Cc: Rev. Daniel Smilanic, Archbishop's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

155 E. Superior St.
Chicago, Illinois 60611

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OFFICE OF THE CHANCELLOR

14 July, 2003

Ms. Leah McCluskey
Office for Professional Responsibility
676 North St. Clair St.
Chicago, IL 60611

Dear Ms. McCluskey:

I received the report from your investigation of the matter of sexual misconduct with a minor on the part of **Reverend Robert L. Kealy**.

I accept your findings and have determined that there is a semblance of truth to the allegation that **Father Kealy** engaged in acts of sexual misconduct with a minor.

Therefore, by means of this letter, I am bringing the Preliminary Investigation of this matter to a close. Based upon the information you have provided, I have concluded that this case must be referred to the Congregation for the Doctrine of the Faith, in accordance with Part II, Article 13 the motu proprio *Sacramentorum sanctitatis tutela.*

Thank you for your diligent work, Ms. McCluskey. I appreciate the professional way in which you have handled these matters.

Sincerely yours in Christ,

Francis Cardinal George, O.M.I.
Archbishop of Chicago

Ecclesiastical Notary

cc: Revs. Kaczorowski and Smilanic, Ms. Leah McCluskey, Mr. Jimmy Lago, Mr. John C. O'Malley

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

155 E. Superior St.
Chicago, Illinois 60611

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OFFICE OF THE CHANCELLOR

15 July, 2003

Rev. Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

Dear Bob:

I am writing to let you know that I have received the report from Ms. Leah McCluskey regarding the inquiry she conducted concerning the allegations of sexual misconduct that were made against you.

Taking into account the material already presented to the review board, she has looked into the matter further. I have concluded from her report that there is enough evidence to indicate that I need to refer your case to the Congregation for the Doctrine of the Faith and ask for their permission to conduct a trial to determine whether you committed the delict of sexual abuse of a minor; and, if so, what penalty ought to be imposed on you.

I will make this referral by the end of the month. It is impossible to say when the Congregation for the Doctrine of the Faith will respond to my request.

If I am given permission to conduct a trial in the Archdiocese, I will ask the United States Conference of Catholic Bishops to provide me with three judges. I will also present all the material in the case to the Promoter of Justice, and ask that he draw up a formal petition. A trial will then be conducted according to the norm of law. You will be informed throughout the proceedings of how you might exercise your rights. If you have not appointed an advocate, one will be appointed for you.

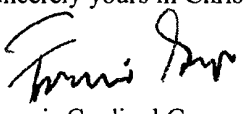
Since you are already observing the restrictions on your ministry as I requested, I do not see any need to formally impose any penal restrictions on you, as called for by canon 1722. In a previous letter to you, I indicated that I would issue this decree once I sent the case to the Holy See. In light of your cooperation, however, I have decided it is not necessary to take any further steps at this time.

As you know, the Dallas Charter and subsequent Norms state that if even a single act of sexual misconduct with a minor is proven, you must be removed permanently from ministry. Even if the offense does not warrant dismissal from the clerical state, the laws approved by the Holy See for the United States would not allow me to assign you to any public ministry, to celebrate the sacraments publicly, or to present yourself in public as a priest. Instead, you would be expected to lead a life of prayer and penance under my direction.

On the other hand, if the allegations against you are not proven, I will do everything I can to restore your reputation. I realize how difficult this might be, given the publicity that has already been given to this matter. Since I also realize you may have some feelings about this matter, I will consult with you before anything is done in this regard.

I am again appreciative of the cooperation you have given me in this matter. I will keep you in my prayers, and ask that you keep me in yours.

Sincerely yours in Christ,



Francis Cardinal George, O.M.I.
Archbishop of Chicago

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TRAVEL/VACATION AGREEMENT

Permission to go on vacation to Detroit (Destination) from/to July 19, 2003 - July 21, 2003 (Dates) this year has been granted to Robert L. Kealy (Client name) provided the following conditions will be met by him and Msgr. Bill Varvaro (Companion/s):

(See attached correspondence)

1. The designated companion agrees to accompany the client at all his activities. Client is not allowed to be by himself.
2. No contacts with minors are allowed unless companion is present.
3. Client is required to call in N/A (Frequency), to keep a daily log: proofs/ tickets, receipts, etc., regarding resident's activities are to be submitted to PFR Administrator for verification.
4. If any of the above conditions are violated both the client and the travel companion(s) will be held accountable by the Archdiocese of Chicago.
5. The date of return to the residence has been set for July 21, 2003, however due to weather conditions or emergencies that may arise, the date can be changed. Approval from the PFR Administrator must be granted for any changes in this statement.

Signature(s): Paul McCluskey

Date: 7/9/03

A copy of this agreement will be kept on file at Professional Fitness Review Board Administrator's Office and the Vicar for Priests' Office.

Revised 6/6/03

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TRAVEL/VACATION AGREEMENT

Permission to go on vacation to St. Louis (Destination) from/to August 2, 2003 - Aug. 3, 2003 (Dates)

this year has been granted to Robert L. Kealy provided the following conditions

will be met by him and [redacted] (aunt) (Companion/s):

(See attached correspondence)

1. The designated companion agrees to accompany the client at all his activities. Client is not allowed to be by himself.
2. No contacts with minors are allowed unless companion is present.
3. Client is required to call in N/A (Frequency), to keep a daily log: proofs/ tickets, receipts, etc., regarding resident's activities are to be submitted to PFR Administrator for verification.
4. If any of the above conditions are violated both the client and the travel companion(s) will be held accountable by the Archdiocese of Chicago.
5. The date of return to the residence has been set for Aug. 3, 2003, however due to weather conditions or emergencies that may arise, the date can be changed. Approval from the PFR Administrator must be granted for any changes in this statement.

Signature(s): Robert McCloskey

Date: 7/9/03

A copy of this agreement will be kept on file at Professional Fitness Review Board Administrator's Office and the Vicar for Priests' Office.

Revised 6/6/03

ARCHDIOCESE OF CHICAGO

Vicar General

Post Office Box 1979
Chicago, Illinois 60690-1979

(312) 751-8271
Fax: (312) 337-6379

MEMORANDUM

Date: July 21, 2003

To: Rev. Pat Lagges, Judicial Vicar

From: Most Rev. Raymond Goedert

Re: Rev. Robert Kealy

Cc: Francis Cardinal George, O.M.I.

Enclosed is the letter of July 13, 2003 which Father Kealy sent to Cardinal Ratzinger. It is an addendum to his recourse petition of January 7, 2003.

A copy of this letter was sent to Cardinal George. I am forwarding it to you so that it might become a part of his case file.

ARCHDIOCESE OF CHICAGO

Office of the Metropolitan Tribunal
Rev. Patrick R. Lagges, J.C.D
Phone: (312) 751-8384
e-mail: plagges@archchicago.org

155 E. Superior St.
Chicago, Illinois 60611

Fax: (312) 751-8314

MEMORANDUM

TO: Bishop Goedert
Father Smilanic
Father Kaczorowski
Ms. Leah McCluskey
Mr. Ralph Bonaccorsi
Mr. Jimmy Lago
Mr. John O'Malley

FROM: Father Lagges PRL
RE: Referral of case to Rome
DATE: 1 August, 2003

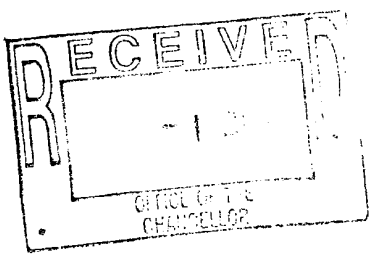
This is to inform you that on **31 July, 2003** Cardinal George has forwarded the case of **Reverend Robert L. Kealy** to the Congregation for the Doctrine of the Faith, asking for permission to conduct a penal trial in the Archdiocese of Chicago.

It is impossible to estimate when we will receive a response from the Holy See. Given the large number of cases that are being sent there from the United States, it will probably be at least several months before we hear anything.

If a penal trial is permitted, all the material in the case will be handed over the Promoter of Justice (Rev. William H. Woestman, O.M.I.), who will then petition the tribunal to hear the case. The judges assigned to the tribunal will be from outside the Archdiocese of Chicago. They will follow the normal judicial process specified in Book VII of the Code of Canon Law. (These are the same processes that are followed in marriage nullity cases.)

The Archdiocese will be the petitioner in the case; the accused priest the Respondent. The two questions before the court will be: (1) Has the priest committed an act of sexual misconduct with a minor? (2) If so, in accordance with the Dallas Charter and Norms, shall he be dismissed from the clerical state?

If you have any further questions, please feel free to contact me.



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Office of Professional Responsibility

P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
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MEMORANDUM

To: File - PFR-83

From: Leah McCluskey, Professional Responsibility Administrator

Re: Kealy, Robert

Date: August 26, 2003

PRA and Fr. James Kaczorowski, Vicar for Priests met with Fr. Robert Kealy at the Cardinal Stritch Retreat House on July 29, 2003 regarding monitoring protocols.

It was explained to Fr. Kealy that adjustments would be made to the Travel/Vacation Agreement form as well as the Daily Log form for clarification purposes. Adjusted forms will be provided to Fr. Kealy and to his canonical advocate Rev. Francis G. Morrisey, OMI JCD. PRA also provided Fr. Kealy with a copy of *1100 Sexual Abuse of Minors: Policies for Education, Prevention, Assistance to Victims and Procedures for Determination of Fitness for Ministry*, which was promulgated on July 15, 2003. Fr. Kealy was informed that a copy of the newly promulgated policies and procedures would be mailed to Fr. Morrisey as well.

When asked if he had any specific concerns and/or comments regarding the Monitoring Protocols, Fr. Kealy did have some feedback. As per Fr. Kealy, the idea of monitoring to him is that those monitored are a danger to the public, which he does not feel, applies to him. Also, he finds the monitoring to be demeaning and counterproductive due to the fact that he and others under monitoring are treated as if they are children. Yet, Fr. Kealy did give a verbal agreement to PRA and Fr. Kaczorowski that he will adhere to the requested monitoring protocols presented to him.

Fr. Kealy also pointed out that no other diocese "uses this [monitoring] system" and that it is his feeling that there needs to be a distinction between an old allegation and the accused then "operating responsibility."

Fr. Kealy expressed his feeling that the Travel/Vacation Agreement form does not reflect the same monitoring expectations as to when he is not traveling. For example, the Travel/Vacation Agreement form requests that an individual under monitoring is to have "someone with you all of the time" which is a different expectation when he is at home in

Mundelein. PRA and Fr. Kaczorowski acknowledged Fr. Kealy's concerns and referred him to Fr. Patrick Lagges, Judicial Vicar and/or Fr. Daniel Smilanic, Promoter of Justice with his concerns regarding a travel companion.

As for his current residence, Fr. Kealy feels that he is in a positive environment at Mundelein. He described the staff as respective and kind and feels that it is a safe place with welcomed privacy.

Cc: Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests
Rev. Patrick Lagges, Judicial Vicar

August 28, 2003
Memorial of St. Augustine

Fr Jim Kaposta
ack 9/2/03

Francis Cardinal George O.M.I.
Archbishop of Chicago
P.O. Box 1979
Chicago, IL 60690

Your Eminence,

I wish to write and thank you for your courageous and timely response to the *Chicago Sun-Times* in their false accusation against Pope John Paul II. It seems clear that the attacks against the Catholic Church and the institution of marriage from strident homosexuals will continue in spite of the Church's clear and compassionate teachings. It is my hope that more men of strong character will speak out publicly whenever His Holiness or Holy Mother Church are falsely accused.

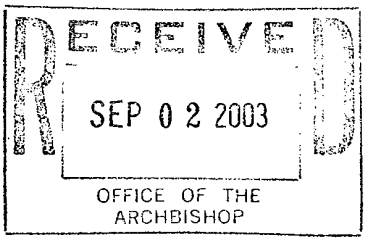
I wish also to take this opportunity to write a word in regard to the Reverend Robert L. Kealy of the Archdiocese of Chicago. I am a 1999 graduate of the University of St. Mary of the Lake – Mundelein Seminary and assisted as a transitional deacon at Immaculate Conception Parish in Highland Park when Fr. Kealy was pastor. I only served in Fr. Kealy's parish as a deacon because I found him to be of such fine priestly character. If I had felt otherwise I would have looked for another parish. Fr. Kealy served the people of Immaculate Conception devotedly. He was most concerned that people have ready access to the sacraments, be taught all of the truths of the Faith and be guided to greater holiness. I was always impressed with the care and solicitude Fr. Kealy showed for members of his flock.

In conversations at the rectory, I could not detect any difference between Fr. Kealy's public persona and his true, personal character. He was always a man of prayer and we often prayed the liturgy of the hours together. He also helped to encourage my own devotion to the Blessed Virgin Mary. He clearly shaped my vision of being a pastor of souls in his patience, dedication and availability. In spite of his long hours of work, Fr. Kealy was always most hospitable and willing to spend time with visiting guests. I found him very helpful in assisting my discernment in my readiness to accept the position of chaplain to Hmong Catholics within my diocese. I have always regarded Fr. Kealy, his personal assistance to me and his priestly ministry with the greatest esteem.

I assure you that Fr. Kealy has not discussed the details of his case with me, nor have I asked. I am conscious that the defense of accused priests requires a great deal of work, but, confident in the help of God and knowing your capacity and desire for justice, Your Eminence, I am hopeful that Fr. Kealy's case will be completed in a relatively short time.

Respectfully yours in Christ

[redacted]



Chaplain to the Catholic Hmong Community
Diocese of La Crosse
3315 St. Adalbert Road • Rosholt, WI 54473 • (715) 677-3499 • [redacted] mobile

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility

P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

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September 16, 2003

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Rev. Robert Kealy
P.O. Box 455
Mundelein, IL 60060-0455

Dear Fr. Kealy,

Enclosed you will find documentation regarding the monitoring protocols.

The monitoring protocols have been changed somewhat. This was done principally in order to put into a standard written form, arrangements that had been made orally and/or on an individual basis. It was felt that by committing as much as possible to a written form, misunderstandings could be reduced and communication would be facilitated. These changes reflect the feedback provided by all those involved in the monitoring program, including those who are subject to it. The enclosed forms contain the adjustments made to the monitoring forms that were provided to you in July of 2003. All those involved in monitoring will be receiving a copy of the new forms.

All of the information enclosed as well as a copy of this letter and a copy of the policies and procedures, *1100 Sexual Abuse of Minors: Policies for Education, Prevention, Assistance to Victims and Procedures for Determination of Fitness for Ministry* promulgated on July 15, 2003 has been forwarded to your canonical advocate, Rev. Francis G. Morrisey, OMI, JCD.

As you agreed orally to comply with the earlier form of the monitoring protocols, I ask that you indicate to me your oral agreement to these.

In designing a form that addresses so many different, complex situations, one or another points may be unclear. If you have any question or concerns, please contact me at [312] 751-5205.

Sincerely,

Leah McCluskey
Professional Responsibility Administrator

Cc: Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests
Rev. Francis G. Morrisey, O.M.I., J.C.D., Canonical Advocate

Enclosures

Office of Professional Responsibility
676 N. St. Clair, Suite 1910
Chicago, IL 60611
(312) 751-5205

INDIVIDUAL SPECIFIC PROTOCOL
For

Robert Kealy

The Individual Specific Protocols (ISP) implement the primary goal of protecting minors and the integrity of the Church. Additionally, the ISP serves as a safeguard for the individual priest/deacon with regard to the possibility of subsequent allegations. As long as the cleric is a client of the Office of Professional Responsibility, he will be subject to appropriate protocols, restrictions and monitoring under the authority of the Vicar for Priests and supervised by the Professional Responsibility Administrator (PRA); please refer to protocol number 15.

This ISP for Robert Kealy is as follows (PRA to initial all that apply):

1. (W) Restricted from being alone with minors (anyone under the age of 18) without the presence of another responsible adult.
2. [redacted]
3. [redacted]
4. (W) The "Clergy Daily Log" to be completed on a daily basis and co-signed by the monitor. The log is a tool that is used for the protection of minors, the priest/deacon, the monitor and the Archdiocese. Although it lists all time periods, it is to intended to provide an accurate record of the day rather than a detailed clock. If you are describing an off-campus activity, please include the place, the general purpose of the visit/trip/activity (e.g. Spiritual Direction, therapy), and the telephone number only if it is a private residence. (For example, it is enough to indicate that you did personal shopping rather than the name, location and telephone number of each individual store.) If your self-description is challenged, some documentation/verification may be requested. The monitor will return the log forms at the end of each month to PRA.
5. (W) Abide by the restriction of residence to Cardinal Stritch Retreat House

6. (W) No inappropriate use of computers, software, Internet capabilities, communications tools or technology. The standards articulated in the *Policies and Procedures of the Archdiocese of Chicago* and the *Handbook For Archdiocesan Employees* will apply.

7. (W) Must complete and submit the "Travel/Vacation Agreement" to PRA prior to a scheduled departure.

8. N/A Attendance at a recommended support group _____ (please indicate specific support group). Recommended frequency of ____ times per week/month (please circle one). Attendance at a recommended support group is to be reflected on "Clergy Daily Log" forms.

9. (W) No ministerial participation in the public celebration of the Eucharist or any other Sacrament or Sacramental without the prior, written permission of the Vicar for Priests.

10. (W) Refrain from wearing any garb that would give the appearance of, or seem to infer, a priest/deacon who has canonical faculties and is currently assigned to some ministry (e.g., the 'clerical shirt').

11. (W) The right of defense must not involve the public life of the Church.

12. (W) On-site visits by PRA annually to include meeting with PRA and the cleric.

13. (W) On-site visits by Vicar for Priests (VP) annually to include a meeting with VP and the cleric.

14. (W) This ISP is to be reviewed annually with PRA, VP, and the cleric.

15. Because the private celebration of the Eucharist is possible, during the course of each week one of the Masses celebrated is to be for the intention of the priests of the Archdiocese of Chicago.

16. Any change or alteration to this agreement will involve consultation with the cleric, his monitor, the PRA, and the VP. The cleric, his monitor, the PRA, or the VP can initiate the discussion for change or alteration, and at the discretion of any of the parties, his legal and/or canonical counsel may be involved.

I have reviewed, understand, and agree to all of these individual specific Protocols.

Signed: _____ Date: _____

Printed Name: _____

Signature of PRA: _____ Date: 9/17/03

Signature of VP: _____ Date: 9-18-03

A copy of this Protocol will be kept on file in the Office of Professional Responsibility and on file in the Office of the Vicar for Priests.

CLERGY DAILY LOG

The Office of Professional Responsibility, pursuant to Article §1104.4.3, is responsible to "monitor programs for treatment, rehabilitation or supervision of clerics..."

The Individual Specific Protocol for: Robert Kealy
(Cleric Name)

requires that you keep a "log" of your daily activities. The "log" is completed daily and submitted to the Administrator at the end of each month for review. Include the place, the purpose of visit/trip/activity (i.e. Spiritual Direction, therapy), and the telephone number if it is appropriate. Please remember that this tool is intended to provide an accurate record of the day rather than a detailed clock.

TIME	PLACE	TELEPHONE (If appropriate)	PURPOSE
7:00 – 8:00 A.M.			
8:00 – 9:00			
9:00 – 10:00			
10:00 – 11:00			
11:00 – 12:00			
12:00 – 1:00 P.M.			
1:00 – 2:00			
2:00 – 3:00			
3:00 – 4:00			
4:00 – 5:00			
5:00 – 6:00			
6:00 – 7:00			
7:00 – 8:00			
8:00 – 9:00			
9:00 – 10:00			
10:00 – 11:00			
11:00 – 7:00 A.M.			

Client Signature: _____ Date: _____

Monitor Signature: _____ Date: _____

Date Received: _____

Rev. 7/15/03

Administrative Signature: _____

TRAVEL/VACATION NOTIFICATION

_____ [name of cleric] has informed this office that he will be traveling to _____ [destination address and contact phone number] from _____ [departure date] through _____[return date].

_____ [name of cleric] will be monitored by _____ [name of travel monitor]. _____ [name of travel monitor] has accepted the responsibility of verifying the location and activities of _____ [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by _____ [name of cleric] must be in the presence of _____ [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. _____ [name of travel monitor] may be asked to attest to the activities and whereabouts of _____ [cleric name] over _____ [aforementioned time frame].
3. As previously noted, the date of return to _____'s [cleric name] residence has been scheduled for _____ [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: _____ **Date:** _____

PRA Signature: _____ **Date:** _____

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, IL 60611
312-751-5205

INDIVIDUAL SPECIFIC PROTOCOL
For

Fr. Robert Kealy

The Individual Specific Protocol (ISP) reflects the primary goal of protecting minors and the integrity of the Church. Additionally, the ISP serves as a safeguard for the individual priest/deacon with regard to the possibility of subsequent allegations.

Professional Fitness Review clients will be subject to appropriate restrictions and monitoring by the Professional Fitness Review Administrator (PFRA) throughout the life of the individual as a priest/deacon in the Archdiocese of Chicago.

The ISP for Robert Kealy includes but is not limited to the following (PFRA to initial all that apply):

1. W Restricted from being alone with minors (anyone under the age of 18) without the presence of another responsible adult.
2. [redacted]
3. [redacted]
4. W The completion of "Clergy Daily Log" to be completed and signed by the on-site monitor. On-site monitor will then review, sign, and submit "Clergy Daily Log" forms at the end of each month to PFRA.
5. W No inappropriate use of computers, software, internet capabilities, communications tools or technology. The standards articulated in the *Policies and Procedures of the Archdiocese of Chicago* and the *Handbook For Archdiocesan Employees* will apply.
6. W Must complete and submit the "Travel/Vacation Agreement" to PFRA prior to scheduled departure.
7. N/A Attendance to recommended support group (please indicate specific support group _____). Recommended frequency of _____times per week/month (please circle one). Attendance to recommended support group is to be reflected on "Clergy Daily Log" forms.

8. (w) The right of defense should not involve the public life of the Church.

9. (w) On-site visits by PFRA annually to include meeting with PFRA and Robert Healy.

10. (w) On-site visits by Vicar for Priests (VP) annually to include a meeting with VP and Robert Healy.

11. (w) This ISP is to be reviewed annually with PFRA, VP, and Robert Healy.

12. Any change or alteration in this agreement will involve consultation with the cleric, his monitor, the PFRA, and the VP. The cleric, his monitor, the PFRA, or the VP can initiate the discussion for change or alteration, and at the discretion of any of the parties, his legal and/or canonical counsel may be involved.

I have reviewed, understand, and agree to all requirements of this Protocol.

Signed: _____ Date: _____

Printed Name: _____

Signature of PFRA: Hal McCloskey Date: 7/29/03

Signature of VP: John T. Kingsland Date: 7-29-03

Met with Fr. Healy on 7/29/03. Fr. Healy verbally ~~agrees~~ agrees to follow the aforementioned protocol.

Rev. 6/6/03

A copy of this Protocol will be kept on file in Professional Fitness Review and Vicar for Priests Offices.

ARCHDIOCESE OF CHICAGO
VICAR FOR PRIESTS
645 NORTH MICHIGAN AVENUE, SUITE 543
CHICAGO, ILLINOIS 60611

Off: (312) 642-1837
Fax: (312) 642-4933

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TO: Rev. Robert Kealy

FR: Sr. Mary Ann Zrust

DT: October 14, 2003

RE: Mass Stipends

Enclosed a check in the amount of $1,000, representing stipends for 100 Masses. The intentions are attached.

Thank you.

Enclosure: #1800, $1,000

TRAVEL/VACATION NOTIFICATION

COPY

ROBERT KEALY [name of cleric] has informed this office that he will be traveling to [redacted] FLORIDA [destination address and contact phone number] from NOV. 3 [departure date] through NOV. 10 [return date].

RECEIVED
OCT 29 2003
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBIL

FR. KEALY [name of cleric] will be monitored by FR. CHRIS GUSTAFSON [name of travel monitor]. FR GUSTAFSON [name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by FR KEALY [name of cleric] must be in the presence of FR GUSTAFSON [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. FR GUSTAFSON [name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over NOV 3-10 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY 's [cleric name] residence has been scheduled for NOV 10 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert L. Kealy **Date:** 10/27/03

PRA Signature: [signature] **Date:** 10/29/03

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

RECEIVED
OCT 29 2003
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

TRAVEL/VACATION NOTIFICATION

ROBERT L. KEALY [name of cleric] has informed this office that he will be traveling to [redacted] VA [destination address and contact phone number] from NOV 26 [departure date] through NOV 30 [return date].

COPY

FR KEALY [name of cleric] will be monitored by (HIS SISTER) [redacted] [name of travel monitor]. [redacted] [name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by FR KEALY [name of cleric] must be in the presence of [redacted] [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] [name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over NOV 26 - 30 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY 's [cleric name] residence has been scheduled for NOV 30 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

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Cleric Signature: Robert L. Kealy **Date:** 10/27/03

PRA Signature: Hal McManus **Date:** _____

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

COPY

Reverend Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

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November 13, 2003

Ms. Leah McCluskey
Administrator
Office of Professional Fitness Review
Suite 1910
676 N. St. Clair
Chicago, IL 60611

Dear Leah:

This is to let you know that I am planning to visit my brother, [redacted] for Christmas. He and his wife live at [redacted] California. Their phone number is [redacted].

I will be flying to Oakland Airport on United Airlines on Tuesday, December 23 and returning to Chicago on Monday, December 29.

Enclosed is a completed Travel/Vacation Notification form.

With cordial good wishes, I remain

Sincerely yours,

Robert L. Kealy

Reverend Robert L. Kealy

cc: Reverend Anthony Talarico

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OFFICE OF PROFESSIONAL RESPONSIBILITY

Reverend Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

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December 16, 2003

Ms. Leah McCluskey
Administrator
Office of Professional Fitness Review
Suite 1910
676 N. St. Clair
Chicago, IL 60611

Dear Leah:

This is to let you know that I am planning to travel to Charleston, South Carolina for a meeting of Opus Bono Sacerdotii. The whole time, I will be with [redacted] and he has agreed to serve as the monitor. His phone number is [redacted]

I will be flying to Charleston on United Airlines on Friday, January 2, 2004 at 8:55 a.m. and arriving back at O'Hare on United Airlines on Sunday, January 4 at 10:50 a.m.

Enclosed is a completed Travel/Vacation Notification form.

With best wishes for a blessed Christmas, I remain

Sincerely yours,

Robert L. Kealy

Reverend Robert L. Kealy

cc: Reverend Anthony Talarico

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DEC 18 2003
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

TRAVEL/VACATION NOTIFICATION

Rev. Robert Kealy [name of cleric] has informed this office that he will be traveling to Charleston, SC 313-655-5233 [destination address and contact phone number] from Jan [departure date] through Jan 4 [return date].

Fr. Kealy [name of cleric] will be monitored by [redacted] [name of travel monitor]. [redacted] [name of travel monitor] has accepted the responsibility of verifying the location and activities of Fr Kealy [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by Fr Kealy [name of cleric] must be in the presence of [redacted] [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] [name of travel monitor] may be asked to attest to the activities and whereabouts of Fr Kealy [cleric name] over Jan 2-4 [aforementioned time frame].
3. As previously noted, the date of return to Fr Kealy 's [cleric name] residence has been scheduled for Jan 4 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert J Kealy **Date:** 12/16/03

PRA Signature: Paul McAndrew **Date:** 12/17/03

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

Office of Professional Responsibility

PFR-83– Robert Kealy

JANUARY TO DECEMBER 2004
Monitor/Therapy Schedule

Dates/Times	Event (Therapy, Spriritual Direction, Vacation , etc.) Where, When, How Long	Therapist, Spiritual Leader, Doctor, Monitor, etc. (Include names)
August 21-23, 2004	[redacted] California [redacted]	[redacted] (Travel Monitor)
October 11-13, 2004	CLSA Convention, Pittsburg Hilton (412-391-4600)	[redacted] (Travel Monitor)
November 24-26, 2004	Sister's home – [redacted] VA ([redacted])	[redacted] (Monitor)
December 22-27, 2004	[redacted] CA ([redacted])	[redacted] (Travel Monitor)

Office of Professional Responsibility

PFR-83– Robert Kealy

JANUARY TO DECEMBER 2004
Monitor/Therapy Schedule

Dates/Times	Event (Therapy, Spiritual Direction, Vacation, etc.) Where, When, How Long	Therapist, Spiritual Leader, Doctor, Monitor, etc. (Include names)
January 2-4, 2004	Charleston, South Carolina – Opus Bono Sacerdotii Meeting	[redacted], President of Opus Bono Sacerdotii (Monitor)
January 10-12, 2004	San Francisco, California	Will be staying at his Brother[redacted]'s home – same contact information and address as was noted in December 2003
February 2-9, 2004	[redacted] Florida	[redacted] (Friend/Monitor) [redacted]
March 5-7, 2004	Brother [redacted] California – [redacted]	[redacted] (Travel Monitor)
March 19-21, 2004	NY, NY – Waldorf Astoria – Opus Bono Sacerdotii Meeting	[redacted], cell # [redacted] (Travel Companion) - [redacted] is Present of Opus Bono Sacerdotii.
April 9-12, 2004	[redacted], Virginia ([redacted])	[redacted]
April 23-25, 2004	Brother Art, 1166 Denton, Hayward, California – 510-887-7183	[redacted] (Travel Monitor)
June 12-24, 2004	Mediterranean cruise	[redacted] (Travel Monitor)– [redacted], IL [redacted]
July 11-12, 2004	[redacted] Lake – [redacted]	[redacted] (Travel Monitor)

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility

P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

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MEMORANDUM

To: File - PFR-83

From: Leah McCluskey, Professional Responsibility Administrator

Re: Kealy, Rev. Robert [Withdrawn]

Date: January 9, 2004

PRA received a phone call from Rev. Robert Kealy today regarding a family emergency that will require him to fly to San Francisco, California on January 10, 2004. As per Fr. Kealy, his brother [redacted] is in a hospital in the San Francisco area [redacted] and as a result, will be in San Francisco from January 10 until January 12, 2004. He will fax all of the contact information to PRA later this afternoon. Fr. Kealy will be staying at the home of his brother [redacted], the same contact information and address as was noted in December 2003.

PRA thanked Fr. Kealy for the phone call and wished his brother well.

Cc: Rev. James Kaczorowski, Vicar for Priests

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility

P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

MEMORANDUM

To: File - PFR-83

From: Leah McCluskey, Professional Responsibility Administrator

Re: Kealy, Rev. Robert [Withdrawn]

Date: January 9, 2004

PRA received a phone call from Rev. Robert Kealy today regarding a family emergency that will require him to fly to San Francisco, California on January 10, 2004. As per Fr. Kealy, his brother [redacted] is in a hospital in the San Francisco area in the Intensive Care Unit and as a result, will be in San Francisco from January 10 until January 12, 2004. He will fax all of the contact information to PRA later this afternoon. Fr. Kealy will be staying at the home of his brother [redacted], the same contact information and address as was noted in December 2003.

PRA thanked Fr. Kealy for the phone call and wished his brother well.

Cc: Rev. James Kaczorowski, Vicar for Priests

Reverend Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

RECEIVED
JAN 2 1 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

January 19, 2004

Ms. Leah McCluskey
Administrator
Office of Professional Fitness Review
P.O. Box 1979
Chicago, IL 60690

Dear Leah:

This is to let you know that I am planning to visit my friend [redacted] in [redacted] Florida from February 2-9, 2004. He lives at [redacted]. His phone number is [redacted].

Enclosed is a completed Travel/Vacation Notification form.

With cordial good wishes, I remain

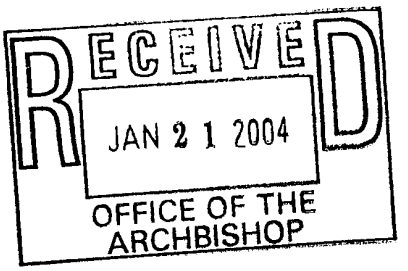
Sincerely yours,

Robert L. Kealy

Reverend Robert L. Kealy

cc: Reverend Anthony Talarico

Reverend Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060



January 20, 2004

Francis Cardinal George, O.M.I.
Archbishop of Chicago
P.O. Box 1979
Chicago, IL 60690

Your Eminence,

I sincerely apologize for the tone of my letter to you which was delivered to your office today. It was written late at night out of pain and anxiety.

Today Father Talarico told me that Father Kaczorowski informed him that the Website list is a dead project and will not been done. I am relieved to hear that, as are the others priests at the Retreat House. I am grateful to you for dealing quickly to nip this in the bud.

I regret that I will not be here when you visit the men on February 2, because I will be out of town. I'm sure that the men will appreciate your presence.

I pray daily that the Lord will give you the grace to lead us to deeper faith, closer unity, and greater charity. I appreciate your personal kindness and consideration.

With cordial good wishes, I remain

Fraternally yours in Christ,

Reverend Robert L. Kealy

cc: Father William Woestman, O.M.I.
Father Patrick R. Lagges

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JAN 2 1 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

TRAVEL/VACATION NOTIFICATION

FR. KEALY [name of cleric] has informed this office that he will be traveling to [redacted] FL [destination address and contact phone number] from FEB 2 [departure date] through FEB 9, 2004 [return date].

FR KEALY [name of cleric] will be monitored by [redacted] [name of travel monitor]. [redacted] [name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by FR KEALY [name of cleric] must be in the presence of [redacted] [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] [name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over FEB 2-9 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY 's [cleric name] residence has been scheduled for FEB 9 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert L. Kealy **Date:** 1/19/04

PRA Signature: [signature] **Date:** 1/21/04

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

ARCHDIOCESE OF CHICAGO **COPY**

Office of Professional Responsibility

P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

January 27, 2004

Rev. Francis G. Morrisey, OMI, JCD
Saint Paul University
223 Main Street
Ottawa, ON K1S 1C4 CANADA

Dear Fr. Morrisey,

Enclosed you will find monitoring information presented to your client, **Rev. Robert Kealy** on January 26, 2004. Rev. James T. Kaczorowski, Vicar for Priests and I met with Fr. Kealy at the Cardinal Stritch Retreat House in Mundelein on January 26th to discuss the enclosed protocols. Fr. Kealy was also informed of Cardinal George's acceptance of the Review Board's recommendation that he provide his signature to the enclosed protocols and return to me no later than March 31, 2004.

If you have any questions, please feel free to contact me at [312] 751-5205. Fr. Kaczorowski may also be reached at [312] 642-1837.

Sincerely,

Leah McCluskey
Professional Responsibility Administrator

Enclosures

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility

P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

MEMORANDUM

To: File - PFR-83

From: Leah McCluskey, Professional Responsibility Administrator

Re: Kealy, Rev. Robert

Date: January 31, 2004

PRA and Rev. James T. Kaczorowski, Vicar for Priests met with Rev. Robert Kealy on January 26, 2004 at the Cardinal Stritch Retreat House. Fr. Kaczorowski had arranged the meeting with Fr. Kealy so that the current monitoring protocols could be discussed.

Fr. Kealy began by expressing his concerns to PRA and Fr. Kaczorowski regarding the proposal of a priest information website to be up and running on February 1, 2004 as mentioned by Mr. Jimmy Lago, Chancellor and Cardinal Francis George. He informed PRA and Fr. Kaczorowksi that he expressed his concerns to Cardinal George and primarily discussed the website being a violation of the privacy of priests. Fr. Kealy also referenced a contact sheet provided to parishes and offices throughout the Archdiocese, which contained information regarding reporting concerns or allegations of sexual misconduct against clergy. He asked that copies of the contact sheet be provided to him and the other men who have been withdrawn from ministry as a result of substantiated allegations of sexual misconduct against minors. Fr. Kealy also expressed his concerns with some of the wording used in the Ten year report, specifically that the word "credible" was used to refer to allegations made against men who have been removed. Fr. Kealy suggested that in the future, the wording might be "allegation pending" to describe allegations of sexual misconduct made against men who have been withdrawn from ministry and have not yet had a canonical trial.

Fr. Kealy then initiated conversation regarding Rev. John Calicott and his violations of the current monitoring protocols as reported by the media over the past week. As per Fr. Kealy, the "common fear" [of those withdrawn] at the retreat house is that "monitoring will be tightened up for all." PRA then provided Fr. Kealy with the current Individual Specific Monitoring Protocols, a Daily Log form, and a Travel/Vacation Agreement form. Fr. Kealy was also informed that copies of the aforementioned forms would be forwarded to his canonical advocate, Rev. Francis G. Morrisey, OMI JCD. He informed

PRA that he would discuss the protocols with Fr. Morrisey prior to signing. Fr. Kealy also stated that his "signature is invalid if signed under duress."

Fr. Kealy then initiated a conversation regarding Mr. Jim Dwyer of the Communications Department and his comments to the local media. Specifically, Fr. Kealy voiced his concern with Mr. Dwyer's comment that the men who have been withdrawn from ministry are residing at "the retreat house in Mundelein." PRA informed Fr. Kealy that the location of he and others removed for sexual misconduct is not a secret. Fr. Kealy agreed, however suggested that when necessary, it be shared with the media that the men are in a "supervised setting" and not even a "monitored setting." Fr. Kealy feels that "[the Archdiocese] doesn't want to draw attention to the fact that the guys are at Mundelein." He also shared his feeling that the Fr. Calicott's media attention has been publicly displayed as "tit for tat" between Fr. Calicott and the Archdiocese.

Another point expressed by Fr. Kealy was that he has written his appeal to Rome and has also objected to several things. He asked for clarification of the location of the Office of Professional Responsibility. When asked by Fr. Kealy, PRA confirmed that the Office of Professional Responsibility shares a suite with the Office of Assistance Ministry. Fr. Kealy explained that Rev. Patrick Lagges, Judicial Vicar informed him that the aforementioned offices were not in the same suite. As per Fr. Kealy, "Had I known [that the offices were *still* sharing the same suite]," he would have added that information in his appeal to Rome. PRA explained to Fr. Kealy that despite the physical location of the Office of Professional Responsibility, PRA would continue to be objective.

Prior to ending the meeting, Fr. Kealy also shared his concerns with confidentiality and "leaks from some office downtown" concerning the files of men who have been withdrawn from ministry.

Fr. Kealy was pleasant, however seeming condescending throughout the meeting. PRA and Fr. Kaczorowski thanked Fr. Kealy for his comments and his time.

Cc: Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests
Rev. Patrick Lagges, Judicial Vicar

RECEIVED

FEB 13 2004

ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

Francis G. MORRISEY, O.M.I.
175 Main — Ottawa, Canada – K1S 1C3

☎(613)-230-3521
FAX (613) 230–9677
MESSAGE (613) 237-0580
e-mail: morrisey@istar.ca

February 6, 2004

Ms. Leah McCLUSKEY,
Profesional Responsibility Administrator,
P.O. Box 1979,
CHICAGO, IL USA 60690-1979

Dear Ms. McCLUSKEY,

This is just a note to thank you for your two letters of January 27th concerning Rev. Robert Kealy [redacted]

You certainly are most careful to keep me informed, and I appreciate your thoughtfulness.

Best wishes,

Francis G. MORRISEY, O.M.I.

COPY

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility

P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

February 11, 2004

Rev. Robert Kealy
Post Office Box 455
Mundelein, IL 60060-0455

Dear Fr. Kealy,

Per your request of January 26th, enclosed you will find a copy of the contact information sheet that was sent to parishes regarding reporting an allegation.

Please contact Leah McCluskey if you have any questions at 312-751-5205.

Sincerely,

Laura A. Neri-Palomino

Laura A. Neri-Palomino
Administrative Assistant

Enclosure

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility
676 N. St. Clair, Suite 1910
Chicago, IL 60611

(312) 751-5205
1-800-994-6200
Fax (312) 751-5279

In order to respond to the needs of individuals who have been abused by priests or deacons of the Archdiocese of Chicago the following telephone numbers are provided for your use.

ARCHDIOCESE OF CHICAGO

OFFICE OF PROFESSIONAL RESPONSIBILITY for reporting priest/deacon abuse of minors
Leah McCluskey, MSW, LSW, Administrator
312-751-5205
1-800-994-6200 (COOK & LAKE COUNTY)
lmccluskey@archchicago.org

OFFICE OF VICARS FOR PRIESTS for reporting priest/deacon abuse of adults

Rev. James Kaczorowski, Vicar
312-642-1837
jkaczorowski@archchicago.org

Rev. Thomas Tivy, Vicar
312-642-1837
ttivy@archchicago.org

OFFICE OF ASSISTANCE MINISTRY for outreach to those affected by priest/deacon abuse
Ralph Bonaccorsi, Director
312-751-8267
rbonaccorsi@archchicago.org
assistmin@archchicago.org

OFFICE FOR THE PROTECTION OF CHILDREN & YOUTH (Safe Environment Program)
Jan Slattery, Director
312-751-5319
jslattery@archchicago.org
safekids@archchicago.org

OFFICE OF COMMUNICATIONS
James Dwyer, Director
312-751-8227
jdwyer@archchicago.org

OFFICE OF LEGAL SERVICES
John O'Malley, Director
312-751-5379
Jomalley@archchicago.org

CIVIL AUTHORITIES

DEPARTMENT OF CHILDREN AND FAMILY SERVICES (D.C.F.S.)
1-800-252-2873

COOK COUNTY STATE'S ATTORNEY ---
312-603-5440

LAKE COUNTY STATE'S ATTORNEY
847-377-3000

From: Leah McCluskey
To: Neri-Palomino, Laura
Date: 2/11/04 1:45PM
Subject: Kealy

Laura,

Could you please send a copy of the contact info. phone numbers [the one you put together to send to the parishes] regarding reporting an allegation to Fr. Kealy? Just in the cover letter, refer to the fact that this information was being sent to him as he requested on Jan 26th.

Thanks.

Leah

ARCHDIOCESE OF CHICAGO

Department of Personnel Services

Post Office Box 1979
Chicago, Illinois 60690-1979

312-751-8349
Fax: 312-751-9806
cfowler@archchicago.org

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February 12, 2004

Rev. Robert L. Kealy
Cardinal Stritch Retreat House
PO Box 455
Mundelein, IL 60060

Dear Fr. Kealy:

I received your letter requesting ministerial expense reimbursement today. There are a couple of difficulties with your request.

First, the ministerial expense allowance is for a fiscal year. There is a reimbursement potential of up to $2100 per fiscal year, incurred in that fiscal year. By January of 2003, we had paid you a total of $1998 for ministerial expenses for the fiscal year 2003. Therefore, there was $102 available for FY 2003. Most of the expenses you turned in are for FY 2003.

Secondly, we need receipts for each item that is requested that demonstrate that the expense was actually a ministerial expense. For example, we would not ordinarily pay phone bills or wireless bills. If there were some specific long distance calls requested for reimbursement, we need receipts with some kind of description as to why these expenses are for purposes of ministry. This description does not need to give names that might violate someone's confidentiality.

Therefore, the only expenses that would qualify for FY 2004 expenses are the telephone expenses after July 1, 2003 and we need some kind of documentation that these are actually ministerial expenses.

Please feel free to call if you would like to discuss this. I am sorry about the "bad news" this letter represents.

God Bless you and I hope you have a Happy and Healthful New Year.

Sincerely,

CF
Carol Fowler

Cc: Rev. James Kaczorowski

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility

P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

PROFESSIONAL RESPONSIBILITY REVIEW BOARD MEETING
Saturday, February 21, 2004- 9:00 a.m. to 1:00 p.m.

AGENDA

I. Approval of Minutes – January 10, 2004

II. Case Reviews

Preliminary Review:

A. [redacted]

III. **Case Updates:**

A. [redacted]

B.

IV. **Monitoring Meetings/Monitoring Update**

A. [redacted]

B.

C.

D. Robert Kealy (Withdrawn 2001) - PFR-83

E. [redacted]

F.

G.

H.

V. [redacted]

VI. **Update on New Allegations Received**

The next scheduled Board Meeting is for Saturday, March 20, 2004

ARCHDIOCESE OF CHICAGO
VICAR FOR PRIESTS
645 NORTH MICHIGAN AVENUE, SUITE 543
CHICAGO, ILLINOIS 60611

Off: (312) 642-1837
Fax: (312) 642-4933

February 26, 2004

Dear Brother Priests,

Attached is a copy of the letter which the Cardinal sent to all priests in the Archdiocese. This is being sent to you to keep you informed about the communication that is being sent at this time. If you have questions, please feel free to contact Leah McCluskey, Tom Tivy or myself.

Be assured of my prayers and support for you. The beginning of the season of Lent reminds us of the One who sustains us through the difficult times of our lives. May this Jesus be with each of you, now and always.

God bless you.

Sincerely, in Christ,

Rev. Jim T. Kaczorowski
Vicar for Priests

Cc: Leah McCluskey
Rev. Thomas A. Tivy

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

February 26, 2004

Dear Brothers in Christ:

First, thanks to all of you who shared with your parishioners a copy of my February 15 letter concerning the John Jay study in advance of that report's official release tomorrow. You will remember that there are actually two reports to be released tomorrow, both commissioned by the Bishops. The John Jay social science study will contain national statistics regarding both those abused and accused, as well as dollar amounts spent to respond to the crisis. The National Review Board report will provide a context for the John Jay data.

We have been asked to wait until the reports are officially released tomorrow to offer comment on them, when real figures and perspective become public. I am told that both reports will be available to be viewed by 10 a.m. Friday on the U.S. Conference of Catholic Bishops website (www.usccb.org, linked to our website at www.archchicago.org). I will meet with media tomorrow to respond to the reports in their entirety and at that time offer our own up-to-date figures for the Archdiocese of Chicago about allegations made against clergy because of sexual abuse of children and youth since 1950.

I am including in this fax an advance copy of a letter and attachment I would like you to share with your parishioners this weekend about the reports. (*A clean copy of this letter will be available to you to download on Friday morning from the archdiocesan website, www.archchicago.org, in English, Spanish, and Polish.)* We will share this same letter with news media at tomorrow's news conference.

We will also be initiating a new service to access information for the protection of minors and to assist those who may have been sexually abused by a priest. The service will allow self-identified individuals, upon request, to receive appropriate information, already made public in another forum, regarding whether there has been reason to suspect that a past or present priest of the Archdiocese of Chicago may have abused a minor. All those inquiring will receive a written response. For inquiries on 98% of archdiocesan priests, the information provided will simply include an ordination date and a description of a current assignment. It is likely that we will be asked to describe this service at the news conference.

I was grateful to learn that some parishes are planning prayer services to coincide with the release of the John Jay report, because surely the issues raised by it are matters to be brought to prayer. I understand, too, that other parishes are planning discussions in which the report can be further evaluated. Because the release of this study could reopen some wounds among our people -- particularly among those who may have been abused -- I encourage you to have on hand contact information about how allegations of clergy sexual abuse can be reported.

AOC 016090

No other group has faced the scrutiny involved in this type of study, and I know that this cannot be an easy time for you amidst the attention focused on the data that this report will contain. Yet, you are the "face" of the Church within your parish communities, in times both easy and hard. So many of you have told me of the kindness of your parishioners who have expressed their personal support for your priestly ministry – and, like you, I take great comfort from this support.

My prayer for you today is the same one I pray for myself: that in our intentions and in our actions, we might be worthy of the trust placed in us by Jesus Christ and by those whom we serve in his name and with his authority. Thank you for your life and ministry as priests in the Archdiocese of Chicago. Please keep me in your prayers.

Fraternally yours in Christ,

Francis Cardinal George

Francis Cardinal George, O.M.I.
Archbishop of Chicago

AOC 016091

FAX

RECEIVED
FEB 27 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

VICAR FOR PRIESTS OFFICE
645 N. Michigan, Suite 543
Chicago, Illinois 60611
(312) 642-1837
Fax: (312) 642-4933

To: Leah McCluskey

From: Mary Ann

Fax Number:

Date: 2/27/04

Number of pages including cover sheet: 7

MESSAGE:

____URGENT ____FOR YOUR REVIEW ____REPLY ASAP ____COMMENT

Leah,

This is material faxed to priests at Loeing Hall last night. Kay listed you as contact together with Tom and himself, if there are calls from those at Loeing Hall.

Blessings on this day!

Mary Ann

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

Post Office Box 1979
Chicago, Illinois 60690-1979

February 27, 2004

Dear Brothers and Sisters in Christ:

Today the John Jay College of Criminal Justice in New York City released a nationwide social science research study, commissioned by the U.S. Bishops, on clerical sexual abuse of minors. The John Jay Study is a quantitative analysis based on confidential data gathered from almost every diocese, eparchy, and religious order in the U.S. on sexual abuse of minors by Catholic clergy from 1950 to 2002. The data will be crucial in searching for the causes of clerical sexual abuse and in preventing it in the future. This is the study's purpose. A report by the National Review Board providing context for the John Jay data will also be released today.

Officials of the Archdiocese have already published basic data in two reports covering the periods 1950 to 1992 and 1993 to 2002. This information has been updated through December 31, 2003, and is shown on the attached information sheet.

Archdiocesan records reflect that 2,513 archdiocesan priests served in the Archdiocese of Chicago between 1950 and 2003. The Archdiocese has found reason to suspect that, during these 53 years, sexual misconduct with a minor occurred in 142 cases involving 55 Archdiocesan priests, about 2 percent of archdiocesan priests. Of the 55 priests, 13 are deceased, 22 have resigned from the priesthood and 20 are withdrawn from ministry. None is engaged in any public ministry. All cases have been reported to the public authorities.

Money spent because of clerical sexual abuse includes $26.9 million for victim assistance, settlements and support in the period 1950-2003. Beginning in 1992, the year the Bernardin Commission established procedures for dealing with clerical sexual misconduct, through December 21, 2003, $5.9 million was spent for treatment and monitoring of priests, and $5.9 million for legal expenses. Of the $5.9 million spent on legal fees, $1.3 million was spent to defend a priest and a school principal judged to be innocent by a civil jury.

The Archdiocese of Chicago, complying with the definition of "allegation" supplied by the John Jay Study, reported for the study all recorded notifications of clerical sexual misconduct with minors, whether or not they resulted in any investigation or whether there was reasonable cause to suspect abuse had occurred.

Since 1992, the Archdiocese of Chicago has addressed allegations of abuse of minors and promoted healing of victims through an Assistance Ministry office, an independent Review Board, and a regular process for reporting abuse allegations to the civil authorities and the public. More recently, the Archdiocese created an Office for the Protection of Children and Youth. It oversees child abuse training programs and background screenings of over

AOC 016093

50,000 employees and volunteers. These measures have allowed us to reach out to victims and parish communities, to create safe environments for children and to remove from ministry any priest for whom there was reasonable cause to suspect that sexual misconduct with a minor had occurred. All of these initiatives will continue in our seminaries, schools, parishes and ministry offices.

The bishops of the United States have kept the promises they made during and following their June, 2002, Dallas meeting. All offending priests have been removed from ministry; an independent study was undertaken to understand the extent and causes of clerical misconduct; and policies and procedures have been put in place in every diocese in the United States to deal with abuse allegations, to insure the safety of children and to communicate openly with the public. Most important of all, the care of victims has been formalized and will remain high on the agenda of the Church.

The publication of these results reminds us that some priests betrayed the trust placed in them by Christ, by the children He loves, and by families. Church leaders who failed to act on their behalf only added to the harm done. I again sincerely apologize to the victims and to their families for the anguish they have endured. I offer once again an invitation to anyone who has experienced sexual abuse by a priest or deacon to bring this information to our attention by contacting the Office of Professional Responsibility at 1-800-994-6200.

The consequences of these failures have deeply affected the entire Catholic community. I know that many of you are angered and embarrassed, as am I. We can learn from the transgressions of the past, however, and make as sure as we can that no other child or young person goes through what those who have been victims continue to suffer.

You are always in my prayers. Please keep me in yours.

Sincerely yours in Christ,

Francis Cardinal George

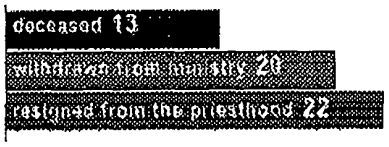
Francis Cardinal George, O.M.I.
Archbishop of Chicago

Attachment

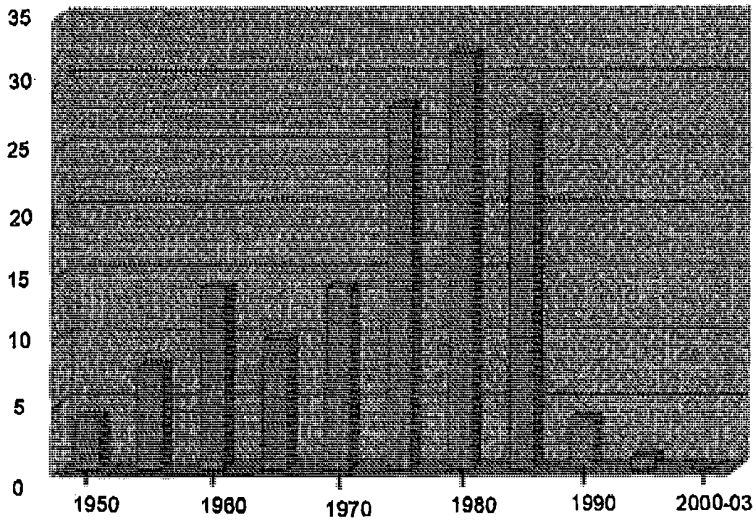
ARCHDIOCESE OF CHICAGO - INFORMATION SHEET

ACCUSED PRIESTS: HOW MANY, WHERE THEY ARE NOW, WHEN OCCURRED

The Archdiocese of Chicago found reasonable cause to suspect that sexual misconduct with a minor had occurred in 142 cases involving 55 Archdiocesan priests in the period 1950-2003. None is currently in ministry. Most incidents occurred between 1970 and 1985.

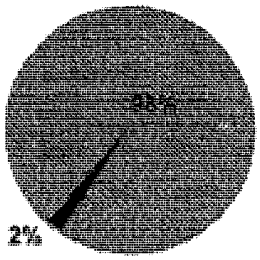


DATE OF INCIDENTS



ACCUSED PRIESTS AS PART OF TOTAL POPULATION

Archdiocesan records reflect that 2,513 archdiocesan priests served in the Archdiocese between 1950 and 2003. Those priests for whom there was reason to suspect that they had engaged in sexual misconduct with a minor represent about two percent of the total number.



FINANCIAL IMPACT

The Archdiocese has spent $38.7 million on clerical sexual abuse since from 1950 to 2003.



TO REPORT A CASE OF ABUSE

To The Archdiocese

To report suspected sexual abuse of a minor by a priest or deacon ~*presently or in the past*~ call:

Leah McCluskey, MSW, LSW *Administrator*
Office of Professional Responsibility
(800) 994-6200
(Lake and Cook counties only)
or **(312) 751-5205**
Send written allegations to:

Leah McCluskey, Administrator
Office of Professional Responsibility
Archdiocese of Chicago
Post Office Box 1979
Chicago, Illinois 60690-1979
Email: lmccluskey@archchicago.org
Fax: (312) 751-5279

To Other Authorities

To report allegations directly to civil authorities, call:

The Department of Children and Family Services (D.C.F.S.)
(800) 252-2873
Cook County State's Attorney
(312) 603-5440
Lake County State's Attorney
(847) 377-3000

COMPLETE INFORMATION ON OUR WEB SITE

[illegible] procedures [illegible] Archdiocese of Chicago [illegible] protocols [illegible] safe environment [illegible] www.archchicago.org [illegible] KEEPING CHILDREN SAFE

RECEIVED
MAR 0 4 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

TRAVEL/VACATION NOTIFICATION

Rev. Robt. Kealy [name of cleric] has informed this office that he will be traveling to [redacted] [redacted] CA [destination address and contact phone number] from MAR 5 [departure date] through MAR 7 [return date].

FR KEALY [name of cleric] will be monitored by [redacted] [name of travel monitor]. [redacted] [name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by FR KEALY [name of cleric] must be in the presence of [redacted] [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] [name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over MAR 5-7 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY 's [cleric name] residence has been scheduled for MAR 7 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert L. Kealy **Date:** 2/3/04

PRA Signature: Leah McCluskey **Date:** 3/4/04

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

Permission granted orally by Leah McCluskey on 2/3/04

Reverend Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

RECEIVED
MAR 10 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

March 9, 2004

Ms. Leah McCluskey
Administrator
Office of Professional Fitness
Suite 1910
676 N. St. Clair
Chicago, IL 60611

Dear Leah:

I am planning to travel to New York City, March 19-21, for a meeting of Opus Bono Sacerdotii. My travel monitor will be [redacted] the President of Opus Bono Sacerdotii. We will be staying at the Waldorf-Astoria Hotel. [redacted]'s phone number is [redacted].

Enclosed is a completed Travel/Vacation Notification form.

With cordial good wishes, I remain

Sincerely yours,

Robert L. Kealy

Reverend Robert L. Kealy

cc: Reverend Anthony Talarico

Reverend Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

RECEIVED
MAR 16 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

March 14, 2004

Ms. Leah McCluskey
Administrator
Office of Professional Fitness Review
Suite 1910
676 N. St. Clair
Chicago, IL 60611

Dear Leah:

In regard to the Individual Specific Protocol which Cardinal George is requiring us to sign, please note that blanks were not filled in on the form you gave me. Please complete the form and return it to me for my signature.

Thank you very much.

Sincerely yours,

Robert L. Kealy

Reverend Robert L. Kealy

TRAVEL/VACATION NOTIFICATION

RECEIVED
MAR 10 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

FR. ROBERT KEALY [name of cleric] has informed this office that he will be traveling to NY, NY - WALDORF ASTORIA [destination address and contact phone number] from MAR 19 [departure date] through MAR 21 [return date].

