



Prot. No. 97/2024 P

Decree of Promulgation of New Law

Eparchy of Parma Policy on Sexual Abuse of Minors and Vulnerable Adults by Priests, Deacons, or Other Church Personnel: Revised 2024

Glory to Jesus Christ!

Whereas, The Eparchy of Parma shares Pope Francis' "conviction that everything possible must be done to rid the Church of the scourge of the sexual abuse of minors and to open pathways of reconciliation and healing for those who were abused" (*Letter of His Holiness Pope Francis to the Presidents of the Episcopal Conferences and Superiors of Institutes of Consecrated Life and Societies of Apostolic Life Concerning the Pontifical Commission for the Protection of Minors*, February 2, 2015); and

Whereas, the United States Conference of Catholic Bishops have listened to the profound pain and suffering of those victimized by sexual abuse and will continue to respond to their cries; have agonized over the sinfulness, the criminality, and the breach of trust perpetrated by some members of the clergy; and have pledged to use what we have learned to strengthen the protection given to the children and young people in the Church's care (cf., *Charter for the Protection of Children and Young People*, Preamble); and

Whereas, the whole Church, at both the diocesan/eparchial and national levels, must be engaged in maintaining safe environments in the Church for children and young people (*Charter for the Protection of Children and Young People*, 10); and

Whereas, The Eparchy of Parma is committed to ensuring that no child, young person, or person who habitually lacks the use of reason who is entrusted to its protection will suffer harm by reason of any inappropriate sexual behavior by any person; and

Whereas, (arch)diocese/eparchy will have a written policy on the sexual abuse of minors and vulnerable adults by priests and deacons, as well as by other church personnel, and this policy is to comply fully with, and is to specify in more detail, the steps to be taken in implementing the requirements of canon law, particularly CIC, canons 1717-1719, and CCEO, canons 1468-1470 (*Essential Norms for Diocesan/ Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*, 2);

Therefore, I, the undersigned Bishop of the Byzantine Catholic Eparchy of Parma, conscious of my duty to exercise legislative power in the governance of the Church entrusted to me (cf. CCEO, c. 191), hereby promulgate the following *Eparchy of Parma Policy on Sexual Abuse of Minors and Vulnerable Adults by Priests, Deacons, or Other Church Personnel: Revised 2024* as particular law for the Byzantine Catholic Eparchy of Parma accordingly:

EPARCHY OF PARMA
POLICY ON SEXUAL ABUSE OF MINORS AND VULNERABLE
ADULTS BY PRIESTS, DEACONS OR OTHER CHURCH
PERSONNEL: REVISED 2024

The Eparchy of Parma is committed to ensuring that no child, young person, or person who habitually lacks the use of reason who is entrusted to its protection will suffer harm by reason of any inappropriate sexual behavior by any person. Mindful of the words of our Lord, “Let the children come to me, and do not prevent them; for the kingdom of heaven belongs to such as these (Mt 19:14),” the Eparchy of Parma firmly resolves to take whatever steps are necessary to prevent the abovementioned individuals from being harmed physically, psychologically or spiritually by reason of any abusive conduct by any cleric or other representative of the Church. The Eparchy is especially cognizant of the great harm that is caused to souls by persons who sin gravely by using their positions of authority in the Church as a means of gaining access to children and young people for the purpose of committing the abominable crime of sexual abuse.

This policy is concerned with allegations of sexual abuse of minors and vulnerable adults by priests, deacons, or other church personnel. For purposes of this policy, any vulnerable adult, that is, a person who habitually lacks the use of reason is to be considered equivalent to a minor and every reference to “minor” shall include these vulnerable adults. Also, for purposes of this policy, “sexual abuse” shall include any conduct or interaction with a minor that qualifies as an external, objectively grave sin against chastity. Furthermore, for purposes of this policy, “church personnel” shall include religious sisters and brothers, seminarians, any certified or non-certified pastoral ministers, employees and volunteers of the eparchy and eparchial parishes, institutions and organizations, and any person appointed by the Bishop to an office.

