

Canon Law Society of America

December 2011

A quarterly eNewsletter from the Society

CONVENTION REPORT

Rev. Michael P. Joyce, CM



In October over three hundred and thirty members joined together in Jacksonville, Florida for the seventy-third annual convention of the Canon Law Society of America. The theme for this year's convention was the protection of the rights of the

Christian faithful in the Church. Fr. Jim Coriden began the convention by a thorough review of the development of the concept of rights within the Church and the subsequent attempts to state those concretely and to develop effective ways of protecting the exercise of those rights. Fr. John Beal presented a realistic assessment in his major presentation on what has been implemented for the protection of rights and what is missing from the canonical procedures for the defense of exercising one's rights. Fr. Lawrence DiNardo made a very practical application of the protection of the rights of various persons, both physical and juridical, as he addressed the topic of the protection of rights in procedures for the reconfiguration of parishes. The various seminars conducted during the convention addressed more specific topics involving the protection of the rights of all the Christian faithful, lay and ordained.

Two preconvention workshops were available and were well attended. Fr. Augustine Mendonça conducted one on matrimonial jurisprudence. Fr. Patrick Lagges and Sr. Lynn McKenzie, OSB led one on the topic of hierarchal recourse. I heard enthusiastic comments on each of the workshops.

What was evident during the conference was the development of the theory of rights in the Church prior to, during, and after the Second Vatican Ecumenical Council. More pressing, however, is the work that needs to be done in finding available and adequate procedures for the protection of those rights. This need is even more pressing in the many situations in the Church when the rights of various persons come into conflict. One such circumstance is the conflict that arises at times when bishops and theologians are exercising their proper ministries. The Canon Law Society passed a resolution at its annual business meeting to offer its assistance to the United States Conference of Catholic Bishops in developing procedures to address such potential situations for conflict. Hopefully, the Society will continue to examine the adequate protection of rights and use the many talents present in the Society to serve the Church in developing workable procedures that will provide the security of rights in a fashion that promotes reconciliation and communion.

The CLSA outgoing President poses with two priests of the hosting diocese during the opening reception: (l-r) Rev. Remek Blaszkowski, JCL Student and priest from the Diocese of St. Augustine; Rev. Michael Joyce, CM, CLSA President; and Rev. Tim Lindenfelser, Judicial Vicar for the Diocese of St. Augustine.



The atmosphere at the convention was very positive. Attendees remarked about the spaciousness of the hotel and the promptness of elevators. We experienced the full range of Florida weather from a brief tropical storm Sunday evening before the convention began to the legendary sunshine. I make particular note of the support staff of the hotel. The workers were pleasant and frequently initiated conversations with those whom they assisted. Their service was particularly remarkable. I thank Kathy Best of Nix and Lisa Lawless, her coworker, for assisting with the site of the convention and its actual functioning.

The agenda of the convention proceeded very smoothly and all of the materials provided were very helpful. These were accomplished by the work of the Convention Planning Committee chaired by Fr. Patrick Cogan, SA and by Sr. Sharon Euart, RSM, our Executive Committee, and Katie Richards, Executive Assistant ([click here to view the convention blog provided by Katie](#)).

I particularly thank Fr. Michael Boccacio, the general convention chairperson, for the past five years of service in that position. No task has been too menial for him over these five years. On behalf of the Society and specifically in the name of the past presidents whom he served over that time, I publicly thanked Michael at the conclusion of the annual business meeting and presented him with a gift as a memento of his service. ♦

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PRESIDENTIAL REFLECTIONS

We are a People in Waiting: This Advent Season Kindly Say a Prayer for Your Mentors

Mrs. Rita F. Joyce



As our Church began a new liturgical year with excitement and anxiety about the use of the new translation of the Roman Missal I was struck with the similarity of feelings that I experienced in going “off” to study canon law. The familiar Holy Mass I have known for forty years is no longer routine. Leaving the familiar to study canon law was not routine either. For many of us, it was setting aside something in our lives that we have known and were comfortable with, possibly a job in a parish, or the chancery or in my case, practicing civil law, to embark upon something new. Both circumstances are approached with great excitement yet high anxiety and the reality is that it will never be the way it was before.

When I think back to those first years, I am certain that I shared the same apprehension as you did about change in our lives. What would we do with our new knowledge? If you are a priest sent by your bishop, you know you are not going back to a parish only; you will have to “do something” with your degree. If you are a religious sister, surely the community needs you to use this knowledge for the community’s betterment. If you are a lay man or woman you know you have to get a really different job, working for the Church in service to God’s people. Just as we in the English speaking Church were led through a process of learning new prayers, new responses and new music to accompany the new Roman Missal, someone or many some ones prepared us to the point where we celebrated the first Sunday of Advent beautifully and without too many missteps.