FR KEALY [name of cleric] will be monitored by [redacted] CELL: [redacted] [name of travel monitor]. [redacted] [name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by FR KEALY [name of cleric] must be in the presence of [redacted] [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] [name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over MAR 19-21 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY 's [cleric name] residence has been scheduled for MAR 21 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert L. Kealy **Date:** 3/8/04

PRA Signature: [signature] **Date:** 3/14/04

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

RECEIVED
MAR 15 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

FAX

VICAR FOR PRIESTS OFFICE
645 N. Michigan, Suite 543
Chicago, Illinois 60611
(312) 642-1837
Fax: (312) 642-4933

To: Leah McCluskey

From: Fr. Jim Kaczorowski

Fax Number:

Date: 3/15/04

Number of pages including cover sheet: 4

MESSAGE:

___URGENT ___FOR YOUR REVIEW ___REPLY ASAP ___COMMENT

ARCHDIOCESE OF CHICAGO
VICAR FOR PRIESTS
645 NORTH MICHIGAN AVENUE, SUITE 543
CHICAGO, ILLINOIS 60611

Off: (312) 642-1837
Fax: (312) 642-4933

RECEIVED
MAR 15 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

MEMO

To: **Most Reverend Raymond E. Goedert**
Most Reverend Edwin M. Conway
Mr. Jimmy Lago
Dr. Carol Fowler
Ms. Leah McCluskey
Reverend Thomas A. Tivy
Reverend Daniel A. Smilanic
Reverend Anthony Talarico
Reverend Edmund J. Siedlecki

From: **Reverend James T. Kaczorowski**

Date: **March 15, 2004**

Re: **Residents at Koenig Hall**

Attached is a copy of the letter sent by Francis Cardinal George to each of the residents at Koenig Hall, Cardinal Stritch Retreat House.

Reverend Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

RECEIVED
MAR 17 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

March 15, 2004

Ms. Leah McCluskey
Administrator
Office of Professional Fitness
P.O. Box 1979
Chicago, IL 60690

Dear Leah:

I am planning to visit my sister an brother-in-law, [redacted] for Easter. I will be gone April 9-12. I will be staying at my sister's house in [redacted] Virginia. Her telephone number is [redacted].

Enclosed is a completed Travel/Vacation Notification form.

With cordial good wishes, I remain

Sincerely yours,

Robert L. Kealy

Reverend Robert L. Kealy

cc: Reverend Anthony Talarico

COPY

Reverend Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

RECEIVED
MAR 17 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

March 15, 2004

COPY
of an original document from the files of
VICAR FOR PRIESTS OFFICE
ARCHDIOCESE OF CHICAGO
This is a red ink stamp!
DO NOT COPY

Ms. Leah McCluskey
Administrator
Office of Professional Fitness
P.O. Box 1979
Chicago, IL 60690

Dear Leah:

I am planning to visit my sister an brother-in-law, Mr. and Mrs. [redacted] for Easter. I will be gone April 9-12. I will be staying at my sister's house in [redacted] Virginia. Her telephone number is [redacted].

Enclosed is a completed Travel/Vacation Notification form.

With cordial good wishes, I remain

Sincerely yours,

Robert L. Kealy

Reverend Robert L. Kealy

cc: Reverend Anthony Talarico

TRAVEL/VACATION NOTIFICATION

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MAR 17 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

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ARCHDIOCESE OF CHICAGO
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FR KEALY [name of cleric] has informed this office that he will be traveling to [redacted] VIRGINIA [destination address and contact phone number] from APRIL 9, '04 [departure date] through APRIL 12, [redacted] [return date]. FR KEALY [name of cleric] will be monitored by [redacted] [name of travel monitor]. [redacted] name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by FR KEALY [name of cleric] must be in the presence of [redacted] e of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over APRIL 9-12 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY 's [cleric name] residence has been scheduled for APRIL 12 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Patrick J Kealy **Date:** 3/15/04

PRA Signature: Paul McCluskey **Date:** 3/17/04

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

Post Office Box 1979
Chicago, Illinois 60690-1979

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March 15, 2004

Rev. Robert L. Kealy
P O Box 455
Mundelein, IL 60060

Dear Father Kealy,

I would like to take this opportunity to inform you that the Most Reverend Raymond E. Goedert will assume the responsibilities of interim monitor at the Cardinal Stritch Retreat House, Koenig Hall, effective Tuesday, March 16, 2004. While he serves in this capacity, Bishop Goedert will reside at the retreat house. I am deeply grateful to him for accepting this responsibility at the present time. As this transition occurs, I also wish to thank Father Anthony Talarico for having served in the capacity of monitor for the past two or more years while, at the same time, performing his primary duties of administrator at the retreat house.

Sometime within the next two weeks, Bishop Goedert, Father Jim Kaczorowski, my Vicar for Priests, and Ms. Leah McCluskey, Professional Responsibility Administrator, will meet with the residents at Koenig Hall as a group and review the contents of the protocol. We are also inviting Father Talarico and Father Siedlecki to be present for this meeting since there will be occasions when they will function as monitor in Bishop Goedert's absence.

I am sorry this process is taking so much longer than I believed and expected it would. I want to assure you of my prayers for you. Likewise, I ask that you pray for me. May this season of Lent be a time of special blessing for you.

Sincerely, yours in Christ,

Francis Cardinal George
Archbishop of Chicago

Cc: Most Reverend Raymond E. Goedert
Most Reverend Edwin M. Conway
Mr. Jimmy Lago
Dr. Carol Fowler
Ms. Leah McCluskey
Reverend James T. Kaczorowski
Reverend Thomas A. Tivy
Reverend Daniel A. Smilanic
Reverend Anthony Talarico
Reverend Edmund J. Siedlecki

FAX

VICAR FOR PRIESTS OFFICE
645 N. Michigan, Suite 543
Chicago, Illinois 60611
(312) 642-1837
Fax: (312) 642-4933

To: Rev. Robert Kealy

From: Fr. James Kaczorowski

Fax Number:

Date: 3/15/04

Number of pages including cover sheet: 3

MESSAGE:

____URGENT ___FOR YOUR REVIEW ____REPLY ASAP ____COMMENT

Attached you will find a copy of the letter being sent to you by Cardinal George. The original will reach you by mail. Be assured of my prayers for you.

Fraternally,

JK

TRAVEL/VACATION NOTIFICATION

RECEIVED
MAR 17 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

FR KEARY [name of cleric] has informed this office that he will be traveling to [redacted] VIRGINIA [destination address and contact phone number] from APRIL 9, '04 [departure date] through APRIL 12, '04 [return date].

FR KEARY [name of cleric] will be monitored by [redacted] [name of travel monitor]. [redacted] name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEARY [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by FR KEARY [name of cleric] must be in the presence of [redacted] e of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEARY [cleric name] over APRIL 9-12 [aforementioned time frame].
3. As previously noted, the date of return to FR KEARY 's [cleric name] residence has been scheduled for APRIL 12 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert J Keary **Date:** 3/15/04

PRA Signature: Paul McCarthy **Date:** 3/17/04

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

RECEIVED
MAR 2 6 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

MEMORANDUM OF THE MEETING OF MARCH 22, 2004

This is a provisional draft of what took place in the post-meeting-meeting. Feel free to give Fr. Keehan any corrections you think helpful and he will incorporate them. Needless to say, written corrections will be quoted more accurately.

Monday, March 22, 2004

Two meetings were at the Secure Location. In the first the "voluntary" residents had a very frank discussion with Fr. Kaczorowski and Ms. McCluskey. Several issues were surfaced, including the details of implementing monitoring.

During that discussion, Bishop Goedert proposed a discussion following the meeting with Fr. Kaczorowski and Ms. McCluskey. Most of the voluntary residents attended the second meeting:

Bishop Goedert, D. Buck, P. Bowman, E. Siedlecki, J. Keehan, [redacted] [redacted] and several others.

These are the results of that second discussion with Bishop Goedert.

1. Bishop Goedert suggested that a small group propose practical suggestions on the implementation of the Archdiocesan monitoring protocols. Bishop Goedert offered to convey such suggestions to the Review Board and Cardinal for their consideration.

2. After some discussion it was agreed that R. Kealey, D. Buck and J. Keehan would meet with Bishop Goedert at 1 p.m. on Friday, March 26, 2004 at the Secure Location. They would attempt to create a list of practical suggestions on the implementation of the Archdiocesan monitoring protocols.

3. Bishop Goedert would like the voluntary residents to submit their hourly logs on a weekly basis, by passing them under the door of Room 200. He said they should be submitted at the end of each week if that is practical.

4. Bishop Goedert clarified that any overnight away from the secure location required filling out the Vacation Information Form in advance and sending it to Ms. McCluskey (faxing it if necessary). The inmate is also to inform Bishop Goedert of the overnight.
Some arrangement can be made for a regular overnight away.

5. Bishop Goedert does not consider his role to be one of granting permissions.

6. Bishop Goedert distinguished necessary and prudent monitoring from what appeared to be more punitive or penal extensions of monitoring.

7. P. Bowman observed that the monitoring appears to be a public relations campaign rather than a response to any real danger the voluntary residents might present.

8. The post-meeting meeting broke up at 9:30 p.m.

Francis G. MORRISEY, O.M.I.
175 Main — Ottawa, Canada – K1S 1C3

Φ(613)-230-3521
FAX (613) 230–9677
MESSAGE (613) 237-0580
e-mail: morrisey@istar.ca

March 25, 2004

His Eminence Francis Cardinal GEORGE, O.M.I.,
Archbishop of Chicago,
P.O. Box 1979,
CHICAGO, IL USA 60690

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Your Eminence,

Re: Rev. Robert KEALY

I trust that you are keeping well. We will be looking forward to your visit to the General Chapter in September.

As his canonical advocate (although this is not a case for advocacy), I am writing today concerning a particular request that Father Bob Kealy is making regarding the eventual celebration of the funeral Mass of his brother [redacted]. Bob is asking to be able to officiate at the funeral [redacted].

In addition to all the compassionate and pastoral reasons that could be invoked to grant him this permission, there are a number of canonical reasons that could also be considered, so that this permission could be granted.

I will list some of them here:

1. He has not been found guilty of any canonical delict.

2. He enjoys the presumption of innocence until the contrary is proven.

3. The restrictions on future ministry are directed towards those priests who have been found guilty of a delict of sexual abuse of a minor.

4. The present state of "limbo" in which Father Bob finds himself is the result of a "gentleman's agreement", rather than of a decree issued pursuant to canon 1722.

5. Bob has fully complied with the restrictions.

6. Even if canon 1722 had been invoked, its purpose is to ensure a fair trial and to guarantee the safety of children. Those concerns do not apply in the present situation. Therefore, it seems very prudent to be able to grant the permission.

7. Similar permissions have been granted in other dioceses in the USA, so it is not an exception to accepted pastoral practice.

8. To decline permission would appear to be unnecessarily severe, both to Bob, and to his family, who are active parishioners.

9. In his address to the Congregation for the Doctrine of the Faith, February 6, 2004, Pope John Paul II said: "Once the offence has been proven, he said, it is necessary in each case to assess carefully both the just principle of proportionality between fault and punishment, as well as the predominant need to protect the entire People of God." So, if even in cases where an offence has been proven, there is still a need for proportionality, even more so in the present situation where no canonical delict has been proven.

- - - - -

Therefore, I am asking whether you could not grant this one time authorization.

Thanking you for the attention you will give this request, and with my best personal wishes, I am, yours very gratefully,

Francis G. MORRISEY, O.M.I.

CC: Rev. Robert Kealy

Office of Professional Responsibility
676 N. St. Clair, Suite 1910
Chicago, IL 60611
(312) 751-5205

RECEIVED
MAR 16 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

INDIVIDUAL SPECIFIC PROTOCOLS
For

Rev. Robert Kealy

The Individual Specific Protocols (ISP) implement the primary goal of protecting minors. Additionally, the ISP protects the integrity of the Church and serves as a safeguard for individual priest or deacon. As long as the cleric is a client of the Office of Professional Responsibility, he will be subject to appropriate protocols, restrictions and monitoring under the authority of the Vicar for Priests and supervised by the Professional Responsibility Administrator (PRA); please refer to protocol number 15. The agreement of a priest or deacon to abide by these protocols is not understood to prove the truth of any allegation and is not intended to be an admission of guilt for any delict or crime, whether in Canon Law, or State and Federal Law. This agreement represents the cooperation of the cleric with his bishop as he exercises his pastoral office (e.g., Canons 369 and 392).

This ISP for Robert Kealy is as follows (PRA to initial all that apply):

1. (W) Restricted from being alone with minors (anyone under the age of 18) without the presence of another responsible adult.
2. [redacted]
3. [redacted]
4. (W) The "Clergy Daily Log" to be completed on a daily basis and co-signed by the monitor. The log is a tool that is used for the protection of minors, the priest/deacon, the monitor and the Archdiocese. Although it lists all time periods, it is intended to provide an accurate record of the day rather than a detailed clock. If you are describing an off-campus activity, please include the place, the general purpose of the visit/trip/activity (e.g. Spiritual Direction, therapy), and the telephone number only if it is a private residence. (For example, it is enough to indicate that you did personal shopping rather than the name, location and telephone number of each individual store.) If your self-description is challenged, some documentation/verification may be requested.
5. (W) Abide by the assignment of residence to Cardinal Stritch Retreat House

6. W No inappropriate use of computers, software, Internet capabilities, communications tools or video technology. The standards articulated in the *Policies and Procedures of the Archdiocese of Chicago* and the *Handbook For Archdiocesan Employees* will apply.

7. W Must complete and submit the "Travel/Vacation Agreement", and obtain concurrence with the Agreement, prior to a scheduled departure.

8. N/A Attendance at a recommended support group _____ (please indicate specific support group). Recommended frequency of ____ times per week/month (please circle one). Attendance at a recommended support group is to be reflected on "Clergy Daily Log" forms.

9. W No ministerial participation in the public celebration of the Eucharist or any other Sacrament or Sacramental without the prior, written permission of the Vicar for Priests.

10. W Refrain from wearing any garb that would give the appearance of, or seem to infer, a priest/deacon who has canonical faculties and is currently assigned to some ministry (e.g., the 'clerical shirt').

11. W The right of defense must not involve the public life of the Church.

12. W On-site visits by PRA annually to include meeting with PRA and the cleric.

13. W On-site visits by Vicar for Priests (VP) annually to include a meeting with VP and the cleric.

14. W This ISP is to be reviewed annually with PRA, VP, and the cleric.

15. Because the private celebration of the Eucharist is possible, during the course of each week one of the Masses celebrated is to be for the intention of the priests of the Archdiocese of Chicago.

16. Any change or alteration to this agreement will involve consultation with the cleric, his monitor, the PRA, and the VP. The cleric, his monitor, the PRA, or the VP can initiate the discussion for change or alteration, and at the discretion of any of the parties, his legal and/or canonical counsel may be involved.

I have reviewed, understand, and agree to all of these individual specific Protocols.

Signed: See attachment dated 3/28/04 Date: _____

Printed Name: _____

Signature of PRA: Neal McCluskey Date: 3/31/04

Signature of VP: _____ Date: _____

Attachment to ISP for Rev. Robert L. Kealy

I was told by Father Kaczorowski that Cardinal George said that any accused priest who did not sign this agreement would have his salary cut off. Since I cannot afford to live without a salary, I am signing this under duress.

I will comply with all legitimate directives of Cardinal George. Furthermore, as a sign of good-will, I have complied with and will comply with all reasonable requests of the Cardinal.

I would point out, however, that I consider that it defamatory (c. 220) for the Archdiocese to state that accused priests are placed in a "restricted, monitored setting" or that they are being monitored. This connotes that the priest is a danger to the public and it reinforces the accusation of SNAP that accused priests are dangerous men. To my knowledge, virtually no other diocese in the United States has such a monitoring policy. Thus it is not accepted pastoral practice. There is nothing in canon law or the Essential Norms which gives the diocese bishop the right to impose such restrictions and the penal law must be interpreted strictly (c. 18). Particular law (i.e., diocesan policy) may not infringe on legitimate rights protected by the Code of Canon Law (e.g. c. 220).

I consider #4 to be an illegitimate infringement on a priest's right to privacy (c. 220).

I consider #7 to be an infringement of a diocesan priest's legitimate autonomy of life.

I consider #10 to be an illegitimate restriction of the rights of an accused priest. It has no basis in canon law or the Essential Norms.

I consider #11 to be an illegitimate infringement of the rights of an accused priest. The Chancellor of the Archdiocese has used the Archdiocesan newspaper to declare all accused priests guilty (cf. Archdiocesan *Ten Year Report*), however item #11 denies an accused priest the right to defend himself. I would also point out that Bishop Howard Hubbard wrote a letter defending himself which was read at the Masses in the parishes of his diocese and he has used his diocesan newspaper to defend himself. I believe these actions of Bishop Hubbard were legitimate.

Regarding #15, I pray for the Cardinal and the priests of the Archdiocese at every Mass which I celebrate. It is gratuitous to include such an item in the protocols.

Signed under duress Robert L. Kealy 3/28/04

Rev. Robert L. Kealy Date

ARCHDIOCESE OF CHICAGO

COPY

Office of Professional Responsibility

P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

March 18, 2004

Rev. Robert Kealy
Cardinal Stritch Retreat House
PO Box 455
Mundelein, Illinois 60060

Dear Fr. Kealy,

Thank you so much for your letter dated March 14, 2004. I apologize for the oversight of not providing my initials in the appropriate spaces on the Individual Specific Monitoring form. I appreciate you bringing this to my attention.

Please review and complete the enclosed Individual Specific Monitoring form. I ask that you return it to me no later than March 31, 2004.

Fr. Kealy, please know that you, your brother, and your family are in my thoughts and prayers.

Peace,

Leah McCluskey
Professional Responsibility Administrator

Enclosure

Reverend Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

RECEIVED
APR 07 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

April 3, 2004

Ms. Leah McCluskey
Administrator
Office of Professional Fitness
P.O. Box 1979
Chicago, IL 60690

Dear Leah:

I am planning to another visit to my brother [redacted] in [redacted]. I will be gone April 23-25. His address is [redacted] CA [redacted]. His phone number is [redacted].

Enclosed is a completed Travel/Vacation Notification form.

With cordial good wishes, I remain

Sincerely yours,

Robert L. Kealy

Reverend Robert L. Kealy

cc: Most Reverend Raymond Goedert

ARCHDIOCESE OF CHICAGO

COPY

Office of Professional Responsibility

P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

MEMORANDUM

To: Rev. James Kaczorowski, Vicar for Priests

From: Laura A. Neri-Palomino LNP

Re: Rev. Robert Kealy

Date: April 7, 2004

Please sign the enclosed Individual Specific Protocols for Fr. Robert Kealy and return to Leah McCluskey at your earliest convenience.

Thank you for cooperation.

TRAVEL/VACATION NOTIFICATION

FR ROBERT KEALY [name of cleric] has informed this office that he will be traveling to [redacted] CA [destination address and contact phone number] from APRIL 23 [departure date] through APRIL 25 [return date].

RECEIVED
APR 07 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

FR KEALY [name of cleric] will be monitored by [redacted] [name of travel monitor]. [redacted] [name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by FR KEALY [name of cleric] must be in the presence of [redacted] [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] [name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over APRIL 23-25 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY 's [cleric name] residence has been scheduled for APRIL 25 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert L Kealy **Date:** April 3, 2004

PRA Signature: [signature] **Date:** 4/7/04

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

Reverend Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

RECEIVED
APR 12 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

April 8, 2004

Ms. Leah McCluskey
Administrator
Office of Professional Fitness
P.O. Box 1979
Chicago, IL 60690

Dear Leah:

My brother [redacted] died yesterday and his funeral will be at the end of next week. I will fly from O'Hare to San Francisco on Thursday, April 15, 2004 and arrive back in Chicago on Saturday, April 17 in the late afternoon.

I will be staying at the Crowne Plaza Hotel in Foster City, CA on Thursday and Friday night. My sister, [redacted], will also be staying at the hotel and will be the monitor.

I will still go to San Francisco, as I had notified you, April 23-25. I had already purchased a non-refundable ticket. It will give me a chance to visit with my sister-in-law and my nephews after things have quieted down.

Enclosed is a completed Travel/Vacation Notification form for the April 15-17 trip.

With cordial good wishes, I remain

Sincerely yours,

Robert L. Kealy

Reverend Robert L. Kealy

cc: Most Reverend Raymond Goedert

Office of Professional Responsibility
676 N. St. Clair, Suite 1910
Chicago, IL 60611
(312) 751-5205

RECEIVED
MAR 16 2004
ARCHDIOCESE OF CHICAGO
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OFFICE OF PROFESSIONAL RESPONSIBILITY
ARCHDIOCESE OF CHICAGO
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INDIVIDUAL SPECIFIC PROTOCOLS
For
Rev. Robert Kealy

The Individual Specific Protocols (ISP) implement the primary goal of protecting minors. Additionally, the ISP protects the integrity of the Church and serves as a safeguard for individual priest or deacon. As long as the cleric is a client of the Office of Professional Responsibility, he will be subject to appropriate protocols, restrictions and monitoring under the authority of the Vicar for Priests and supervised by the Professional Responsibility Administrator (PRA); please refer to protocol number 15. The agreement of a priest or deacon to abide by these protocols is not understood to prove the truth of any allegation and is not intended to be an admission of guilt for any delict or crime, whether in Canon Law, or State and Federal Law. This agreement represents the cooperation of the cleric with his bishop as he exercises his pastoral office (e.g., Canons 369 and 392).

This ISP for Robert Kealy is as follows (PRA to initial all that apply):

1. (W) Restricted from being alone with minors (anyone under the age of 18) without the presence of another responsible adult.

2. [redacted]

3. [redacted]

4. (W) The "Clergy Daily Log" to be completed on a daily basis and co-signed by the monitor. The log is a tool that is used for the protection of minors, the priest/deacon, the monitor and the Archdiocese. Although it lists all time periods, it is intended to provide an accurate record of the day rather than a detailed clock. If you are describing an off-campus activity, please include the place, the general purpose of the visit/trip/activity (e.g. Spiritual Direction, therapy), and the telephone number only if it is a private residence. (For example, it is enough to indicate that you did personal shopping rather than the name, location and telephone number of each individual store.) If your self-description is challenged, some documentation/verification may be requested.

5. (W) Abide by the assignment of residence to Cardinal Stritch Retreat House

6. (W) No inappropriate use of computers, software, Internet capabilities, communications tools or video technology. The standards articulated in the *Policies and Procedures of the Archdiocese of Chicago* and the *Handbook For Archdiocesan Employees* will apply.

7. (W) Must complete and submit the "Travel/Vacation Agreement", and obtain concurrence with the Agreement, prior to a scheduled departure.

8. N/A Attendance at a recommended support group _____ (please indicate specific support group). Recommended frequency of ____ times per week/month (please circle one). Attendance at a recommended support group is to be reflected on "Clergy Daily Log" forms.

9. (W) No ministerial participation in the public celebration of the Eucharist or any other Sacrament or Sacramental without the prior, written permission of the Vicar for Priests.

10. (W) Refrain from wearing any garb that would give the appearance of, or seem to infer, a priest/deacon who has canonical faculties and is currently assigned to some ministry (e.g., the 'clerical shirt').

11. (W) The right of defense must not involve the public life of the Church.

12. (W) On-site visits by PRA annually to include meeting with PRA and the cleric.

13. (W) On-site visits by Vicar for Priests (VP) annually to include a meeting with VP and the cleric.

14. (W) This ISP is to be reviewed annually with PRA, VP, and the cleric.

15. Because the private celebration of the Eucharist is possible, during the course of each week one of the Masses celebrated is to be for the intention of the priests of the Archdiocese of Chicago.

16. Any change or alteration to this agreement will involve consultation with the cleric, his monitor, the PRA, and the VP. The cleric, his monitor, the PRA, or the VP can initiate the discussion for change or alteration, and at the discretion of any of the parties, his legal and/or canonical counsel may be involved.

I have reviewed, understand, and agree to all of these individual specific Protocols.

Signed: See attachment dated 3/28/04 Date: _____

Printed Name: _____

Signature of PRA: Neal McCarthy Date: 3/31/04

Signature of VP: [signature] Date: 4-9-04

Attachment to ISP for Rev. Robert L. Kealy

I was told by Father Kaczorowski that Cardinal George said that any accused priest who did not sign this agreement would have his salary cut off. Since I cannot afford to live without a salary, I am signing this under duress.

I will comply with all legitimate directives of Cardinal George. Furthermore, as a sign of good-will, I have complied with and will comply with all reasonable requests of the Cardinal.

I would point out, however, that I consider that it defamatory (c. 220) for the Archdiocese to state that accused priests are placed in a "restricted, monitored setting" or that they are being monitored. This connotes that the priest is a danger to the public and it reinforces the accusation of SNAP that accused priests are dangerous men. To my knowledge, virtually no other diocese in the United States has such a monitoring policy. Thus it is not accepted pastoral practice. There is nothing in canon law or the Essential Norms which gives the diocese bishop the right to impose such restrictions and the penal law must be interpreted strictly (c. 18). Particular law (i.e., diocesan policy) may not infringe on legitimate rights protected by the Code of Canon Law (e.g. c. 220).

I consider #4 to be an illegitimate infringement on a priest's right to privacy (c. 220).

I consider #7 to be an infringement of a diocesan priest's legitimate autonomy of life.

I consider #10 to be an illegitimate restriction of the rights of an accused priest. It has no basis in canon law or the Essential Norms.

I consider #11 to be an illegitimate infringement of the rights of an accused priest. The Chancellor of the Archdiocese has used the Archdiocesan newspaper to declare all accused priests guilty (cf. Archdiocesan *Ten Year Report*), however item #11 denies an accused priest the right to defend himself. I would also point out that Bishop Howard Hubbard wrote a letter defending himself which was read at the Masses in the parishes of his diocese and he has used his diocesan newspaper to defend himself. I believe these actions of Bishop Hubbard were legitimate.

Regarding #15, I pray for the Cardinal and the priests of the Archdiocese at every Mass which I celebrate. It is gratuitous to include such an item in the protocols.

Signed under duress Robert L. Kealy 3/28/04

Rev. Robert L. Kealy Date

TRAVEL/VACATION NOTIFICATION

FR ROBERT KEALY [name of cleric] has informed this office that he will be traveling to [redacted] CALIFORNIA [destination address and contact phone number] from APRIL 15 [departure date] through APRIL 17 [return date].

RECEIVED
APR 13 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

FR KEALY [name of cleric] will be monitored by [redacted] [name of travel monitor]. [redacted] name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by FR KEALY [name of cleric] must be in the presence of [redacted] me of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] f travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over APRIL 15-17 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY 's [cleric name] residence has been scheduled for APRIL 17 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert L Kealy **Date:** April 8, 2004

PRA Signature: [signature] **Date:** 4/12/04

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

From: [redacted]
To: <jkaczorowski@archdiocese-chgo.org>
Date: Wed, Apr 14, 2004 5:29 PM
Subject: About being always prepared

Kaz,

In the very unlikely event that there should be any media inquiry about my officiating at the funeral of my brother [redacted] I have drafted something which might be useful:

"Cardinal George and Bishop [redacted] of Oakland determined that it was pastorally appropriate to allow Father Kealy to officiate at the funeral of his brother. The funeral took place Friday in California.

"Although two years ago a single allegation was made against Father Kealy from almost thirty years ago, the canonical process is still pending. Father Kealy has not been found guilty of anything and is entitled to a presumption of innocence."

Thanks for everything, Kaz.

Bob

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ARCHDIOCESE OF CHICAGO
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Kealy

From: [redacted]
To: <jkaczorowski@archdiocese-chgo.org>
Date: Wed, Apr 14, 2004 8:18 AM
Subject: [redacted]

Kaz,

My brother [redacted] died today. Since I knew it is your day off, I called [redacted] and he asked Bishop [redacted], who gave his permission unconditionally.

As it turns out, [redacted] made arrangements to be cremated. We will probably have his memorial Mass on Friday, April 16.

To avoid setting any precedent, I am just telling the guys here that we are having a private memorial Mass.

Thanks for your help, Kaz.

Bob

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ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility

P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

April 15, 2004

Rev. Robert Kealy
P.O. Box 455
Mundelein, IL 60060-0455

Dear Fr. Kealy,

On behalf of Leah and myself our sincerest condolences on the loss of your brother [redacted] Our prayers are with you and your family during this time.

Enclosed is a copy of your travel/vacation form signed by Leah McCluskey.

Sincerely,

Laura A. Neri-Palomino

Laura A. Neri-Palomino
Administrative Assistant

Enclosures

Reverend Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

May 19, 2004

Ms. Leah McCluskey
Administrator
Office of Professional Fitness Review
P.O. Box 1979
Chicago, IL 60690

Dear Leah:

This is to let you know that I am going to be on a Mediterranean cruise from June 12-24. I will be traveling with [redacted], who will act as my monitor. He lives at [redacted], [redacted], IL [redacted]. His home phone is [redacted].

Attached is the completed travel/vacation form.

Thank you very much.

With cordial good wishes, I remain

Sincerely yours,

Robert L. Kealy

Reverend Robert L. Kealy

cc: Bishop Goedert
Father Talarico

ITINERARY

Robert L. Kealy

Saturday, June 12	Depart O'Hare on American Airlines for Nice, France
Sunday, June 13	Arrive Nice Board *Seabord Legend* in the afternoon 6:00 PM Departure
Monday, June 14	Portofino
Tuesday, June 15	Livorno
Wednesday, June 16	Sardinia
Thursday, June 17	Capri
Friday, June 18	Sorrento
Saturday, June 19	Civitavecchia
Sunday, June 20	Disembark Stay in Rome at Holiday Inn, St. Peter's until June 24
Thursday, June 24	Return flight to Chicago

TRAVEL/VACATION NOTIFICATION

FR. ROBERT KEALY [name of cleric] has informed this office that he will be traveling to MEDITERRANEAN CRUISE* [destination address and contact phone number] from JUNE 12 [departure date] through JUNE 24 [return date].

FR KEALY [name of cleric] will be monitored by [redacted]** [name of travel monitor]. [redacted] [name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by FR KEALY [name of cleric] must be in the presence of [redacted] [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] [name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over JUNE 12-24 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY 's [cleric name] residence has been scheduled for JUNE 24 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert T. Kealy **Date:** 5/19/04

PRA Signature: [signature] **Date:** 5/21/04

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

* SEE ATTACHED ITINERARY

** [redacted]

ARCHDIOCESE OF CHICAGO
PAYROLL AUTHORIZATION/CHANGE FORM/PAYROLL SET UP

RECEIVED
JUN 10 2004
HUMAN RESOURCES

ARCHDIOCESE PRIESTS

Kealy, Robert
Last Name, First, Middle Initial

[redacted]
Social Security Number

200887
Employee Number

Active F/T X Active P/T _____ Active P/T Benefits _____ Position _____

Ordination Date '72 Transfer to P.C. _____ DateTransfer from Agency/Parish/School# _____

Dept. Name _____ No. 10350 Agency _____ No. 10359

Pay through payroll **Effective Date:** July 1, 2004

Regular Salary (Compensation Book)	$ 26,445	**Non-Payroll Compensation Type**	
Other: Type			
_____	$ _____	_____	$ _____
-10%	$ _____	_____	$ _____
_____	$ _____	_____	$ _____
_____	$ _____	_____	$ _____
Total through Payroll	$ 23,800	**Total Non-Payroll**	$ _____

Comments Pastor)

Birth Date _____ EEOC: OM____ PR____ OC____ SW____ SL____ ADM____ Other____ Veteran____

Home Phone _____ Work Phone _____ Handicap: Yes_____ No_____

Mailing Address _____

_____
Street, City, State, Zip Code

Dental Insurance: Yes___ No___ Name of Dental Plan _____

Payroll Direct Deposit: Yes___ No___ Forms attached: Yes___ No___ Federal/State Taxes: Yes___ No___ Forms attached: Yes___ No___

Defined Contribution Plan (AETNA) Yes____ No____ Amount per year $_____

TRANSFERS – EFFECTIVE DATE _____

Transfer From _____ To _____
Name Parish #, School #, or Agency # Personnel Services – Interim Salary #

Transfer From _____ To _____
Personnel Services – Interim Salary # Name Parish #, School #, or Agency #

Transfer From _____ To _____
Location Location

Termination/Resignation/Date _____ Reason _____

_____	CJ _____	_____
Agency Director/Date	Department Director/Date	Director, Human Resources/Date
_____	CJ 6-9-04 _____	
Chancellor/Date	Director, Personnel Services/Date	

Original: Payroll Yellow: Human Resources Pink: Agency Gold: Benefits

Created: July, 2000

AOC 016131

TRAVEL/VACATION NOTIFICATION

RECEIVED
JUL 12 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

FR KEALY [name of cleric] has informed this office that he will be traveling to [redacted] LAKE [redacted] [destination address and contact phone number] from JULY 11 [departure date] through JULY 12 [return date].

FR KEALY [name of cleric] will be monitored by [redacted] [name of travel monitor]. [redacted] [name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by FR KEALY [name of cleric] must be in the presence of [redacted] [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over JULY 11-12 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY 's [cleric name] residence has been scheduled for JULY 12 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert L Kealy **Date:** 7/9/04

PRA Signature: [signature] **Date:** 7/12/04

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

FAX To: 312-751-5279

TRAVEL/VACATION NOTIFICATION

FR ROBERT KEALY [name of cleric] has informed this office that he will be traveling to [redacted] CA [redacted] [destination address and contact phone number] from AUG 21, 2004 [departure date] through AUG 23, 2004 [return date].

RECEIVED
AUG 18 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

FR KEALY [name of cleric] will be monitored by [redacted] [name of travel monitor]. [redacted] [name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by FR KEALY [name of cleric] must be in the presence of [redacted] [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] [name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over AUG 21-23 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY 's [cleric name] residence has been scheduled for AUG 23 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert L. Kealy **Date:** 8/13/04

PRA Signature: [signature] **Date:** 8/16/04

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

- 6

CODE OF CONDUCT ACKNOWLEDGEMENT FORM
Archdiocesan, Religious and Extern Priests

Parish/School/Agency CARDINAL STRITCH RETREAT HOUSE

DATE 10/3/04

I have received a copy of the CODE OF CONDUCT FOR CHURCH PERSONNEL. I have read and understand the Code of Conduct, and I agree to abide by it. I have also read and understand the "Measures to Aid Observance of the Code of Conduct" and the "Practical Suggestions" and will employ them to help me observe the code of conduct. A violation of this code can result in disciplinary action, up to and including termination and/or removal from ministry.

(Rev) Robert L. Kealy
Signature

REV. ROBERT L. KEALY
Print Name

Position

☒ **Archdiocesan** ☐ **Extern**

☐ **Religious Community** _____

The signed Code of Conduct Acknowledgement Form shall be kept in personnel files at the Pastoral Center. Please return the acknowledgement form to:

Archdiocesan Priests:
Office of the Chancellor
Archdiocese of Chicago
155 E. Superior
Chicago, IL. 60611

Religious/Extern Priests:
Rev. Jeremiah Boland
Archdiocese of Chicago
155 E. Superior
Chicago, IL. 60611

TRAVEL/VACATION NOTIFICATION

FR KEALY [name of cleric] has informed this office that he will be traveling to CLSA CONVENTION 412-391-4600 PITTSBURGH HILTON [destination address and contact phone number] from OCT 11 [departure date] through OCT 13 [return date].

FR KEALY [name of cleric] will be monitored by [redacted] [name of travel monitor]. [redacted] [name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by FR KEALY [name of cleric] must be in the presence of [redacted] [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] [name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over OCT 11-13 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY 's [cleric name] residence has been scheduled for OCT 13 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Brian L. Kealy **Date:** 10/3/04

PRA Signature: Jean McCarthy **Date:** 10/6/04

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

RECEIVED

OCT 04 2004

ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

TRAVEL/VACATION NOTIFICATION

FR KEALY [name of cleric] has informed this office that he will be traveling to SISTER'S HOME [redacted] VA [redacted] [destination address and contact phone number] from NOV 21 [departure date] through NOV 23 [return date].

FR KEALY [name of cleric] will be monitored by [redacted] [name of travel monitor]. [redacted] [name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by FR KEALY [name of cleric] must be in the presence of [redacted] [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] [name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over NOV 21-23 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY's [cleric name] residence has been scheduled for NOV 23 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert L. Kealy **Date:** 10/3/04

PRA Signature: [signature] **Date:** 10/6/04

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

RECEIVED

OCT 04 2004

ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

TRAVEL/VACATION NOTIFICATION

FR KEALY [name of cleric] has informed this office that he will be traveling to [redacted] FL [destination address and contact phone number] from NOV 14 [departure date] through NOV 21 [return date].

FR KEALY [name of cleric] will be monitored by FR CHRIS GUSTAFSON [name of travel monitor]. FR GUSTAFSON [name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by FR KEALY [name of cleric] must be in the presence of FR GUSTAFSON [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. FR GUSTAFSON [name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over NOV 14-21 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY 's [cleric name] residence has been scheduled for NOV 21 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert L. Kealy **Date:** 10/3/04

PRA Signature: [signature] **Date:** 10/6/04

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

RECEIVED
OCT 04 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

called on
Oct. 11, 2004 -
[redacted] did check
into Pittsburgh
Hilton.

TRAVEL/VACATION NOTIFICATION

FR. ROBERT KEALY [name of cleric] has informed this office that he will be traveling to [redacted] [redacted] [redacted] CA [destination address and contact phone number] from DEC 22 [departure date] through DEC 27 [return date].

RECEIVED
OCT 19 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

FR KEALY [name of cleric] will be monitored by [redacted] [name of travel monitor]. [redacted] [name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by FR KEALY [name of cleric] must be in the presence of [redacted] [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] [name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over DEC 22-27 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY's [cleric name] residence has been scheduled for DEC 27 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert L. Kealy **Date:** 10/16/04

PRA Signature: [signature] **Date:** 10/19/04

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

Reverend Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

RECEIVED
NOV 0 9 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

November 8, 2004

Ms. Leah McCluskey
Administrator
Office of Professional Responsibility
Archdiocese of Chicago
P.O. Box 1979
Chicago, IL 60690

Re: Correction of travel dates

Dear Leah:

Recently I sent you the attached travel notification form for a visit to my sister for Thanksgiving. I discovered that I inadvertently put down the wrong dates. Instead of November 21-23, this trip will be November 24-26.

Sorry for the inconvenience. Thank you very much.

Sincerely yours,

Robert L. Kealy

Reverend Robert L. Kealy

cc: Reverend Anthony Talarico

ARCHDIOCESE OF CHICAGO

Office of Legal Services

John C. O'Malley
Director

Post Office Box 1979
Chicago, Illinois 60690-1979

Tel: (312) 751-5379
Fax: (312) 751-5252
e-mail: jomalley@archchicago.org

November 16, 2004

RECEIVED

NOV 19 2004

ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

Confidential

Mr. Michael J. Howlett, Jr.
Counsel to the State's Attorney
Richard J. Daley Center
69 West Washington Street
Chicago, Illinois 60602

Dear Mr. Howlett:

Pursuant to your request, enclosed are copies of Individual Specific Protocols applicable to priests of the Archdiocese for whom the Archbishop has determined there is reason to suspect that the individual priest may have engaged in sexual misconduct with a minor. The priests are:

[redacted]
Rev. Robert Kealy

Please note I have deleted information related to therapy and spiritual direction for the reason of confidentiality. Further, [redacted] have not signed the protocol, upon advice of canonical counsel, but I am advised by Leah McCluskey that they comply with the restrictions.

If you have any questions, please let me know.

Very truly yours,

John C. O'Malley
Director of Legal Services

JCOM:sm

Enclosures

cc: Rev. Edward D. Grace
Rev. James T. Kaczorowski
Ms. Leah McCluskey

SCDirs\03SC096\JCOM Cover letter for Individual Specific Protocols

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility

P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

MEMORANDUM

To: File

From: Leah McCluskey, Professional Responsibility Administrator

Re: Monitoring

Date: November 30, 2004

PRA and Rev. James T. Kaczorowski, Vicar for Priests traveled to the Cardinal Stritch Retreat House on November 29, 2004 and met with Rev. Edward Siedlecki. Fr. Siedlecki resides at the Retreat House.

Due to the fact that Rev. Anthony Talarico will be on vacation from November 29, 2004 through December 10, 2004, he will be unable to fulfill his duties as on-site monitor for those men who have been withdrawn from active ministry as a result of allegations of sexual misconduct. Fr. Kaczorowski and PRA met with Fr. Siedlecki to ask if he would agree to act as on-sit monitor while Fr. Talarico is on vacation.

Fr. Siedlecki stated that he would act as monitor in Fr. Talarico's absence. PRA then went over the duties of on-site monitor with Fr. Siedlecki at his own request. Fr. Siedlecki was also agreeable to contacting Fr. Kaczorowski and/or PRA in the event of any of his awareness of any clear disregard/violation of the stated monitoring protocols.

Fr. Siedlecki shared with Fr. Kaczorowski and PRA his own current medical issues. It was agreed that in the event that Fr. Siedlecki would not be able to fulfill the role as monitor due to a medical emergency, he will contact either Fr. Kaczorowski or PRA.

Cc: Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests
Rev. Edward D. Grace, Vicar for Priests

Please do not link to printable views of stories. The full story can be accessed using the link below. Thank you.
http://cbs2chicago.com/topstories/local_story_338134246.html



CBS

CBS 2 Chicago WBBM-TV | cbs2chicago.com

Priests Accused Of Abuse Face Church Trials

- VIDEO: Jay Levine reports

Dec 3, 2004 12:39 pm US/Central

Private, church trials are close to ending for two Chicago priests, accused of molesting young people, and Cardinal George is ready to take final action in a dozen other cases where the Vatican says trials are not necessary.

The snow-covered campus of St. Mary of the Lake, the archdiocese seminary in Mundelein is the temporary home to 14 priests, all awaiting final decisions on their cases. Ordered here by Cardinal George, they are all closely monitored and supervised.

CBS 2 News has learned the Vatican has ruled that the evidence against 12 of those priests is "grave and clear."

"The cases went to Rome and Rome said these cases have been presented so clearly and so well documented that you don't have to do a trial, you don't have to prove the case to us, go ahead now and simply impose the penalty," said Colleen Dolan, spokesperson for the archdiocese.

That will be up to Cardinal George, who said Thursday evening that the penalties will vary, but all will have one thing in common.

sot francis Cardinal George/archbishop of chicago
"Well the penalty is you're out of public ministry," said Cardinal George, the archbishop of Chicago. "There's more to it, remember Dallas talked about not presenting yourself as a priest and the other, so the promises of Dallas will be kept, as they have been."

The Vatican also ruled that two priests will stand trial before cannon law judges. They are believed to be Father Thomas Swade, who was assigned to the Office of Racial Justice after being accused of sexual misconduct back in the early 1990's, and former Holy Angels Pastor John Calicott, who is accused of abusing several young men back in the 1970's. Those victims who came forward to CBS 2 News earlier this year, outraged at the priest's campaign for reinstatement.

"He raped me," said victim [redacted]. "Over and over and over again for more than two years."

But neither [redacted] nor [redacted] knew about Calicott's trial.

"I had no idea there was a trial going on and i was not brought in to be a part of it or give testimony," [redacted] said.

"If there is going to be a trial, where is the victim's voice?" [redacted] said.

"Just because they have not yet been called, doesn't mean they won't be," Dolan said.

But the cloistered priests and private processes are little comfort to young men who say some promises of Dallas aren't being kept.

"I think I was led to believe after their conference down in Dallas that they would be more compassionate, they would be more open, they would be more transparent, but as we can see, it's the same old thing," [redacted] said.

AOC 016143

Church officials maintain its not the same old thing because no priest with credible evidence against him will ever return to ministry. The Cardinal is hoping to reassure victims of that by meeting with them before making final judgments on penalties.

Jay Levine

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AOC 016144

Chicago Tribune
—ONLINE EDITION—

http://www.chicagotribune.com/news/local/chicago/chi-0412030314dec03,1,7776838.story

Victims get say at priest abuse hearings

George seeking input on 14 cases

Advertisement



Small is the new big.

By Manya A. Brachear
Tribune staff reporter

December 3, 2004

Cardinal Francis George will consult with abuse victims to determine the fate of a dozen priests accused of molesting minors since U.S. Catholic bishops adopted a sex abuse policy in 2002, the Chicago archdiocese said Thursday.

Victims also will be called as witnesses in private canonical trials of two more priests later this month, said archdiocese spokeswoman Colleen Dolan.

The 14 cases, involving allegations reported after the bishops established the Charter for the Protection of Children and Young People in June 2002, were reviewed by the Vatican, Dolan said.

None of the 14 priests will return to public ministry in the Chicago archdiocese, she added.

The Vatican found it unnecessary to conduct canonical trials in 12 of the cases because the facts it was presented regarding the abuse allegations were "clear and grave," Dolan said.

According to instructions given by the Holy See, further penalties against those 12 will be determined by George, who will invite all victims to meet with him, Dolan said.

"He's making sure he offers the victims a chance to discuss the case one more time," she said. "If they don't want to, he's certainly not going to demand they do."

Victims will also be called to testify in the canonical trials of two other priests accused of abuse. "Victims are the witnesses," she added. "So we need them."

MERCURY NEW DOORS OPENED

The archdiocese will not release names of the accused clergy.

The canonical trials and penalty phases for all 14 priests are expected to conclude by the end of the year.

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AOC 016145

CHICAGO TRIBUNE SAT. DECEMBER 4, 2004
P. 18 SEC. 1 N

Priest will never return to ministry

South Side cleric to undergo church trial, sanctions

By Manya A. Brachear
Tribune staff reporter

Rev. John Calicott, the priest who has been fighting to return to his South Side parish over [illegible] are not returning to ministry, said Chancellor Jimmy Lago.

The archdiocese forwarded appeals for 14 accused priests, including Calicott, to the Vatican in the summer of 2003. When the rulings came back in August of this year, 12 of the cases were judged to be "clear and grave" enough not to warrant canonical trials. An administrative review of those cases is expected to conclude by the end of the year, when sanctions will be announced.

But in the cases of Calicott and Rev. Thomas Swade, former coordinator of the archdiocese's Office of Racial Justice, the Vatican called for clarification through a trial process. Swade's trial is already under way.

The trials are conducted in Chicago before a three-person church tribunal. Victims can be called as witnesses, although they are not required to testify in person.

"The whole purpose of the canonical trial is to get to the truth," said archdiocese spokesman Jim Dwyer.

Calicott was removed from ministry at Holy Angels Parish on the South Side in the mid-1990s over abuse allegations from two men. This year a third man filed a civil lawsuit alleging Calicott abused him.

Under rules in place in the 1990s, Cardinal Joseph Bernardin permitted Calicott to return to Holy Angels after he confessed to the abuses and signed a covenant with his congregation that he would never abuse again.

But after U.S. bishops adopted a stricter national child sex-abuse policy at their 2002 meeting in Dallas, eight priests were removed from their jobs in the Chicago archdiocese. At least five of those priests, including Swade and Calicott, filed appeals.

On Friday, officials said none of the 14 accused priests would return to public ministry.

"The Dallas promise was no one will be in public ministry," Cardinal Francis George said. "Public ministry in its clearest form is assigned to a parish and doing regular work as a priest."

Lago said the abuse allegations had been thoroughly vetted and deemed credible before they were sent to the Vatican.

"We reached a certain level of certitude," Lago said. The trial process "doesn't change the commitment that the cardinal made. If there is an offense in the priest's past, whether it reaches the canonical level or not, he will not put someone back in ministry."

AOC 016146

TO: FR RASSAS FAX 847-234-~~0305~~ 9860

FROM: FR KERRY

CONFIDENTIAL

COPY

Rev. Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

December 8, 2004

Francis Cardinal George, O.M.I.
Archbishop of Chicago
1555 N. State Pkwy.
Chicago, IL 60611

Your Eminence,

Attached are: a transcript of the December 3, 2004 Channel 2 exclusive on the accused priests; an article which appeared on the Chicago Tribune website on December 3, 2004; and a copy of an article which appeared in the Chicago Tribune on December 4, 2004.

These stories include the following statements by Archdiocesan spokespersons:

Colleen Dolan:	The Vatican found it unnecessary to conduct canonical trials in 12 of the cases because the facts it was presented regarding the abuse allegations were "clear and grave."
	" The evidence is so clear you don't have to do a trial, you don't have to prove the case to us, go ahead now and simply impose the penalty."
	" None of the 14 priests will return to public ministry in the Chicago Archdiocese."
	Several references to penalties and penalty phase
Jimmy Lago:	"We reached a certain level of certitude." The trial process "doesn't change the commitment that the cardinal made. If there is an offense in the priest's past, whether it reaches the canonical level or not, he will not put someone back in ministry ."
Unnamed officials:	"The purpose [of a trial] is not to determine guilt or innocence but to seek clarification of the accusations."

These statements are unfair, inaccurate, and inappropriate for the following reasons:

- In two cases, Rome said, in effect: "There is no delict and no penalties may be imposed.

Temporary administrative restrictions may be imposed, but they are not to be portrayed or seen

as penalties." Any statement that they will never return to public ministry is contrary to the Roman decision. Any reference to guilt or penalties is defamatory.

- In the cases where you were authorized to issue a penal precept; in effect Rome was saying that actions alleged were misdemeanors and were not of such gravity as to warrant a penal process.

- In the cases where Rome authorized an administrative penal process, you are the judge and are to make your decision in consultation with two canonical experts. Prior to your decision at the conclusion of the process, it is highly improper for an Archdiocesan official to make a statement that the accused is guilty and will never return to public ministry. This is a blatant prejudging of the case.

- In the cases of canonical trials, it is a total distortion of canon law to say that "the purpose of that process is not to determine guilt or innocence but to seek clarification of the accusations." The purpose of a trial is precisely to determine whether an accusation has been proven with moral certitude. If so, the judges will determine the penalty. In effect, while trials are going on, the Archdiocese has pronounced the priests guilty and proclaimed that the penalty will be permanent exclusion from public ministry. This could be a basis for a mistrial.

Other issues:

All of these cases are still governed by pontifical secrecy until they are completed. In any event, if something must be said, it is better to keep it simple: "The cases are still in process and so we cannot comment on them at this time."

The Archdiocese cannot substitute its own standard of proof in place of that of the Code of Canon Law.

The statements made about these very different cases, had all the subtlety of a sledgehammer.

Contacting victims/accusers at Christmas time is very insensitive. Raising these issues just before Christmas is most likely to aggravate and alienate an accuser/victim, rather than furthering healing. It is also very upsetting to the accused priests. Furthermore, it is a blow to the morale of the priests and people of the Archdiocese to focus on this at this time. These cases have been pending for 2 ½ years; why not wait a few more weeks?

Statements to the effect that all the cases will be wrapped up by the end of the year are unrealistic. The trials will take a long time. In other cases, it will take time for you to schedule

meetings with accusers and then for the complete of the canonical work. The priests have the right to take recourse against the decisions made.

The accused priests should be notified of any decisions in their case directly and not by watching the news for pronouncements by Archdiocesan officials or reading statements in the newspapers. The accused priests should be informed as to what the Archdiocese is going to say publicly about their cases.

Statements to the effect that none of the priests will return to public ministry prejudge the cases and make it more difficult for such a priest to do *any* kind of ministry.

Archdiocesan officials have imprudently revealed that the accused priests are on the campus of Mundelein seminary. On Friday, a reporter from the Tribune was camped outside the building for hours. Other vehicles were snooping around the grounds. It would not be surprising if neighbors complained. This has heightened the feeling of anxiety and vulnerability by the priests.

These are serious issues. These stories were carried on the Internet and spread all over the country. I have received calls from friends in California, New York, Virginia, and Florida, as well as former parishioners. When people read such statements they believe they are accurate, unless they are corrected.

I feel betrayed by the Archdiocese for making such incorrect and hurtful statements. Rather than trying to salvage the possibility of ministry for at least some of us, you have made it much more difficult. As a Protestant friend said to me, "It looks like you have an army that shoots its wounded."

Sincerely yours in Christ,

Reverend Robert L. Kealy

OFFICE OF PROFESSIONAL RESPONSIBILITY
PFR-83 – REV. ROBERT KEALY
TRAVEL/VACATION SCHEDULE
JANUARY TO DECEMBER 2005

January 19-26, 2005	[redacted] Florida	[redacted] (Travel Monitor)
March 13-21, 2005	Sydney, Australia	[redacted] (Travel Monitor)
April 6-10, 2005	Home of [redacted] CA	[redacted] (Monitor) [redacted]
February 14-19, 2005	[redacted] Florida	[redacted] (Monitors)
April 4, 2005	Glenbrook Hospital	
June 18-20, 2005	[redacted] Lake, WI – Home of [redacted]	[redacted] (Travel Monitor)

TRAVEL/VACATION NOTIFICATION

RECEIVED
JAN 0 5 2004
DIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

FR. ROBERT KEALY [name of cleric] has informed this office that he will be traveling to GUEST OF [redacted] SYDNEY, AUSTRALIA [destination address and contact phone number] from MAR. 13, 2005 [departure date] through MAR. 21, 2005 [return date].

FR KEALY [name of cleric] will be monitored by [redacted] [name of travel monitor]. [redacted] [name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by FR KEALY [name of cleric] must be in the presence of [redacted] [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] [name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over MAR 13-21 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY 's [cleric name] residence has been scheduled for MAR 21, 2005 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert L Kealy **Date:** 1/2/05

PRA Signature: [signature] **Date:** 1/5/05

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

TRAVEL/VACATION NOTIFICATION

RECEIVED
JAN 0 5 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

FR. ROBERT KEALY [name of cleric] has informed this office that he will be traveling to GUEST OF [redacted] [redacted] FLORIDA [destination address and contact phone number] from JAN 19, 2005 [departure date] through JAN 26, 2005 [return date].

FR KEALY [name of cleric] will be monitored by [redacted] [name of travel monitor]. [redacted] [name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by FR KEALY [name of cleric] must be in the presence of [redacted] [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] [name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over JAN 19-26 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY 's [cleric name] residence has been scheduled for JAN 26 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert J. Kealy **Date:** 1/2/05

PRA Signature: [signature] **Date:** 1/5/05

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

TRAVEL/VACATION NOTIFICATION

FR. ROBERT KEALY [name of cleric] has informed this office that he will be traveling to HOME OF [redacted] / [redacted] [redacted] CA [destination address and contact phone number] from APRIL 6, 2005 [departure date] through APRIL 10 2005 [return date].

RECEIVED
JAN 11 2004
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

FR KEALY [name of cleric] will be monitored by [redacted] [name of travel monitor]. [redacted] [name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY'S [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by FR KEALY [name of cleric] must be in the presence of [redacted] [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] [name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over APRIL 6-10 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY 's [cleric name] residence has been scheduled for APRIL 10 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert J Kealy **Date:** 1/6/05

PRA Signature: [signature] **Date:** 1/11/05

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

FATHER ROBERT L. KEALY

Leah,

Please note that this is for this coming weekend.

Thank you.

Father Kealy

TRAVEL/VACATION NOTIFICATION

FR Robert KEARY [name of cleric] has informed this office that he will be traveling to HOME OF [redacted] [redacted] LAKE, WI [destination address and contact phone number] from JUNE 18, 2005 [departure date] through JUNE 20, 2005 [return date].

FR KEARY [name of cleric] will be monitored by [redacted] ame of travel monitor]. [redacted] [name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEARY [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by FR KEARY [name of cleric] must be in the presence of [redacted] name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.

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2. [redacted] ame of travel monitor] may be asked to attest to the activities and whereabouts of FR KEARY [cleric name] over JUNE 18-20 [aforementioned time frame].
3. As previously noted, the date of return to FR KEARY 's [cleric name] residence has been scheduled for JUNE 20 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert L. Keary **Date:** 6/12/05

PRA Signature: [signature] **Date:** 6/15/72

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

ARCHDIOCESE OF CHICAGO
PAYROLL AUTHORIZATION/CHANGE FORM/PAYROLL SET UP



ARCHDIOCESE PRIESTS

Kealy, Robert [redacted] 200801
Last Name, First, Middle Initial — Social Security Number — Employee Number

33 yrs Active F/T X Active P/T _____ Active P/T Benefits _____ Position _____

Ordination Date 1972 Transfer to P.C. _____ DateTransfer from Agency/Parish/School# _____

Dept. Name _____ No. 10350 Agency _____ No. 10359

Pay through payroll
Regular Salary (Compensation Book) $ 24,269
Other: Type
_____ $_____
_____ $_____
_____ $_____
_____ $_____
Total through Payroll $_____

Effective Date: July 1, 2005

Non-Payroll Compensation
Type
_____ $_____
_____ $_____
_____ $_____
_____ $_____
Total Non-Payroll $_____

Comments 10% reduction per Cardinal George

Birth Date _____ EEOC: OM_____ PR_____ OC_____ SW_____ SL_____ ADM_____ Other_____ Veteran_____

Home Phone _____ Work Phone _____ Handicap: Yes_____ No_____

Mailing Address _____

Street, City, State, Zip Code

Dental Insurance: Yes____ No____ Name of Dental Plan _____

Payroll Direct Deposit: Yes____ No____ Forms attached: Yes____ No____ Federal/State Taxes: Yes____ No____ Forms attached: Yes____ No____

Defined Contribution Plan (AETNA) Yes_____ No_____ Amount per year $_____

TRANSFERS – EFFECTIVE DATE _____

Transfer From _____ To _____
Name Parish #, School #, or Agency # — Personnel Services – Interim Salary #

Transfer From _____ To _____
Personnel Services – Interim Salary # — Name Parish #, School #, or Agency #

Transfer From _____ To _____
Location — Location

Termination/Resignation/Date _____ Reason _____

_____ Agency Director/Date

7/6/2005 Department Director/Date

_____ Director, Human Resources/Date

_____ Chancellor/Date

_____ Director, Personnel Services/Date

Original: Payroll Yellow: Human Resources Pink: Agency Gold: Benefits

Rev. 5/04

AOC 016157

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility

P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279
www.archchicago.org

MEMORANDUM

To: File

From: Leah McCluskey, Professional Responsibility Administrator

Re: Department of Children and Family Services [DCFS] Investigations

Date: July 9, 2005

PRA spoke with Ms. Yvonne Gillie-Wallace, DCFS investigator via phone on June 22, 2006. The phone call began discussion a different matter. Ms. Gillie-Wallace then expressed her need to speak with PRA about "other pending cases."

