PROCEDURES AND DOCUMENTS
FOR
CANONICAL SEPARATIONS
AND
OTHER CANONICAL PROCESSES

RELIGIOUS INSTITUTES
SOCIETIES OF APOSTOLIC LIFE

JANE MITCHELL
DANIEL WARD, OSB

Prepared by the Legal Resource Center for Religious
for the Conference of Major Superiors of Men
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CMSM
8808 Cameron Street
Silver Spring, MD 20910
Tel: +1 301.588.4030
Email: meddy@cmsm.org

Also note that the *Preface* to the manual is very important and provides cautions that are necessary when using this material.

For further information, please contact the Secretariat of the Crosier Generalate at the address, telephone number or email address on this letterhead.
**Preface**

This manual is intended to assist leadership when issues of separation from the Institute or Society arise. It is a project of the Legal Resource Center for Religious undertaken for the members of the Conference of Major Superiors of Men. Hopefully, it is practical and easy to follow.

A few cautions about using the manual are necessary:

1. The terminology used in the procedures and sample documents is that of the Code of Canon Law. Because of the various titles used by Institutes and Societies, it seemed easier to use the canon law nomenclatures to make clear for everyone the reference. Therefore, when using the sample documents in particular, it will be necessary to adapt the language to the particular language of a given Institute or Society.

2. The procedures are those of the Code of Canon Law. To these procedures must be added any additional procedures of proper law.

3. The procedure should be adjusted for those Institutes or Societies that have no subdivisions such as provinces. In such cases, the supreme moderator does those steps assigned to the provincial.

4. Most of the material refers to an Institute. A Society of Apostolic Life can adjust the procedures and sample documents to fit the canons particular to Societies.

5. Situations vary, so it would be good in difficult cases to consult a canon lawyer who specializes in religious law.

Jane Mitchell and I express our gratitude to the Canons Regular of the Order of the Holy Cross (Crosiers) Province of St. Odilia, U.S.A. Originally we produced a similar manual for use by the Crosiers. They have been gracious in allowing us to base this present manual on their edition. They have also been very generous in permitting Jane the time to work on this project.

1 August 2001

Daniel J. Ward, OSB
Executive Director
The Legal Resource Center for Religious
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**DISMISSAL: IPSO FACTO (canon 694)**

A. Grounds

1. Abandons Catholic faith (e.g., joins another religious denomination)

2. Marriage or attempted marriage

B. Procedure

1. The provincial gathers proof of the fact of abandoning the faith or of marriage (Form 1-A).

2. The provincial presents the proof to his council.

3. The provincial and his council issue a declaration of the fact stating that the person is automatically dismissed (Form 1-B).

4. Notice is sent to the parish of baptism.
I, (Name of Witness) hereby swear that the following facts are true:

1. On (Date), I attended the marriage between (Name) and (Name) at (Place).

The marriage ceremony was a ceremony performed by a ________________.

2. I had been invited to the wedding by (Name).

____________________________________
Date

____________________________________
Witness

Sworn and subscribed before me on (Date).

____________________________________
Ecclesiastical Notary
DECLARATION OF IPSO FACTO DISMISSAL

I, along with my Council, meeting on (Date), considered the proofs in the case of the Ipso Facto Dismissal of (Name), a member of the ___________________________.

The proofs collected are:

1. (Name), born (Date), made religious profession as a member of the ___________________________ on (Date), (and was ordained a priest on (Date)).
2. In a letter dated (Date), (Name) left the ___________________________. However, he took no canonical action to rectify his situation; he did not seek an indult of departure (nor a dispensation from priestly obligations).
3. On (Date) during a ceremony at (Place) he entered into marriage with (Name). Proof of the marriage was given by an affidavit signed by (Name of Witness) who attended the marriage ceremony. The affidavit is attached.
4. Canon 694.1.2 states that a person who “has contracted marriage or has attempted it, even only civilly” is ipso facto dismissed from the Institute.
5. Since the fact of the marriage has been established, the fact of the dismissal is established juridically.

Therefore, I, along with the Provincial Council, declare that (Name), is in fact (ipso facto) dismissed from the ___________________________.

Given at (Place)
on (Date)

__________________________
(Name)
Provincial

__________________________
(Name)
Secretary of the Province
DISMISSAL FOR UNLAWFUL ABSENCE (canons 696-701)

A. Grounds (canon 696.1)

1. Absence for more than six (6) months. (The most common.)

2. Other grounds. (Consult a canon lawyer who specializes in religious law.)

B. Procedures

1. The provincial writes letters encouraging the person to return (may do this during the period of absence) and retains copies of letters for acts of dismissal.

2. The provincial gathers written evidence available; e.g., a letter of resignation, testimony from others that the person left and is not coming back.

3. The provincial seeks advice of his council and retains a copy of the minutes (canon 697.1).

4. In some cases, the provincial may send a letter indicating that he will begin the dismissal process and asks the person whether or not he will cooperate (Forms 2-A and 2-B).

5. The provincial issues the first canonical warning (Form 2-C) after at least fifteen (15) days have elapsed since sending the letter mentioned in no. 4 above. Fifteen (15) days is counted beginning with the day after receipt. This may be done in one (1) of four (4) ways:

   a) Send warning by regular mail along with the acknowledgement of receipt (Form 2-D). Use this only if person has agreed beforehand to accept the warning by regular mail.

   b) Send warning by certified mail/restricted delivery in order to receive back proof of delivery.

   c) Have warning served personally by two persons who then sign an affidavit testifying to service (very rare).

   d) Post warning at the provincial headquarters or last religious house of which the person belonged. This is done only if the whereabouts of the person is unknown or he totally refuses to acknowledge service of warning (nos. 1 and 2 above) and warning is returned by the post office.
6. The provincial issues the second canonical warning (Form 2-E) without a cover letter. Do this only after fifteen (15) days or more (but not more than thirty (30) days) have elapsed from the date the person received the first canonical warning. Use one (1) of the four (4) procedures listed under no. 5 above. (If the first canonical warning was sent by regular mail as in no. 5 a. above, send along with the acknowledgment of receipt form (Form 2-F). Fifteen (15) days is counted beginning with the day after receipt.

7. The provincial meets with his council to consider whether the evidence is sufficient to warrant dismissal. Do this only after fifteen (15) days or more have elapsed from the date the person received the second canonical warning. Fifteen (15) days is counted beginning with the day after receipt.

8. The provincial puts together the acts of the case with pagination and sends it to the supreme moderator:

- Title Page (Form 2-G)
- Table of Contents (Form 2-H)
- Authentication of Acts by Ecclesiastical Notary (Form 2-I)
- Letter of provincial requesting dismissal (Form 2-J)
- Copies of First Canonical Warning (Form 2-C) and Proof of Receipt (Form 2-D)
- Copy of Second Canonical Warning (Form 2-E) and Proof of Receipt (Form 2-F)
- Copies of letters of encouragement to return
- Copy of the excerpt of the council minutes pertaining to the initial discussion to initiate the dismissal process (Form 2-K)
- Copy of the excerpt of the council minutes pertaining to the discussion to forward the acts to the supreme moderator (2-L)
- Any other documentation pertinent to the dismissal

9. The supreme moderator and his council, consulting together of at least four (4) persons, meet in person to discuss the case. Acting collegially, the supreme moderator and consultors vote secretly on whether or not to issue a decree of dismissal. If a majority approves the dismissal, the supreme moderator, along with the councilors issues the decree of dismissal (Form 2-M).

10. The decree is forwarded to the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life, usually through the procurator general, for confirmation.

11. Upon notice of confirmation, the supreme moderator forwards the notice and decree to the provincial.

12. Upon receipt of confirmed decree of dismissal from supreme moderator, the provincial sends a copy along with a letter (Form 2-N) to the dismissed person. Use one of the processes of service under no. 5 above for proof of service (Form 2-O).
13. If the person does not appeal within ten (10) days from receipt of notification, the provincial should record the fact that the dismissal is effective and place this notice in the person’s file.

14. If the person is not ordained and solemnly professed, notice of the dismissal should be sent to his parish of baptism noting that he is dismissed and therefore dispensed of his religious vows and eligible to marry within the church.

