



DIOCESE OF CROOKSTON SAFE ENVIRONMENT POLICY: Ministerial Review Board (MRB)
ISSUED: January 1, 2021; Updated February 17, 2022

I. PURPOSE

Since 2002, a Review Board has existed in the Diocese of Crookston to serve as a resource to the Bishop in regard to responding to clergy misconduct and reviewing policies related to clergy misconduct. This board has proven to be a valuable resource to resolve allegations of misconduct in a manner that is fair and just. Lay professionals who volunteer their time and expertise to serve on this board make a great contribution to the work of the Church.

The Ministerial Review Board (MRB) will continue to serve as a resource to the Bishop in regard to clergy misconduct and fulfill the requirements of the *Charter for the Protection of Children and Young People* and the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*.

II. DEFINITIONS

“Bishop” means the sitting Bishop of Crookston (or when the See is vacant, the Diocesan Administrator).

“Bishop’s Delegate (Delegate)” means the employee responsible for managing diocesan processes for handling allegations of clergy misconduct and overseeing the work of the Ministerial Review Board and the Office of Safe Environment.

“Chair” means the elected Chairperson of the Ministerial Review Board.

“Chancellor” means the appointed Chancellor (chief archivist) of the Diocese of Crookston.

“Clergy Misconduct” means sexual abuse of a minor; sexual misconduct with adults; other sexual improprieties, such as lewd behavior or pornography; other diocesan Code of Conduct violations; gambling; drug or alcohol abuse; financial misdeeds; or other allegations of misconduct.

“Ministerial Review Board” or “MRB” means the advisory, consultative body assembled to advise the Bishop regarding clergy misconduct. The MRB may also review and offer recommendations regarding Diocesan policies and processes relating to misconduct.

“Office of Safe Environment Staff” or “OSE Staff” means those employed by the Diocese of Crookston and working in the Office of Safe Environment.

“Promoter of Justice” is a canon lawyer who helps ensure and safeguard the integrity of processes, specifically regarding matters related to canon law.

“Recording Secretary” means the person appointed by the MRB to keep official minutes at MRB meetings.

“Sexual Abuse of a Minor” means: a physical act of a sexual nature with a minor including sexual touching or penetration; It includes all acts of sexual abuse as defined in Minnesota State Statutes. (See MN State Statute §§ 609.341, subds. 11 and 12 and 626.556, subd. 1n, which includes degrees of criminal sexual contact.); the acquisition, possession, or distribution of child pornography.

“Vice Chair” means the appointed Vice-Chairperson of the Ministerial Review Board.

“Victim Assistance Coordinator” or “VAC” is an independent contractor employed by the Diocese of Crookston who is entrusted with the task of providing support, outreach, and referrals for professional assistance to persons who report having been sexually abused as children by clergy, or by diocesan or parish personnel or volunteers. The VAC may participate, at the discretion of the Bishop, Delegate or MRB Chair, in meetings of the MRB for matters under its consideration.

III. POLICY

The MRB shall serve as a confidential, advisory, consultative body to advise the Bishop regarding clergy misconduct.¹ The MRB shall provide its expertise and assist as requested with developing policies and appropriate mechanisms to further ensure the protection of minors.

At all times, the MRB shall be free to carry out its responsibilities within the authority granted to it herein and in accordance with the *Charter for the Protection of Children and young People* and the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*.

A. Membership and Composition

1. The MRB shall be made up of the Delegate and at least five members who are in full communion with the Church, and the majority of whom will be lay persons who are not in the employ of the Diocese of Crookston.²
2. Membership shall include an experienced pastor of the Diocese of Crookston and a lay person with professional experience in the treatment or investigation of sexual abuse of minors. Membership may also include persons with experience or training in ministry, law, victimization, health care, mental health treatment, law enforcement, jurisprudence, human resources, business management, education or other relevant fields. If possible, one member will be a surviving victim of sexual abuse. All members must be of outstanding integrity and good judgment.
3. The Delegate shall consult with members of the MRB, OSE staff and the Victim Assistance Coordinator to identify candidates for a vacancy on the MRB. The Delegate shall recommend candidates to the Bishop, who shall appoint board members.

¹ *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* (2018) (hereto after *Essential Norms*), No. 4.

² *Essential Norms*, No. 5.

4. Members are appointed by and serve at the pleasure of the Bishop. The Bishop or the Delegate shall meet with members to prepare them for their duties. The MRB will annually elect among its members a Chairperson, Vice-Chairperson and a Recording Secretary.

5. The members will receive a letter of appointment from the Bishop for a five-year term, which is renewable.³ In his discretion, the Bishop may make appointments for terms of less than five years.

6. Members are expected to provide objective judgments regarding matters before the MRB and to attend meetings, either in person or via teleconference, videoconference or other suitable means. A member's frequent absence from MRB meetings may result in the Chair or Vice Chair recommending that the Bishop remove the member.

B. Promoter of Justice

1. The Promoter of Justice may participate in the meetings of the MRB. The Promoter of Justice is not a member of the MRB but with the consent of the Bishop, MRB Chairperson or Delegate, may attend the meetings to help ensure and safeguard the integrity of the process, specifically regarding matters related to canon law.⁴

C. Other Participants

1. With the consent of the Bishop, the Chair or Delegate may designate others to participate in the MRB process as necessary or appropriate. Such participants shall have a voice in the meetings of the MRB but shall not have a vote regarding the recommendations of the MRB.