Ms. Gillie-Wallace referred to DCFS investigator Artis Cook and their need to go out to "Mundelein." PRA informed Ms. Gillie-Wallace of her [PRA's] June 16th phone conversation with Ms. Gailyn Thomas of DCFS regarding the needs of the investigators. Ms. Gillie-Wallace was able to clarify that she was interested in the location of where the clerics withdrawn from the priesthood [for substantiated allegations of sexual misconduct] reside. PRA informed Ms. Gillie-Wallace that "Mundelein" is the location of St. Mary of the Lake Seminary and that the Cardinal Stritch Retreat House is on the seminary grounds. Ms. Gillie-Wallace was informed that the clerics she has spoken of reside at the Cardinal Stritch Retreat House. PRA spent much time attempting to explain the set up of St. Mary of the Lake Seminary in relation to the location of the Cardinal Stritch Retreat House. Ms. Gillie-Wallace did eventually express her understanding of the campus.

Ms. Gillie-Wallace then requested clarification for the addresses of the following clerics [which PRA provided]:

- [redacted]
- [redacted]
- [redacted]
- [redacted] [PRA also informed Ms. Gillie-Wallace that [redacted] is a registered sex offender]
- [redacted] when asked, PRA clarified that the Cicero address is for [redacted] mily home]
- [redacted] RA clarified that [redacted] ved to Holy Family Villa nursing facility within the last two months]

- [redacted] [PRA clarified that [redacted] sides at Resurrection Life Center on a skilled nursing floor]
- [redacted]
- [redacted]

Ms. Gillie-Wallace also asked about the former Revs. Robert Kealy, [redacted] PRA informed Ms. Gillie-Wallace that all three men have resigned from the priesthood and therefore, the Archdiocese of Chicago does not have any control over where they reside.

When asked, PRA agreed to fax Ms. Gillie-Wallace a list of all clerics who have been withdrawn from ministry and residing at the Cardinal Stritch Retreat House. Ms. Gillie-Wallace provided the fax number of [708] 210-3546.

Cc: Francis Cardinal George, O.M.I.
Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board
Rev. Edward D. Grace, Vicar for Priests
Rev. Vincent Costello, Vicar for Priests
Jimmy Lago, Chancellor
Rev. John Canary, Vicar General

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Office of the Archbishop

155 E. Superior St.
Chicago, Illinois 60611

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July 22, 2005

Rev. Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

Dear Bob:

I have completed my review of the case of sexual misconduct with minors that has been pending against you. My decision is contained in the enclosed decree.

I have also sent a copy of this decree to your advocate, so you might want to discuss this with him.

Should you wish to appeal this decree, you may do so to the Congregation for the Doctrine of the Faith within the prescribed period of time. However, you will be expected to bear any expenses associated with such an appeal.

I hope this will bring some conclusion to this matter which has been most difficult for both of us. Please be assured that you remain in my prayers; I ask that you keep me in yours.

Sincerely yours in Christ,

Francis Cardinal George, O.M.I.
Archbishop of Chicago

cc: Rev. Francis G. Morrisey, O.M.I., Advocate
Rev. George J. Rassas, Vicar General
Rev. Edward Grace, Vicar for Priests
Rev. Daniel A. Smilanic, Promoter of Justice
Mr. Ralph Bonaccorsi, Assistance Minister
Mr. Jimmy Lago, Chancellor
Ms. Leah McCluskey, Professional Responsibility Administrator
Mr. John O'Malley, Legal Services

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155 E. Superior St.
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D E C R E E

Disciplinary Decree resolving the matter against Reverend Robert L. Kealy (CDF P.N. 25/03-19656)

According to the decree *Christus dominus* of the Second Vatican Council, bishops "have been designated by the Holy Spirit to take the place of the apostles as pastors of souls and, together with the Supreme Pontiff and subject to his authority, they are commissioned to perpetuate the work of Christ, the eternal Pastor." (*Christus dominus,* n. 2). Diocesan bishops have been entrusted with the pastoral care of a portion of the People of God, and designated their proper, ordinary, and immediate pastor. (CD, n. 11). The Council further teaches, "In exercising his office of father and pastor, the bishop should be with his people as one who serves, as a good shepherd who knows his sheep and whose sheep know him, as a true father who excels in his love and solicitude for all...." (CD, n. 16).

This love and solicitude expresses itself in providing for the welfare of the faithful according to their circumstances (CD, n. 16), and also in being "compassionate and helpful to those priests who are in any kind of danger or who have failed in some respect." (CD, n. 16)

It is for this reason that my predecessor, Joseph Cardinal Bernardin, expressed such solicitude for the faithful of the Archdiocese of Chicago in establishing policies with regard to sexual misconduct of priests. I have continued that tradition of solicitude by confirming and revising these policies from time to time.

The nature of the priesthood itself requires that special attention be given to matters involving priestly misconduct. Recognizing the high dignity of the priesthood, which was established by the Lord Jesus to be joined in a special way with the episcopal ministry, and hence shares in the authority by which Christ himself builds up and sanctifies and rules his Body, it is all the more necessary to exercise particular vigilance over the behavior of priests and to hold them to a greater level of accountability. The sacred task which has been given to priests demands a conduct commensurate with that task.

At their ordination, priests take on a number of obligations. They are bound by a special obligation to show reverence and obedience to the Holy Father and to their own ordinary (c. 273), and are to fulfill faithfully any function which their ordinary entrusts to them (c. 274§2). They are to be united among themselves, but at the same time promote the proper mission of the laity (c. 275). They are to pursue holiness of life through the fulfillment of their pastoral duties, through the nourishment of the spiritual life by word and sacrament, and through leading a life of prayer (c. 276). They are to continue their studies after ordination (c. 279) and have the right to

associate with other clerics to pursue purposes in keeping with the clerical state (c. 278). They are to foster simplicity of life and are to have a special concern for the poor (c. 282).

Moreover, priests are to avoid all those things which could endanger their vocation or give rise to scandal among the people. First and foremost, they are bound to a life of perfect and perpetual continence for the sake of the kingdom (c. 277), which expresses itself in a life of celibacy. But they are also to act with due prudence in their associations with others (c. 277§2), avoiding those things unbecoming the clerical state (c. 285 §§1-2).

The Catholic Bishops of the United States, in addressing the issue of clerical sexual abuse of minors, established at their annual general meeting held in Dallas in June, 2002 a *Charter for the Protection of Children and Young People*, commonly referred to as the *Charter*. This was a common commitment by the bishops of the United States to act in a concerted way with regard to the issue of clerical sexual abuse of minors.

At that same meeting the bishops also passed and forwarded to the Holy See for its *recognitio* a set of *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons,* commonly referred to as the *Essential Norms*. These *Norms* established, among other things, that "When even a single act of sexual abuse by a priest or deacon is admitted or is established after an appropriate process in accord with canon law, the offending priest or deacon will be removed permanently from ecclesiastical ministry, not excluding dismissal from the clerical state, if the case so warrants." Diocesan bishops and eparchs were also reminded that they have "the executive power of governance, through an administrative act, to remove an offending cleric from office, to remove or restrict his faculties, and to limit his exercise of priestly ministry." (*Norm* 9)

Apart from any penalties which might be imposed after a penal process, whether administrative or judicial, c. 223§2 allows the bishop, in view of the common good, to "direct the exercise of rights which are proper to the Christian faithful." By the wording of the canon itself, this must include the rights which are given with priestly ordination.

The universal law of the Church, by virtue of the motu proprio *Sacramentorum sanctitatis tutela*, has given the Congregation for the Doctrine of the Faith exclusive competence over matters involving clerical sexual misconduct with minors. In removing the bishop's discretionary authority given by c. 1718, the universal law of the Church requires that, after the preliminary investigation has been conducted in accord with c. 1717, the bishop is to forward to the Congregation for the Doctrine of the Faith all cases involving clerical sexual misconduct with a minor, and request further instruction from that Congregation as to how to proceed.

The case of **Reverend Robert L. Kealy** was referred to the Congregation for the Doctrine of the Faith on 31 July, 2003. Having reviewed the material submitted by the Archdiocese of Chicago, in a letter of 12 July, 2004 (P.N. 25/03-19656), Cardinal Ratzinger, then Cardinal Prefect of the Congregation for the Doctrine of the Faith and now His Holiness Pope Benedict XVI, informed me that "with regard to Fr. Kealy's removal from public ministry, the Congregation is of the mind that it would be more opportune to begin with a brief period of one year." His Eminence continued, "Given that there is no canonical delict in this case because the victim [redacted] was already over the age of 16, even though the actions committed by Fr. Kealy did

not morally conform to a priestly lifestyle, and that Fr. Kealy has already been removed from ministry for two years, we feel that the shorter period is more equitable." The Congregation has also allowed me the discretionary judgment that "Once the period of one year has passed, Your Eminence may revisit the decision in order to determine if Fr. Kealy may be assigned to some public ministry or not." Although no specific mention is made of c. 223§2, it would appear that this is the canon to which the Congregation is referring, since a penal decree would not be possible in this case.

In accordance with the directives of the Congregation of the Doctrine of the Faith, and considering this matter in light of the common good (c. 223); seeking ways to repair scandal and restore justice (c. 1341); reviewing again the accusation made against **Father Kealy**; and having prayed for Wisdom and Understanding to decide this matter, I hereby make the following provisions with regard to **Reverend Robert L. Kealy**:

I have determined that the following facts have been established:

At the rectory of St. Germaine Parish in Oak Lawn, probably on the evening of 3 June, 1977, Father Kealy engaged in inappropriate touching of a young man who had just turned 16 years of age. This was when both parties were under the influence of alcohol and other drugs (specifically marijuana). The touching occurred on one occasion only, and was over the clothes of the man bringing the accusation. The young man left the rectory and never again had contact with Father Kealy.

Canon 277§2 enjoins clerics "to behave with due prudence towards persons whose company can endanger their obligation to observe continence or give rise to scandal among the faithful." It is clear that Father Kealy had not behaved with due prudence in his association with this young man, providing him with alcohol and other drugs. Furthermore, the physical contact was similarly not appropriate, whether or not the intent was sexual. Since canon 277§3 authorizes me to "pass judgment in particular cases concerning the observance of this obligation" to clerical celibacy and imprudent behavior; and since the Congregation for the Doctrine of the Faith has authorized me to use the provisions of c. 223§2 in this matter, I have decided the following:

While Father Kealy's action were confined to one occasion, it nonetheless has led to further [redacted] damage to the young man, [redacted] It has also led to scandal among the Christian faithful who are rightly scandalized by actions of their priests who engage in sexual activity with members of the faithful. The bishops of the United States have assured the Christian faithful that the priests who minister to them have never been shown to have abused children or young people. Therefore, it is not possible to return Father Kealy at this time to parish ministry where he would again be associated with young people.

Therefore, for the next year, **Reverend Robert L. Kealy**'s Archdiocesan faculties are removed, with the exception of those which are needed in danger of death. In accordance with the directive of the Holy See, this will be reviewed in one year in order to determine what public ministry, if any, can be permitted.

Father Kealy may work as a consultant to the Court of Appeals, Province of Chicago and may serve as a canonical resource for the Metropolitan Tribunal and the Office for Canonical Services, as needed. However, he may not present himself as a representative of those agencies.

Father Kealy's salary shall be determined as that of an associate pastor, less any administrative expenses that might be determined by particular law of the Archdiocese of Chicago.

With regard to where Father Kealy might live during this time, I hereby designate the Vicar for Priests and the Professional Responsibility Administrator to work with Father Kealy to determine this matter.

For a period of one year, I dispense Father Kealy from the obligation to wear ecclesiastical garb (c. 284), and strongly urge that he not wear such attire for his own good and the good of the Church. Furthermore, he is not to represent himself as a priest to those unknown to him nor can he act as an agent of the Archdiocese of Chicago.

I also encourage Father Kealy to observe the prescriptions of canons 273 to 289 concerning the obligations and rights of clerics. That is, he is to show reverence and obedience to the Supreme Pontiff and to his ordinary (c. 273); to unite himself with the presbyterate of Chicago and promote the mission of the laity (c. 275); to pursue holiness of life, especially by availing himself of daily prayer, monthly spiritual direction and an annual retreat (c. 276); to pursue opportunities for continuing education (c. 279); to foster simplicity of life (c. 282); and to foster peace and harmony based on justice (c. 287).

I further remind Father Kealy that he must refrain completely from all things which are unbecoming or foreign to the clerical state (c. 285) and which could bring further scandal upon the Church. He should be judicious regarding his participation in public life, for his own good and the good of the Church.

Most especially, because of his actions in the past, I remind Father Kealy of his obligation to observe perfect and perpetual chastity for the sake of the kingdom and to behave with due prudence toward persons who could endanger this obligation (c. 277).

In order that this decree be observed more closely, I also direct a program to be developed in conjunction with the Vicar for Priests which will allow Father Kealy to receive any therapy which he may need and which will allow his behavior to be monitored. This program can be modified from time to time as circumstances dictate.

Any violation of this decree could result in further restrictions being placed upon Father Kealy. These will be imposed in accordance with the norm of law.

In issuing this decree, I am also grateful to Father Kealy for his patience during this very difficult time. I hope that by the provisions of this decree Father Kealy may renew and deepen his commitment to the priestly life and the promises he made at his ordination. I ask that he remember especially in his prayers all those who have suffered from sexual abuse, and ask that the healing power of God be with them and make them whole.

These provisions will be reviewed in one year, at the direction of the Congregation for the Doctrine of the Faith, to see whether or not they can be altered.

Given in Chicago, Illinois, on the 22nd day of July, 2005. All things to the contrary notwithstanding.

Francis Cardinal George, O.M.I.
Archbishop of Chicago

ARCHIDIOECESIS CHICAGIENSIS

Rev. Richard Vaudis
Ecclesiastical Notary

Francis G. MORRISEY, O.M.I.
175 Main — Ottawa, Canada – K1S 1C3

☎(613)-230-3521
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August 7, 2005

His Eminence Cardinal Francis GEORGE, OMI,
Archbishop of Chicago,
P.O. Box 1979,
CHICAGO, IL USA
60690

Your Eminence:

Re: Rev. Robert KEALY

I trust that you are well. I appreciate all you have done to address in timely fashion the various situations dealing with priests that you have had to face, particularly for the two priests of your Diocese that I was asked to represent.

Father Robert L. Kealy sent me yesterday (August 6, 2005) a copy of the decree you had issued on July 22, 2005, concerning his status. It is obvious that a lot of care went into the preparation of this document.

However, there are a few points that I would like to draw to your attention, since they can have long-term repercussions for Father Kealy's future record. After consultation with him this morning, I would ask you formally to revise or amend your decree and am respectfully proposing a modification that would seem more accurate and more equitable.

For convenience sake, I will number the various points.

1. The decree states that there was "inappropriate [sexual] touching". However, this has never been proven. Indeed, the canonical process has found that Father Kealy was not guilty of the canonical delict of the sexual abuse of a minor (in any of its various forms).

The decree itself states "...the physical contact was similarly not appropriate, whether or not the intent was sexual."

The decree states that Father Kealy acted imprudently or inappropriately. However, there is a vast difference between a finding that a priest acted imprudently or inappropriately and a finding that a priest engaged in sexual misconduct.

2. The accusation of sexual misconduct with a minor, in the case of Father Kealy, was publicly announced by the Archdiocese. I am informed that Auxiliary Bishops went to the parish where he was serving and the parish where the alleged misconduct took place, announcing that he was being withdrawn from public ministry because of an allegation of sexual misconduct with a minor. A letter was sent to the parent of every child in his parish school with advice on how to explain to their children the accusation against their pastor. Front page articles about the allegation appeared in local newspapers and the accusation was printed in national newspapers. These articles live on, perpetually, on Internet search engines. Father Kealy has been labeled with the stigma of "child abuser" in his social and ecclesiastical circles.

Now that the Archdiocese is preparing to make some sort of public announcement about the resolution of some of these cases, it would seem that, in justice, the Archdiocese should make an unambiguous statement that Father Kealy has not been found guilty of the sexual abuse of a minor. Indeed, if that is not done, it would seem more difficult, if not impossible, to return Father Kealy to public ministry at any time, in view of the Charter and the Essential Norms. Failure to make such a pronouncement now would cement in the minds of people the impression that he has been found guilty of the sexual abuse of a minor.

3. In your recent decree to Father Kealy, you quote from the letter of then-Cardinal Joseph Ratzinger of 12 July, 2004 – more than one year ago – stating "with regard to Fr. Kealy's removal from public ministry, the Congregation is of the mind that it would be more opportune to begin with a brief period of one year" and "Given that ... Father Kealy has already been removed from ministry for two years, we feel that the shorter period is more equitable."

Although the Congregation affirms Your Eminence's authority to extend the period of removal from public ministry, it would seem that the Congregation's evaluation of the equities of the situation has great merit. Whatever the imprudent or inappropriate activity of Father Kealy, I would respectfully suggest that he has already paid an extraordinarily heavy price in the loss of his parish and his canonical ministry, the loss of his position as Chaplain of the Catholic Lawyers Guild, the loss of his position on the boards of the Archdiocesan major seminary and college seminary, the loss of his good name, and his removal from public ministry for these past three and a half years, in addition to all the monitoring restrictions placed on him.

Your decree noted that "for the next year, Reverend Robert L. Kealy's faculties are removed, with the exception of those which are needed in danger of death." This decision seems to be a greater restriction on Father Kealy's ministry than has been the case so far, in that he can now celebrate Mass and preach among the community of priests with whom

he lives, and, I would assume hear the confession of someone who knows he is a priest and spontaneously requests, in a private setting, that he hear their confession. It is a suspension in all but name. Indeed, Father Kealy informed me that in your conversation with him on 3 August, 2005 you described the limitation on his ministry as a suspension. As you know, a priest can be suspended only if he has been found guilty of a canonical offense which is not prescribed, and only after a formal canonical warning. A bishop's power, by virtue of canon 223, §2, to direct or regulate the rights of the faithful, would seem to be overextended if that direction or regulation results in a suppression of their fundamental rights.

In addition, a virtual suspension of Father Kealy seems inconsistent with your conversation with him about celebrating Mass for a community of nuns.

4. For these reasons, I would respectfully suggest to Your Eminence that you consider modifying your decree to the effect that a public announcement would be made that a thorough process, in accord with canon law, did not find Father Kealy guilty of the sexual abuse of a minor, but did determine that he had acted imprudently or inappropriately in once instance twenty-eight years ago. In view of the finding, Father Kealy is being restored to public ministry, however he will not be assigned to parish ministry or to any ministry with minors. He will pursue canonical research and writing and act as a canonical consultant for Archdiocesan offices.

It would seem advisable that the Archdiocese not express any details about the allegation and respond to requests for such information by saying that it would be inappropriate to try the case in the media and all the facts and circumstances were considered in the canonical process.

I am sure that you would agree that if the Archdiocese were to make such an announcement, it would seem advisable for the Vicar for Priests first to meet with the accuser and explain the decision. Perhaps ths could be arranged through his pastor. Father Kealy would be willing to meet with the accuser at this meeting or at a subsequent one.

Furthermore, Father Kealy would be willing to submit a prepared statement through the Archdiocese expressing his acceptance of the decision, his regret for any harm he may have caused through this instance of inappropriate behavior, his gratitude for those who have prayed for him, and his desire to be of service to others in any way that you may deem appropriate.

5. Finally, may I suggest to Your Eminence that it would seem reasonable at this point to relax the strict monitoring restrictions which Father Kealy has been required to follow for the past three and a half years, specifically the prohibition against overnight travel without an approved monitor, and the requirement that he submit a daily log of his activities.

- - - - -

I hope you will not consider this request and these suggestions impertinent, but, if truth is to be served, and historical records correctly kept, it would be important that the proposed adjustments (or similar ones) be made.

Thanking you for the attention you will give this delicate matter, and with my best personal wishes, I am,

Yours very truly,

Francis G. MORRISEY, O.M.I.,

Advocate for Father R. Kealy

CC: Rev. R.L. KEALY

TRAVEL/VACATION NOTIFICATION

RECEIVED
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FR. ROBERT KEALY [name of cleric] has informed this office that he will be traveling to [redacted] NV [destination address and contact phone number] from AUG 11, 2005 [departure date] through AUG. 15, 2005 [return date].

FR. KEALY [name of cleric] will be monitored by [redacted] [name of travel monitor]. [redacted] [name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame *[see attached correspondence]*

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1. Contacts with minors by FR KEALY [name of cleric] must occur in the presence of [redacted] [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] [name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over AUG 11-15, 2005 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY 's [cleric name] residence has been scheduled for AUG 15, 2005 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

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Cleric Signature: Robert L. Kealy **Date:** 8/10/05

PRA Signature: [signature] **Date:** 8/10/05

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

VIA FAX 312-751-5279

LEAH, SORRY THIS IS LAST MINUTE. IT JUST CAME UP.
FR. KEALY
[redacted]

TRAVEL/VACATION NOTIFICATION

FR Robert Kealy [name of cleric] has informed this office that he will be traveling to [redacted] WI HOME OF [redacted] [destination address and contact phone number] from JUNE 18, 2005 [departure date] through JUNE 20, 2005 [return date].

FR KEALY [name of cleric] will be monitored by [redacted] [name of travel monitor]. [redacted] [name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by FR KEALY [name of cleric] must be in the presence of [redacted] [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] [name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over JUNE 18-20 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY 's [cleric name] residence has been scheduled for JUNE 20 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

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Cleric Signature: Robert L. Kealy **Date:** 6/12/05

PRA Signature: [signature] **Date:** 6/15/72

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

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TRAVEL/VACATION NOTIFICATION

FR. ROBERT KEALY [name of cleric] has informed this office that he will be traveling to [redacted] FL [destination address and contact phone number] from FEB 14-2005 [departure date] through FEB 19, 2005 [return date].

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JAN 31 2005
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OFFICE OF PROFESSIONAL RESPONSIBILITY

FR KEALY [name of cleric] will be monitored by [redacted] [name of travel monitor]. [redacted] [name of travel monitor] has accepted the responsibility of verifying the location and activities of FR. KEALY [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by FR. KEALY [name of cleric] must be in the presence of [redacted] [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] [name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over FEB 14-19 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY 's [cleric name] residence has been scheduled for FEB 19 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert J. Kealy **Date:** 1/26/05

PRA Signature: [signature] **Date:** 1/31/05

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

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Rev. Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060
Pvt. Phone: [redacted]
Cell Phone: [redacted]

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August 20, 2005

Rev. Edward D. Grace
Vicar for Priests
645 N. Michigan Ave., Ste. 543
Chicago, IL 60611

Dear Ed:

It was good to see you at the meeting with the Cardinal on August 3rd. I hope you are finding pastoral satisfaction in your challenging new role.

Ed, I would like to meet with you to follow up on the issues of residence and of setting up a meeting with [redacted]. Please give me a call or have your secretary do so, to set up an appointment.

To keep you in the information loop, I am enclosing a copy of a letter which my advocate, Father Frank Morrisey, sent to the Cardinal.

With the assurance of my prayers, I remain

Fraternally yours in Christ,

Rev. Robert L. Kealy

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Rev. Robert L. Kealy
P.O. Box 455
Mundelein, IL 60060

August 28, 2005

Francis Cardinal George, O. M. I.
Archbishop of Chicago
P.O. Box 1979
Chicago, IL 60690

Your Eminence:

In the absence of my advocate, Father Francis G. Morrisey, O.M.I., who is out of the country until the end of the month, I am writing you to modify his request for reconsideration of your decree of July 22, 2005. Father Morrisey letter to you was dated August 7, 2005.

-- I withdraw the request contained in Point (2) and Point (4) of Father Morrisey's letter, asking for a statement by the Archdiocese at this time about the finding in my case. I think that before any such statement could be helpful, it is advisable for you to make some kind of policy statement creating a framework for the return to limited ministry of some accused priests. Attached is a proposed draft of such a statement. It is canonically sound and explains the rationale for some priests being allowed to return to restricted ministry.

-- In regard to Father Morrisey's Point (3), I respectfully suggest that instead of the decree saying that my "faculties are removed, with the exception of those which are needed in danger of death," the decree be modified to say something such as " for the next year, you will continue to be restricted from any public ministry." This takes it out of the nature of a suspension, which is a canonical penalty, which cannot be imposed in my case; however, the essence of your decision is still achieved.

-- I renew the request, expressed in Father Morrisey's Point (5) for a relaxation of my monitoring restrictions.

Your Eminence, I thank you for considering these points.

Sincerely yours in Christ,

Reverend Robert L. Kealy

cc: Rev. Francis G. Morrisey, O.M.I.

[redacted]

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility

P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279
www.archchicago.org

MEMORANDUM

To: File – PFR-83

From: Leah McCluskey, Professional Responsibility Administrator

Re: Kealy, Rev. Robert [Withdrawn]

Date: September 21, 2005

Cardinal Francis George, O.M.I., Rev. Patrick Lagges, Judicial Vicar, Revs. Edward Grace and Vincent Costello Vicars for Priests, and PRA traveled to the Cardinal Stritch Retreat House to meet with Rev. Robert Kealy on August 3, 2005. The meeting had been scheduled at the request of Cardinal George so that he could speak with Fr. Kealy regarding his [Cardinal George's] completed review of the case of sexual misconduct with minors that has been pending against the accused (P.N. 25/03 – 19656).

Cardinal George began the meeting with a prayer and then provided Fr. Kealy with a copy of the decree [see file]. Fr. Kealy was informed that Fr. Lagges would send a copy of the decree to his canonical advocate, Rev. Francis G. Morrisey, OMI, JCD.

Cardinal George informed Fr. Kealy that this matter was referred to the Congregation for the Doctrine of the Faith on July 31, 2003 and that the response from Cardinal Ratzinger, then Cardinal Prefect of the Congregation for the Doctrine of the Faith, was received on July 12, 2004. Cardinal George read over and summarized the decree and imposed penalties for Fr. Kealy.

Fr. Kealy was informed that his Vicar for Priests is now Fr. Grace. Cardinal George talked to Fr. Kealy about him [Fr. Kealy] moving from the retreat house and to another monitored residence. The Cardinal also mentioned the possibility of work for Fr. Kealy that was not considered to be public ministry. Fr. Kealy was informed that the Vicar for Priests and PRA would work with him on future possible moves and work. He was also informed that his current monitoring protocols would continue. Cardinal George then asked Fr. Kealy to date and sign his copy of the decree "received on August 3, 2005."

Fr. Kealy asked Cardinal George if the Archdiocese of Chicago would have a press conference to publicly announce the final determinations on his and the other cases received from Rome. Cardinal George stated that he does not want to release names [of

Fr. Kealy and the other priests withdrawn from ministry for misconduct with minors] but that he feels it would not be acceptable to [publicly] say nothing about the conclusion of the canonical process. Fr. Kealy then expressed his opinion that "...not all [of the priests withdrawn from ministry] are painted with the same brush." In response, Cardinal George asked Fr. Kealy for written feedback on his opinions for such a public response. Fr. Kealy also expressed his concern for the letters sent in response to inquires received on the priest information system.

Fr. Kealy directly asked Cardinal George about reimbursement for Fr. Morrisey's services on his behalf. Fr. Lagges responded by informing Fr. Kealy that if Fr. Morrisey does not submit a bill for such services, then the Archdiocese of Chicago would not pay any compensation.

Cc: Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board
Rev. Edward D. Grace, Vicar for Priests

ARCHDIOCESE OF CHICAGO

Vicar General

Post Office Box 1979
Chicago, Illinois 60690-1979

(312) 751-8271
Fax: (312) 337-6379

Kealy

September 23, 2005

Rev. Kevin Spiess
SS. Faith, Hope, & Charity Parish
191 Linden St.
Winnetka, IL 60093

Dear Father Speiss:

As you know, Cardinal George has resolved eleven cases of priests heretofore temporarily removed from public ministry as a result of an allegation of abuse of a minor. In accord with our policies and practices, victims and the affected parish communities will be informed about the resolution of the cases. With that in mind, I ask that you share the enclosed letter with your parishioners at Masses this weekend.

I suggest you do so in a manner that, in your judgment, best suits your particular parish situation: pulpit announcement (experience has demonstrated that such announcements are best made after Communion), bulletin announcement/insert, copies distributed after weekend Masses, or a combination of these.

Thank you for your cooperation in fulfilling this request, even though it is with short notice.

Sincerely yours,

Fr. George Rassas

Reverend George J. Rassas
Vicar General

cc: Most Rev. Francis Kane

ARCHDIOCESE OF CHICAGO

Vicar General

Post Office Box 1979
Chicago, Illinois 60690-1979

(312) 751-8271
Fax: (312) 337-6379

September 23, 2005

Rev. Kevin Spiess
SS. Faith, Hope, & Charity Parish
191 Linden St.
Winnetka, IL 60093

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I suggest you do so in a manner that, in your judgment, best suits your particular parish situation: pulpit announcement (experience has demonstrated that such announcements are best made after Communion), bulletin announcement/insert, copies distributed after weekend Masses, or a combination of these.

Thank you for your cooperation in fulfilling this request, even though it is with short notice.

Sincerely yours,

Fr. George Rassas

Reverend George J. Rassas
Vicar General

cc: Most Rev. Francis Kane

ARCHDIOCESE OF CHICAGO

Office of the Episcopal Vicar
1651 West Diversey Parkway
Chicago, Illinois 60614

Phone: (773) 388-8670
Fax: (773) 388-8676

September 23, 2005

To the Parishioners of SS. Faith, Hope, & Charity Parish:

As you know, some time ago Father Robert L. Kealy was temporarily withdrawn from ministry following Cardinal George's acceptance of the advice of the Independent Review Board that there was reason to suspect that Father Kealy engaged in sexual misconduct with a minor. According to Canon Law, this determination by the Review Board was forwarded to the Holy See for its review. This is to report to you that this process has been concluded.

The Holy See agreed that Father Kealy's misconduct did not morally conform to a priestly lifestyle. Cardinal George, after consultation, has decided that Father Kealy's ministry will continue to be restricted. This means that Father Kealy is prohibited from engaging in public ministry, presenting himself as a priest, or acting as an agent of the Archdiocese of Chicago. Father Kealy has worked cooperatively toward the implementation of this decision and has asked to be allowed to retire from active ministry.

It is my hope and prayer that while this announcement is yet one more reminder of a sad reality, it may also bring a measure of finality and peace to the people of SS. Faith, Hope, & Charity Parish.

Please keep in your thoughts and prayers all those affected by the sin of abuse. They and all of you are daily in my prayer.

Sincerely yours,

Most Reverend Francis Kane
Episcopal Vicar

cc: Reverend George J. Rassas
Vicar General

ARCHDIOCESE OF CHICAGO

Vicar General

Post Office Box 1979
Chicago, Illinois 60690-1979

(312) 751-8271
Fax: (312) 337-6379

September 23, 2005

Rev. William E. Malloy
St. Germaine Parish
4240 W. 98th St.
Oak Lawn, IL 60453

Dear Father Malloy:

As you know, Cardinal George has resolved eleven cases of priests heretofore temporarily removed from public ministry as a result of an allegation of abuse of a minor. In accord with our policies and practices, victims and the affected parish communities will be informed about the resolution of the cases. With that in mind, I ask that you share the enclosed letter with your parishioners at Masses this weekend.

I suggest you do so in a manner that, in your judgment, best suits your particular parish situation: pulpit announcement (experience has demonstrated that such announcements are best made after Communion), bulletin announcement/insert, copies distributed after weekend Masses, or a combination of these.

Thank you for your cooperation in fulfilling this request, even though it is with short notice.

Sincerely yours,

Fr. George Rassas

Reverend George J. Rassas
Vicar General

cc: Most Rev. Gustavo Garcia-Siller, M.Sp.S.

ARCHDIOCESE OF CHICAGO

Vicar General

Post Office Box 1979
Chicago, Illinois 60690-1979

(312) 751-8271
Fax: (312) 337-6379

September 23, 2005

To the Parishioners of St. Germaine Parish:

As you know, some time ago Father Robert L. Kealy was temporarily withdrawn from ministry following Cardinal George's acceptance of the advice of the Independent Review Board that there was reason to suspect that Father Kealy engaged in sexual misconduct with a minor. According to Canon Law, this determination by the Review Board was forwarded to the Holy See for its review. This is to report to you that this process has been concluded.

The Holy See agreed that Father Kealy's misconduct did not morally conform to a priestly lifestyle. Cardinal George, after consultation, has decided that Father Kealy's ministry will continue to be restricted. This means that Father Kealy is prohibited from engaging in public ministry, presenting himself as a priest, or acting as an agent of the Archdiocese of Chicago. Father Kealy has worked cooperatively toward the implementation of this decision and has asked to be allowed to retire from active ministry.

It is my hope and prayer that while this announcement is yet one more reminder of a sad reality, it may also bring a measure of finality and peace to the people of St. Germaine Parish.

Please keep in your thoughts and prayers all those affected by the sin of abuse. They and all of you are daily in my prayer.

Sincerely yours,

Fr. George Rassas

Reverend George J. Rassas
Vicar General

cc: Most Rev. Gustavo Garcia-Siller, M.Sp.S.

COPY

ARCHDIOCESE OF CHICAGO

Vicar General

Post Office Box 1979
Chicago, Illinois 60690-1979

(312) 751-8271
Fax: (312) 337-6379

September 23, 2005

To the Parishioners of SS. Faith, Hope, & Charity Parish:

As you know, some time ago Father Robert L. Kealy was temporarily withdrawn from ministry following Cardinal George's acceptance of the advice of the Independent Review Board that there was reason to suspect that Father Kealy engaged in sexual misconduct. According to Canon Law, this determination by the Review Board was forwarded to the Holy See for its review. This is to report to you that this process has been concluded.

Specifically, the Holy See reviewed and confirmed Cardinal George's acceptance of the advice of the Review Board and authorized Cardinal George to resolve the matter administratively. Pursuant to that instruction, Cardinal George reviewed all of the information collected, listened to the opinions of canonical advocates, and sought advice from his own canonical advisors as well as from assessors who are canon lawyers independent of the Archdiocese of Chicago.

Cardinal George has determined based upon the information presented that the actions committed by Father Kealy did not morally conform to a priestly lifestyle, and he has prohibited Father Kealy from engaging in any public ministry, presenting himself as a priest, or acting as an agent of the Archdiocese of Chicago.

It is my hope and prayer that while this announcement is yet one more reminder of a sad reality, it may also bring a measure of finality and peace to the people of SS. Faith, Hope, & Charity Parish.

Please keep in your thoughts and prayers all those affected by the sin of abuse. They and all of you are daily in my prayer.

Sincerely yours,

Fr. George Rassas

Reverend George J. Rassas
Vicar General

cc: Most Rev. Francis Kane

COPY

Rev. Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

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September 25, 2005

Francis Cardinal George, O.M.I.
Archbishop of Chicago
P.O. Box 1979
Chicago, IL 60690

Your Eminence:

I write with a sense of urgency regarding the letter about me which was sent on Friday over the Vicar General's signature to the pastors of the parishes of SS. Faith, Hope & Charity and St. Germaine, with the request that it be communicated to the parishioners.

I realize that the letter was the work of a committee and was drafted to apply to a wide variety of cases. In my case, however, it was untrue, unfair, and unjust. It was wrong about the canonical process which has taken place. It was wrong about the conclusions of that process. And it was wrong about my present status.

The letter gives the false impression that I have been found guilty of the sexual abuse of a minor and have been defrocked. That is how a normal person would understand the letter. How else would people be expected to understand the expression "he has prohibited Father Kealy from engaging in any public ministry, presenting himself as a priest, or acting as an agent of the Archdiocese"?

The letter does not mention the key fact that the accusation against me of sexual abuse of minor was not substantiated. In fact, it implies the opposite. Parishioners know that was the accusation and the letter itself refers to "sexual misconduct" and "the sin of abuse."

The process you describe in paragraphs two and three of your letter is not what happened in my case at all. In my case, Rome said there was no canonical delict, no basis for a penal process of any kind, whether administrative or judicial, and no penalties could be imposed (which means, among other things, that I am not suspended, that I may present myself as a priest, and that I may wear the Roman collar). While Rome recognized that you have discretion as to when and how I am returned to public ministry, a year and a half ago Cardinal Ratzinger suggested to you that it would be "more equitable" if I were returned within a year.

Letter to Cardinal George, September 25, 2005

Your Eminence, I implore you to correct the mistakes in this letter for they will cause permanent damage to my reputation and make impossible the implementation of the decision of the Holy See.

If you are intent on publishing a letter, it would be much more accurate to say:

> "A thorough process in accord with canon law did not find Father Kealy guilty of the sexual abuse of a minor, but did find that he had acted inappropriately in one instance twenty-eight years ago. Cardinal George, in view of his authority to regulate the rights of the faithful for the common good, has decided that Father Kealy's ministry will continue to be restricted."

Sincerely yours in Christ,

Robert L. Kealy

Reverend Robert L. Kealy

cc: Rev. George J. Rassas, V.G.
Most Rev. Francis J. Kane
Most Rev. Gustavo Garcia-Siller, M.Sp.S.
Rev. Edward D. Grace
Rev. Patrick R. Lagges
Rev. Kevin J. Spiess
Rev. William E. Malloy

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

155 E. Superior St.
Chicago, Illinois 60611

September 26, 2005

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Reverend Robert L. Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060

Dear Father Kealy:

I received your letter of August 28, 2005 in which you asked me to disregard the requests your advocate, Rev. Francis G. Morrisey, O.M.I., made in response to the decree which was communicated to you on August 3, 2005.

I do not believe it is necessary for me to modify my decree, since the removal of Archdiocesan faculties is not a penalty. A priest does not have a right to be given the faculties of a diocese; he receives them as a grace. Hence the removal of faculties cannot be considered a penalty. It is simply the withdrawal of the privilege which was granted.

The question of monitoring restrictions is something which is being dealt with by the Vicar for Priests office. The decree says that the Vicar for Priests can modify the program from time to time. Therefore, it would be more appropriate for you to discuss this matter with Father Grace.

I also wish to thank you for the statement and questions-and-answers that you put together. We are currently dealing with this issue and I find your material helpful.

In closing, I hope that you will use this time to reflect seriously on what I have said to you in the past: This is not simply a canonical matter which can be dismissed as inconsequential. What you did seriously harmed a young man [redacted]. Because of the harm that was done, you must accept the consequences of your actions. I ask that you reflect on this matter, pray about it, and bring it to your spiritual director so that you may more readily see the need for prayer and penance for what you have done.

I will keep you in my prayers; I ask that you keep me in yours.

Fraternally yours in Christ,

Francis Cardinal George, O.M.I.
Archbishop of Chicago

cc: Reverend Francis G. Morrisey, O.M.I.

POSTED 9/28/05

ARCHDIOCESE OF CHICAGO
PAYROLL AUTHORIZATION/CHANGE FORM/PAYROLL SET UP

RECEIVED SEP 23 2005 H.R.

ARCHDIOCESE PRIESTS

Kealy, Robert _____ [redacted] 200801
Last Name, First, Middle Initial — Social Security Number — Employee Number

Active F/T_____ Active P/T_____ Active P/T Benefits _____ Position _____

Ordination Date_____ Transfer to P.C. _____ DateTransfer from Agency/Parish/School#_____

Dept. Name_____ No._____ Agency_____ No._____

Pay through payroll
Regular Salary (Compensation Book) $_____
Other: Type
_____ $_____
_____ $_____
_____ $_____
_____ $_____
Total through Payroll $_____

Effective Date: _____

Non-Payroll Compensation
Type
_____ $_____
_____ $_____
_____ $_____
_____ $_____
Total Non-Payroll $_____

Comments_____

Birth Date_____ EEOC: OM_____ PR_____ OC_____ SW_____ SL_____ ADM_____ Other_____ Veteran_____

Home Phone_____ Work Phone_____ Handicap: Yes_____ No_____

Mailing Address _____

_____
Street, City, State, Zip Code

Dental Insurance: Yes____ No____ Name of Dental Plan_____

Payroll Direct Deposit: Yes____ No____Forms attached: Yes____ No____Federal/State Taxes: Yes____ No____ Forms attached: Yes____ No____

Defined Contribution Plan (AETNA) Yes_____ No_____ Amount per year $_____

TRANSFERS – EFFECTIVE DATE July 1, 2005

Transfer From _____ To _____
Name Parish #, School #, or Agency # — Personnel Services – Interim Salary #

Transfer From 10350 10359 To 10512 / 10441
Personnel Services – Interim Salary # — Name Parish #, School #, or Agency #

Transfer From _____ To _____
Location — Location

Termination/Resignation/Date_____ Reason_____

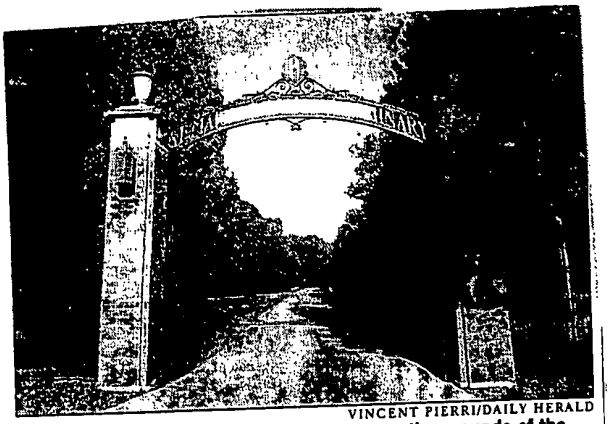
_____ _____ _____
Agency Director/Date — Department Director/Date — Director, Human Resources/Date

_____ CJ _____
Chancellor/Date — Director, Personnel Services/Date

Original: Payroll — Yellow: Human Resources — Pink: Agency — Gold: Benefits

Rev. 5/04

AOC 016186



VINCENT PIERRI/DAILY HERALD

Critics are concerned about priests living on the grounds of the University of St. Mary of the Lake in Mundelein recently removed by the Chicago Archdiocese on allegations of sexual misconduct.

Police want list of punished priests

DH 10-6

BY MADHU KRISHNAMURTHY AND BOB SUSNJARA
Daily Herald Staff Writers

Mundelein officials want the Chicago Archdiocese to provide information on several priests living on seminary grounds in the village who have been removed from public ministry after allegations of sexual misconduct with minors.

Nearly all the 11 priests ousted by Cardinal Francis George last week reside on the grounds of University of St. Mary of the Lake off Route 176. Some of the priests have lived there since 2002, but village authorities learned of it only recently, Police Chief Raymond J. Rose said.

Some of the priests are in nursing homes, an archdiocese official said. Seven of the priests had ties to churches in Cook, Lake and DuPage counties. The allegations date back 50 years, past the statute of limitations for criminal prosecution.

Rose said the priests don't have to register as sex offenders, but police would like to follow the same procedure and have their files available in the event of an incident. He said the village is aware of the archdiocese's concern about the priests' privacy.

"We're trying to find that middle ground that allows us to have the information, so the community is aware that we have the information," he said. "Should there ever be any reports or concerns, we would have that file in the police department."

Rose said any information on the priests would remain confidential.

An archdiocese official said Tuesday the Mundelein police request is under consideration.

"It's a very difficult conundrum at the moment," said Colleen Dolan, archdiocese director of communications and public relations. "I would presume the lawyers would have to look at the legalities of this because you can't just put (the priests') names on a list."

Though the archdiocese has not released a full list of the removed priests' names, officials there confirmed a list obtained by the Daily Herald. It has been widely published.

Mundelein police are asking for more than just names. Officials want to know how to identify the men, details of the allegations against them and how they are being monitored.

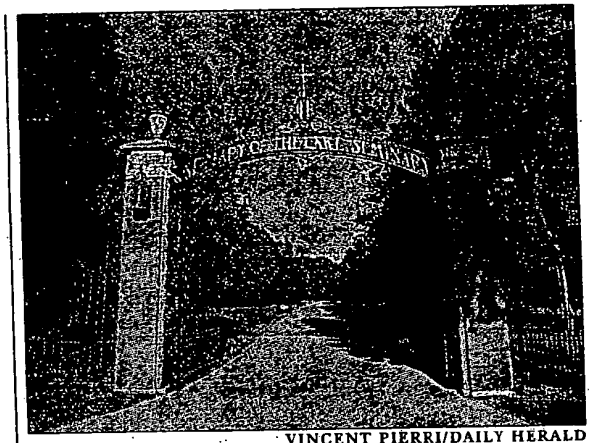
Mundelein Mayor Kenneth Kessler said while police are being cautious, there is no reason for alarm about the accused priests living on the seminary grounds.

"It's not like this just happened last week," he said. "These people have been there and there have been no problems to date. We actually have far better ability to know what's going on with an organization of that nature than what's going on up and down the streets of regular old, private Mundelein."

MISCONDUCT 10-5-05

AOC 016187

Daily Herald 10/5/05



VINCENT PIERRI/DAILY HERALD

Critics are concerned about several priests living on the grounds of the University of St. Mary of the Lake in Mundelein recently removed by the Chicago Archdiocese on allegations of sexual misconduct.

Mundelein police want list of punished priests

By Madhu Krishnamurthy and Bob Susnjara
Daily Herald Staff Writers

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Some of the priests are in nursing homes, an archdiocese official said.

Seven of the priests had ties to churches in Cook, Lake and DuPage

See **LIST** on **PAGE 13**

List: 11 priests' activities being

1 from Page 1

L134

monitored, according to church

Continued from Page 1

counties. The allegations date back 50 years, past the statute of limitations for criminal prosecution.

Rose said the priests don't reason for alarm about the accused priests living on the seminary grounds.

"It's not like this just happened last week," he said. "These people have been there and there have been no problems to date. We actually have receive regular counseling, Dolan said. The priests also can move out of the seminary and leave the priesthood at any time, she said.

But critics say the archdiocese's monitoring system does not work. One such priest

AOC 016188

L134

monitored, according to church

Continued from Page 1

counties. The allegations date back 50 years, past the statute of limitations for criminal prosecution.

Rose said the priests don't have to register as sex offenders, but police would like to follow the same procedure and have their files available in the event of a future incident. He said the village is aware of the archdiocese's concern about the priests' privacy.

"We're trying to find that middle ground that allows us to have the information, so the community is aware that we have the information," he said. "Should there ever be any reports or concerns, we would have that file in the police department."

Rose said any information on the priests would remain confidential.

An archdiocese official said Tuesday the Mundelein police request is under consideration.

"It's a very difficult conundrum at the moment," said Colleen Dolan, archdiocese director of communications and public relations. "I would presume the lawyers would have to look at the legalities of this because you can't just put (the priests') names on a list."

Though the archdiocese has not released a full list of the removed priests' names, officials there confirmed a list obtained by the Daily Herald. It has been widely published.

Mundelein police are asking for more than just names. Officials want to know how to identify the men, details of the allegations against them, and how they are being monitored.

Mundelein Mayor Kenneth Kessler said while police are being cautious, there is no reason for alarm about the accused priests living on the seminary grounds.

"It's not like this just happened last week," he said. "These people have been there and there have been no problems to date. We actually have far better ability to know what's going on with an organization of that nature than what's going on up and down the streets of regular old, private Mundelein."

Still others are calling for that information to be made public.

Veteran Lake County Children's Advocacy Center investigator Mark Pleasant said the public should know whether the priests undergo counseling and the severity of their supposed offenses.

"The whole problem here is the lack of information that is available," said Pleasant, who works for an arm of the Lake County state's attorney's office. "These people exist (under) a veil of secrecy."

Dolan said the priests are not under house arrest but must check in with a monitor before leaving university grounds. At times, they may be accompanied by a chaperone. They are allowed to drive cars. They are forbidden from being alone with minors.

Their living quarters were once a retreat house now used solely as a home for removed priests. It is separated by a lake from the seminary campus.

"They are not mixed in with the seminarians, and they definitely should not make plans to go where there are children," Dolan said. "Each one of them, in order to maintain this process, have signed a document to the cardinal saying that they will abide by these rules."

The priests are required to "lead a life of prayer and penance." They should also receive regular counseling, Dolan said. The priests also can move out of the seminary and leave the priesthood at any time, she said.

But critics say the archdiocese's monitoring system does not work. One such priest accused of sexual misconduct, the Rev. John Callicott of Chicago, slipped under the radar.

Callicott was removed as pastor of Holy Angels parish on Chicago's South Side in 2002 amid accusations he engaged in sexual misconduct with two teenage boys in the 1970s at another church. He was sent to the University of St. Mary of the Lake.

In January 2004, controversy arose when archdiocese officials learned Callicott was traveling from Mundelein, at the invitation of Holy Angels officials, to talk to grade-school students about sex.

"What they call monitoring leaves a lot to be desired," said Barbara Blaine, president of Chicago-based Survivors Network of Those Abused by Priests. "There is no way to monitor these guys 24 hours a day."

The cardinal has ordered a church trial for Callicott's case.

Dolan said there won't be a repeat of that case because all

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parishes have been informed of the 11 priests' removal.

"Every priest in the diocese received a letter from the cardinal," she said. "The priests that are up in Mundelein know that they are in a restricted setting. They don't belong in any parish, functioning."

AOC 016189

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility

P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279
www.archchicago.org

MEMORANDUM

To: File

From: Leah McCluskey, Professional Responsibility Administrator

Re: Cardinal Stritch Retreat House Residents

Date: October 7, 2005

Rev. Edward Grace, Vicar for Priests, Mr. John O'Malley, Director of Legal Services, and PRA traveled to the Mundelein Police Department today to meet with Mr. Raymond Rose, Chief of Police and Mr. Cameron Eugenis, Deputy Chief. The meeting was arranged to discuss those archdiocesan priests who have been withdrawn as a result of a substantiated allegation of the sexual abuse of a minor and currently reside at the Cardinal Stritch Retreat House located in Mundelein, Illinois. Chief Rose made it clear throughout the meeting that the discussion was not to include any withdrawn priest living in Mundelein who is already a registered sex offender.

After preliminary discussion surrounding the process of a priest being withdrawn from ministry and the Review Board process, Mr. O'Malley informed Chief Rose and Deputy Chief Eugenis of the information that Francis Cardinal George had wished to share with the Mundelein police concerning the aforementioned priests.

Chief Rose stated that basic information they would like to be provided on any priest removed from ministry and living at the Retreat House would be their date of birth, a picture of each man, and a picture of each man's car. Through further discussion, the following information was also requested on each aforementioned priest: height, weight, eye color, hair color, social security number, driver's license number and expiration date, employment information, vehicle information [make, model, year, color, license plate number].

It was also agreed that PRA would contact Chief Rose and Deputy Chief Eugenis via phone in the event that one of the aforementioned priests moves into or out of the Retreat House.

PRA then verbally provided the following information on each withdrawn priest residing at the Retreat House, which was recorded by Chief Rose's secretary: name, date of birth,

date removed from ministry, and the date of the last substantiated allegation. PRA also verbally provided a basic summary of the monitoring protocol that each withdrawn priest has been asked to follow.

Cc: Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board
Rev. Edward D. Grace, Vicar for Priests
Rev. Vincent Costello, Vicar for Priests
John O'Malley, Legal Services

[redacted]

PHONE [redacted]
FAX

October 17, 2005

Burke, Warren, MacKay & Serritella, P.C.
ATTENTION: JAMES SERRITELLA
22nd Floor, IBM Plaza
330 North Wabash Avenue
Chicago, IL 60611-3607

RE: [redacted] v. ARCHDIOCESE OF CHICAGO, et al.

Dear Mr. Serritella:

Please be advised that I represent [redacted] in his claim against the ARCHDIOCESE OF CHICAGO arising out of childhood sexual abuse committed by Rev. Robt. Kealy when [redacted] was a minor.

Please be advised that I claim a lien for my services as attorney for the above-captioned individual, and I ask that someone contact me before November 1, 2005 to discuss a reasonable resolution to this claim.

Very truly yours,

[redacted]

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

TRAVEL/VACATION NOTIFICATION

FR. ROBERT KEALY [name of cleric] has informed this office that he will be traveling to [redacted] [redacted] CANADA [destination address and contact phone number] from NOV. 24, 2005 [departure date] through NOV. 27 2005 [return date].

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FR. KEALY [name of cleric] will be monitored by HIS SISTER [redacted] [name of travel monitor]. [redacted] [name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame.

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[see attached correspondence]

1. Contacts with minors by FR KEALY [name of cleric] must be in the presence of [redacted] [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] [name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over NOV 24-27 2005 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY 's [cleric name] residence has been scheduled for NOV. 27 2005 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert L. Kealy **Date:** 10/23/05

PRA Signature: [signature] **Date:** 10/27/05

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

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TRAVEL/VACATION NOTIFICATION

FR. ROBERT KEALY [name of cleric] has informed this office that he will be traveling to WESTIN MAUI RESORT [redacted] 2365 KAANAPALI PKWY. [destination address and contact phone number] from LAHAINA, HAWAII NOV 6, 2005 [departure date] through NOV. 13, 2005 [return date].

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FR KEALY [name of cleric] will be monitored by FR. CHRIS GUSTAFSON [name of travel monitor]. FR GUSTAFSON [name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame.

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[see attached correspondence]

1. Contacts with minors by FR KEALY [name of cleric] must be in the presence of FR GUSTAFSON [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. FR GUSTAFSON [name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over NOV 6-13, 2005 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY 's [cleric name] residence has been scheduled for NOV 13, 2005 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert L. Kealy **Date:** 10/23/05

PRA Signature: Gail McCluskey **Date:** 10/27/05

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

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TRAVEL/VACATION NOTIFICATION

FR KEALY [name of cleric] has informed this office that he will be traveling to [redacted] / HOME OF MR + MRS [redacted] / [redacted] IC [destination address and contact phone number] (BEFORE + AFTER SAT. ND GAME) from OCT 14 [departure date] through OCT 16, 2005 [return date].

OCT 12 2005

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FR KEALY [name of cleric] will be monitored by [redacted] name of travel monitor]. [redacted] name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame.

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[see attached correspondence]

1. Contacts with minors by FR KEALY [name of cleric] [redacted] presence of [redacted] ame of travel monitor]. Inappropriate locations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] [name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over OCT 14-16 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY 's [cleric name] residence has been scheduled for OCT 16 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert L Kealy **Date:** 10/8/05

PRA Signature: Hal McCarthy **Date:** 10/15/05

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

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PATRICK G. REARDON
ATTORNEY AND COUNSELOR AT LAW
SUITE 1938
221 NORTH LASALLE STREET
CHICAGO, ILLINOIS 60601

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OFFICE OF LEGAL SERVICES

December 1, 2005

John C. O'Malley
Director of Legal Services
Archdiocese of Chicago
Post Office Box 1979
Chicago, Illinois 60690 - 1979

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Dear Mr. O'Malley,

I was recently consulted by Reverend Robert Kealy of the Archdiocese of Chicago, currently residing at Mundelein, Illinois. He has been accused of sexual misconduct with a minor. He has denied this allegation. Recently he has been told that his accuser has retained a civil lawyer. During our conference, Father Kealy expressed some concern that his personnel files or other confidential documents might be subjected to civil subpoena or other process in relation to some lawsuit against the Archdiocese. He has asked me to write this letter expressing his wish that no record relating to him be released or published in any way.

In accord with this wish, I am writing to advise that Father Kealy wishes hereby to assert all rights of privacy and confidentiality as to all personnel records, files, documents, notes or correspondence relating to Father Kealy's ministry, or relating in any way to any accusation of misconduct against him, or relating to his response or defense regarding such accusation, or any other general information about Father Kealy in possession of the Archdiocese of Chicago, including any held by the Vicar for Priests, the Professional Fitness Review Board and its administrator, or by any other agency. Father Kealy objects to the release of any of the above information. He further wishes to be advised of any request for such documents or receipt by you of any formal service of process. If such a request is received you may advise him directly or through my office.

Father Kealy further asserts that any possible settlement by the Archdiocese should include a statement that there has been no admission or finding of guilt on his part. Father Kealy advises me that Cardinal George informed him that the Congregation for the Doctrine of the Faith determined that he was not guilty of any canonical delict and there was no basis, in his case, for a penal process of any kind.

Sincerely,

Patrick G. Reardon

PATRICK G. REARDON
ATTORNEY AND COUNSELOR AT LAW
SUITE 1938
221 NORTH LASALLE STREET
CHICAGO, ILLINOIS 60601

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CATHOLIC DIOCESE OF CHICAGO
OFFICE OF LEGAL SERVICES

December 1, 2005

John C. O'Malley
Director of Legal Services
Archdiocese of Chicago
Post Office Box 1979
Chicago, Illinois 60690 - 1979

Dear Mr. O'Malley,

I was recently consulted by Reverend Robert Kealy of the Archdiocese of Chicago, currently residing at Mundelein, Illinois. He has been accused of sexual misconduct with a minor. He has denied this allegation. During our discussion, Father told me that the Catholic New World reported that the Archdiocese had notified his accuser of the action being taken by the Archdiocese. Father Kealy respectfully requests that, if this communication was in writing, he be given copies of any correspondence sent by any agency of the Archdiocese to his accuser or the accuser's agents. Copies of such documents may be sent to Father directly or through my office.

Thank you for your assistance in this matter.

Sincerely,

Patrick G. Reardon

BURKE, WARREN, MACKAY & SERRITELLA, P.C.

22ND FLOOR IBM PLAZA
330 NORTH WABASH AVENUE
CHICAGO, ILLINOIS 60611-3607
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FACSIMILE: (312) 840-7900

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FAX TRANSMITTAL FORM

SEND TO:	Rev. Edward Grace Vicar for Priests		
FAX #:	642-4933	DATE/TIME:	Friday, December 09, 2005
PHONE #:	642-1837	NUMBER OF PAGES: (Include Cover Sheet)	05
CLIENT #:	09891	MATTER #:	00109
SENT BY:	James A. Serritella		

COMMENTS:

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JAMES A. SERRITELLA
DIRECT DIAL NUMBER
(312) 840-7040
jserritella@burkelaw.com

December 9, 2005

VIA FACSIMILE ([redacted]) & U.S. MAIL

[redacted]

Re: [redacted]/Rev. Robert Kealy

Dear [redacted]:

I am following up on your letter of October 17, 2005 regarding the above matter and our subsequent discussions. I have passed your correspondence on to Ms. Leah McCluskey, the Professional Responsibility Administrator of the Archdiocese of Chicago. It is my understanding that someone from her office has been in contact with you about this matter. As you know, either you or your client can contact Mr. Ralph Bonaccorsi (312-751-8267), Assistance Minister of the Archdiocese, for pastoral assistance or therapy at the Archdiocese's expense from a licensed therapist of your client's choice.