15. If the person is a priest, notice should be sent to the parish of baptism noting that the person is dispensed from religious vows but not from the obligations of priesthood.

*Note:* In some Institutes, the members of the council of the supreme moderator live in various parts of the world and only meet a few times a year. In such cases, Institutes have provided in their proper law for a “substitute council” to handle cases of dismissal.
(Date)

(Name)
(Address)

Dear ______________,

This is a difficult letter for me to write. Since you have not been dispensed you are still considered canonically a member of the ______________. After consulting with my council, I believe that it is necessary to clarify the Institute’s legal relationship with you for a number of reasons, among them to clarify who is and who is not eligible to vote in elections and on other matters within the Institute, to protect the Institute from any civil liability and to officially recognize your desire not to be a member of the Institute.

Although the canonical process appears disciplinary in nature, I assure you that I do not intend it as such. I only intend to establish canonically the reality of the situation, that is, your desire not to be a member of the Institute and therefore your non-membership. I hope that you will understand that I take this action for your sake and that of the Institute.

I might explain that civil liability for issues arise because you remain a member of the Institute and thus a person who is suing you for some action may discover this and try to join the Institute in as a party to the suit on the grounds of respondeat superior. I am sure that we could show that there is no liability, but just demonstrating this would entail attorneys’ fees and court costs.

I trust that you understand my position and reasons in this matter. I also hope that you will cooperate in this process by signing an acknowledgement of receipt form that you have received the canonical warning. This canonical warning is sent to you twice and therefore twice you would acknowledge receipt. You need not participate in any other way in the process; however, if you desire, you may participate by offering reasons why the dismissal should not happen. Please return the enclosed form indicating whether or not you will sign the acknowledgment of receipt form.

The effect of the dismissal will be to dispense you from your religious vows. (Add if priest or deacon: However, you are still bound by your obligations arising from your ordination.)

If you would like to return to the Institute, I would be most happy to receive you back. If you wish to proceed with a dispensation, please contact me. In any event, I do offer you my prayers and support.

Sincerely,

(Name)
Provincial
**DISMISSAL PROCEDURE ACKNOWLEDGEMENT**

______ I am willing to cooperate in the process of dismissal by signing an Acknowledgement of Receipt form each time I receive a canonical warning.

______ I am not willing to cooperate in the process of dismissal.

________________________________________
Signature

________________________________________
Date
FIRST CANONICAL WARNING

TO:

In accordance with the provisions of canon law and the proper law of the Institute, you are hereby given the first canonical warning required by canon 697.2 prior to being dismissed from the ________________.

You have been absent from the Institute for more than six (6) months. You have failed to respond to the various letters of myself and/or my predecessors to return to the Institute to take up again religious life.

Your unlawful absence from the Institute for more than six (6) months is an imputable offense which subjects you to dismissal from the Institute (canon 696.1).

Having heard the advice of my council, I now hereby declare that you will be dismissed from the Institute unless you

    return to the (name of place; e.g., provincial headquarters)
    within fifteen (15) days of receipt of this first canonical warning
    to take up immediately religious life as a member of the Institute.

If you fail to comply within fifteen (15) days of receipt of this first canonical warning, I will issue a second canonical warning. If you fail to respond to the second canonical warning, I will proceed with dismissal by submitting the evidence of your absence to the supreme moderator of the ________________ and his council which will decide the case and submit it to the Apostolic See.

You have a right under law to self-defense, including a canonical counsel, in this matter at all stages. You have the right to present to me, in person or in writing, your defense against this first canonical warning and proposed dismissal within fifteen (15) days of receipt of this warning. You also have the right to communicate with and offer a defense directly to the supreme moderator (address, phone, fax).

Please be advised of the seriousness of this matter.

Given at (Place)
on (Date)

__________________________
Provincial
ACKNOWLEDGEMENT OF RECEIPT—FIRST CANONICAL WARNING: FORM 2-D

ACKNOWLEDGEMENT OF RECEIPT
FIRST CANONICAL WARNING

I hereby acknowledge receipt of and acceptance of the First Canonical Warning.

_______________________________
Signature

_______________________________
Date
SECOND CANONICAL WARNING

TO:

In accordance with the provisions of canon law and the proper law of the Institute, you are hereby given the second canonical warning required by canon 697.2 prior to being dismissed from the ________________.

You have been absent from the Institute for more than six (6) months. You have failed to respond to the various letters from myself and/or my predecessors to return to the Institute to take up again religious life. You have failed to act affirmatively in response to the first canonical warning issued to you on (Date).

Your unlawful absence from the Institute for more than six months is an imputable offense which subjects you to dismissal from the Institute (canon 696.1).

I now hereby declare that you will be dismissed from the Institute unless you

return to the (name of place; e.g., provincial headquarters) within fifteen (15) days of receipt of this second canonical warning to take up immediately religious life as a member of the Institute.

If you fail to comply within fifteen (15) days of receipt of this second canonical warning, I will proceed with the process of dismissal by submitting the evidence of your absence to the supreme moderator of the ________________ and his council which will decide the case and submit it to the Apostolic See.

You have the right under law to self-defense, including a canonical counsel, in this matter at all stages. You have the right to present to me, in person or in writing, your defense against this second canonical warning and proposed dismissal within fifteen (15) days of receipt of this warning. You also have the right to communicate with and offer a defense directly to the supreme moderator (address, phone, fax).

Please be advised of the seriousness of this matter.

Given at (Place) on (Date)

__________________________
Provincial
ACKNOWLEDGEMENT OF RECEIPT—SECOND CANONICAL WARNING

I hereby acknowledge receipt of and acceptance of the Second Canonical Warning.

________________________________________
Signature

________________________________________
Date
ACTS IN THE PETITION

FOR THE DISMISSAL IN THE CASE OF

(NAME)

(NAME OF INSTITUTE)
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*Note:* Do not include letter sent requesting cooperation in the process (Form 2-A).
AUTHENTICATION OF THE ACTS

We, the Provincial and duly-appointed Notary, swear that this is an integral and complete copy of the Acts for Dismissal of (Name) consisting of _____ pages including the Table of Contents.

Given at (Place)
on (Date)

_________________________________
Provincial

_________________________________
Notary
(Date)

Most Rev. (Name)
(Address)

Dear (Name),

Enclosed please find the Acts for a Petition of Dismissal against (Name), a member of the ______________________, on the grounds of (e.g., absent for more than six (6) months).

(Short history of person.)

(Pertinent facts why person left or is being dismissed.)

After consulting with my council on (Date), I issued the requisite canonical warnings. Thereafter on (Date), I again met with my council who concurred that I send the Acts onto you and request that you proceed with the process of dismissal.

Sincerely,

(Name)
Provincial
Excerpt from Council Minutes of (Date).

The council considered the beginning of the process of canonical dismissal of (Name). After discussion, noting that the provincial had met with (Name) and tried to convince him to return, and noting that he does not intend to return, and also noting that he has been absent more than six (6) months, the council voted to proceed with the dismissal.

Secretary
Excerpt from Council Minutes of (Date).

The council considered the canonical dismissal of (Name). The council noted that the canonical warnings had been sent according to law and had been acknowledged. From the Acts there did not appear any evidence that (Name) would return to the Institute. The council voted unanimously in favor of the dismissal and that the provincial should forward the acts to the supreme moderator.

_________________________________
Secretary
DECREE OF DISMISSAL

IN THE NAME OF GOD. AMEN.

On __________, in accord with canon 699.1 and the proper law of ______________, the supreme moderator and his council consisting of __________________________________________ convene as a collegial body to consider the petition of (name of provincial) seeking the dismissal of ________________, a perpetually professed member of ________________, province of ________________. The cited reason for the dismissal was the unlawful absence lasting more than six (6) months (canon 696.1). ________________ was appointed the ecclesiastical notary for the case.

The Law

1. A member is to live in his own religious house and not be absent from the house without the permission of his superior (canon 665.1).
2. A provincial may initiate a process of dismissal of a member who has been unlawfully absent for more than six (6) months (canon 696.1).
3. The process of dismissal follows the norms of law given in the Code of Canon Law and the proper law of the Institute.