This caused me to think about the some ones who prepared me in the process of becoming a canonist, the persons in my life who have mentored me. A mentor is an advisor, a counselor, a guide a tutor, a teacher. As we wait in this season of Advent, I invite you to reflect on who is or was your canonical mentor. My path to canon law came via a suggestion from a priest of the Archdiocese of Cincinnati who taught my first graduate class in theology. Fr. Robert Hater assigned a research project for Theology of Ministry. At his suggestion I chose to study Book II, the laity in the Code of Canon Law, which only enticed me to further study canon law. During my studies I met Fr. Lawrence DiNardo who gave me my first canonical job in the Diocese of Pittsburgh. I have had the blessing to be at the Diocese ever since. Fr. DiNardo has been a mentor in the everyday practice of the profession, in his

deep respect for the law as well as being my role model with the Canon Law Society. His loyalty and dedication to the CLSA have taught me the importance of giving back through service to the Society and to our fellow canonists.

A quick poll of several past presidents of the CLSA showed the importance of mentoring in their canonical careers. Sr. Sharon Euart, RSM gave credit to two mentors during her studies at Catholic University of America, Fr. Robert Kennedy to whom she attributes teaching her the importance of precision and clarity in articulating the law and the integration of the code in applying the law, and to Fr. Ladislav Örsy, SJ whose teaching on the values underlying the law has influenced her greatly. Sr. Sharon said that: “they taught me, by their example and wise counsel, how to love the law of the Church. I am deeply grateful for their advice over the years.” Her first mentor in the then, NCCB was another canonical giant in our field, Msgr. Donald Heintschel, who was a “wonderful role model for a new canonist.”

Msgr. Fred Easton shares that his mentor in the Indianapolis Tribunal was Msgr. Charles Koster who he refers to as an “*alioquin peritus*” and the epitome of that description. “I learned from him jurisprudence, especially the notion of moral certitude.” He taught Msgr. Easton Favor of the Faith cases as well as Pauline Privilege cases in addition to clear notions of ecclesiology. Msgr. Easton further comments: “without mentoring of some kind the new canonist would have great difficulty in steering and growing through the full course.”

When we think back on the importance of these giants in our field, who helped us along the way, it is cause to commit to make ourselves available for the new canonists among us. Maybe new canonists who recently attended our convention can suggest ways for the more experienced among us to help them in their practice.

Sincere thanks are due to our outgoing members of the Board of Governors, for your faithful and dedicated service. It has been an honor to work with each of you. Welcome to our new board members (see picture on [page 6](#)); I look forward to working with you and serving the Society in the coming year. ♦



All the Role of Law Awardees attending the 73rd Annual Convention: (l-r) Rev. Kevin E. McKenna, Msgr. Ricardo E. Bass, Sr. Rose M. McDermott, SSJ, Msgr. Frederick C. Easton, Very Rev. Lawrence A. DiNardo, Msgr. Thomas J. Green, Chorbishop John D. Faris, Rev. Francis G. Morrissey, OMI, Dr. Barbara Anne Cusack, Most Rev. David E. Fellhauer, Sr. Sharon L. Holland, IHM, Rev. Paul L. Golden, CM, Msgr. John A. Alesandro and Rev. James A. Coriden

REPORT FROM THE OFFICE OF THE EXECUTIVE COORDINATOR

Sr. Sharon A. Euart, RSM



I want to join my voice to those of others in expressing gratitude to all those who helped make the Jacksonville convention both a success and an enjoyable experience for all. A special “thank you” goes out to Bishop Felipe de Jesús Estévez, Bishop of St. Augustine, Rev. Timothy Lindenfelser, and the many volunteers from Jacksonville for their gracious hospitality and their many contributions to details and arrangements. Thanks, too, to our presenters, exhibitors, and participants who contributed to the overall success of the convention. We are grateful to Archbishop Timothy Broglio, the incoming Chair of the USCCB Committee on Canonical Affairs and Church Governance, for his presence at the Convention.

We are especially pleased to include in this issue two reflections from participants in the convention: one from a new canonist, Susan Mulheron, for whom Jacksonville was her first convention and one from a long time member, Dom Bernard Johnson, OCSO, who has attended over twenty conventions. While the sentiments expressed in both reflections are quite similar, Fr. Bernard and Susan represent different generations of canonists whose experiences of the CLSA conventions continue to enrich their professional and personal lives in ways that are both distinct yet timeless. We are grateful that the Society and its conventions remain opportunities for on-going education, networking, new and renewing friendships, prayer and reflection.