Please direct your communications about this matter to the undersigned.

Very truly yours,

James A. Serritella

lj

cc: Leah McCluskey (via facsimile)
Ralph Bonaccorsi (via facsimile)

12/9/2005/11:16 AM/09891/00109/378431/1

[redacted]

bcc: Reverend Edward Grace (via facsimile)
Reverend Vincent Costello (via facsimile)
John O'Malley (via facsimile)

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330 NORTH WABASH AVENUE
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FAX TRANSMITTAL FORM

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FAX #: 751-5279 DATE/TIME: Friday, December 09, 2005

PHONE #: NUMBER OF PAGES: 05
(Include Cover Sheet)

CLIENT #: 09891 MATTER #: 00109

SENT BY: James A. Serritella

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PHONE [redacted]
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December 15, 2005

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Burke, Warren, MacKay & Serritella, P.C.
ATTENTION: JAMES SERRITELLA
22nd Floor, IBM Plaza
330 North Wabash Avenue
Chicago, IL 60611-3607

RE: [redacted] **v. ARCHDIOCESE OF CHICAGO, et al.**

Dear Mr. Serritella:

Please find enclosed the "conflict letter" executed by [redacted]

Very truly yours,

[redacted]

Enc.

Positives and negatives of the Retreat House experience

Positive

- It provides an opportunity to live in a sacred environment.
- It provides an opportunity for communal prayer and fraternal priestly support. The spirituality and commitment of the other priests is a source of edification and inspiration.
- It provides an environment for an ecclesial experience apart from parish life. For priests who have dedicated themselves to the church for forty, fifty or more years since beginning their seminary formation, this is a very important factor. The retreat house truly is a house of prayer and it has an atmosphere of serenity which is conducive to development of one' spirituality.
- It provides a supportive transition for priests removed suddenly from ministry.
- It provides an atmosphere in which priests are treated with appropriate human respect.
- It provides an opportunity for these priests to minister to each other. With their restrictions on public ministry, this is one priestly thing which these men can do.
- The Administrator, Dick Hudzik, and his wife, [redacted], add a very caring, positive element to the experience.

Problematic

- It can create a sense of isolation unless an individual priest reaches out to communicate with family and friends. For some priests, the location of the retreat house is a great distance from family and friends.
- There is a feeling of being marginalized and forgotten by the Archdiocese.
- Some of the priests struggle with depression.
- There can be a sense of hopelessness for those priests who have not taken the personal initiative to find worthwhile interests and projects to be involved in. There is a feeling that the men are discouraged from being involved in any Archdiocesan activity.
- The concentration of priests who are going through a great deal of personal suffering can create a difficult atmosphere at times.
- Archdiocesan announcements about the location of these men at the retreat house has created a feeling of being under siege and creates a stigma to living in the retreat house.
- Archdiocesan announcements that accused priests are in a "restricted, monitored setting" creates an impression that they are dangerous and have to be watched.
- Some priests have concerns for their personal safety because the retreat house has been targeted publicly as a danger to the community.
- The large number of priests at the retreat house can complicate the mission of the retreat house. If more priests were removed from ministry, where would they go? There seems to be no plan.
- There is a feeling that "the only way out" of the retreat house is through death or a nursing home.
- There is a feeling of never being part of the discussion about decisions which affect one's life.

Other issues

- Even the current monitoring requirements are demeaning and damaging to an individual's dignity and sense of self respect.
- There is an unpredictability and a lack of finality to what the Archdiocese may prohibit or

require of an accused priest. The priests feel very vulnerable to the how the Archdiocese reacts to external events.

- There is a lack of information about a priest's pension rights and how various options might affect his pension. (e.g., under what conditions could a priest's pension be denied or reduced? If a retired priest decided to live with family, could he be deprived of his pension?
- The Archdiocese does not allow accused priests to be buried from a parish church and does not allow a death notice to be published or any notice to priests to be issued. This is a practice not followed in most dioceses.

Recommendations

- Once a priest has been removed from public ministry, the Archdiocese should respect his privacy and not disclose his location.
- When a priest is removed from ministry, the Archdiocese should not state that he is in a "restricted, monitored setting."
- The number of priests at the retreat house should be reduced by offering other options to the men.
- Priests who are not returning to public ministry should be allowed to retire and given the choice of living with other priests, or privately, or with family or friends.
- Accused priests should be informed of their pension rights.
- Accused priests should be entitled to the same funeral arrangements as other Catholics.

- The Childers Report is based on misinformation and is misguided.
- Childers expertise is in dealing with dangerous sexual predators who are convicted and on probation or parole. This is not the profile of accused priests. Virtually all of them have lived decades of unquestioned good behavior. Despite all of the publicity and the announcements by the Archdiocese, accusations against them are from decades ago.
- The Archdiocesan mistakes in monitoring a priest who remained in active ministry have "poisoned the well" in evaluating the "monitoring" of priests who have been publicly removed from ministry. These are two entirely different situations, but have been equated with each other.
- The Childers Report adopts a "one-size-fits-all" approach, which is inappropriate in law or in therapy.
- The Archdiocese defines substantiation as "a reasonable cause to believe that abuse occurred." It acknowledges that this does not constitute substantiation of an accusation in any legal sense. It is a minimal standard of evidence, far below any legal standard in secular or canon law.
- Like any citizen, a priest is entitled to the presumption of innocence unless convicted through due process of law.
- Financial settlements against accused priests have contained a provision that there has been no finding of guilt.
- Diocesan statements which have pronounced accused priests to be guilty and demonized them have no foundation in canon or civil law and are a violation of the human, civil, and canonical rights of priests.
- Priests do not forgo their civil and human rights just because they are priests. In fact canon law has many provisions to protect the civil and human rights of priests. A canon lawyer should be on the Ad Hoc Committee.
- Like any citizen, a priest has the right to privacy, freedom of movement, freedom of association, and freedom from government or ecclesial interference in his own personal life. If there is evidence of behavior which violates criminal or ecclesiastical laws, that should be addressed, but neither the government nor the church can impose restrictions on personal freedoms, except in accord with the norm of law.
- Information disclosed by the Archdiocese about whether a priest has had counseling, with whom, or of what type are a violation of the federal laws governing the unauthorized disclosure of medical information (HIPAA).
- If a priest has been restricted from public ministry, he is living as a private person and it is a violation of his legitimate privacy for the Archdiocese to disclose his residence or whereabouts.
- There has never been even an *accusation* of misconduct with a minor against a Chicago priest after he was restricted from public ministry and remained a priest.
- Very few dioceses have any kind of monitoring for priests removed from public ministry. In most dioceses, the men are allowed to live privately. They are also allowed, on an ad hoc basis, to celebrate funerals or weddings for family and close friends.
- Canon law prohibits the Church from imposing psychological testing or treatment on anyone, especially forms which are invasive such as the polygraph or plethysmograph.

TRAVEL/VACATION NOTIFICATION

FR. ROBERT KEALY [name of cleric] has informed this office that he will be traveling to HOME OF M/M [redacted] [redacted] FL [destination address and contact phone number] from JAN 25, 2006 [departure date] through FEB 1, 2006 [return date].

RECEIVED
JAN 05 2006
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

FR KEALY [name of cleric] will be monitored by [redacted] [name of travel monitor]. [redacted] [name of travel monitor] has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame.

[see attached correspondence]

1. Contacts with minors by FR KEALY [name of cleric] must be in the presence of [redacted] [name of travel monitor]. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. [redacted] [name of travel monitor] may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over JAN 25 - FEB 1 [aforementioned time frame].
3. As previously noted, the date of return to FR KEALY 's [cleric name] residence has been scheduled for FEB 1 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert L. Kealy **Date:** 1/2/06

PRA Signature: [signature] **Date:** 1/6/06

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

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CIRCUIT COURT OF COOK
COUNTY, ILLINOIS
CHANCERY DIV.
CLERK

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT- CHANCERY DIVISION

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APR 18 2006
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OFFICE OF PROFESSIONAL RESPONSIBILITY

Mother Doe 100, individually and as representative of the minor John Doe 100, on behalf of themselves and all others similarly situated,

[redacted]

Plaintiffs,

vs.

06CH02017

The Archdiocese of Chicago d/b/a The Catholic Bishop of Chicago, a corporation sole,

Defendant.

CLASS ACTION COMPLAINT

NOW COMES the Plaintiffs, individually and on behalf of all others similarly situated, by and through their attorneys, JEFF ANDERSON & ASSOCIATES and KERNS, PITROF, FROST & PEARLMAN, to obtain declaratory and injunctive relief against Defendant, states as follows:

INTRODUCTION

1. This Complaint seeks declaratory judgment and injunctive relief against the Archdiocese of Chicago. The Archdiocese of Chicago has established a policy of harboring and protecting suspected child molesting agents, thereby endangering numerous children in Illinois. The Archdiocese has information about a number of suspected child molesting agents that it has never disclosed to law enforcement or the public at large, thereby causing children such as John Doe 100 to be harmed. Further, on information and belief, the Archdiocese has a policy and

AOC 016208

practice of document destruction. This declaratory relief and injunction action seeks to have the Archdiocese produce all documents regarding the molestation of children by its agents for court supervision, to release the names of all agents accused of molesting children to the court and to the public, and to enjoin the Archdiocese from destroying any documents regarding suspected childhood sexual abuse by its agents.

JURISDICTION AND VENUE

2. This Court has jurisdiction over this action because it seeks to redress violations of the plaintiffs' rights and to protect children in Illinois that are in imminent danger. Venue is proper because the Archdiocese resides in Cook County and the majority of the allegations herein involve occurrences in Cook County.

PARTIES

3. Plaintiff John Doe 100 is a minor. Mother Doe 100 is John Doe 100's mother and legal guardian. At all times material, Plaintiff John Doe 100 was a resident of the State of Illinois. At all times material, Mother Doe 100 was a resident of the State of Illinois.

4. The identities of all Doe Plaintiffs are made known to Defendants through separate cover letter.

5. Plaintiff [redacted]s a thirty five year old Chicago resident. [redacted]was sexually molested as a child by [redacted] religious order priest who was serving at a parish within the Archdiocese at the time of the abuse.

6. At all times material, the Catholic Bishop of Chicago, a Corporation Sole (hereinafter "Archdiocese of Chicago") was and is an Illinois corporation. Defendant has approximately eight hundred fifty four Diocesan priests serving in two counties in the State of

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Illinois. At all times material to the complaint, Defendant Archdiocese was conducting business in the State of Illinois.

CLASS ACTION ALLEGATIONS

7. Plaintiffs bring this action on behalf of themselves and, pursuant to 735 ILCS 5/2-801, as the representatives of the class of persons who have been molested as children by an agent of the Archdiocese of Chicago and on behalf of those children who have not yet been abused, but who are in imminent danger of abuse because the Archdiocese has not released the names and files of agents that have been accused of molesting children or accused of inappropriate sexual behavior with children to either the public or to the court.

8. The Plaintiff class is so numerous that joinder of all members is impracticable. In its own self report, the Archdiocese asserted that there were 142 cases where they had reason to suspect that an agent had sexually molested a child. These numbers only include information that was reported to the Archdiocese. The underlying data for the results was not disclosed to the public.

9. There are questions of fact or law common to the class, which predominate over questions affecting only individual members. The common questions of law or fact include, but are not limited to: whether the Archdiocese of Chicago has failed to protect children by not releasing the names of its agents who have been accused of molesting children to the public and law enforcement and whether the Archdiocese has or is destructing documents in order to cover up or conceal crimes against children by clergy serving in and/or employed by the Archdiocese.

10. The Plaintiffs will fairly and adequately protect the interests of the class. The interests of the plaintiffs are the same as those of all class members because they have all been

AOC 016210

sexually abused by an agent of the Archdiocese of Chicago or are in danger of being molested by an agent of the Archdiocese of Chicago because the Archdiocese's information is not public. All have an interest in preventing the sexual abuse of any further children by agents of the Archdiocese of Chicago.

11. A class action is an appropriate method for the fair and efficient adjudication of the controversy alleged in this complaint. The expense and burden of individual litigation would make it difficult or impossible for individual members of the class to redress the wrongs done to them. The cost to the court system of adjudication of such individualized litigation would be substantial. Individualized litigation would also present the potential for inconsistent or contradictory judgments and would magnify the delay and expense to all parties and the court system. By contrast, the conduct of this action as a class action presents far fewer management difficulties, conserves the resources of the parties and court system, and protects the rights of each class member. In addition, the prosecution of separate actions by the individual members of the class would create a risk of inconsistent or varying adjudications with respect to individual class members which would establish incompatible standards of conduct for the defendant.

ALLEGATIONS OF FACT

12. [redacted] (hereinafter "[redacted]") was ordained a priest of the Archdiocese of Chicago in approximately 1994.

13. At all times material, [redacted] was employed by the Archdiocese. [redacted] was an ordained Roman Catholic Priest educated, trained and ordained by, and under the direct supervision, employ, agency and control of the Archdiocese. Among [redacted] duties in his employment was to provide pastoral care and counseling for

AOC 016211

members of his denomination.

14. In approximately the winter of 2000, a nun at Holy Family Church in Chicago reported to the Archdiocese of Chicago that [redacted] asked a fourth-grade boy to pull down his pants in the sacristy at Holy Family.

15. The nun reported this numerous times to the Archdiocese.

16. On information and belief, on one occasion when the nun reported it to the Archdiocese, an official told her that "if the parents aren't pushing it, let it go."

17. After these reports, the nun made a final report to the Archdiocese, this one a written report of [redacted] behavior.

18. On information and belief, in 2000, the Archdiocese did not report [redacted] to law enforcement, did not tell any of the parishioners at any of the parishes [redacted] worked at in the past about the report, did not tell any of the parishioners at any of the parishes where [redacted] worked after these reports, and did not tell any other children or parents about the report.

19. On information and belief, after the nun reported the abuse to the Archdiocese, the Archdiocese transferred [redacted] to another parish, St. Agatha's in Chicago.

20. On information and belief, despite the report, the Archdiocese allowed [redacted] to teach at an Archdiocesan school and coach a boys basketball team.

21. In response to the clergy abuse scandal, the United States Catholic Conference of Bishops passed the Dallas Charter.

22. On information and belief the Bishops passed the Dallas Charter in 2002. The Charter was only enforced, if at all, from within. There was no meaningful external non church

AOC 016212

oversight over its enforcement.

23. Cardinal Francis George represented to the public that the Charter was a "zero tolerance" policy that committed them to removal of priests in childhood sexual abuse cases. He also represented to the public that a priest with even one act of sexual misconduct with a child should not be allowed in public ministry in order to protect children.

24. In January of 2003, the Archdiocese released a "Ten Year Report" that purported to give information about the Archdiocese's efforts to stop childhood sexual abuse by clerics in the previous ten years.

25. On information and belief, the Ten Year Report purports to give the current status of priests that were accused of molesting a child anytime from 1993 to 2003. The report indicates that no priest accused of abuse during that time period is in any form of ministry in the Archdiocese of Chicago.

26. The Ten Year Report also states that officials of the Archdiocese have reported all allegations, including those not deemed credible, to the appropriate public authorities.

27. On information and belief, the Archdiocese did not include [redacted] in the Ten Year Report.

28. Also in response to the clergy abuse scandal, the United States Catholic Conference of Bishops agreed to participate in a self report survey conducted by the John Jay College.

29. As part of the John Jay survey, each Diocese submitted the number of priests that had allegations of sexual misconduct with a minor within the particular Diocese.

30. On information and belief there was no oversight over the information that was

AOC 016213

given to the John Jay College. It was completely up to the particular Diocese to respond honestly.

31. The John Jay College defined "allegation," as all recorded notifications of clerical sexual misconduct with minors, whether or not they resulted in any investigation or whether there was reasonable cause to suspect abuse had occurred.

32. In 2004, the Archdiocese reported that it had reason to believe that 55 priests had sexual misconduct with a minor.

33. In 2004, Cardinal George and the Archdiocese represented to the public that there were no priests that were accused of childhood sexual abuse that were in public ministry in the Archdiocese of Chicago.

34. On information and belief, the Archdiocese did not include [redacted] in the 2004 John Jay numbers.

35. On information and belief in August of 2005, the Archdiocese learned that law enforcement was investigating [redacted] for childhood sexual abuse.

36. On information and belief, in August of 2005, the Archdiocese did not inform the law enforcement that a nun had reported that [redacted] had acted in a sexually inappropriate manner with a child in 2000.

37. On information and belief, just as it did in 2000, the Archdiocese did not report or warn any of the parishioners, the public, or the parents at St. Agatha parish that law enforcement was investigating [redacted] for childhood sexual abuse.

38. On information and belief, the Archdiocese elevated [redacted] to a position of authority in the Archdiocese on September 1, 2005. It appointed him as Dean of a Deanery of

AOC 016214

the Archdiocese. This is an honored, respected, and supervisory position within the Archdiocese. This meant that [redacted] was still at St. Agathas, but also had some supervisory authority over roughly 20 parishes in the Archdiocese.

39. The Archdiocese allowed [redacted] to remain at St. Agathas and in the position of Dean until at least January of 2006, more four months after the Archdiocese received at least its second report of sexual misconduct against a minor by [redacted]

40. In January of 2006, Chicago law enforcement arrested [redacted] and charged him with sexually molesting two boys on multiple occasions.

41. On information and belief, the nun who reported the abuse to the Archdiocese in 2000 was contacted by the Archdiocese the day before [redacted] was arrested. The Archdiocese indicated to the nun that it did not have the nun's letter.

42. On information and belief, the Archdiocese also stated publicly that it has no written record of the nun's reports or the actual letter.

43. On information and belief, the Archdioceses and Dioceses across the United States, including the Archdiocese of Chicago, have been instructed to destroy documentation of sexual misconduct by priests and/or to send any of this material to the Holy See in order to claim it is immune from public discovery or disclosure.

44. On information and belief, the Archdiocese has not released the names of the 55 priests that it deemed as having reason to suspect committed sexual misconduct with children.

45. On information and belief, the Archdiocese has also not released the names of any of the other clerics, like [redacted] who were accused of sexual misconduct and are still in parishes, but not included in the Ten Year Report or the John Jay Survey.

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46. Although the Archdiocese had not released the names of offenders, some names of Archdiocesan clerics accused of sexual misconduct have been released during the course of litigation. These names were released in 2005:

1) Richard "Doc" Bartz

2) Robert Becker

3) R. Peter Bowman

4) Daniel Buck

5) Eugene Burns

6) John Callicott

7) William Cloutier

8) Robert D. Craig

9) John Curran

10) Walter DeRoeck

11) Jeremiah Duggan

12) Richard Fassbinder

13) Joseph Fitzharris

14) Robert Friese

15) James Hagan

16) Daniel Mark Holihan

17) Walter Huppenbauer

18) Thomas Job

19) Robert Kealy

AOC 016216

20) John Keehan

21) Thomas Kelly

22) John "Jack" Keough

23) Joseph Kissane

24) Leonard Kmak

25) William Lupo

26) Norbert Maday

27) Robert Mayer

28) Vincent McCaffrey

29) Donald Mulsoff

30) Thomas O'Gorman

31) James Ray

32) John Robinson

33) Kenneth Ruge

34) Raymond Skriba

35) Marion Snieg

36) Victor Stewart

37) Ralph Strand

38) Thomas Swade

39) Anthony Vader

47. Names that have not previously been released but who, on information and belief, have been accused of sexual misconduct with a minor:

AOC 016217

1) James Flosi

48. There are also a number of religious order priests who worked in the Archdiocese. On information and belief, the Archdiocese had control and/or supervision over these clerics while they were working in the Archdiocese. On information and belief, the Archdiocese knows about these clerics' misconduct. On information and belief, those religious order clerics that have been accused of sexual misconduct are:

1) Robert Berlet (Christian Brothers)

2) Robert Brouillette (Christian Brothers)

3) Vincent Bryce (Dominicans)

4) George Dyer (Dominicans)

5) Terrence Fitzmaurice (Benedictines)

6) John Huels (Servite)

7) Augustine Jones (Benedictines)

8) Donald McGuire (Jesuits)

9) John Murphy (Augustinians)

10) Robert Murphy (Camelites)

11) Michael O'Connor (Augustinians)

12) Jean Baptiste (J.B.) Ormechea (Passionists)

13) Eusebio Pantoja (Claretians)

14) Thomas Paramo (Claretians)

15) Carlos Peralta (Salesians)

16) John Powell (Jesuits)

AOC 016218

17) Andrew Ronan (Servites)

18) Wilton Skiffington (Jesuits)

19) Patrick Strong (Augustinians)

49. [redacted] sexually molested John Doe 100 at some point between approximately 2000 and 2005, when John Doe 100 was a minor child.

50. Neither John Doe 100 nor Mother Doe 100 knew that the Archdiocese had received reports about [redacted]exual abuse of children.

COUNT I
(Injunction - Release of Names)

51. Plaintiffs repeat and reallege every paragraph of this complaint as if set forth in Count I.

52. Plaintiffs bring Count I on their own behalf and on behalf of the class of similarly situated persons described in paragraph 7 of this Complaint.

53. The practices of the Archdiocese of Chicago have endangered numerous children in the past and these practices will continue to put children at risk in the future.

54. Plaintiffs and the class have the right to not be sexually molested by clerics of the Archdiocese of Chicago.

55. The Archdiocese owes a duty to warn all children and their parents that come into contact with its clerics of allegations of sexual misconduct by the clerics because these children and their parents hold clerics in an esteemed position, which gives clerics virtually unlimited access to children.

56. The Archdiocese also owes a duty to children and their parents to release all of the names of clerics against whom the Archdiocese has deemed to have credible allegations of

AOC 016219

sexual misconduct with children to the court and to the public at large.

57. The Archdiocese also owes a duty to children and their parents to release all of the names of clerics that have been accused of sexual misconduct with children to the court and to the public at large.

58. Unless injunctive relief is granted numerous children in Illinois are at risk of being sexually molested by clerics of the Archdiocese.

59. In order to ensure that children are protected and free from sexual molestation by clerics, the plaintiffs and the members of the class are entitled to an injunction ordering that the Archdiocese do the following:

a) Release the names of all 55 of the priests that it reported to the John Jay Survey to the court and to the public.

b) Release the names of all other clerics, like [redacted], that were not included in the John Jay Survey, but against whom the Archdiocese has received allegations of sexual misconduct by the cleric with children to the court and to the public.

COUNT II
(Injunction - Documents)

60. Plaintiffs repeat and reallege every paragraph of this complaint as if set forth in Count II.

61. Plaintiffs bring Count II on their own behalf and on behalf of the class of similarly situated persons described in paragraph 7 of this Complaint.

62. On information and belief, the Archdiocese still has documents that are evidence of crimes committed by clerics against children.

63. The Archdiocese has a duty to the public at large and to law enforcement to not

AOC 016220

destroy any documents that evidence a crime.

64. The Archdiocese has a duty to children that were abused by clerics to not destroy any documents relating to the sexual misconduct or alleged sexual misconduct of any cleric at anytime in the Archdiocese of Chicago.

65. On information and belief the Archdiocese has destroyed documents and/or concealed documents and/or failed to give documents to law enforcement relating to sexual misconduct or alleged sexual misconduct by clerics of the Archdiocese.

66. Unless injunctive relief is granted, children will be at imminent risk of being molested by clerics of the Archdiocese, law enforcement will be prevented from doing its job, and those children that have already been molested by clerics will have their rights negatively affected.

67. In order to ensure that children are protected and free from sexual molestation by clerics, the plaintiffs and the members of the class are entitled to an injunction ordering that the Archdiocese do the following:

a) Turn over any document with any connection to any allegation of sexual misconduct by a cleric against a child to the Illinois Courts for supervision of these documents.

b) Turn over any document with any connection to any allegation of sexual misconduct by a cleric against a child to law enforcement.

c) Cease in the destruction or spoliation of any documents with any connection to any allegation of sexual misconduct by a cleric against a child.

d) Cease to conceal or misplace any documents with any connection to any

AOC 016221

allegation of sexual misconduct by a cleric against a child.

COUNT III
(Declaratory Judgment)

68. Plaintiffs repeat and reallege every paragraph of this complaint as if set forth in Count III.

69. Plaintiffs bring Count III on their own behalf and on behalf of the class of similarly situated persons described in paragraph 7 of this Complaint.

70. There is an actual controversy between the plaintiffs and the members of the plaintiff class, on the one hand, and the Archdiocese, on the other hand, concerning whether the Archdiocese is adequately protecting children through its practices of not releasing the names of those clerics that have been accused of molesting children.

71. There is also an actual controversy between the plaintiffs and the members of the plaintiff class, on the one hand, and the Archdiocese, on the other hand, concerning whether the Archdiocese is adequately protecting children through its practice of not removing a cleric that is accused of molesting a child from any position where the cleric has any contact with children.

72. Finally, there is an actual controversy between the plaintiffs and the members of the plaintiff class, on the one hand, and the Archdiocese, on the other hand, concerning whether the Archdiocese is adequately protecting children through its practices of destroying and/or concealing documents evidencing allegations of sexual misconduct by clerics.

73. The plaintiffs and members of the plaintiff class are entitled to a declaration that the Archdiocesan practices of not releasing the names of clerics accused of sexual misconduct with minors, not removing clerics that are accused of sexual misconduct with children from positions where they have access to children, and by destroying and/or concealing documents, is

AOC 016222

not adequate to protect children.

WHEREFORE, Plaintiffs respectfully request that this Court grant the relief requested within this complaint or any other relief the Court deems just in order to protect children.

Dated: January 31, 2006

JEFF ANDERSON & ASSOCIATES, P.A.

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AOC 016223

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www.archchicago.org

March 29, 2006

Rev. Francis G. Morrisey, OMI, JCD
St. Paul University, 223 Main St.
Ottawa, ON K1S 1C4 CANADA

Dear Fr. Morrisey,

Enclosed you will find a packet of information released by the Archdiocese of Chicago on Monday, March 21, 2006. This information was also provided your client, Fr. Robert Kealy at Cardinal Stritch Retreat House.

If you have any questions please direct them directly to Leah McCluskey at 312-751-5205.

Sincerely,

Laura A. Neri-Palomino

Laura A. Neri-Palomino
Administrative Assistant

Enclosure

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March 29, 2006

Thomas M. Breen
53 W. Jackson, Suite 1460
Chicago, IL 60604

Dear Mr. Breen,

Enclosed you will find a packet of information released by the Archdiocese of Chicago on Monday, March 21, 2006. This information was also provided your client, Fr. Robert Kealy at Cardinal Stritch Retreat House.

If you have any questions please direct them directly to Leah McCluskey at 312-751-5205.

Sincerely,

Laura A. Neri-Palomino

Laura A. Neri-Palomino
Administrative Assistant

Enclosure

National Catholic Reporter, September 27, 2002
This week's front page

Church in Crisis

Vatican expected to deny approval of sex abuse norms

By JOHN L. ALLEN JR.
Rome

While affirming the intent of the U.S. bishops to protect young people from sexual abuse, the Vatican will not grant legal approval to new American norms adopted in Dallas June 14. Instead, sources say that Rome will invite U.S. prelates to discuss how those rules can be harmonized with the church's universal law.

Vatican sources said that formal notice of this decision is likely to be issued in early October. The result means that, as a matter of law, the Dallas norms will not yet be binding on American dioceses. Moreover, elements that differ from the Code of Canon Law, such as the statute of limitations for sexual abuse, may not be enforceable, or could be subject to reversal should a case be appealed to a church court in Rome.

The outcome has been widely expected, given a spate of critical comments on the American approach from Vatican officials both before and after the June vote (*NCR*, May 31).

The result also reflects a growing concern from within the United States, especially among canon lawyers worried that the Dallas norms fail to adequately protect the due process rights of accused priests. Widely circulated critiques include those of prominent canonists such as Msgr. Thomas Green of The Catholic University of America and Fr. Robert Kealy of the Chicago archdiocese. (Full texts available at **www.nat**

cath.org/ncr_onli.htm)

The Dallas norms are expected to be a main topic of conversation at the Canon Law Society of America meeting in Cincinnati Oct. 7-10, roughly the same time that the Vatican announcement is expected.

Observers say the concerns raised by the American canonists are largely those shared in the Vatican.

In his 5,000-word critique, Green identified a number of positive features of the Dallas documents, including "a forceful commitment in principle to pastoral healing, accountability and dialogue within the Catholic community."

Green also identified several negatives, including:

- The lack of due process considerations, especially the power to impose "administrative leave" without establishing that the normal criteria for such a provision have been met (which include preventing scandal, protecting witnesses and safeguarding the course of justice), as well as allowing the accused the possibility of response or recourse.

AOC 016226

- An overly broad definition of "sexual abuse" that can encompass a whole range of physical and non-physical acts.
- The fact that the penalty for sexual abuse (permanent removal from ministry) is the same no matter what the "abuse" may be, which Green argues is "contrary to our traditional penal emphasis on proportionality."
- Disregard of the statute of limitations (known as "prescription" in canon law), leading to removal from ministry for offenses that may have occurred 20 or 30 years in the past. Canon law presently specifies that the clock runs out for offenses committed before Nov. 27, 1983, after five years from the date of the offense; for offenses committed on or after Nov. 27, 1983, and prior to April 25, 1994, five years after the victim has completed the 18th year; and for offenses committed on or after April 25, 1994, 10 years after the victim has completed the 18th year.
- A near-exclusive focus on priests, with no attention to the accountability of bishops, either for abuse they may have committed, or for failing to respond adequately to abuse carried out by priests under their supervision.

"These are not minor points, but serious issues that need much more reflection," Green told *NCR*.

Kealy touches some of the same points, and in addition raises questions about the review boards called for by the norms, as well as confidentiality. Some canonists grumble that American bishops are making public announcements when they suspend priests with little regard for what canon law defines as their right to protect their "good name."

An analysis of the Dallas norms prepared by the Canon Law Society of America in August raises another dimension of the confidentiality issue, which is to what extent bishops ought to share privileged communications with their priests with civil authorities.

Though the Dallas norms seem to envision the full cooperation of bishops, the Canon Law Society analysis calls for caution: "For the bishop to release to the public authorities statements made to him by a priest would make the bishop, effectively, an agent of the civil prosecutor."

Vatican jurisprudence has long emphasized the due process rights of the accused in canonical procedures, leading some bishops to complain of being hamstrung. An illustration came with a recent ruling by a Vatican court to reinstate an Australian priest, Fr. James Barry Whelan, who had been suspended in 1996 by Archbishop George Pell, then of Melbourne, following accusations of sexual abuse. Whelan appealed to Rome and won. Ironically, his reinstatement came at roughly the same time that new allegations against him surfaced.

Analysts have warned of negative public reaction should the Vatican not approve the American norms, and sources in Rome say the Vatican document has been thoroughly vetted to seem positive and sympathetic.

At the same time, some in Rome, and in the United States, believe that American public opinion has shifted away from a rigid "get tough" approach.

"There's less rage right now," Marist Fr. Ted Keating, executive director of the Conference of Major Superiors of Men, told *NCR*.

"As people realized that there are men back in ministry for 20 or more years who are dynamite pastors, where the local community knew their background, who now have been removed, there has been a counter-reaction," Keating said.

AOC 016227

The Conference of Major Superiors of Men, an umbrella group for men's religious orders, adopted a statement Aug. 10 that calls for honoring the Dallas norms by removing abusers from ministry, but at the same time not necessarily to eject them from religious life.

Several canonists contacted by *NCR* argued that the Vatican reaction has some merit.

"The only thing that mattered in Dallas is public opinion," one prominent canon lawyer said. "Due process, the presumption of innocence, the right to a defense, the right not to be tried by new penal laws or after the statute of limitations has expired, the right to face one's accuser or even know his identity -- many of these rights are ignored by bishops when it comes to their own priests."

John L. Allen Jr. is NCR *Rome correspondent. His e-mail address is* **jallen@natcath.org.**

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April 3, 2006

Rev. Robert Kealy
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, Illinois 60060-0455

Dear Fr. Kealy,

I want to thank you again for meeting with Revs. Vincent Costello and Edward Grace and myself at the Cardinal Stritch Retreat House on March 22, 2006 to review the enclosed Individual Specific Protocols [ISP].

As we discussed on March 22nd, I am returning the ISP and the related forms that we reviewed to you and have forwarded copies to your canonical advocate and civil attorney as well. I ask that you review and discuss the ISP with your counsel and then return the signed protocol to me no later than April 17, 2006.

If you have any questions, please feel free to contact me at [312] 751-5205 or Fr. Grace at [312] 642-1837.

Sincerely,

Leah McCluskey
Professional Responsibility Administrator

Enclosures

Cc Thomas Breen, civil attorney
Rev. Edward Grace, Vicar for Priests
Rev. Francis G. Morrisey, OMI, JCD, canonical advocate

Office of Professional Responsibility
676 N. St. Clair, Suite 1910
Chicago, IL 60611
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INDIVIDUAL SPECIFIC PROTOCOLS
For

Rev. Robert Kealy

The Individual Specific Protocols (ISP) implement the primary goal of promoting the safety of minors. Additionally, the ISP protects the integrity of the Church and serves as a safeguard for individual priest or deacon. As long as the cleric is a client of the Office of Professional Responsibility, he will be subject to appropriate protocols, restrictions and monitoring under the authority of the Vicar for Priests and supervised by the Professional Responsibility Administrator (PRA). The agreement of a priest or deacon to abide by these protocols is not understood to prove the truth of any allegation and is not intended to be an admission of guilt for any delict or crime, whether in Canon Law, or State and Federal Law. This agreement represents the cooperation of the cleric with his bishop as he exercises his pastoral office (e.g., Canons 369 and 392).

This ISP for Rev. Robert Kealy is as follows (PRA to initial all that apply):

1. The client is restricted from being alone with a minor or minors, that is anyone under the age of 18, without the presence of another responsible adult.

2. [redacted]

3. [redacted]

4. (N) The "Clergy Daily Log" to be completed on a daily basis and co-signed by the monitor. The ~~log~~ is a tool that is used for the protection of minors, the cleric, the monitor and the Archdiocese. Although it identifies time periods, it is intended to provide a general record of the day rather than a detailed clock. If you are describing an off-site activity, please include your destination and the general purpose of the visit or activity. For example, it is enough to indicate that you did personal shopping at a given Shopping Center rather than the details of each individual store. However, if your self-description is challenged or a complaint is lodged with the Archdiocese, some documentation and verification may be necessary to sufficiently address the situation.

5. (N) Abide by the assignment of residence to Cardinal Stritch Retreat House

6. (W) Must complete and submit the "Travel/Vacation Agreement", and obtain concurrence with the Agreement, prior to a scheduled departure. In the event of a prolonged stay in a particular location, the Archdiocese is required to notify the Ordinary of that place of your presence there.

7. N/A Attendance at a recommended support group _____ (please indicate specific support group). Recommended frequency of ____ times per week/month (please circle one). Attendance at a recommended support group is to be reflected on "Clergy Daily Log" forms.

8. No inappropriate use of computers, software, Internet capabilities, communications tools or video technology. The standards articulated in the *Policies and Procedures of the Archdiocese of Chicago* and the *Handbook For Archdiocesan Employees* apply as they do to all Archdiocesan personnel.

9. No ministerial participation in the public celebration of the Eucharist or any other Sacrament or Sacramental without the prior, written permission of the Vicar for Priests.

10. Refrain from wearing any garb that would give the appearance of, or seem to infer, a priest/deacon who has canonical faculties and is currently assigned to some ministry (e.g., the 'clerical shirt').

11. On-site visits by the PRA and the VP annually to include a meeting with the cleric.

This Individual Specific Protocol is to be reviewed annually with PRA, VP, and the cleric. Also, there can be additional, written notations tailored to the needs of a specific situation which are signed by all parties and appended to this document. Any change or alteration to this agreement will involve consultation with the cleric, his monitor, the PRA, and the VP. The cleric, his monitor, the PRA, or the VP can initiate the discussion for change or alteration, or request that this Individual Specific Protocol be reviewed by the Professional Responsibility Review Board. At the discretion of any of the parties, the legal and/or canonical counsel of the cleric may be involved in the discussions.

I have reviewed, understand, and agree to all of these individual specific Protocols.

Signed: _____ Date: _____

Printed Name: _____

Signature of PRA: _____ Date: _____

Signature of VP: _____ Date: _____

Additional, written notations appended to this document? yes ☐ no ☐

(Revised 1/XII/04)

TRAVEL/VACATION NOTIFICATION

NOTE: This form must be submitted to PRA three weeks prior to planned departure

In event of an emergency need, contact PRA or Vicar for Priests to discuss travel

_____ [name of cleric] has informed this office that he will be traveling to [destination address and contact phone number] _____ _____ from _____ [departure date] through _____[return date]. _____ [name of cleric] will be chaperoned by _____ [name of chaperone]. PRA may contact the chaperone at the following phone number prior to departure _____. The identified chaperone has accepted the responsibility of verifying the location and activities of _____ [name of cleric] during the aforementioned time frame.

1. Contacts with minors by _____ [name of cleric] must be in the presence of the identified chaperone. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. The identified chaperone may be asked to attest to the activities and whereabouts of _____ [cleric name] over the aforementioned time period of travel.
3. As previously noted, the date of return to _____'s [cleric name] residence has been scheduled for _____ [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: _____ **Date:** _____

PRA Signature: _____ **Date:** _____

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

Revised 3/28/06

CLERGY DAILY LOG

The Office of Professional Responsibility, pursuant to Article §1104.4.3, is responsible to "monitor programs for treatment, rehabilitation or supervision of clerics..."
The Individual Specific Protocol for: _____
(Cleric Name)

requires that you keep a "log" of your daily activities. The "log" is completed daily and submitted to the Administrator at the end of each week for review. Include the place, the purpose of visit/trip/activity (i.e. Spiritual Direction, therapy), and the telephone number if it is appropriate. Please remember that this tool is intended to provide an accurate record of the day rather than a detailed clock.

TIME	PLACE	TELEPHONE (If appropriate)	PURPOSE
7:00 – 8:00 A.M.			
8:00 – 9:00			
9:00 – 10:00			
10:00 – 11:00			
11:00 – 12:00			
12:00 – 1:00 P.M.			
1:00 – 2:00			
2:00 – 3:00			
3:00 – 4:00			
4:00 – 5:00			
5:00 – 6:00			
6:00 – 7:00			
7:00 – 8:00			
8:00 – 9:00			
9:00 – 10:00			
10:00 – 11:00			
11:00 – 7:00 A.M.			

Client Signature: _____ Date: _____

Monitor Signature: _____ Date: _____

Date Received: _____

Revised 3/21/06

Administrative Signature: _____

To: File
From: Ed Grace
Re: Bob Kealy – Resignation
Date: April 5, 2006

Bob Kealy came to the office for a conference today. He expressed a desire to resign from the priesthood. He expressed a growing dissatisfaction with life removed from ministry in a monitored setting. He sees the mood at the retreat house as deteriorating. He feels the Childers' report and recent modifications of the routine at the retreat house (sign in/out, change of locks, exit/entrance cameras, as pointing in a direction he does not want to go.
He expressed that he is not a criminal and will not live as one.

He also expressed disapproval over the way in which the diocese uses the word "substantiated" as a synonym for the less forceful "credible", cf. his attached note on the matter.

Since he has made this decision he wants to move quickly: he would like to leave by April 29, 2006. I asked, and he confirmed, this date was tied to an employment opportunity.

He would like to speak with the Cardinal before he goes and I have spoken to Dan Flens about arranging a date. Dan will contact Bob directly. He would like to go as quietly as possible.

We spoke of a settlement package. I indicated that there would be:

- 1 years salary as severance
- 1 years salary as set up money
- 1 years health insurance (extended 6 months at his cost)
- 6 months auto insurance (not extended)

I mentioned the problem of pension i.e. gift pension, not available because of sex abuse allegation but said I would try to arrange for an annuity that would pay $500 per month at age 70. (He would have been eligible for a gift pension of about $680 per month but for the above allegation.) I did mention this might be problematic.

He asked if he could buy dental coverage as part of the Exit Agreement – I will check,

He requested that the Mundelein police be notified after he moved out, but requested that it be done discretely – by phone to prevent discovery by F.O. I.A.

I told him the diocese would not cover the fee to have his attorney review the Exit Agreement. (Joe Roddy)

I mentioned that I did not think there would be a problem with his moving out before the Exit Agreement was formalized but I didn't know.

AOC 016234

Information for Exit Agreement:

A. Current salary: $24,269
B. Birth date: [redacted]
C. Social security:
D. Current mail: Retreat House P.O. Box 765, Mundelein, IL 60060
F. After 4/29/06 Mr. Robert Kealy
[redacted]

Understands:
- Resignation from priesthood at the time of signing agreement

As to seeking laicization:
- not presently his intention
- wants to consider that decision

Wording of the Exit Agreement should reflect this wording:
- he understands the Cardinal wishes him to promptly seek laicization.

Attachment: Kealy memo Not Substantiated

AOC 016235

RECEIVED
APR 05 2006
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

TRAVEL/VACATION NOTIFICATION

NOTE: This form must be submitted to PRA three weeks prior to planned departure.
In event of an emergency need, contact PRA or Vicar for Priests to discuss travel

FR. ROBERT KEALY [name of cleric] has informed this office that he will be traveling to VISIT [redacted] (MY SISTER + BROTHER-IN-LAW) [redacted] VA [redacted]

[destination address and contact phone number] from APRIL 13, 2006 [departure date] through APRIL 16, 2003 [return date]. FR. KEALY [name of cleric] will be chaperoned by [redacted] [name of chaperone]. PRA may contact the chaperone at the following phone number prior to departure [redacted] The identified chaperone has accepted the responsibility of verifying the location and activities of FR KEALY [name of cleric] during the aforementioned time frame.

COPY
of an original document from the files of
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ARCHDIOCESE OF CHICAGO
This is a red ink stamp!
DO NOT COPY

1. Contacts with minors by FR KEALY [name of cleric] must be in the presence of the identified chaperone. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.
2. The identified chaperone may be asked to attest to the activities and whereabouts of FR KEALY [cleric name] over the aforementioned time period of travel.
3. As previously noted, the date of return to FR. KEALY 's [cleric name] residence has been scheduled for APRIL 16, 2006 [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, should the original plans be substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: Robert L. Kealy **Date:** 3/30/06

PRA Signature: [signature] **Date:** 4/18/06

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

Revised 3/27/06

[redacted]

PHONE
FAX [redacted]

April 5, 2006

Burke, Warren, MacKay & Serritella, P.C.
ATTENTION: JAMES SERRITELLA
22nd Floor, IBM Plaza
330 North Wabash Avenue
Chicago, IL 60611-3607

RE: [redacted]

Dear Mr. Serritella:

After speaking with [redacted] he would prefer that his information *not* be turned over to DCFS at this time. You can have DCFS contact me, but we prefer that Mr. [redacted]'s name not be released.

If you have any questions or concerns, please call.

Very truly yours,

[redacted]

[redacted]

RECEIVED

APR 13 2006

ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

Office of Professional Responsibility
676 N. St. Clair, Suite 1910
Chicago, IL 60611
(312) 751-5205

INDIVIDUAL SPECIFIC PROTOCOLS
For
Rev. Robert Kealy

The Individual Specific Protocols (ISP) implement the primary goal of promoting the safety of minors. Additionally, the ISP protects the integrity of the Church and serves as a safeguard for individual priest or deacon. As long as the cleric is a client of the Office of Professional Responsibility, he will be subject to appropriate protocols, restrictions and monitoring under the authority of the Vicar for Priests and supervised by the Professional Responsibility Administrator (PRA). The agreement of a priest or deacon to abide by these protocols is not understood to prove the truth of any allegation and is not intended to be an admission of guilt for any delict or crime, whether in Canon Law, or State and Federal Law. This agreement represents the cooperation of the cleric with his bishop as he exercises his pastoral office (e.g., Canons 369 and 392).

This ISP for Rev. Robert Kealy is as follows (PRA to initial all that apply):

1. The client is restricted from being alone with a minor or minors, that is anyone under the age of 18, without the presence of another responsible adult.

2. [redacted]

3. [redacted]

4. (W) The "Clergy Daily Log" to be completed on a daily basis and co-signed by the monitor. The log is a tool that is used for the protection of minors, the cleric, the monitor and the Archdiocese. Although it identifies time periods, it is intended to provide a general record of the day rather than a detailed clock. If you are describing an off-site activity, please include your destination and the general purpose of the visit or activity. For example, it is enough to indicate that you did personal shopping at a given Shopping Center rather than the details of each individual store. However, if your self-description is challenged or a complaint is lodged with the Archdiocese, some documentation and verification may be necessary to sufficiently address the situation.

5. (W) Abide by the assignment of residence to Cardinal Stritch Retreat House

6. (W) Must complete and submit the "Travel/Vacation Agreement", and obtain concurrence with the Agreement, prior to a scheduled departure. In the event of a prolonged stay in a particular location, the Archdiocese is required to notify the Ordinary of that place of your presence there.

7. N/A Attendance at a recommended support group _____ (please indicate specific support group). Recommended frequency of ____ times per week/month (please circle one). Attendance at a recommended support group is to be reflected on "Clergy Daily Log" forms.

8. No inappropriate use of computers, software, Internet capabilities, communications tools or video technology. The standards articulated in the *Policies and Procedures of the Archdiocese of Chicago* and the *Handbook For Archdiocesan Employees* apply as they do to all Archdiocesan personnel.

9. No ministerial participation in the public celebration of the Eucharist or any other Sacrament or Sacramental without the prior, written permission of the Vicar for Priests.

10. Refrain from wearing any garb that would give the appearance of, or seem to infer, a priest/deacon who has canonical faculties and is currently assigned to some ministry (e.g., the 'clerical shirt').

11. On-site visits by the PRA and the VP annually to include a meeting with the cleric.

This Individual Specific Protocol is to be reviewed annually with PRA, VP, and the cleric. Also, there can be additional, written notations tailored to the needs of a specific situation which are signed by all parties and appended to this document. Any change or alteration to this agreement will involve consultation with the cleric, his monitor, the PRA, and the VP. The cleric, his monitor, the PRA, or the VP can initiate the discussion for change or alteration, or request that this Individual Specific Protocol be reviewed by the Professional Responsibility Review Board. At the discretion of any of the parties, the legal and/or canonical counsel of the cleric may be involved in the discussions.

I have reviewed, understand, and agree to all of these individual specific Protocols.

Signed: Robert L. Kealy Date: 4/6/06

Printed Name: ROBERT L. KEALY

Signature of PRA: [signature] Date: 4/13/06

Signature of VP: Rev Edward N. [signature] Date: 4/15/06

Additional, written notations appended to this document? yes ☐ no ☒

(Revised 1/XII/04)

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Office of Professional Responsibility
676 N. St. Clair, Suite 1910
Chicago, IL 60611
(312) 751-5205

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For
Rev. Robert Kealy

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This ISP for Rev. Robert Kealy is as follows (PRA to initial all that apply):

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2. [redacted]

3. [redacted]

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I have reviewed, understand, and agree to all of these individual specific Protocols.

Signed: Robert L. Kealy Date: 4/6/06

Printed Name: ROBERT L. KEALY

Signature of PRA: Neal J. McCluskey Date: 4/13/06

Signature of VP: Rev. Edward P. Noonan Date: 4/15/06

Additional, written notations appended to this document? yes ☐ no ☒

(Revised 1/XII/04)

4/11/06

Re Zoning: 4/18/06

Concerning Bob Kealy:

① Problem of his not working to apply for Legislation

option (A) – Demand as ~~result~~ Condition for ~~Exit~~ Package

– Risk it is Possible grounds to annul the Legislation

(B) But in Zoning we: Conduct Works & Events & then seek Forced if Bob ~~rejects~~ fails to Request

AOC 016242

4/18/06

Memo to File
Re Kesty
From EG

1. I called the Cardinal and reminded him of His Meeting tomorrow (4/19/06)

- Bob Kesty has left me a message that he will give the Cardinal his letter of Resignation from the priesthood

- I asked the Cardinal to make sure I received a copy of the letter

2. I informed the Cardinal that the "Kesty will Promptly + Consciencously Seek Laicization" language was still in the Exit agreement

- Bob might be unhappy

3. I had previously left Bob a Voice Mail that the language was still in the agreement

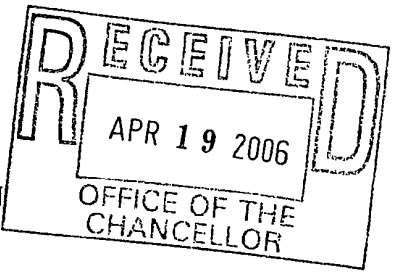
4 I asked Bob to call so we could set up a Signing

AOC 016243

4/18/06 Continued

5.

[redacted]



SUMMARY TIME LINE OF ALLEGATION

	ACCUSED	ACCUSER
Name:	Rev. Robert Kealy	[redacted]
Address:	Cardinal Stritch Retreat House Mundelein, IL	[redacted]
Date of Birth:	[redacted]	[redacted]
Current age:	59	44
Name of civil attorney:	Thomas Breen	[redacted]

Date of Ordination [of accused]: 5/10/72

Location: Mundelein

Age at ordination: 25

Assignment location of accused: N/A

Status of accused: Withdrawn from ministry

Name of canonical advocate: Rev. Francis G. Morrisey, OMI, JCD

Date allegation received by PRA: 6/28/01

Date allegation formalized with PRA: 6/28/01

Date of initial incident of alleged abuse: 1975

Date of last incident of alleged abuse: 1978

Approximate number of incidents of alleged abuse: more than one

---

Brief summary of alleged abuse: altar boy; alcohol, marijuana; touching over clothes

Brief summary and date of response from accused: As per verbal report from Rev. James T. Kaczorowski [former Vicar for Priests] to PRA, Fr. Kealy admitted to and apologized for abuse in the presence of [redacted] and Fr. Kaczorowski

Stage of disposition by Professional Responsibility Review Board: Concluded 3/02—reasonable cause to suspect that the alleged misconduct occurred

---

Additional allegations made by accuser: None

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [redacted]

Date of Birth:

Current age:

Name of civil attorney:

Date allegation received by PRA: 3/28/02

Date allegation formalized with PRA:

Date of initial incident of alleged abuse:

Date of last incident of alleged abuse:

Approximate number of incidents of alleged abuse:

Brief summary of alleged abuse: 12/3/02 - [redacted] is not interested in formalizing an allegation at this time; all contact with PRA via e-mail

Brief summary and date of response from accused: N/A—no formal allegation from [redacted]

Stage of disposition by Professional Responsibility Review Board: N/A—no formal allegation from [redacted]

Additional allegations made by accuser: None

Signature of PRA: Linda Mallinday **Date:** 4/13/06

THE FOLLOWING ENTRY HAS BEEN SCHEDULED ON THE CALENDAR OF

FRANCIS CARDINAL GEORGE, O.M.I.

APPOINTMENT/EVENT:

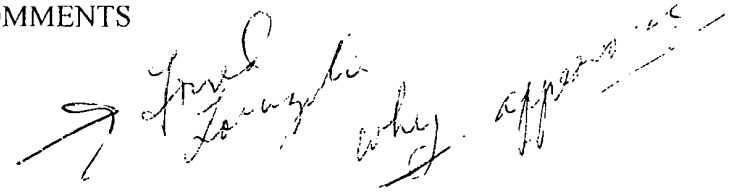
MEETING WITH FR. ROBERT KEALY

THE VILLA
MUNDELEIN SEMINARY

DATE: **WEDNESDAY, APRIL 19, 2006**

TIME: **8:00 P.M. (APPROXIMATELY)**

ADDITIONAL COMMENTS



If there are any additional specifics for this event, please inform us as soon as possible. Call 312-751-8231

cc: Fr. Kealy

Date: 04-07-06

Cardinal Stritch Retreat House

April 19, 2006

His Eminence
Francis Cardinal George
Archbishop of Chicago

Your Eminence:

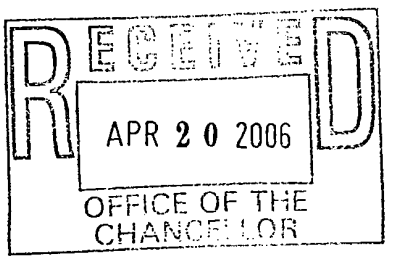
I hereby submit my resignation as a priest of the Archdiocese of Chicago, effective April 22, 2006, subject to the terms of a separation agreement to be signed by myself and a representative of the Archdiocese.

Sincerely,

Robert L. Kealy

Robert L. Kealy

Delivered in person



P.O.Box 455 • Mundelein, Illinois 60060-0455 • Tel 847-566-6060 Fax 847-566-6082

ARCHDIOCESE OF CHICAGO

Office of Assistance Ministry

Post Office Box 1979
Chicago, Illinois 60690

(312) 751-8267
(312) 751-8307 (Fax)

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APR 21 2006
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

MEMORANDUM

TO: Jimmy Lago, Chancellor
Rev. Edward D. Grace, Vicar for Priests
Rev. Vincent Costello, Vicar for Priests
Leah R. McCluskey, Administrator Professional Responsibility

FROM: Dr. Michael J. Bland

DATE: April 20, 2006

RE: **Rev. Robert Kealy**

Attached please find an article that appeared in the National Catholic Reporter on September 27, 2002. In the article, by John Allen, he refers to a "widely circulated critiques include those of prominent canonist such as ...and Fr. Robert Kealy of the Chicago archdiocese." There has been a request by a survivor for a copy of this article written by Fr. Kealy. While the NCR on-line edition of this article offers a link to Fr. Kealy's article, it has been removed. The survivor requesting this article has contacted John L. Allen, Jr. and the National Catholic Reporter for Fr. Kealy's article with no success. On the survivors behalf, I have checked with Sr. Pat at the Vicar for Priests office, Sue Przybylo with the communications department, Fr. Patrick Lagges, as well as the communications department and the Canonical affairs office at the USCCB, all with no success. Noel Peters was able to find the attached Editorial with no "by line" from the September 27, 2002 edition of the National Catholic Reporter which some have suggested that Fr. Kealy may have authored. However, the survivor is not satisfied and is requesting that Fr. Kealy be asked for a copy his article critiquing the "Dallas norms."

Therefore, while I am not sure who would make such a request of Fr. Kealy I ask each of you for your input and follow through. If you are able to locate the article, I ask that you forward it to me as soon as possible so I can give it to the survivor. If you were unable to find the article, the survivor would be interested in knowing Fr. Kealy's response to the request.

Leah, thanks for your help
MJB

ARCHDIOCESE OF CHICAGO

COPY

Office of Professional Responsibility

P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279
www.archchicago.org

April 21, 2006

Rev. Robert Kealy
P.O. Box 455
Mundelein, IL 60060-0455

Dear Fr. Kealy,

Enclosed you will find a finalized copy of your Individual Specific Protocols (ISP).

If you have any questions please contact Leah McCluskey at 312-751-5205.

Sincerely,

Laura A. Neri-Palomino

Laura A. Neri-Palomino
Administrative Assistant

Enclosure

Cc: Deacon Richard Hudzik, Cardinal Stritch Retreat House
Rev. Edward D. Grace, Vicar for Priests ✓

EXIT AGREEMENT

This Exit Agreement ("Agreement") is hereby entered into as of APRIL 21, 2006 (hereinafter, "the Closing Date"), by and between ROBERT L. KEALY ("Kealy"), individually, and THE CATHOLIC BISHOP OF CHICAGO, a corporation sole ("Catholic Bishop," or "the Archdiocese of Chicago," or "the Archdiocese").

WITNESSETH

WHEREAS, Kealy is a priest of the Catholic Bishop, having been ordained in 1972;

WHEREAS, Kealy wishes to resign as a priest of the Catholic Bishop;

WHEREAS, the Catholic Bishop wishes to allow Kealy to resign and petition the Holy See for laicization and is willing to enter into this Agreement to facilitate Kealy's resignation and laicization as well as to settle all claims, controversies and disputes of all kinds between them on the terms set forth in this Agreement;

WHEREAS, the Catholic Bishop wishes to provide the means for Kealy to continue [redacted] after the Catholic Bishop has ended the Archdiocese's relationship with Kealy as a priest;

WHEREAS, the parties intend to bring closure to Kealy's relationship to the Archdiocese as a priest in this Agreement and to conduct themselves in a manner that is consistent with that intention;

WHEREAS, both Kealy and the Catholic Bishop have been and are represented by legal counsel with regard to this Agreement and have been fully advised of any and all legal rights they may have; and

WHEREAS, this Agreement and the Escrow Agreement attached hereto as Exhibit A constitute the entire agreement between the parties;

NOW, THEREFORE, in consideration of the foregoing premises and for other good and valuable consideration the sufficiency of which is hereby acknowledged by each of the parties, it is hereby covenanted and agreed by and between the parties hereto as follows:

1. Resignation as Priest. If not submitted prior thereto, Kealy shall submit his written resignation as a priest to the Catholic Bishop on the Closing Date. Kealy shall promptly and conscientiously petition the Holy See for laicization and dispensation of his priestly obligations.

2. Representations and Warranties. Kealy hereby represents and warrants to the Catholic Bishop that:

a) He has read this Agreement in its entirety, he has been and is represented by legal counsel of his choice, he has had the opportunity to review all aspects of this Agreement with legal counsel, and he fully understands and accepts all of the Agreement's provisions and their legal and practical effects.

b) He understands that he has twenty-one (21) days to consider and sign this Exit Agreement after he receives it. He further acknowledges that he has up to seven (7) days after his execution of this Agreement to revoke this Agreement. Any such revocation must be in writing addressed to Vicar for Priests Office, Attention Rev. Edward Grace, 645 North Michigan Avenue. Suite 543, Chicago, Illinois 60611. This Agreement shall not be effective until eight (8) days after execution.

c) He is signing this Agreement freely and voluntarily, without coercion of any kind, and with full knowledge and understanding of its contents.

d) In signing this Agreement, he is not relying in any way on any statements, representations or promises made by the Catholic Bishop or any agent, attorney or representative of the Catholic Bishop, except as specifically set forth in this Agreement.

e) This Agreement is valid and binding upon him and his heirs, executors, legal representatives, administrators and assigns, and enforceable against

AOC 016253

Kealy, his heirs, executors, legal representatives, administrators and assigns in accordance with the terms of this Agreement.