The Facts

________________, born on ______________, was perpetually professed a member of the Institute on ______________ (and ordained a priest on ______________).

(A very brief history of the facts of the case including: assignments, problems, departure, beginning of unlawful absence, present situation, beginning and completion of the canonical process.)

The Law as Applied to the Facts

1. ________________ has been unlawfully absent since ________________.
2. In accord with the norms of law, the provincial urged him to return to the Institute.
3. With the consent of his council, the provincial issued the first canonical warning on ________________ which is more than six (6) months since ________________ became unlawfully absent.
4. The provincial issued the second canonical warning on ________________, which is more than fifteen (15) days since the acknowledged receipt of the first canonical warning.
5. On ________________, the provincial presented the Acts of the case for dismissal to his council. After discussion of the case, the council voted unanimously in favor of forwarding the Acts to the supreme moderator and petitioning that a Decree of Dismissal be issued.
Conclusion

Having reviewed the law and the facts, it is established that ________________, has been unlawfully absent for more than six (6) months from the Institute. Further, it has been established that the requisite norms regarding the dismissal of a member have been observed and the opportunity for defense has been accorded.

THEREFORE, the supreme moderator and council of the ________________, acting as a collegial body, by secret ballot voted unanimously on __________ that

(NAME)
BE DISMISSED FROM (NAME OF INSTITUTE)

THEREFORE, I, ________________, THE SUPREME MODERATOR, DISMISS (NAME) FROM (NAME OF INSTITUTE).

In accord with the requisites of law, the Acts and this Decree are to be forwarded to the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life at the Apostolic See in Rome for confirmation.

NOTICE OF THE RIGHT OF RECURSE

You have the right to make recourse against this Decree of Dismissal to the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life at the Apostolic See in Rome within ten (10) days of receipt of this Decree of Dismissal. If you should make recourse, the Decree of Dismissal is suspended. The Decree does not become effective unless the Decree is upheld at the conclusion of the process of recourse. Your recourse should be made to:

Cardinal Prefect
Congregation for Institutes of Consecrated Life
and Societies of Apostolic Life
3 Piazza Pio XII
00193 Rome, Italy

If you wish to appeal, you may facilitate the appeal by sending your letter of recourse to the Apostolic Nunciature. The address of the Nunciature is:

Apostolic Nunciature
3339 Massachusetts Ave. N.W.
Washington, DC 20008

You should indicate to the Apostolic Nunciature that you are appealing a Decree of Dismissal and request that your letter of recourse be sent to the Congregation in Rome by diplomatic pouch.
You also may forward your appeal directly to the provincial or the supreme moderator for transmittal to the Congregation in Rome.

(Name and Address of Provincial)

(Name and Address of Supreme Moderator)

If you do not appeal this Decree of Dismissal within ten (10) days, the Decree of Dismissal is effective and you are thereby dismissed from (Name of Institute). The dismissal carries with it a dispensation from your perpetual vows. (In the case of a priest or deacon add: You are not dispensed from your obligations accruing from the Sacrament of Orders. However, the suspension of your faculties is still in effect.)

Given at (Place)
On (Date)

(Name)
Supreme Moderator

NOTARY

(Name)
Ecclesiastical Notary
(Date)

(Name)
(Address)

Dear (Name),

Enclosed please find a copy of the Decree of Dismissal which was confirmed by the Congregation for Institutes of Consecrated Life and for Societies of Apostolic Life. Please note that you have a right to appeal this Decree of Dismissal within ten (10) days upon your receipt of this decree. If you appeal this decree, it does not become effective unless the decree is upheld at the conclusion of the appeals process. Your recourse should be made to:

Cardinal Prefect
Congregation for Institutes of Consecrated Life
and for Societies of Apostolic Life
3 Piazza Pio XII
00193 Rome, Italy

If you wish to appeal this, you may facilitate the appeal by sending your letter to the Cardinal Prefect by means of the Apostolic Nunciature:

Apostolic Nunciature
3339 Massachusetts Ave. N.W.
Washington, DC 20008

When addressing the Apostolic Nunciature, please indicate that you wish them to appeal to the Congregation via diplomatic pouch.

If you do not appeal this decree within ten (10) days, the Decree of Dismissal is effective automatically and you are thereby dismissed from the ________________ and you no longer have any rights within the Institute.

You should know, however, that this Decree of Dismissal does not include a dispensation from your obligations arising from ordination and thus you are still bound by the vow of celibacy. To be able to be released from your obligations from priesthood, you need to petition the Apostolic See for a dispensation. (Note: Use this paragraph only if person is a priest or a deacon.)

I would appreciate being informed if you choose to appeal this decree. Please return the enclosed form to my office dated ten (10) days after you receive this letter with dismissal notice.

I want to thank you again for your cooperation in this difficult process. I regret any pain this may have caused you. The realities of canon law left no alternatives in your situation.

Please be assured of my continued concern for your well-being. I pray for God’s blessing on you.

Sincerely,

(Name)
Provincial
ACKNOWLEDGEMENT OF APPEAL PROCESS

_____ I intend to appeal the Decree of Dismissal.

_____ I choose not to appeal the Decree of Dismissal.

__________________________________
Name

__________________________________
Date (Ten (10) days after notification)
DISMISSAL FOR OTHER CANONICAL OFFENSES (canons 695-701)

The provincial should not undertake this procedure without consulting a canon lawyer. Only certain canonical offenses are subject to this procedure, but there are technical aspects to these offenses which may preclude the use of this procedure.
DISPENSATION FROM TEMPORARY VOWS (canon 688.2)

A. The member writes a petition addressed to the supreme moderator requesting the indult of departure (dispensation) (Form 4-A). The petition should include:
   - The request
   - The reasons for the request

B. The provincial does the following:
   - Obtains the opinion of his council
   - Writes a letter of recommendation to the supreme moderator
   - Forwards the petition and letter of recommendation to the supreme moderator

C. The supreme moderator does the following:
   - Presents the matter to his council and obtains the consent to grant the indult
   - Issues an indult of departure (Form 4-B)
   - Sends the indult to the provincial for transmittal to the member

D. The provincial notifies the member (Form 4-C).

Note: In Institutes of diocesan right, the bishop of the house of assignment must confirm the indult for it to be valid (canon 688.2)
(Date)

(Name)
(Address)

Dear ________________.

I respectfully submit my formal request to be dispensed from temporary vows as a member of the _________________.

I made my temporary profession on _________________.

The reason for my request is:

(List reason)

Respectfully submitted,

(Signature)
(Address)
INDULT OF DEPARTURE

____________________, who professed temporary vows on ________________, requested in his petition of (Date) an indult of departure for the following reason:

(List reason)

In consideration of his request and in accord with the Code of Canon Law and the proper law of the ________________, with the consent of my council, I grant the dispensation effective upon notification unless rejected in the act of notification.

Given at (Place)
On (Date)

(Name)
Supreme Moderator
ACKNOWLEDGEMENT OF RECEIPT OF INDULT OF DEPARTURE: FORM 4-C

ACKNOWLEDGEMENT OF RECEIPT OF INDULT OF DEPARTURE

I hereby acknowledge receipt of the Indult of Departure.

____________________
Signature

____________________
Date
**DISPENSATION FROM PERPETUAL VOWS (Canons 691-692)**

A. The member writes a petition addressed to His Holiness Pope *(Name)* requesting dispensation (Form 5-A). (The petition is sent to the provincial for forwarding.) The petition should contain:

- The request
- The reasons for the request
- A concise curriculum vitae (resume)

B. The provincial does the following:

- Obtains the opinion of his council
- Writes a letter of recommendation to the supreme moderator
- Forwards the petition and the letter of recommendation to the supreme moderator

C. The supreme moderator does the following:

- Obtains the opinion of his council
- Writes a letter of recommendation
- Forwards the petition, the material sent by the provincial, the opinion of his council and his recommendation to the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life. (Normally this is done by the procurator general.)

