



Portland, Oregon: CLSA Home Away from Home for a Week

Approximately one hundred CLSA members or friends of the society gathered for the two pre-convention workshops held the two days prior to the sixty-fifth annual CLSA Convention in Portland, Oregon, October 13 - 16, 2003 which brought together 410 CLSA members from the United States as well as Argentina, Australia, Canada, Great Britain, Italy, Mexico, and Thailand.

One hundred and four participants took a few moments to fill out a critique sheet on the convention. Their comments were tabulated and sent on to the Board of Governors and the CLSA Convention Planning Committee. Over all the comments of this year's participants were favorable; in fact, a number of people commented on two items: the friendliness and warm atmos-

phere created by the people of Portland the Archdiocese of Portland and also the organization of the program and talks. Attendees found the hotel accommodations to be more than satisfactory with the meeting rooms well situated. If there were complaints about the elevators, or the coffee breaks, or room configurations, these items went unmentioned.

The critique sheets also offered the Board of Governors, the executive's office, and those committees engaged in convention planning some "food for thought" on improving our annual convention. People asked that planning consider some more "free time" in the tight convention schedule, as for example, dropping Wednesday afternoon seminar sessions. Members liked the concept of holding a

(See **PORTLAND**, p. 8)



IN THIS ISSUE

2 Presidential Reflections

3 CLSA Resolutions

4 Resources

7 Announcements

Quality of Portland Convention Sparks Rave Reviews



Mark Bartchak

What a magnificent setting for the 65th Annual Convention of the Canon Law Society of America held October 13-16 in Portland, Oregon!

Although some cloudy days obscured the view, it was spectacular to see the snow-covered peaks of Mt. Hood and Mt. St. Helens from the glass elevators of the convention hotel. Archbishop John Vlazny was not exaggerating when he drew our attention to the beautiful surroundings of Portland during his welcome. He also gave us a brief history and description of the current life of the Archdiocese of Portland. Archbishop Vlazny's good humor was well received and it was surpassed only by the words of gratitude and encouragement he spoke to us as canonists.

The convention theme (*Levels of Church Authority: Conflict or Complementarity*) was evident especially in the keynote address of Cardinal Avery Dulles, SJ, and in the major addresses given by Sharon Euart, RSM and Rev. Gregory Bittner. We were fortunate that Cardinal Dulles was able to keep his commitment as keynote speaker. Early the next morning he was on his way to Rome for the Pope's anniversary celebration and the consistory of cardinals.

I heard many positive comments about the quality of the convention seminars which reinforced and highlighted various aspects of the convention theme. The discussion of canonical issues during and after the seminars is always an important part of our gathering. The hearing on resolutions and the annual business meeting certainly generated plenty of

discussion! Elsewhere in this newsletter you will read about the various resolutions that were adopted.

I would like to take this opportunity to reflect on the resolution which resulted in an increase in membership dues. Earlier this year Past President Larry O'Keefe shared the rationale for a resolution proposed by the Board of Governors which called for an increase of \$25.00. By the time the convention began in Portland, the Board of Governors realized that the resolution would have to be amended so that the dues could be raised even higher. After much discussion during the resolution hearing and the business meeting, the resolution was adopted unanimously with the dues being increased by \$75.00. It was noted that even with this increase the dues for the CLSA remain among the lowest for similar Church-related professional organizations or societies.

The adopted dues increase was necessitated by the fact that the offices of the Executive Coordinator must be relocated. Contrary to rumors, the CLSA is not being forced out of Caldwell Hall because we are not wanted at CUA. The current space occupied by our executive offices has been designated for other use in a reallocation of space in Caldwell Hall. Every office in that building is affected by relocation. The changes at Caldwell Hall are especially the result of the division of the former School of Religious Studies into the School of Theology and Religious Studies and the School of Canon Law. A special committee is exploring all options as to where the offices will relocate, whether on the campus of CUA or elsewhere. The main considerations are adequate space for our needs and cost. The committee is to provide a report for the January meeting of the Board of Governors.

