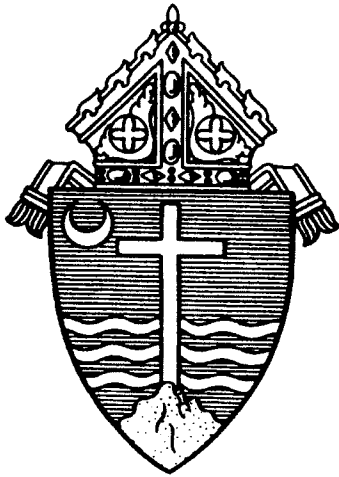


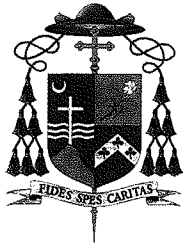
DIOCESE OF ROCKFORD



CODE OF PASTORAL CONDUCT

For Members of the Clergy, Candidates for Ordination, Religious,
Pastoral Ministers, Employees, and Volunteers

Revised August 2013



Diocese of Rockford

555 Colman Center Drive
P.O. Box 7044
Rockford, Illinois 61125

(815) 399-4300
Fax (815) 399-4769

Office of the Bishop

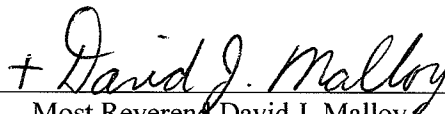
August 13, 2013

My Dear Servants in Christ:

The Church must be exemplary. Clergy members¹, candidates for ordination², employees, and volunteers should and will be held accountable for their behavior. In order to maintain the highest level of accountability, there must be a clear and unambiguous blueprint of appropriate and inappropriate behavior. The *Diocese of Rockford Code of Pastoral Conduct* for Priests, Deacons, Candidates for Ordination, Religious, Pastoral Ministers, Employees, and Volunteers provides a basic structure for identifying limits. It is intended as a “continuous improvement document.” Therefore, your suggestions and recommendations for additions and revisions are encouraged. This *Code of Pastoral Conduct* is intended to provide a foundation for implementing effective and enforceable standards of conduct for pastoral counseling and spiritual direction staff.

This document is meant to be read in conjunction with the *Charter for the Protection of Children and Young People*;³ *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*;⁴ and *Diocese of Rockford Norms for the Prohibition of Sexual Misconduct with Minors⁵ and Adults: Education, Prevention, Assistance to Victims, and Procedures for Determination of Fitness for Ministry/Employment*.

This *Diocese of Rockford Code of Pastoral Conduct* is to be promulgated by providing a copy of same to all priests and clergy known to be residing or ministering in the Rockford Diocese and to all lay personnel employed by or volunteering their services to the Rockford Diocese. This Code is effective on this date and shall become operative this date.



Most Reverend David J. Malloy
Bishop of Rockford

¹ “Clergy members” and “clergy,” as used in this *Code*, are defined to include priests and deacons.

² “Candidates for ordination,” as used in this *Code*, are defined to include seminarians and candidates for the permanent diaconate.

³ The *Charter for the Protection of Children and Young People*, United States Conference of Catholic Bishops, Washington, D.C., as revised June 2011.

⁴ The *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*, United States Conference of Catholic Bishops, Washington, D.C., as revised June 17, 2005. Note: The *Essential Norms* were officially promulgated as particular law of the United States on December 12, 2002.

⁵ “Minor,” as used in this policy, means any person under the age of 18 years, as well as any person, regardless of age, who habitually lacks the use of reason.

I. PREAMBLE

Priests, deacons, candidates for ordination, religious, pastoral ministers, employees, and volunteers in our parishes, religious communities/institutes, and organizations must uphold Christian values and conduct. The *Diocese of Rockford Code of Pastoral Conduct for Members of the Clergy, Candidates for Ordination, Religious, Pastoral Ministers, Employees, and Volunteers* (“*Code of Pastoral Conduct*”) provides a set of standards for conduct in certain pastoral situations.