D. When the provincial receives the rescript of departure (dispensation), he does the following:

- Notifies the member by sending him a copy of the rescript. He requests the member to sign and return an acknowledgement of receipt (Form 5-B).
- Ascertains whether in the process of notification the rescript was rejected or not (canon 692). The dispensation is effective upon notification unless in the process of notification the member rejects the indult. (This is different from a dispensation from priestly obligations.) This is usually proven by receipt of the acknowledgement of receipt
- Notifies the member’s parish of baptism

*Note:* The Code of Canon Law requires that the Institute provide financial assistance to the departing member (canon 702.2). This is normally done at the time of actual departure, not at the time of the receipt of the rescript.

*Note:* The above procedure may only be used for a brother. A deacon or priest may not be dispensed from solemn vows separately from a dispensation from sacred orders except in rare cases. However, the same result of dispensation from religious vows but not from priestly obligations can be obtained by using the dismissal process.
(Date)

His Holiness Pope (Name)
The Vatican
Vatican City

Your Holiness,

May I respectfully submit herewith my formal request to be dispensed from perpetual vows as a religious brother of the ____________________.

Curriculum Vitae: Identification (name, address, phone), birth date, place, parentage, siblings, schooling, date and place of first and final profession, assignments, present employment.

Motivation: Explain chronologically the history of your present decision, its inception, development, final solidity.

Precautions: Explain what specific measures you have taken to test your decision against possible self-deception, shortsightedness, temporary difficulty in overcoming a vocational crisis.

Definitiveness: State that your decision is permanent and final.

Summary: Give a brief summary paragraph supporting your petition.

Oath: State that you solemnly swear to the truth of all of your statements.

Respectfully submitted,

(Name)
(Address)

Note: Do not state that you have difficulties with church doctrine or authority.
ACKNOWLEDGEMENT OF RECEIPT OF RESCRIPIT OF DISPENSATION

I hereby acknowledge receipt of the rescript stating I am dispensed from perpetual vows.

_________________________________
Name

_________________________________
Date
DISPENSATION FROM PERPETUAL VOWS AND PRIESTHOOD (Procedures for a Dispensation from Priestly Celibacy—Congregation for the Doctrine of the Faith 1980)

A. The member requests in writing or verbally that the provincial begin the process of dispensation.

B. The provincial, in a mandate, appoints an instructor for the case (Form 6-A).

C. The provincial sends a letter to the member revoking his faculties. This must be done before the petition can be submitted to the Apostolic See (Form 6-B).

D. The instructor gathers the proofs in the form of testimony, opinions and any other relevant documentation for the acts of the case. Minimally the proofs must contain:

- A petition from the member addressed to His Holiness (Name) (Form 6-C)
- The testimony of the member
- The testimony of those persons in charge of his formation as a religious and as a priest (if any of these persons is deceased or unavailable, the instructor notes this in his votum)
- The testimony of others who may help “prove” the case
- The votum of the diocesan bishop where the member now lives
- The votum of the provincial with the advice of his council
- The votum of the instructor
- Appendices:
  - Any available seminary records
  - Psychiatric reports if available
  - The letter revoking the faculties of the member
  - Any other pertinent documents

E. The proofs of the case are collected and bound in some fashion. The bound acts contain:

- Title Page (Form 6-D)
- Table of Contents (Form 6-E)
- Authentication of the Acts (signed separately for each copy of the Acts) (Form 6-F)
- The mandate appointing the instructor (Form 6-A) (See B. above)
- The collected proofs
- The Appendices

F. The provincial sends three (3) bound copies to the supreme moderator for transmittal to the Apostolic See. A fourth copy may also be included for the supreme moderator and a copy is kept at the provincial headquarters.
G. The supreme moderator, with the advice of his council, transmits with his recommendation the Acts to the Congregation for Divine Worship and the Discipline of the Sacraments. The actual transmittal is normally done by the procurator general of the Institute.

H. When the provincial receives the notice of the granting of the rescript of dispensation, he does the following:

- Notifies the member by sending him a copy of the rescript along with a translation (Form 6-G). He requests the member to sign and return an affidavit of receipt (Form 6-H). (However, the dispensation is effective immediately when granted by the Pope whether or not the member accepts the rescript or signs the notice of receipt.)

- Notifies the member’s parish of baptism that the member has been dispensed from his religious vows and obligations of priesthood.

Note: The Code of Canon Law requires that the Institute provide financial assistance to the departing member (canon 782.2). This is normally done at the time of actual departure, not at the time of the receipt of the rescript.
(Name)
Formal Dispensation

MANDATE TO CONDUCT THE DISPENSATION PROCESS

I, ________________, Provincial of the ____________________, hereby appoint as Instructor, ________________ to conduct the formal process in the petition for dispensation from religious vows and priestly obligations of (Name), religious and priest of the _____________________.

_________________________________
Provincial

Given at (Place)
on (Date)
LETTER REVOKING PRIESTLY FACULTIES

To: (Name)

I hereby revoke your priestly faculties. Therefore, you are not permitted to exercise
sacred ministry except the Sacrament of Penance in danger of death (canon 976).

Given at (Place)
on (Date)

________________________________________
Provincial
(Date)

His Holiness Pope (Name)
The Vatican
Vatican City

Your Holiness,

May I respectfully submit herewith my formal request to be dispensed from all the obligations attached to sacred orders and religious profession and to return definitively to the lay status.

Curriculum Vitae: Identification (name, address, phone), birth date, place, parentage, siblings, schooling, date and place of ordination, priestly assignments, present employment.

Motivation: Explain chronologically the history of your present decision, its inception, development, final solidify. Explain if rooted in childhood, seminary days, particular priestly assignments, particular personal conflicts, etc.

- What, more than anything else, moved you to your present decision?
- What were other contributing factors in moving you to this decision?

Celibacy: Explain what concrete facts convinced you that you cannot (or should not be expected to) maintain the obligation of celibacy.

Precautions: Explain what specific measures you have taken to test your decision against possible self-deception, shortsightedness, temporary difficulty in overcoming a vocational crisis.

Definitiveness: State that you are fully aware that your decision to return to lay status, if approved by the Holy See, is permanent and final, without hope of eventual re-admittance to priestly ministry.

Health: Give a chronological overview, from childhood to the present of your: physical health; emotional health; and spiritual health.

Summary: Give a brief summary of the reasons supporting your petition.

Oath: State that you solemnly swear to the truth of all of your statements.

Respectfully submitted,

(Name)
(Address)

Note: Do not state that you have difficulties with church doctrine or authority. If you are participating in a parish, state this, but do not state that you serve in any liturgical or catechetical ministries.
PETITION

FOR DISPENSATION FROM

PERPETUAL VOWS

AND

PRIESTLY OBLIGATIONS

(NAME OF MEMBER)
(NAME OF INSTITUTE)
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AUTHENTICATION OF THE ACTS

We, the undersigned, testify that this is a true and integral copy of all the Acts and Documents, consisting of _____ pages, including this page, of the case of ________________.

____________________________________
Instructor

____________________________________
Notary

Given at (Place)  
on (Date)
SPECIMEN OF RESCRIPT OF LAICIZATION

CONGREGATION FOR THE DOCTRINE OF THE FAITH

Protocol Number: __________

__________________________ has petitioned a dispensation from priestly celibacy.

His Holiness, Pope (Name), on (Date) ____________, after having received the report on the case from the Congregation for the Doctrine of the Faith, has granted the request in accord with the following considerations:

1. The rescript takes effect from the moment of its notification made to the member by the competent ecclesiastical authority. It includes inseparably the dispensation from priestly celibacy as well as the loss of the clerical state. It is never lawful for the member to disjoin these two elements; i.e., to accept the first and to refuse the second. If the member is a religious, the rescript also contains a dispensation from vows; in addition, it also includes absolution from censures if such is needed.

2. Notice of the dispensation’s grant should be recorded in the baptismal register of the member’s parish.

3. With regard to the celebration of a canonical marriage, the norms laid down in the Code of Canon Law are to be applied. But the ordinary should see to it that such arrangements are carried out with caution and without pomp and outward display.