3. No Complaints or Lawsuits. Kealy agrees that he will not file any complaints, charges or claims of any kind against the Catholic Bishop with any federal, state or local court or agency based on any incidents, events, or facts which occurred prior to the execution of this Agreement and that, if any agency or court assumes jurisdiction of any such matter, Kealy will request that agency or court to withdraw the matter and dismiss the charge, complaint or claim.

4. No Longer Priest. Kealy acknowledges that he is not a priest of the Archdiocese of Chicago, does not have canonical faculties in the Archdiocese of Chicago, and that he shall no longer function as a Roman Catholic priest. Kealy shall not hold himself out as a Roman Catholic priest in any way including, but not limited to, the wearing of a priestly habit or any other clothing intended to signify that he is a priest.

5. No Work for Archdiocese. Kealy agrees never to work or to apply to work in any job, occupation, ministry or volunteer position in the Archdiocese, or in any institution or other entity of the Archdiocese or its affiliated organizations. If Kealy violates this provision, and obtains a volunteer or employment position within the Archdiocese, such employment or association shall be void ab initio and Kealy shall be required to repay to the Archdiocese all amounts paid him in connection with such employment as well as any sums he received under this Agreement in addition to the other remedies provided in this Agreement or under law. Nothing in this paragraph or in this Agreement shall be construed as conferring any rights on any third parties.

6. Not Reside on Archdiocesan Property. Kealy shall not reside or remain overnight on the property of the Catholic Bishop or other entity of the Archdiocese or its affiliated organizations without first obtaining the written consent of the Catholic Bishop.

7. Full Salary. Kealy acknowledges that the Catholic Bishop has paid him the full amount of any stipend, salary or other financial support due to Kealy for the period preceding the Closing Date.

AOC 016254

8. No Claim for Further Support. Kealy and the Catholic Bishop agree that Kealy shall make no claim for any further support, sustenance or benefits against the Catholic Bishop or other entity of the Archdiocese or its affiliated organizations except as otherwise provided by the terms of this Agreement.

9. No Pension. As a resigned priest, Kealy acknowledges that he is not entitled to any benefits in any pension plan (formal or informal) of the Catholic Bishop and does not acquire any benefits under this Agreement.

10. Cash Payment. Within thirty (30) days after the Closing Date but no later than May 15, 2006, the Catholic Bishop shall pay Kealy Thirty Eight Thousand Thirty Eight Dollars ($38, 038). The Catholic Bishop shall report this payment to the Internal Revenue Service on a W-2 form and make any required withholdings.

11. Escrow Agreement. Within sixty (60) days after the Closing Date, the Catholic Bishop and Kealy shall execute an escrow agreement substantially similar to the Escrow Agreement attached hereto as Exhibit A. In any event, the Escrow Agreement shall provide that the Catholic Bishop shall pay Ten Thousand Five Hundred Dollars ($10,500) into an escrow account. The funds shall be distributed to Kealy in the manner prescribed in the Escrow Agreement and any funds remaining in the escrow account on April 21, 2008, which is 2 years after the Effective Date of the Escrow Agreement, shall be distributed in the manner prescribed in the Escrow Agreement. All tax liability, if any, for such funds paid to Kealy shall be Kealy's responsibility as set forth in Paragraph 4 of the Escrow Agreement.

12. Annuity. The Catholic Bishop will purchase an annuity for Kealy that will pay him $500 per month starting when he turns 70 years old and terminating at his death. The annuity shall not provide any benefits for survivors. The company providing the annuity shall mail its payments directly to Kealy. Kealy shall be responsible for maintaining a current mailing address for himself with the company providing the annuity.

13. Automobile Insurance. The Catholic Bishop will continue to provide automobile insurance for Kealy's automobile for a period of six (6) months following the Closing Date.

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AOC 016255

14. Health Insurance. The Catholic Bishop will continue to provide Kealy with the same health insurance currently provided to Kealy for twelve (12) months following the Closing Date. Kealy shall have the option of extending this health insurance for an additional six (6) months at his own expense.

15. Release. Upon execution of this Agreement, Kealy on his own behalf and on behalf of his past, current, and future agents, representatives, attorneys, successors, and assigns hereby completely and unconditionally releases, discharges and waives all claims, damages, causes of action, debts, liabilities, torts, contracts, agreements, undertakings, and other obligations of whatever nature or source, statutory or otherwise (including, without limitations, all obligations under canon law and claims of wrongful discharge or wrongful termination arising under common law and any and all claims or causes of action arising under the Chicago Human Rights Ordinance, the Age Discrimination in Employment Act, the Consolidated Omnibus Budget Reconciliation Act of 1985, Title VII of the Civil Rights Act of 1964, the Americans With Disabilities Act, the Rehabilitation Act of 1973, the Civil Rights Acts of 1870, 1871, 42 U.S.C. § 1981, 1983 or 1985, the Civil Rights Act of 1991, the Illinois Human Rights Act, or any other provision of the Illinois Constitution or any provision of the Constitution of the United States, or the Employee Retirement Income Security Act of 1974, the Illinois Insurance Code, the Fair Labor Standards Act, or any other statute, ordinance, rule or regulation of any state, federal, county, or municipal government regulating any aspect of the employment relationship) whether known or unknown, arising out of any matter arising prior to the date of this Agreement, which Kealy has or may have against the Catholic Bishop, any instrumentality of the Catholic Church or any of their present or former directors, officers, members, clergy, bishops, priests, employees, agents, volunteers, attorneys, insurers, representatives, predecessors, successors, assigns, or affiliates.

16. Binding on Successors. This Agreement shall be binding upon the parties hereto and their respective successors in interest, heirs, executors, and assigns.

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17. Cooperation. In the event that the Catholic Bishop or any entity of the Archdiocese or its affiliated entities is a party to a lawsuit or any similar proceeding (such as a mediation or arbitration proceeding) which relates to Kealy or to any affiliation between Kealy and the Catholic Bishop, Kealy shall in good faith use his best efforts to cooperate with the Catholic Bishop in the conduct of said lawsuit or similar proceeding. This cooperation shall include, without limitation, providing the Catholic Bishop with documents, providing testimony, or attending meetings, executing instruments, discussions with the Catholic Bishop, its agents and attorneys, and instructing his attorneys to cooperate with the Catholic Bishop and its attorneys.

18. No Use of Funds for Security. Kealy shall not use funds placed in escrow pursuant to this Agreement and/or the Escrow Agreement as security or collateral for any loan or other transaction, and shall not encumber such funds in any other way.

19. Further Instruments. Each party shall execute, acknowledge and deliver to the other party such documents, instruments or confirmation or other or further assurances as may be reasonably required after the date of this Agreement to effect the intent of this Agreement.

20. Governing Law. This Agreement shall be construed in accordance with the laws of the State of Illinois, without reference to its choice of law provisions.

21. Severability. Any invalidity, in whole or in part, of any provision of this Agreement shall not affect the validity of any other of its provisions.

22. No Admission. Nothing contained in this Agreement, nor any action taken by any party in connection with this Agreement, constitutes an admission of wrongdoing or liability on the part of any party.

23. Entire Agreement. This Agreement and the exhibits annexed to it set forth the entire agreement between Kealy and the Catholic Bishop and supersede any and all prior agreements and understandings between them, whether oral or in writing. Neither the Agreement nor the documents to be delivered by the parties pursuant to it may be modified,

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amended or revised except in a writing signed by the party against whom any such modification, amendment or revision is sought to be enforced.

24. Mediation and Arbitration. The parties shall in good faith use their best efforts to resolve all disputes arising out of this Agreement by mediation. The parties shall endeavor to agree upon a mediator within thirty (30) days of the date a party first notifies the other parties of a desire to seek mediation. If the parties are unable to agree upon a mediator within thirty (30) days, then in the thirty (30) days immediately following, each party shall select a party mediator who in turn shall agree by consensus or at least a majority vote (when there is a sufficient number of parties) on an independent mediator. The mediator, if the parties were able to agree upon a single mediator, or party mediators and the independent mediator shall conduct the mediation. If the mediation is successful, the matter shall be at an end. If the mediation is not successful, the mediator, if the parties were able to agree upon a single mediator, or mediators shall certify the date on which the mediation failed.

If the mediation fails, the parties may, but are not required to, agree to binding arbitration for the dispute. If the parties agree to binding arbitration, then within fourteen (14) days of the date of the mediation failed, the mediator (if the parties were able to agree upon a single mediator) shall appoint an impartial arbitrator to conduct binding arbitration. If the parties were not able to agree upon a single mediator, then the mediators shall unanimously choose an impartial arbitrator. If the mediators are unable to unanimously agree upon an impartial arbitrator within fourteen (14) days of the date the mediation failed, then within the next seven (7) days following (a total of twenty-one (21) days from the date the mediation failed) each of the mediators appointed directly by a party shall appoint an arbitrator and the arbitrators shall choose an impartial arbitrator by consensus or at least a majority vote (when there is a sufficient number of parties). For purposes of the binding arbitration, the arbitrator(s) shall schedule a hearing to occur within sixty (60) days of the date the mediation failed. The hearing may proceed thereafter as may be necessary. The arbitrator(s) shall preside over the binding arbitration, shall have the authority to establish the rules and procedures that govern the

AOC 016258

arbitration, and shall have the power to decide any dispute between the parties arising from this Agreement, subject to any specific provisions and/or limitations set forth in this Agreement. Each party shall be allotted three (3) hours to present that party's position, evidence and arguments. The arbitrator(s) shall render a decision within thirty (30) days after the binding arbitration is concluded. The arbitrator(s)' decision shall be final and binding and not appealable to any other body. It may be enforced in the Circuit Court of Cook County pursuant to 710 ILCS 5/11 or any successor provision.

For good cause, the mediators, or arbitrators may, by majority vote and in their sole discretion, grant reasonable extensions of any time limits set forth in this paragraph and make other appropriate rulings in furtherance of the intent of this paragraph. The parties participating in the mediation/arbitration shall share the cost of the mediators' and arbitrators' fees equally. Each party will bear its or his own attorneys' fees.

25. Notice. Any notice permitted or required to be given hereunder shall be delivered to the following addresses or any other addresses that the parties provide to each other in writing:

To: Robert L. Kealy
[redacted]

With a copy to: Joseph V. Roddy, Esq.
77 W. Washington St.
Suite 1100
Chicago, IL 60602

To: Catholic Bishop of Chicago, a corporation sole

Vicar for Priests Office
645 N. Michigan Avenue, Suite 543
Chicago, IL 60611

With copies to: James A. Serritella, Esq.
Burke, Warren, MacKay & Serritella, P.C.
330 N. Wabash Ave., 22nd Floor
Chicago, IL 60611-3607

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And to: John C. O'Malley, Esq.
Office of Legal Services
Archdiocese of Chicago
P.O. Box 1979
Chicago, IL 60690

If mailed, such notice shall be deemed delivered when deposited in the United States mail in a sealed envelope so addressed, with postage thereon prepaid. If sent by overnight courier, such notice shall be deemed to be delivered when delivered to the overnight courier.

26. Headings. Headings have been inserted for convenience of reference only. They are not intended to affect the meaning or interpretation of this Agreement.

27. Recitals. The parties agree that the Recitals are incorporated into this Agreement.

28. Closure. It is the intention of the parties in entering into this agreement to bring closure to any and all issues between them. The parties agree to comport themselves in a manner which is consistent with this intention.

29. Representation by Lawyer. In entering into this Settlement Agreement, Kealy confirms that he has been represented by counsel of his choice, that he has relied on the legal advice of such counsel, that the terms of this Exit Agreement have been completely read and explained to him by his attorney and that he fully understands and voluntarily accepts these terms. As such, neither party will claim that any ambiguity in this Agreement shall be construed against the other party. **Kealy understands and acknowledges that this is a full, final, and complete release and settlement of all claims and demands, whether known or unknown, suspected or unsuspected, that he has or may have against the Catholic Bishop.**

PLEASE READ VERY CAREFULLY.

THIS EXIT AGREEMENT INCLUDES A RELEASE

OF ALL KNOWN AND UNKNOWN EXISTING CLAIMS.

[Signature Page Follows]

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IN WITNESS WHEREOF, the parties have voluntarily signed this Exit Agreement on the dates set forth herein at Chicago, Illinois.

Robert L. Kealy

Robert L. Kealy

Dated: 4/21/06

The Catholic Bishop of Chicago, a corporation sole

By: Rev. Edward D. Grace

Its: VICAR FOR PRIESTS

Dated: 4/21/06

AOC 016261

ESCROW AGREEMENT

This ESCROW AGREEMENT, dated April 21, 2006 ("Effective Date") is by and among ROBERT L. KEALY, individually (referred to herein as "Kealy"); THE CATHOLIC BISHOP OF CHICAGO, a corporation sole (referred to herein as the "Catholic Bishop"); and J.P. MORGAN TRUST COMPANY, NATIONAL ASSOCIATION as escrow agent ("J.P. Morgan").

WITNESSETH

WHEREAS, Kealy and the Catholic Bishop have executed an Exit Agreement ("Exit Agreement"), dated as of April 21, 2006, pursuant to which the Catholic Bishop shall place Ten Thousand Five Hundred Dollars ($10,500) in an escrow account at J.P. Morgan, which amount (the "Escrow Funds") shall be paid under the circumstances enumerated in this Agreement;

WHEREAS, the parties intend that J.P. Morgan hold such funds in escrow pending the fulfillment of the conditions specified in this Agreement; and

WHEREAS, the escrow shall continue through the period ending upon the earlier of April 21, 2008, which is two years from the date of the Effective Date, the payment of all money from the Escrow Fund, or Kealy's death ("the Escrow Period");

NOW, THEREFORE, in consideration of the foregoing premises and for other good and valuable consideration (the sufficiency of which is hereby acknowledged by each of the parties), it is hereby covenanted and agreed by and among the parties hereto as follows:

1. Escrow Agent. Kealy and the Catholic Bishop appoint J.P. Morgan to act as the escrow agent (the "Escrow Agent") for purposes of this Agreement.

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AOC 016262

2. Investments. The following provisions govern the Escrow Agent's investment of the Escrow Funds:

(a) The Escrow Agent agrees to invest and reinvest funds in J.P.Morgan Prime Money Market Fund #283, or a successor or similar fund, unless otherwise directed in writing by the Catholic Bishop and Kealy.

(b) The parties recognize and agree that the Escrow Agent will not provide supervision, recommendations or advice relating to either the investment of moneys held in the Escrow Account or the purchase, sale, retention or other disposition of any permitted investment.

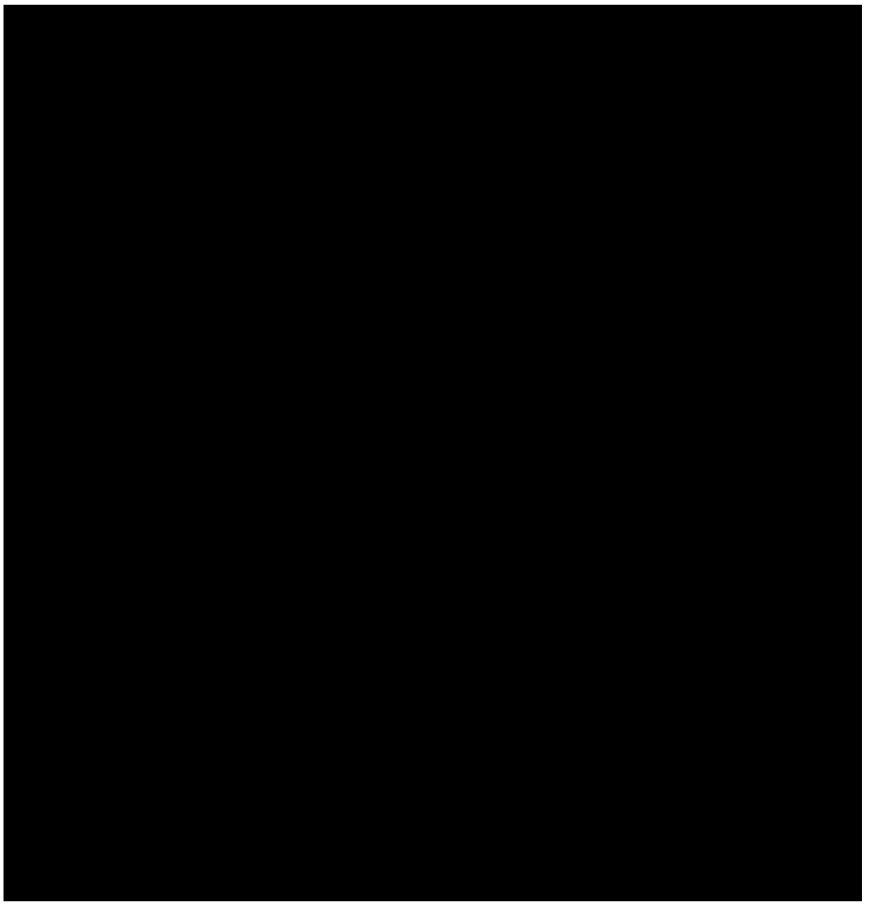
(c) Interest and other earnings on permitted investments shall be added to the Escrow Account. In the event that the Escrow Agent does not receive directions to invest funds held in the Escrow Account, the Escrow Agent shall invest such funds in J.P.Morgan Prime Money Market Fund #283 or a successor or similar fund.

(d) The Escrow Agent is hereby authorized to execute purchases and sales of permitted investments through the facilities of its own trading or capital markets operations or those of any affiliated entity. The Escrow Agent shall send statements reflecting activity in the Escrow Account for the preceding period to each of the parties hereto on a semi-annual basis and on termination of the escrow.

(e) The Catholic Bishop and Kealy acknowledge and agree that the delivery of the escrowed property is subject to the sale and the final settlement of permitted investments. Proceeds of a sale of permitted investments will be delivered on the business day on which the appropriate instructions are delivered to the Escrow Agent if received prior to the deadline for same day sale of such permitted investments. If such instructions are received after the applicable deadline, proceeds will be delivered on the next succeeding business day.

3. Release of Escrow Funds. The Escrow Agent shall release Escrow Funds under the following circumstances:

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(a) 

(b) Upon the termination of the escrow, as defined in paragraph 5, the Escrow Agent shall pay the balance of the Escrow Fund, if any, to Kealy, if he is still living. If he is not alive when the escrow terminates, the Escrow Agent shall pay the balance of the Escrow Fund to the American Cancer Society.

4. Tax Matters. The following provisions govern tax matters:

(a) Reporting of Income. The Catholic Bishop and Kealy shall each furnish the Escrow Agent with a completed Form W-8 or Form W-9, as applicable. The Escrow Agent shall report to the Internal Revenue Service, as of each calendar year-end, and to Kealy all income earned from the investment of any sum held in the Escrow Account against Kealy, as and to the extent required under the provisions of the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code").

(b) Preparation and Filing of Tax Returns. Kealy is required to prepare and file any and all income or other tax returns applicable to the Escrow Account with the Internal Revenue Service and all required state and local departments of revenue in all years income

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is earned in any particular tax year as and to the extent required under the provisions of the Code.

(c) Payment of Taxes on Interest. Any taxes payable on income earned from the investment of any sums held in the Escrow Account shall be paid by Kealy, whether or not the income was distributed by the Escrow Agent during any particular year as and to the extent required under the provisions of the Code.

(d) Payment of Taxes on Payments from the Escrow Account. In the event any tax liability is imposed on any of the payments to Kealy set forth in paragraph 3 by any taxing authority, including, but not limited to, the Internal Revenue Service or the Illinois Department of Revenue, Kealy on behalf of himself, his executors, heirs and assigns agrees to pay promptly any tax liability and, to the extent not fully paid by Kealy, to indemnify, promptly reimburse, and hold the Catholic Bishop harmless for any and all liabilities for such taxes, including any interest or penalty with respect to such taxes. The Escrow Agent shall have no duty to pay any tax liability.

(e) Unrelated Transactions. The Escrow Agent shall have no responsibility for the preparation and/or filing of any tax or information return with respect to any transaction, whether or not related to the Agreement, that occurs outside the Escrow Account.

5. Termination. This Agreement shall terminate upon the earlier of (a) the payment of all Escrow Funds under paragraph 3; (b) the date of Kealy's death and (c) April 28, 2008, which is two years from the date of the Effective Date.

6. Escrow Agent Fee. The Escrow Agent shall be entitled to charge an annual fee of $1,500. These fees shall be paid from the Escrow Account.

7. Concerning the Escrow Agent. Notwithstanding any provision contained herein to the contrary, the Escrow Agent, including its officers, directors, employees and agents, shall:

(a) not be liable for any action taken or omitted under this Agreement so long as it shall have acted in good faith and without gross negligence;

(b) have no responsibility to inquire into or determine the genuineness, authenticity or sufficiency of any securities, checks, or other

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documents or instruments submitted to it in connection with its duties hereunder.

(c) be entitled to deem the signatories of any documents or instruments submitted to it hereunder as being those purported to be authorized to sign such documents or instruments on behalf of the parties hereto, and shall be entitled to rely upon the genuineness of the signatures of such signatories without inquiry and without requiring substantiating evidence of any kind;

(d) be entitled to refrain from taking any action contemplated by this Agreement in the event that it becomes aware of any disagreement between the parties hereto as to any facts or as to the happening of any contemplated event precedent to such action;

(e) have no responsibility or liability for any diminution in value of any assets held hereunder which may result from any investments or reinvestment made in accordance with any provision which may be contained herein;

(f) be entitled to compensation for its services hereunder as per paragraph 6, and for reimbursement of its out-of-pocket expenses including, but not by way of limitation, the fees and costs of attorneys or agents which it may find necessary to engage in performance of its duties hereunder, all to be paid from the Escrow Account, and the Escrow Agent shall have, and is hereby granted, a prior lien upon any property, cash, or assets of the Escrow Account, with respect to its unpaid fees and nonreimbursed expenses, superior to the interests of any other persons or entities;

(g) be entitled and is hereby granted the right to set off and deduct any unpaid fees and/or nonreimbursed expenses from amounts on deposit in the Escrow Account;

(h) be under no obligation to invest the deposited funds or the income generated thereby until it has received a Form W-9 or W-8, as applicable, from the Catholic Bishop and Kealy, regardless of whether such party is exempt from reporting or withholding requirements under the Internal Revenue Code of 1986, as amended;

(i) The Escrow Agent and its directors, employees, agents and affiliates are hereby jointly and severally indemnified and saved harmless by the Catholic Bishop and Kealy from any and all losses, liabilities, claims, proceedings, suits, demands, penalties, costs and expenses, including without limitation fees and expenses

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of outside and in-house counsel and experts and their staffs and all expenses of document location, duplication and shipment and of preparation to defend any of the foregoing ("Losses"), which may be incurred by it as a result of its execution, delivery or performance of this Agreement, unless such Losses shall have been finally adjudicated to have been primarily caused by the bad faith or gross negligence of the Escrow Agent. The provisions of this section shall survive the resignation or removal of the Escrow Agent and the termination of this Agreement.

(j) in the event that (i) any dispute shall arise between the parties with respect to the disposition or disbursement of any of the assets held hereunder or (ii) the Escrow Agent shall be uncertain as to how to proceed in a situation not explicitly addressed by the terms of this Agreement whether because of conflicting demands by the other parties hereto or otherwise, be permitted to interplead all of the assets held hereunder into a court of competent jurisdiction, and thereafter be fully relieved from any and all liability or obligation with respect to such interpleaded assets. The parties hereto other than the Escrow Agent further agree to pursue any redress or recourse in connection with such a dispute, without making the Escrow Agent a party to same;

(k) have only those duties as are specifically provided herein, which shall be deemed purely ministerial in nature, and shall under no circumstance be deemed a fiduciary for any of the parties to this Agreement. The Escrow Agent shall neither be responsible for, nor chargeable with, knowledge of the terms and conditions of any other agreement, instrument or document between the other parties hereto, in connection herewith, including without limitation the Settlement Agreement. This Agreement sets forth all matters pertinent to the escrow contemplated hereunder, and no additional obligations of the Escrow Agent shall be inferred from the terms of this Agreement or any other Agreement. IN NO EVENT SHALL THE ESCROW AGENT BE LIABLE, DIRECTLY OR INDIRECTLY, FOR ANY (i) DAMAGES OR EXPENSES ARISING OUT OF THE SERVICES PROVIDED HEREUNDER, OTHER THAN DAMAGES WHICH RESULT FROM THE ESCROW AGENT'S FAILURE TO ACT IN ACCORDANCE WITH THE STANDARDS SET FORTH IN THIS AGREEMENT, OR (ii) SPECIAL OR CONSEQUENTIAL DAMAGES, EVEN IF THE ESCROW AGENT HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES;

(l) have the right, but not the obligation, to consult with counsel of choice and shall not be liable for action taken or omitted to be

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taken by Escrow Agent in good faith in accordance with the advice of such counsel. If the Escrow Agent becomes involved in litigation on account of this Agreement, it shall have the right to retain counsel and shall have a first lien on the property deposited hereunder for any and all costs, attorneys' fees, charges, disbursements, and expenses in connection with such litigation; and shall be entitled to reimburse itself therefor out of the property deposited hereunder, and if it shall be unable to reimburse itself from the property deposited hereunder, the parties hereto jointly and severally agree to pay to the Escrow Agent on demand its reasonable charges, counsel and attorneys' fees, disbursements, and expenses in connection with such litigation. The Escrow Agent shall have the right to perform any of its duties hereunder through agents, attorneys, custodians or nominees without liability for the acts or nonaction of any such party selected with due care; and

(m) have the right to perform any of its duties hereunder through agents, attorneys, custodians or nominees.

(n) Notwithstanding any other provision of this Agreement, the Escrow Agent shall not be obligated to perform any obligation hereunder and shall not incur any liability for the nonperformance or breach of any obligation hereunder to the extent that the Escrow Agent is delayed in performing, unable to perform or breaches such obligation because of acts of God, war, terrorism, fire, floods, strikes, electrical outages, equipment or transmission failures, or other causes reasonably beyond its control.

(o) Funds Transfer Agreement. In the event funds transfer instructions are given (other than in writing at the time of the execution of the Agreement), whether in writing, by telecopier or otherwise, the Escrow Agent is authorized to seek confirmation of such instructions by telephone call-back to the person or persons designated on Exhibit A hereto, and the Escrow Agent may rely upon the confirmations of anyone purporting to be the person or persons so designated. The persons and telephone numbers for call-backs may be changed only in writing actually received and acknowledged by the Escrow Agent. The parties to the Agreement acknowledge that such security procedure is commercially reasonable. It is understood that the Escrow Agent and the beneficiary's bank in any funds transfer may rely solely upon any account numbers or similar identifying number provided by any party hereto to identify (i) the beneficiary, (ii) the beneficiary's bank or (iii) an intermediary bank. The Escrow Agent may apply funds for any payment order it executes using any such identifying number, even where its use may result in a person other than the

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beneficiary being paid, or the transfer of funds to a bank other than the beneficiary's bank, or an intermediary bank, designated.

Any banking association or corporation into which the Escrow Agent may be merged, converted or with which the Escrow Agent may be consolidated, or any corporation resulting from any merger, conversion or consolidation to which the Escrow Agent shall be a party, or any banking association or corporation to which all or substantially all of the corporate trust business of the Escrow Agent shall be transferred, shall succeed to all the Escrow Agent's rights, obligations and immunities hereunder without the execution or filing of any paper or any further act on the part of any of the parties hereto; anything herein to the contrary notwithstanding

8. Notice. Any notice permitted or required to be given hereunder shall be delivered to the following addresses or any other addresses that the parties provide to each other in writing

To: Robert L. Kealy

Mr. Robert L. Kealy
[redacted]

To: The Catholic Bishop of Chicago, a corporation sole

Vicar for Priests Office
645 N. Michigan Ave., Suite 543
Chicago, IL 60611

With a copy to:

James A. Serritella
Burke, Warren, MacKay & Serritella, P.C.
330 North Wabash, 22nd Floor
Chicago, IL 60611-3607

To: Escrow Agent

J.P. Morgan Trust Company, National Association
Attn: Kevin Ryan
Institutional Trust Services

AOC 016269

227 West Monroe St., 26th Floor
Chicago, IL 60606

If mailed, the notice shall be deemed to be delivered when it is deposited in the United States mail, with postage thereon prepaid, addressed to the party at the address provided in the manner specified above. Notice by express mail is deemed delivered when it is transmitted to the express carrier.

9. Resignation or Removal of Escrow Agent. The Escrow Agent may resign as such following the giving of thirty (30) days prior written notice to the other parties hereto. Similarly, the Escrow Agent may be removed and replaced following the giving of thirty (30) days prior written notice to the Escrow Agent by the other parties hereto. In either event, the duties of the Escrow Agent shall terminate thirty (30) days after receipt of such notice (or as of such earlier date as may be mutually agreeable); and the Escrow Agent shall then deliver the balance of the moneys or assets then in its possession to a successor escrow agent as shall be appointed by the other parties hereto as evidenced by a written notice filed with the Escrow Agent.

If the other parties hereto have failed to appoint a successor prior to the expiration of thirty (30) days following receipt of the notice of resignation or removal, the Escrow Agent may appoint a successor or petition any court of competent jurisdiction for the appointment of a successor escrow agent or for other appropriate relief, and any such resulting appointment shall be binding upon all of the parties hereto.

10. Binding on Successors. This Agreement is binding upon and inures to the benefit of each of the parties and their respective successors, heirs, personal representatives, and assigns. No party may assign its rights and responsibilities hereunder unless the prior written consent of the parties is obtained.

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11. Attachment of Escrow Fund; Compliance with Legal Orders. Pursuant to the Settlement Agreement, present or future interests in income or principal may not be voluntarily or involuntarily alienated or encumbered.

In the event that any escrow property shall be attached, garnished or levied upon by any court order, or the delivery thereof shall be stayed or enjoined by an order of a court, or any order, judgment or decree shall be made or entered by any court order affecting the property deposited under this Agreement, the Escrow Agent is hereby expressly authorized, in its sole discretion, to obey and comply with all writs, orders or decrees so entered or issued, which it is advised by legal counsel of its own choosing are binding upon it, whether with or without jurisdiction, and in the event that the Escrow Agent obeys or complies with any such writ, order or decree it shall not be liable to any of the parties hereto or to any other person, firm or corporation, by reason of such compliance notwithstanding such writ, order or decree be subsequently reversed, modified, annulled, set aside or vacated.

12. Amendment. This Agreement may be amended or modified or any provision of this Agreement may be waived only by a written instrument signed by all of the parties hereto.

13. Governing Law. This Agreement shall be construed in accordance with the laws of the State of Illinois, without reference to its choice of law provisions.

[Signature page follows]

AOC 016271

IN WITNESS WHEREOF, the parties have hereunto signed and executed this Agreement at Chicago, Illinois.

Robert L. Kealy
Robert L. Kealy

Dated: 4/21/06

The Catholic Bishop of Chicago,
a corporation sole

By: Rev. Edward D. Grosz
Its: VICAR FOR PRIESTS

Dated: April 21, 2006

J.P. Morgan Trust Company, National Association,
as Escrow Agent

By: _____

Dated: _____

As Its: _____

AOC 016272

From: Richard Hudzik
To: Costello, Vincent; Grace, Edward; McCluskey, Leah
Date: 4/22/2006 1:50:30 PM
Subject: Robert Kealy

All:

Robert Kealy bid us all adieu this morning, gave me his keys and rode off into the sunset and for parts unknown.

Dick

Deacon Richard F. Hudzik
Director
Cardinal Stritch Retreat House
P.O. Box 455
Mundelein, IL 60060-0455
www.stritchretreat.org
tel 847.566.6060
fax 847.566.6082

From: Edward Grace
To: Bland, Michael
Date: 4/24/2006 4:10:01 PM
Subject: Request for Kealy Article

April 24, 2006

Michael,

Bob Kealy called me this afternoon about a matter unrelated to your request. This call came in before I received your voice mail message. None the less, I took the opportunity to ask him about the article you referenced.

Bob's response was that the material printed in the NCR was not an article. Rather, it was an early draft of reflections he meant to share with professional Canonists for their consideration in response to the Dallas Norms. The material was not meant to be published - rather it was meant to be private thoughts to be shared within a professional circle of acquaintances. Bob made this point to the editor of NCR who apologized for printing such material. Moreover, Bob doubts that he even has a copy of the NCR article or the paper he shared with his professional circle of Canonists.

Since this conversation occurred before your voicemail message, I did not tell Bob who had made the request.

I'm sorry that I cannot be of more help.

Ed Grace

— Spoke to Bo
No quotation of Bob Kealy
Words is apparently the author
→ merely referred that
Bob Kealy had shared
thoughts with some
Canonists
— Not that ~~Bob~~
Bob's words were false

From: Michael Bland
To: egrace@archchicago.org
Date: 4/24/2006 10:46:32 PM
Subject: Re: Request for Kealy Article

Ed,

Thank you for asking Bob about the article. Your follow through means a lot and I will follow up with the person who requested it. I thought it would be the outside chance that Bob would have such an article/reflection four years later.

Thanks for the help,
Michael

>>> Edward Grace 04/24/06 4:10 PM >>>
April 24, 2006

Michael,

Bob Kealy called me this afternoon about a matter unrelated to your request. This call came in before I received your voice mail message. None the less, I took the opportunity to ask him about the article you referenced.

Bob's response was that the material printed in the NCR was not an article. Rather, it was an early draft of reflections he meant to share with professional Canonists for their consideration in response to the Dallas Norms. The material was not meant to be published - rather it was meant to be private thoughts to be shared within a professional circle of acquaintances. Bob made this point to the editor of NCR who apologized for printing such material. Moreover, Bob doubts that he even has a copy of the NCR article or the paper he shared with his professional circle of Canonists.

Since this conversation occurred before your voicemail message, I did not tell Bob who had made the request.

I'm sorry that I cannot be of more help.

Ed Grace

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ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

MEMO

TO: Leah McCluskey
FROM: Ed Grace
Date: April 25, 2006

Concerning: Fr: Robert Kealy

Fr. Robert Kealy has tendered a letter of resignation from the priesthood and has signed an exit agreement with the Diocese. He has severed all ties with the Diocese. Fr. Kealy is no longer a priest of the Diocese of Chicago.

Fr Kealy ceased residing at the Cardinal Stritch Retreat House on April 22, 2006.

Memo
TO: Leah McCluskey
FROM: Ed Grace

April 26, 2006

Leah,

Attached please find:

[redacted]nd

Bob Kealy's - Letter of resignation from the Priesthood and a memo for his file.

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility

P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279
www.archchicago.org

MEMORANDUM

To: File - PFR-83

From: Leah McCluskey, Professional Responsibility Administrator

Re: Kealy, Rev. Robert [Resigned]

Date: April 28, 2006

Due to notification from Rev. Edward Grace, Vicar for Priests that Rev. Robert Kealy resigned from the priesthood on April 22, 2006, the Individual Specific [monitoring] Protocols for the accused have ceased. The appropriate offices of the Archdiocese of Chicago are no longer able to monitor the former Fr. Kealy now that he is a resigned priest of this diocese.

Cc Francis Cardinal George, O.M.I.
Rev. John Canary, Vicar General
Ralph Bonaccorsi, Assistance Ministry
Carol Fowler, Director of Personnel Services
Rev. Edward Grace, Vicar for Priests
Deacon Richard Hudzik, Director of Cardinal Stritch Retreat House
Jimmy Lago, Chancellor
John O'Malley, Director of Legal Services
Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board

AGENDA

#56TH Meeting of the Twenty-First Board
Date: April 28, 2006
Place: Priests' Placement Board

Present: Rev.: Kevin Birmingham, John W. Clemens, James Donovan, Matthew E. Foley, Thomas Hickey, David A. Jones, Richard Milek

Absent: Revs. William T. Corcoran, Matthew E. Foley

I Opening Prayer: Rev. Kevin Birmingham _____ A M

II Acceptance of Minutes: *Vote* _____

III Reports:

1. Vicars for Priests: The Vicar for Priests office has informed us of the resignations of Robert Kealy, [redacted]

IV Acceptance of Agenda: *Vote* _____

V Business:

[redacted]

MINUTES

#56TH Meeting of the Twenty-First Board
Date April 28, 2006
Priests' Placement Board/Pastoral Center

Present: Rev. Kevin Birmingham, John W. Clemens, James Donovan, Thomas Hickey (left 1:25 pm), David A. Jones, Richard Milek

Absent: Revs. William T. Corcoran, Matthew E. Foley

I Opening Prayer: Rev. Kevin Birmingham 10:05 A M

II Acceptance of Minutes: 6 – 0 – 0

III Reports:

1. Vicars for Priests: The Vicar for Priests office has informed us of the resignations of Robert Kealy, [redacted]
2. [redacted]
3.

IV Acceptance of Agenda: 6 – 0 – 0

V Business:

[redacted]

From: Miriam Patrick, Sr. Cummings
To: Vanderplow, Patricia
Date: 5/1/2006 11:22:35 AM
Subject: Resignations

Father Ed Grace asked me to inform you of the following:

Father [redacted] and Father Robert Kealy have each resigned from the active ministry effective April 21.

Please remove them from interim salaries effective that date.

Thank you,

Sister Pat Cummings

ARCHDIOCESE OF CHICAGO
PAYROLL AUTHORIZATION/CHANGE FORM/PAYROLL SET UP
ARCHDIOCESE PRIESTS

RECEIVED MAY 22006 H.R.

Kealy, Robert [redacted] 200801.
Last Name, First, Middle Initial | Social Security Number | Employee Number

Active F/T_____ Active P/T_____ Active P/T Benefits _____ Position _____

Ordination Date_____ Transfer to P.C. _____ DateTransfer from Agency/Parish/School#_____

Dept. Name_____ No._____ Agency_____ No._____

Pay through payroll
Regular Salary (Compensation Book) $_____
Other: Type
_____ $_____
_____ $_____
_____ $_____
_____ $_____
Total through Payroll $_____

Effective Date: _____

Non-Payroll Compensation
Type
_____ $_____
_____ $_____
_____ $_____
_____ $_____
Total Non-Payroll $_____

Comments_____

Birth Date_____ EEOC: OM_____ PR_____ OC_____ SW_____ SL_____ ADM_____ Other_____ Veteran_____

Home Phone_____ Work Phone_____ Handicap: Yes_____ No_____

Mailing Address _____

_____
Street, City, State, Zip Code

Dental Insurance: Yes____ No____ Name of Dental Plan_____

Payroll Direct Deposit: Yes____ No____Forms attached: Yes____ No____Federal/State Taxes: Yes____ No____ Forms attached: Yes____ No____

Defined Contribution Plan (AETNA) Yes_____ No_____ Amount per year $_____

TRANSFERS – EFFECTIVE DATE April 21, 2006

Transfer From _____ To _____
Name Parish #, School #, or Agency # | Personnel Services – Interim Salary #

Transfer From _____ To _____
Personnel Services – Interim Salary # | Name Parish #, School #, or Agency #

Transfer From _____ To _____

Termination/Resignation/Date April 21, 2006 (Location) Reason Resignation (Location)

_____ _____ _____
Agency Director/Date | Department Director/Date | Director, Human Resources/Date

_____ _____
Chancellor/Date 5/2/06 | Director, Personnel Services/Date

Original: Payroll | Yellow: Human Resources | Pink: Agency | Gold: Benefits

Rev. 5/04

AOC 016282

Tom Brennan
Director of Finance
ph: 312-751-8218
fax: 312-751-8302

>>> [redacted] 05/03/06 1:28 PM >>>
Mr. Brennan,

Hartford has confirmed that they would accept a letter between you and each of the annuitants stating the agreement that the American Cancer Society is to be the irrevocable beneficiary under the annuities.

Please let me know if you have any other questions.

Thank you.

[redacted]
Selective Settlements International
8800 S.E. Sunnyside Rd., Suite 101N
Clackamas, OR 97015
800-288-7005 or 503-786-7743
fax 503-786-7924
-----Original Message-----
From: Tom Brennan [mailto:tbrennan@archchicago.org]
Sent: Wednesday, May 03, 2006 10:02 AM
To: [redacted]
Cc: [redacted]
Subject: Re: SPIA quotes - [redacted] and Robert Louis Kealy

[redacted]
The only change from the prior inquiry is that instead of the Archdiocese being the irrevocable beneficiary, the American Cancer Society will be the irrevocable beneficiary. Since the Archdiocese is purchasing the annuities, if we provide something that says that the Archdiocese and the respective person agrees to the terms of the annuity is that sufficient? We don't need the American Cancer Society's involvement do we?

Tom Brennan
Director of Finance
ph: 312-751-8218
fax: 312-751-8302

>>> "Kayla Aalberg" <kayla.aalberg@selectivesettlements.com> 05/02/06 >>> 6:40 PM >>>
Mr. Brennan:

I have attached current quotes for Mr. [redacted] and Mr. Kealy pursuant to your request, as well as blank forms of applications for these annuities. I have assumed that Mr. Kealy resides in Illinois, as well as Mr. [redacted].

Both of these quotes are based upon a funding date of 6/1/06.

In reviewing our file I see that these annuities would be owned by the individuals named above, but the Archdiocese would be named as the

irrevocable beneficiary for any guaranteed payments owing at the time of either of their deaths. Hartford would like something in writing signed by the parties indicating that this provision has been agreed to.

If you wish to go forward please let me know and we can discuss the information needed to complete the applications and proceed.

Thank you.

[redacted]
Selective Settlements International
8800 S.E. Sunnyside Rd., Suite 101N
Clackamas, OR 97015
800-288-7005 or 503-786-7743
fax 503-786-7924

CC: Edward Grace <egrace@archchicago.org>, Janet Leonatti <jleonatti@archchicago.org>, "Serritella, James A." <jserritella@burkelaw.com>

ARCHDIOCESE OF CHICAGO
VICAR FOR PRIESTS
645 NORTH MICHIGAN AVENUE, SUITE 543
CHICAGO, ILLINOIS 60611

Off: (312) 642-1837
Fax: (312) 642-4933

May 3, 2006

Mr. Robert Kealy
[redacted]

Dear Bob,

I just wanted to confirm some dates with you.

Your auto insurance with the archdiocese will be in effect for six months from April 21, 2006 or until October 22, 2006.

Sometime in September I will remind you of the termination date.

Your health insurance will be in effect for 12 months from April 21, 2006 or until April 22, 2007. Again I will send a reminder a month prior to the termination date. Should you wish to terminate this health insurance prior to the 12 months, please let me know.

Should you wish to purchase health insurance from the Archdiocese for an additional six months you may do so by contacting Alex Becker at PRMAA (708-449-8026).

I wish you well as you move into another phase of life. God bless!

Sincerely,

Sister Pat Cummings

Sister Pat Cummings, SSND
Associate Director
Vicar for Priests

ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

645 NORTH MICHIGAN AVENUE, SUITE 543

CHICAGO, ILLINOIS 60611

Off: (312) 642-1837
Fax: (312) 642-4933

May 10, 2006

Mr. Robert L. Kealy
[redacted]

Dear Bob,

Enclosed please find the documents that I mentioned to you in our phone conversation:

1. A packet of papers from Serritella's firm containing:
   - Three copies of the revised escrow agreement tabbed for signature at the appropriate places. (There is also a blacklined copy of the agreement showing the changes made,
   - Three copies of J P Morgan Disclosure Statement and Authorization Form,
   - Three copies of the Shareholder Communication Form,
   - Three copies of a confirmation letter to Hartford Insurance.

2. A copy of IRS Form W9. Do NOT check the box "Exempt from withholding".

3. A letter authorizing the change from W2 to 1099 for reporting income to the IRS.

Please sign and return these documents.

In addition, please include a photocopy of your driver's license with these documents. This is to establish your birth date for the annuity company.

I hope things are going well for you.

Sincerely,

Edward D. Grace

Form **W-9**
(Rev. November 2005)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give form to the requester. Do not send to the IRS.

Print or type
See Specific Instructions on page 2.

Name (as shown on your income tax return)
ROBERT L. KEALY

Business name, if different from above

Check appropriate box: ☒ Individual/ Sole proprietor ☐ Corporation ☐ Partnership ☐ Other ▶

☒ Exempt from backup withholding MG 5/25/06

[redacted]

List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

[redacted]

or

Employer identification number

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 4.)

Sign Here Signature of U.S. person ▶ Robert L. Kealy Date ▶ 5/15/06

Purpose of Form

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

U.S. person. Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee.

In 3 above, if applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

For federal tax purposes, you are considered a person if you are:

- An individual who is a citizen or resident of the United States,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States, or
- Any estate (other than a foreign estate) or trust. See Regulations sections 301.7701-6(a) and 7(a) for additional information.

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,

AOC 016287

5/15/06

Dear Ed,

Here are all the signed documents. Thanks for making it so easy. After all the signatures have been done, please sign me a copy of each document.

Cordially,

BR

AOC 016288

ARCHDIOCESE OF CHICAGO
VICAR FOR PRIESTS
645 NORTH MICHIGAN AVENUE, SUITE 543
CHICAGO, ILLINOIS 60611

Off: (312) 642-1837
Fax: (312) 642-4933

Hartford Insurance
200 Hopmeadow St.
Simsbury, CT 06089

Dear Sir:

This is to confirm that the Catholic Bishop of Chicago, a corporation sole, and Robert Louis Kealy agree that the national office of the American Cancer Society is the irrevocable beneficiary under the annuity being purchased by the Catholic Bishop of Chicago, a corporation sole (also known as the Archdiocese of Chicago) for Robert Kealy.

Robert L. Kealy
Robert Louis Kealy

Dated 5/15/06

The Catholic Bishop of Chicago,
A corporation sole

By: Rev. John Canary

Dated 5/23/06

Its Vicar General

ARCHDIOCESE OF CHICAGO
VICAR FOR PRIESTS
645 NORTH MICHIGAN AVENUE, SUITE 543
CHICAGO, ILLINOIS 60611

Off: (312) 642-1837
Fax: (312) 642-4933

May 26, 2006

Mr. Robert Kealy
[redacted]

Dear Bob,

The check you are about to receive represents a variance in your Exit Agreement dated April 21, 2006.

The Exit package you signed indicates that you are to receive a cash payment of $38,038 minus all applicable taxes. The check you are receiving represents the full amount of $38,038 with no taxes withheld.

In accepting this check you are also accepting the responsibility for all applicable taxes due on this amount. A Form 1099 will be filed by the Archdiocese.

Your signature on this letter signifies your acceptance of the check and the variation in your previously signed Exit Agreement as well as your agreement to assume responsibility for all taxes involved.

Once again, Bob, we are grateful for your service and wish you God's blessing in the future.

Sincerely,

Edward D. Grace

Rev. Edward D. Grace
Vicar for Priests

Signed: Robert L. Kealy

Witness: A. Maureen Patrick Cummings

Date: 5/26/06

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER, A VOID PANTOGRAPH AND MICROPRINTING. THE BACK OF THIS DOCUMENT HAS A WATERMARK - HOLD AT AN ANGLE TO VIEW.

Bank One
Chicago, Illinois
2-1/710

The Catholic Bishop of Chicago
Operating Account
Chicago, Illinois 60690-1979

Check No. [redacted]

Check Date
05/25/2006

PAY *Thirty Eight Thousand Thirty Eight 00/100*

Check Amount
$ ****38,038.00
The Catholic Bishop of Chicago

TO THE ORDER OF **MR ROBERT L KEALY** [redacted]

Thomas M. Brennan

VOID VOID VOID

[redacted]

Mr. Robert Kealy
[redacted]

Dear Bob,

The check you are about to receive represents a variance in your Exit Agreement dated April 21, 2006.

The Exit package you signed indicates that you are to receive a cash payment of $38,038 minus all applicable taxes. The check you are receiving represents the full amount of $38,038 with no taxes withheld.

In accepting this check you are also accepting the responsibility for all applicable taxes due on this amount. A Form 1099 will be filed by the Archdiocese.

Your signature on this letter signifies your acceptance of the check and the variation in your previously signed Exit Agreement as well as your agreement to assume responsibility for all taxes involved.

Once again, Bob, we are grateful for your service and wish you God's blessing in the future.

Sincerely,

Edward D. Grace

Rev. Edward D. Grace
Vicar for Priests

Signed: Robert L. Kealy

Witness: A. Maria Patricia Cummings

Date: 5/26/06

BURKE, WARREN, MACKAY & SERRITELLA, P.C.

22ND FLOOR IBM PLAZA
330 NORTH WABASH AVENUE
CHICAGO, ILLINOIS 60611-3607
TELEPHONE (312) 840-7000
FACSIMILE (312) 840-7900
www.burkelaw.com

PATRICIA B. CARLSON
DIRECT DIAL NUMBER
(312) 840-7076
pcarlson@burkelaw.com

June 15, 2006

VIA MESSENGER

Mr. Eric L. Adams
JPMorgan Private Client Services
10 S. Dearborn, 10th Floor
Chicago, IL 60603

Re: Robert L. Kealy

Dear Mr. Adams:

As we discussed, enclosed are the following documents:

1. Three copies of the Escrow Agreement for Robert Kealy;
2. Executed Shareholders Communication Act Form;
3. Executed JPMorgan Authorization form;
4. Private laws from 1845 and 1861 establishing the Catholic Bishop of Chicago as a corporation sole;
5. Declaration of Office executed by Francis Cardinal George on May 6, 1997 identifying him as the current Catholic Bishop of Chicago; and
6. Power of Attorney pursuant to which Francis Cardinal George, the current Catholic Bishop of Chicago, appoints Rev. John Canary as his attorney.

Please sign all three copies of the Escrow Agreement and return two of them to me. We will send you the check for the escrow account soon.

Call if you have any questions. Thank you so much for your assistance.

Very truly yours,

Patricia B. Carlson

Patricia B. Carlson

PBC/sb
Enclosures

09340-263/400154/1

bcc Rev. Edward Grace
John C. O'Malley
James A. Serritella

09340-263/400154/1

ESCROW AGREEMENT

This ESCROW AGREEMENT, dated June 15, 2006 ("Effective Date") is by and among ROBERT L. KEALY, individually (referred to herein as "Kealy"); THE CATHOLIC BISHOP OF CHICAGO, a corporation sole (referred to herein as the "Catholic Bishop"); and JPMORGAN CHASE BANK, N.A. as escrow agent ("J.P. Morgan").

WITNESSETH

WHEREAS, Kealy and the Catholic Bishop have executed an Exit Agreement ("Exit Agreement"), dated as of April 21, 2006, pursuant to which the Catholic Bishop shall place Ten Thousand Five Hundred Dollars ($10,500) in an escrow account at J.P. Morgan, which amount (the "Escrow Funds") shall be paid under the circumstances enumerated in this Agreement;

WHEREAS, the parties intend that J.P. Morgan hold such funds in escrow pending the fulfillment of the conditions specified in this Agreement; and

WHEREAS, the escrow shall continue through the period ending upon the earlier of June 15, 2008, which is two years from the date of the Effective Date, the payment of all money from the Escrow Fund, or Kealy's death ("the Escrow Period");

NOW, THEREFORE, in consideration of the foregoing premises and for other good and valuable consideration (the sufficiency of which is hereby acknowledged by each of the parties), it is hereby covenanted and agreed by and among the parties hereto as follows:

1. Escrow Agent. Kealy and the Catholic Bishop appoint J.P. Morgan to act as the escrow agent (the "Escrow Agent") for purposes of this Agreement.

AOC 016294

2. Investments. The following provisions govern the Escrow Agent's investment of the Escrow Funds:

(a) The Escrow Agent agrees to invest and reinvest funds in J.P. Morgan Prime Money Market Fund #283, or a successor or similar fund.

(b) The parties recognize and agree that the Escrow Agent will not provide supervision, recommendations or advice relating to either the investment of moneys held in the Escrow Account or the purchase, sale, retention or other disposition of any permitted investment.

(c) Interest and other earnings on permitted investments shall be added to the Escrow Account. In the event that the Escrow Agent does not receive directions to invest funds held in the Escrow Account, the Escrow Agent shall invest such funds in J.P. Morgan Prime Money Market Fund #283 or a successor or similar fund.

(d) The Escrow Agent is hereby authorized to execute purchases and sales of permitted investments through the facilities of its own trading or capital markets operations or those of any affiliated entity. The Escrow Agent shall send statements reflecting activity in the Escrow Account for the preceding period to each of the parties hereto on a semi-annual basis and on termination of the escrow.

(e) The Catholic Bishop and Kealy acknowledge and agree that the delivery of the escrowed property is subject to the sale and the final settlement of permitted investments. Proceeds of a sale of permitted investments will be delivered on the business day on which the appropriate instructions are delivered to the Escrow Agent if received prior to the deadline for same day sale of such permitted investments. If such instructions are received after the applicable deadline, proceeds will be delivered on the next succeeding business day.

3. Release of Escrow Funds. The Escrow Agent shall release Escrow Funds under the following circumstances:

(a) [redacted]

AOC 016295



(b) Upon the termination of the escrow, as defined in paragraph 5, the Escrow Agent shall pay the balance of the Escrow Fund, if any, to Kealy, if he is still living. If he is not alive when the escrow terminates, the Escrow Agent shall pay the balance of the Escrow Fund to the national office of the American Cancer Society.

4. Tax Matters. The following provisions govern tax matters:

(a) Reporting of Income. The Catholic Bishop and Kealy each confirm the accuracy of the tax certification provided on the signature page, which shall be deemed a Substitute Form W-9 upon execution, or shall otherwise furnish the Escrow Agent with an original completed Form W-8 or Form W-9, as applicable. The Escrow Agent shall report to the Internal Revenue Service, as of each calendar year-end, and to Kealy all income earned from the investment of any sum held in the Escrow Account against Kealy, as and to the extent required under the provisions of the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code").

(b) Preparation and Filing of Tax Returns. Kealy is required to prepare and file any and all income or other tax returns applicable to the Escrow Account with the Internal Revenue Service and all required state and local departments of revenue in all years income

AOC 016296

is earned in any particular tax year as and to the extent required under the provisions of the Code.

(c) Payment of Taxes on Interest. Any taxes payable on income earned from the investment of any sums held in the Escrow Account shall be paid by Kealy, whether or not the income was distributed by the Escrow Agent during any particular year as and to the extent required under the provisions of the Code.

(d) Payment of Taxes on Payments from the Escrow Account. In the event any tax liability is imposed on any of the payments to Kealy set forth in paragraph 3 by any taxing authority, including, but not limited to, the Internal Revenue Service or the Illinois Department of Revenue, Kealy on behalf of himself, his executors, heirs and assigns agrees to pay promptly any tax liability and, to the extent not fully paid by Kealy, to indemnify, promptly reimburse, and hold the Catholic Bishop harmless for any and all liabilities for such taxes, including any interest or penalty with respect to such taxes. The Escrow Agent shall have no duty to pay any tax liability.

(e) Unrelated Transactions. The Escrow Agent shall have no responsibility for the preparation and/or filing of any tax or information return with respect to any transaction, whether or not related to the Agreement, that occurs outside the Escrow Account.

5. Termination. This Agreement shall terminate upon the earlier of (a) the payment of all Escrow Funds under paragraph 3; (b) the date of Kealy's death and (c) June 15, 2008, which is two years from the date of the Effective Date.

6. Escrow Agent Fee. The Escrow Agent shall be entitled to charge an annual fee of $1,500 as detailed on the attached Exhibit A. These fees shall be paid from the Escrow Account.

7. Concerning the Escrow Agent. Notwithstanding any provision contained herein to the contrary, the Escrow Agent, including its officers, directors, employees and agents, shall:

(a) not be liable for any action taken or omitted under this Agreement so long as it shall have acted in good faith and without gross negligence;

(b) have no responsibility to inquire into or determine the genuineness, authenticity or sufficiency of any securities, checks, or other

AOC 016297

documents or instruments submitted to it in connection with its duties hereunder.

(c) be entitled to deem the signatories of any documents or instruments submitted to it hereunder as being those purported to be authorized to sign such documents or instruments on behalf of the parties hereto, and shall be entitled to rely upon the genuineness of the signatures of such signatories without inquiry and without requiring substantiating evidence of any kind;

(d) be entitled to refrain from taking any action contemplated by this Agreement in the event that it becomes aware of any disagreement between the parties hereto as to any facts or as to the happening of any contemplated event precedent to such action;

(e) have no responsibility or liability for any diminution in value of any assets held hereunder which may result from any investments or reinvestment made in accordance with any provision which may be contained herein;

(f) be entitled to compensation for its services hereunder as per paragraph 6, and for reimbursement of its out-of-pocket expenses including, but not by way of limitation, the fees and costs of attorneys or agents which it may find necessary to engage in performance of its duties hereunder, all to be paid from the Escrow Account, and the Escrow Agent shall have, and is hereby granted, a prior lien upon any property, cash, or assets of the Escrow Account, with respect to its unpaid fees and nonreimbursed expenses, superior to the interests of any other persons or entities;

(g) be entitled and is hereby granted the right to set off and deduct any unpaid fees and/or nonreimbursed expenses from amounts on deposit in the Escrow Account;

(h) be under no obligation to invest the deposited funds or the income generated thereby until it has received a Form W-9 or W-8, as applicable, from the Catholic Bishop and Kealy, regardless of whether such party is exempt from reporting or withholding requirements under the Internal Revenue Code of 1986, as amended;

(i) The Escrow Agent and its directors, employees, agents and affiliates are hereby jointly and severally indemnified and saved harmless by the Catholic Bishop and Kealy from any and all losses, liabilities, claims, proceedings, suits, demands, penalties, costs and expenses, including without limitation fees and expenses

AOC 016298

of outside and in-house counsel and experts and their staffs and all expenses of document location, duplication and shipment and of preparation to defend any of the foregoing ("Losses"), which may be incurred by it as a result of its execution, delivery or performance of this Agreement, unless such Losses shall have been finally adjudicated to have been primarily caused by the bad faith or gross negligence of the Escrow Agent. The provisions of this section shall survive the resignation or removal of the Escrow Agent and the termination of this Agreement.