II. RESPONSIBILITY

The public and private conduct of members of the clergy, candidates for ordination, religious, pastoral ministers, employees, and volunteers can inspire and motivate people, but it can also scandalize and undermine the people’s faith. Clergy, employees, and volunteers must, at all times, be aware of the responsibilities that accompany their work. They must also know that God’s goodness and grace support them in their ministry.

Responsibility for adherence to the *Code of Pastoral Conduct* rests with the individual. Clergy members, candidates for ordination, religious, pastoral ministers, employees, and volunteers who disregard this *Code of Pastoral Conduct* will be subject to remedial action by the Bishop of this Diocese. Corrective action may take various forms—from a verbal reproach to removal from the ministry—depending on the specific nature and circumstances of the offense and the extent of the harm.

III. PASTORAL STANDARDS

1. Conduct for Pastoral Counselors and Spiritual Directors⁶

Pastoral Counselors and Spiritual Directors must respect the rights and advance the welfare of each person.

- 1.1. Pastoral Counselors and Spiritual Directors shall not step beyond their competence in counseling situations and shall refer clients to other professionals when appropriate.
- 1.2. Pastoral Counselors and Spiritual Directors should carefully consider the possible consequences before entering into a counseling relationship with someone with whom they have a pre-existing relationship (i.e., employee, professional colleague, family member, friend, or other pre-existing relationship).

⁶ “Pastoral Counselors” and “Spiritual Directors,” as used in this *Code*, are defined to include clergy members, candidates for ordination, religious, employees, and volunteers and others who provide pastoral, spiritual, and/or therapeutic counseling services to individuals, families, or other groups.

- 1.3. Pastoral Counselors and Spiritual Directors should not audiotape or videotape sessions.
- 1.4. Pastoral Counselors and Spiritual Directors must never engage in sexual intimacies with the persons they counsel. This includes consensual and nonconsensual contact, forced physical contact, and inappropriate sexual comments.
- 1.5. Pastoral Counselors and Spiritual Directors shall not engage in sexual intimacies with individuals who are close to the client—such as relatives or friends of the client.
- 1.6. Pastoral Counselors and Spiritual Directors assume the full burden of responsibility for establishing and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships.
- 1.7. Physical contact of any kind (i.e., touching, hugging, holding) between Pastoral Counselors or Spiritual Directors and the persons they counsel can be misconstrued and should be avoided.
- 1.8. Sessions are to be conducted in appropriate settings at appropriate times.
 - 1.8.1 No sessions are to be conducted in private living quarters.
 - 1.8.2 No sessions are to be held at places or times that would tend to cause confusion about the nature of the relationship for the person being counseled.
- 1.9. Pastoral Counselors and Spiritual Directors shall maintain a log of the times and places of sessions with each person being counseled.

2. Confidentiality of Information Disclosed During Counseling

The following obligations are independent of the confidentiality of the confessional. Under no circumstances whatsoever can there be any disclosure—even indirect disclosure—of information received through the confessional.

Information disclosed to a Pastoral Counselor or Spiritual Director during the course of counseling, advising, or spiritual direction shall be held in the strictest confidence possible.

- 2.1. Information obtained in the course of sessions shall be confidential, except for compelling professional reasons or as required by law.
 - 2.1.1 If there is clear and imminent danger to the client or to others, the Pastoral Counselor or Spiritual Director may disclose only the

information necessary to protect the parties affected and to prevent harm.

- 2.1.2 Before disclosure is made, if feasible, the Pastoral Counselor or Spiritual Director should inform the person being counseled about the disclosure and the potential consequences.
- 2.2. Pastoral Counselors and Spiritual Directors should discuss with each person in counseling the nature of confidentiality and its limitations.
- 2.3. Pastoral Counselors and Spiritual Directors should keep minimal records of the content of sessions.
- 2.4. Knowledge that arises from professional contact may be used in teaching, writing, homilies, or other public presentations only when effective measures are taken to absolutely safeguard both the individual's identity and the confidentiality of the disclosures.
- 2.5. While counseling a minor, if a Pastoral Counselor or Spiritual Director discovers that there is a serious threat to the welfare of the minor and that communication of confidential information to a parent or legal guardian is essential to the child's health and well-being, the Counselor or Spiritual Director should:
 - Attempt to secure written consent from the minor for the specific disclosure.
 - If consent is not given, disclose only the information necessary to protect the health and well-being of the minor.