4. The ecclesiastical authority whose responsibility it is to communicate the rescript to the member should earnestly exhort him to participate in the life of the People of God in a manner which is in harmony with his new condition in life, to give good example, and thus to show himself to be a most loving son of the Church. But at the same time he should inform him of the following:

   a) A dispensed priest by the fact of his dispensation loses the rights proper to the clerical state and his ecclesiastical dignities and offices. He is no longer bound by the other obligations connected with the clerical state.

   b) He remains excluded from the exercise of the sacred ministry, with the exceptions mentioned in canons 976 and 986, paragraph 2. He cannot, therefore, give a homily. In addition, he cannot discharge the extraordinary ministry of distributing holy communion nor can he perform a directive office in the pastoral field.

   c) He likewise cannot perform any function in seminaries or equivalent institutions. In other institutions of higher studies, which depend in any manner whatsoever upon ecclesiastical authority, he cannot discharge a directive function or the office of teaching.
d) In institutions of higher studies which do not depend upon ecclesiastical authority, he cannot teach any discipline that is properly theological or closely connected with it.

e) In institutions of lesser studies which depend upon ecclesiastical authority, he cannot discharge a directive function or the office of teaching unless the ordinary, according to his prudent judgment and with scandal removed, should judge to decide otherwise with regard to the role of teaching. A dispensed priest is bound by the same law in teaching religion in institutions of this type which do not depend upon ecclesiastical authority.

Per se, a priest dispensed from priestly celibacy and a priest who is married must not live in places where his previous condition is known. Nevertheless, the ordinary of the place where the member lives, if necessary after having consulted with the ordinary of incardination or with the major religious superior, can dispense from this clause attached to the rescript if the presence of the member is not foreseen to give rise to scandal.

Lastly, some work of piety or charity should be imposed upon the member. At an opportune time, a brief report should be sent to this Congregation concerning the execution of the rescript; and, if thereby any wonderment on the part of the faithful, a prudent explanation should be provided.

All other contrary provisions not withstanding....

(Date)
ACKNOWLEDGEMENT OF RECEIPT OF RESCRPT OF DISPENSATION

I hereby acknowledge receipt of and acceptance of the rescript dispensing me from priestly obligations and religious profession.

__________________________
Name

__________________________
Date
DISPENSATION FROM PERPETUAL VOWS AND INCARDINATION INTO A DIOCESE (canon 693)

A. The member writes a petition addressed to the Cardinal Prefect of the Congregation for Institutes of Consecrated Life and for Societies of Apostolic Life. The petition requests an indult of exclaustration for the purpose of incardination according to the provisions of canon 693. The petition contains:
   ▪ The member’s request (Form 7-A)
   ▪ A concise curriculum vitae (resume) (Form 7-B)

The petition is given to the provincial.

B. The provincial does the following:
   ▪ Obtains a letter of consent from the diocesan bishop willing to incardinate the priest/deacon
   ▪ Consults his council
   ▪ Writes a letter of recommendation to the supreme moderator, noting the opinion of his council (Form 7-C)
   ▪ Forwards all the documents to the supreme moderator
   ▪ After receiving the indult, notifies the member and the receiving bishop

C. The supreme moderator does the following:
   ▪ Consults his council
   ▪ Writes a letter to the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life (Form 7-D)

D. The supreme moderator or provincial notifies the member and the receiving bishop that the indult has been granted.

E. If the member has not been incardinated by the receiving bishop prior to the expiration of five (5) years, the provincial should notify the member a short time before the expiration date that he will be dispensed from his vows and incardinated by law effective on (date) unless he notifies the provincial otherwise.

F. Upon dispensation and incardination, the provincial is to notify the parish of baptism that the member has been dispensed from religious vows.

Note: The indult contains a provision that at the end of five (5) years if neither the supreme moderator nor the receiving diocesan bishop objects, the priest/deacon is automatically dispensed from his vows and incardinated into the diocese. The indult also permits the receiving diocesan bishop to issue a decree of dispensation and incardination prior to the completion of the five (5) years.

Note: While the process could be done by the receiving bishop after obtaining the recommendation of the supreme moderator with the advice of his council, it is recommended that the Institute process the petition. This insures that the process is done correctly and the major superior is aware of the granting of the indult.
(Date)

Cardinal Prefect
Congregation for Institutes of Consecrated Life
   and for Societies of Apostolic Life
3 Piazza Pio XII
00193 Rome, Italy

Your Eminence,

I, __________________, an ordained priest/deacon and a member of the
________________________, hereby petition for an Indult of Exclaustration for the purpose
of incardination into the (Arch)Diocese of _____________ (canon 693). Please find
my personal Curriculum Vitae enclosed.

I have seriously meditated and prayed before the Lord about this matter. The serious
reasons which have motivated me to ask for this petition are:

(Reasons)

This petition is made freely and is initiated at my own personal request. Neither the
Provincial of my Institute nor the (Arch)Bishop of the (Arch)Diocese have unduly
influenced me in the making of my decision.

With a sincere hope that this petition will be granted to me and asking God to bless you
in your ministry and that of your Congregation, I am,

Sincerely yours,

(Signature)
(Address)
CURRICULUM VITAE

(Name)
(Address)
(Date)

Parents:

Date and Place of Birth:

Date and Place of Baptism:

Primary Education:

Secondary Education:

College:

Higher Education:

Novitiate:

First Profession:

Perpetual Profession:

Ordination:

Novice Director/Formation Director:

Assignments/Ministries:
(Date)

(Name)
(Address)

Dear (Name),

______________, a perpetually professed member of the Province of ____________, requests an Indult of Exclaustration for the purpose of incardination into the (Arch)Diocese of ____________ (canon 693).

Both my council and I support this request for the following reasons:

(Reasons)

I request that after consulting your council, you present this petition to the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life.

I am enclosing the requisite documents.

Sincerely,

(Name)
Provincial
(Date)

Cardinal Prefect
Congregation for Institute of Consecrated Life and
   Societies of Apostolic Life
3 Piazza Pio XII
00193 Rome, Italy

Your Eminence,

____________________, a perpetually professed member of the _______________________,
Province of ____________________, United States, has requested to depart religious life
and incardinate into the (Arch)Diocese of ________________. (Arch)Bishop
____________________ of the (Arch)Diocese of ________________ has agreed to accept him
on a probationary basis leading to incardination.

Along with my council which unanimously supports the decision, I support and
recommend that the indult be given in accordance with canon 693.

My reasons for supporting the petition are:

(Reasons)

Enclosed are the requisite documents necessary for granting the indult.

Sincerely,

(Name)
Supreme Moderator
EXCLAUSTRATION BY SUPREME MODERATOR (canons 686-687)

A. The member writes a petition addressed to the supreme moderator requesting an indult of exclaustration for a specific period, but not for more than three (3) years (Form 8-A). The petition must include the reasons for the request. The petition is given to the provincial.

B. The provincial sends the petition to the supreme moderator. (Proper law may require the provincial to seek the advice or consent of his council.)

C. If the member is a priest or a deacon, the provincial writes to the local ordinary of the place where the priest or deacon proposes to live and requests his consent for the priest or deacon to live there while on exclaustration. This step is not required if the person is not ordained.

D. The provincial sends the following to the supreme moderator:
   - The member’s request
   - The provincial’s letter of recommendation
   - A copy of the letter of the ordinary of the place (in the case of a priest or deacon)

E. The supreme moderator, with the consent of his council, issues the indult of exclaustration (Form 8-B or Form 8-C).

F. After receiving the indult from the supreme moderator, the provincial sends a copy to the member.

G. When the period of exclaustration is about to end, the provincial writes the member so informing him and requests information regarding his future plans.

Note: A person on exclaustration may return to the Institute at any time during the period of exclaustration. He does not need the consent of the provincial or supreme moderator. The only exception to this is an indult granted by the Apostolic See if the indult states otherwise.
(Date)

(Name)
(Address)

Dear ____________,

After serious reflection weighed before the Lord, I, a perpetually professed member of the ______________, hereby petition that I be granted an Indult of Exclaustration for \textit{(period of time)} according to the norms of canon law and the proper law of the ______________.

I have discussed the matter thoroughly with the provincial who has sought to support and guide me in my decision but has not tried to unduly influence me. My reason(s) for asking for this indul is/are:

\textit{(Sample:)}

I am having serious doubts about my vocation and I am trying to discern whether I wish to continue as a member of the Institute.