(j) in the event that (i) any dispute shall arise between the parties with respect to the disposition or disbursement of any of the assets held hereunder or (ii) the Escrow Agent shall be uncertain as to how to proceed in a situation not explicitly addressed by the terms of this Agreement whether because of conflicting demands by the other parties hereto or otherwise, be permitted to interplead all of the assets held hereunder into a court of competent jurisdiction, and thereafter be fully relieved from any and all liability or obligation with respect to such interpleaded assets. The parties hereto other than the Escrow Agent further agree to pursue any redress or recourse in connection with such a dispute, without making the Escrow Agent a party to same;

(k) have only those duties as are specifically provided herein, which shall be deemed purely ministerial in nature, and shall under no circumstance be deemed a fiduciary for any of the parties to this Agreement. The Escrow Agent shall neither be responsible for, nor chargeable with, knowledge of the terms and conditions of any other agreement, instrument or document between the other parties hereto, in connection herewith, including without limitation the Exit Agreement. This Agreement sets forth all matters pertinent to the escrow contemplated hereunder, and no additional obligations of the Escrow Agent shall be inferred from the terms of this Agreement or any other Agreement. IN NO EVENT SHALL THE ESCROW AGENT BE LIABLE, DIRECTLY OR INDIRECTLY, FOR ANY (i) DAMAGES OR EXPENSES ARISING OUT OF THE SERVICES PROVIDED HEREUNDER, OTHER THAN DAMAGES WHICH HAVE BEEN FINALLY ADJUDICATED TO HAVE BEEN CAUSED BY THE BAD FAITH OR GROSS NEGLIGENCE OF THE ESCROW AGENT, OR (ii) SPECIAL, INDIRECT OR CONSEQUENTIAL LOSSES OR DAMAGES OF ANY KIND WHATSOEVER (INCLUDING BUT NOT LIMITED TO LOST PROFITS, EVEN IF THE ESCROW AGENT HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH LOSSES OR DAMAGES AND REGARDLESS OF THE FORM OF ACTION;

AOC 016299

(l) have the right, but not the obligation, to consult with counsel of choice and shall not be liable for action taken or omitted to be taken by Escrow Agent in good faith in accordance with the advice of such counsel. If the Escrow Agent becomes involved in litigation on account of this Agreement, it shall have the right to retain counsel and shall have a first lien on the property deposited hereunder for any and all costs, attorneys' fees, charges, disbursements, and expenses in connection with such litigation; and shall be entitled to reimburse itself therefor out of the property deposited hereunder, and if it shall be unable to reimburse itself from the property deposited hereunder, the parties hereto jointly and severally agree to pay to the Escrow Agent on demand its reasonable charges, counsel and attorneys' fees, disbursements, and expenses in connection with such litigation. The Escrow Agent shall have the right to perform any of its duties hereunder through agents, attorneys, custodians or nominees without liability for the acts or nonaction of any such party selected with due care; and

(m) have the right to perform any of its duties hereunder through agents, attorneys, custodians or nominees.

(n) Notwithstanding any other provision of this Agreement, the Escrow Agent shall not be obligated to perform any obligation hereunder and shall not incur any liability for the nonperformance or breach of any obligation hereunder to the extent that the Escrow Agent is delayed in performing, unable to perform or breaches such obligation because of acts of God, war, terrorism, fire, floods, strikes, electrical outages, equipment or transmission failures, or other causes reasonably beyond its control.

(o) Funds Transfer Agreement. In the event funds transfer instructions are given (other than in writing at the time of the execution of the Agreement), whether in writing, by telecopier or otherwise, the Escrow Agent is authorized to seek confirmation of such instructions by telephone call-back to the person or persons designated on Exhibit B hereto, and the Escrow Agent may rely upon the confirmations of anyone purporting to be the person or persons so designated. Each funds transfer instruction shall be executed by an authorized signatory, a list of such authorized signatories is set forth on Exhibit B. The undersigned is authorized to certify that the signatories on Exhibit B are authorized signatories. The persons and telephone numbers for call-backs may be changed only in writing actually received and acknowledged by the Escrow Agent. The parties to the Agreement acknowledge that such security procedure is commercially

AOC 016300

reasonable. It is understood that the Escrow Agent and the beneficiary's bank in any funds transfer may rely solely upon any account numbers or similar identifying number provided by any party hereto to identify (i) the beneficiary, (ii) the beneficiary's bank or (iii) an intermediary bank. The Escrow Agent may apply funds for any payment order it executes using any such identifying number, even where its use may result in a person other than the beneficiary being paid, or the transfer of funds to a bank other than the beneficiary's bank, or an intermediary bank, designated.

Any banking association or corporation into which the Escrow Agent may be merged, converted or with which the Escrow Agent may be consolidated, or any corporation resulting from any merger, conversion or consolidation to which the Escrow Agent shall be a party, or any banking association or corporation to which all or substantially all of the business of the Escrow Agent shall be transferred, shall succeed to all the Escrow Agent's rights, obligations and immunities hereunder without the execution or filing of any paper or any further act on the part of any of the parties hereto; anything herein to the contrary notwithstanding

8. Notice. Any notice permitted or required to be given hereunder shall be delivered to the following addresses or any other addresses that the parties provide to each other in writing :

To: Robert L. Kealy

Mr. Robert L. Kealy
[redacted]

To: The Catholic Bishop of Chicago, a corporation sole

Vicar for Priests Office
645 N. Michigan Ave., Suite 543
Chicago, IL 60611

With a copy to:

James A. Serritella
Burke, Warren, MacKay & Serritella, P.C.
330 North Wabash, 22nd Floor
Chicago, IL 60611-3607

AOC 016301

To: Escrow Agent

JPMorgan Chase Bank, N.A.
Attn: _____
10 South Dearborn, 10th Floor
Chicago, IL 60603

If mailed, the notice shall be deemed to be delivered when it is deposited in the United States mail, with postage thereon prepaid, addressed to the party at the address provided in the manner specified above. Notice by express mail is deemed delivered when it is transmitted to the express carrier.

9. Resignation or Removal of Escrow Agent. The Escrow Agent may resign as such following the giving of thirty (30) days prior written notice to the other parties hereto. Similarly, the Escrow Agent may be removed and replaced following the giving of thirty (30) days prior written notice to the Escrow Agent by the other parties hereto. In either event, the duties of the Escrow Agent shall terminate thirty (30) days after receipt of such notice (or as of such earlier date as may be mutually agreeable); and the Escrow Agent shall then deliver the balance of the moneys or assets then in its possession to a successor escrow agent as shall be appointed by the other parties hereto as evidenced by a written notice filed with the Escrow Agent.

If the other parties hereto have failed to appoint a successor prior to the expiration of thirty (30) days following receipt of the notice of resignation or removal, the Escrow Agent may appoint a successor or petition any court of competent jurisdiction for the appointment of a successor escrow agent or for other appropriate relief, and any such resulting appointment shall be binding upon all of the parties hereto.

10. Binding on Successors. This Agreement is binding upon and inures to the benefit of each of the parties and their respective successors, heirs, personal representatives, and assigns.

AOC 016302

No party may assign its rights and responsibilities hereunder unless the prior written consent of the parties is obtained.

11. Attachment of Escrow Fund; Compliance with Legal Orders. Pursuant to the Exit Agreement, present or future interests in income or principal may not be voluntarily or involuntarily alienated or encumbered.

In the event that any escrow property shall be attached, garnished or levied upon by any court order, or the delivery thereof shall be stayed or enjoined by an order of a court, or any order, judgment or decree shall be made or entered by any court order affecting the property deposited under this Agreement, the Escrow Agent is hereby expressly authorized, in its sole discretion, to obey and comply with all writs, orders or decrees so entered or issued, which it is advised by legal counsel of its own choosing are binding upon it, whether with or without jurisdiction, and in the event that the Escrow Agent obeys or complies with any such writ, order or decree it shall not be liable to any of the parties hereto or to any other person, firm or corporation, by reason of such compliance notwithstanding such writ, order or decree be subsequently reversed, modified, annulled, set aside or vacated.

12. Amendment. This Agreement may be amended or modified or any provision of this Agreement may be waived only by a written instrument signed by all of the parties hereto.

13. Governing Law. This Agreement shall be construed in accordance with the laws of the State of Illinois, without reference to its choice of law provisions.

14. IMPORTANT INFORMATION ABOUT PROCEDURES FOR OPENING A NEW ACCOUNT. To help the government fight the funding of terrorism and money laundering activities, Federal law requires all financial institutions to obtain, verify, and

AOC 016303

record information that identifies each person who opens an account. When an account is opened, we will ask for information that will allow us to identify relevant parties.

[Signature page follows]

AOC 016304

IN WITNESS WHEREOF, the parties have hereunto signed and executed this Agreement at Chicago, Illinois.

Tax Certification: Taxpayer ID#: [redacted]

Name & Address: Robert L. Kealy

[redacted]

Customer is a (check one):

___ Corporation	___ Municipality	___ Partnership	___ Non-profit or Charitable Org
_x__ Individual	___ REMIC	___ Trust	___ Other _____

Under the penalties of perjury, the undersigned certifies that:

(1) the entity is organized under the laws of the United States

(2) the number shown above is its correct Taxpayer Identification Number (or it is waiting for a number to be issued to it); and

(3) it is not subject to backup withholding because: (a) it is exempt from backup withholding or (b) it has not been notified by the Internal Revenue Service (IRS) that it is subject to backup withholding as a result of failure to report all interest or dividends, or (c) the IRS has notified it that it is no longer subject to backup withholding.

(If the entity is subject to backup withholding, cross out the words after the (3) above.)

Investors who do not supply a tax identification number will be subject to backup withholding in accordance with IRS regulations.

Note: The IRS does not require your consent to any provision of this document other than the certifications required to avoid backup withholding.

Robert L. Kealy

Robert L. Kealy

Dated: 5/15/06

AOC 016305

Tax Certification: Taxpayer ID#: [redacted]

Name & Address: Catholic Bishop of Chicago, a corporation sole
155 E. Superior St.
Chicago, IL 60611

Customer is a (check one):

___ Corporation ___ Municipality ___ Partnership __x_ Non-profit or Charitable Org
___ Individual ___ REMIC ___ Trust ___ Other _____

Under the penalties of perjury, the undersigned certifies that:

(4) the entity is organized under the laws of the United States

(5) the number shown above is its correct Taxpayer Identification Number (or it is waiting for a number to be issued to it); and

(6) it is not subject to backup withholding because: (a) it is exempt from backup withholding or (b) it has not been notified by the Internal Revenue Service (IRS) that it is subject to backup withholding as a result of failure to report all interest or dividends, or (c) the IRS has notified it that it is no longer subject to backup withholding.

(If the entity is subject to backup withholding, cross out the words after the (3) above.)

Investors who do not supply a tax identification number will be subject to backup withholding in accordance with IRS regulations.

Note: The IRS does not require your consent to any provision of this document other than the certifications required to avoid backup withholding.

The Catholic Bishop of Chicago,
a corporation sole

By: Rev. John Canary Dated: 5/23/06

Its: Vicar General

JPMorgan Chase Bank, N.A.,
as Escrow Agent

By: [signature] Dated: 6/15/06

As Its: Vice President

AOC 016306

JPMorgan

EXHIBIT A

SCHEDULE OF ESCROW AGENT FEES

Escrow Agent Services

New Account Acceptance Fee **$0**
Payable upon Account Opening

Minimum Administrative Fee **$1,500**
Payable Upon Account Opening and in Advance
each year in which we act as Escrow Agent

A New Account Acceptance Fee will be charged for the Bank's review of the Escrow Agreement along with any related account documentation. The account will be invoiced in the month in which the account is opened and annually thereafter and fees will not be pro-rated. Payment of the invoice is due 30 days following receipt.

The Administrative Fee will cover a maximum of ten (10) annual administrative hours for the Bank's standard Escrow services including account setup, safekeeping of assets, investment of funds, collection of income and other receipts, preparation of statements comprising account activity and asset listing, and distribution of assets in accordance with the specific terms of the Escrow Agreement. These fees cover a full year, or any part thereof, and thus are not prorated in the year of termination.

Extraordinary Services and Out-of Pocket Expenses:

Any additional services beyond our standard services as specified above, such as annual administrative activities in excess of ten (10) hours and all reasonable out-of-pocket expenses including attorney's fees will be considered extraordinary services for which related costs, transaction charges, and additional fees will be billed at the Bank's standard rate.

Modification of Fees:

Circumstances may arise necessitating a change in the foregoing fee schedule. The Bank will attempt at all times, however, to maintain the fees at a level that is fair and reasonable in relation to the responsibilities assumed and the duties performed.

AOC 016307

Disclosure & Assumptions:

- The above fees assume the funds will be held and invested in J.P. Morgan Prime Money Market Fund, or if directed otherwise, Escrow Agent shall execute purchases and sales of investments through the facilities of its own trading or capital markets operations or those of any affiliated entity.

EXHIBIT B

Telephone Number(s) and Signature(s) for

Person(s) Designated to give Funds Transfer Instructions

If to Catholic Bishop:

	Name	Telephone Number	Signature
1.	Rev. Edward Grace	(312) 642-1837	Edward D Grace
2.	_____	_____	_____
3.	_____	_____	_____

If to Kealy:

	Name	Telephone Number	Signature
1.	Robert Kealy	[redacted]	Robert L. Kealy
2.	_____	_____	_____
3.	_____	_____	_____

Telephone Number(s) for Call-Backs and
Person(s) Designated to Confirm Funds Transfer Instructions

If to Catholic Bishop:

	Name	Telephone Number
1.	Rev. Edward Grace	(312) 642-1837
2.	_____	_____

AOC 016308

If to Kealy:

	Name	Telephone Number
1.	Robert Kealy	[redacted]
2.	_____	_____

Telephone call backs shall be made to each party if joint instructions are required pursuant to the agreement. All funds transfer instructions must include the signature of the person(s) authorizing said funds transfer and must not be the same person confirming said transfer. Inasmuch as you are the only employee in your office who can confirm wire transfers, we will call you to confirm any federal funds wire transfer payment order purportedly issued by you. Your continued issuance of payment orders to us and confirmation in accordance with this procedure will constitute your agreement (1) to the callback security procedure outlined herein and (2) that the security procedure outlined herein constitutes a commercially reasonable method of verifying the authenticity of payment orders. Moreover, you agree to accept any risk associated with a deviation from this bank policy.

AOC 016309

Application For Annuity
(Please Print)

Hartford Life

Hartford Life Insurance Company
200 Hopmeadow Street
Simsbury, Connecticut 06089

1. First Annuitant
FULL NAME: Robert Louis Kealy
STREET ADDRESS: [redacted]
CITY | STATE | ZIP CODE

Sex: ☒ M ☐ F
Date of Birth: [redacted] (mm/dd/yyyy)
Tax ID/Social Security No.: [redacted]

2. Second Annuitant (If any)
FULL NAME
STREET ADDRESS
CITY | STATE | ZIP CODE

Sex: ☐ M ☐ F
Date of Birth: (mm/dd/yyyy)
Tax ID/Social Security No.

3. Contract Owner
FULL NAME: Robert Louis Kealy, Same as above
STREET ADDRESS | CITY | STATE: IL | ZIP

4. Type of Annuity (SELECTION REQUIRED)
☐ Life Only
☐ Full Cash Refund
☐ Certain ___ Years
☐ Years Certain and Life
☐ Life with Refund
☒ Other See attached Schedule A

5. Annuity Start Date: 11/15/2016 (mm/dd/yyyy)

6. Frequency of Annuity payments:
☐ Weekly ☐ Bi-Weekly ☐ Monthly
☐ Annually ☒ Other See attached Schedule A

7. Income Payment Amount: $ See attached Schedule A

8. Does the Proposed Annuitant intend the replacement or change of any Annuity or Life Insurance in force with any company with this application? ☒ No ☐ Yes (If yes, please give details in 9.)

9. Special Requests, Instruction and Details:

Dated at Palatine, Illinois this 19th day of June, (year) 2006

SIGNATURES: First Annuitant Robert L. Kealy Contract Owner Robert L. Kealy

AGENT'S STATEMENT: Do you have knowledge or reason to believe that replacement of existing life insurance or annuities is involved in this transaction? ☐ Yes ☒ No. If yes, provide details in "Remarks" below. **Attach a separate page if necessary.** If required by state regulation give the replacement notice to the Proposed Annuitant and complete a Comparison Statement.
Remarks:

AGENT'S CERTIFICATION: Please check the appropriate block:
☒ I was not in the presence of the Proposed Annuitant when this application was completed.
☐ I was in the presence of the Proposed Annuitant when this application was completed and I asked the proposed Annuitant each of the questions in this application, and record the answers as given. To the best of my knowledge and belief, the answers are complete and true.

Agent's Signature _____ Agent's Name (Please Print) James V. Ebel
Agent's Code _____ Field Office Clackamas, Oregon
Telephone Number where Agent can be reached if there is a question on this application: (800) 288-7005
Agent's Mailing Address: 8800 S.E. Sunnyside Rd., #101N. | Clackamas, | OR | 97015
Street or P.O. Box | City | State | Zip Code

HL-15692

AOC 016310



Hartford Life

Hartford Life Insurance Company
200 Hopmeadow Street
Simsbury, Connecticut 06089

SCHEDULE A

Payments for Robert Louis Kealy:

$500.00 monthly for life with 60 months guaranteed, beginning 11/15/2016

AOC 016311

INFORMATION REQUEST FORM

FOR Robert Louis Kealy

1. Mailing Instructions:

Checks should be made payable to and mailed as follows:

Mr. Robert Kealy

[redacted]

Payments should be sent by electronic funds transfer (EFT) in accordance with the following:

BANK NAME _____

ADDRESS _____

CITY _____

ACCOUNT NUMBER _____ ( ) Checking ( ) Savings

If using a Checking Account, please attach a "VOIDED CHECK" (this provides bank & routing numbers).

TRANSIT ROUTING NUMBERS

_____

(if Savings Account) (this may be obtained from your bank)

2. Beneficiary Information

Beneficiary Name: American Cancer Society

Mailing Address: 1599 Clifton RD NE

Atlanta, GA 30329

SSN: _____ DOB: _____ Relationship: _____

Comments: _____

Beneficiary Name: _____

Mailing Address: _____

_____

SSN: _____ DOB: _____ Relationship: _____

Comments: _____

No. [redacted]

Check Date: 06/20/2006

J P MORGAN CHASE BANK N A, ESCROW FOR ROBERT KEALY

Invoice	Date	Amount	Deductions	Net Amount Paid
061206	06/12/06	$10,500.00	$0.00	$10,500.00
	Totals	$10,500.00	$0.00	$10,500.00

The Catholic Bishop of Chicago

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER, A VOID PANTOGRAPH AND MICROPRINTING. THE BACK OF THIS DOCUMENT HAS A WATERMARK - HOLD AT AN ANGLE TO VIEW.

Bank One
Chicago, Illinois
2-1/710

The Catholic Bishop of Chicago
Operating Account
Chicago, Illinois 60690-1979

Check No. [redacted]

Check Date
06/20/2006

Check Amount
$ ****10,500.00

PAY *Ten Thousand Five Hundred 00/100*

The Catholic Bishop of Chicago

Thomas M. Brennan

TO THE ORDER OF **J P MORGAN CHASE BANK N A ESCROW FOR ROBERT KEALY**

[redacted]

BURKE, WARREN, MACKAY & SERRITELLA, P.C.

22ND FLOOR IBM PLAZA
330 NORTH WABASH AVENUE
CHICAGO, ILLINOIS 60611-3607
TELEPHONE (312) 840-7000
FACSIMILE (312) 840-7900
www.burkelaw.com

PATRICIA B. CARLSON
DIRECT DIAL NUMBER
(312) 840-7076
pcarlson@burkelaw.com

June 22, 2006

VIA FACSIMLE AND U.S. MAIL

Mr. Eric L. Adams
JPMorgan Private Client Services
10 South Dearborn, 10th Floor
Chicago, Illinois 60603

Re: Robert L. Kealy

Dear Mr. Adams:

Enclosed is a copy of Robert Kealy's drivers license. Please call if you need anything else.

Very truly yours,

Patricia B. Carlson

Patricia B. Carlson

PBC:jjm
enclosure

09340/00263/401085/1

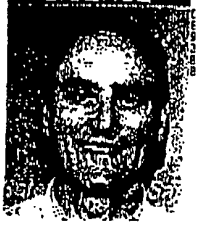
bcc: Rev. Edward Grace
John C. O'Malley
James A. Serritella

AOC 016315

Illinois Jesse White - Secretary of State

NUMBER	ISSUED	EXPIRES
[redacted]	04-03-06	11-15-08

DRIVERS LICENSE



ROBERT L KEALY
[redacted]

Birthdate [redacted]
Male 510" 195 lbs BRN Eyes
Restrictions Type Class
******* COR D

Robert L. Kealy

BURKE, WARREN, MACKAY & SERRITELLA, P.C.

22ND FLOOR IBM PLAZA
330 NORTH WABASH AVENUE
CHICAGO, ILLINOIS 60611-3607
TELEPHONE (312) 840-7000
FACSIMILE (312) 840-7900
www.burkelaw.com

PATRICIA B. CARLSON
DIRECT DIAL NUMBER
(312) 840-7076
pcarlson@burkelaw.com

June 23, 2006

VIA MESSENGER

Mr. Eric L. Adams
JPMorgan Private Client Services
10 S. Dearborn, 10th Floor
Chicago, Illinois 60603

Re: Robert L. Kealy

Dear Mr. Adams:

Enclosed is a check for $10,500 for the escrow for Robert Kealy and a copy of his passport. Please call if you have any questions.

Very truly yours,

Patricia B. Carlson

PBC/sb
Enclosures

09340-263/400954.1

AOC 016317

bcc Rev. Edward Grace
John C. O'Malley
James A. Serritella

AOC 016318

VICAR FOR PRIESTS OFFICE

MEMO

To: Office of the Chancellor
From: Vicars for Priests Office
Re: Resigned Priest
Date: August 28, 2006

This packet contains the following information concerning:

ROBERT KEALY

Letter of resignation	X
Cardinal's letter of acceptance	NA
Resignation of pastorate, if applicable	
Exit Agreement	X
Escrow, if applicable	X
Copy of Exit Check's	X
Request for laicization	

AOC 016319

BURKE, WARREN, MACKAY & SERRITELLA, P.C.

22ND FLOOR IBM PLAZA
330 NORTH WABASH AVENUE
CHICAGO, ILLINOIS 60611-3607
TELEPHONE (312) 840-7000
FACSIMILE (312) 840-7900
www.burkelaw.com

PATRICIA B. CARLSON
DIRECT DIAL NUMBER
(312) 840-7076
pcarlson@burkelaw.com

September 1, 2006

VIA FEDERAL EXPRESS

[redacted]

Re: [redacted] / Robert Kealy

Dear [redacted]:

In reliance on the representations set forth in your September 1, 2006 letter, I am enclosing a copy of the fully executed settlement agreement in the above matter, along with a check for [redacted] made payable to "[redacted] and [redacted], as attorney for [redacted]." Please call if you have any questions.

Very truly yours,

Patricia B. Carlson

Patricia B. Carlson

PBC:skb
Enclosure

09891-109/407981/1

[redacted]

bcc: Reverend Edward Grace
John O'Malley
John Smith
Christopher Spala
Matthew Kaminski

ARCHDIOCESE OF CHICAGO
VICAR FOR PRIESTS
645 NORTH MICHIGAN AVENUE, SUITE 543
CHICAGO, ILLINOIS 60611

Off: (312) 642-1837
Fax: (312) 642-4933

September 18, 2006

Mr. Robert Kealy
[redacted]

Dear Bob,

This letter will serve as a reminder that your car insurance covered by the Archdiocese of Chicago for a period of six months will be terminated as of October 22, 2006.

We hope this gives you sufficient time to make other arrangements for auto insurance.

I hope all is going well with you.

Sincerely,

Sister Pat Cummings, SSND

Sister Pat Cummings, SSND
Associate Director
Vicar for Priests

To: File
From: Sister Pat Cummings
Re: Contact with Bob Kealy
Date: October 19, 2006

I received the attached email from Karen Gorajski today.

In response to the email I contacted Bob and asked if he wanted to have his phone number given to bishop [redacted]

Bob was a bit hesitant. He indicated that the Bishop was kind and was a friend. However, at this time Bob suggested we forward only his email address to Bishop [redacted] ([redacted])

Bob was grateful for the contact prior to releasing any information.

I forwarded the information to Karen.

From: Karen Gorajski
To: Cummings, Miriam Patrick, Sr.
Date: 10/19/2006 3:26:22 PM
Subject: Re: Request of Bishop [redacted]

Sister Pat,

To make a long request short, Bishop [redacted] asked Bishop Goedert if he could have the phone numbers of Father Bob Kealy and Father [redacted]

Please advise if this information can be made available to Bishop [redacted]. If so, I would be happy to send it to him. I would likewise be happy to inform him of the inavailability of these numbers.

Thanks, again, for your kind help.

Karen

>>> Raymond Goedert 10/19/06 3:12 PM >>>
It's probably better if you go through the Vicar for Priests Office. I don't know if Bob and [redacted] want their numbers given out, and if so, to whom.

+Goedert

>>> Karen Gorajski 10/19/06 1:36 PM >>>
Bishop Goedert,

I am looking for your permission to request information for Bishop [redacted].

Bishop [redacted] has asked for phone numbers for Father Kealy and Fr. [redacted]. Bishop [redacted], I understand, spoke to you about this at the Province meeting.

I can request these numbers from the Vicar for Priests. Let me know if you suggest I do so.

Thanks.

Karen

Karen Gorajski
Administrative Assistant
Office of the Vicar General
Phone: (312) 751-8271
Fax: (312) 337-6379
kgorajski@archchicago.org

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

Post Office Box 1979
Chicago, Illinois 60690-1979

DECLARATION

IN THE NAME OF THE MOST HOLY TRINITY. AMEN

(1) Whereas Robert L. Kealy, born on November 15, 1946, was ordained a priest of the Archdiocese of Chicago on May 10, 1972 at St. Mary of the Lake Seminary, Mundelein, Illinois, and

(2) Whereas Robert L. Kealy submitted a letter of resignation from the active ministry, effective April 22, 2006,

I, Francis Cardinal George, O.M.I., by the grace of God and the favor of the Apostolic See, Archbishop of Chicago, do hereby declare:

a) that Robert L. Kealy has no authorization whatsoever to act as an agent of this Archdiocese;
b) that he is no longer affiliated as a priest in any way with the Archdiocese of Chicago;
c) that he is not to represent himself as a Roman Catholic priest with canonical faculties, nor is he to present himself as a 'Catholic priest in good standing';
d) that the Archdiocese does not consider itself in any way responsible for the activities of Robert L. Kealy, and
e) that the Archdiocese is not to be held liable for any scandal or harm to souls for which he has been or is responsible.

Francis Cardinal George, O.M.I.
Archbishop of Chicago

+ Raymond Goedert

Most Rev. Raymond E. Goedert
Ecclesiastical Notary

October 26, 2006

ARCHDIOCESE OF CHICAGO

MEMORANDUM

Office for the Protection of Children & Youth
Jan Slattery, Director

Office of Assistance Ministry
Ralph Bonaccorsi, Director
Mayra Flores,
Assistant Director

Office for Child Abuse Investigations and Review
Leah R. McCluskey, Director
Patricia J. Zacharias,
Assistant Director

Safe Environment Office
Womazetta Jones, Director

TO: Ralph Bonaccorsi, Assistance Ministry
Rev. Vince Costello, Vicar for Priests
Rev. Edward D. Grace, Vicar for Priests
Jimmy Lago, Chancellor
Leah McCluskey, Office of Professional Responsibility
John O'Malley, Legal Services
Rev. Daniel Smilanic, Archbishop's Delegate to the Review Board
Patricia Zacharias, Office of Professional Responsibility

FROM: Laura Neri-Palomino LNP
Office for Child Abuse Investigations and Review

DATE: March 1, 2007

RE: **[PFR-83] Kealy, Rev. Robert (Resigned)/Unidentified female**
Third-party allegation

Attached is a copy of a new allegation received by this office on 3/1/07.

Please advise this office of any information you may have in your files regarding Kealy, Rev. Robert/Unidentified female.

It is extremely important that you forward copies of any and all documentation pertinent to this case to this office within 5 business days of receipt of this memo to ensure that the investigation of this matter be properly handled.

Thank you.

Attachment

Cc: Francis Cardinal George, O.M.I.
Very Rev. John Canary, Vicar General
Rev. Dennis Lyle, Rector, Mundelein Seminary
Very Rev. James Presta, Vicar, St. Joseph Seminary

ARCHDIOCESE OF CHICAGO

MEMORANDUM

Office for the Protection of Children & Youth
Jan Slattery, Director

Office of Assistance Ministry
Ralph Bonaccorsi, Director
Mayra Flores,
Assistant Director

Office for Child Abuse Investigations and Review
Leah R. McCluskey, Director
Patricia J. Zacharias,
Assistant Director

Safe Environment Office
Womazetta Jones, Director

To: File

From: Leah McCluskey, Office for Child Abuse Investigations and Review

Re: Kealy, Rev. Robert [Resigned]/Unidentified female [Third Party Allegation]

Date: March 1, 2007

This morning I received a phone call from an adult female who eventually identified herself as [redacted]. She was calling to obtain information on the reporting of the sexual abuse of a child [under the age of 18] by a priest.

I provided [redacted] with general background information on the Office for Child Abuse Investigations and Review and told her that I would be happy to provide any information and/or answer any questions she might have.

[redacted] stated that she was calling on behalf of a female friend who is currently 23 years old and was approximately 12 years old when she was sexually abused by a priest in the Highland Park area. When asked, I provided [redacted] with information concerning reporting laws in Illinois. I also informed [redacted] that our Legal Services has an agreement with the State's Attorney's Offices in Lake and Cook County to report information of every allegation of the sexual abuse of a minor by a cleric. [redacted] was provided information regarding the Department of Children and Family Services [DCFS] as well as mandated reporting laws in Illinois. In response to the information provided on the State's Attorney's Office, [redacted] stated that her friend did not want to report this [the alleged abuse] to the police. [redacted] added that her friend has not told her family of the abuse and would be fearful if she would need to testify against the accused. I told [redacted] that I could not answer all of her questions accurately about the statue of limitations as well as possible prosecution of the

accused. When suggested, I provided [redacted] with the name and contact information for Shauna Boliker, Chief of the Sex Crimes Division in the Cook County State's Attorney's Office. [redacted] indicated that she would call Ms. Boliker to ask additional questions on behalf of her friend.

When asked, [redacted] identified the accused as Rev. Robert Kealy and stated that the alleged abuse took place at Immaculate Conception in Highland Park. [redacted] had expressed earlier in the phone conversation that she was aware that "the priest" had already been removed. When [redacted] identified Fr. Kealy, I informed her that Fr. Kealy was a withdrawn priest of the diocese prior to his resignation last year. I asked [redacted] if she was aware of any additional information regarding the abuse of her friend by Fr. Kealy. She stated that her friend was in sixth grade at the time of the abuse and that there were four incidents over the course of a one-month time period. As per [redacted], the abuse took place when the victim was participating in catechism classes at Immaculate Conception. [redacted]

[redacted]. I then gave [redacted] the name and phone number of Kathleen Leggdas, LCSW and told her that she [Ms. Leggdas] would be able to provide information on referrals for therapy and other services provided by the Archdiocese of Chicago. I added that it would not be a requirement for her friend to meet with me [redacted] However, I again told [redacted] that I would be interested in meeting with her friend when she was ready so that the abuse that she sustained could be documented. When asked, [redacted] confirmed that her friend does live out of state. I told [redacted] that I would be willing to travel to meet with her friend when she was ready and/or would arrange for her friend to come to Chicago so that we could meet. [redacted] stated that her friend's parents still reside in [redacted] and that as a result, she is in the area often.

[redacted] thanked me for the information, said that she would talk to her friend and then call me back. She indicated that she also had plans to call Ms. Boliker and Ms. Leggdas.

I again thanked [redacted] for calling and when asked, she provided her cell phone number of [redacted]. [redacted] stated that if necessary, a message could be left for her on her cell phone.

After speaking with [redacted], I called and attempted to reach Ms. Boliker. I left a message and asked for a return phone call.

[redacted]

From: Leah McCluskey
To: Leggdas, Kathleen
Date: 3/8/2007 10:39:38 AM
Subject: Re: Cell Phone

Wonderful! Thanks for the update Kathleen. Have a great day!

Leah

>>> Kathleen Leggdas 3/8/2007 10:36 AM >>>
You're welcome. I was just speaking with [redacted]. Her friend is going to call me back within the next half hour. I'll let you know . . . K

>>> Leah McCluskey 03/08/07 10:32 AM >>>
Great--thank you Kathleen.

Leah

>>> Kathleen Leggdas 3/8/2007 10:28 AM >>>
While I am helping in VAM Office, I will have the cell phone: [redacted]. I will also use this number so that victim/clients can reach me whereever I may be.

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

REVISED

Review Board
Saturday, March 17, 2007 9:00 am to 1:00 pm

MINUTES

Review Board Members Present:
[redacted]

Review Board Members Present Via Phone:
[redacted]

Review Board Members Absent:
[redacted]

Non-members present:
Leah McCluskey, Director, Office for Child Abuse Investigations and Review
Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board

---

I. Approval of Minutes – January 20, 2007

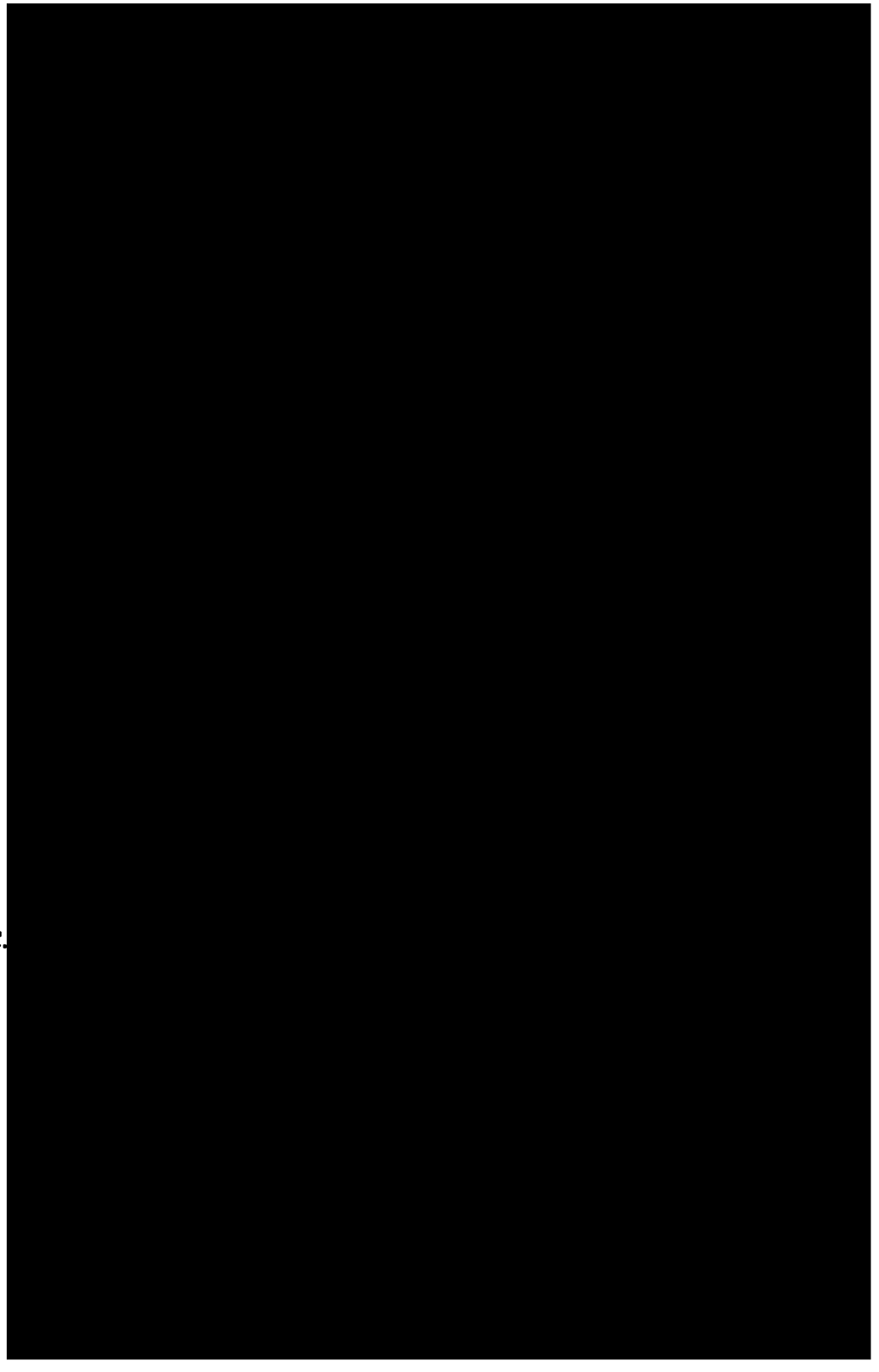
- Minutes approved
- [redacted]
- [redacted]
- [redacted]

II. Case Reviews

Initial Review

A. [redacted]

B. [redacted]



C.

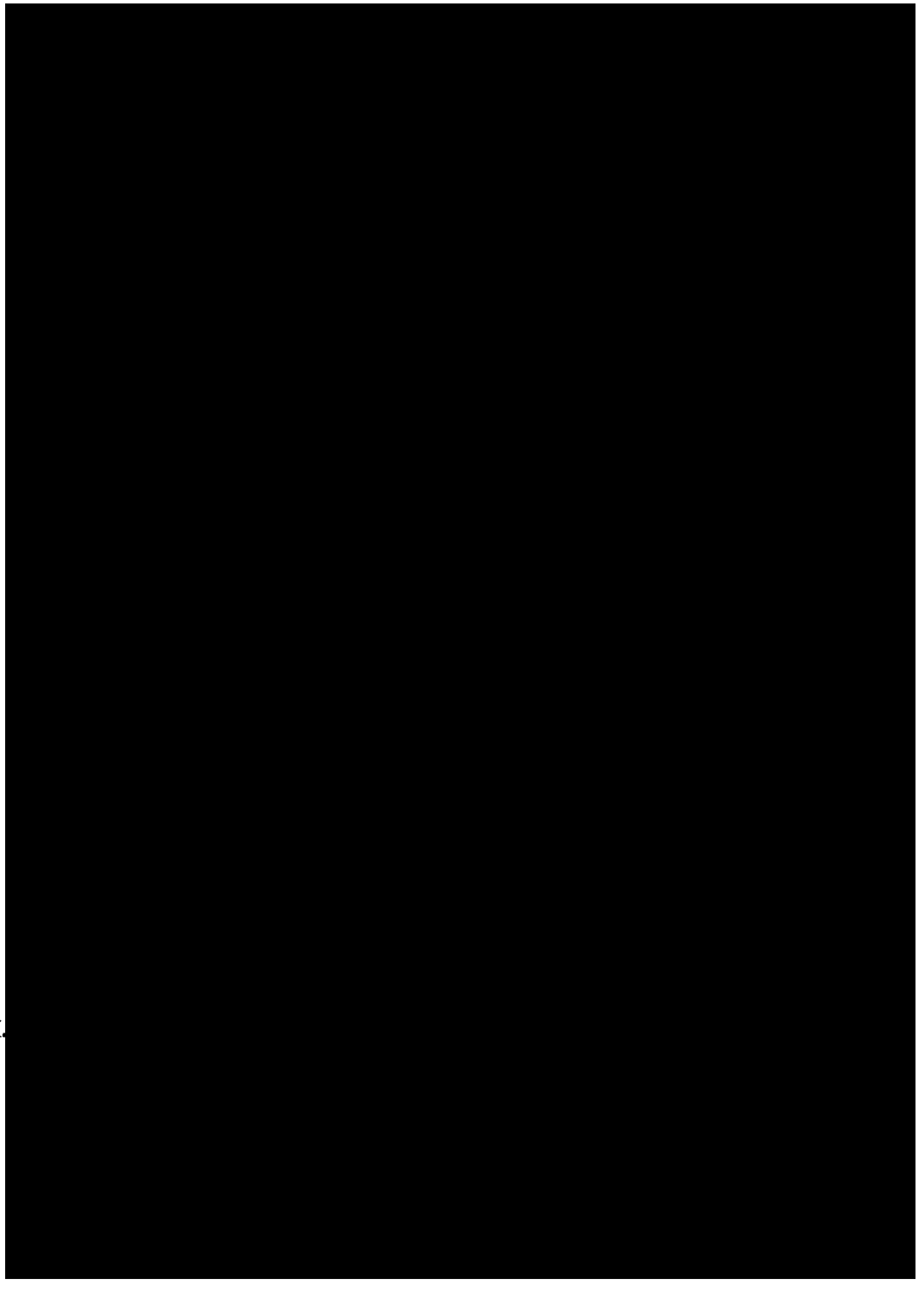
D. [redacted]

Review for Cause

E. [redacted]

F. [redacted]

G. [redacted]



H.

[redacted]

I. **Request for Supplementary Review**

[redacted]

III. **Updates**

- [redacted]

[redacted]

IV. For Discussion

- **Ad Hoc Committee Report:** Fr. Smilanic and Ms. McCluskey verbally provided information and overview; spoke of proposed "Compliance Supervisor" to oversee those priests who are to participate in what is currently known as the "Monitoring Program"; informed Board members of Supervision Committee that has been working on writing a proposal for Cardinal George to reflect the changes in what was known as "monitoring"

- [redacted]

In the Matter of Rev. Robert L. Kealy [Withdrawn 2002/Resigned 2006] PFR 83

- Allegation made by Anonymous
- Much discussion; the question was asked, "Is there any action that needs to be taken for the safety of children?"
- The Board considered the matter and determined that nothing further needed to be done for the protection of children

[redacted]

Next scheduled meeting is Saturday, April 14, 2007 at 9:00 a.m.

Cc: Review Board Members
Francis Cardinal George, O.M.I.
Rev. Daniel A. Smilanic, Cardinal's Delegate to the Review Board
Jimmy Lago, Chancellor
Rev. Vincent Costello, Vicar for Priests
Rev. Edward D. Grace, Vicar for Priests
Rev. John Canary, Vicar General

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children & Youth
Jan Slattery, Director

Office of Assistance Ministry
Ralph Bonaccorsi, Director
Mayra Flores,
Assistant Director

Office for Child Abuse Investigations and Review
Leah R. McCluskey, Director
Patricia J. Zacharias,
Assistant Director

Safe Environment Office
Womazetta Jones, Director

OFFICE FOR CHILD ABUSE INVESTIGATIONS AND REVIEW
Saturday, March 17, 2007

AGENDA

I. Approval of Minutes – January 20, 2007

II. Case Reviews

Initial Review:

A. [redacted]

B.

C.

D.

III. **Review for Cause:**

E. [redacted]

F.

G.

Post Office Box 1979 . Chicago, Illinois 60690-1979 . (312) 751-5254, general . (312) 751-8307, fax

H. [redacted]

IV. **Request for Supplementary Review:**

I. [redacted]

V. **Updates:**

- [redacted]
- [redacted]

VI. **For Discussion:**

- [redacted]
- [redacted]
- In the Matter of Rev. Robert L. Kealy (Withdrawn 2002/Resigned 2006) – PFR-83
  - Allegation made by Anonymous
- [redacted]

The next Board Meeting is the in-service scheduled for Saturday, ***April 14, 2007***

ARCHDIOCESE OF CHICAGO

Office of Legal Services

John C. O'Malley
Director

Post Office Box 1979
Chicago, Illinois 60690-1979

Tel: (312) 751-5379
Fax: (312) 751-5252
e-mail: jomalley@archchicago.org

April 5, 2007

PERSONAL AND CONFIDENTIAL
Ms. Shauna Boliker
Assistant State's Attorney
State's Attorney of Cook County
2650 South California, Room 11 D 10
Chicago, Illinois 60608

RECEIVED
APR 10 2007
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

RE: Unidentified Female
Our File #07 SC 032
Date of Birth: Unknown
Date of alleged abuse: Approx. 1996
Location of Incident: Immaculate Conception,
Highland Park, Illinois

Dear Ms. Boliker:

Please be advised the Archdiocese of Chicago's Office for Child Abuse Investigations and Review has received an allegation from [redacted] that an unidentified female, currently 23 years old, was sexually abused as a minor by Fr. Robert Kealy, an Archdiocesan priest. The alleged abuse took place at Immaculate Conception in Higland Park, Illinois, in approximately 1996 when the victim was 12 years old. Fr. Kealy is resigned and was withdrawn from ministry prior to his resignation.

If our office can provide any additional information, or be of any further help, please let me know.

Very truly yours,

John C. O'Malley
Director of Legal Services

JCOM:dd

cc: Ms. Leah McCluskey
Mr. James A. Serritella
Ms. Elizabeth Yore
SCDirs\07SC032\SANotificationReUnidentifiedFemale

FILE COPY

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5388
312-751-8307, fax

September 17, 2007

[redacted]

Dear [redacted]

I hope that this letter finds you doing well.

As we discussed though e-mails last week, I have enclosed with this letter information on the Office for Child Abuse Investigations and Review for your information. You will also find enclosed information about the Department of Children and Family Services [DCFS], the State's Attorney's Office, and a copy of archdiocesan policies concerning the receipt of allegations of the sexual abuse of minors by clerics [*§1100 Sexual Abuse of Minors: Policies for Education, Prevention, Assistance to Victims and Procedures for Determination of Fitness for Ministry*].

If you have any questions or concerns [redacted] please feel free to contact me at lmccluskey@archchicago.org or at [312] 751-5205.

Sincerely,

Leah McCluskey
Director, Office for Child Abuse Investigations and Review

Enclosures

FILE COPY

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5388
312-751-8307, fax

September 19, 2007

Rev. Robert Kealy
[redacted]

Dear Rev. Kealy,

Enclosed you will find a copy of *§1100 Sexual Abuse of Minors: Policies for Education, Prevention, Assistance to Victims and Procedures for Determination of Fitness for Ministry*. Additionally, I am enclosing the allegations of abuse made by [redacted].

Please feel free to contact Leah McCluskey at [312] 751-5205 with any other questions or concerns you may have regarding the process involving this office.

Sincerely,

Ambi Jeffries
Secretary, Office for the Protection of Children and Youth

Enclosures

Cc: Patrick Reardon, Civil Attorney

Victim Statement Abstract:

This abstract replaces a series of e-mails between Leah McCluskey, of the Archdiocese of Chicago's Office for Child Abuse Investigations and Review, and Victim JE dated between September 12 and September 19, 2007, in which Ms. McCluskey answers Victim JE's questions regarding the process for formalizing an allegation of minor sexual abuse against Fr. Robert Kealy.

From: Leah McCluskey
To: Leggdas, Kathleen
Date: 9/28/2007 10:52:03 AM
Subject: [redacted]

Kathleen,

I received a return message from [redacted] re: scheduling a time to meet with [redacted] confirmed meeting in her office on Tuesday, October 9th at 11am [redacted] time [10am Chicago time].

Leah

From: Leah McCluskey
To: [redacted]
Date: 10/12/2007 2:53:23 PM
Subject: Friday

Hello [redacted]

I wanted to get back to you in response to your question from yesterday. Once of the offices that I work with provided me with the information that there are two areas that Kealy seems to be in/or has been in the recent past--one is an address for [redacted] and one is an address for [redacted]

I'm sorry that I don't have more definite information for you [redacted] Due to the fact that Kealy is resigned from the priesthood, he does not have to tell us exactly where he is living. But I did want to share with you the information that we do have.

Have a good weekend [redacted]-and please continue to e-mail any time.

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
737 N. Michigan Ave., Suite 900
Chicago, Illinois 60611
Office: [312] 751-5205
Fax: [312] 751-5279
lmccluskey@archchicago.org

File COPY

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5388
312-751-8307, fax

October 17, 2007

[redacted]

Dear [redacted]

I hope that this letter finds you doing well.

Enclosed you will find a draft report of your allegation of sexual abuse against the former Rev. Robert Kealy. The report is based upon our meeting that took place on October 9, 2007. Thank you again for meeting with Ms. Kathleen Leggdas and me.

I ask that you review the report and make any changes necessary to ensure its accuracy. Please return the draft to me with any changes in the envelope provided. I will then return a final report to you for your signature. Once all signatures are provided, I will return a copy of the final report to you.

[redacted] in the interest of expediting this process, I ask that you please return the enclosed report with your changes by October 31, 2007. Please know that you may also respond by October 31st with a written request for a two-week extension to review the report, which then I would ask that you return it to me by November 14th. I have noted this time frame in light of presenting this matter to the Review Board as soon as possible so that this matter may continue forward.

If you have any questions or concerns, please feel free to contact me at [312] 751-5205 or lmccluskey@archchicago.org.

Sincerely,

Leah McCluskey
Director, Office for Child Abuse Investigations and Review

Enclosure

Victim Statement Abstract:

This abstract replaces a memorandum to file, prepared by Leah McCluskey of the Archdiocese of Chicago's Office for Child Abuse Investigations and Review and dated October 30, 2007, of a meeting between Ms. McCluskey; Kathleen Leggdas, of the Office of Assistance Ministry, and Victim JE to formalize Victim JE's allegation of sexual abuse by Fr. Robert Kealy when Victim JE was a minor. According to the summary, Victim JE alleged she was abused when she was in the 8th grade at Immaculate Conception parish in 1995. The abuse consisted of four instances of Fr. Kealy removing Victim JE's clothes and touching Victim JE all over her body. According to Victim JE, Fr. Kealy also made Victim JE touch his naked body and engaged in sexual intercourse with her once.

Victim Statement Abstract:

This abstract replaces a letter written by Victim JE and addressed to Leah [McCluskey], which was received by the Archdiocese of Chicago's Office for Child Abuse Investigations and Review on October 30, 2007, in which Victim JE thanks Leah for her role in formalizing Victim JE's allegation of sexual abuse against Fr. Robert Kealy.

FILE COPY

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

October 31, 2007

[redacted]

Dear [redacted]

I hope that this letter finds you doing well.

Enclosed you will find a final report of your allegation of sexual misconduct against the former Rev. Robert Kealy. The report is based upon those revisions that we spoke about on the phone and those that you returned to me in the mail. Thank you so much for your additions and changes.

[redacted] in the interest of continuing to expedite this process, I ask that you please return the enclosed report with your signature to me by November 14, 2007. I will return a copy of the report to you once those parties indicated on the final page of the report sign it. In the event that I do not receive any response from you by November 14th, I will use the enclosed report and continue to proceed forward with this matter.

If you have any questions, please feel free to contact me at [312] 751-5205.

Sincerely,

Leah McCluskey
Office for Child Abuse Investigations and Review

Enclosure

From: Leah McCluskey
To: Grace, Edward
Date: 11/13/2007 2:57:16 PM
Subject: Allegation to Read

Hello Fr. Grace,

I do have an allegation ready to read to Robert Kealy. Could you please call him with a couple of dates? I am free:

Friday, 11/16 in the morning — OK
Monday, 11/19 in the afternoon — OK Tues
(1:00 → 2:30 she now has meeting)
Then I'm on vacation and will not be back in the office until 12/3.

Thank you. Tues 11/20 all day

Leah

11/14/07 Left Phone Msg

From: Edward Grace
To: McCluskey, Leah
Date: 11/14/2007 11:09:06 AM
Subject: Re: Allegation to Read

Leah,

O.K. - I'll wait and see what Bob has to say.

Ed

>>> Leah McCluskey 11/14/2007 11:01 AM >>>
Hello Fr. Grace,

Thanks for the update. However, I now do have a meeting scheduled from 1:30p to 2:30p on Monday, 11/19. I am also free all day Tuesday, 11/20 now as well.

Leah

>>> Edward Grace 11/14/2007 11:00 AM >>>
Leah,

I left Bob a voice mail message asking him to call me. I mentioned I had information to share with him. The dates and times you mentioned are good for me. I will get back to you when I hear from Bob.

Ed

>>> Leah McCluskey 11/13/2007 2:57 PM >>>
Hello Fr. Grace,

I do have an allegation ready to read to Robert Kealy. Could you please call him with a couple of dates? I am free:

Friday, 11/16 in the morning
Monday, 11/19 in the afternoon
ALSO ALL DAY TUES. 20
Then I'm on vacation and will not be back in the office until 12/3.

Thank you.

Leah

FILE COPY

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5388
312-751-8307, fax

November 16, 2007

[redacted]

Dear [redacted]

Enclosed you will find a finalized copy of your report with all of the necessary signatures.

If you have any questions please contact Leah McCluskey at 312-751-5205.

Thank you for your cooperation in this matter.

Sincerely,

Ambi Jeffries
Secretary, Office for the Protection of Children and Youth

Enclosures

Cc: Matthew Hunnicutt, Assistance Ministry
Rev. Edward Grace, Vicar for Priests
Rev. Daniel Smilanic, Canonical Services

Be: Jim Serritella, Attorney
John OMalley, Office of Legal Services

Victim Statement Abstract:

This abstract replaces a series of e-mails between Leah McCluskey, of the Archdiocese of Chicago's Office for Child Abuse Investigations and Review, and Victim JE dated between October 11 and November 16, 2007, in which Ms. McCluskey answers Victim JE's questions regarding where Fr. Robert Kealy is currently living, when the draft report of Victim JE's allegation will be completed and when the allegation will be read to Fr. Kealy.

From: Leah McCluskey
To: Perz, Carolyn
Date: 11/16/2007 3:52 PM
Subject: Request for information

Carolyn,

When you have a chance, could you please contact the DRE at Immaculate Conception and ask if they keep records of kids enrolled in CCD? I am looking for a CCD class list from 1995...as well as a [redacted] list from 1997.

Thank you.

Leah

Thread 6 IC Churches in Chicago Emailed Jean 11/19

Victim Statement Abstract:

This abstract replaces a memorandum to file, prepared by Leah McCluskey of the Archdiocese of Chicago's Office for Child Abuse Investigations and Review and dated November 19, 2007, summarizing a phone call from Victim JE as a follow-up to a voicemail that Victim JE had left on November 16, 2007. Victim JE called to inquire as to Fr. Robert Kealy's response to her allegation of minor sexual abuse that was read to Fr. Kealy on November 16, 2007. Ms. McCluskey informed Victim JE that Fr. Kealy vaguely remembered her name and completely denied that allegation.

From: Leah McCluskey
To: Perz, Carolyn
Date: 11/21/2007 11:00 AM
Subject: Re: Request for information

PR 83

Sorry about that Carolyn...it would be whichever IC that Fr. Kealy was assigned to. It should be on his Vitae in his file. Could you please ask Ambi to look it up for you?

Thanks.

Leah

>>> Carolyn Perz 11/19/2007 2:17 PM >>>
Leah can you tell me which Immaculate Conception? There are 6 listed in the directory.

Carolyn

>>> Leah McCluskey 11/16/2007 3:52 PM >>>
Carolyn,

When you have a chance, could you please contact the DRE at Immaculate Conception and ask if they keep records of kids enrolled in CCD? I am looking for a CCD class list from 1995...as well as a [redacted] list from 1997.

Thank you.

Leah

Highland Park
[redacted] - DRE
847-433-2224 } left message to call me 11/21 12:00 pm
847-432-2277 St. James - where she teaches
11/26 2:15 pm
She has + will fax.

Leah,
I don't know where she chose a name from. I wouldn't confirm to her it was Kealy when she asked.
Carolyn

RECEIVED
NOV 2 8 2007
ARCHDIOCESE OF CHICAGO
OFFICE FOR CHILD ABUSE
INVESTIGATIONS AND REVIEW

Immaculate Conception Parish
770 West Deerfield Road, Highland Park, Illinois 60035
Phone: 847-433-0130 - Fax: 847-433-0669

FAX TRANSMISSION

DATE: November 28, 2007 **TIME:** 2:15 PM

TO: Carolyn Perz, Office of Protection for Children

FAX NUMBER: 312-751-8307

FROM: [redacted] DRE Immaculate Conception Parish, Highland Park, IL

22 **No. Pages Sent (Including Transmission Form)**

Unless you notify us to the contrary at (847)433-0130, it is assumed that this transmission was received in its entirety

MESSAGE: *All this material is in regard to [redacted]
I had to go through many old storage boxes as this material from over ten years ago was put away. The material I am faxing includes:

1) [redacted]
2)
3)
4)
5)
6)

AOC 016358

AFFIDAVIT

RECEIVED
DEC 03 2007
ARCHDIOCESE OF L...
OFFICE FOR CHILD ABUSE
INVESTIGATIONS AND REVIEW

State of Illinois)
) S.S.
County of Cook)

I, ROBERT L. KEALY, BEING DULY SWORN, DEPOSE AND SAY:

The accusations by [redacted] are totally false. While I feel sorry for this young woman, who must be very disturbed, I vigorously and unambiguously deny her accusations. I do not recall this young woman. I do not recall ever meeting her. [redacted] Her story is a complete fabrication and is totally false. The meetings she described never occurred. It is very upsetting to be falsely accused of such horrible actions.

My involvement in the [redacted] Religious Ed program was limited to [redacted] Had I been there to [redacted] it would have been commented on by the staff and the office workers and the DRE would have been aware of it.

[redacted] Students were continuously walking down the corridor to meet with other staff members.

The priests' office in the Parish Center was shared by all the priests. It is a "fishbowl." It is the most open office in the Parish Center. It has a full clear glass door. Anyone walking by can look through the door and see everything going on in the office. The office is on a busy corridor. The DRE and pastoral associates and deacon had to walk past it to go to and from their offices. Meetings were frequently held in the boardroom across the hall Also, the office's exterior wall is entirely clear glass above 46 inches off the floor. Since the Parish Center is on the

same elevation as the outside sidewalk and parking lot, anyone walking by outside can look through the windows and see what is going on in the office.

[redacted]

The Religious Ed program was a strong, autonomous program. Although I exercised guidance of the overall direction of the program and I met with the Religious Education Board, the DRE was in charge of the program.