2. When the Bishop, Delegate or the Chair consider it prudent, the VAC may participate in MRB meetings.

D. Staffing and Support

1. The MRB will be provided with sufficient staff and support of the Office of Safe Environment, Office of Communications, the Chancellor or other offices designated by the Bishop or Delegate to undertake its responsibilities. The Bishop or the Delegate may specifically designate a staff member to attend MRB meetings to provide assistance. An assigned staff member shall have no voice in the meetings of the MRB other than as determined by the Chair and shall not have a vote regarding the recommendations of the MRB.

2. The MRB may confer with Diocesan legal counsel regarding matters of ministerial standards and Safe Environment but are not required to do so. The Diocesan budget has funding for the

³ *Essential Norms*, No. 5.

⁴ *Essential Norms*, No. 5.

MRB as a body to retain outside legal counsel for assistance with any MRB duties, solely regarding the matters of ministerial standards and safe environment.

E. Meetings

1. The MRB shall have regularly scheduled meetings. The Bishop, Delegate and the Chair have the authority to continue, suspend, cancel or schedule additional meetings as necessary, including convening emergency meetings.
2. Minutes shall be taken at each MRB meeting. Minutes shall be retained and filed by the Recording Secretary and supplied to the Chancellor for diocesan archives. The Minutes shall include: (1) date and times of meetings; (2) identification of all attendees; (3) a listing of agenda items; (4) a brief summary of any advisory assessments on clergy; and (5) a brief summary of consultation by the board on any other matter.

F. Investigation and Review Process

1. Reporting to civil authorities must be made in accordance with civil law. The Diocese of Crookston shall cooperate fully with civil authorities in any investigation.
2. The MRB is not an investigatory body. It is a confidential, advisory, consultative body that advises the Bishop regarding alleged misconduct by clergy, including misconduct relating to the sexual abuse of a minor, sexual misconduct with adults, other sexual improprieties such as lewd behavior, pornography, boundary violations, gambling, drug or alcohol misuse, financial misdeeds, diocesan Code of Conduct⁵ violations, or other allegations of misconduct.
3. Allegations of sexual abuse of a minor must be presented to the MRB in accordance with the *Charter for the Protection of Children and Young People* and the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*. At the direction of the Bishop, the MRB has the authority to consider other allegations of misconduct.
4. In each case where a cleric has been found not guilty of criminal conduct by civil authorities, or has been investigated by civil authorities without prosecution, at the direction of the Bishop, an independent inquiry into and a determination of the given cleric's fitness for ministry shall be made.
5. For matters under its consideration, the MRB reviews allegations, receives information, considers evidence, evaluates the validity of allegations, and offers advice and recommendations, as appropriate to the Bishop. The MRB's recommendations may relate to a

⁵ Diocese of Crookston's *Code of Conduct for Church Leaders*

cleric's suitability for ministry and may include restrictions, supervision or other suggested actions. Prior to offering recommendations, the MRB may request additional information. The MRB may advise on all aspects of matters under its consideration, whether retrospectively or prospectively.⁶

6. In assessing a cleric's suitability for ministry, the MRB may consider any factors it deems appropriate to assist in the restoration of justice and the reform of the cleric,⁷ including the following: (1) nature and severity of misconduct/behavior; (2) type of actual harm; (3) duration of misconduct/behavior; (4) recurrence of misconduct/behavior; (5) passage of time since misconduct/behavior; (6) effect of misconduct on others; (7) likelihood of future harm; (8) self-awareness/honesty; (9) acceptance of responsibility/remorse; (10) corrective actions taken/proof of rehabilitation; (11) amenable to changing behavior; (12) mental health /psychological evaluation; (13) physical health; (14) current support system; (15) availability of an environment to succeed in; (16) presence of multiple challenges; (17) future community impact.

7. Where a preliminary investigation under canon law has been undertaken, the Bishop may seek the MRB's assessment of the allegations and recommendations as to an appropriate resolution to the allegations.

8. Members must maintain strict confidentiality about MRB matters.

G. Recommendations

1. The MRB shall make recommendations in a written report to the Bishop. The process for making such recommendations, either by consensus or some other means, is to be determined by the MRB.

2. After considering the advice and recommendations of the MRB, the Bishop shall determine what further processes or actions, if any, are to be undertaken to resolve the misconduct allegation and any related issues.

3. Where there have been allegations of clerical misconduct, fitness for ministry determinations are to be made by the Bishop upon recommendations from the MRB. If the Bishop, after considering these recommendations, determines a cleric is unfit for ministry based on a substantiated claim of sexual abuse of a minor, the Bishop shall not recommend the cleric to another religious organization, and shall notify an inquiring organization of the determination regarding fitness for ministry.

⁶ *Essential Norms*, No. 5.

⁷ 1983 Code of Canon Law, c. 1341

4. The Bishop has final decision-making authority. The Bishop shall advise members of the MRB of the final action by the Bishop in each case after the board's review and recommendation.
5. As requested by the Bishop, the MRB reviews policies on clergy misconduct and offers recommendations for policy and process improvements.