No matter where the CLSA would

relocate at CUA, the space will no longer be free. All organizations and groups that are not part of CUA but have offices on campus will begin paying rent to maintain their offices at the university. Some basic calculations show that at fair market rates, the rent for our executive offices over the past 20+ years would have cost the CLSA approximately \$3 million. Everyone should understand that it is reasonable and just for the university to charge rent. Theological College

(See **PRESIDENT**, p. 7)

CLSA BOARD OF GOVERNORS

President

Msgr. Mark L. Bartchak

Vice President

Sr. Sharon Euart, RSM

Secretary

Rev. Mr. Gerald T. Jorgensen

Treasurer

Rev. William J. King

Consultors

Rev. Patrick Cogan, SA
Rev. Paul Hartmann
Rev. Francis J. Marini
Dr. Lynda A. Robitaille
Sr. Therese Guerin Sullivan, SP
Sr. Mary L. Walsh, SND

Past President

Rev. Lawrence J. O'Keefe

Executive Coordinator

Rev. Arthur J. Espelage, OFM
Canon Law Society of America
Catholic University
431 Caldwell Hall
Washington, DC 20064

Tel 202.269.3491
Fax 202.319.5719
coordinator@cls.org
www.cls.org

CLSA Resolutions

At the annual CLSA Business Meeting held October 15th, 2003 in Portland, Oregon, the assembled delegates considered and approved the following resolutions.

Resolution Number 1

Proposed by James A. Coriden

Title: Interdisciplinary Symposium on Diocesan Synods

Be It Resolved That

The CLSA sponsor in conjunction with others and conduct an interdisciplinary symposium on the American experiences of diocesan synods since the Second Vatican Council, publish the results of the symposium, and provide a convention presentation of the salient findings at a future convention. The financial contribution of the Canon Law Society of America is limited to \$5000, with additional funding to come from other sources.

Resolution Number 2

Proposed by James A. Coriden and Phil Brown

Title: A Comparative Study of certain important rights existing in canon law and American civil law, namely:

(1) *The essential elements of the "right of defense" in canon law as compared with the concept of "due process" in American civil law and*
(2) *"Prescription" in canon law as compared with the reasons for "statutes of limitation" in American civil law.*

Be It Resolved That

That the Board of Governors be authorized and directed to commission a study of the canonical tradition and the positive law of the Church concerning the right of defense and all rights related thereto in canon law with a view to articulating the essential elements of the right of defense. Said study shall also

consider the Anglo-American concept of "due process" and distinguish those elements of the concept which may be the same as or similar to or different from the canonical concept of the "right of defense."

And let it further be resolved that the Board of Governors request some person or persons to study the various *rationales* for canonical prescription and civil statutes of limitation and make a convention presentation summarizing the findings as soon as possible, preferably at next year's convention.

Resolution Number 3

Proposed by James A. Coriden

Title: Index the Canon Law Society Proceedings

Be It Resolved That

The Board of Governors commission the Executive Coordinator to compile and publish at regular intervals and in a consistent manner an author, title, and subject matter index to the volumes of the *CLSA Proceedings*.

Resolution Number 4

Proposed by the Board of Governors

Title: Dues Increase

Be It Resolved That

Beginning in fiscal year 2004, active

and associate membership dues for the Society increase by one hundred dollars (\$100.00) and student dues increase by seventy-five (\$75.00) (Active and Associate Members will be two hundred [\$200.00] and Student members, one hundred dollars [\$100.00]).

Resolution Number 5

Proposed by Bill Vavaro

Title: Message to His Holiness Pope Paul II

Be It Resolved That

The members of the Canon Law Society of America gathered in convention extend congratulations to His Holiness Pope John Paul II on the occasion of the twenty-fifth anniversary of his service as universal pastor of the Catholic Church through a message sent by our president on this momentous occasion in the following words:

Your Holiness:

During this week of celebration of the 25th anniversary of your election as Supreme Pastor of the Church, the Canon Law Society of America has gathered for its 65th Annual Convention in Portland, Oregon, USA. Our Society offers our heartfelt congratulations to Your Holiness and assures you of our esteem and prayerful support as you continue to fulfill your ministry to the people of God.

We have asked His Eminence, Avery Cardinal Dulles, S.J., who will be leaving our gathering to be with you in Rome for this joyous celebration to personally convey to you our sentiments of goodwill, loyalty and solidarity. Ad multos annos.

