

1 *Protocol Regarding Available Non-Penal Restrictions on Bishops*

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3 1. During his Apostolic Journey to the United States, Pope Francis spoke these words to victims  
4 of sexual abuse by members of the clergy, words that must urgently become and remain our  
5 own: “I deeply regret that some bishops failed in their responsibility to protect children. It is  
6 very disturbing to know that in some cases bishops even were abusers. I pledge to you that  
7 we will follow the path of truth wherever it may lead. Clergy and bishops will be held  
8 accountable when they abuse or fail to protect children.”<sup>1</sup>

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10 Immediately following the meeting with victims, Pope Francis addressed these words to  
11 bishops:

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13 I am deeply pained by the stories, the sufferings and the pain of minors who were  
14 sexually abused by priests. I continue to be ashamed that persons charged with the tender  
15 care of those little ones abused them and caused them grave harm. I deeply regret this.  
16 God weeps.<sup>2</sup>

17  
18 Pope Francis went on to say that the crime of sexual abuse of minors may no longer be kept  
19 hidden and he has committed to ensure that the Church makes every effort to protect minors, and  
20 promised that those responsible will be held to account. He likewise said,  
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<sup>1</sup> Francis, Meeting with Survivors of Sexual Abuse, September 27, 2015: *Origins* 45/19 (October 8, 2015) 341.

<sup>2</sup> Francis, Meeting with Bishops Taking Part in the World Meeting of Families, September 27, 2015: *Origins* 45/19 (October 8, 2015) 341.

22 Survivors of abuse have become true heralds of hope and ministers of mercy; humbly we  
23 owe our gratitude to each of them and to their families for their great courage in shedding  
24 the light of Christ on the evil sexual abuse of minors.<sup>3</sup>

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26 In issuing this Protocol, we affirm that the vast majority of bishops emeriti exercised their  
27 episcopal ministry with pastoral charity and for the good of the Church. Indeed, we echo the  
28 words of St. John Paul II that, “The whole Church has great respect for these our dear Brothers  
29 who are still important members of the College of Bishops, and is grateful for the pastoral  
30 service which they rendered and continue to render by putting their wisdom and experience at  
31 the disposal of the community.”<sup>4</sup>

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33 At the same time, situations may arise that will require a diocesan bishop to take appropriate  
34 action for the good of souls, including the protection of victims, or for the unity of the local  
35 Church.

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37 [T]hrough his paternal and watchful care, the Bishop cannot ignore or leave undone the  
38 task of holding up to the world the great truth of a holy and chaste Church, in her  
39 ministers and in her faithful. When situations of scandal arise, especially on the part of  
40 the Church’s ministers, the Bishop must act firmly and decisively, justly and serenely. In  
41 these lamentable cases, the Bishop is required to act promptly, according to the

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<sup>3</sup> Ibid.

<sup>4</sup> John Paul II, Post-Synodal Apostolic Exhortation, *Pastores Gregis*, October 16, 2003, no. 59.

42 established canonical norms, for the spiritual good of the persons involved, for the  
43 reparation of scandal, and for the protection and assistance of the victims.<sup>5</sup>

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45 2. This Protocol provides for a manner of accountability for a bishop emeritus who resigned or  
46 was removed from his ecclesiastical office due to grave acts of commission or omission as  
47 stipulated in the Code of Canon Law, the motu proprio *Sacramentorum sanctitatis tutela*, the  
48 motu proprio *As a Loving Mother*, and the motu proprio *Vos estis lux mundi*, or who  
49 subsequent to his resignation is found by competent ecclesiastical authority to have so acted  
50 or failed to act.<sup>6</sup>

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52 This form of accountability would be implemented by the diocesan bishop who is his  
53 successor, a diocesan bishop in whose jurisdiction the bishop emeritus resides or in which he  
54 seeks to minister, or by the episcopal conference, within the existing limits of their authority,  
55 and in light of any measures already imposed by the Apostolic See.

