



## DIOCESE OF JOLIET

### **POLICY REGARDING SEXUAL ABUSE OF MINORS AND VULNERABLE ADULTS BY CHURCH PERSONNEL (REVISED DECEMBER 20, 2023)**

#### **I. INTRODUCTION**

On June 14, 2002, the United States Conference of Catholic Bishops (USCCB) approved the *Charter for the Protection of Children and Young People* (the “Charter”). On December 8, 2002, the *Essential Norms for Dealing with Allegations of Sexual Abuse of Minors* (Norms) were approved by Pope John Paul II. The Charter and Norms were revised in June of 2005, 2011 and again in 2018 to re-affirm the deep commitment of the Church to create a safe environment for children and youth.

The Diocese of Joliet (the “Diocese”) first promulgated a policy regarding sexual abuse of minors on June 14, 1990. Revisions were made in September 1993, in June 1997, in June 2003, July 2008, February 2013, and July 2021. As with the previous edition, this policy is intended to be in conformity with provisions from the *Charter for the Protection of Children and Young People* and from the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons (Revised June 2018)*.

This policy is designed to ensure appropriate responses to allegations of sexual abuse of minors and vulnerable adults by church personnel. It addresses preventing sexual abuse through education and screening, reporting abuse, providing pastoral assistance to persons affected by abuse and the processing of allegations.

A copy of this policy is to be given to all clergy, seminarians, diaconal candidates, religious, as well as to all employees and volunteers ministering with minors and vulnerable adults, all of whom will sign an acknowledgement of its receipt. The policy is also to be published on the diocesan website.

#### **II. DEFINITIONS**

##### **A. Child Sexual Abuse**

Child sexual abuse is any sexual activity with a child. Sexual activity can be touching or non-touching actions and may include fondling, rape, incest, sexual talk, voyeurism (watching), exhibitionism (showing), pornography or internet crimes. This policy’s definition of child sexual abuse pertains to a victim who is a minor or vulnerable adult and an adult perpetrator.

##### **B. Church Personnel**

Church personnel includes clergy, seminarians, diaconal candidates, religious, employees and volunteers.



## **C. Cleric**

A cleric (or clergy) is a male person who is an ordained deacon, priest, or bishop.

## **D. Diaconal Candidate**

A diaconal candidate is a male student who is studying to be a permanent deacon.

## **E. Director of Child and Youth Protection**

The Director of Child and Youth Protection (the “Director”) is appointed by the Bishop to oversee the workings of the Office of Child and Youth Protection. The duties of the Director include, but are not limited to the following:

- Inform the Bishop of allegations including any anonymous allegations or allegations that do not contain sufficient information.
- Oversee the implementation of this policy on a regular basis.
- Report regularly to the Bishop and the Review Board about the implementation of this policy and the progress of individual cases of abuse.
- Supervise the work of the Victim Assistance Coordinator.
- Serve as the central information point for child abuse issues among pertinent members of the Diocesan Tribunal and diocesan general counsel.
- Maintain all records pertaining to child protection and child abuse.
- Provide staff assistance to the Review Board.
- Prepare for the annual USCCB audit and CARA survey.
- Communicate to the public (i.e., within the Church community and beyond) the efforts of the Diocese to prevent the abuse of minors and vulnerable adults and to heal past abuse.

## **F. Employee**

An employee is a person who is compensated for services to a diocesan agency, parish, or school (includes Catholic non-diocesan operated schools and/or those operated by a religious community).

## **G. Laity**

Members of the Catholic Church who are neither clergy nor recipients of Holy Orders or vowed to life in a religious order or congregation (i.e., lay employees, lay volunteers, brothers and sisters).

## **H. Ministerial Relationship**

A ministerial relationship is established between persons when care or services are given. Persons in a ministerial relationship with others include clergy, seminarians, diaconal candidates and religious, as well as employees and volunteers.



## **I. Minor**

A minor is a person under the age of 18.

## **J. Religious**

A religious is a person who is a member of an institute of consecrated life or a society of apostolic life. A “Religious” is distinguished from a “Diocesan priest,” who is incardinated into a diocese.

