



Policies of the Diocese of Kansas City ~ St. Joseph

Policy # 110

Faculties

Approved By: Most Reverend Raymond J. Boland, DD

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Effective: March 25, 2000

Revised:

The following is a copy of the pagella of faculties for priests ministering in the Diocese of Kansas City ~ St. Joseph. All priests ministering within the diocese must petition for faculties through the Chancellor's Office. Faculties are effective upon receiving a signed letter from the Bishop, notarized by the Chancellor, and a hard copy of these faculties. Priests visiting the diocese for an extended period of time should consult the Chancellor's Office to clarify whether or not they need to request faculties.

FACULTIES of the Diocese of Kansas City-St. Joseph

Presbyteral Faculties and Permissions

The following faculties and permissions apply to all priests who are in good standing and who are incardinated in the Diocese or who have been approved by the Bishop to minister within the Diocese, including those who are retired. It should be noted that some of these faculties only pertain to canonically appointed pastors and parochial vicars.

In a spirit of trust and in keeping with the principle of subsidiarity, every effort has been made to extend the discretionary authority of priests in the exercise of their ministry. Whatever special faculties and permissions have been given to pastors apply also to parochial administrators. A parochial administrator is a priest who substitutes for the pastor (cc. 539 and 540, §1).

These faculties and permissions are effective on the Feast of the Annunciation, March 25, 2000, and remain in effect until specifically revoked or abrogated.

BAPTISM:

1. To baptize or receive into full Communion candidates of any age.

As a rule, an adult is to be baptized in his or her own parish church (c. 857, §2). The sacrament of baptism is not to be conferred in a private house except in case of necessity (c. 860, §1). The parish church of the parents is the proper place of baptism for an infant.

Those fourteen or older are free to choose the rite in which they wish to be baptized (c. 111, §2).

Canon 862 provides that outside the case of necessity, it is not lawful to confer baptism in the territory of another without permission.

CONFIRMATION:

2. To confirm new members of the Church at the time of their baptism or admission into full communion with the Church, as long as they are seven years of age or older (c. 883, #2).

A priest can administer the sacrament of confirmation to one whom he baptizes who is seven years of age or older, or to one already baptized whom he admits into the full communion with the Church, or to a baptized Catholic who has been an apostate from the faith, or to a baptized Catholic who has without fault been instructed in a non-Catholic religion or adhered to a non-Catholic

religion. (Gen. Intro., Rite of Confirmation, n. 7,b; Con. Vat. II Interp., 21 Dec., 1979 AAS 72:105; NCCB Statutes for the Catechumenate, n. 28).

Note: A special mandate must be obtained for a priest to confirm a *person who was baptized previously in the Catholic Church but who was not catechized* or simply was not previously confirmed (c. 884, §1; Con. Vat. II Interp., 21 Dec., 1979 AAS 72: 105). This mandate is to be obtained from the Office of the Bishop.

3. To Confirm those in danger of death (c. 883, #3). All priests have this faculty by the law itself.

EUCCHARIST:

4. To celebrate Mass twice on weekdays for a good reason and three times on Sundays or holy days if a pastoral need requires it (c. 905, §2). The norms on Mass offerings are as follows:

Stipends: Mass stipends and stole fees are turned into the parish. Stipends are kept in a separate account until the Mass is celebrated, then they become parish income.

Concelebration: An offering may be accepted for concelebration if that is the only Mass a priest celebrates that day (c. 945, §1).

If a priest who concelebrates also celebrates another Mass that day, he may not accept an offering for the concelebration even if he were to give the offering to charity (c. 951, §2). However, if a priest is the principal celebrant at a concelebrated Mass, the norms for bination apply (c. 951, §1).

Missa pro populo: A pastor or parochial administrator is obligated to celebrate the *Missa pro populo* every Sunday and Holy Day of obligation, and he may not accept an offering for this. If he is legitimately prevented from this celebration, he is to delegate another priest to say the *Missa pro populo* on those days or he is to say it himself on other days (cc. 534, §1; 540, §1).

5. To appoint extraordinary ministers of the Eucharist for a given particular occasion in cases of genuine necessity (*Immensae Caritatis*, No. 2).

Ordinarily, extraordinary ministers of the Eucharist are to receive their mandate from the Bishop through the Office of Worship and to be commissioned at the parish or institution (cc. 230, §3; 910, §2).

6. To dispense the faithful in individual cases from the Eucharistic fast for a proportionate reason (cc. 89; 91; 919, §1).