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57 3. The term “bishop emeritus” in this Protocol refers to any bishop (e.g., diocesan bishop,  
58 coadjutor bishop, auxiliary bishop) whose resignation from office has been accepted by the  
59 Holy Father due to age,<sup>7</sup> or for a grave cause,<sup>8</sup> or who was removed from his office by the

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<sup>5</sup> Congregation for Bishops, *Directory for the Pastoral Ministry of Bishops “Apostolorum Successores,”* February 22, 2004, no. 44.

<sup>6</sup> Francis, motu proprio *As a Loving Mother*, Art. 1 §1, June 4, 2016: *AAS* 108 (2016) 715. English translation in *Origins* 46/9 (June 30, 2016) 132: “through negligence committed or through omission facilitated acts that have caused grave harm to others, either to physical persons or to the community as a whole. The harm may be physical, moral, spiritual or through the use of patrimony.”

<sup>7</sup> CIC, c. 401 §1.

<sup>8</sup> CIC, c. 401 §2.

60 Holy Father for similar reasons, or who subsequent to his resignation is found by competent  
61 ecclesiastical authority to have so acted or failed to act. When an issue relates to a bishop  
62 emeritus who remains a member of the College of Cardinals, the diocesan bishop concerned  
63 will confer directly with the Apostolic Nuncio regarding the needs of the local Church and  
64 the exercise of any rights in law by that bishop emeritus.

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66 4. The *Directory for the Pastoral Ministry of Bishops* stipulates that, “The relationship between  
67 the diocesan Bishop and the Bishop Emeritus should be marked by a fraternal spirit which  
68 flows from their membership in the one episcopal college, from their common apostolic  
69 mission, and also from their shared affection for the particular Church.”<sup>9</sup> It then emphasizes a  
70 particular witness to this fraternal relationship when it says:

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72 For his part, the Bishop Emeritus will be careful not to interfere in any way, directly or  
73 indirectly, in the governance of the diocese. He will want to avoid every attitude and  
74 relationship that could even hint at some kind of parallel authority to that of the diocesan  
75 Bishop, with damaging consequences for the pastoral life and unity of the diocesan  
76 community. To this end, the Bishop Emeritus always carries out his activity in full  
77 agreement with the diocesan Bishop and in deference to his authority. In this way all will  
78 understand clearly that the diocesan Bishop alone is the head of the diocese, responsible  
79 for its governance.<sup>10</sup>

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<sup>9</sup> *Directory for the Pastoral Ministry of Bishops*, no. 226.

<sup>10</sup> *Ibid.*

81 Therefore, in cases where a bishop emeritus's resignation or removal was due to the sexual  
82 abuse of a minor, sexual misconduct with an adult or grave negligence of office,<sup>11</sup> or where  
83 subsequent to his resignation he was found by competent ecclesiastical authority to have so  
84 acted or failed to act, the diocesan bishop can, within the limits of canon law, restrict the  
85 bishop emeritus's public ministry in the local Church. In such circumstances, the diocesan  
86 bishop, who is responsible for the affairs of the diocese, should also seek the cooperation of  
87 the bishop emeritus. Moreover, the bishop emeritus will at all times agree to adhere fully to  
88 all requests and directives of the diocesan bishop regarding his life and ministry inside and  
89 outside of the diocese of residence. The diocesan bishop will advise the bishop emeritus that  
90 the measures are for the good of those who have been harmed, the good of the bishop  
91 emeritus himself, the good of the Church, and the common good of all persons.

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93 5. Should the bishop emeritus not agree to do so, however, the diocesan bishop can take  
94 measures within his competence, and strongly request further and swift intervention from the  
95 Apostolic See regarding matters outside his competence.

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97 6. In all cases, the diocesan bishop will duly cooperate with civil authorities, including any  
98 reporting required by laws of the state, and will promptly notify the Apostolic See through  
99 the Apostolic Nuncio of all such steps.

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101 7. In addition, the diocesan bishop will inform the bishop emeritus that public notice will be  
102 given of the situation and of any measures accepted by or applied to the bishop emeritus,  
103 recalling the promise of Pope Francis that those responsible will be held accountable. Prior to  
104 issuing such public notice, the diocesan bishop will inform the Apostolic Nuncio of his

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<sup>11</sup> In cases where the sexual abuse of a minor was involved, *Sacramentorum sanctitatis tutela*, Art. 1 §2 applies.