The DRE, [redacted], is a strong, "hands-on" type of director. She was on top of everything that was going on with the Religious Ed program. [redacted]

During Religious Ed classes there were adult aides who worked in the receptionist's office where they could see everyone who was coming or going. The staff was very observant. This was the late nineties and everyone was well trained in awareness of student safety.

The evidence demonstrates that [redacted] accusations could not be true.

Attached is a copy of the layout of the Parish Center building showing the relative position of the rooms. Also attached are photographs which show the priests' office and other areas of the parish center.

I therefore sign this Affidavit consisting of three pages on this 29th day of November, 2007.

Robert L. Kealy
Robert L. Kealy

Subscribed and Sworn to before me

this 29 day of NOVEMBER, 2007

Notary Public

OFFICIAL SEAL
LYNN D. HOLABIRD
Notary Public - State of Illinois
My Commission Expires Feb 22, 2011

My Commission expires 2/22/2011

RECEIVED
DEC 0 3 2007
ARCHDIOCESE OF CHICAGO
OFFICE FOR CHILD ABUSE
INVESTIGATIONS AND REVIEW

AFFIDAVIT

State of Illinois)
) S.S.
County of Cook)

I, [redacted] BEING DULY SWORN, DEPOSE AND SAY:

Currently, I am serving as Director of Religious Education for Immaculate Conception Parish in Highland Park, Illinois, a position which I have held since 1992.

I am writing this statement in regard to "Allegations of the sexual abuse of a minor against Rev. Robert Kealy (resigned) made by [redacted]

[redacted] was a student in the Immaculate Conception religious-education program [redacted]

Before and after class, the Parish Center has always been filled with young people, their parents, teachers, volunteers in the reception area and myself. During class, the students are in their classrooms. [redacted]

[redacted] I am certain that Father Kealy never [redacted] for the following reasons:

1. Father Kealy almost never came into the building on Wednesday nights. The only time I can remember him being there was when we had local Jewish students visiting to attend Mass in church. After Mass, Father Kealy met with them and their teachers in church and then these guests visited our classrooms, accompanied by Father Kealy, for a few minutes. I say "minutes" because he never took off his coat in the building.

2. Any time Father Kealy did come into the building, it was noted by me, the teachers, and the parent office volunteers, because it was so rare and would have been discussed as a very unusual occurrence.

3. [redacted]

4. I am always talking to students, teachers and parents in the hallways before and after class and monitoring classroom activities during class time. I would have walked past the room where the alleged incidents took place, looking through its glass door, which is practically the whole door. Visibility is excellent from the hallway outside the door and from the windows at street level opposite the door.

5. [redacted]

Affidavit
[redacted]
Page Three

I therefore sign this Affidavit consisting of three pages on this 29 day of November, 2007.

[redacted]

Subscribed and Sworn to before me

this 29 day of November, 2007.

Notary Public

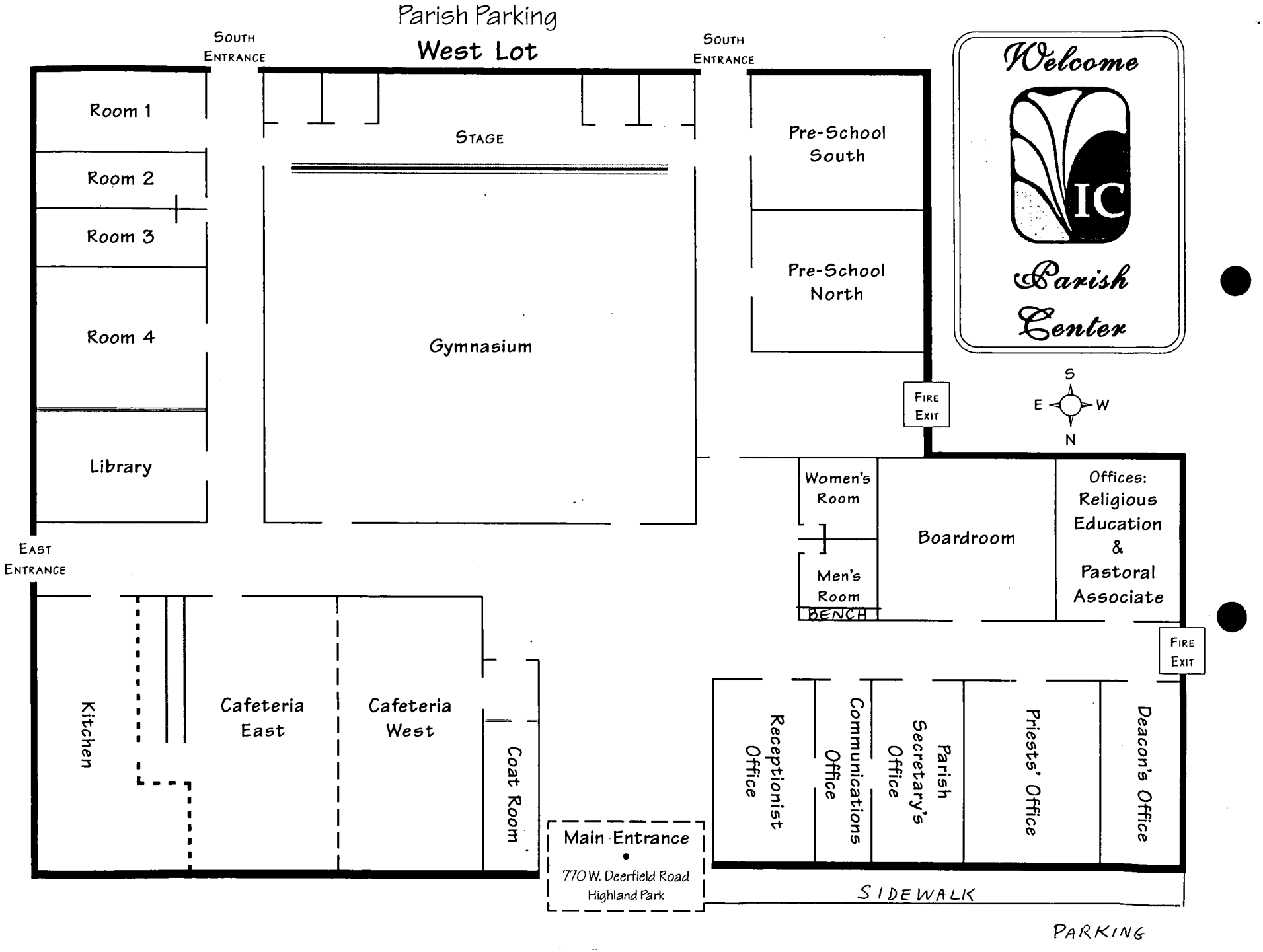
OFFICIAL SEAL
LYNN D. HOLABIRD
Notary Public - State of Illinois
My Commission Expires Feb 22, 2011

My Commission expires 2/22/2011

Kealy [redacted]

- response received on 12/3/07

AOC 016365


Parish Parking
West Lot
South Entrance
South Entrance
Welcome
IC
Parish Center
Room 1
Room 2
Room 3
Room 4
Library
Stage
Gymnasium
Pre-School South
Pre-School North
Fire Exit
S
E
W
N
Women's Room
Men's Room
Bench
Boardroom
Offices: Religious Education & Pastoral Associate
East Entrance
Kitchen
Cafeteria East
Cafeteria West
Coat Room
Main Entrance
770 W. Deerfield Road
Highland Park
Fire Exit
Receptionist Office
Communications Office
Parish Secretary's Office
Priests' Office
Deacon's Office
Sidewalk
Parking

AOC 016366

PHOTOGRAPHS

#1 Front lobby, showing Receptionist Office

#2 Hallway, facing West, showing bench and offices

#3 Hallway, facing West, showing full glass door in priests' office on the right

#4 View through door of priests' office, facing North, showing conference table and windows

#5 View through door of priests' office, facing northeast.

#6 From from priests' office, facing doorway to hall.

#7 View from desk in priests' office facing conference table


#1




EXIT

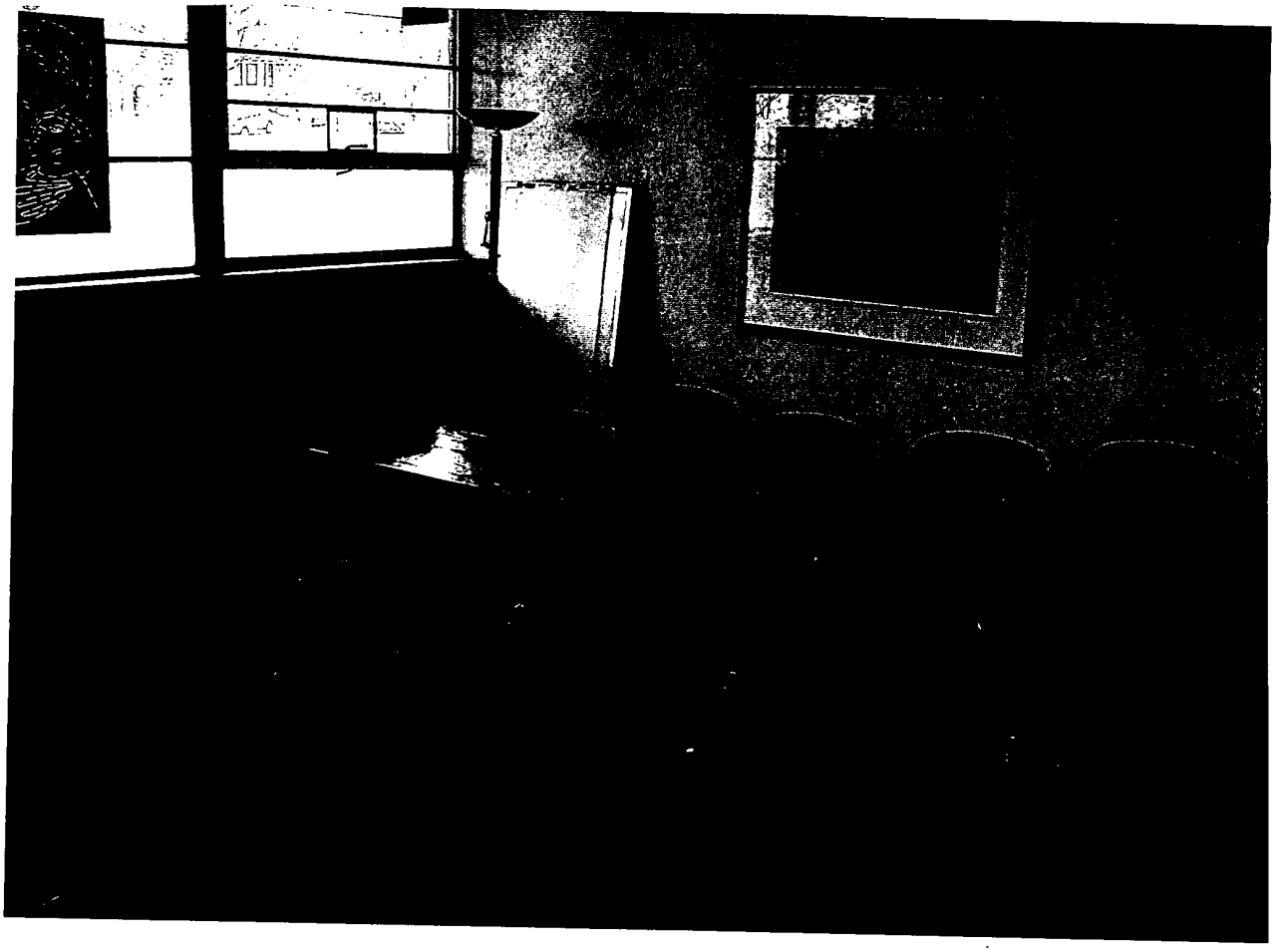




#5



#6



PATRICK G. REARDON
ATTORNEY AND COUNSELOR AT LAW
SUITE 201
2200 W. LAWRENCE AVENUE
CHICAGO, ILLINOIS 60625

OFFICE 312-372-5716
773-271-5716
FAX 773-728-5734

December 5, 2007

Leah McCluskey
Office for Child Abuse Investigations and Review
737 N. Michigan Avenue - Suite 900
Chicago, Illinois 60690 - 1979

RECEIVED
DEC 0 3 2007
ARCHDIOCESE OF CHICAGO
OFFICE FOR CHILD ABUSE
INVESTIGATIONS AND REVIEW

Dear Ms. McCluskey,

Enclosed is are materials in response to the allegation of [redacted] against Robert Kealy. Though Mr. Kealy is not in ministry, he has chosen to respond in order to assist the Archdiocese is assessing its response to [redacted] and to assure that his reputation is not tarnished by her false accusations.

Mr. Kealy submits his own affidavit and the affidavit of [redacted], Director of Religious Education at Immaculate Conception Parish. He also attaches a group of seven photographs of the locations relevant to [redacted] statements.

Robert Kealy's affidavit speaks for itself and makes it clear that he entirely denies [redacted] false accusations. I believe that the other documentation completely corroborates his statements. Of course if you and the Board of Review have any additional question, please notify me any time and we will try to respond.

Thank you for your attention to this matter.

Sincerely,

Patrick G. Reardon

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5388
312-751-8307, fax

RECEIVED
DEC 27 2007
ARCHDIOCESE OF CHICAGO
OFFICE FOR CHILD ABUSE
INVESTIGATIONS AND REVIEW

MEMORANDUM

To: File – PFR- 83

From: Leah McCluskey, Office for Child Abuse Investigations and Review

Re: **RESPONSE TO [redacted] ALLEGATION OF SEXUAL MISCONDUCT AGAINST REV. ROBERT KEALY [RESIGNED]**

Date: December 6, 2007

Date of Conference Call: **November 16, 2007** **Time of Conference Call**: **3:00 pm**

Participants in Conference Call

Mr. Robert Kealy
Patrick Reardon, Mr. Kealy's civil attorney
Rev. Edward Grace, Vicar for Priests
Leah McCluskey, Office for Child Abuse Investigations and Review

Conference Call

Rev. Edward Grace made arrangements for the November 16th Conference Call to begin at 3:00 pm. Mr. Kealy planned on being at Mr. Reardon's office and Fr. Grace and I planned on being in our respective offices for the meeting. It was agreed that I would begin the conference call by connecting everyone.

When I reached Mr. Reardon, he informed me that the meeting would begin later than 3:00 pm, as Mr. Kealy was not yet at his office. Mr. Reardon explained that he neglected to inform Mr. Kealy that he had moved offices and as a result, he [Mr. Kealy] was en route to the correct office at 3:00 pm.

By 3:25 pm, Fr. Grace, Mr. Reardon, and Mr. Kealy and I were connected on the conference call. When asked, it was agreed that I would send both Mr. Reardon and Mr. Kealy copies of the Archdiocese of Chicago's updated policies *[§1100 Clerical Sexual Abuse of Minors: Policies for Education, Prevention, Assistance to Victims and Procedures for Determination of Fitness for Ministry]* and [redacted] allegation.

I asked Mr. Kealy and Mr. Reardon if either of them had any questions prior to continuing. Both indicated that they did not. I proceeded by reading [redacted] allegation against Mr. Kealy in its entirety.

AOC 016373

After HEARING ~~reading~~ the allegation, ~~Mr. Reardon and~~ Mr. Kealy expressed that he "...totally, absolutely, unequivocally..." denies the entire allegation. Mr. Kealy then spoke to some specific sections of [redacted] allegation. As per Mr. Kealy, his office in the school had a complete glass door and was located ~~directly~~ across from the office of the director of the CCD program. Mr. Kealy stated that as a result, it is not possible for the incidents alleged by [redacted] to have taken place [redacted].

[redacted] Mr. Kealy stated that Ms. [redacted] allegation is "...totally delusional..."

Mr. Reardon then asked if [redacted] provided the name of her CCD teacher during the described time period. I informed Mr. Reardon that [redacted] stated in the report that she does not remember the name of her teacher. Mr. Kealy then provided the information that [redacted] is the current DRE at Immaculate Conception.
WHO WAS THE DRE THEN,

Mr. Reardon asked me to explain Kathleen Leggdas' role again at the October 9, 2007 meeting. I informed Mr. Reardon that Ms. Leggdas was present on behalf of the Office of Assistance Ministry. Mr. Reardon then verbalized his opinions that some of Ms. Leggdas' questioning of [redacted] [as reflected in the allegation report] was inappropriate.

It was agreed that I would send copies of the allegation to Mr. Reardon and to Mr. Kealy. Mr. Reardon stated that he and Mr. Kealy would then decide if they would make a written response to [redacted] allegation or not.

Fr. Grace and I again thanked Mr. Kealy and Mr. Reardon for their time.

Robert J. Kealy
Mr. Robert Kealy — 12/17/07 Date

Leah McCluskey, Director — 1/2/08 Date

Edward D. Grace
Rev. Edward Grace, Vicar for Priests — 1/4/08 Date

AOC 016374

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

MEMO:

To: Rev. Ed Grace
Rev. Dan Smilanic

From: Santa Garcia

Re: Mr. Robert Kealy

Date: 1/10/08

Enclosed is a copy of the signed Mr. Robert Kealy Response for your perusal. Please contact Leah McCluskey at 312/751-5205 with any questions. Thank you.

Enclosures

OFFICE FOR CHILD ABUSE INVESTIGATIONS AND REVIEW

REVIEW BOARD MEETING
Saturday, January 19, 2008

AGENDA

I. **Approval of Minutes** – October 20, 2007; November 17, 2007

II. **Case Reviews**

Initial Review

A. [redacted]

B. In the Matter of Rev. Robert Kealy [Resigned] PFR-83
- Allegation made by [redacted]

C. [redacted]

D.

E.

Review for Cause

F. [redacted]

G.

AOC 016376

III. **Canonical Updates**

- [redacted]

IV. **Other Matters:**

- [redacted]

The next Board Meeting is scheduled for Saturday, ***February 16, 2008***

Cc: Matthew Hunnicutt, Office of Assistance Ministry
Rev. Vincent Costello, Vicar for Priests
Rev. Edward Grace, Vicar for Priests
Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board

AOC 016377

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

Office for Child Abuse Investigations and Review

Review Board
Saturday, January 19, 2008 9:00 am to 1:00 pm

MINUTES

Review Board Members Present:

[redacted]

Non-members Present:

Leah McCluskey, Director, Office for Child Abuse Investigations and Review
Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board

- [redacted]
-

I. **Approval of Minutes** – October 20, 2007 [revised] and November 17, 2007
   - October 20, 2007 [revised] and November 17, 2007 minutes approved

II. **Case Reviews**
Initial Review

A. [redacted]

AOC 016378

B. In the Matter of Rev. Robert Kealy [Resigned 2006] – PFR - 83

The Review Board conducted an Initial Review of [redacted] allegation of the sexual abuse of a minor by Rev. Robert Kealy. A summary of the allegation is as follows: four incidents of abuse: [redacted]

Fr. Smilanic and Ms. McCluskey informed the Review Board that there is a pending Grand Jury investigation of this matter in Lake County. The clarification was made that the matter has not been taken to the Grand Jury, but that the Lake County State's Attorney's Office has opened an investigation into this matter.

When informed that the Lake County State's Attorney's Office has opened an investigation into this matter, the Review Board recommended that the Archdiocesan investigation should be deferred so as not to interfere with the investigation conducted by public authorities pursuant to Article §1104.9.1. (4) Questions for Review.

In a 9-0 vote in light of the information presented, the Board determined that this matter warrants additional investigation. The Board also directed Ms. McCluskey to do the following: do the following:

- Write a letter to the Lake County State's Attorney asking that she be notified when the Archdiocese of Chicago may continue forward with its investigation of this matter
- To inform [redacted] in writing that the archdiocesan investigation of this matter is unable to continue until notification is received from the Lake County State's Attorney's Office that its investigation is concluded

C. [redacted]

AOC 016379

D. [redacted]

E. [redacted]

[redacted]

Review for Cause

F. [redacted]

G.

AOC 016381

[redacted]

III. Canonical Updates

- [redacted]

IV. Other Matters

- [redacted]

AOC 016382

- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]

[redacted]

Next scheduled meeting is Saturday, February 16, 2008 at 9:00 a.m.

AOC 016383

PFR-83

RECEIVED
JAN 23 2008
ARCHDIOCESE OF CHICAGO
OFFICE FOR CHILD ABUSE
INVESTIGATIONS AND REVIEW

BURKE, WARREN, MACKAY & SERRITELLA, P.C.

22ND FLOOR, IBM PLAZA
330 N. WABASH AVENUE
CHICAGO, ILLINOIS 60611-3607

TELEPHONE (312) 840-7000
FACSIMILE (312) 840-7900
www.burkelaw.com

JAY R. FRANKE
DIRECT DIAL NUMBER: (312) 840-7092
E-MAIL: jfranke@burkelaw.com

January 22, 2008

VIA FEDERAL EXPRESS

Mr. Mark Pleasant
Special Investigator
Office of the Lake County State's Attorney
18 N. County St.
Waukegan, IL 60085

Re: [redacted] *Rev. Robert L. Kealy*

Dear Mr. Pleasant:

Enclosed find materials regarding the above matter. We have agreed that we will hold this subpoena open pending further processing of the allegation by the Archdiocesan Office of Child Abuse Investigation and Review. However, the Archdiocese will not (as is its general policy) investigate a matter under review by a State's Attorney office, so the Archdiocese is not likely to generate more documents until your investigation is completed.

I will calendar a call to you in early February to ask about the status of your work. If there is anything further that we can do, please do not hesitate to ask.

Very truly yours,

J. R. Franke

Jay R. Franke

cc: John C. O'Malley (via facsimile)
Leah McCluskey (via facsimile)

09891\00806\458678.1

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

January 23, 2008

RECEIVED
JAN 28 2008
ARCHDIOCESE OF CHICAGO
OFFICE FOR CHILD ABUSE
INVESTIGATIONS AND REVIEW

Cardinal Francis George, O.M.I.
Archbishop of Chicago
155 E. Superior Street
Chicago, Illinois 60611

Dear Cardinal George,

Please be advised that the independent Review Board met on January 19, 2008 and conducted an Initial Review of [redacted] allegation of sexual misconduct against the former Rev. Robert Kealy pursuant to Article §1104.9 of the Review Process for Continuation of Ministry. Mr. Kealy is a resigned priest of the Archdiocese of Chicago.

The Board made the determination that in light of the information presented, this matter warrants additional investigation. When informed that the Lake County State's Attorney's Office has opened an investigation into this matter, the Board recommended that the Archdiocesan investigation should be deferred so as not to interfere with the investigation conducted by public authorities pursuant to Article §1104.9.1. (4) Questions for Review. Once informed by the Lake County State's Attorney's Office of the end of its investigation, this and other additional information obtained will be presented to the Board along with all other information regarding this matter for a Review for Cause.

If you have any questions, please feel free to contact me at [312] 751-5205.

Sincerely,

Leah McCluskey
Director, Office for Child Abuse Investigations and Review

Accept this recommendation.
F. Geo
Jan. 24, 2008

ARCHDIOCESE OF CHICAGO

Vicar for Priests

645 N. Michigan Ave.
Suite 543
Chicago, Illinois 60611

(312) 642-1837
Fax: (312) 642-4933

MEMORANDUM

To: File
From: Ed Grace
Re: Robert Kealy
Date: February 5, 2008

Today Bob Kealy called and asked about the current status of the investigation into the recent allegation of sexual abuse made against him. I told Bob that, although I had not seen a written memo, my understanding was:

- The matter was presented to the Review Board at its most recent meeting
- The board found and the Cardinal accepted that the matter needed further investigation
- Our investigation would not go forward until the Lake County State's Attorney completed his investigation of the matter.

CC: Leah McCluskey

Via Inter Office Mail
2/5/08. EG

AOC 016386

FILE COPY

PTR-83

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

February 6, 2008

[redacted]

Dear [redacted],

Please be advised that the independent Review Board met on January 19, 2008 and conducted an Initial Review of your allegation of sexual misconduct against the former Rev. Robert Kealy pursuant to Article §1104.9 of the Review Process for Continuation of Ministry. Mr. Kealy is a resigned priest of the Archdiocese of Chicago.

Cardinal George has accepted the Review Board's determination that in light of the information presented, additional investigation is warranted. Meaning, the Board determined that based upon the information presented for their review, there is cause to continue to investigate this matter.

The Cardinal also accepted the Board's recommendation that the Archdiocesan investigation of this matter is deferred so as not to interfere with the investigation conducted by public authorities pursuant to Article §1104.9.1 (4) Questions for Review. Once informed by the Lake County State's Attorney's Office of the end of its investigation, this and any additional information that you forward to my attention will be presented to the Board at a Review for Cause of this matter.

If you have any questions, please feel free to contact me at any time. I may be reached at [312] 751-5205. Also, please know that the staff of the Office of Assistance Ministry continues to be available to you and may be reached at [312] 751-8267.

Sincerely,

Leah McCluskey
Director, Office for Child Abuse Investigations and Review

Cc Matt Hunnicutt, Office of Assistance Ministry

Bcc: John O'Malley
James Serritella

FILE COPY P7R-83

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

February 6, 2008

Mr. Robert Kealy
[redacted]

Dear Mr. Kealy,

Please be advised that the independent Review Board met on January 19, 2008 and conducted an Initial Review of [redacted] allegation of sexual misconduct against you pursuant to Article §1104.9 of the Review Process for Continuation of Ministry.

Cardinal George has accepted the Review Board's determination that in light of the information presented, additional investigation is warranted. Meaning, the Board determined that based upon the information presented for their review, there is cause to continue to investigate this matter.

The Cardinal also accepted the Board's recommendation that the Archdiocesan investigation of this matter is deferred so as not to interfere with the investigation conducted by public authorities pursuant to Article §1104.9.1 (4) Questions for Review. Once informed by the Lake County State's Attorney's Office of the end of its investigation, this and any additional information that you forward to my attention will be presented to the Board at a Review for Cause of this matter.

If you have any questions, please feel free to contact me at any time. I may be reached at [312] 751-5205. Also, please know that Rev. Edward Grace, Vicar for Priests continues to be available to you and may be reached at [312] 642-1837.

Sincerely,

Leah McCluskey
Director, Office for Child Abuse Investigations and Review

Cc Rev. Edward Grace, Vicar for Priests
Patrick Reardon, civil attorney

Bcc: John O'Malley
James Serritella

From: [redacted]
To: "Edward Grace" <egrace@archchicago.org>
Date: 6/16/2008 2:43 PM
Subject: Re: PFR 83 Kealy - [redacted]

Father Grace,
I have started to contact the priests, left messages and have an appointment with Fthr. [redacted]. Thanks Rich Lapinski
Mon, 16 Jun 2008 11:20:55 -0500, Edward Grace wrote
> Rich,
>
> I have spoken with all three of the priests, giving them your name
> and asking their co-operation. - They are expecting your call.
>
> Ed Grace
>
> >>> <[redacted]> 6/11/2008 9:36 AM >>>
> Father Grace,
> I'll be contacting the priests you mentioned in the Kealy
> allegation. If you would like to call them and give them a heads up
> that's fine. I'll be calling late this week or early next week.
> Thanks, Rich Lapinski
> > Jim and All,
> >
> > The priests assigned to Immaculate Conception, Highland Park were:
> >
> > 1995
> >
> > Robert Kealy,
> >
> > John E. O' Brien (ordained - '50 - now retired)
> > Bishop Lyne Residence
> > 12230 S. Will-Cook Rd.
> > Palos Park, IL 60464
> > [redacted]
> >
> > Alec J. Wolff ('81)
> > Congregation of the Oratory of St. Philip Neri
> > 1590 Green Bay Rd.,
> > Highland Park, IL 60035
> > [redacted]
> >
> > Michael G. McGovern ('94)
> > Pastor, St. Mary Parish
> > 175 E. Illinois Rd.,
> > Lake Forest, IL 60045-1998
> > [redacted]
> >
> > Edward J. Kelly
> > Deceased 2/4/95
> >
> > 1996-1997
> >
> > Robert Kealy
> >
> > John E. O'Brien

> > See above
> >
> > Alec J. Wolff
> > See above
> >
> > If you are going to contact these men let me know and I will try
> and
> > contact them first to introduce you, unless you would rather I did
> not.
> >
> > Ed Grace
> >
> > >>> Jim Molloy <[redacted]> 6/3/2008 12:22 PM >>>
> > Father Grace,
> >
> > We are looking for the names of the priests who were assigned with
> > Father Kealy at Immaculate Conception (Highland Park) in 1995,1996
> > and 1997. Rich Lapinski will be the investigator assigned to this
> matter.
> >
> > Thank you,
> >
> > Jim Molloy
>
> --
> [redacted]

--
[redacted]

RECEIVED
JUL 14 2008
ARCHDIOCESE OF CHICAGO
OFFICE FOR CHILD ABUSE
INVESTIGATIONS AND REVIEW

OFFICE OF THE
STATE'S ATTORNEY
LAKE COUNTY, ILLINOIS
MICHAEL J. WALLER
STATE'S ATTORNEY

Lake County Building
18 N. County Street
Waukegan, Illinois 60085-4363
(847) 377-3000 Main/Felony Fax (847) 360-1538
Misdemeanor/Traffic Fax (847) 625-7129

June 17, 2008

[redacted]

Dear [redacted]:

Thank you for taking the opportunity to meet with myself and Investigator Pleasant from the Lake County Children's Advocacy Center. The Lake County State's Attorney's Office has had an opportunity to review all the materials provided by the Archdiocese of Chicago regarding Rev. Robert L. Kealy. We also reviewed documentation specific to your allegations of sexual misconduct and interviewed you regarding Rev. Robert L. Kealy.

Based on your age at the time of first reporting in 2007; and the time frame of the sexual misconduct, pursuant to 720 ILCS 5/3-6; the case is criminally barred by the Statute of Limitations. For clarification, the Statute of Limitations that applies is the one that was in effect at the time of the incident, as well as the statute in effect on April 28, 2002, the day prior to your turning 19 years of age. Both of those limitations periods place your allegations outside of the extended limitations for criminal sexual assault to victims under the age of 18, 720 ILCS 5/3-6(i).

As a result, the Lake County State's Attorneys Office declines criminal prosecution of this matter based on the offense date being outside of the Statute of Limitations. This should not be construed as a comment regarding the veracity of the allegations made by you against Rev. Robert L. Kealy. I wish you the best of luck in your future endeavors.

Sincerely,

Patricia S. Fix
Chief, Felony Trial Division

cc: Leah McCluskey, Office for Child Abuse Investigations and Review
John O'Malley, Director of Legal Services

Felony Review Division
Robert H. Babcox
Justice Center
20 S. County Street
Waukegan, IL 60085
(847) 377-3025
Fax - (847) 263-6179

Civil Division
18 N. County Street
Waukegan, IL 60085
(847) 377-3050
Fax - (847) 360-0661

Child Support Enforcement
33 N. County Street
Waukegan, IL 60085
(847) 377-3131
Fax - (847) 360-1097

Children's Advocacy Center
123 N. O'Plaine Rd.
Gurnee, IL 60031
(847) 377-3155
Fax - (847) 360-6850

Juvenile Trial Division
Robert W. Depke
Juvenile Justice Complex
24647 N. Milwaukee Avenue
Vernon Hills, IL 60061
(847) 377-7850
Fax - (847) 634-8831

From: Leah McCluskey
To: harvey@hillardheintze.com
Date: 7/9/2008 10:23:37 AM
Subject: Follow up on report

Hi Harvey,

Hope that you had a relaxing holiday weekend.

I just wanted to touch base with you so see where you were at with the final report of the Kealy/[redacted] matter. If it is at all possible, I would like to request to have it no later than July 23rd. Could you please let me know?

Thank you.

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
737 N. Michigan Ave., Suite 900
Chicago, Illinois 60611
Office: [312] 751-5205
Fax: [312] 751-5279
lmccluskey@archchicago.org

HILLARD HEINTZE, LLC
STRATEGIC SECURITY ADVISORS

July 15, 2008

RECEIVED
JUL 15 2008
ARCHDIOCESE OF CHICAGO
OFFICE FOR CHILD ABUSE
INVESTIGATIONS AND REVIEW

Ms. Leah R. McCluskey
Director
Office for Child Abuse Investigations and Review
ARCHDIOCESE OF CHICAGO
737 North Michigan Avenue, Suite 900
Chicago, Illinois, 60611

Reference: PFR – 83: Fr. Kealy/[redacted]

Dear Ms. McCluskey:

On May 23, 2008 Hillard Heintze received a request for assistance in the matter of [redacted] allegation of sexual abuse of a minor against the former Rev. Robert Kealy while he was the pastor of Immaculate Conception in Highland Park, Illinois.

Following a review of the documents provided by the Office of Child Abuse Investigations and Review, Investigator Richard Lapinski was assigned to conduct interviews and site visits to determine facts of this allegation. This process is on-going. To date, interviews of several pertinent witnesses have been completed. Others, who may have direct knowledge of key components of the allegations, are still being sought.

On June 3, 2008, Senior V.P. Harvey Radney initiated a limited background investigation of the accuser [redacted] The scope of this limited background investigation included reviewing various on-line resources and multi-proprietary databases using personal identifier information. Federal and state civil, criminal and bankruptcy litigation records, as well as a review of recorded documents for liens and judgments were queried.

In summary, Hillard Heintze identified no record of a criminal history against [redacted] Additionally, no current or past civil court proceedings, bankruptcies, liens, judgments or lawsuits against [redacted] were found. No other derogatory information was uncovered during the course of this investigation.

On June 18, 2008, Investigator Lapinski went to Immaculate Conception Parish Center in Highland Park and was given open access and tours of the facility by Fr. [redacted] and [redacted]. The priests' office [redacted] has a large glass window in the door that is approximately 5' by 3'. This door with glass can be seen in photos #5 and #6 submitted by Fr. Kealy. The only hallway in the office area of the parish center is directly outside this door. Any activity in the priests' office is visible from the hallway, except for a small area in the southwest corner of the office. [redacted]

10 SOUTH WACKER DRIVE
SUITE 1125
CHICAGO, ILLINOIS 60606
312.869.8500

[redacted] The priests' office, located on the ground floor of the parish center, also has two windows overlooking a small sidewalk that leads from the parking lot. There is a photo in Fr. Kealy's response which accurately depicts these windows.

Investigator Lapinski interviewed Fr. [redacted] who shared the parish center office with Fr. Kealy during the time of these allegations and was also the associate pastor. He stated he does not believe the incidents as described are probable. Fr. [redacted] stated there were usually 150-200 students in the parish center on Wednesdays during religious education classes. Parents and other parish staff were also always present. Fr. [redacted] stated Fr. Kealy was very rarely present in the building when CCD classes were taking place and he had very little interaction with the children. Fr. [redacted] stated Fr. Kealy was always proper and professional in his presence and never observed, or had reported to him, any unusual behavior by Fr. Kealy.

[redacted], Director of Religious Education was interviewed and restated much of what was presented in her earlier affidavit. [redacted] emphasized the glass door of the priests' office has always been in place. She stated Fr. Kealy was rarely at the parish center, especially on the nights of religious education classes. [redacted]

Fr. [redacted] was interviewed by Investigator Lapinski. Fr. [redacted] was a deacon at Immaculate Conception from December 1993 until May 1994. In summary, Fr. [redacted] described Fr. Kealy as a "driven, organized" personality and not being impulsive or drinking alcohol. Fr. [redacted] also stated Fr. Kealy was an old-fashioned type of priest [redacted] Fr. [redacted] emphasized Fr. Kealy's education and beliefs stating Fr. Kealy always knew his boundaries when interacting with parishioners and their children. Fr. [redacted] stated he never observed any unusual behavior by Fr. Kealy around children and no person had ever reported a complaint of misconduct to him against Fr. Kealy. Fr. [redacted] did not recall [redacted] but he doubted the allegations based on his opinion of Kealy's character and personality.

Investigator Lapinski contacted the Lake County Assistant State's Attorney Mark Pleasant. Pleasant remembered the case and stated he interviewed [redacted] but did not get into specifics of the case because he knew the incident was past the statute of limitations. Pleasant stated ASA Pat Fix of Lake County would be forwarding a letter to the Archdiocese of Chicago and [redacted] sometime during the week of June 23rd indicating the case would not be prosecuted criminally.

Fr. [redacted] was interviewed by Investigator Lapinski. While Fr. [redacted] never served at Immaculate Conception with Fr. Kealy he recalled Fr. Kealy from his visits to the parish for special events. Fr. [redacted] did not recall [redacted] or the [redacted] family. Fr. [redacted] stated he has no knowledge of the allegations but has never observed, or had reported to him, any unusual or deviant behavior by Fr. Kealy.

We still need to contact teachers who taught the CCD classes. Several names reviewed are [redacted]. Messages have been left for [redacted]. There has been no response at the time of this report. Efforts continue to locate others. These teachers remain a significant resource in this investigation in that they may be able to substantiate or refute [redacted].

Other concerns surrounding this investigation include the following:

- [redacted]
- [redacted]
- [redacted]
- [redacted]
- The area where the alleged incidents occurred appears to be an unlikely and improbable location for the described incidents.

Leah, we are still actively pursuing this investigation. Having someone from your office contact [redacted] to assist in obtaining contact information for former teachers at the CCD classes might prove helpful. We managed to find current information for the [redacted] family. Lapinski has spoken to the parents of [redacted] (who has since married) on three occasions asking her to call. So far she has not responded.

Respectfully,

Harvey Radney
HILLARD HEINTZE

10 SOUTH WACKER DRIVE
SUITE 1125
CHICAGO, ILLINOIS 60606
312.869.8500

From: Leah McCluskey
To: harvey@hillardheintze.com
Date: 7/18/2008 2:24:19 PM
Subject: Re: PFR - 83

Hi Harvey,

I called the main number for Immaculate Conception listed in the directory [847 433-0130] in attempts to reach [redacted], DRE. I wound up speaking with Deacon [redacted] who informed me is the new DRE of the parish, as [redacted] has left the position.

I explained who I was and that an investigative firm working with our offices had interviewed [redacted] in regards to a matter that allegedly occurred years ago [I wanted to demonstrate for Deacon [redacted] that this was not an allegation of current abuse in the parish]. I asked Deacon [redacted] if he knew if there was some sort of documented history of past CCD teachers at the parish. Deacon [redacted] did not seem to know of such a history, but said that he has been a parishioner there for 20 years and would be willing to have me "throw" some names at him to see if he knew them.

I told him that the names you had surfaced were:
[redacted]

The only name familiar to Deacon [redacted] was [redacted]. When asked, he provided me with her phone number from the parish directory: [redacted].

I gave Deacon [redacted] my name and phone number for reference. He asked that we call him any time if there is anything else that he might be able to assist with.

Hope that helps Harvey.

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
737 N. Michigan Ave., Suite 900
Chicago, Illinois 60611
Office: [312] 751-5205
Fax: [312] 751-5279
lmccluskey@archchicago.org

>>> <harvey@hillardheintze.com> 7/18/2008 11:10 AM >>>
Leah that would be great. If we could locate and interview [redacted] CCD teacher it could be very helpful in determining the facts.

Harvey
Sent from my Verizon Wireless BlackBerry

-----Original Message-----
From: "Leah McCluskey" <lmccluskey@archchicago.org>

Date: Fri, 18 Jul 2008 10:43:53
To: Harvey Radney<harvey@hillardheintze.com>
Subject: PFR - 83

Hello Harvey,

Just wanted to follow up with you after receiving your 7/15/08 report summary. Looking at the closing paragraph of your letter, I wanted to ask if you still needed someone from this office/me to contact [redacted] "to assist in obtaining contact information for former teachers at the CCD classes."

If you still need this assistance, please let me know and I would be happy to place a call to [redacted].

Thank you!

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
737 N. Michigan Ave., Suite 900
Chicago, Illinois 60611
Office: [312] 751-5205
Fax: [312] 751-5279
lmccluskey@archchicago.org

From: "Harvey Radney" <harvey@hillardheintze.com>
To: "'Leah McCluskey'" <lmccluskey@archchicago.org>
Date: 7/24/2008 1:26:28 PM
Subject: RE: Follow up

Roger...I'll get the [redacted] final report to you by 8/6/08 so Santa can put it in the packets.

Enjoy your vacation...wish it were me.

Harvey

-----Original Message-----
From: Leah McCluskey [mailto:lmccluskey@archchicago.org]
Sent: Thursday, July 24, 2008 12:12 PM
To: Harvey Radney
Subject: RE: Follow up

Hi Harvey,

The Review for Cause of this matter is scheduled to be before the Board on 8/16/08. I leave for vacation on Tuesday, 7/29 and am assembling the packets for 8/16 before I leave. Santa will be mailing out the packets the morning of 8/7/08.

So if it would be possible, I would request a report of all information you have by 8/6 and I could review it via e-mail and forward it to Santa to put into the packets. I am out of town from 7/29 through 8/4 and then will be up at Mundelein at a conference from 8/5 through 8/7.

As always, thank you for all of your work on this.

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
737 N. Michigan Ave., Suite 900
Chicago, Illinois 60611
Office: [312] 751-5205
Fax: [312] 751-5279
lmccluskey@archchicago.org

>>> "Harvey Radney" <harvey@hillardheintze.com> 7/24/2008 12:05 PM >>>
Hi Leah:

I had a due date for PFR-83 recorded on my notes as 8/16/08. We are still attempting to contact teachers who taught CCD classes at the school. If you need the final report sooner, I'll get it to you ASAP.

Harvey

-----Original Message-----
From: Leah McCluskey [mailto:lmccluskey@archchicago.org]
Sent: Thursday, July 24, 2008 11:51 AM
To: Harvey Radney
Subject: Follow up

Hi Harvey,

I just wanted to check to see where you were at with the final report for PFR - 83 Kealy/[redacted] I have in my notes that we talked about 7/23/08 as a deadline--I can't remember if we talked about an alternate date.

Thank you!

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
737 N. Michigan Ave., Suite 900
Chicago, Illinois 60611
Office: [312] 751-5205
Fax: [312] 751-5279
lmccluskey@archchicago.org

Office for Child Abuse Investigations and Review

Review Board Meeting
Saturday, August 16, 2008 9:00 am to 1:00 pm

MINUTES

Review Board Members Present:

[redacted]

Review Board Members Not Present:

[redacted]

Non-members Present:
Leah McCluskey, Director, Office for Child Abuse Investigations and Review
Rev. Daniel Smilanic, Archbishop's Delegate to the Review Board

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I. Approval of Minutes

- June 28, 2008 - Minutes approved
- July 15, 2008 – Minutes approved

- [redacted]

II. Case Reviews

Initial Review

A. [redacted]

AOC 016400

B. [redacted]

C. [redacted]

[redacted]

Review for Cause

D. [redacted]

E. [redacted]

F. In the Matter of Rev. Robert Louis Kealy [Withdrawn 2002] - PFR - 83

The Review Board conducted a Review for Cause of [redacted] allegation of the sexual abuse of a minor against the former Rev. Robert Kealy. A summary of the allegation is as follows: four incidents of abuse: [redacted]

The Board discussed the information presented to it. Discussion led to one member sharing the information that [redacted]

AOC 016403

[redacted]. When asked if any of the clerics knew Fr. Kealy, Fr. Smilanic stated that Fr. Kealy was one year ahead of him in the seminary. [redacted]

In an 8-0 vote in light of the information presented, the Board determined that there is insufficient reason to suspect that the former Fr. Kealy sexually abused [redacted]

III. Other Matters

[redacted]

Next scheduled meeting is Saturday, September 13, 2008 at 9:00 a.m.

AOC 016404

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

August 18, 2008

RECEIVED
AUG 22 2008
ARCHDIOCESE OF CHICAGO
OFFICE FOR CHILD ABUSE
INVESTIGATIONS AND REVIEW

Cardinal Francis George, O.M.I.
Archbishop of Chicago
155 E. Superior Street
Chicago, Illinois 60611

Dear Cardinal George,

Please be advised that the independent Review Board met on August 16, 2008 and conducted a Review for Cause of [redacted] allegation of sexual misconduct against the former Rev. Robert Kealy pursuant to Article §1104.10 of the Review Process for Continuation of Ministry. Mr. Kealy is a resigned priest of the Archdiocese of Chicago.

The Board made the determination that in light of the information presented, there is insufficient reason to suspect that the accused engaged in the sexual abuse of [redacted] and that the file should be closed.

If you have any questions, please feel free to contact me at [312] 751-5205.

Sincerely,

Leah McCluskey
Director, Office for Child Abuse Investigations and Review

I accept the determination

8/27/08

AOC 016406

ARCHDIOCESE OF CHICAGO

FILE COPY

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

August 26, 2008

Mr. Robert Kealy
[redacted]

Dear Mr. Kealy,

Please be advised that the independent Review Board met on August 16, 2008 and conducted a Review for Cause of [redacted] allegation of sexual misconduct against you pursuant to Article §1104.10 of the Review Process for Continuation of Ministry.

At a Review for Cause the Review Board determines, based on the information that has been gathered and made available to it, whether there is reasonable cause to suspect that the accused priest engaged in the sexual misconduct of a minor.

In the Review for Cause of this matter on August 16th, the Board determined that there is insufficient reason to suspect that you engaged in the sexual abuse of [redacted] Cardinal George has accepted the Board's determination.

If you have any questions, please feel free to contact me at any time. I may be reached at [312] 751-5205. Also, please know that your Vicar for Priests Rev. Edward Grace continues to be available to you and may be reached at [312] 642-1837.

Sincerely,

Leah McCluskey
Director, Office for Child Abuse Investigations and Review

Cc Rev. Edward Grace, Vicar for Priests
Patrick Reardon, civil attorney

Bcc: John O'Malley
James Serritella

ARCHDIOCESE OF CHICAGO

FILE COPY

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

August 26, 2008

[redacted]

Dear [redacted],

Please be advised that the independent Review Board met on August 16, 2008 and conducted a Review for Cause of your allegation of sexual misconduct against the former Rev. Robert Kealy pursuant to Article §1104.10 of the Review Process for Continuation of Ministry. Mr. Kealy is a resigned priest of the Archdiocese of Chicago.

At a Review for Cause the Review Board determines, based on the information that has been gathered and made available to it, whether there is reasonable cause to suspect that the accused priest engaged in the sexual misconduct of a minor.

In the Review for Cause of this matter on August 16th, the Board determined that there is insufficient reason to suspect that Fr. Kealy sexually abused you. Cardinal George has accepted the Board's determination.

If you have any questions, please feel free to contact me at any time. I may be reached at [312] 751-5205. Also, please know that the staff of the Office of Assistance Ministry continues to be available to you and may be reached at [312] 751-8267.

Sincerely,

Leah McCluskey
Director, Office for Child Abuse Investigations and Review

Cc Matt Hunnicutt, Office of Assistance Ministry

Bcc: John O'Malley
James Serritella

From: Kathleen Leggdas
To: Hunnicutt, Matthew; McCluskey, Leah
Date: 8/28/2008 10:10:22 AM
Subject: Re: [redacted]

Thank you for the information. I"ll call [redacted] today just in case she has questions after the information sinks in and in case she needs a little support from us. I appreciate your efforts at helping her understand the determination. KL

>>> Leah McCluskey 8/28/2008 10:07 AM >>>
Matt and Kathleen,

I just hung up with [redacted]. I shared with her that I had written a letter and sent it to her last night with the Cardinal's decision that there was insufficient reason to suspect that the alleged abuse had taken place. [redacted] thanked me for calling and sharing the information with her. [redacted] Without her asking, I explained to her that there was no suggestion that she or anyone else had lied, hence the wording of "insufficient information..." [redacted] again thanked me for the phone call.

[redacted] When I asked [redacted] she said that it was fine with her if I shared our conversation with Kathleen and if Kathleen checked in with [redacted] later today.

Thank you again to all of you. I told Matt and Mayra earlier that I am sorry that I did not think to talk with you all prior to sending the letter. Thank you for taking the time to address this with me this morning.

Leah

>>> Matthew Hunnicutt 8/28/2008 9:55 AM >>>
Hi Leah. Kathleen said she will be available to contact [redacted] later today, so please go ahead and ask [redacted] if that would be OK. Thanks.

CC: Flores, Mayra

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

MEMORANDUM

To: File – PFR - 83

From: Leah McCluskey, Office for Child Abuse Investigations and Review

Re: Kealy, Rev. Robert [Resigned]/[redacted]

Date: September 23, 2008

On September 12, 2008, I received a voice mail message from [redacted] asked that I return her call, as she had questions concerning the possibility of [redacted] "appealing" the Review Board determination and Cardinal George's decision related to [redacted] allegation of the sexual abuse of a minor against the former Rev. Robert Kealy. [redacted] added that she also wanted to know the "odds that the appeal would be recognized." She stated that she could be reached at [redacted].

I returned [redacted]'s phone call on September 17, 2008 and left her a voice mail message, as she was not available. [redacted] returned my call later the same day.

As our discussion began, [redacted] first stated that if [redacted] chose to "appeal" the aforementioned decision made by the Cardinal, it would be only for external validation on [redacted] part. When asked, I provided [redacted] with a verbal explanation of a Supplementary Review. [redacted] then asked why Mr. Kealy received a copy of [redacted] report [of her allegation against him] and [redacted] did not receive a copy of Mr. Kealy's response. I explained that the reasoning for this was a direct relation to canon law and the Cardinal's decision that copies of files are not made out of concern for the integrity of the files. I offered to provide [redacted] with the contact information of Rev. Daniel Smilanic, the Cardinal's Delegate to the Review Board and a canon lawyer, if she had additional questions about this. [redacted] declined to take Fr. Smilanic's name or contact information.

[redacted] thanked me for the information and stated that this would be [redacted] decision [if she wished to request a Supplementary Review or not]. She added that she would call me with any additional questions.

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

MEMORANDUM

To: Francis Cardinal George, O.M.I.

From: Leah McCluskey, Office for Child Abuse Investigations and Review

Re: Kealy, Rev. Robert [Resigned]/[redacted]

Date: December 9, 2008

I am forwarding to you an e-mail and attachments that I received today from [redacted] addressed to you. I spoke with [redacted] today after he called to ask why I had not responded to his e-mail to me [attached]. It turns out that I never received his e-mail due to an issue with archdiocesan e-mail, which is why [redacted] faxed the documents to me today and asked that I give them to you.

[redacted]

I have copied Mr. Matt Hunnicutt on this memorandum and attachments to you, as it seems that Assistance Ministry would be able to provide additional background on [redacted] I would suggest that you ask for Mr. Hunnicutt's assistance with a response to [redacted].

Please do not hesitate to contact me with any questions.

Attachments

Cc Matt Hunnicutt, Office of Assistance Ministry

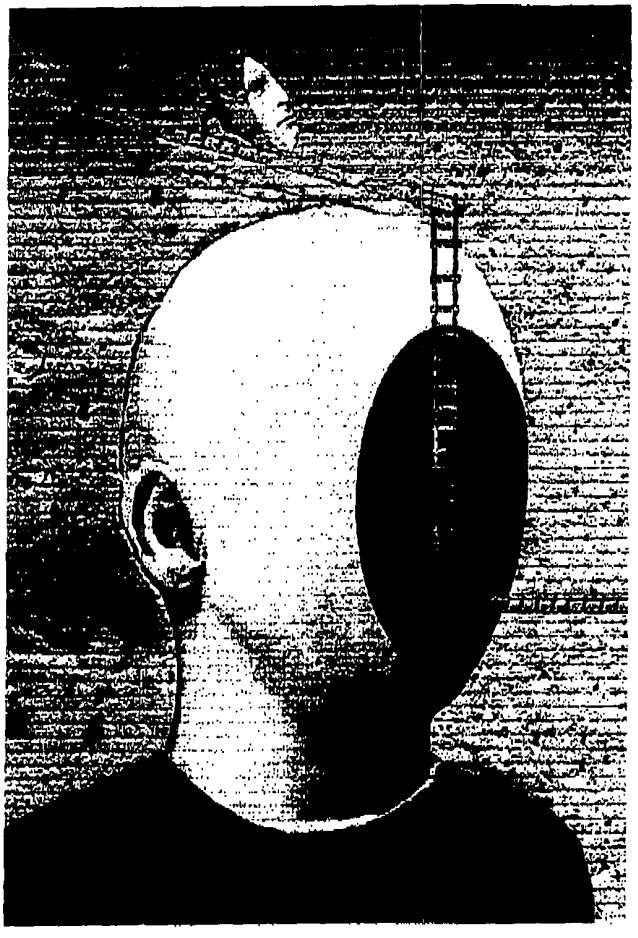
Victim Statement Abstract:

This abstract replaces a fax from Victim JD, received by the Archdiocese of Chicago's Office for Child Abuse Investigation and Review on December 9, 2008, which includes a copy of an e-mail sent by Victim JD to Leah McCluskey of the Office of Child Abuse Investigations and Review and addressed to Cardinal George, as well as an attachment referenced in the e-mail in which Victim JD details his experience as a victim of clergy child sexual abuse.

UNSPEAKABLE DAMAGE
THE EFFECTS OF CLERGY SEXUAL ABUSE:

A. W. Richard Sipe

October 26, 2007



There are severe and long-term consequences of sexual abuse by Catholic clergy. These results are so common either in combination or *en toto* that they are predictable in some form or other or to one degree or another in victims of clergy abuse. These elements have been identified from extensive research and observations of men and women survivors who were abused as children. I validate my observations as a result of the experience of counseling over 1,500 adults who have been abused as children, 500 of them by Catholic clergy or religious.[1]

1. **SEXUAL FOOTPRINTS:** The consequences of abuse are both psychological and physical, but the vehicle of the damage and trauma is sexual. The abuse forms the basis for, and invariably causes sexual dysfunction of some kind: impotence, sexual aversion, hyper sexuality, the development of paraphilias—frequently pornography, voyeurism, fetishes—or the perpetuation of abuse into a new generation. Studies demonstrate 20 percent of men who were abused become abusers; and 80 percent of abusing men were themselves abused.

The life histories of many victims demonstrate some the consequence of molestation. Early promiscuity and sever sexual inhibition can both be consequences sequentially in the same victim resulting in a lifetime disruption in normal development and satisfaction. Some victims are able to enjoy sexual release, but they cannot incorporate the satisfaction into a close emotional relationship. They remain emotionally divided.

Confusion about one's sexual identity is one of the first and most painful penalties a male victim pays in the aftermath of sexual abuse by a priest. Sexual functioning, even if it does not get mired in paraphilias, is often impaired and crippled for normal functioning. The confusion of sex

with violence that results in sadomasochistic behaviors and rape are among some of the dire social consequences of abuse beyond personal tragedy.

Freud originally taught that premature sexual exposure and abuse was the genesis of all neuroses. He later modified his theory to state that actual abuse was not necessary, but that even infantile fantasies of sex with the forbidden could cause the same psychic result and trauma. One of the reasons for Freud's change of heart was because of the sheer number of the accounts of early abuse he heard. It was not popular in the 19th century to believe children when they contradicted or countered elders. This attitude plagues assault victims even today. Also, the social status of the family members who were the alleged abusers made Freud's conclusion impolitic and "doubtful." Nonetheless, Freud's original observations and conclusions, in spite of him, have withstood the test of time. [2]

Freud was not alone in observing that premature sexual exposure was extremely detrimental to children and minors. Although this is commonplace knowledge in 2007, the harmfulness of early sex has been know for decades by educators, counselors, and informed adults. The Child Welfare Movement of the early 20th Century and the child protective laws enacted mid-century are results of that broad awareness.

No acknowledged or respected scientific expert proposes the idea that early sexual experience of a child with an adult is beneficial to the child. Also common wisdom of parents and educators have held for generations that children should be protected from sexual seduction and have instituted many safeguards in monitoring schedules, grade interaction, dress codes, and curfews, and common sense warnings to insure protection. Ironically religions, including the Roman Catholic Church throughout the 20th Century, have been first and foremost in insisting on the sexual abstinence and virtue of the young.

Even currently many people find it difficult to believe the enormous psychic consequences from what they would consider a "minor sexual infraction" or a minimal event of sexual touch. Freud as early as 1893 wrote, *For we very often find that the content and determinants of hysterical phenomena* [read emotional reaction] *are events which are in themselves quite trivial, but which have acquired high significance from the fact that they occurred at specially important moments when the patient's predisposition was pathologically increased.* [3]

2. **THE LEGACY OF ANXIETY:** Anxiety overwhelms the victim. A host of addictive behaviors involving alcohol, drugs, sex or other acting out, out-of-control behaviors are endemic among many men and women who have suffered abuse. These are among the means victims use to mollify their confusion, the pain of trauma, and unconscious.

If child sexual abuse is not promptly and effectively treated, long-term symptoms can continue into adulthood. A whole range of emotional and behavioral problems can be traced to early abuse. The most common being anxiety or PTSD, sexual anxieties and disorders mentioned above, low self-esteem and poor body image, depression and thoughts of suicide.

These anxieties can lead specifically to phobias, generalized anxiety, panic episodes, obsessions, compulsions, and irrational anger perpetuated by the inability of their young personalities to absorb and master what has happened to them.

Seminarians traditionally learned about *Scrupulosity* when they were studying to hear confessions. People with scruples are tortured by unwanted thoughts (or impulse driven repetitive actions). These people often turned to a priest to counsel or absolve them of the thoughts, images, or desires they found troublesome or abhorrent. Frequently the ideation had to do with forbidden and intolerable sexual images or ideas.

Today this condition would be diagnosed psychiatrically as *Obsessive-Compulsive* disorder and its etiology is often tied up with early sexual abuse, because abuse impairs a child's sense of self-control and opens a person to addictive patterns of tension reduction.[4]

Sexual abuse by an adult, no matter how kindly cloaked is an assault. Inevitably most victims will experience sex with an adult as a genuine *Trauma*, because the occurrence does not fit into the psychic or social reality of the minor. The discordance of the relationship and exchange cannot be absorbed.

We have all learned a great deal about PTSD from treating war veterans who after coming through battle conditions, life threats, death or injury to companions (often seemingly unscathed) they have recurrent, distressing recollections, dreams, and emotional reactions. Unpredictable sights, sounds, or thoughts can reignite the trauma.