\textit{or}

I have decided to withdraw from the Institute by asking the Apostolic See for a dispensation from my religious vows (and obligations accruing to priestly ordination). This indul is meant as a means for me to withdraw from the Institute until the appropriate dispensation can be granted.

\textit{Etc.}

I am fully aware and accept the juridical effects according to canon law and the proper law of the Institute, and I am fully aware and accept the legal effects according to the civil law of the United States.

With the sincere hope that this petition can be granted to me as I have requested and asking for your prayers and blessings, I am,

Sincerely yours,

\textit{(Signature)}
\textit{(Address)}
INDULT OF EXCLAUSTRATION

(Name)

In accordance with the Code of Canon Law and the request of the above named religious, an Indult of Exclaustration is granted for a period of ______________ from ______________ until ______________ (canon 686.1).

During the period of exclaustration, the religious is considered as dispensed from those obligations incompatible with his new condition of life except that the religious shall remain bound to celibacy and shall be subject to his major superior. The religious shall keep the major superior informed of his residence and telephone number. The right to active and passive voice in the Institute is suspended. He may not wear the religious habit.

During the period of exclaustration, the religious shall be responsible for all his financial obligations and the religious Institute shall not be responsible for any of his financial obligations whatsoever (canon 639).

At the expiration of this indul, the religious shall be obligated to return to (place or name of Institute), unless further disposition shall have been made. If the religious does not return, he is unlawfully absent and neither the Institute nor any division of the Institute is liable for any debts or action or omissions whatsoever incurred by him.

Granted at (Place)
on (Date)

Supreme Moderator

I, the undersigned religious, hereby accept the Indult of Exclaustration and its terms.

Date _____________________________ Religious ______________________________
INDULT OF EXCLAUSTRATION

(Name)

In accordance with the Code of Canon Law and the request of the above named religious, an Indult of Exclaustration is granted for a period of _____________ from _____________ until _____________ (canon 686.1).

During the period of exclaustration, the religious is considered as dispensed from those obligations incompatible with his new condition of life except that the religious shall remain bound to celibacy and shall be subject to his major superior. The religious shall keep the major superior informed of his residence and telephone number. The right to active and passive voice in the Institute is suspended. He may not wear the religious habit. His faculties as a priest are revoked except if a penitent is in danger of death (canon 976).

During the period of exclaustration, the religious shall be responsible for all his financial obligations and the religious Institute shall not be responsible for any of his financial obligations whatsoever (canon 639).

At the expiration of this indult, the religious shall be obligated to return (place or name of Institute), unless further disposition shall have been made. If the religious does not return, he is unlawfully absent and neither the Institute nor any division of the Institute is liable for any debts or action or omissions whatsoever incurred by him.

Granted at (Place)
on (Date)

_______________________________
Supreme Moderator

I, the undersigned religious, hereby accept the Indult of Exclaustration and its terms.

_______________________________  ________________________
Date                                      Religious
EXCLAUSTRATION BY APOSTOLIC SEE (canon 686.1)

A. The supreme moderator may only give an indult of exclaustration for up to three (3) years (canon 686.1). For a longer exclaustration, or for an extension beyond the three (3) years, the Apostolic See must grant the indult.

B. The member writes a petition indicating why he requests a longer exclaustration or an extension beyond three (3) years (Form 9-A).

C. The provincial does the following:
   - Consults his council
   - Writes a recommendation noting the opinion of the council to the supreme moderator (Form 9-B)
   - Collects the materials from the indults(s) granted by the supreme moderator; e.g., petition(s) and indult(s) and sends them to the supreme moderator.

D. The supreme moderator does the following:
   - Consults his council
   - Writes a recommendation noting the opinion of the council (Form 9-C)
   - Transmits the materials to the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life

E. If the indult is given by the Congregation, the supreme moderator notifies the provincial who in turn notifies the member.

F. If the indult is not granted, the supreme moderator and the provincial decide what, if any, further canonical action should be taken:
   - Encourage the person to return
   - Grant permission for the member to be away
   - Encourage the member to seek a dispensation or a transfer
   - Issue a declaration of non-liability and do nothing more
   - Wait six (6) months and initiate the dismissal process
(Date)

Cardinal Prefect
Congregation for Institutes of Consecrated Life
and for Societies of Apostolic Life
3 Piazza Pio XII
00193 Rome, Italy

Your Eminence,

After serious reflection, I, ________________, a perpetually professed member of the ________________, hereby petition for a _____ year extension of the Indult of Departure first granted by my supreme moderator for a period of three (3) years.

The reason I am requesting an extension is:

(The reason should be somewhat detailed and explain why three (3) years was insufficient)

With the sincere hope that this petition will be granted to me, and asking for God’s blessing on you, I am,

Sincerely yours,

(Signature)
(Address)
LETTER TO SUPREME MODERATOR : FORM 9-B

(Date)

(Name)

(Address)

Dear ________________,

_______________, a perpetually professed member of the Province of ________________, requests an extension of his Indult of Exclaustration for a period of _____ years. Originally an indult was granted by you (your successor) on ________________ for a period of _____ years (and renewed on ________________ for a period of _____ years). Since the Code of Canon Law required that the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life grant indults of exclaustration beyond three (3) years (canon 686.1), it is necessary to request the extension from the Congregation.

Both my council and I support this request.

(Reasons)

Enclosed is the petition for extension.

Sincerely,

(Name)

Provincial
(Date)

Cardinal Prefect
Congregation for Institutes of Consecrated Life
    and Societies of Apostolic Life
3 Piazza Pio XII
00193 Rome, Italy

Your Eminence,

I enclose a petition from ______________, a perpetually professed member, who is seeking an extension of his Indult of Exclaustration beyond three (3) years.

Along with my council, I support the request.

(Reasons)

I believe that granting the extension will be for the spiritual benefit of ______________. Therefore, I recommend and request the extension.

Sincerely,

(Name)
Supreme Moderator
EXCLAURATION IMPOSED BY APOSTOLIC SEE (canon 686.3)

A. An exclauration may be imposed for behaviors that are consistently and seriously disruptive of community but which are not grave matter that could result in canonical dismissal.

B. The provincial attempts pastoral approaches to assist the member, such as offering counseling and treatment and helping the member’s living community to understand and be supportive of the member. If these fail, the process for an imposed exclauration can be initiated.

C. The provincial gives a formal warning to the member that his behavior must change (Form 10-A). The formal warning, given in writing or before two witnesses (preferably in writing) contains:

- A description of the disruptive behavior
- The required behavior changes that must be made
- The reasons the behavior changes are necessary
- An offer of evaluation and treatment (if appropriate)
- A notice that if the changes are not made, an imposed exclauration will be sought.
- The fact the member has a right of recourse to:
  - the supreme moderator
  - the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life

D. After a sufficient amount of time has elapsed (e.g. three (3) months) and no change has occurred OR change has occurred but the member reverts back to the old destructive behavior, the provincial, after meeting with his council, prepares the acts to submit to the supreme moderator. No second warning is required. The acts contain:

- A petition request the imposition of an exclauration and the reasons (Form 10-B)
- The member’s curriculum vitae
- Documentation demonstrating the behavior issues
- Documentation on the attempts to help the member and the member’s response
- The minutes of the council meeting
- Psychological reports, if available
- The warning given to the member
- Other pertinent information

E. The supreme moderator meets with his council to discuss the case and to obtain their consent to forward the petition and acts to the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life.
F. The supreme moderator writes a petition to the Congregation and submits it along with the minutes of his council meeting and the acts of the case (Form 10-C).

G. Upon notification from the Congregation that the exclaustration is imposed, the supreme moderator forwards the notification to the provincial who informs the member.
FORMAL WARNING

TO:

You are hereby given this formal warning concerning your seriously disruptive behavior within the community. This behavior includes

*(Description of the behavior)*

You are required to change this behavior by

*(List of behavior changes)*

In order to assist you, I offer you the opportunity to receive evaluation and psychological assistance at ________________ or another agreed to place.

If you do not change this way of acting within community and continue the behavioral changes, I will petition the supreme moderator to seek an exclaustration imposed by the Apostolic See. No further warning is required before submitting the petition.

You have the right of recourse against this warning to the supreme moderator and to the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life.