105 communications with the bishop emeritus, and will confer with the Apostolic Nuncio on the  
106 measures to be imposed. They may include a statement to the effect that the bishop emeritus  
107 does not represent the diocese in any fashion or act on its behalf, and he is not to make public  
108 statements about alleged offenses, since these could result in further harm to victims or be  
109 detrimental to the faithful. The diocesan bishop is likewise to inform his brother bishops of  
110 the matter through the President of the USCCB.

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112 8. Although a bishop emeritus possesses the canonical right to preach the Word of God  
113 everywhere, a diocesan bishop can expressly forbid it in particular cases within his diocese.<sup>12</sup>  
114 The diocesan bishop concerned can also request that the competent Dicastery of the  
115 Apostolic See extend this prohibition more broadly or deny the exercise of the right entirely.

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117 9. The bishop emeritus also possesses the canonical right to administer the sacraments in accord  
118 with the provisions of universal law. However, a diocesan bishop can prohibit the bishop  
119 emeritus from conferring the sacrament of confirmation within the diocese by stating  
120 expressly that he has no permission to do so.<sup>13</sup>

121  
122 The bishop emeritus possesses by law the faculty of hearing the confessions of the faithful  
123 anywhere in the world. Nevertheless, a diocesan bishop can deny this even to a bishop  
124 emeritus in a particular case.<sup>14</sup> He can also request that the Apostolic See extend this  
125 restriction more broadly.

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<sup>12</sup> CIC, can. 763.

<sup>13</sup> See CIC, can. 886 §2.

<sup>14</sup> CIC, can. 967 §1, with due regard for the provision of CIC, can. 976.

127 The bishop emeritus can be denied the delegation necessary to witness marriages.<sup>15</sup>

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129 10. As the case may warrant, and within the limits of canon law, the diocesan bishop can request

130 of the bishop emeritus, in writing, that he refrain from the public celebration of other

131 sacraments or rites of the Church and, should the bishop emeritus refuse, the diocesan bishop

132 can seek the intervention of the Apostolic See.

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134 11. The bishop emeritus possesses certain canonical rights in relation to the particular Church.

135 These, too, should always be exercised or fulfilled in the spirit of the fraternal bond that

136 unites the diocesan bishop and the bishop emeritus in service to the Church and the faithful.

137 This again includes adherence on the part of the bishop emeritus to the requests or directives

138 of the diocesan bishop.

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140 a) “The Bishop Emeritus, if he so desires, may continue to live within the boundaries of

141 the diocese which he served. If he has not made his own arrangements, the diocese

142 must provide him with suitable accommodation.”<sup>16</sup> However, the diocesan bishop can

143 provide specific accommodations in light of local circumstances and the situation of

144 the bishop emeritus. Moreover, should the pastoral good of the diocese or the bishop

145 emeritus himself demand it, the diocesan bishop can request that the Apostolic See

146 provide that the bishop emeritus reside outside of the diocese.<sup>17</sup>

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<sup>15</sup> See CIC, can. 1108 §1.

<sup>16</sup> *Directory for the Pastoral Ministry of Bishops*, no. 228 a). See also CIC, can. 402 §1.

<sup>17</sup> CIC, can. 402 §1.

148           b) The diocesan bishop should advise the bishop emeritus regarding his sustenance and  
149           retirement benefits. “The Bishop Emeritus has the right to receive sustenance from  
150           the diocese in which he served.”<sup>18</sup> The USCCB has issued *Guidelines for the*  
151           *Provision of Sustenance to Bishops Emeriti*. This text is not normative. It is meant to  
152           be a resource for the diocesan bishop in determining suitable sustenance in light of  
153           the particular circumstances of the diocese and the bishop emeritus. Thus, the  
154           diocesan bishop can adjust the benefits given to a bishop emeritus. For instance, the  
155           diocesan bishop can decide that no funding for travel or secretarial assistance is to be  
156           provided.

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158           c) “The Bishop Emeritus has the right to be buried in his own cathedral church or, if he  
159           is a religious, in a cemetery belonging to his institute.”<sup>19</sup> However, the diocesan  
160           bishop will prudently decide based on local circumstances where the bishop emeritus  
161           will be buried.