Convention evaluations have been most positive overall. Members cited the outstanding program; warm hospitality of the hotel staff, Jacksonville volunteers, and NIX representatives; networking opportunities; the continental breakfasts and banquet as particularly good experiences. We anticipate having the 2011 *Proceedings* available in early 2012. The Role of Law citation and response by Chorbishop John Faris are posted on the CLSA website with pictures (www.clsa.org/news/75417/Role-of-Law-Awarded.htm).

We have updated the [CLSA website](http://www.clsa.org) with information concerning upcoming Regional Meetings/Conferences. The dates are also listed in this issue of the Newsletter on [page 6](#). We encourage you to keep us informed of dates and activities in the various regions. We also invite you to send us presentations made at regional meetings for posting on the website thereby making them available to the broader CLSA membership.

You will find on [page 4](#) of this Newsletter a list of the new



The Board of Governors met in Jacksonville prior to and after the 73rd Annual Convention: (clockwise) Rev. Michael Joyce, CM; Rev. Larry Jurcak; Rev. Mark O'Connell; Rev. John Vaughan; Rev. Manuel Viera, OFM; Sr. Sharon Euart, RSM; Meg Hogan; and Siobhan Verbeek

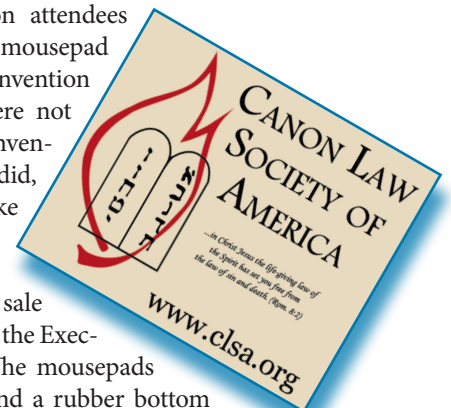
members of the CLSA since September 2011. We are delighted with the increasing number of new members over the past three years. For example, for the current fiscal year, we have already received 256% of the budgeted income for new members! Among the main reasons for this growth is access to the CLSA website and the availability of English-language resources. This is most encouraging yet at the same time challenging. It is important that we continue to develop the website in ways that make it user-friendly and that we continue to publish quality canonical resources—challenges I believe the Society can meet!

With regard to publications, we are pleased to announce that the long-awaited *Rotal Jurisprudence: Selected Translations* is now available from the CLSA [online bookstore](#)! This collection of sixteen English translations of marriage nullity decisions by rotal auditors is a valuable resource for all Tribunal personnel. We are most grateful to Sr. Victoria Vondenberger, RSM who edited the book, the Rotal auditors who participated in this effort, our members who assisted with the translations, and the members of the Publications Advisory Board whose advice throughout the process was most helpful. See the announcement about the new book and how to order your copies on [page 5](#) of this Newsletter.

On behalf of the Office of Executive Coordinator, Katie, and Amy, I take this opportunity to wish each of you a blessed Advent season and a joyous Christmas. ♦

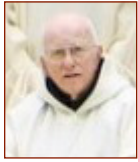
CLSA Mousepads Available for Sale

This year convention attendees received a CLSA mousepad along with their convention materials. If you were not able to attend the convention, or even if you did, and you would like to order a CLSA mousepad, they are now available for sale through the Office of the Executive Coordinator. The mousepads feature a hard top and a rubber bottom (which keeps the pad neatly in place on your desk) and are \$2.00 each (plus USPS shipping). Email Katie Richards (krichards@clsa.org) if you are interested in placing an order.



MY CONVENTION EXPERIENCE: OVER TWENTY YEARS

Dom Rev. Bernard Johnson, OCSO



If my memory serves me right at age 86, the Jacksonville 2011 CLSA Convention was my 21st attendance at this professional gathering. I cannot remember the exact date or even location, but it was in 1990, after more than twenty years in Rome as Procurator General of my Order, OCSO Trappists, that I became aware of this wonderful source of information and assistance on the canonical level. To use a somewhat grandiose expression, I had to “keep up my credentials” from JCL, Gregorian University (1958-1960). Being a member of the CLSA was the best way.