Consultation with the appropriate Church supervisory personnel is required before disclosure.

3. General Policy on Confidentiality of Records and Information

- 3.1. ***Confidential documents must not be removed from the premises.*** The protection of Diocesan, Parish, and School business information, property and records is vital to the interests and integrity of the Diocese. All records and information relating to the Diocese of Rockford, its clergy, parishioners, volunteers, and employees are confidential and individuals with access to such information must, therefore, treat all matters accordingly. No Diocese- or Diocese-related information, including, but not limited to, documents, files, records, computer files or similar materials (except in the ordinary course of performing duties on behalf of the Diocese) may be removed from the Diocese's premises without written permission from the Bishop or, in his absence, the Moderator of the Curia.

3.2. ***Disclosure to Third Parties.*** Diocese-, Parish- and School-related information or records shall not be disclosed to any third party except by written permission of the Bishop or, in his absence, the Moderator of the Curia.

3.2.1 The contents of Diocese records or information otherwise obtained as a result of one's employment with the Diocese is prohibited from disclosure to anyone, except in the ordinary course of performing duties on behalf of the Diocese.

Examples of confidential records and documents. Examples of confidential records and documents include:

- sacramental records,
- adoption, orphanage, and foster care records,
- financial information and records,
- educational enrollment and academic records,
- counseling records,
- social services records,
- records of contributions or payments made by a parishioner,
- computer files,
- individual salary or wage rates of employees and former employees,
- personnel files of employees or former employees.

3.3. ***All confidential information and property must be returned when employment ends.*** When an employee leaves the employment of the Diocese (or volunteer relationship with the Diocese) he or she must return to the Diocese all Diocese-, Parish- and School-related information and property that is in his or her possession, including without limitation, documents, files, records, manuals, information stored on a personal computer or on a computer disc, supplies, and equipment, and keys.

3.4. ***Computer materials are property of the Diocese.*** All computers and computer equipment, programs, and data are the property of the Diocese, Parish and/or School, unless certified as personal, and are intended for Diocesan use only. Computer users are responsible for helping to maintain security and data integrity. Each computer user:

- shall not disclose his or her ID or password to any other person.
- shall back up data on his or her computer on a regular basis.
- shall log off when away from his or her computer for an extended period of time.

3.5. ***Discipline will result for breach of confidentiality.*** Clergy, candidates for ordination, religious, employees, and volunteers will be subject to

appropriate disciplinary action, up to and including termination, for misuse or unauthorized disclosure of documents or information of a confidential nature.

4. Confidentiality of Parish, Religious Community/Institute, and Organizational Records and Information

Confidentiality will be maintained in creating, storing, accessing, transferring, and disposing of parish, religious community/institute, or organizational records.

- 4.1. Sacramental records shall be regarded as confidential. When compiling and publishing parish, religious community/institute, or organization statistical information from these records, great care must be taken to preserve the anonymity of individuals.
- 4.2. Most sacramental records older than 70 years are open to the public.
 - 4.2.1 Information regarding adoption and legitimacy remains confidential, regardless of age.
 - 4.2.2 Only individuals who are authorized to access the records and supervise their use shall handle requests for more recent records.
- 4.3. Parish, religious community/institute, or organization financial records are confidential.
- 4.4. Individual contribution records of the parish, religious community/institute, or organization shall be regarded as private and shall be maintained in strictest confidence.

5. Conduct With Youth

Clergy, candidates for ordination, religious, employees, and volunteers working with youth shall maintain an open and trustworthy relationship between youth and themselves.

- 5.1. Clergy, candidates for ordination, religious, employees, and volunteers must be aware of their own and others' vulnerability when working alone with youth. Use a team approach (two or more adults) to managing youth activities.
- 5.2. Physical contact with youth can be misconstrued and should occur (a) only when completely nonsexual and otherwise appropriate; and (b) never in private.
- 5.3. Clergy, candidates for ordination, religious, employees, and volunteers shall refrain from (a) the illegal possession and/or illegal use of drugs

and/or alcohol at all times; and (b) the use of alcohol when working with youth.