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163   12. Regarding the participation of the bishop emeritus in this Episcopal Conference,  
164   although the USCCB Statutes do not categorize bishops emeriti as members of the Conference,<sup>20</sup>  
165   they “are encouraged and invited to attend all sessions of the Plenary Assembly and to make

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<sup>18</sup> *Directory for the Pastoral Ministry of Bishops*, no. 228 b). See also CIC, can. 402 §2.

<sup>19</sup> *Directory for the Pastoral Ministry of Bishops*, no. 228 d). See also CIC, can. 1242.

<sup>20</sup> The USCCB Statutes, in Article II, a) are clear on the membership of the conference. Article II, a) contains an exhaustive list of these members:

1) Bishops of the Latin and Eastern Catholic Churches who are diocesan and eparchial bishops, coadjutors, or auxiliaries in the service of the particular Churches in the United States or the U.S. Virgin Islands and who belong to no other episcopal conference (c. 450 §1; AS [*Apostolos Suos*] 17);



166 available to the Conference their special wisdom and experience by speaking to issues at hand  
167 (AS 17).” The President of the USCCB, in consultation with the Administrative Committee, can  
168 instruct the General Secretary that a bishop emeritus who resigned or was removed from his  
169 office due to sexual abuse of minors, sexual misconduct with adults, or grave negligence in  
170 office, or who subsequent to his resignation was found to have so acted or failed to act, is not to  
171 be invited to attend the Plenary Assembly or to serve on any USCCB body.

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2) Bishops who are performing a special work entrusted to them by the Episcopal Conference or by the Apostolic See in the service of the Church in the United States or its territories and who belong to no other episcopal conference (AS 17);

3) Those equivalent to diocesan and eparchial bishops in law (CIC, cc. 381, 368; CCEO, cc. 178, 313).

1 *Affirming Our Episcopal Commitments*

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3 *Thus should one regard us: as servants of Christ*  
4 *and stewards of the mysteries of God. Now it is of course*  
5 *required of stewards that they be found trustworthy (1 Cor 4:1-2).*  
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8 The authority and responsibilities of a bishop arise fundamentally from the grace of the  
9 sacrament of Holy Orders. For the bishop to exercise his authority and responsibilities properly,  
10 however, he must be conformed to the heart of Christ, who “humbled himself” for our sake (Phil  
11 2:8). “In the exercise of sacred power, the bishop must show himself to be rich in humanity in  
12 imitation of Jesus, the perfect man. To this end, his conduct should radiate those virtues and  
13 human gifts which arise from charity and are rightly valued in our society. These gifts and  
14 human virtues bear fruit in pastoral prudence, in wise care of souls and in good governance”  
15 (*Apostolorum successores*, 2004, no. 47).  
16

17 In keeping with the promises made at his episcopal ordination, a bishop is to guide others  
18 to holiness, to welcome the stranger, the poor, and all those in need. He is to act as a good  
19 shepherd, especially attentive to those on the peripheries. Some bishops have failed in keeping  
20 to these promises by committing acts of sexual abuse or sexual misconduct themselves. Others  
21 have failed by not responding morally, pastorally, and effectively to allegations of abuse or  
22 misconduct perpetrated by other bishops, priests and deacons. Because of these failures, the  
23 faithful are outraged, horrified, and discouraged.  
24

25 We, the bishops of the United States, have heard the anger expressed by so many within  
26 and outside of the Church over these failures. The anger is justified; it has humbled us,  
27 prompting us into self-examination, repentance, and a desire to do better. We will continue to  
28 listen.  
29

30 Today, in a spirit of pastoral responsibility and contrition, we affirm once more the  
31 commitments we made when we were ordained bishops, including the commitments to respond  
32 directly and appropriately to cases of sexual abuse of minors or vulnerable persons, sexual

33 misconduct, and the mishandling of such cases by bishops. “This responsibility falls, above all,  
34 on the successors of the Apostles... and demands from [us] a commitment to follow closely the  
35 path of the Divine Master” (*Vos estis lux mundi*, 2019, preamble).