A fellow Trappist once asked me what made the Order’s General Chapter a “great” one. Not all General Chapters since the very first one in 1118 at Citeaux have been great events. I did come up with a paradigm that can happily be applied to CLSA conventions, namely: PROGRAM, POSITIONS, PROPOSALS, and PEOPLE. What program could be more relevant and timely than one of Safeguarding the Rights of the Christian Faithful in the Church today? If positions on both sides of the aisle are well founded, then the proposals that follow will be clear and practical for active consideration by general or particular entities to whom they are addressed. However, what makes all this happen are the people, the members of the Canon Law Society of America.

Taking this into account I would have to say, without reservations, that the 2011 Convention at Jacksonville, was a “great” one. The theme itself was a guarantee that it would not be just an ordinary convention. The various seminars, aimed at providing something for everyone, allowed positions to evolve which culminated in the one proposal (made by a proposalist, par excellence, Father James Coriden) to help safeguard the rights of expression by publications or public debates.

Now enter the people: thoroughly competent and experienced; open to friendly comment, even challenges from the audience; always in courteous and cordial manner, and at times, a humorous atmosphere. One sees friends and colleagues growing older and greyer; others more ample; still others alarmingly thinner and more frail. Hopefully, all are wiser as time and life works its magic and assuredly holier as the Spirit works a miracle of grace.

Since, for a Trappist monk, a shopping trip to the local Safeway can be a treat, so also was the closing liturgy. It always seems to be in some beautiful locale and Jacksonville was



Convention attendees enjoy camaraderie along with a banquet meal exceptionally beautiful. This is especially so for an older person. The glorious stained glass windows and the Infant of Prague in the corner was this side of a thrill.

Consciously or unconsciously, there is something very prayerful about the meeting, since as a choir, we seem to say a quiet, “Amen” to the words of the Psalm: Oh Lord, how I love your law. Happily, the choirs are getting more robust with the sounds and sights of younger canonists! ♦

NEW MEMBERS

Please join us in welcoming the following new members who have joined the Society since September 2011. If you wish to join the Society, or know someone who would be interested in becoming a member, please visit the ‘Become a Member’ page on our website (www.clsa.org).

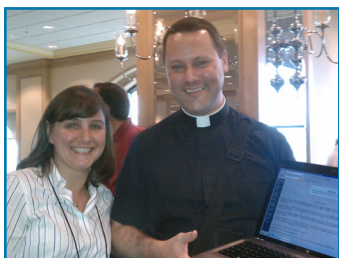
Mr. Max D. Brown River Forest, IL	Rev. Jerome Drolshagen Corpus Christi, TX
Rev. Joaquim S. N. Gracias Rome, Italy	Rev. Denis Heames Rome, Italy
Dr. Thomas B. Jeyasseelan, SJ Madurai, India	Rev. Albert Joseph Safat, Kuwait
Rev. Victor Kynam Lake Odessa, MI	Rev. Pawel P. Lis Orchard Lake, MI
Rev. Elijah Martin Ottawa, ON	Dr. Edwin Omorogbe Ottawa, ON
Rev. Dean P. Perri Providence, RI	Rev. Cuong M. Pham Rome, Italy
Rev. R. Dean Probst Rochester, IL	Rev. Luc Tran Washington, DC



Chorbishop John D. Faris, the 2011 Role of Law Honoree, was presented the award during the Convention banquet. Chorbishop Faris is the second Eastern Rite Canonist to receive the award. (l-r) Mrs. Rita F. Joyce; Chorbishop John D. Faris; Rev. Michael P. Joyce, CM

MY FIRST CONVENTION

Mrs. Susan Mulheron



My first convention experience began as I boarded my transfer flight from Dallas to Jacksonville, when I recognized the familiar face of a JCL classmate in the first row of coach seating. Saying a surprised and quick “hello,” I continued to my seat, passing another priest seated a few rows farther back. As the flight was in the air, I noticed the *incognito* priest next to me praying the Liturgy of the Hours on his iPad. I began to wonder how many other canonists were around me on this flight alone, and got excited at the idea of so many canonists converging on Jacksonville at once. It had been a long two and a half months of trying to explain the concept of canon law to those in the “outside world” and working in the tribunal since I had completed my JCL and left The Catholic University of America, and I was looking forward to finding a respite at the convention, surrounded by understanding and sympathetic souls.

My self-pity was short lived as I found my way to the convention and began to meet other more seasoned canonists, who did not take long to launch into the stories of their experiences over the past year. While I had undoubtedly one of the freshest educations of all the convention attendees, I knew that I lacked the hard knocks of experience, which became all the more evident as I heard multiple accounts from those who had been in the trenches of canon law for much longer than I, serving their dioceses and communities and providing canonical advice. Although my formal canonical training had ended, my education in practical application had just begun, which picked up with gusto at the CLSA convention.