Some victims of clergy abuse have distressing reactions at the sight of a roman collar, a church, rosary, etc. or anything that my trigger a memory of abusive events. Diagnostically Post Traumatic Stress Disorder (PSTD) is a well-defined psychiatric condition that plagues countless victims of childhood abuse, in fact, studies indicate the between one third and one half of childhood victims of abuse develop symptoms of PTSD.[5]

3. **A LIFETIME OF DEPRESSION:** Depression is a common affliction in the modern world. Some studies say there is a 50 percent chance of one lifetime incidence of major depression among the American population. But the abused have distinct and added burdens that propel them toward depression that tend to be recurrent and sustained: In the abused, the loss of innocence, the loss of confidence, the loss of faith, the loss self esteem, and the loss of their youth lay down deep roots to inevitable periods or long term states of depression that condemn the victim to a host of physical disabilities.[6]

One, among many of the health threatening effects common in women who have been molested as youngsters is over-weight—often, morbid obesity. Therapy frequently reveals that the unconscious determination of this problem that has so many medical complications (diabetes and heart attacks chief among them) is a defense against being "attractive," and again made vulnerable to abuse. A host of physical problems can be traced to early molest and other medical conditions are exacerbated by abuse.[7]

The use of drugs and alcohol are also frequent means of self-medication for the victim, struggling to reduce the pain of the early trauma and in the process increasing the cycle of depression and compounding the physical health complications. It is a frequent and costly pattern.

4. TRUST-BETRAYED FOREVER: Betrayal so deep and so fundamental is the experience of a minor violated by the trusted that the incident(s) becomes a life-altering condition long after the real threat of abuse has past. Certainly this severe result prevails when the abuser is a parent who represents the whole world of security for a child; when the abuser is a parental figure that also represents God, the spiritual world, and the eternal the betrayal leaves the victim nowhere to turn. All supposedly secure and trustworthy persons and institutions become suspect.

This is what the minor victims experience—fundamental abandonment and aloneness. How can persons revive trust when they have been wounded so vitally at a stage in their life when they were intrinsically able to give themselves without reservation to trust an elder only to be unspeakably violated? Many can't ever recover confidence and trust in a world that betrayed their existence. They needed trust—as we all do—for a sense of survival. When the abusing elder is a parent, or even more spectacularly a representative of God, the loss of trust is nearly irretrievable.

Beyond loss of trust in the outside world, abuse betrayal attacks self-trust in a fundamental way—the loss of trust in one's memory and mind.[8] A disruption of cognition and memory can occur during and after childhood abuse. Cognitive and neurological mechanisms that may underlie the forgetting of abuse have been scientifically identified.[8]

5. RELATIONSHIPS IN RAGS: The person who has been abused in childhood is unable to weave her or his relationships out of whole cloth. The fibers of their personalities have been torn; their ability to establish solid relationships is in tatters. Most times they don't understand why they can't connect with other people in meaningful ways. They "beat themselves up" repeating over and over again destructive liaisons, or they remain alone. They can become abusive in some way to the friend they wish to be close with. Or they can repeat a burdensome dependency, constructed but unresolved in their childhood. No one can meet their needs because their needs are the deficits of a childhood lost. They are the phantom, wounded children in the skin of adequate appearing adults. At times these wounded people appear "fine," but they are psychic zombies who occupy a different world than those around them. Others constantly disappoint and mystify themselves and everyone else who could have meaning to them. Divorce, separations, alienation, antipathies, and hollowness mark the world they inhabit with family, friends, and co-workers.

Clinicians have come to recognize the severe damage that abuse does to the possibility of establishing sound and long lasting relationships. Some have identified this consequence as *Affect Phobia.*[9] "When people are unable to use or respond to their affects in healthy ways, they can develop symptoms and/or engage in patterns of maladaptive behavior. This inability to respond adaptively to affect is usually unconscious, and is often referred to as "Psychodynamic Conflict," but a key point of our work is that it can also be thought of as an "Affect Phobia."

Experience with victims of sexual abuse by clergy demonstrates clearly and painfully that relationships, no matter how desirable, are approached as lethal. The fear leads unavoidably to psychic isolation.

6. NONE SO ISOLATED: The survivors of abuse have a lonely core that isolates them from themselves and everyone else. That core is unassailable because it is entrapped in an unspoken and unimaginable secrecy. They can't share because the secret is often hidden from them. Even if they have memory traces they cannot put them together in any coherent way that will make sense to anyone. Even if the memories are clear, indelibly burnt into their mind and heart, many men and women have no way to scale the wall of guilt and shame that surrounds their childhood secrets.

Victims, in their isolation, think that they are to only victim.

With their secrets they are isolated from anyone they could hope might understand what they have been through. They don't understand themselves. How can they believe what happened to them in secret when their experience of their whole world—family, school, friends, church—appear so unaware and oblivious of their darkness and trauma.

The survivors guard their secret even if it makes them ill. Unto death some victims hug their secret because they promised to keep it. Some children defend their abuser because the abuse is bound up with the promise of security and the feeling of being loved and special in spite of contrary evidence.

It takes victims of childhood sexual abuse years to straighten out their trauma experience. The mixed feelings of premature excitement, guilt transferred from the aggressor, the challenges of separating fantasies from reality are tasks far beyond the ego capacity of most minors. It takes the average victim of abuse 25 to 30 years to bring them to the realization that they were not at fault. The guilt they feel is not rightfully theirs but the property of the abuser. The anger they experience is justified. It takes time to learn that they have rights and power even in face of opposition from men and institutions they once considered invincible and infallible.

7. PERSONALITIES PERVERTED: *Perverted* may seem to be a strong word to describe the effect on the personality development of young persons who have been sexual abused. But the word is precise. Abuse twists the normal progression of personality growth and development.

Over and above the distortions of perceptions and reactions that anxiety and depression impose on the developing child, the behavior of an adult who acts in ways that are socially abhorrent and morally wrong challenge the child's conscience and judgment beyond reconcilable bounds. The clergyman presents himself, and is accepted, as a public moral arbiter. Yet this civic and religious leader draws the youngster into acts that are socially and morally unacceptable. And must remain hidden. The bond of secrecy forms a noose that chokes maturing expression.

The "poor little good child" frequently becomes the object of the adult predator. The child's malleability, need to please, and the satisfaction the child gets in giving pleasure makes the

youngster vulnerable to the adult who preys on minors. The abusing adult (priest, teacher, coach, or scout master) is skilled in establishing a friendship with the serious and dutiful child.[10]

But the relationship is essentially conflicted and confusing. The child is seduced into a seemingly loving secure relationship that actually separates him or her from peers and family. The seducer grooms the child into a position of specialness that makes age appropriate friends and normal activities less attractive and inaccessible.

What is real? What is pretense? What seemed to be love and care turns out to be selfishness and exploitation. One who appeared to be giving and generous was actually self-seeking and hateful. The abusive bond of childhood can become the model for adult interactions predisposing one to a Schizoid-like personality pattern of interaction.

A child's conscience is formed not simply by education, but by adult example, experience, and relationships with others that have been meaningful to him or her.

Many abusers, even if they are clergymen, can be, and are deficient in their quality of conscience. We use to call these people "sociopaths." It is still a good descriptive word and goes to the heart of the priest with such a personality. (Now if a diagnostic term is used that person is identified an *Antisocial Personality*)

People are usually loath to judge their minister antisocial, because clergy do so many good and helpful things in the ordinary services they provide. In spite of that seemingly mitigating circumstance I prefer to understand many priests and bishops who abuse minors by the word *Sociopath*. It defines a person who fails to conform to lawful behaviors; he is a man who is often impulsive; who lacks remorse; lacks empathy because he is adept at conning others for his own pleasure or profit; he feels entitled, above the law; he can have a reckless disregard for the safety and welfare of others.[11]

Priest sexual abusers are con artists. They are pretenders. They often offend in financial ways also. The priesthood provides them with a mask of moral rectitude and sanity. This personality type represents itself in every rank of the priesthood and propagates itself in many ways including through violating young boys and girls who learn their lessons too well. The progeny of these sociopath priests can express themselves in going on to abuse another generation of children, lie, steal or cheat their way into prison, or assume their own respectable masks to hide their real self—like their mentors

One of the most disastrous personality distortions is what is now termed the *Borderline Personality*. These people have a pervasive pattern of unstable interpersonal relationships. They fluctuate between idealizing and denigrating others, often to the extreme. They are saddled with an unstable self-image. They can mutilate themselves and threaten harm or suicide. They find themselves in the middle of outrageous angry outbursts. They feel "hollow;" at the same time, and perhaps because of their emptiness, they create havoc all around them.

needs love...I loved him/her...I am giving good instructions in sex...Priests are only human...I'm only giving them what they were asking for...She/he seduced me...etc.

Since the darkness of the doubling can't withstand the light of examination the split-priest often has to struggle with paranoid fears that he will be found out. He has to isolate himself ever more carefully from adult scrutiny and discovery.

8. **SELF DESTRUCTION:** Suicide is the ultimate act of self-destruction and there are untold numbers of men and women, violated as minors, who resort to this ultimate act of desperation. But there are other behaviors of self-torture and slow death that are the result of being sexually attacked and abused by a priest when one was a minor.

Here are some examples of the disastrous effects inflicted on the abused:

- Persons who can't continue their studies because the injury to self esteem is so fundamental that they simply are unable to muster the energy or confidence necessary to master tasks that are easily within their natural potential. Interference with education also limits earning potential.

- Persons who plunge into the world of crime because the abuse makes them feel that that is where they belong.

- Persons whose unconscious guilt over their sexual involvement (abuse by a priest or bishop) makes them feel that they are the ones who deserve punishment, so they unwittingly devise ways to defeat and humiliate themselves. They do not deserve success.

- Persons who get caught in their addictive self-medication to the degree that they run afoul of family, work, law, and impair their health and life.

- Some persons who overdose, who end up in fatal car accidents, who contract incurable diseases like AIDS, who get themselves murdered do not leave suicide notes, but their fate was sealed by their abuse. They are completing what the abusive priest or bishop began—the death of their sense of self-preservation.

Many bishops, religious superiors, and priests, abusers or not, tend to minimize the effects of abuse by a clergyman. "What's the big deal?...It was only a touch...It happened just once...They had sex with others...They knew what they were doing...Why can't they get over it?...They should just forget it...It was at least partially their fault...Christ stands for forgiveness...Why can't they forgive?...etc." I have heard every one of these justifications and more. None of these rationalizations diminish or remove the actual consequences of the inappropriate approaches and sexual interaction with a minor by a representative of religion. What is more, these attitudes demonstrate the ignorance—and blatant disregard of victims—of men in power. An unforgivable sin.

These people have been psychically injured during the earliest years of their development. Their early basic insecurity makes them particularly vulnerable to multiple kinds of psychic and physical injuries as they grow up.

Clergy pedophiles and abusers of minors prey on the vulnerable. Vulnerable families (the poor and dysfunctional), vulnerable circumstances (death or illness) or (the overly pious and dependent) can provide opportunities for clergy entrée into the homes and lives of the trusting-needy, making them targets for abuse.

The **PERSONALITY OF THE PRIEST PREDATOR:** A man with any type of personality, certainly including psychotic, can sexually abuse a minor.

No one has yet proposed that their exists one set type of person or priest who turns out to be an abuser of minors. There is no test able to predict future sexual abuse of a minor.

We have now, however, enough experience with clergy abusers that clinicians are able to outline a sketch of the priest who has abused. [12]

He tends to be *Narcissistic*. That is he tends to have a sense of self-importance and entitlement; he sees himself as special; he tends to exploit others for his own gratification. Since his needs and pleasure comes first he lacks empathy for the feelings of others.

The priest predator is an *Angry* man often with the face of a calm and gentle pastor.

Outward grace, superficial interaction, and social charm frequently cover the *Isolation* and friendlessness that an abuser feels. Of necessity (except when predators ban together to share their sexual predilection) a child sexual abuser has to hide his activity and his real self.

Sometimes the abusing priest may have been abused himself, and not rarely by a priest.

The hidden life of the priest abuser requires that he split his life into two parts: the acceptable and even exemplary public life has to be separated from (and reconciled with) the socially reprehensible and morally defective secret life he pursues.

A priest perpetrator is a torn man who can make himself feel comfortable. Priests who profess celibacy publicly and privately abuse minors know what they are doing. No matter how constrained or compelled, they make a choice. They are *Doubling*. Their priesthood, their way of life, all the benefits and security of their profession hang on their promise to be celibate. If they publicly renounce celibacy they loose everything. These men try to adapt a celibate requirement with their irreconcilable sexual urges. They pose good motives while participating in evil behavior.[13]

The rationalizations are legion. Here follows a sample of some justifications I have heard, recited by men with a straight face and a conviction that they really were celibate: "I work hard and I deserve it...Sex is natural...It doesn't hurt any body...I'm showing God's love...This child

Sexual abuse of a minor is rightfully called *Soul Murder*. Many bishops, religious superiors and priests still refuse to accept the full significance of the real consequences of molestation by clergy and persist in relegating all the disastrous effects of abuse to the category of "sin"—a willful defiance of moral laws so easily forgiven under the guise of virtue.

Roman Catholic church officials have cooperated in the process of abuse. They have selected and trained the perpetrators and protected them precisely because they minimized the effects of celibate violations, and by their neglect and inaction justified priests betraying the trust of their people. Even today the church does not take celibacy or its violation seriously in action. Documents, apologies, and words remain empty when not translated into action. Who is accountable? When St. Peter Damian in 1051 addressed Pope Leo IX about the sexual abuse of boys he held superiors responsible for their subordinates' behavior and the harm done—he spoke a truth that prevails today.

October 26,2007

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[1] (Cf. Shanta R. Dube et.al. *Long Term Consequences of Childhood Sexual Abuse by Gender of Victim*. 2005. Am J of Preventative Medicine, pp. 430-438) also (Finkelhor, D. 1986. *A Source Book on Child Sexual Abuse*, Newbury Park CA, Sage Press)

[2] (Cf. S. Freud. The Aetiology of Hysteria. 1896, Standard Edition, Vol. III.) also (J.M. Masson. The Assault on Truth. Ballantine; 20003 ed.)

[3] (Cf. S. Freud, The Mechanism of Hysterical Phenomena. Standard Edition, Vol. III, p.38)

[4] (Cf. *Obsessive Compulsive Related Disorders*. E. Hollander, the American Psychiatric Press, 1993) also (*The Obsessive Personality*. L. Salzman, Aronson, 1973)

[5] (Cf. Finkelhor, D. "What's wrong with sex between adults and children?" In Ethics and the Problem of Sexual Abuse. American Journal of Orthopsychiatry, 49, Pp. 692-697. 1979)

[6] (Cf. *Treating the Lifetime Health Effects of Childhood Victimization*. Kendall-Tackett, Ph.D., 2003)

[7](Cf. Freyd, J. et. al. "*The Science of Child Sexual Abuse*," Science, 4, 22, 2005.)

[8] (Freyd, Jennifer, *Betrayal Trauma: The Logic of Forgetting Childhood Abuse*. Harvard University Press, 1996)

[9] McCullough, Kuhn, Andrews, Kaplan, Wolf, & Hurley. *Treating Affect Phobia*. Guilford Press. 2002

[10] (Cf. Karl Menninger, "Poor Little Good Child" *A Psychiatrist's World: The Selected Papers*. New York: The Viking Press. 1959)

[11] (The classic, and most excellent description of this personality is found in *The Mask of Sanity*, Hervey Cleckley. C.V. Mosby, St. Louis, first published it in 1964. It is still in print in a 4th edition.)

[12] (Robert Jay Lifton describes this psychological dynamic that parallels what many priests employ. Cf. *The Nazi Doctors*, Basic Books, 1986).

Back to Top

Causes & Effects of Abuse

Recent stories of interest

Abuse seen as cause of suicides

Sunday, June 12, 2005
By BILL ZAJAC - The Springfield, MA Republican
wzajac@repub.com

When James E. Thibault tried to kill himself three years ago, he left a note that shocked his brother.

Thibault, then 53, revealed to his brother for the first time he was sexually abused as a child.

Thibault's brother, Kickapoo Thunder of Chicopee, won't reveal the perpetrator's name, but said it was a man in training for the priesthood who was later accused by others once he served as a priest in the Roman Catholic Diocese of Springfield.

Thibault's obituary, prepared by his family, said: "Jim was a victim of sexual assault as a child by people claiming to be Christians. Like so many of our families who have been affected so tragically, Jim could no longer live with this burden and tragically ended his life."

"It explained a lot about the trouble and pain my brother experienced in his life," Thunder said.

Several weeks ago, Thibault's remains were found along the Connecticut River after what his brother and police believe was a successful suicide attempt.

Thunder believes the suicide was the result of the sexual abuse.

Although no hard data is available, Thibault is just one of hundreds of people nationwide and a handful in Greater Springfield whose deaths are linked to clergy sexual abuse, according to family members and victim advocates.

"Sexual abuse - clergy or otherwise - is a life-and-death issue," said Janet E. Patterson of Conway Springs, Kan., who has been an advocate for clergy abuse victims since her son, Eric, killed himself at 29 in 1999.

Patterson later learned that four other men allegedly abused by her son's accused abuser also killed themselves. There would have been a sixth if a story about Patterson's son and the other men hadn't been published. "Up until the story was revealed, he thought he was the only one," said Patterson.

Patterson, who speaks to many support groups, says it is rare for a clergy abuse survivor not to suffer suicide ideation.

"A friend of mine who is a victim once said she was going to take her secret of abuse to the grave, but then she discovered her secret was taking her to the grave," Patterson said.

David Clohessy, executive director of the Survivors Network of Those Abused by Priests, believes the Catholic church should try to determine how many deaths can be linked to clergy sexual abuse. He said it could be done through annual internal and external audits.

"Victims' families want their loved ones to be counted. They want something to become of their pain. Families feel the need to recognize their pain in some meaningful way," he said.

One father, Allen Klump, believing his ex-Marine son killed himself as a result of abuse by a priest in the Diocese of St. Louis, filed a wrongful-death lawsuit against the diocese two years ago. The suit is still pending, according to Klump's lawyer, Patrick W. Noaker.

Similar suits have been filed in other states, according to various news reports.

Patterson, Clohessy and others say isolation often leads to suicide.

"The most important thing an abuse victim can do is to get help in counseling and find support," said Clohessy.

The organization's Web site displays a suicide hotline number, (800) SUICIDE (784-2433) that will connect a caller to the certified crisis center nearest the caller.

"Once someone seeks help, it is hard to imagine that it won't get better ... Sometimes I can see survivors getting better in months, not years," Clohessy said.

The Rev. James J. Scahill of East Longmeadow, a vocal critic of the Roman Catholic Diocese of Springfield's response to the clergy abuse crisis, agrees with Clohessy.

"The challenge is to get someone to counseling. I'm not a counselor. I am a friend, an advocate. I am someone trying to keep someone's oars in the water," said Scahill, who has been approached for help by many sexual abuse victims.

He said clergy abuse has its own unique effects. "Not only did these young people suffer a molestation of the body, but there was also a slaying of the spirit," Scahill said.

Greenfield lawyer John J. Stobierski, who has represented 60 or so alleged clergy abuse victims, said many victims become so depressed and despondent that suicide seems the only way to escape their pain.

"I have been on the phone many late nights trying to keep survivors alive," Stobierski said.

"The number of victims who have been suicidal at one time or another is not trivial. There is suicide when someone consciously ends their suffering. And then there is suicide by those who do it slowly with drugs, alcohol, and engaging in other risky behavior," Stobierski said.

Some survivors call it suicide "on the installment plan." Raymond J. Chelte of Chicopee believes his son Raymond J. Chelte Jr. falls into that category.

He said his son fatally overdosed on drugs four years after he was one of 17 alleged sexual abuse victims of former priest Richard Lavigne who settled a suit with the Roman Catholic Diocese of Springfield for $1.4 million in 1994.

Peter Bessone, an alleged victim of Lavigne who was part of the $1.4 settlement with other Lavigne victims in the mid 1990s, said his cousin David Bessone committed suicide more than 20 years ago because of the abuse he suffered at the hands of Lavigne.

David Bessone, who was in his mid-20s when he died, never filed a suit or reported the abuse to diocesan authorities. "He didn't want anyone to know about it. He was too ashamed. He was a teacher and didn't want to jeopardize his job," Peter Bessone said.

Clergy abuse survivor Martin P. Bono of Chicopee said he believes the death of fellow clergy abuse victim Shawn M. Dobbert last summer was a suicide.

"I don't care what the medical examiner's report says, Shawn killed himself," said Bono.

The death of Dobbert, within hours of signing papers to settle a suit against the Springfield diocese, was ruled accidental by Berkshire County Medical Examiner Dr. Benjamin Glick.

Bono said his daily thoughts of suicide were intense and frequent during more than one year of litigation with the diocese.

"At one point I had to change the route I took to work because I was fearful I was going to jump off a bridge I crossed each day," Bono said. "I had so much pain that I couldn't tell my wife and kids. I cried five to six times a day. I felt isolated and angry and saw suicide as my ticket out of it."

Therapy was the key to feeling better about life, he said.

Upon settling his suit, Bono, with the diocese's financial support, established a resource center to help victims with everything from therapy to career counseling.

He said he stills thinks about suicide, but the feelings are less intense and less frequent.

Stobierski feels that most clergy abuse victims feel victimized twice.

"First, the priest molests them. Then, they feel victimized by an institution that covered up the abuse and has not dealt with them fairly as adults," he said.

For some, Patterson said, even therapy and support from loved ones and other victims isn't enough to save them.

"This is such a traumatic thing that some can't climb out of the black hole of depression," she said.

However, Stobierski said most of his 46 clients that settled suits with the diocese last summer are emotionally healthier today.

"For those who have received a small piece of justice from the church, they have been able to gain some control of the demons of clergy abuse. Most are in better place than where they were when they first came forward to deal with it," Stobierski said.

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From: Leah McCluskey
To: [redacted]
Date: 12/9/2008 2:11 PM
Subject: Confirmation
Attachments: Leah McCluskey.vcf

Dear [redacted],

I wanted to let you know that I did receive your fax and will ensure that the Cardinal receives it no later than the end of this week.

Thank you again for your call earlier and for faxing your letter and attachments.

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
Archdiocese of Chicago
737 N. Michigan Ave., Suite 900
Chicago, Illinois 60611
Office: [312] 751-5205
Fax: [312] 751-5279
lmccluskey@archchicago.org

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From: AOC SPAM Filtering <postmaster@archchicago.org>
To:
Date: 12/9/2008 1:15 PM
Subject: BANNED File type IN MAIL TO YOU (from <[redacted]>)

BANNED File Type

The Spam Firewall found
.zip
in an email to you.

The Spam Firewall has been set to block this type of file.

**** If you were expecting a Microsoft Office/ Microsoft Word Document ****
****

The sender may be using a newer version of Microsoft Office/Word.
*** *** *** ***

Please contact the Sender and instruct them to Save the file as a
"Word 97-2003 Document" prior to sending the file.

****

P7R-8.3

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

FILE COPY

MEMORANDUM

To: Cardinal Francis George, O.M.I.

From: Santa Garcia, Secretary SG
Office for Child Abuse Investigations and Review

Date: December 10, 2008

Leah McCluskey asked me to mail you the attached paperwork for your file(s). Please call Leah at 312/ 751-5205 with any questions you may have.

Attachment(s)

Cc: Matt Hunnicutt, Director of Office of Assistance Ministry

From: Leah McCluskey
To: Hunnicutt, Matthew
CC: Flores, Mayra
Date: 12/17/2008 12:10 PM
Subject: Fwd: Re: Confirmation/[redacted]
Attachments: Leah McCluskey.vcf

Thank you Matt.

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
Archdiocese of Chicago
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>>> Matthew Hunnicutt 12/17/2008 11:46 AM >>>
I will respond. Thank you!

>>> Leah McCluskey 12/17/2008 11:34 AM >>>
Mayra and Matt,

I just received this e-mail from [redacted]. Would one of you like to respond or would you like me to...?

Thank you.

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
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Victim Statement Abstract:

This abstract replaces an e-mail from Leah McCluskey, of the Archdiocese of Chicago's Office for Child Abuse Investigations and Review, to Victim JD on December 9, 2008, in which Ms. McCluskey acknowledges receiving Victim JD's fax of the same date and assures Victim JD that she will give the faxed materials to Cardinal George this week. Victim JD responds with his updated contact information on December 17, 2008.

From: Leah McCluskey
To: Matthew Hunnicutt
Date: 12/30/2008 7:49 PM
Subject: RE: [redacted]

Great. Thanks Matt. See you in the morning.

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
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>>> Matthew Hunnicutt 12/30/08 7:32 PM >>>
Leah: I had a long talk with [redacted] last week. I can update you tomorrow. But know that we are on top of it.

Mobile email powered by Nokia Intellisync

---- Original Message ----
From: "Leah McCluskey" <lmccluskey@archchicago.org>
Date: 12/30/08 3:20 pm
To: "Mayra Flores" <mflores@archchicago.org> ; "Matthew Hunnicutt" <mhunnicutt@archchicago.org>
Subj: [redacted]
Matt and Mayra,

I picked up a message from [redacted] on 12/23 in the morning and he asked for a return phone call. I forgot to ask the two of you last Tuesday--could you please let me know if your office is working with [redacted] on something prior to me returning his call?

Thank you.

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
Archdiocese of Chicago
737 N. Michigan Ave., Suite 900
Chicago, Illinois 60611
Office: [312] 534-5205
Fax: [312] 751-5279
lmccluskey@archchicago.org

From: Matthew Hunnicutt
To: Flores, Mayra
CC: Leggdas, Kathleen; McCluskey, Leah
Date: 1/7/2009 10:23 AM
Subject: [redacted]outcome
Attachments: [redacted]01-07-08.doc

** Confidential **
Mayra: I have documented this in RADAR.

Matt Hunnicutt, M.A., L.C.S.W.
Director
Office of Assistance Ministry
Archdiocese of Chicago
(312) 534-8267

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From: Leah McCluskey
To: Hunnicutt, Matthew
Date: 1/7/2009 11:21 AM
Subject: Re: Your e-mail
Attachments: Leah McCluskey.vcf

Great. Thanks Matt.

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
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>>> Matthew Hunnicutt 1/7/2009 11:15 AM >>>
I got the sense that he's satisfied at this point. I think we're good. Thanks.

>>> Leah McCluskey 1/7/2009 10:58 AM >>>
Matt,

Thank you for the memo re: your conversation with [redacted] Should I still give him a call back--or do you think that your conversation with him covered everything?

Thanks.

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
Archdiocese of Chicago
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Office: [312] 534-5205
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Victim Statement Abstract:

This abstract replaces a series of e-mails dated October 7 through October 26, 2010 between Victim JE and Leah McCluskey of the Archdiocese of Chicago's Office for Child Abuse Investigations and Review, in which Ms. McCluskey provides details regarding the process of requesting a Supplementary Review in response to Victim JE's questions and a time to talk on the phone about this process is scheduled.

Victim Statement Abstract:

This abstract replaces a Memo to File, prepared by Leah McCluskey of the Archdiocese of Chicago's Office for Child Abuse Investigations and Review and dated October 27, 2010, summarizing a phone call placed by Ms. McCluskey to Victim JE on October 26, 2010. Ms. McCluskey spoke with Victim JE about Victim JE's continuing difficulty with the Review Board determination of insufficient reason to suspect that sexual abuse occurred in her case. Ms. McCluskey agreed to inquire of the Review Board how recent changes to the policies would affect a request for a Supplementary Review in cases where the accused is resigned or laicized.

Victim Statement Abstract:

This abstract replaces a series of e-mails dated November 1 through November 15, 2010 between Victim JE and Leah McCluskey of the Archdiocese of Chicago's Office for Child Abuse Investigations and Review, in which Ms. McCluskey requests to schedule a phone call with Victim JE to provide details regarding the new Review Board policy and process for requesting a Supplementary Review.

From: Leah McCluskey
To: Robinson, Ruth
Date: 11/16/2010 11:54 AM
Subject: Re: Phone call
Attachments: Leah McCluskey.vcf

Hi Ruth,

Thank you!

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
Archdiocese of Chicago
737 N. Michigan Ave., Suite 900
Chicago, Illinois 60611
Office: (312) 534-5205
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>>> Ruth Robinson 11/15/2010 2:54 PM >>>
Leah,
I just left a voice mail message for [redacted] around 2:45 or so. In it I requested that he call me back so that I could clarify and discuss his request.
Thanks,
Ruth

Ruth Robinson
Assistant Director
Office of Assistance Ministry
Archdiocese of Chicago
312-534-8256

>>> Leah McCluskey 11/15/2010 1:42 PM >>>
Hello Ruth,

As I shared with you earlier, I received a voice mail message today at 1:19pm from [redacted]. [redacted] identified himself as a victim of Kealy and also stated that he and Matt Hunnicutt met with Cardinal George three months ago.

[redacted] requested a return call and said that he may be reached at [redacted]

Thank you for agreeing to return [redacted]'s phone call. Please let me know if there is anything that I can assist with.

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
Archdiocese of Chicago
737 N. Michigan Ave., Suite 900
Chicago, Illinois 60611
Office: (312) 534-5205
Fax: (312) 751-5279
lmccluskey@archchicago.org

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ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-534-5254, general
312-751-8307, fax

Office for Child Abuse Investigations and Review

Review Board Meeting
Saturday, November 20, 2010 from 9:00 a.m. to 1:00 p.m.

MINUTES

Review Board Members Present:

[redacted]

Non-members Present:
Leah McCluskey, Director, Office for Child Abuse Investigations and Review
Rev. Jeffrey Grob, Cardinal's Delegate to the Review Board

I. Approval of Minutes – September 18, 2010

- Minutes approved

II. Case Reviews

Initial Review

A. [redacted]

AOC 016440

B. [redacted]

Review for Cause

C. [redacted]

D. [redacted]

AOC 016441

[redacted]

III. Request for Supplementary Review

E. In the Matter of Robert Kealy (Resigned priest 2006) – PFR- 83

The Review Board was presented with [redacted] request for a Supplementary Review of her allegation of the sexual abuse of a minor against Robert Kealy. A summary of the allegation is as follows: four incidents of abuse: [redacted]

The Board directed Ms. McCluskey to contact [redacted] and communicate that the Board is receptive to receiving the request for Supplementary Review, but the Board members have requested to know what the additional information is that [redacted] is prepared to share at this time. The Board directed that this matter be placed on the next scheduled Review Board agenda.

IV. Other Matters

- [redacted]
- The Review Board meeting scheduled for December 11, 2010 was canceled

Next scheduled meeting is Saturday, January 15, 2011 from 9:00 a.m. to 1:00 p.m.

AOC 016442

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-534-5254, general
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RECEIVED
NOV 30 2010
ARCHDIOCESE OF CHICAGO
OFFICE FOR CHILD ABUSE
INVESTIGATIONS AND REVIEW

November 22, 2010

Cardinal Francis George, O.M.I.
Archbishop of Chicago
835 N. Rush Street
Chicago, Illinois 60611-2030

Dear Cardinal George,

Please be advised that the independent Review Board met on November 20, 2010 and was presented with [redacted] request for a Supplementary Review of the matter of her allegation of the sexual abuse of a minor against Robert Kealy pursuant to Article §1104.12 of the Review Process for Continuation of Ministry. Mr. Kealy is a resigned priest of the Archdiocese of Chicago.

The Review Board made the determination that in light of the information presented, this matter should be continued to the next scheduled Review Board meeting.

If you have any questions, please feel free to contact me at (312) 534-5205.

Sincerely,

Leah McCluskey
Director, Office for Child Abuse Investigations and Review

I accept this determination

+ George
Nov 30, 2010

From: Leah McCluskey
To: [redacted]
Date: 11/23/2010 9:26 AM
Subject: Tuesday
Attachments: Leah McCluskey.vcf

Good Morning [redacted],

I hope that you are doing well.

As you know, the Review Board did meet last Saturday, November 20th. I presented to the Board your request for a Supplementary Review. The Board members asked that I inform you that they are receptive to your request, but before the Board can decide whether or not to re-open this matter, the members would need to know what the additional information is that you are prepared to share at this time. As we discussed [redacted], I am happy to schedule a time to meet in person or talk on the phone. If you prefer, I would also invite you to write to me (either e-mail or letter) in order to share the additional information.

[redacted] please let me know if you have any questions or concerns. I am in the office today and tomorrow--and we will be closed on Thursday and Friday for the Thanksgiving holiday.

Talk to you soon,

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
Archdiocese of Chicago
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Victim Statement Abstract:

This abstract replaces an e-mail, sent by Victim JD on November 29, 2010 to Ruth Robinson of the Archdiocese of Chicago's Office of Assistance Ministry, requesting that his message be forwarded to Leah McCluskey, of the Archdiocese of Chicago's Office for Child Abuse Investigations and Review, and Cardinal George. Victim JD requests additional help from the Archdiocese in dealing with the aftermath of the minor sexual abuse of Victim JD by Fr. Robert Kealy. Ms. Robinson responds by offering her contact information should Victim JD wish to further speak with the Office of Assistance Ministry.

From: Leah McCluskey
To: [redacted]
CC:
Date: 11/30/2010 9:21 AM
Subject: PFR - 83
Attachments: Leah McCluskey.vcf

Hello [redacted],

I spoke with [redacted] yesterday with regard to her request for a Supplementary Review of the matter of her allegation against Robert Kealy. The following is the e-mail that I received from her after we spoke before the end of the business day yesterday:

Hi Leah

[redacted] I am unclear if I need to give a brief statement about what I did not include in my allegation or if they want a detailed statement

[redacted]

Thanks
[redacted]

[redacted], I am sending this to you to ask if you could please respond to [redacted]'s question--and then I will communicate your response on behalf of the Board to her. For clarification purposes, I explained to [redacted] that I did not know how much "additional information" the Board would need that would determine whether or not the Supplementary Review would be granted.

Thank you.

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
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Victim Statement Abstract:

This abstract replaces a series of e-mails dated November 23 through December 3, 2010 between Victim JE and Leah McCluskey of the Archdiocese of Chicago's Office for Child Abuse Investigations and Review, in which Ms. McCluskey informs Victim JE that the Review Board met on November 20, 2010 and was receptive to her request for a Supplementary Review but wanted to know what additional information Victim JE was prepared to share. Ms. McCluskey schedules a time to talk with Victim JE on the phone to answer any questions Victim JE might have about submitting additional information to the Board. Ms. McCluskey also contacts the chair of the Review Board in order to better explain to Victim JE the extent of the additional information that would assist the Board in making a decision whether to reopen Victim JE's allegation for a Supplementary Review.

Victim Statement Abstract:

This abstract replaces a series of e-mails dated December 10, 2010 between Victim JE and Leah McCluskey of the Archdiocese of Chicago's Office for Child Abuse Investigations and Review, in which Victim JE informs Ms. McCluskey that she is working on writing a more detailed letter to the Review Board to assist in the Board's determination whether to reopen Victim JE's allegation for a Supplementary Review.

Victim Statement Abstract:

This abstract replaces a series of e-mails dated January 11 through January 14, 2011 between Victim JE and Leah McCluskey of the Archdiocese of Chicago's Office for Child Abuse Investigations and Review. Victim JE questions whether she can still submit a statement to the Review Board when they consider her request for a Supplementary Review as to her allegation against Fr. Robert Kealy. Ms. McCluskey responds in the affirmative, and Victim JE sends her statement to Ms. McCluskey to present to the Review Board on her behalf.

From: Leah McCluskey
To: [redacted]
Date: 1/14/2011 11:58 AM
Subject: Your e-mail
Attachments: Leah McCluskey.vcf

Hello [redacted],

When I sent my last e-mail to you, I had not had the chance to read your e-mail in its entirety. I just wanted to respond to your request to let you know that I had received your e-mail.

I just had the opportunity to read your entire e-mail. I want to express my appreciation to you for sharing this additional and specific information. I cannot imagine how difficult it was for you to write, but I want to thank you for doing so--and for agreeing to allow me to share this information with the Review Board.

As I mentioned in my last e-mail, I am here all afternoon and will look forward to hearing from you.

Leah

Leah McCluskey, MSW, LSW
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Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

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Chicago, Illinois 60690-1979
312-534-5254, general
312-751-8307, fax

Office for Child Abuse Investigations and Review

Review Board Meeting
Saturday, January 15, 2011 from 9:00 a.m. to 1:00 p.m.

MINUTES

Review Board Members Present:

[redacted]

Non-members Present:
Leah McCluskey, Director, Office for Child Abuse Investigations and Review
Rev. Jeffrey Grob, Cardinal's Delegate to the Review Board

I. Approval of Minutes – November 20, 2010

- Minutes approved

II. Case Reviews

Review for Cause

A. [redacted]

AOC 016451

[redacted]

III. **Request for Supplementary Review**

B. In the Matter of Robert Kealy (Resigned priest 2006) – PFR- 83

The Review Board was presented with [redacted] request for a Supplementary Review of her allegation of the sexual abuse of a minor against Robert Kealy. A summary of the allegation is as follows: four incidents of abuse: [redacted]

Ms. McCluskey provided the Review Board with a verbal overview and update of the investigation of this matter.

In light of the information presented, the Review Board determined that this matter is not reopened for a Supplementary Review. The Board requested that Ms. McCluskey speak with the Office of Assistance Ministry about possible referrals for support services for [redacted]

IV. **Other Matters**

- [redacted]
- [redacted]
- The Review Board meeting scheduled for February 22, 2011 was canceled

Next scheduled meeting is Saturday, March 19, 2011 from 9:00 a.m. to 1:00 p.m.

AOC 016452

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-534-5254, general
312-751-8307, fax

January 19, 2011

RECEIVED
JAN 26 2011
ARCHDIOCESE OF CHICAGO
OFFICE FOR CHILD ABUSE
INVESTIGATIONS AND REVIEW

Cardinal Francis George, O.M.I.
Archbishop of Chicago
835 N. Rush Street
Chicago, Illinois 60611-2030

Dear Cardinal George,

Please be advised that the independent Review Board met on January 15, 2011 and was presented with [redacted] request for a Supplementary Review of the matter of her allegation of the sexual abuse of a minor against Robert Kealy pursuant to Article §1104.12 of the Review Process for Continuation of Ministry. Mr. Kealy is a resigned priest of the Archdiocese of Chicago.

The Review Board made the determination that in light of the information presented, that this matter is not reopened for a Supplementary Review.

If you have any questions, please feel free to contact me at (312) 534-5205.

Sincerely,

Leah McCluskey
Director, Office for Child Abuse Investigations and Review

I accept this determination.
F. Bergy
Jan 30, 2011

Victim Statement Abstract:

This abstract replaces a Memo to File, prepared by Leah McCluskey of the Archdiocese of Chicago's Office for Child Abuse Investigations and Review and dated January 20, 2011, summarizing a series of phone calls between Ms. McCluskey and Victim JE between January 14 and January 19, 2011. Ms. McCluskey assured Victim JE on January 14, 2011 that, because Fr. Robert Kealy is a resigned priest, she would not be required to show him Victim JE's email of January 14, 2011 that Victim JE had agreed could be shared with the Review Board. On January 19, 2011, Ms. McCluskey informed Victim JE that the Review Board had decided not to reopen Victim JE's allegation against Fr. Kealy for a Supplementary Review.

Victim Statement Abstract:

This abstract replaces a series of e-mails dated January 19 through January 20, 2011 between Victim JE and Leah McCluskey of the Archdiocese of Chicago's Office for Child Abuse Investigations and Review, in which Victim JE expresses her frustration that the Review Board did not find reasonable cause to suspect that sexual abuse occurred in her case.

Victim Statement Abstract:

This abstract replaces a Memo to File, prepared by Leah McCluskey of the Archdiocese of Chicago's Office for Child Abuse Investigations and Review and dated January 26, 2011, summarizing a phone call placed by Ms. McCluskey to Victim JE on January 19, 2011. Ms. McCluskey informed Victim JE that the Review Board had decided not to reopen Victim JE's allegation against Fr. Kealy for a Supplementary Review.

Message:	EMA/2013/90167
From:	Leah McCluskey
To:	
Cc:	Maureen Murphy
Sent:	2/19/2013 at 12:58 PM
Received:	2/19/2013 at 12:58 PM
Subject:	Your e-mail
Attachments:	McCluskey, Leah.vcf (551 bytes)

Dear [redacted],

My name is Leah McCluskey and I am the Director of the Office for Child Abuse Investigations and Review at the Archdiocese of Chicago. It is in this office where we are forwarded all allegations of the sexual abuse of minors by priests, deacons, lay employees, and volunteers of this archdiocese.

[redacted] forwarded your February 17th e-mail to me. I also received a phone call from Cardinal George's office to let me know of the voice mail message that you left over the weekend. I want to thank you so much for your contacts with the archdiocese and want to thank you for all that you shared in your e-mail.

[redacted], I would very much like to speak with you about your reports of abuse. I would also like to share with you additional information about this office and my role. Please feel free to contact me by e-mail (lmccluskey@archchicago.org) or phone (312 534-5205).

Thank you, again, [redacted]. I look forward to hearing from you.

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
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Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-534-5254, general
312-751-8307, fax

MEMORANDUM

To: Rev. Kenneth Budzikowski, Vicar for Priests
Very Rev. John Canary, Vicar General
Christopher Cannova, Personnel Services
Colleen Dolan, Communications and Public Relations
Rev. Jeffrey Grob, Cardinal's Delegate to the Review Board
Jimmy Lago, Chancellor
Very Rev. Daniel Smilanic, Vicar for Canonical Services
Rev. Peter Snieg, Moderator of the Curia
Thomas Tharayil, Office of Assistance Ministry

From: Leah McCluskey, Office for Child Abuse Investigations and Review

Re: PFR-083 Kealy, Robert Louis / [redacted]

Date: February 19, 2013

A new allegation was received by this office today.

- Accused – Robert Kealy
  - Current status – resigned
  - Current location – N/A
  - Location/assignment of accused at time of abuse – deacon at St. Norbert
- Alleged Victim – [redacted]
  - If minor, has DCFS been called? – [redacted] is currently over the age of 18
- Any other important actions taken – I responded to [redacted]'s February 17, 2013 e-mail today and asked that she contact me. Per Mr. Kealy's Vitae, he was assigned to St. Norbert as a deacon from June 1971 through December 1971. [redacted] alleges abuse by Mr. Kealy in the late 1960s – early 1970s. [redacted]

Please review your files and forward any and all information/documentation that may be relevant to this matter to my attention within five business days of receipt of this memo.

If you have any questions or concerns, please contact me at (312) 534-5205 or lmccluskey@archchicago.org.

Attachment

Cc John O'Malley, Legal Services

Message:	EMA/2013/90523
From:	Leah McCluskey
To:	Kenneth Budzikowski
Cc:	
Sent:	2/19/2013 at 4:36 PM
Received:	2/19/2013 at 4:36 PM
Subject:	Re: HP TRIM Electronic Record : ER/2013/42953 : PFR-083 Kealy, Robert Louis /[redacted], [redacted]
Attachments:	McCluskey, Leah.vcf (551 bytes)

Thanks, Fr. Ken!

Leah

Leah McCluskey, MSW, LSW
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Chicago, Illinois 60611
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>>> Kenneth Budzikowski 2/19/2013 1:50 PM >>>
Leah,

[redacted] claims the abuse began at Our Lady of Perpetual Help School in Des Plaines. Not sure if it makes any difference, but OLPH is in Glenview, not Des Plaines.

Fr. Ken

Rev. Kenneth A. Budzikowski
Vicar for Priests
Archdiocese of Chicago
980 N. Michigan, Suite 1525
Chicago, IL 60611
Phone: 312/534-1837
Fax: 312/642-4933
kbudzikowski@archchicago.org

>>> Leah McCluskey 2/19/2013 1:05 PM >>>
FYI.

Leah

------< HP TRIM Record Information >------

Record Number : ER/2013/42953
Title : PFR-083 Kealy, Robert Louis / [redacted]

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
Archdiocese of Chicago
737 N. Michigan Ave., Suite 1220
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Message:	EMA/2013/92642
From:	Leah McCluskey
To:	Daniel Smilanic
Cc:	
Sent:	2/20/2013 at 10:55 AM
Received:	2/20/2013 at 10:55 AM
Subject:	Re: HP TRIM Electronic Record : ER/2013/42953 : PFR-083 Kealy, Robert Louis / [redacted], [redacted]
Attachments:	McCluskey, Leah.vcf (551 bytes)

Thank you, Fr. Smilanic. Fr. Ken sent a similar e-mail yesterday.

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
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>>> Daniel Smilanic 2/19/2013 4:38 PM >>>
Among other things, Our Lady of Perpetual Help is the parish in eastern Glenview, almost on Waukegan Road - not DesPlaines.
Fr. S

>>> Leah McCluskey 2/19/2013 1:05 PM >>>
FYI.

Leah

------< HP TRIM Record Information >------

Record Number : ER/2013/42953
Title : PFR-083 Kealy, Robert Louis / [redacted]

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
Archdiocese of Chicago
737 N. Michigan Ave., Suite 1220
Chicago, Illinois 60611
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Message:	EMA/2013/95839
From:	Thomas Tharayil
To:	Leah McCluskey
Cc:	
Sent:	2/21/2013 at 11:10 AM
Received:	2/21/2013 at 11:10 AM
Subject:	Re: Fwd: Hello
Attachments:	TEXT.htm (4 KB)

Thanks Leah. Tom

Thomas P. Tharayil LCSW, BCD
Director, Office of Assistance Ministry
Archdiocese of Chicago

>>> Leah McCluskey 2/21/2013 9:44 AM >>>
Hi Tom,

Just wanted to send this your way as an FYI. [redacted]'s original allegation was against Robert Kealy, a resigned priest of the AOC. After speaking with [redacted] yesterday, she alleges physical and emotional abuse by nuns as well as sexual abuse by a lay [redacted] teacher. I will be opening and circulating those two additional files today.

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
Archdiocese of Chicago
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>>> Leah McCluskey 2/21/2013 9:37 AM >>>
Good Morning [redacted],

I hope that you are well.

I wanted to thank you again for your time on the phone yesterday. As we discussed, I am in the process of identifying the appropriate individual in the community of nuns who were at Our Lady of Ransom when you were a student there in the 1960s. I am also working on identifying the [redacted] teacher at Our Lady of Ransom during the time frame you identified. I will get back to you with this information once I have it.

I wanted to provide you with a link to the Office for Child Abuse Investigations and Review. The web site will provide you with additional information about this office and my role:

http://www.archchicago.org/departments/ocair/ocair.shtm

As I mentioned in our phone conversation yesterday, I also wanted to provide you with the link to the Office of Assistance Ministry:
http://www.archchicago.org/departments/assistance_ministry/assistance_ministry.shtm

[redacted], I hope that this information is helpful to you. Please do not hesitate to contact me with any additional questions or concerns. As we discussed, I ask that you please let me know if you would like to schedule a time to meet so that you may formalize your allegation against Robert Kealy.

Thank you again, [redacted].

Peace,

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
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Message:	EMA/2013/175838
From:	Peggy Lavelle
To:	Leah McCluskey
Cc:	
Sent:	2/21/2013 at 4:51 PM
Received:	2/21/2013 at 4:51 PM
Subject:	Re: School records request
Attachments:	TEXT.htm (1 KB)

Hi Leah

I'll get this to you tomorrow - today kinda backed up on me. I hope that's all right.

Thanks
peggy

>>> Leah McCluskey 2/21/2013 9:42 AM >>>
Hi Peggy,

I'm working on a new case and was wondering if I could get the school records for a former student from a closed school. The student's information:
[redacted]
DOB - [redacted]
Our Lady of Ransom School
attended [redacted] (approximately 1964 - 1967)

Thank you!

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
Archdiocese of Chicago
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Message:	EMA/2013/99709
From:	[redacted]
To:	Leah McCluskey
Cc:	
Sent:	2/25/2013 at 9:35 AM
Received:	2/25/2013 at 9:35 AM
Subject:	Re: Hello
Attachments:	Mime.822 (5 KB)

My email is [redacted]. This will go to my phone while I am out of town. [redacted]

-----Original Message-----
From: Leah McCluskey
Sent: Thursday, February 21, 2013 9:37 AM
To: [redacted]
Subject: Hello

Good Morning [redacted],

I hope that you are well.

I wanted to thank you again for your time on the phone yesterday. As we discussed, I am in the process of identifying the appropriate individual in the community of nuns who were at Our Lady of Ransom when you were a student there in the 1960s. I am also working on identifying the [redacted] teacher at Our Lady of Ransom during the time frame you identified. I will get back to you with this information once I have it.

I wanted to provide you with a link to the Office for Child Abuse Investigations and Review. The web site will provide you with additional information about this office and my role:
http://www.archchicago.org/departments/ocair/ocair.shtm

As I mentioned in our phone conversation yesterday, I also wanted to provide you with the link to the Office of Assistance Ministry:
http://www.archchicago.org/departments/assistance_ministry/assistance_ministry.shtm

[redacted], I hope that this information is helpful to you. Please do not hesitate to contact me with any additional questions or concerns. As we discussed, I ask that you please let me know if you would like to schedule a time to meet so that you may formalize your allegation against Robert Kealy.

Thank you again, [redacted].

Peace,

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
Archdiocese of Chicago
737 N. Michigan Ave., Suite 1220
Chicago, Illinois 60611
Office: (312) 534-5205
Fax: (312) 751-5279
lmccluskey@archchicago.org

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ARCHDIOCESE OF CHICAGO

Office of Legal Services
John C. O'Malley
Director

e-mail: jomalley@archchicago.org

Post Office Box 1979
Chicago, Illinois 60690-1979

TEL (312) 534-5379
FAX (312) 534-5252

March 1, 2013

RECEIVED

MAR 0 4 2013

ARCHDIOCESE OF CHICAGO
OFFICE FOR CHILD ABUSE
INVESTIGATIONS AND REVIEW

Ms. Shauna Boliker
First Assistant State's Attorney
Cook County State's Attorney Office
69 W. Washington, Suite 3200
Chicago, Illinois 60602

RE: Kealy, Deacon Robert / [redacted] (File A)
Sr. [redacted] / [redacted] (File B)
Unknown [redacted] Teacher / [redacted] (File C)
Our File Number: 2013SC0007
Date of Birth: Unknown
Date of Incident: Mid-to-late 1960's; early 1970's
Location of Incident: St. Norbert (A); Our Lady of Ransom (B) and (C)

Dear Ms. Boliker:

Please be advised that the Archdiocese of Chicago's Office for Child Abuse Investigations and Review has received notice from [redacted] that she was sexually abused by then Deacon Robert Kealy and Sr. [redacted] at the above locations over a period of time. She also alleges physical abuse by a [redacted] teacher during the same time period. We have no additional information at this time.

Please let us know if you would like to contact [redacted], and we will provide contact information.

If our office can provide any additional information, or be of any further help, please let me know.

Very truly yours,

John C. O'Malley
Director of Legal Services

JCOM:tm

cc: Ms. Womazetta Jones, DCFS
Deputy Director of the Division of Child Protection
Ms. Leah McCluskey
Mr. James A. Serritella

AOC 016468

Victim Statement Abstract:

This abstract replaces a series of e-mails between Leah McCluskey, of the Archdiocese of Chicago's Office for Child Abuse Investigations and Review, and Victim JF dated between February 21 and March 3, 2013, in which Ms. McCluskey follows up on a phone conversation with Victim JF on February 20 with additional information about the process of formalizing an allegation of minor sexual abuse against Fr. Robert Kealy and schedules a meeting with Victim JF and a representative of the Office of Assistance Ministry for March 7th or 8th.

ARCHDIOCESE OF CHICAGO

Office of Legal Services
John C O'Malley
Director

e-mail. jomalley@archchicago.org

Post Office Box 1979
Chicago, Illinois 60690-1979

TEL (312) 534-5379
FAX (312) 534-5252

March 4, 2013

CORRECTION

Ms. Shauna Boliker
First Assistant State's Attorney
Cook County State's Attorney Office
69 W. Washington, Suite 3200
Chicago, Illinois 60602

RECEIVED

MAR 07 2013

ARCHDIOCESE OF CHICAGO
OFFICE FOR CHILD ABUSE
INVESTIGATIONS AND REVIEW

RE: Kealy, Deacon Robert / [redacted] (File A)
Sr. [redacted] / [redacted] (File B)
Unknown [redacted] Teacher / [redacted] (File C)
Our File Number: 2013SC0007
Date of Birth: Unknown
Date of Incident: Mid-to-late 1960's; early 1970's
Location of Incident: St. Norbert (A); Our Lady of Ransom (B) and (C)

Dear Ms. Boliker:

Please be advised that the Archdiocese of Chicago's Office for Child Abuse Investigations and Review has received notice from [redacted] that she was sexually abused by then Deacon Robert Kealy and an unknown [redacted] teacher at the above locations over a period of time. [redacted] also alleges psychological abuse by Sr. [redacted] during the same time period. We have no additional information at this time.

Please let us know if you would like to contact [redacted], and we will provide contact information.

If our office can provide any additional information, or be of any further help, please let me know.

Very truly yours,

John C. O'Malley
Director of Legal Services

JCOM:tm

cc: Ms. Womazetta Jones, DCFS
Deputy Director of the Division of Child Protection
Ms. Leah McCluskey
Mr. James A. Serritella

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-534-5254, general
312-751-8307, fax

March 19, 2013

[redacted]

Dear [redacted],

I hope that this letter finds you and your family doing well.

Enclosed you will find a draft report of your allegations of sexual abuse against Sr. [redacted], an unknown [redacted] teacher, and Robert Kealy. The report is based upon our meeting that took place on March 7, 2013. Thank you again for allowing Mr. Tom Tharayil and me to meet with you.

I ask that you review the report and make any additions and/or changes necessary to ensure its accuracy. Please return the draft to me with any changes. I will then return a final report to you for your signature. Once all signatures are provided, I will return a copy of the final report to you.

[redacted], in the interest of continuing to expedite this process, I ask that you please return the enclosed report with your changes by April 4, 2013. I have included a self-addressed, stamped envelope for you to return the report to me. Please know that you may also respond by April 4th with a written request for a two-week extension to review the report, to then be returned to me by April 18th. I have noted this time frame so that these matters may continue forward.

If you have any questions or concerns, please feel free to contact me at (312) 534-5205 or lmccluskey@archchicago.org.

Sincerely,

Leah McCluskey
Director, Office for Child Abuse Investigations and Review

Enclosure

Victim Statement Abstract:

This abstract replaces a cover memo, prepared by Leah McCluskey of the Archdiocese of Chicago's Office for Child Abuse Investigations and Review and dated March 19, 2013, and an attached transcript of a meeting between Ms. McCluskey; Tom Tharayil of the Office of Assistance Ministry; and Victim JF in which Victim JF details her allegation of sexual abuse by Fr. Robert Kealy when Victim JF was a minor. According to Victim JF, the abuse occurred when she was in the 4th grade at St. Norbert parish in Northbrook, Illinois, in approximately 1970, and consisted of weekly instances of Fr. Kealy reaching under Victim JF's skirt. Victim JF alleges that Fr. Kealy did this with numerous other girls as well, including Victim JF's sister.

Message:	EMA/2014/42230
From:	Leah McCluskey
To:	Ruth Robinson, Thomas Tharayil
Cc:	
Sent:	1/27/2014 at 11:29 AM
Received:	1/27/2014 at 11:29 AM
Subject:	Re: PFR-083 Kealy, Robert Louis / [redacted]
Attachments:	McCluskey, Leah.vcf (551 bytes)

Hi Ruth,

How about 11a today?

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
Archdiocese of Chicago
P.O. Box 1979
Chicago, Illinois 60690-1979
Office: (312) 534-5205
Fax: (312) 751-5279
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>>> Ruth Robinson 1/24/2014 4:34 PM >>>
Hi Leah,

I will be available throughout the day from 11:00 AM on Monday, 1/27/14. I will be available all day on Tuesday, 1/28/14, as well. Please let me know the time and the day that is most convenient for you.

Thanks,
Ruth

Ruth Robinson
Assistant Director
Office of Assistance Ministry
Archdiocese of Chicago
312-534-8256

>>> Leah McCluskey 1/24/2014 9:45 AM >>>
Hi Tom,

Sounds good.

Ruth - just let me know when you would like to call [redacted].

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
Archdiocese of Chicago
P.O. Box 1979
Chicago, Illinois 60690-1979
Office: (312) 534-5205
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>>> Thomas Tharayil 1/23/2014 2:53 PM >>>
Hi Leah,
Since Ruth recalls having had contact with him, I would suggest that she be a part of this call with you. Thanks, Tom

Thomas P. Tharayil LCSW, BCD
Director, Office of Assistance Ministry
Archdiocese of Chicago
P.O. Box 1979
Chicago, Illinois, 60690-1979
(312) 534-8267

>>> Leah McCluskey 1/23/2014 2:11 PM >>>
Hi Tom,

As you know, I returned a call yesterday to [redacted] ([redacted]). [redacted] formalized his allegation against Robert Kealy in 2001 and the allegation was substantiated.

[redacted] spoke of seeing the media's coverage of the document release in the newspaper and wanted to know if his files were included. I informed [redacted] that Robert Kealy is not one of the 30 priests on the list of those priest files released and therefore, no information related to [redacted] was included in the release.

[redacted]

I told [redacted] that I would share his request with you and Ruth in the Office of Assistance Ministry. [redacted]

I would be happy to be a part of a phone call with you/Ruth to return [redacted]'s call.

Thanks.

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
Archdiocese of Chicago
P.O. Box 1979
Chicago, Illinois 60690-1979
Office: (312) 534-5205
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Victim Statement Abstract:

This abstract replaces a series of e-mails between Leah McCluskey, of the Archdiocese of Chicago's Office for Child Abuse Investigations and Review, and Victim JE dated between January 27 and February 3, 2014, in which Ms. McCluskey answers Victim JE's questions regarding the release of documents by attorney Jeff Anderson and assures Victim JE that Fr. Robert Kealy was not one of the priests whose documents were released through the mediation process, and therefore Victim JE's identity and story are not contained in the set of documents released. Ms. McCluskey also forwards part of the e-mail chain to Tom Tharayil of the Office of Assistance Ministry in case Victim JE should contact that office.