36

37 1. We will continue to reach out to the victims/survivors of sexual abuse by the clergy and their  
38 families in support of their spiritual and emotional well-being. Realizing that we might not  
39 always be the best suited to offer such care, we will do all that is within our authority and  
40 ability to help victims/survivors find the care and healing they need.

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42 2. We pledge our full support for and adherence to the provisions outlined in the Holy Father’s  
43 Apostolic Letter *Motu Proprio, Vos estis lux mundi*, which holds bishops accountable to  
44 higher moral standards because the pastoral care of the faithful has been entrusted to them.

45

46 3. We will promote and disseminate widely – in our churches, seminaries, diocesan or eparchial  
47 newspapers, parish bulletins, websites, social media, and other appropriate venues –  
48 information on how a person can report to an independent, third-party entity any instances of  
49 the sexual abuse of a minor or vulnerable persons by a bishop. While safeguarding  
50 confidentiality of all persons involved, every effort will be made toward transparency and  
51 keeping the person submitting the report, and when permitted the accused, apprised of the  
52 status of the case.

53

54 4. We are also committed, when we receive or when we are authorized to investigate such  
55 cases, to include the counsel of lay men and women whose professional backgrounds are  
56 indispensable.

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58 5. We will amend, where necessary, our diocesan or eparchial codes of conduct for ministers so  
59 that they state unequivocally that they apply to bishops as well as to all those serving the  
60 Church in our diocese or eparchy.

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62 6. We will also make sure that these codes of conduct contain clear explanations as to what  
63 constitutes sexual misconduct with adults as well as what constitutes sexual harassment of  
64 adults.

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66 7. Both our Baptism and ordination call us to chaste living. We will be always mindful that  
67 there can be no “double life,” no “special circumstances,” no “secret life” in the practice of  
68 chastity.

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8. “The bishop cannot ignore or leave undone the task of holding up to the world the great truth of a holy and chaste Church, in her ministers and in her faithful. When situations of scandal [and sin] arise, especially on the part of the Church’s ministers,” we promise to “act firmly and decisively, justly and serenely” (*Apostolorum successores*, no. 44). We commit ourselves “to ensuring that those who state that they have been harmed, together with their families, are to be treated with dignity and respect, and, in particular, are to be: welcomed, listened to and supported, including through provision of specific services; offered spiritual assistance; offered medical assistance, including therapeutic and psychological assistance, as required by the specific case” (*Vos estis lux mundi*, art. 5, §1).

We understand “scandal” not only in terms of how such allegations damage the image of the Church, but more so in how such sinful behavior injures the victim and causes others to lose faith in the Church. Our first response will be to provide for the pastoral care of the person who is making the allegation, as well as follow the established church and civil procedures to investigate. This will be done in cooperation with lay experts and civil authorities.

9. We will “participate, whenever possible, in formation gatherings arranged by various ecclesial bodies” (*Apostolorum successores*, no. 54), especially those offered by the USCCB, in regard to best practices in preventing and dealing with sexual abuse of minors and vulnerable persons, and sexual misconduct with or sexual harassment of adults, seeking the help of experts in these fields.

10. Finally, when proposing names for the office of bishop, we will offer candidates truly suitable for the episcopacy. “For a bishop as God’s steward must be blameless, not arrogant, not irritable, not a drunkard, not aggressive, not greedy for sordid gain, but hospitable, a lover of goodness, temperate, just, holy, and self-controlled...” (Titus 1:7-8).

In his personal letter to the U.S. bishops in January 2019, Pope Francis reminded us that the consequences of our failures cannot be fixed by being administrators of new programs or committees. They can only be resolved by humility, listening, self-examination, and conversion. It is our hope that by obeying the Word of God and embracing what the Church expects of us, we will imitate Christ, the Good Shepherd.