I. VICTIM ASSISTANCE COORDINATOR

The Bishop shall appoint a competent person to coordinate assistance for the immediate pastoral care of persons who claim to have been sexually abused when they were minors by priests, deacons, or other church personnel. The Victim Assistance Coordinator will:

- provide a supportive contact experience for the alleged victim;
- meet in person with alleged victims, survivors of past abuse and their family members where a complete discussion of the alleged incident, as it relates to the completion of the concern form (cf. Appendix 1) will take place;
- discuss the available assistance and its expected duration;
- recommend specific psychological, spiritual or social service resources, including support groups and treatment facilities;
- if desired by the alleged victim, maintain follow-up contact during any treatment.

II. EPARCHIAL REVIEW BOARD

There shall be an Eparchial Review Board as provided in the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons as approved by the Congregation for Bishops (EN)* on December 8, 2002, and revised January 2006. The Review Board will be composed of at least five, but not more than nine persons of outstanding integrity and good judgment, at least five of whom are in full communion with the Church. The majority of the members are to be lay persons not in the employ of the Eparchy, but at least one person should be a priest who is an experienced and respected pastor of the Eparchy, and at least one person should have particular expertise in the treatment of the sexual abuse of minors or be able to act as a resource in locating a person with such expertise. Due consideration will be given to the appointment of persons with specific knowledge of fields relating to the work of the Review Board, including but not limited to education, medicine, law, counseling and social work. The members will be appointed for a term of five years, which may be renewed. The Promoter of Justice and the Protosyncellus shall participate in the meetings of the Review Board with no active or passive vote. Members shall take the promise of secrecy required of those admitted to an office in the eparchial curia (*Code of Canons of Eastern Churches [CCEO]*, c. 244 § 2, 2°). The functions of the board shall include:

- advising the eparchial bishop in his assessment of allegations of sexual abuse of minors and in his determination of suitability for ministry;
- reviewing diocesan/eparchial policies for dealing with sexual abuse of minors; and
- offering advice on all aspects of these cases, whether retrospectively or prospectively.

The Review Board's proceedings are confidential; information may not be disclosed to any non-Board member or staff unless required by civil or canon law.

III. ALLEGATIONS OF SEXUAL ABUSE OF MINORS AND VULNERABLE ADULTS BY PRIESTS, DEACONS OR OTHER CHURCH PERSONNEL

1. Any cleric, seminarian, religious, eparchial employee, regular volunteer of the Eparchy, or other person acting in an official or professional capacity, who has unprivileged knowledge, suspicion, or awareness of any allegation of sexual abuse of a minor by a priest, deacon or other church personnel shall report such knowledge, suspicion or allegation to appropriate civil authorities.

2. The Eparchy will cooperate fully with civil authorities in their investigation in accord with the laws of the jurisdiction.

3. Any cleric, seminarian, religious, eparchial employee, regular volunteer of the Eparchy, or other person acting in an official or professional capacity, who has unprivileged knowledge, suspicion, or awareness of any allegation of sexual abuse of a minor or by a priest, deacon or other church personnel shall report such knowledge, suspicion or allegation to the Bishop or to the Victim Assistance Coordinator, who shall report such allegation to the Bishop.

4. When an allegation of sexual abuse of a minor is made against a priest, deacon or other church personnel, the Eparchy will initiate a prompt, objective, preliminary investigation in accord with canons 1468-1470 of the *CCEO*. The investigation is to be conducted by a qualified professional, trained to deal with ecclesiastical cases, treating the alleged victim and family members with sensitivity.

5. The Victim Assistance Coordinator or other person designated by the Bishop shall interview the person making the allegation, shall complete the intake form (cf. Appendix 1), and shall make the results of the interview available to the Bishop. If the accused person is a member of a religious community or is a cleric incardinated into another diocese/eparchy who is on assignment or in residence within the Eparchy, the Victim Assistance Coordinator or other designee of the Bishop shall inform the accused person's Bishop or religious superior of the allegations.

6. Unless, pursuant to Canon 1469 of the *CCEO*, the Bishop concludes without consulting the Review Board that the accusation is sufficiently credible that the process for imposing a penalty is to be used, the Bishop will refer the allegation to the Review Board, which, gathered in plenary session, shall advise the Bishop in his assessment of the allegation and of the accused person's fitness for ministry or other service to the Eparchy.