## **K. Seminarian**

A seminarian is a male student who is studying at a seminary in order to become a priest.

## **L. Substantiated allegation**

A substantiated allegation is one that is found to be more likely true than not true and is not to be interpreted as a legal judgement.

## **M. Victim Assistance Coordinator**

The Victim Assistance Coordinator (the “VAC”), appointed by the Bishop, is to coordinate assistance for the immediate pastoral care of persons who report to have been sexually abused as minors or vulnerable adults. The duties of VAC include, but are not limited to the following:

- Receive allegations of the sexual abuse of minors and vulnerable adults.
- Listen with compassion to the experiences and concerns of victims/survivors.
- Advise victims/survivors of their right to report to civil authorities and inform them they will be supported in the exercise of that right (*USCCB Norms 11, footnote 8*).

## **N. Volunteer**

A volunteer is a person who functions without compensation in any role within a diocesan agency, parish, or school (includes Catholic non-diocesan operated schools and/or those operated by a religious community).

## **O. Vulnerable Adult**

A vulnerable adult is 18 years of age or older who habitually lacks the use of reason (Canon 99) or who, because of mental or physical disability is incapable of protecting himself/herself from sexual abuse.



## III. POLICIES

### A. Healing and Reconciliation

#### 1. Ministry to Victims/Survivors

The Victim Assistance Coordinator (the “VAC”), appointed by the Bishop, is to coordinate assistance for the immediate pastoral care of persons who report to have been sexually abused as minors or vulnerable adults. The VAC is available to victims/survivors and their families to aid in the healing process and provide appropriate pastoral care. Assistance offered may include counseling, spiritual direction, support groups or other social services. The Diocese seeks to treat all allegations of sexual abuse with a prompt, direct, thorough, and confidential pastoral response.

Pastoral outreach to victims/survivors and their families includes the bishop or his representative offering to meet with them, listening with patience and compassion to their experiences and concerns, and sharing the “profound sense of solidarity and concern” expressed by St. John Paul II, in his Address to the Cardinals of the United States and Conference Officers (Cf. *USCCB Charter, Article 1*).

## ALLEGATIONS AGAINST CLERGY

#### 2. Ministry to the Accused

Appropriate steps are to be taken to protect the reputation of the accused during an investigation of sexual abuse. The accused will be encouraged to retain the assistance of civil and/or canonical counsel. When the preliminary investigation of a complaint so indicates, a priest/deacon may be referred for appropriate medical and psychological evaluation, as long as this does not interfere with the investigation by civil authorities.

When an accusation has been deemed unsubstantiated, the Diocese provides pastoral assistance, including psychological counseling to a person who was falsely accused. All efforts are made to restore the good name of the person falsely accused (*USCCB Norms 13*).

#### 3. Ministry to Communities

In faith communities in which the sexual abuse occurred or where a priest/deacon has been removed, a meeting is held between a representative of the Pastoral Response Team and representatives of the affected community. If requested, the Pastoral Response Team offers pastoral assistance (spiritual and psychological) to the affected faith community.

Pastoral Response Team membership includes the Bishop or his representative and may include the following individuals or their delegates: the Director, Vicar for Clergy, Superintendent of Catholic Schools, Director of Catechesis and Evangelization, pastor/head of institution, religious superior, VAC, as well as experts in trauma response/intervention services.



## ALLEGATIONS AGAINST LAITY

Appropriate steps are to be taken to protect the reputation of the accused during an investigation of sexual abuse. In addition, the Diocese will do all that is possible to protect the confidentiality of the accused and the alleged victim.

The accused employee or volunteer will be notified of the allegation. If an employee, the accused will immediately be placed on administrative leave during the investigation, ordinarily without the loss of compensation. If a volunteer, the accused will be relieved of his/her volunteer duties during the investigation.

The Diocese will conduct an investigation of the allegation against a lay employee or volunteer. If the matter is being investigated by the civil authorities the Diocese will not interfere with the investigation.