1 Directives for the Implementation  
2 of the Provisions of *Vos estis lux mundi*  
3 Concerning Bishops and their Equivalents  
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6 In the preamble to his Apostolic Letter issued *motu proprio Vos estis lux mundi*,  
7 Pope Francis states: “The crimes of sexual abuse offend Our Lord, cause physical,  
8 psychological and spiritual damage to the victims and harm the community of the  
9 faithful. In order that these phenomena, in all their forms, never happen again, a  
10 continuous and profound conversion of hearts is needed, attested by concrete and  
11 effective actions that involve everyone in the Church.” The responsibility to prevent and  
12 confront such crimes in the Church, the Holy Father further declares, “falls, above all, on  
13 the successors of the Apostles, chosen by God to be pastoral leaders of his People, and  
14 demands from them a commitment to follow closely the path of the Divine Master.”

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16 Recognizing the desire of Pope Francis that “this commitment be implemented in  
17 a fully ecclesial manner,” the bishops of the United States reaffirm that, “While bishops  
18 are ordained primarily for their diocese or eparchy, we are called as well to protect the  
19 unity and to promote the common discipline of the whole Church (CIC, c. 392; CCEO, c.  
20 201). Participating in the college of bishops, each bishop is responsible to act in a manner  
21 that reflects both effective and affective collegiality.”<sup>1</sup>  
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<sup>1</sup> USCCB, *A Statement of Episcopal Commitment*, in *Charter for the Protection of Children and Young People* (Washington, DC: United States Conference of Catholic Bishops, 2018), 38.

23           These supplemental directives establish how the bishops in the United States of  
24 America<sup>2</sup> ought to implement *Vos estis lux mundi* with respect to the receipt of reports  
25 and the investigation of the conduct referred to in Article 1<sup>3</sup> concerning bishops and those  
26 equivalent to bishops in canon law. Moreover, for the purposes of these directives, a  
27 Metropolitan who wishes to access additional resources to accomplish the directives  
28 effectively, may seek to associate with another province for carrying them out.

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30 1.       In accord with Article 2 §1, in order to establish a “public, stable and easily  
31 accessible” system for the submission of reports, every province should publish broadly  
32 in printed form, online, and other media means by which reports pursuant to Article 1 of  
33 the motu proprio can be conveyed to the proper Metropolitan. Such means include the  
34 third-party reporting mechanism to be arranged for by the United States Conference of  
35 Catholic Bishops, implemented by the Metropolitan See, and published by each diocese.  
36 In addition, each Metropolitan, in consultation with the suffragan bishops, should appoint  
37 on a stable basis, even by means of an ecclesiastical office (see Article 2 §1), a qualified  
38 lay person to receive reports of conduct about bishops referred to in Article 1. The  
39 responsibilities of the appointed lay person are the following:

40           a. Engaging and interacting with the third-party entity arranged for nationally by  
41           the USCCB to receive reports;

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<sup>2</sup> In cases where the report concerns the Metropolitan or the Metropolitan See is vacant, these directives are to assist the suffragan bishop senior by promotion. For Eastern Catholics who do not have a Metropolitan in the United States, reports can be made directly to the Apostolic See or through the Apostolic Nuncio. The Apostolic See will authorize the procedure to be followed for the investigation.

<sup>3</sup> All references to the motu proprio *Vos estis lux mundi* will cite only the Article by number throughout this document.

- 42           b. Receiving reports on behalf of the Metropolitan either through the third-party  
43                   entity or those made directly to the Metropolitan;
- 44           c. Informing the public about how to report cases involving bishops;
- 45           d. Advising the Metropolitan on whether a report is manifestly unfounded  
46                   pursuant to Article 10 §1, and on his compliance with applicable civil laws  
47                   requiring reports to civil authorities in accord with Article 19;
- 48           e. Gathering any needed additional information from the one making the report  
49                   in the event there is a need for clarification about details that are time, place,  
50                   and person specific.

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52   2. Pursuant to Articles 3 and 19, any Metropolitan who receives a report related to  
53   Article 1 will promptly comply with all applicable civil laws with respect to making  
54   reports to civil authorities and will cooperate in any eventual investigation opened by  
55   civil authorities. The Metropolitan will support the right for one to make his or her own  
56   report to public authorities, and will advise and encourage those affected to do so.<sup>4</sup> If the  
57   Metropolitan receives a request from civil authorities to suspend his investigation in  
58   deference to an investigation being conducted by civil authorities, the Metropolitan will  
59   immediately notify the competent Dicastery of the Apostolic See.