A celebrant or concelebrant may consume food or drink between Masses when binating or

trinating, even if the period of an hour does not intervene (c. 919, §2).

7. To organize public processions with the Blessed Sacrament outside the Church especially on the Solemnity of the Body and Blood of Christ (Corpus Christi) when the faithful would be, in the judgment of the local pastor, well disposed to such celebrations (c. 944, §1).

PREACHING:

8. To preach everywhere with at least the presumed consent of the pastor of a church unless restricted by the competent Ordinary (c. 764).

Pastors or parochial administrators have a responsibility to see that the Word of God is preached with integrity (c. 528, §1). It is to be noted that the homily within Mass is to be reserved solely to a priest or deacon (c. 767, §1).

It is understood that this faculty applies, unless restricted by the Ordinary, to anywhere in the world.

To preach to religious in their own churches or oratories requires the permission of the superior who is competent in accord with the norm of their constitutions (c. 765).

Preaching in ecumenical and interfaith settings is covered in faculty #29.

RECONCILIATION:

9. To hear confessions of the Christian faithful within the Diocese of Kansas City-St. Joseph (c. 969, §1).

Pastors already have this faculty by law (c. 967, §2 and 968, §1). It is hereby extended to other priests as well. In the administration of the sacrament, the confessor, as a minister of the Church, is to adhere faithfully to the doctrine of the magisterium and the norms enacted by the competent authority (c. 978, §2).

10. To hear confessions of the Christian faithful anywhere in the world, provided the local Ordinary has not refused in a particular case to allow a priest to hear confessions within that jurisdiction (c. 967, §2).

This faculty is contingent upon the grant contained in faculty #9.

11. To hear the confession of anyone *in danger of death* and to absolve from all sins and censures, even though one lacks the faculty to hear confessions and even if an approved priest is present (c. 976).

This faculty is granted to all validly ordained priests by the law itself.

See the Appendix for further explanation of censures.

12. To remit in the internal or external forum any automatic censure of excommunication or interdict provided that it is not reserved to the Apostolic See and has not been juridically declared.

By this faculty, one may remit the excommunication attached to the procurement of an abortion (c. 1398) or that attached to apostasy, heresy or schism (c. 1364, §1).

This faculty may be exercised anywhere in the world on behalf of those who are members of the Diocese or who incurred the penalty in the Diocese, and it may be exercised within the Diocese on behalf of anyone present here (c. 1355, §2). A salutary penance should be imposed.

13. To remit in the internal sacramental forum any automatic censure of excommunication or interdict, provided the competent ecclesiastical authority has not made any public declaration that the penitent has automatically incurred a penalty by some act, if it would be difficult for the penitent to remain in a state of serious sin for the time necessary for the confessor to apply for the remission from the competent authority (c. 1357, §1).

The faculty is granted to confessors by the law itself. With this faculty, the confessor may remit censures reserved to the Apostolic See, while the obligation remains of seeking recourse to the proper authority within one month (c. 1357, §2), of performing an appropriate penance and of repairing as much as possible the harm done. If in doubt, contact the Office of the Chancellor.

Recourse. In view of the extensive faculties granted for the remission of automatic censures (faculty #13), the probability of having to make recourse on behalf of a penitent is very slight. In those cases, the Office of the Chancellor may be consulted for advice.

14. To subdelegate to any priest in good standing the faculty to hear one's own confession within the Diocese and, if necessary, to empower him with the same faculties that the priest-penitent possesses for the internal forum (c. 966).

OTHER POWERS OF DISPENSATION:

15. To dispense in individual cases for a just reason from observing the Sunday or Holy Day of obligation or to commute this obligation to other pious activities (c. 1245).
16. To dispense in individual cases for a just reason from the observance of penitential acts or to commute this obligation to other pious activities (c. 1245).
17. To dispense from or commute any private vow or promissory oath for a just reason provided this does not harm any acquired rights of others (cc. 1196, #1, #3; 1203).

Pastors already have these faculties by law. They are hereby extended to all priests enjoying the faculties of the Diocese. They may be exercised anywhere for members of the Diocese and they may be exercised within the Diocese for non-members.

ANOINTING OF SICK:

18. To carry the oil of the sick in order to anoint in case of necessity (c. 1003, §3).

This permission is granted to all priests by the law itself.

19. To bless olive oil or any natural vegetable oil in case of necessity but only in the celebration of the Anointing of the Sick (c. 999, #2).

This faculty is granted to all priests by the law itself.

20. To administer the sacrament of the Anointing of the Sick in a communal setting according to Diocesan norms (c. 1002).