Upon conclusion of an investigation by the civil authorities, the Diocese will take the outcome of the civil authority investigation into consideration when conducting its own investigation. If the Department of Children and Family Services (DCFS) conducts an investigation and it results in an “indicated” case of child abuse or neglect, or there is a criminal conviction, or the accused acknowledges the reported abuse, the lay employee or volunteer shall be dismissed and not allowed further employment by the Diocese or allowed to volunteer at a diocesan entity.

If the Diocese’s investigation determines that the allegation is unsubstantiated, the accused shall be reinstated in his or her work or volunteering.

## SAFE ENVIRONMENT COMPLIANCE

### B. Prevention

#### 1. Education

To foster a safe environment for children and vulnerable adults, the Diocese requires that church personnel comply with the safe environment compliance requirements of the Diocese. These requirements include educational programs identified by the Diocese which contain information about sexual abuse, its identifying signs, controlling access to children and vulnerable adults, appropriate boundaries in relationships, reporting incidents of abuse and the effects of abuse on victims/survivors.

Prior to beginning service, all church personnel are required to complete a *VIRTUS Protecting God’s Children for Adults* training. In addition to clergy, seminarians, diaconal candidates, religious, and employees, this requirement applies to all volunteers who minister with minors and/or vulnerable adults on a regular, recurring basis and those who may have an opportunity to be alone with children and/or vulnerable adults during parish, school or religious education sponsored events. The program is also available to parents and guardians.

All persons who continue involvement with minors and/or vulnerable adults are also required to participate in continuing education training identified by the Diocese.



Children and youth are to receive instruction appropriate to their age level (*USCCB Charter 12*).

Prior to beginning service, all church personnel should receive a copy of the *Standards of Behavior for Those Working with Minors and Vulnerable Adults* and are to sign an acknowledgement of its receipt. The *Standards of Behavior* includes information about appropriate boundaries for those who have regular contact with minors and vulnerable adults (*USCCB Charter, Article 6*). In addition to clergy, seminarians, diaconal candidates, religious, and employees, this requirement applies to all volunteers who minister with minors and/or vulnerable adults on a regular, recurring basis and those who may have an opportunity to be alone with children and/or vulnerable adults during parish, school or religious education sponsored events.

All clergy, school employees and other employees who work with minors, and all volunteers who minister with minors in a repetitive role (includes coaches, religious education or youth ministry, certain scouting roles, etc.) must complete Mandated Reporter Training per Illinois law and the Illinois Department of Children and Family Services (DCFS).

Procedures for reporting abuse are to be readily available in printed form and are to be the subject of periodic public announcements (*USCCB Charter, Article 2*).

The Director of the Ongoing Formation of Priests and the Vocations Office are responsible for providing programs of human formation for chastity and celibacy for priests and seminarians respectively, and the Office of the Diaconate will provide similar appropriate programs for deacon candidates and deacons, to assist clergy and seminarians in living their vocation in faithful and integral ways (*USCCB Charter, Article 17*).

## **2. Screening**

Prior to beginning service, all church personnel are required to submit to a criminal background check. In addition to clergy, seminarians, diaconal candidates, religious, and employees, this requirement applies to all volunteers who minister with minors and/or vulnerable adults on a regular, recurring basis and those who may have an opportunity to be alone with children and/or vulnerable adults during parish, school or religious education sponsored events. Backgrounds are evaluated using the resources of law enforcement or other agencies (*USCCB Charter, Article 13*). Background checks are to be performed every five years.

### **a. Employees**

Any prospective diocesan, parish or school employee must complete an application that includes:

1. Employment history, indicating positions held, dates of employment, name(s) of the immediate supervisor, phone number(s), and reason(s) for cessation of employment.
2. Any allegations of physical or sexual abuse made against him/her, which may/may not have involved civil or criminal complaints.
3. A signed authorization to release the applicant's employment history to the prospective employer, as well as at least two references who are not relatives.



Hiring agents must review the employment history and the references provided. All documents must be retained in the employees' file during the time of employment.

## **b. Volunteers**

A respective location (i.e., parish, school, or diocesan office) should have their volunteers complete an application provided by the location for which they are intending to volunteer. The location is to keep a copy of completed applications onsite.

## **c. Members of Religious Orders**

When any religious is presented for assignment or residence in an institution or parish, the appropriate religious superior is to provide the Bishop with a written statement about the person's suitability for ministry including information regarding allegations of sexual abuse.