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61   3. In cases in which a Metropolitan receives a report that pertains to another  
62   Metropolitan's jurisdiction, he will forward it expeditiously to the competent  
63   Metropolitan and to the Apostolic See through the Apostolic Nuncio.

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<sup>4</sup> See USCCB, *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*, Norm 11, and USCCB, *Charter for the Protection of Children and Young People*, Article 4.

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65 4. In accord with Article 5, each Metropolitan is to establish, maintain, and supervise  
66 competent persons to coordinate assistance for the immediate pastoral care of those  
67 persons who claim to have been harmed pursuant to Article 1. Those coordinating such  
68 assistance should provide a copy of the motu proprio *Vos estis lux mundi*, as well as these  
69 Directives, to those persons who claim to have been harmed.

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71 5. In accord with Article 12 §1, once the Metropolitan has received authorization from  
72 the competent Dicastery of the Apostolic See to investigate, and with due regard for his  
73 charge to oversee the process, the Metropolitan should appoint an investigator chosen  
74 from among the lay persons identified previously by the province.

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76 In accord with Article 13 §§1-2, the Metropolitan, in consultation with the  
77 investigator, should also make use of other qualified experts (likewise appointed by the  
78 Metropolitan) chosen predominantly from among lay persons who are called upon in  
79 view of the nature of the report and the expertise needed to examine it.

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81 6. As noted above, and pursuant to Article 13 §1, the bishops of the province should  
82 prepare a list of expert individuals, whom a Metropolitan may utilize when conducting  
83 the investigation himself or through others and assessing the results of that investigation.  
84 In an effort to assure the effectiveness of the process, persons expert in relevant fields,  
85 such as law enforcement, criminal investigation, civil law, canon law, psychology and  
86 social work, ~~may~~ should be identified.

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88 7. In accord with Article 12 §6, if a report of a conflict of interest or lack of  
89 impartiality is brought to the attention of the Metropolitan, or if he considers himself to



90 be in a conflict of interest or is unable to maintain impartiality, he should promptly  
91 inform the competent Dicastery of the Apostolic See of the report, along with his  
92 response.

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94 Likewise, in accord with Article 13 §3, if a report of a conflict of interest or lack  
95 of impartiality is brought against the investigator, experts or notary appointed by the  
96 Metropolitan, the Metropolitan should be informed of the fact immediately.

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98 A Metropolitan should inform all persons involved in the investigation: (a) the  
99 process by which they may notify the Metropolitan of a claim that he, or any person who  
100 is assisting him in the investigation, may have a conflict of interest; and (b) that an  
101 unsuccessful claim of conflict of interest will not result in prejudice, retaliation, or  
102 discrimination against the claimant.

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104 8. With regard to Article 16 §1, each province ought to determine the appropriate  
105 means by which it will establish a fund, should it choose to do so, or how it will  
106 otherwise allocate costs for the investigation of reports received and for the pastoral care  
107 of those who might have been harmed.

108  
109 9. In accord with Article 17 §1, at the conclusion of the investigation, the  
110 Metropolitan is to transmit to the competent Dicastery of the Apostolic See, through the  
111 Apostolic Nuncio, his *votum* and the acts of the investigation, including the names and  
112 titles of the individuals from the expert list who were chosen to assist in the process, as  
113 well as any other documents he deems pertinent.

114

115 10. With due regard for Article 17 §3, the Metropolitan should inquire of the  
116 competent Dicastery whether and how the person who made the report and whether the  
117 public can be informed of the outcome of the investigation. The Metropolitan should also  
118 inform the person making the report of the protections provided in Article 4 §2.

119  
120 11. In furtherance of the presumption of innocence enjoyed by the bishop (Art. 12  
121 §7), all appropriate steps are to be taken to protect the reputation of the person under  
122 investigation, to assure the exercise of other rights afforded him under canon law, and to  
123 restore his good name if it has been illegitimately harmed.

124  
125 These Directives will be reviewed every three years by the United States  
126 Conference of Catholic Bishops.

127