*Rev. Lawrence J. O'Keefe
President, CLSA ▼*

Inserts in this edition of *CLSA Newsletter*

- *Catholic Marriage and Divorce: Real People, Real Questions* offered by St. Anthony Messenger Press
- *Apostolus – Tribunal Case Management System* offered by Digital Avenue, Inc.
- Collection *Gratianus Series* offered by Wilson & Lafleur

- The School of Canon Law, The Catholic University of America announces a workshop for canon lawyers and church leaders called to heal and strengthen the Church. CHURCH GOVERNANCE IN A TIME OF CRISIS: CANON LAW AND STRUCTURES OF ACCOUNTABILITY will be presented March 19-20, 2004 at the Jurys Washington Hotel, Washington, DC, by the Reverend John P. Beal, J.C.D.; Dr. William Dinges, Ph.D., and Monsignor Thomas J. Green, J.C.D. The cost for the workshop is \$275.00 and individual must make their own reservations with the hotel by Friday, February 26, 2004 to obtain the workshop rate. For more information contact, The School of Canon Law, The Catholic University of America, Caldwell Hall 107, Washington, D.C. 20064 or telephone the school office at 202/319-5492.
- Those members interested in articles and resources to assist religious institutes and societies of apostolic life respond to the sexual abuse crisis will find valuable information in *The Legal Bulletin*, No. 76, Fall 2003 by the Legal Resource Center for Religious. Among the materials one will find: "The Implications of Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons," by Sharon Euart, RSM, JCD; "The Application and Implications of the Charter and Essential Norms for Institutes and Society's of Men" by Daniel J. Ward, OSB, JCL, JD; "Procedures for Referral of Cases of Sexual Abuse of minors by Religious Priests and Deacons for Accusations Made After April 30, 2001: Notification of the Congregation for the Doctrine of the Faith," by Sharon Euart, RSM, JCD and Daniel J. Ward, OSB, JCL, JD. For copies or more information, please contact: Legal Resource Center for Religious, 8812 Cameron Street, Silver Spring, MD 20910. Tel: 301/589-8143 or Fax: 301/589-2897.
- Those engaged in marriage ministry may find of interest the following: *Catholics, Marriage and Divorce: Real People, Real Questions* by Victoria Vondenberger, RSM, JCL. Cincinnati: St. Anthony Messenger Press, 2004. ISBN: 0-86716-514-6 @ \$11.95. The format for the books is question and answer still with material coming from www.Oncecatholic.org
- The NATION ASSOCIATION OF CHURCH PERSONNEL ADMINISTRATORS offers two new items: *Performance Appraisal Manual* edited by Colleen Branagan and Ellen Doyle, OSU, at \$55.00 plus shipping and handling and a *Job Description Manual for Religious Institutes* at \$45.00 plus shipping and handling. You may purchase a 3.5" diskette in Microsoft Word (not sold without the manual) for an additional \$15.00. For more information contact NACPA, 100 East Eighth Street, Cincinnati, OH 45202-2129. Tel: 513/421-3134 and Fax 513/421-3085 or E-mail NACPA@dot-net.net. You may also wish to check out their website at www.nacpa.org.
- The National Federation of Priests Councils offers *Evolving Visions of the Priesthood: Changes from Vatican II to the Turn of the New Century* by Dean R. Hoge and Jacqueline E. Wenger at \$17.00 plus \$4.00 s&h. To order contact NFPC, 1337 West Ohio Street, Chicago, IL 60622-6490. Tel: 312/226-3334. ▼

CLSA Advent Scholarship Appeal

The CLSA Scholarship Committee will send out the Society's annual Advent-Christmas appeal to over 1700 members of the CLSA. This year's appeal is more important than ever. Canonical education becomes even more expensive with the movement to a three year program to earn a JCL. The rising costs of canonical education come at a time when dioceses and institutes of consecrated life find their financial resources for education stretched.

A very important reason for participating in the CLSA scholarship program is the fact that the Board of Governors and committees looking into funding can point to the ongoing generosity of our members as they seek other revenue resources for society projects.

When you receive this year's appeal letter, please take a few moments to participate regardless of the amount you can give. If every member contributed, \$10 dollars, our fund would grow by \$17,000; or it could grow by almost \$45,000 if everyone gave 25.00. ▼

PLEASE SEND YOUR CHRISTMAS SCHOLARSHIP DONATION TODAY!