5.4. Clergy, candidates for ordination, and religious shall not allow individual young people to stay overnight in private accommodations or personal residence.

5.5. Employees and volunteers shall not provide shared, private, overnight accommodation for individual young people including, but not limited to, accommodations in any Church-owned facility, private residence, hotel room, or any other place where there is no additional adult present.

5.5.1 In rare, emergency situations, when accommodation is necessary for the health and well-being of the youth, the clergy, candidates for ordination, religious, employees, or volunteer shall take extraordinary care to protect all parties from the appearance of impropriety and from all risk of harm.

5.5.2 Use a team approach (two or more adults) to managing emergency situations.

5.6 Our children are the most important gifts God has entrusted to us. Clergy, candidates for ordination, religious, employees, and volunteers are to:

- Treat everyone with respect, loyalty, patience, integrity, courtesy, dignity, and consideration;
- Avoid situations where he or she is alone with children and/or youth at Church activities;
- Use positive reinforcement rather than criticism, competition, or comparison when working with children and/or youth;
- Not solicit gifts from children and/or youth or their parents;
- Refrain from giving expensive gifts to children and/or youth without prior written approval from the parents or guardian;
- Immediately report suspected sexual abuse of a minor to the pastor, administrator, or appropriate supervisor and the Diocese of Rockford hotline phone number (815-293-7540) and to the Illinois Department of Children and Family Services hotline phone number (1-800-25ABUSE);
- Cooperate fully in any investigation of abuse of children and/or youth;

Clergy, candidates for ordination, religious, employees, and volunteers are not to:

- Smoke or use tobacco products in the presence of children and/or youth;
- Be under the influence of alcohol at any time while working or volunteering;
- Use, possess, or be under the influence of illegal drugs at any time;

- Pose any health risk to children and/or youth (i.e., no fevers or other contagious situations);
- Strike, spank, shake, or slap children and/or youth;
- Humiliate, ridicule, threaten, or degrade children and/or youth;
- Touch a child and/or youth in a sexual or other inappropriate manner;
- Use any discipline that frightens or humiliates children and/or youth; or
- Use profanity in the presence of children and/or youth.

Clergy, candidates for ordination, religious, employees, and volunteers working with children and/or youth are subject to a thorough background check including criminal history. Any action inconsistent with this *Code of Pastoral Conduct* or failure to take action mandated by this *Code of Pastoral Conduct* or the laws of the State may result in removal from working with children and/or youth, and discipline up to and including discharge.

6. Sexual Conduct

Clergy, candidates for ordination, religious, employees, and volunteers must not, for sexual gain or intimacy, exploit the trust placed in them by the faith community.

- 6.1. Clergy, candidates for ordination, religious, employees, and volunteers who are committed to a celibate lifestyle are called to be an example of celibate chastity in all relationships at all times.
- 6.2. Employees and volunteers who provide pastoral counseling or spiritual direction services must avoid developing inappropriately intimate relationships with minors, other employees, or parishioners. Employees and volunteers must behave in a professional manner at all times.
- 6.3. No clergy, candidate for ordination, religious, employee, or volunteer may exploit another person for sexual purposes.
- 6.4. The acquisition, possession, or distribution by a clergy member, candidate for ordination, religious, employee, or volunteer of pornographic images of a minor for purposes of sexual gratification, by whatever means or using whatever technology, constitutes sexual abuse of a minor and is prohibited.
- 6.5. Allegations of sexual misconduct are to be taken seriously, and clergy, candidates for ordination, religious, employees and volunteers are required to immediately report an allegation of sexual abuse to the Misconduct Officer of this Diocese by calling the

Diocese's hotline phone number (815-293-7540), and to civil authorities – law enforcement and the Department of Children and Family Services – if the situation involves a minor.

- 6.6. Clergy, candidates for ordination, religious, employees, and volunteers are to review and know the contents of the child abuse regulations and mandated reporting requirements for the State of Illinois and shall follow those mandates.