*(Name and address of the supreme moderator)*

Cardinal Prefect
Congregation for Institutes of Consecrated Life
and Societies of Apostolic Life
3 Piazza Pio XII
00193 Rome, Italy

Given at *(Place)*
On *(Date)*

________________________________________
*(Name)*
Provincial

________________________________________
*(Name)*
Witness

*(If given before two witnesses, the two witnesses sign as follows:)*

This formal canonical warning was given by ________________ to ________________ in our presence.

________________________________________
*(Name)*
Witness

________________________________________
*(Name)*
Witness
PETITION BY PROVINCIAL: FORM 10-B

(Date)

(Name)

(Address)

Dear ____________,

After consulting with my council, I am requesting that you petition the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life to impose an exclaustration on ____________, a member of this province, for an indefinite period of time.

The reasons for this request are:

(Reasons)

The reason that ____________ will not petition for an Indult of Departure are:

(Reasons)

Attached with this petition are the Acts of the case demonstrating the behavior of ____________ and why an exclaustration should be imposed.

Sincerely,

(Name)

Provincial
Date

Cardinal Prefect
Congregation for Institutes of Consecrated Life
and Societies of Apostolic Life
3 Piazza Pio XII
00193 Rome, Italy

Your Eminence,

I write to request that your Congregation impose an exclaustration for an indefinite period of time on _____________________, a member of _____________________, Province of _______________ in the United States.

After receiving the Acts of the case from the provincial, I met with my council to discuss the case. After due deliberation, the council voted unanimously to petition your Congregation to impose the exclaustration. I believe that the materials submitted by the provincial are sufficient to demonstrate that the behavior of _____________________ is too disruptive for community life and there are no other possibilities to handle the case. The provincial has summarized the reasons in his petition to me and I refer you to his letter.

It is my judgment, along with my council’s, that the behavior of _______________ will not change and therefore it is unlikely that he will be able to live within community at anytime in the future.

Thank you for your consideration of this matter.

Sincerely,

(Name)
Supreme Moderator
TRANSFER FROM A RELIGIOUS INSTITUTE TO ANOTHER RELIGIOUS INSTITUTE (canons 684-685)

A. The transferring member writes a letter to the supreme moderator requesting to transfer (Form 11-A).

B. The supreme moderators, with the consent of their respective councils, approve the request to begin the transfer process.

C. After a minimum period of three (3) years, the transferring member may make perpetual profession in the new Institute according to its proper law. The document of profession is sufficient evidence of the transfer.

D. Upon transfer, the member should execute new civil law documents (e.g., a will, patrimony, total renunciation if applicable).
(Date)

(Name)
(Address)

Dear _______________,

After prayer and consultation, I request permission to begin the process of transfer to ________________, another religious Institute.

My reasons are:

(Reasons)

I hope to begin the period of transfer on ____________.

Sincerely,

(Name)
(Address)
TRANSFER FROM A RELIGIOUS INSTITUTE TO A SOCIETY OF APOSTOLIC LIFE (canons 684, 685 and 744.2)

A. The transferring member writes a letter to the supreme moderator requesting the transfer (Form 12-A).

B. The supreme moderators, with the consent of their respective councils, give the approval to begin the transfer process.

C. One of the supreme moderators sends to the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life a request to grant permission for the transfer (canons 684.5 and 744.2). (Form 12-B)

D. The mandates contained in the indult from the Congregation are to be observed in the transfer process (canons 684.5 and 744.2).

E. After the required probationary period and the requisites of law and the mandate have been observed, the transferring member may be incorporated into the Society.

F. Upon transfer, the member should execute new civil law documents according to the requirements of the Society. In particular, the members should invalidate the will made while a member of the Institute unless he wishes to continue with its provisions.
(Date)

(Name)
(Address)

Dear ________________,

After prayer and consultation, I request permission to begin the process of transfer to ________________, a Society of Apostolic Life.

My reasons are:

(Reasons)

I hope to begin the period of transfer on ____________.

Sincerely,

(Name)
(Address)
(Date)

Cardinal Prefect
Congregation for Institutes of Consecrated Life
and Societies of Apostolic Life
3 Piazza Pio XII
00193 Rome, Italy

Your Eminence,

I request that _____________, a perpetually professed member of the
______________, a religious Institute, be given permission to transfer to
______________, a Society of Apostolic Life, in accord with canons 684.5 and
744.2.

His present supreme moderator, with the consent of his council, gives his consent. My
council and I also give consent.

I believe that the transfer is for the spiritual good of ________________, and I recommend
the granting of permission.

Sincerely,

(Name)
Supreme Moderator
TRANSFER FROM A SOCIETY OF APOSTOLIC LIFE TO ANOTHER SOCIETY OF APOSTOLIC LIFE (canon 744.1)

A. The transferring member writes a letter to the supreme moderator requesting to transfer (Form 13-A).

B. The supreme moderators of each Society, with the consent of their respective councils, give the approval to begin the process.

C. After the required probationary period, the transferring member may be incorporated into the new Society according to the proper law. The document of incorporation is sufficient evidence of the transfer.

D. Upon transfer, the member should execute new civil law documents if applicable.
PETITION: 13-A

(Date)

(Name)
(Address)

Dear ____________,

After prayer and consultation, I request permission to begin the process of transfer to _________________, a Society of Apostolic Life.

My reasons are:

(Reasons)

I hope to begin the period of transfer on _________________.

Sincerely,

(Name)
(Address)
TRANSFER FROM A SOCIETY OF APOSTOLIC LIFE TO A RELIGIOUS INSTITUTE (canons 684, 685 and 744.2)

A. The transferring member writes a letter to the supreme moderator requesting the transfer (Form 14-A).

B. The supreme moderators, with the consent of their respective councils, give the approval to begin the transfer process.

C. One of the supreme moderators sends to the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life a request to grant permission for the transfer (canons 684.5 and 744.2). (Form 14-B)

D. The mandates contained in the indult from the Congregation are to be observed in the transfer process (canons 684.5 and 744.2).

E. After the required probationary period of at least three (3) years, and the requisites of law and the mandates of the Congregation have been observed, the transferring member may make perpetual profession in the Institute. The document of profession is sufficient evidence of the transfer.

F. Upon transfer, the member should execute new civil law documents (e.g. a will, patrimony, total renunciation if applicable).
(Date)

(Name)
(Address)

Dear _______________,

After prayer and consultation, I request permission to begin the process of transfer to ________________, a religious Institute.

My reasons are:

(Reasons)

I hope to begin the period of transfer on ________________.

Sincerely,

(Name)
(Address)
(Date)

Cardinal Prefect
Congregation for Institutes of Consecrated Life
   and Societies of Apostolic Life
3 Piazza Pio XII
00193 Rome, Italy

Your Eminence,

I request that ________________, a perpetually incorporated member of the
______________, a Society of Apostolic Life, be given permission to transfer to
the ________________, a religious Institute in accord with canons 684.5 and 744.2.

His present supreme moderator, with the consent of his council, gives his consent. My
council and I also give consent.

I believe that the transfer is for the spiritual good of ________________, and I recommend
the granting of permission.

Sincerely,

(Name)
Supreme Moderator
ORDINATION TO THE DIACONATE OR THE PRESBYTERATE (canons 833, 1021, 1022, 1036, 1050-1054)

A. All required formation, studies and discernment must be completed, evaluation materials prepared and procedures followed for approval for ordination as mandated in the proper law and as required by canon law.