7. If the Eparchial Review Board, having reviewed the allegation, deems it credible or recommends that an accused cleric is not fit for ministry, or if the accused cleric admits the truth of the allegation, either the cleric will be offered the opportunity to withdraw from ministry, or the Bishop will initiate a canonical process. The finding or recommendation of the Review Board is advisory and is not to be construed as a judgment as to the truth of the allegation.

8. The person making the allegation shall be kept informed of the stages of progress of the investigation and process.

9. From the onset of the preliminary investigation, the Bishop may apply the precautionary measures mentioned in canon 1473 of the *CCEO*, i.e. remove the accused from the sacred ministry or from any ecclesiastical office or function, impose or prohibit residence in a given place or territory, and appropriately restrict from public participation in the Most Holy Eucharist pending the outcome of the process (*Sacramentorum Sanctitatis tutela* [SST], art. 10 §2). In every case involving canonical measures or penalties, the processes provided for in canon law must be observed.

10. If the allegation of sexual abuse of a minor by a priest, deacon or other cleric has a semblance of truth and the preliminary investigation has concluded, the Dicastery of the Doctrine of the Faith shall be notified (SST, art. 10 §1). If the precautionary measures were not applied already, the Bishop shall apply them at this stage (*EN*, n. 6).

11. If the case would otherwise be barred by prescription, the Bishop shall apply to the Dicastery for the Doctrine of the Faith for a dispensation from the prescription, while indicating appropriate pastoral reasons.

12. When even a single act of sexual abuse by a priest, deacon or other cleric is admitted or is established after an appropriate process in accord with canon law, the offending priest, deacon or other cleric will be removed permanently from ecclesiastical ministry, not excluding dismissal from the clerical state, if the case so warrants (cf. SST, art. 6; *EN*, n. 8).

13. No cleric who has committed an act of sexual abuse of a minor will be transferred for ministerial assignment to another diocese/eparchy or religious province. Before a cleric can be transferred for residence to another diocese/eparchy or religious province, the Bishop shall forward, in a confidential manner, to the local Bishop or religious ordinary of the proposed place of residence any and all information concerning any act of sexual abuse of a minor and any other information indicating that he is or may be a danger to children or young people.

14. Care will always be taken to protect the rights of all parties involved, particularly those of the person claiming to have been sexually abused and of the person against whom the charge has been made. A priest, deacon, or other church personnel who has been accused of sexual abuse of a minor is to be accorded the presumption of innocence during the investigation of the allegation and all appropriate steps are to be taken to protect his/her reputation. The accused will be encouraged to retain the assistance of civil and canonical counsel. When an accusation has proved to be unfounded, every possible step will be taken to restore the good name of the person falsely accused. Where necessary, the Eparchy will supply canonical counsel to the accused.

15. The Bishop may refer accused clergy for assessment, evaluation, counseling, and/or treatment.

IV. SCREENING (BACKGROUND CHECKS) FOR THOSE WHO WORK WITH CHILDREN

Persons who serve children and youth as employees or volunteers are among the faith community's most valuable assets. They contribute greatly to the spiritual, emotional, intellectual and physical wellbeing of young people. Administrators shall take due precautions in order to assure that only those persons who are psychologically and temperamentally suited are chosen to work with children.

Therefore:

1. All clerics, employees and volunteers with regular contact with children shall complete a background investigation via fingerprints or by completing and signing the official Background Investigation Consent Form (cf. Appendix 2) and complete the Background Questionnaire (cf. Appendix 3). The Background Questionnaire shall be completed every five years and with each change of position or location. The Chancellor or Vice-Chancellor will review each cleric's personnel files every five years and with each change of position or location for indications of misconduct.

2. Each applicant for employment in a position with regular contact with children in the churches and institutions of the Eparchy shall supply to the hiring agent personal information adequate to assess his or her suitability for contact with children. Each applicant shall complete a fingerprint background investigation via fingerprints or by completing and signing the official Background Investigation Consent Form (cf. Appendix 2) and complete the Background Questionnaire (cf. Appendix 3).

3. All clerics and/or religious who transfer from another diocese/eparchy to a church community or institution in the Eparchy of Parma for the purpose of employment for ministry in the Eparchy shall present to the Eparchy a letter/statement certifying their suitability for service in the Eparchy, complete a fingerprint background investigation and complete the Background Questionnaire (cf. Appendix 3).