Generally, the communal Anointing of the Sick should not take place at a regularly scheduled parochial Mass of obligation.

MATRIMONY:

21. To assist at marriages according to the following norms:
 - a. Pastors of territorial parishes have the faculty by law within their parish boundaries to assist validly at marriages of parishioners or non-parishioners provided one is Latin rite (or under the jurisdiction of the Latin rite ordinary) (c. 1109). *For liceity*, permission of the proper pastor is required (c. 1115).

- b. Pastors of non-territorial parishes or personal pastors can assist validly only at marriages within the limits of their jurisdiction involving at least one of their own parishioners (c. 1110).
- c. Associate pastors (parochial vicars), by delegation from the Bishop, have the same faculties for assisting at marriages as the pastor with whom they are assigned (c. 1111, §1).
- d. One who does not have a general faculty to assist at marriages (cf. faculty #22) and wishes to be the official witness of a marriage outside his own jurisdiction (if any) *must receive delegation* from the pastor or associate pastor where the marriage is to take place. *This is for validity* (c. 1108, §1).

Pastors have the faculty by law to delegate specific priests or deacons to assist at marriages within their jurisdiction either by special delegation (i.e., for a specific marriage) or by general delegation (i.e., for all marriages) (c. 1111, §2). Generally delegated priests (e.g., associate pastors) may subdelegate to specific priests or deacons for specific marriages. Specifically delegated priests or deacons may not further subdelegate (c. 137).

- 22. To dispense those who are *in danger of death* from canonical form and impediments solely of ecclesiastical origin, except that of priesthood (c. 1079, §1).

If this faculty is used, the Office of the Chancellor is to be notified within five days so that a proper record can be made. This faculty may be exercised anywhere for members of the Diocese and it may be exercised within the Diocese for nonmembers.

The impediments to marriage that are of ecclesiastical origin are: age (c. 1083), disparity of cult (c. 1086), a vow of perpetual chastity (c. 1088), abduction (c. 1089), crime (c. 1090), consanguinity in the third and fourth degree of the collateral line (c. 1091), affinity (c. 1092), public propriety (c. 1093), and adoption (c. 1094).

- 23. Whenever an impediment is discovered after all the wedding preparations have been made and the marriage cannot be deferred without a probable danger of serious harm until a dispensation can be obtained by ordinary means from the competent authority, to dispense from all impediments solely of ecclesiastical origin, even public in nature, with the exception of impediments arising from sacred orders or from a vow of perpetual chastity in a religious institute, for marriages which one could otherwise witness validly (cc. 1080, §1; 87, §2).

If this faculty is used, the Office of the Chancellor is to be notified within five days so that a proper record can be made. This faculty can be exercised only within the Diocese. *This faculty does not apply to dispensations from canonical form.*

24. Whenever it has been discovered at the last minute that the required permission for a marriage between a couple of mixed religion has not been properly obtained, to permit marriage between these two baptized persons, one of whom was baptized in the Catholic Church or received into it after baptism and has not left it by a formal act, and the other of whom is a member of a church or ecclesial community which is not in full communion with the Catholic Church (c. 1124).

See the explanatory note for faculty #23, concerning the necessity to properly notify the Chancellor.

25. To allow the celebration of a Nuptial Mass of the marriage of a Catholic with a baptized person who is not Catholic, provided the couple request it and circumstances justify it.

The Eucharist is not to be administered to non-Catholics except according to the provisions of canon 844, §3 (see faculty #28).

Ordinarily, in a marriage between a Catholic and a baptized person who is not Catholic, the *Rite for Celebrating Marriage Outside Mass* is to be used. In a marriage between a Catholic and one who is not baptized, Mass may not be celebrated. *The Rite for Celebrating Marriage Between a Catholic and a Non-baptized Person* is to be used.

26. To grant permission to a parishioner for his or her marriage to be celebrated in another parish church (c. 1115). Marriages are to be celebrated in the parish of either the bride or the groom. Marriages can be celebrated in another parish church with the permission of the proper pastor.

Pastors already have the authority by law to give this permission, and it is hereby extended to associate pastors as well.

Note: Permission for outdoor weddings is never given in the Diocese, nor for weddings outside an approved church. If in doubt, consult the Office of the Chancellor.

ECUMENICAL RELATIONS:

27. To licitly administer the sacraments of Penance, Eucharist and Anointing of the Sick to members of the oriental churches which do not have full communion with the Catholic Church, if they ask on their own for the sacraments and are properly disposed. This holds also for members of other churches, which in the judgment of the Apostolic See are in the same condition as the oriental churches, as far as these sacraments are concerned (c. 844, §3).