B. Procedure upon acceptance:

1. The candidate for the diaconate makes and signs the required profession of faith (Form A1-A) and signs a declaration of freedom (Form A1-B).
2. The candidate for the presbyterate only signs a declaration of freedom (Form A1-C).
3. The dimissorial letter is prepared by the provincial’s office and signed by the provincial and the ecclesiastical notary (Form A1-D for deacon and Form A1-E for presbyter). Note: The provincial is ‘competent’ to grant dimissorials (canon 1019.1).
4. A cover letter and the completed dimissorial letter is sent to the ordaining bishop (canon 1021). Out of courtesy, a letter about the upcoming ordination and a copy of the dimissorial letter is sent to the bishop of the diocese wherein the ordination is to take place if other than the ordaining bishop.
5. An ordination certificate is granted by the ordaining bishop (canon 1053) and kept on file in the provincial’s office and a copy is also given to the newly ordained.
6. The provincial’s office sends a letter to the parish where the newly ordained person was baptized noting the dates of baptism, ordination to the diaconate or the presbyterate so that these dates may be entered on the baptismal certificate (canon 1054).
PROFESSION OF FAITH
AND
OATH OF FIDELITY TO THE APOSTOLIC SEE

I, (Name), with firm faith believe and profess all and everything that is contained in the symbol of faith, namely:

I 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 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 and 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 believe as well everything contained in God’s word, written or handed down in tradition and proposed by the church – whether in solemn judgment or in 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 by the same church definitively with regard to teaching concerning faith or morals.

What is more, 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 in an act that is not definitive.

Signed

Witness

Date
DECLARATION OF FREEDOM

I, the undersigned, _______________, a member of the ____________________, in presenting this petition to the Superior of ______________ for the reception of the Order of Deacon, after having carefully considered the matter before God, do hereby certify under oath:

1. That in the reception of the Order of Deacon I am moved by no coercion, compulsion, or fear, but am seeking it on my own accord, and do of my own full and free will desire to embrace it together with the obligations that are attached to it.

2. I acknowledge that I am fully informed of all the obligations that flow from the Order of Deacon and I freely embrace them, and resolve with the help of God to keep them faithfully during my entire life.

3. I declare that I clearly understand all that the vow of chastity and the law of celibacy prescribe, and I firmly resolve with the help of God to observe these obligations in their integrity until the end of my life.

4. Finally, I sincerely promise that I will always, according to the proper law of _______________ and the Code of Canon Law, most respectfully obey in all things which are commanded me by my Superiors according to the discipline of the Church, and am prepared to give good example both in work and in word, so that in the reception of the Order of Deacon I may be worthy to receive the reward which God has promised.

To all this I testify and swear upon these sacred Gospels which I touch with my hand.

_______________________________
Signed

_______________________________
Witness

_______________________________
Date
DECLARATION OF FREEDOM

I, the undersigned, _______________, a member of the ____________________, in presenting this petition to the Superior of ________________ for the reception of the Order of Presbyter, after having carefully considered the matter before God, do hereby certify under oath:

1. That in the reception of the Order of Presbyter I am moved by no coercion, compulsion, or fear, but am seeking it on my own accord, and do of my own full and free will desire to embrace it together with the obligations that are attached to it.

2. I acknowledge that I am fully informed of all the obligations that flow from the Order of Presbyter, and I freely embrace them, and resolve with the help of God to keep them faithfully during my entire life.

3. I declare that I clearly understand all that the vow of chastity and the law of celibacy prescribe, and I firmly resolve with the help of God to observe these obligations in their integrity until the end of my life.

4. Finally, I sincerely promise that I will always, according to the proper law of ________________ and the Code of Canon Law, most respectfully obey in all things which are commanded me by my Superiors according to the discipline of the Church, and am prepared to give good example both in work and in word, so that in the reception of the Order of Presbyter I may be worthy to receive the reward which God has promised.

To all this I testify and swear upon these sacred Gospels which I touch with my hand.

______________________________
Signed

______________________________
Witness

______________________________
Date
DIMISSORIAL LETTER

By virtue of this letter, I grant permission to _____________ to receive the Order of Deacon from the Most Rev. _____________ for service in the _____________.

By this letter, it is affirmed that the above-named candidate has complied with the following requirements:

1. He became a perpetually professed member of the ________________ on ________________.

2. He has manifested his free intention to receive the Order of Deacon.

3. He has the required age.

4. He has received approbation from the rector and faculty of the seminary and has completed whatever studies might be required.

5. He has received any previous ministries required for the reception of the above-mentioned order and has observed the prescribed intervals between ministries [unless they have been dispensed].

6. He has made the required Profession of Faith, Declaration of Freedom and fulfilled his spiritual obligations.

7. He is free of any impediments, irregularities, or censures, and his moral character corresponds to the requirement of the Order of Deacon he is about to receive.

Given at ________________ on ________________.

______________________________
(Name)
Provincial

______________________________
(Name)
Ecclesiastical Notary
DIMISSORIAL LETTER

By virtue of this letter, I grant permission to _______________ to receive the Order of Presbyter from the Most Rev. _______________ for service in the _______________.

By this letter, it is affirmed that the above-named candidate has complied with the following requirements:

1. He became a perpetually professed member of the ________________ on ________________.

2. He has manifested his free intention to receive the Order of Presbyter.

3. He has the required age.

4. He has received approbation from the rector and faculty of the seminary and has completed whatever studies might be required.

5. He has received any previous ministries and the Order of Deacon required for the reception of the above-mentioned order and has observed the prescribed intervals between orders [unless they have been dispensed].

6. He has made the required Declaration of Freedom and fulfilled his spiritual obligations.

7. He is free of any impediments, irregularities, or censures, and his moral character corresponds to the requirement of the Order of Presbyter he is about to receive.

Given at ________________ on ________________.

__________________________
(Name)
Provincial

__________________________
(Name)
Ecclesiastical Notary
NOTIFICATION TO PARISH OF BAPTISM

When to send notice:

- Perpetual Vows
- Deacon Ordination
- Priesthood Ordination
- Dispensation from Perpetual Vows and Incardination into an (Arch)Diocese
- Dispensation from Perpetual Vows
- Dispensation from Priestly/Deacon Obligation and Perpetual Vows
- Confirmed Decree of Dismissal
DECLARATION OF UNLAWFUL ABSENCE AND NON-LIABILITY

If a member does not return at the end of a period of excastration or does not make further provisions for a lawful absence, the provincial sends to him the Declaration of Unlawful Absence (Form A3-A).

*Note:* This form may also be sent to a member who leaves without seeking excastration and/or dispensation.

*Note:* To use this procedure, the Institute should have a provision in its proper law providing for the declaration. A suggested wording for such a provision is:

*If a member does not return to the Institute at the end of a period of excastration or other lawful absence, or if a member is unlawfully absent from the Institute, neither the Institute nor any division is liable for any debts or actions or omissions or obligations whatsoever incurred by the member. The supreme moderator (provincial) should make a declaration of the fact. (cf. canon 665)*
DECLARATION OF UNLAWFUL ABSENCE

In accordance with the proper law of the ________________, I hereby declare that ________________ is unlawfully absent from the Institute.

This declaration is made in view of the fact that (here state the reasons(s) for the declaration; for example: the period of his excastration has expired and he has neither returned to the Institute nor made further provisions for continued lawful absence.)

As a consequence of this unlawful absence, in accordance with the provisions of the proper law, neither the Institute nor any division is liable for any debts or actions or omissions or obligations whatsoever incurred by ________________.

Provincial

Date
TRANSMITTAL TO APOSTOLIC SEE THROUGH APOSTOLIC NUNCIATURE

A. When the supreme moderator or the provincial transmits written materials directly to a dicastery (congregation) at the Apostolic See, he may send the written materials through the courtesy of the Apostolic Nunciature.

B. The procedure to follow is:
- Place the written materials in an envelope addressed to the dicastery
- Address a letter to the Nuncio requesting that the enclosed envelope be sent by diplomatic pouch to the dicastery. In the letter indicate the nature of the materials.
- Place the letter and the envelope addressed to the dicastery in another envelope addressed to:

  Apostolic Nunciature,
  3339 Massachusetts Ave. N.W.
  Washington, DC 20008 (Form A4-A)

There is no charge by the Nunciature for use of the diplomatic pouch. This service of the Nunciature assures speedy and correct delivery of the written materials.
(Date)

Most Rev. ______________
Apostolic Nuncio
Apostolic Nunciature
3339 Massachusetts Ave. N.W.
Washington, DC 20008

Re: Transmittal by Diplomatic Pouch

Your Excellency,

Please find written materials for transmittal to ____________ by diplomatic pouch.

(The enclosed are the Acts for the dismissal of ____________ from ____________ on the grounds of absence for more than six (6) months.)

Thank you for this service and for your service to the church in the United States.

Sincerely,

(Name)
Supreme Moderator