4. Each applicant for holy orders formation of the Eparchy of Parma shall complete a fingerprint background investigation and complete the Background Questionnaire (cf. Appendix 3).

5. Hiring agents shall examine and verify the applicant's employment history. The hiring agents shall submit all names of applicants to the Chancery for a check of the confidential register as described below.

6. The Chancery Office shall maintain a permanent, confidential register of all clerics, employees and volunteers who have abused children, or about whom questions have been raised, in conjunction with employment or volunteer involvement at churches and institutions of the Eparchy. This register may be shared with neighboring eparchies/dioceses.

7. All clerics, employees and volunteers agree that if they are arrested, charged, or convicted of corruption of a minor, gross sexual imposition, voyeurism, public indecency, endangering children, contributing to the delinquency of a minor, domestic violence, obscenity involving minors, or other crimes of a sexual nature or offense of violence they will immediately report such information to their immediate Supervisor, Pastor and Bishop.

V. EDUCATION AND SAFE ENVIRONMENT

1. Employees and volunteers will learn about the causes, forms and symptoms of child abuse through reading, participation in workshops and staff discussions.

2. Children will be instructed to protect themselves by learning about the potential risks and appropriate responses. The curricula of Catholic schools and religious education programs will contain learning objectives intended to protect children and adolescents from abuse. Other youth programs in Catholic parishes and institutions which teach about personal health and development or human sexuality are likewise to include learning objectives on the topic of child protection.

3. Child protection will be addressed regularly in the usual in-service programs offered for employees and volunteers who work regularly with children.

4. Parents/guardians should learn about the causes, forms and symptoms of child abuse. Parishes and other institutions of the diocese shall assist with this recommendation by offering programs or reading materials for parents/guardians.

5. Parents/guardians should strive diligently to develop a good rapport with their children and to alleviate any tensions that may interfere with good communication. Parents/guardians shall also avail themselves of “teachable moments” to discuss with their children in a positive fashion the realities of child abuse.

6. All clerics, employees and volunteers with regular contact with children will receive Safe Environment Training within 30 days of enrollment and will repeat the training every five years. Any minor aged 13 to 17 years, who is an ECF assistant, will have contact with children only under the supervision of an adult who has received Safe Environment Training within five years. The Eparchy of Parma will have trained Safe Environment personnel to coordinate training programs as needed. Children shall receive age-appropriate training annually.

7. No person shall use Eparchial or parish property to access pornographic sites or to store pornographic material.

VI. COMMUNITY OUTREACH

1. Procedures for Filing a Complaint of Sexual Abuse (cf. Appendix 4) by which people can make a direct complaint of incidents of sexual abuse will be maintained and published periodically in *Horizons* and on the eparchial website.
2. The Victim Assistance Coordinator will assist victims, alleged victims, survivors of past abuse and their family members with their spiritual and emotional well-being with referrals to therapists, social service agencies, treatment centers and support groups.
3. The bishop will offer to meet personally with all victims, alleged victims, survivors of past abuse and their family members.
4. If a parish community has been affected by an allegation of sexual abuse by a priest, deacon or other church personnel, the bishop or his representative will assess their needs and implement an intervention program to respond to those needs, including liturgies and support groups.

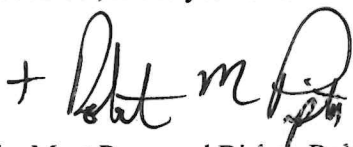
VII. POLICY REVIEW

1. The *Policy on Sexual Abuse of Minors and Vulnerable Adults by Priests, Deacons or Other Church Personnel: Revised 2024* is subject to change.
2. The Review Board will meet annually for the sole purpose of reviewing the policy and compliance by the eparchy and its parishes. The Review Board will forward a report to the Bishop on completion of this review and include recommended amendments and revisions as needed for the Bishop's final approval.

This decree is effective immediately.

Anything to the contrary notwithstanding.

Given at the Chancery of the Byzantine Catholic Eparchy of Parma, Independence, Ohio, on this 9th day of December, in the year of Our Lord 2024.



The Most Reverend Bishop Robert M. Pipta
Bishop of the Byzantine Catholic Eparchy of Parma



Gina DeFilippo
Vice-Chancellor

