



Catholic Diocese of Joliet Clergy Misconduct Panel Provisions

Prologue. Priests and deacons are called by God to serve his people selflessly. Engaging sexually with members of the flock is both unethical and a violation of the pastoral role that is entrusted to them. This is especially true when any pressure or force is involved. Even where no pastoral relationship exists, and even where the sexual relationship is truly consensual, a priest and transitional deacon is in violation of his promise of perpetual chastity, and most permanent deacons are unfaithful to their marriage vows. The Diocese of Joliet takes this matter seriously. The provisions of these statutes are intended to address in a fair but forthright manner allegations of sexual misconduct of clerics involving adults that come to the attention of the Bishop of Joliet.

1. **Purpose.** In conformity with the Code of Canon Law, the Motu Proprio “You are the light of the world” and the diocesan policies dealing with allegations of sexual misconduct by Priests or Deacons with consenting or not-consenting adults of the age of 18 and over who are not vulnerable, the Clergy Misconduct Panel of the Catholic Diocese of Joliet functions as a confidential consultative body to the Bishop.

The Panel is being established by the Bishop to be used at his discretion in fulfilling his responsibility of directing the clergy of the diocese.

The Panel is to advise the Bishop in his assessment of allegations of sexual misconduct and in his determination of a cleric's suitability for ministry. Also, the Panel can review these matters both retrospectively and prospectively and give advice on all aspects of responses in connection with these cases.

The Panel will deal with cases only when the accused cleric is living. Cases involving clerics who are incardinated in other dioceses or institutes of consecrated life will be referred there.

2. **Membership.** The Panel will be composed of at least five persons of outstanding integrity and good knowledge of the teachings of the Catholic Church. The majority of the Panel members will be lay persons who are not in the employ of the diocese, but at least one member should be a priest who is an experienced and respected pastor of the diocese, and at least one member should have particular expertise in the treatment of sexual abuse. The members of the Panel will be appointed for a term of five years, which can be renewed. The Bishop may remove a member of the Panel at any time. Vacancies, whether occurring by resignation or by expiration of a term, are filled by appointment of the Bishop.

A member of the Panel understands that this work is accomplished through a firm commitment to prayer, seeking the guidance of the Holy Spirit for the Bishop and the Clergy Misconduct Panel, and God's peace and healing for the alleged victims, the accused clerics, and anyone else involved in the matter.

In both personal and professional life, a member of the Panel must exemplify the moral teachings of the Catholic Church. The member must not teach, advocate, model, or in any way encourage beliefs or behaviors that are contrary to the teachings of the Catholic Church.

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3. Chair of the Clergy Misconduct Panel. The Panel will select a chair from among its members. The Chair presides at meetings. When the Chair is unavailable for a meeting, the Panel will select another member to preside at that meeting. Where appropriate, the Chair serves as the public representative of the Panel. At least annually, the Chair will meet personally with the Bishop to report on the state and recent activities of the Clergy Misconduct Panel.

4. Fiscal Year. The fiscal year of the Panel shall be from July 1 through June 30.

5. Meeting Procedure. A majority of the members of the Panel constitute a quorum. A meeting is considered to be valid when the majority of the members is present. The Chair presides at meetings of the Panel and leads a respectful discussion without unnecessary formality. The goal is to reach decisions by consensus. If consensus cannot be achieved, the Clergy Misconduct Panel may decide a question by anonymous vote.

6. Confidentiality. The information received by the Panel, unless independently made public, is confidential. The discussions that occur at meetings of the Clergy Misconduct Panel are confidential except that they may be shared with the Bishop or his delegates at the request of the Bishop.