Members of religious orders, as well as clergy who have been incardinated in a different diocese ("extern clergy"), have been and continue to be assigned to minister within the Diocese. While such clergy remain at all times subject to the authority and supervision of the religious order or the originating diocese where they were incardinated, the Diocese handles allegations against religious order and extern clergy as follows:

1. If the Diocese receives an allegation of sexual abuse of a minor or vulnerable adult against a religious order or extern cleric who is ministering or has ministered within the Diocese, the allegation is promptly forwarded to that cleric's religious order or originating diocese and is reported to the appropriate civil authorities.
2. If, at the time an allegation of abuse is received, the accused religious order or extern cleric is assigned within the Diocese, the Bishop will immediately withdraw the cleric from public ministry and remove his faculties. If the accused religious order or extern cleric is ministering within the Diocese but not pursuant to a diocesan assignment, the Bishop will immediately remove his faculties for ministry in this diocese.
3. The Diocese will follow up periodically with the religious order or originating diocese to be informed of the outcome of its investigation, namely, whether or not the allegation has been substantiated, as well as the status of the cleric at the conclusion of the inquiry. If the Diocese is informed that the accused cleric has been determined by the religious order or originating diocese that the allegation of sexual abuse of a minor or vulnerable adult is substantiated, and the reported abuse took place in association with the accused's ministry in the Diocese, the religious order or extern cleric's name will be placed on the diocesan website.

## **d. Priests/Deacons**

When a priest/deacon seeks an assignment in the Diocese, his diocesan bishop or religious superior is to provide the Bishop with a written statement of suitability for ministry including information regarding allegations of sexual abuse.



No diocesan priest or deacon against whom an allegation of sexual abuse of a minor or vulnerable adult has been substantiated may be transferred for ministerial assignment to another ecclesiastical jurisdiction. Before a diocesan priest or deacon may be transferred for residence to another diocese/eparchy or religious province, the Bishop or his delegate shall forward, in a confidential manner, to the local bishop/eparch and religious ordinary (if applicable) of the proposed place of residence any and all information concerning any substantiated allegation of an act of sexual abuse of a minor or vulnerable adult and any other information indicating that he has been or may be a danger to children or young people or vulnerable adults. This shall apply even if the priest or deacon shall reside in the local community of an institute of consecrated life or society of apostolic life. In proposing a priest or deacon for residence outside the Diocese, the Bishop or his delegate shall provide the receiving bishop/eparch or religious ordinary with the necessary information regarding any past act of sexual abuse of a minor or vulnerable adult by the priest or deacon in question (*USCCB Charter, Article 14, Norms 12*).

## **e. Candidates for Priesthood and the Diaconate**

The Diocese of Joliet uses adequate screening and evaluations in determining the fitness of candidates for admission to the seminary or to the diaconate. Additional evaluations are conducted during the years of formation. A comprehensive psychological profile of each seminarian/diaconal candidate must be obtained before anyone is admitted to the priesthood or diaconate.

## **C. Response to Allegations**

### **1. Reporting**

All persons, whether parishioners or church personnel, who have reasonable cause to suspect an incident of sexual abuse by any church personnel, have a serious moral obligation to report the incident or allegation to civil officials (*USCCB Charter, Article 4*).

Under Illinois law, certain personnel (including school personnel [administrators, certified and non-certified school employees, school board members], child care and recreational program personnel, and clergy) are considered mandated reporters and must report to the Illinois Department of Children and Family Services (DCFS) any situation in which they have reasonable cause to suspect the abuse (physical or sexual) or neglect of a minor. Reporting abuse of a vulnerable adult is made to the appropriate state agency. Failure to report may result in disciplinary actions. If the accused is a diocesan employee, volunteer, or cleric, church personnel must also inform the Office of Child and Youth Protection.

Non-mandated reporters may call the DCFS hotline if they have reasonable cause to believe that a child known to them in their professional or official capacity may have been abused or neglected. Non-mandated reporters are required to notify their immediate supervisor or higher-level authority in the Diocese if they know or have reason to believe a child may have been abused or neglected and/or if they call the DCFS hotline. If the allegation or suspicion of abuse is against an employee, volunteer or cleric, living or deceased, the diocesan Office of Child and Youth Protection must be contacted.