This concession is given by the law itself. Respect should be shown for the policies of the oriental churches which do not have full communion with the Catholic Church which may be more restrictive.

28. To administer the sacraments of Eucharist, Penance and Anointing of the Sick to other Christians who do not have full communion with the Catholic Church who are *in danger of death*, when their own minister is lacking and they spontaneously ask for them, provided they are properly disposed and manifest the Catholic faith toward these sacraments (c. 844, §4).

This concession is given by the law itself. To administer the same sacraments other than in danger of death requires the prior judgment of the diocesan bishop that a grave necessity exists (c. 844, §4).

29. With the consent of the authorities of the community concerned, to preach or act as reader during the official worship of other faiths or communions, except the celebration of the Lord's Supper or the principal Sunday Service of the Word; and to invite members of other communions to preach or act as reader during a Catholic non-Eucharistic service, under the same conditions (Statement by Bishops' Committee for Ecumenical and Interreligious Affairs, "On Sharing of Pulpits," June 22, 1972).

Ecumenical and interfaith sharing in prayer (e.g., vespers services, Bible services, etc.) is permitted, even encouraged.

CHRISTIAN BURIAL:

30. To permit the celebration of the rites of Christian burial, even with Mass, for a non-baptized child if the parents intended to have the child baptized (c. 1183, §2).
31. To celebrate the rites of Christian burial, even with Mass, for a baptized non-Catholic who might reasonably be presumed to desire or prefer Catholic burial services. To celebrate the rites of Christian burial, but without Mass, for baptized non-Catholics whose minister is unavailable, provided such arrangements would not be contrary to the will of the deceased (c. 1183, §3).

A decision to have Catholic burial services for a non-Catholic would be appropriate where the non-Catholic party worshiped regularly at the Catholic Church or identified with the Catholic Church more than any other. It would not be appropriate if the deceased were an active member of a non-Catholic Christian church, unless a minister of that church was unavailable. This determination should be made in consultation with family members.

APPENDIX

A BRIEF EXPLANATION OF CENSURES

There are various kinds of censures: excommunication, interdict or suspension. These censures can be incurred automatically (*latae sententiae*) or they can be imposed after a canonical process (*ferendae sententiae*). In addition, it happens rarely that the Church “declares” an automatic censure, i.e., the Church publicly draws attention to the fact that someone has incurred an automatic penalty. Most censures that a confessor will deal with are automatic censures which have never been declared by the Church. Chiefly, these would be the excommunication attached to the procurement of an abortion (c. 1398) or the excommunication attached to apostasy, heresy or schism (c. 1364, §1). By reason of these faculties of the Diocese, any confessor can absolve from these penalties.

Automatic Excommunications

Automatic excommunication is attached to the following offenses:

1. Apostasy, heresy or schism (c. 1364, §1)
2. Procuring a completed abortion (c. 1398)

Automatic excommunication reserved to the Apostolic See is attached to these offenses:

1. Desecration of the sacred species (c. 1367)
2. Physical violence against the pope (c. 1370)
3. Attempted absolution of one's accomplice in a sin of impurity (c. 1378, §1)
4. Unauthorized episcopal consecration (c. 1382)
5. Direct violation of the seal of confession (c. 1388)

An excommunicated person is forbidden:

1. To take any ministerial role in the Eucharist or any other act of public worship
2. To celebrate the sacraments or sacramentals or receive the sacraments
3. To discharge any ecclesiastical offices, ministries or functions, or to place any acts of governance (c. 1331, §1)

Automatic Interdicts

An automatic interdict is attached to these offenses:

1. Physical attack on a bishop (c. 1370, §2)
2. A person who, not being an ordained priest, attempts to celebrate Mass (c. 1378, §2, #1)
3. A person who, apart from the case mentioned in c. 1378, §1, though unable to give valid sacramental absolution, attempts to do so, or hears a sacramental confession (c. 1378, §2, #2)
4. Falsely accusing a confessor of solicitation (c. 1390, §1)
5. Attempted civil marriage by a religious in perpetual vows (c. 1394)

By reason of these faculties of the Diocese, any confessor can remove or remit from these automatic interdicts. A person under interdict is forbidden:

1. To take any ministerial role in the Eucharist or any other act of public worship
2. To celebrate the sacraments or sacramentals or to receive the sacraments (c. 1332)