7. Consideration of Matters Before the Clergy Misconduct Panel. When an allegation is referred to the Panel by the Bishop or his delegate, the Committee will schedule a meeting with the alleged partner or victim. If preferable because of distance or other considerations, the Clergy Misconduct Panel may use teleconferencing equipment to meet with the alleged partner or victim. The Clergy Misconduct Panel will extend the cleric an offer to meet with its members. The Clergy Misconduct Panel may meet with other persons as it thinks helpful. A person appearing before the Clergy Misconduct Panel may present documents or written narratives. Unless the Bishop directs otherwise, the accused cleric may read a written narrative supplied by an alleged partner or victim but may not retain or photocopy it. At the request of the Panel or at the direction of the Bishop, the Diocese of Joliet will give documents to the Panel for its private consideration. If the Panel believes that it should conduct other or further investigation of a particular matter, it will propose such a course of action to the Bishop for his consideration.

8. Counsel to the Bishop. The Bishop seeks the assistance of the Panel in determining how best to respond to the allegation. The Panel does not advise the Bishop as to the credibility of the alleged partner or victim. Rather, the Panel should advise the Bishop that the allegation appears to be substantiated or appears not to be substantiated. The Panel should further advise the Bishop whether the circumstances of the allegation appear to be sufficiently known insofar as they can be ascertained, or whether the Panel recommends further investigation. If further investigation

is recommended, the Clergy Misconduct Panel may make appropriate recommendations regarding the scope or form of the investigation.

The Panel should advise the Bishop of any recommendations it has regarding the type(s) of assistance, if any, that the diocese should provide to the alleged partner or victim. When asked, the Panel should also offer an opinion to the Bishop regarding the cleric's suitability for ministry. The Panel shall present its conclusions verbally to the Bishop, either at the close of a meeting or at a later time to be promptly arranged. If the Panel reached its decision by anonymous vote because consensus could not be achieved, the views of both sides shall be presented to the Bishop. If the counsel and recommendations of the Panel are transmitted to the Bishop by the Chair, the Bishop may meet with the full Panel if he desires elaboration regarding the conclusions or the reasoning of the Panel.

9. Response by Bishop. The Bishop will consider the recommendation of the Clergy Misconduct Panel before making his decision on the proposed matter.

10. Timing. To the extent possible in light of professional and familial responsibilities, members of the Panel are to give the highest priority to this work, and keep the process moving at every stage. When an alleged partner or victim wishes to appear before the Panel, the Diocese of Joliet expects the person to be interviewed by the Panel at its next regularly scheduled meeting, unless circumstances require an expedited or briefly delayed interview. The Diocese of Joliet expects the Panel to provide the Bishop a full verbal report within 24 hours of the final discussion of the case. The Chair will provide the Bishop with a contemporaneous explanation of any significant delay, even if there is a sound reason for the delay.

11. Review of Diocesan Policies and Procedures. The Diocese of Joliet will provide the Panel an updated copy of its policies and procedures pertaining to sexual misconduct. At any time, the Panel may recommend changes in any of these policies and procedures.

12. Ethics. No member of the Panel will speak or interact individually with an alleged partner or victim or an accused cleric, except within the scope of the member's work with the Panel. A member is disqualified from a matter if the member or anyone in the member's family has a relation beyond mere acquaintance with the partner, alleged victim or the accused cleric, or if there is real or a reasonably perceived reason that the member would not be able to consider the matter fairly. No member of the Panel will comment publicly or privately on a matter that has come before the Panel.

Given at the curia of the Diocese of Joliet on this 18th day of June, 2019.



Decree of Promulgation

Mindful of my responsibility as Diocesan Bishop to exercise vigilance over the clergy of this local church, I consulted with the Presbyterial Council and I heard the opinion of the diocesan Curia Council.

As Bishop of Joliet, in accordance with the prescription of can.228 and the *Motu Proprio* "You are the light of the world", I hereby decree that the effective date for the institution of the "Clergy Misconduct Panel Provisions" for the Diocese of Joliet will be on the 18th day of June 2019.

Given to the offices of the Diocese of Joliet on this 18th day of June 2019

A handwritten signature in blue ink that reads "R. Daniel Conlon".

Most Rev. R. Daniel Conlon, JCD
Bishop of Joliet

A handwritten signature in blue ink that reads "Dr. David Castronovo".

Dr. David Castronovo, JD, JCD
Chancellor