Per DCFS, if you suspect that a child has been harmed or is at risk of being harmed by abuse or neglect, report it online at <https://childabuse.illinois.gov>. In an emergency, call the 24-hour DCFS hotline (or Child Abuse Hotline) at 1-800-25-ABUSE (1-800-252-2873). If you believe a child is in immediate danger of harm, call 911 first.

Reports of sexual abuse should also be made to the VAC, who in turn will inform the Director. Complaints against members of religious orders are to be reported to the VAC as well as to the respective superior. Reports of sexual misconduct involving bishops of the United States and reports of their intentional interference in a sexual abuse investigation should be made to the Catholic Bishop Abuse Reporting Service (CBAR).

Procedures for making a complaint are available on the diocesan website, at parishes or diocesan offices, and are the subject of periodic public announcements.

When a person reports an allegation of sexual abuse, the person will be received with the utmost respect and pastoral sensitivity. Victims/survivors are advised of and supported in their right to report abuse to civil authorities (*USCCB Charter, Article 4*).

Allegations that a cleric of the Diocese sexually abused a minor or vulnerable adult may be received from any number of sources (i.e., a meeting in person with the VAC, a telephone call, written communication, email, a personal appointment, the media, public authorities, etc). The Diocese will investigate allegations of the sexual abuse of a minor or vulnerable adult raised by anyone, regardless of circumstances, to the extent possible in each particular case.

The Diocese investigates allegations of the sexual abuse of a minor or vulnerable adult against a cleric whose name is already on the list of clergy with substantiated allegations no differently than if the accused cleric had no previous accusation. The same intake procedures are followed, all allegations are reported to the appropriate civil authorities, the same investigative steps will be taken, and the same pastoral care will be offered to the victim/survivor. The allegation will not go before the Review Board, however, since the cleric has already been removed from ministry.

The Diocese investigates allegations of the sexual abuse of a minor or vulnerable adult against a deceased cleric no differently than if the accused cleric was still alive. The same intake procedures are followed, appropriate civil authorities are notified, the same internal investigative steps will be taken, and the same pastoral care will be offered to the victim/survivor.

All allegations against clerics are submitted to the Review Board except where the accused already appears on the Diocese's public list of clergy with substantiated allegations. If, after appropriate investigation, an allegation of abuse against a cleric is substantiated, the Diocese will add the cleric's name to the public list of clerics with substantiated allegations of the sexual abuse of a minor or vulnerable adult.



## 2. Assessment and Determination

a. All allegations are immediately forwarded to the Director. The Director informs the Bishop and others he designates of any allegation, including the Review Board. The Director will also notify the VAC if they are not yet aware of the allegation. The Bishop appoints the Director to oversee an investigation. This investigation will be conducted by professional investigators and may include other competent professionals.

However, in no way will the process conflict with an investigation being pursued on a state or federal level. When the Diocese learns that a diocesan cleric is the subject of a criminal investigation for sexual abuse of a minor or vulnerable adult, the Diocese will defer its own investigation of the abuse allegations until notified by the civil authorities that the criminal investigation has concluded. This ensures that the Diocese does not inadvertently interfere with an ongoing criminal investigation or generate needless confusion about who is investigating and why. The Diocese will cooperate fully with the criminal investigation.

b. The Review Board advises the Bishop in his assessment of allegations of sexual abuse of minors and vulnerable adults and in his determination of a cleric's suitability for ministry (*USCCB Charter, Article 2*). In certain cases, the Review Board may consider it important to speak directly with the person making the allegation, the accused person, or other persons for the sole purpose of gathering additional information. The Board will also offer to the Bishop other advice it considers pertinent to the case.

c. The Director shall promptly notify the Bishop of the Review Board's recommendations and advice regarding a matter. Upon receipt of the Bishop's acceptance or rejection of the Review Board's recommendations, the Director or whomever the Bishop delegates shall as soon as possible notify the accuser and the accused of the Review Board's recommendation(s) and the Bishop's acceptance thereof.

d. The Bishop has sole responsibility for deciding if it is more likely true than not true (i.e., substantiated), that sexual abuse has occurred and for determining any action with regard to the accused. In the case of clerics of the Diocese, the Bishop or his delegate sends the case to the Dicastery for the Doctrine of the Faith, all in accord with Canon Law.

e. After reviewing the case, the Dicastery will advise the Bishop as to which canonical processes are to be followed.