POSITION OPENING

The **Diocese of New Ulm** is seeking a degree canonist to work full-time as a Director of the Tribunal. The complete job description can be viewed on the diocesan website at www.dnu.org. Interested persons should send a cover letter and resume to Dr. Mark Kemmeter, Coordinator of Staff, 1400 6th Street North, New Ulm, MN 56073, USA; telephone 507-359-2966; fax 507-354-3667.

CLSA PUBLICATIONS

Latest Publications

- ___ *Comparative Sacramental Discipline in the CCEO and CIC* (2003) List Price \$35.00 xiv + 258 pp. ISBN 1-932208-01-01.
- ___ *Roman Replies and CLSA Advisory Opinions* (2003) vii + 136 pp. List Price \$17.00 ISBN 1-932208-02-X

Handbook Series

- ___ *Church Finance Handbook* (1999) List Price \$18.00 xvii + 330 pp. ISBN: 0-943616-80-8.
- ___ *Clergy Procedural Handbook* (1992) List Price \$18.00 vii + 283 pp. ISBN: 0-943616-57-3
- ___ *Comparative Sacramental Discipline in the CCEO and CIC* (2003) List Price \$35.00 xiv + 258 pp. ISBN 1-932208-01-01.
- ___ *Procedural Handbook for Institutes of Consecrated Life* (2001) List Price \$35.00 viii + 287 pp. ISBN: 0-943616-89-1

Codes of Canon Law

- ___ *Code of Canon Law, Latin-English Edition, New English Translation* (1999) List Price: \$45.00 xliii + 751 pp. ISBN: 0-9463616-79-4.
- ___ *Code of Canons of the Eastern Churches, Latin-English Edition, New English Translation.* (2001) List Price: \$60.00 xli + 860 pp. ISBN: 0-943616-88-3.
- ___ *Index Verborum ac Locutionum Codicis Iuris Canonici* (1983) List Price \$55.00 xvi + 593 pp. ISBN: 84-499-7489-4 (no discounts allowed)

Canon Law Digest

- ___ *CLD 6* (1963-1967) List Price: \$40.00 vii + 998 pp.
- ___ *CLD 7* (1968-1972) List Price: \$40.00 ix + 1072 pp.
- ___ *CLD 8* (1973-1977) List Price: \$40.00 x + 1289 pp.
- ___ *CLD 9* (1978-1981) List Price: \$40.00 x + 1053 pp.
- ___ *CLD 10* (1981-1983) List Price: \$22.00 x + 357 pp.
- ___ *CLD 11* (1983-1985) List Price: \$30.00 433 pp. ISBN: 0-943616-50-6

- ___ *CLD 12* (1986-1990) List Price: \$100.00 xii + 973 pp. ISBN: 0-943616-98-0

CLSA Proceedings

- ___ *CLSA Proceedings* (2001) List Price \$25.00 vi + 371 pp. ISBN: 0-943616-91-3
- ___ *CLSA Proceedings* (2002) List Price: \$25.00 vi + 440 pp. ISBN: 0-943616-99-9

Marriage Studies

- ___ *Judging Invalidity* (2002) List Price: \$20.95 vi + 95 pp. ISBN: 0-943616-96-4
- ___ *Jurisprudence a Collection of U.S. Tribunal Decisions* (2002) List Price: \$40.00 vii + 472 pp. ISBN: 0-943616-94-8
- ___ *Law Sections* (1994) List Price: \$8.00 iii+ 93 pp. ISBN: 0-943616-65-4
- ___ *Marriage Studies 1* (1980) List Price: \$3.00 iv + 155 pp. ISBN: 0-943616-03-4
- ___ *Marriage Studies 4* (1990) List Price: \$7.00 viii + 188 pp. ISBN: 0-943616-48-4
- ___ *The Invalid Marriage* (1996) List Price: \$15.00 v + 238 pp. ISBN: 0-943616-78-6