As I began to meet so many new people, it seemed that every time I turned around I was putting faces to names I recognized and had known for quite awhile. It was a great joy to now be a part of the CLSA community and to immerse myself in it. Everyone I encountered was so friendly and welcoming, and I had *so much fun*. I suppose I am revealing the extent of my nerdiness by admitting that my time at the convention was the highlight of my fall. But it was not only the great sessions and provocative major addresses that I enjoyed, it was the experience of belonging to a group of such fantastic people, reconnecting with friends, and meeting so many new ones.

One of the more exciting moments of my convention experience was meeting Msgr. Jason Gray of Peoria, Illinois who is famous and revered among canon law students everywhere for his website, www.jgray.org. It is basically a user manual for canon law school, providing comprehensive exam study questions, a JCL thesis template, and other materials that

my classmates and I found indispensable during our studies. While I was talking to the good monsignor, he even opened up his laptop to the website and posed for a picture, much to my delight. Okay, I suppose that reveals my nerdiness even more. “Nerdiness” can be defined as “excessive enthusiasm for a particularly narrow niche culture.”

Especially after my great experience at my first CLSA convention, I am happy to take up the label of an enthusiastic canon law nerd. I suspect when I arrive for my second convention next year that I will be a bit more weathered as a canonist and have a few stories of my own to share, but I hope that I will still be able to connect with my inner nerd. I am sure that no matter what, the convention will again be an uplifting experience of camaraderie, fun, and continuing education.

I would like to offer my gratitude to the Office of the Executive Coordinator for working so hard to organize the convention, and also to the members of the Society for welcoming this new canonist so warmly. I am already looking forward to next year—see you in Rosemont! ♦



Over 350 participants gathered in Jacksonville, Florida for the 73rd Annual Convention

NOW AVAILABLE!

Rotal Jurisprudence: Selected Translations



Rotal Jurisprudence is a collection of sixteen English translations of complete marriage nullity decisions by rotal auditors. The decisions were translated by canonists skilled in Latin and the translations were approved by the respective *ponens* at the Roman Rota. The Latin *in iure* sections of the decisions are also included. The sentences or decrees will be a valuable resource for all Tribunal personnel. The collection is edited by Sr. Victoria Vondenberger, RSM, chair of the CLSA Sacramental Law Committee.

Prices are \$25.00 members and \$30.00 non-members.

To order your copies, please visit the CLSA website (www.clsa.org). Please note: You must be logged in to receive the member discount!



Convention Photos

(clockwise from top left) The newly elected Board Members with the current President and Past President; Rev. Ralph Gross speaks during the Annual Business Meeting; Board Members visit the Cathedral in St. Augustine; Attendees participate during a seminar; Participants enjoy a laugh after the banquet; Msgr. Daniel Hoye gives a seminar presentation; Attendees collaborate during the banquet reception; Most Rev. Felipe de Jesús Estévez processes in during the Convention Mass

For more photos, please visit our Facebook page www.facebook.com/CLSAmerica

REGIONAL MEETINGS

For more information regarding these Regional Meetings and any other event, please visit our online calendar at www.clsa.org/events.

- March 2-7: Western Regional Convention, Las Vegas, Nevada
- March 12-14: Texas Conference of Canonists Meeting, San Antonio, Texas
- April 23-25: Province of Atlanta Meeting, Charlotte, North Carolina
- April 23-25: Midwest Canon Law Convention, Grand Rapids, Michigan
- April 23-26: Northwest Regional Meeting, Boise, Idaho
- May 8-10: Eastern Regional Conference of Canonists Meeting, Philadelphia, Pennsylvania

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PLEASE NOTE

Roman Replies & CLSA Advisory Opinions 2011 Corrections

Please make note of the following corrections to the recently printed *Roman Replies & CLSA Advisory Opinions 2011*. These corrections have been made and will be included in the electronic version of the publication when it is made available.

- On pages iii & 18: the incorrect canon is listed for the heading of this Reply. It should state Canon 277 not Canon 227.
- On page 10: the word 'not' was omitted at the end of the first paragraph. The clause should read: "... but the recourse is upheld *de decernendo* insofar as the necessary grave motivations for the decision are not provided in the acts."
- On page 126: the word 'Lutheran' is incorrectly placed in the introduction paragraph. The first sentence should read: "A Lutheran is engaged to a member of the Byzantine rite."
- On page 129: the word 'External' should be 'Extraordinary' in the subheading. The subheading should read: "The Extraordinary Form of the Latin Rite Mass".