## 3. Canonical Penalties

When even a single act of sexual abuse by a priest or deacon is admitted or is established after an appropriate process in accord with canon law, the offending priest or deacon will be removed permanently from ecclesiastical ministry, not excluding dismissal from the clerical state if the case so warrants (*USCCB Norms 8*). Removal from ministry is required whether or not the cleric is diagnosed by qualified experts as a pedophile or as suffering from a sexual disorder that requires professional treatment (*USCCB Norms 8, footnote 5*).



a. After even a single act of sexual abuse by a cleric is admitted or is established by a process completed in accord with canon law, every effort shall be made to encourage him to request, if warranted, a dismissal from the clerical state. Should he not do so, the diocese shall pursue his involuntary dismissal from the clerical state unless for reasons of advanced age or infirmity, he shall lead a life of prayer and penance.

In every case involving canonical penalties, the processes provided for in canon law must be observed, and the various provisions of canon law must be considered (cf. Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State, 1995; Letter from the Congregation for the Doctrine of the Faith, May 18, 2001). Unless the Dicastery for the Doctrine of the Faith, having been notified, calls the case to itself because of special circumstances, it will direct the diocesan bishop/eparch to proceed (Article 13, “Procedural Norms” for Motu proprio Sacramentorum sanctitatis tutela, AAS, 93, 2001, p. 787). If the case would otherwise be barred by prescription, because sexual abuse of a minor is a grave offense, the bishop/eparch may apply to the Dicastery for the Doctrine of the Faith for a derogation from the prescription, while indicating relevant grave reasons. For the sake of canonical due process, the accused is to be encouraged to retain the assistance of civil and canonical counsel. When necessary, the diocese/eparchy will supply canonical counsel to a priest. The provisions of CIC, canon 1722, or CCEO, canon 1473, shall be implemented during the pendency of the penal process (*USCCB Norms 8 a*).

If the penalty of dismissal from the clerical state has not been applied (i.e., for reasons of advanced age or infirmity), the offender ought to lead a life of prayer and penance. He will not be permitted to celebrate Mass publicly or to administer the sacraments. He is to be instructed not to wear clerical garb, or to present himself publicly as a priest (*USCCB Norms 8 b*).

At all times, the diocesan bishop/eparch has the executive power of governance, within the parameters of the universal law of the Church, through an administrative act, to remove an offending cleric from office, to remove or restrict his faculties, and to limit his exercise of priestly ministry (*USCCB Norms 9, footnote 6*). Because sexual abuse of a minor by a cleric is a crime in the universal law of the Church (CIC, c. 1395 §2; CCEO, c. 1453 §1) and is a crime in all civil jurisdictions in the United States, for the sake of the common good and observing the provisions of canon law, the 25 diocesan bishop/eparch shall exercise this power of governance to ensure that any priest or deacon who has committed even one act of sexual abuse of a minor or vulnerable adult as described above shall not continue in active ministry (*USCCB Norms 9, footnote 7*).

## APPENDIX

### REVIEW BOARD

The Review Board is a consultative body that advises the Bishop regarding allegations concerning the sexual abuse of minors and vulnerable adults by clergy and related issues (*USCCB Charter, Article 2, Norms 5*).



## **A. Membership**

The Review Board, whose members are appointed by the Bishop, is composed of not less than seven or more than eleven members of outstanding integrity and good judgment. The majority of members are laypersons, none of whom are diocesan employees.

Members should have expertise in one of the following areas: social work, civil law, education, treatment of sexual abuse of minors, or clinical treatment of sexual disorders. One member should be the parent of a minor or vulnerable adult and one member should be a pastor. When possible, one member is a victim/survivor of child sexual abuse or a parent of the same.