General Studies

- ___ *Authentic Interpretations on the 1983 Code* (1993) List Price: \$3.00 iv + 68 pp. ISBN: 0-943616-06-9
- ___ *Canonical Standards for parishes: A Self Evaluation Instrument* (2002) List Price: \$5.00 34 pp. ISBN: 0-943616-98-X
- ___ *CLSA Advisory Opinions (1984-1993)* List Price: \$30.00 xix + 504 pp. ISBN: 0-943616-67-0
- ___ *CLSA Advisory Opinions (1994-2000)* List Price: \$40.00 xxxiv + 625 pp. ISBN: 0-943616-42-1
- ___ *Code, Community, Ministry* (1992) List Price: \$5.00 vi + 145 pp. ISBN: 0-943616-54-9
- ___ *Cooperation Between Theologians and the Ecclesiastical Magisterium* (1982) List Price: \$5.00 viii + 189 pp. ISBN: 0-943616-12-3
- ___ *New Law and Life: 60 Practical Questions and Answers on the New Code of Canon Law* (1985) List Price: \$3.00 vii + 103 pp. ISBN: 0-943616-28-X

- ___ *Pastoral Care in Parishes Without a Pastor, Applications of Canon 517, §2* (1995) List Price: \$8.00 xiv + 71 pp. ISBN: 0-943616-68-9

- ___ *Protection of Rights of Persons in the Church* (1991) List Price: \$10.00 vi + 54 pp. ISBN: 0-943616-56-5

- ___ *Reception and Communion Among Churches* (1997) List Price: \$25.00 iv + 456 pp. ISBN: 0-9673864-0-3

- ___ *Selected Issues in Religious Law* (1997) List Price: \$18.00 iv + 168 pp. ISBN: 0-943616-74-3

- ___ *The Art of the Good & Equitable* (2002) List Price \$39.96 xi + 308 pp. ISBN: 0-943616-97-2

- ___ *The Canonical Implication of Ordaining Women to the Permanent Diaconate* (1995) List Price: \$7.00 55 pp. ISBN: 0-943616-71-9

Roman Replies & CLSA Advisory Opinions:

- ___ *Roman Replies and CLSA Advisory Opinions* (2003) viii + 136 pp. List Price \$17.00 ISBN 1-932208-02-X
- ___ *Roman Replies & CLSA Advisory Opinions* (2002) viii + 187 pp. List Price \$27.85. ISBN 0-943616-95-6.
- ___ *Roman Replies & CLSA Advisory Opinions* (2001) viii + 192 pp. List Price \$17.95. ISBN: 0-943616-90-5.
- ___ *Roman Replies & CLSA Advisory Opinions* (2000) viii + 174 pp. List Price \$14.00. ISBN: 0-943616-86-7.

For copies of Roman Replies & CLSA Advisory Opinions before 1999 contact CLSA Publications about prices and availability.



ANNOUNCEMENTS

- The Office of the Executive Coordinator distributed on September 25th and 26th, 2003, the 382 copies of *COMPARATIVE SACRAMENTAL DISCIPLINE IN THE CCEO AND CIC* to those who participated in the pre-publication offer on the latest contribution in canonical literature from the CLSA. Domestic shipments went out Media Mail and international orders went airmail. Copies of *COMPARATIVE SACRAMENTAL DISCIPLINE IN THE CCEO AND CIC* can now be obtained through CLSA Publications. ISBN: 1-932208-01-01 @ \$35.00 ea. list price plus shipping and handling. Edited by the Reverend Francis J. Marini, J.D., J.C.O.D. from contributions by himself and the Reverend George D. Gallaro, J.C.O.D.; Mr. Robert J. Flummerfelt, J.C.L. and the

Very Reverend Richard J. Whetstone, J.C.L., the two hundred and fifty-eight pages of text provides wonderful commentary on situations facing pastoral staffs of not only Eastern rite Catholic Churches but also those of Latin Catholics.

- **Call for Papers:** members of the Canon Law Society of America who wish to suggest topics and speakers for future CLSA Conventions should send their suggestions to the Office of the Executive Coordinator by December 1st 2003. Possible entries will be collated and distributed to the CLSA Convention Planning Committee and the Board of Governors. Please send your suggestions by mail, fax, or e-mail. ▼

(PRESIDENT, from p. 2)

and the various religious houses in the vicinity of CUA have been charging rent to outsiders for a number of years. I am sure this is already a common practice elsewhere.