The Bishop shall designate one Review Board member as chairperson for a fixed term, not to extend beyond the term as a member of the Review Board.

Consultants to the Board may include a representative of the Bishop, a canon lawyer, the Promoter of Justice, the Chancellor, the diocesan attorney, and the VAC.

## **B. Nominating Committee**

The Bishop may appoint a Nominating Committee to propose the names of candidates for the Review Board. The Nominating Committee shall consist of the chairperson of the Review Board, the Director, and other members of the Board. For the nomination of the clerical members of the Review Board, the Nominating Committee should consult with the Vicar for Priests or the Director of the Office of the Diaconate, and the Presbyteral Council. For the nomination of the Review Board member who is a victim/survivor or a parent of a victim/survivor of child sexual abuse, the Nominating Committee will consult with the VAC. For the other Review Board positions, the Nominating Committee may at its discretion consult with appropriate professional societies, advocacy groups, and other consultative bodies, such as the Diocesan Pastoral Council. The Director will assist the Bishop's Canonical Consultant to the Review Board to convene the Nominating Committee.

## **C. Terms**

Members are appointed for a term of five years (*USCCB Norms 5*). The Bishop has the right to terminate the appointment of a member at any time.

## **D. Meetings**

The Review Board convenes whenever there is business to conduct or assembles at least twice annually. It will ordinarily meet in person but may meet by video conference. Members may also participate by conference call.



## E. Duties

Members of the Review Board are to:

- Advise the bishop in his assessment of allegations of sexual abuse of minors and vulnerable adults and in his determination of a cleric's suitability for ministry.
- Review diocesan policies and procedures for dealing with sexual abuse of minors and vulnerable adults on a regular basis.
- Advise the Bishop, as requested, on all aspects of cases, whether retrospectively or prospectively.
- Provide new members with an orientation to the Board and present them with a copy of the *Pastoral Policy Regarding Sexual Abuse of Minors and Vulnerable Adults by Church Personnel*, a copy of the *Charter for the Protection of Children and Young People* as well as other appropriate materials.
- Attend all meetings, especially those involving particular cases.

## F. Criteria for Making Recommendations

- A simple majority of the members of the Review Board appointed to serve at that time shall constitute a quorum of the Review Board. A quorum is needed to make a recommendation to the Bishop.
- Members may be present in person or electronically.
- When considering an allegation of sexual abuse, each member considers all the evidence presented and determines whether the allegation is more likely true than not true.
- If it is determined that the allegation is not more likely true than not true, but the cleric's conduct is otherwise inappropriate, the Review Board may advise the Bishop whether further action appears warranted and suggestions to possible action.

## G. Communication

The Bishop or his designate will ensure that the alleged victim and the accused are provided with appropriate and timely information about the progress of the case.

## H. Confidentiality

Deliberations and recommendations of the Review Board are to be held in strictest confidence. The Bishop, or his authorized representative, are the only persons who communicate with the alleged victim and the accused, the media, or any other persons.

## CONFIDENTIALITY AGREEMENT

The Diocese does not enter into settlements which bind the parties to confidentiality settlements unless the victim/survivor requests confidentiality and this request is noted in the text of the agreement (*USCCB Charter, Article 3*).



## **RECORDS AND REPORTS**

The Director maintains written and electronic documentation regarding all information acquired by the Review Board and its recommendations to the Bishop.

All of the above records are confidential. However, law enforcement officials receive whatever information is necessary for them to carry out their duties.

Information and records generated by mental health practitioners, including those of alcohol and substance abuse treatment providers, are retained or released in accordance with the provisions of Illinois and federal laws.

The Diocese communicates transparently and openly about issues of sexual abuse within the parameters of legally mandated confidentiality and privacy especially to the faith communities directly affected (*USCCB Charter, Article 7*).

The Diocese publishes an annual public report on the progress made in implementing this policy and cooperates with audits conducted by the National Review Board.

## **POLICY SUBMISSION**

A copy of this policy as well as any revisions to the policy is filed with the United States Conference of Catholic Bishops within three months of its effective date (*USCCB Norms 2*).