The Board of Governors is aware that an increase in dues comes at a time when many dioceses and religious institutes are facing budget restrictions. We are all aware that the resolutions adopted during our annual convention are only as good as the manner in which they are implemented. Please think creatively and positively how you as an individual member and the CLSA as a whole can work toward implementing this resolution. Make your membership in the CLSA a priority in planning your personal budget for the coming year and in whatever input you have into the budget planning for the diocese or institute that normally provides financial support for your participation in the CLSA and the annual convention.

Please know that the BOG is

exploring the possibility of other sources of funding for CLSA projects. The need for seeking grants, etc. was evident in the amendment made to the adopted resolution concerning a symposium on diocesan synods. The amendment limited the CLSA to funding only a portion of the anticipated costs of the project.

Needless to say, you have an idea of some important fiscal matters that demand the Board of Governors' attention this year! At the time of writing these reflections I am barely three weeks into my term as President and there is more to tell you about other activities, such as the Canadian Canon Law Society Convention, the annual visit with students and lecture at the CUA School of Canon Law, and a meeting with the Apostolic Nuncio in Washington. I have also been busy making preliminary arrangements for the biennial visit to the Holy See in March 2004, and in making CLSA committee appointments. I hope to bring you up to date on these and other items in the next newsletter. ▼

NEW MEMBERS

Rev. John J. Payne
New Orleans, LA
Rev. Nicholas P. Pericone
New Orleans, LA
Rev. William H. Gurnee III
Washington, DC
Rev. Dominic F. Kimboi
Moshi, TANZANIA
Rev. Christopher J. Beaudet
St. Paul - Minneapolis, MN
Rev. Sy UY Nguyen
Orange, CA
Rev. Symphorien O. Lopoke-
Ohamampoya
Sioux Falls, ND
Rev. Gregory J. Bittman
Edmonton, CANADA
Rev. Thulani V. Mbuyisa
C.M.M., SOUTH AFRICA
Rev. Peter P. Dobrowski
Phoenix, AZ
Msgr. Wayne J. Kirkpatrick
St. Catharines, CANADA
Rev. James Attwood
Antigonish, CANADA
Rev. Canuto Emeritus F.
Fuentebella Willemstad,
NETHERLANDS ANTILLES
Rev. Cyprian R. Rosen, OFM Cap.
Wilmington, DE
Msgr. Alex A. Meñez
Los Angeles, CA
Rev. Augustine Hoa T. Tran
Atlanta, GA
Nancy Itnyre, Esq.
Rochester Hills, MI
Rev. Nicholas Atriyie
Goaso, GHANA
Ms. R. Anne Kirby
Oklahoma City, OK
Mrs. Angela McClellan
Philadelphia, PA
Rev. Joseph E. Bonafed
Greensburg, PA
Sr. Anne Marie Ezenwa
Halifax, CANADA
Mrs. Judith K. Koch
Indianapolis, IN

(PORTLAND, from p. 1)

“Candidates Forum” prior to Wednesday’s elections and asked the planners to schedule it at a more opportune time.

Most importantly, the critique sheets provided thirty-five (35) suggestions for future seminars and presenters at CLSA Conventions. Newer attendees to the convention, for example, suggested some prac-

tical seminars such as the “do” and “do not” items of formulating questions for witnesses. Seasoned attendees pointed out the necessity of indicating in presentations whether the material would be more basic or geared toward the already more skilled.

All of this information is most important, and it does get reported back to convention planners for consideration. We would still like to

hear from you! If you have a convention topic or a possible presenter, please send the subject or a possible speakers name by e-mail to the Executive Coordinator’s Office. Convention programs are normally in planning for more than one year, so we could use your ideas today! It is sometimes surprising to us that a number of individuals are considering the same or similar topic or presenter. ▼



Scenes from the Portland Convention



The Newsletter of the Canon Law Society is published as a service to members four times a year by the Office of the Executive Coordinator, Canon Law Society of America, Catholic University, Washington, D.C. 20064. Membership in the Society is open to interested persons as active or associate members, depending on specific qualifications of training and experience in canon law. The annual membership fee is \$100.00. Application forms are available from the Office of the Executive Coordinator.

Canon Law Society of America
Catholic University of America
Washington, DC 20064

RETURN SERVICE REQUESTED