The Diocese of Rockford *Norms for the Prohibition of Sexual Misconduct with Minors and Adult: Education, Prevention, Assistance to Victims and Procedures for Determination of Fitness for Ministry/Employment* must be strictly adhered to by all priests, deacons, candidates for ordination, religious, pastoral ministers, spiritual directors, employees, and volunteers in order to ensure the protection of the rights of all involved.

7. **Harassment**

Clergy, candidates for ordination, religious, employees, and volunteers must not engage in physical, psychological, written, or verbal harassment of another person, and must not tolerate such harassment by others.

- 7.1. Clergy, candidates for ordination, religious, employees, and volunteers shall provide a professional work environment that is free from physical, psychological, written, or verbal intimidation or harassment.
- 7.2. Harassment encompasses a broad range of physical, written, or verbal behavior, including without limitation the following:
- Physical or mental abuse
 - Racial insults
 - Derogatory ethnic slurs
 - Unwelcome sexual advances or touching
 - Sexual comments or sexual jokes
 - Requests for sexual favors used as:
 - a condition of employment, or
 - to affect other personnel decisions, such as promotion or compensation
 - Display of offensive materials
- 7.3. Harassment can be a single severe incident or a persistent pattern of behavior where the purpose or the effect is to create a hostile, offensive, or intimidating work environment.
- 7.4. Allegations of harassment should be taken seriously and reported immediately to one's supervisor or to the Diocesan Human Resources Department. The Diocese will investigate all claims of harassment. The Diocese's prohibition against harassment policy, as that policy is set forth in the Diocese of Rockford Employee Handbook, shall be followed. The investigation procedures adopted by the Bishop of the Catholic Diocese of Rockford will be followed to protect the rights of all involved.

8. Conflicts of Interest

Clergy, candidates for ordination, religious, employees, and volunteers should avoid situations that might present a conflict of interest. Even the appearance of a conflict of interest can call integrity and professional conduct into question. A conflict of interest is generally defined as a situation in which an individual has a private or personal interest sufficient to influence – or appear to influence – the objective exercise of his/her official duties. There are three key elements in this definition:

- **Personal Interest**: Often this is a financial interest; however, it may also be non-pecuniary in nature.
- **Official Duty**: Clergy members and administrators take on certain official responsibilities by which are incurred obligations to the Church, employees, parishioners, or others. These obligations shall supercede all private or personal interests that pose or may pose a conflict of interest.
- **Interference**: Conflicts of interest interfere with official responsibilities in a specific way; namely, by interfering with objective ministerial judgment. Such interference may be actual, apparent, or potential. An apparent conflict of interest is present where a reasonable person, under the circumstances presented, would believe that the clergy member's judgment is likely to be compromised. A potential conflict of interest involves a situation that may develop into an actual conflict of interest.

Examples of Situations Posing a Conflict of Interest

- **Self-dealing**. Examples of self-dealing include a person working for the Church uses his or her official position to secure a contract for the benefit of a non-profit organization on which the person serves as director. Another instance is using one's ministerial position to secure a summer job for a family member.
- **Accepting benefits**. Acceptance of a substantial (non token) gift.
- **Influence peddling**. Soliciting benefits in exchange for using one's influence to unfairly advance the interests of a particular party.
- **Using the Church's property for private advantage**.
- **Using confidential information**. Information obtained through counseling of parishioners, or information obtained through other confidential means, is prohibited from being used for advancement of personal interests.

- **Outside volunteer activities.** Serving on the Board of Directors of a non-profit organization, which requires a substantial amount of your time such that you do not have the time to devote to your regular Church duties.
- **Impairment of independent judgment.** Refrain from being involved in situations that may compromise your ability to be impartial.

8.1. Mechanisms for Dealing with Conflict of Interest

- 8.1.1 ***Disclosure.*** Depending upon the situation, clergy, candidates for ordination, religious, employees and volunteers should disclose all relevant factors that potentially could create a conflict of interest.
- 8.1.2 Clergy, candidates for ordination, religious, employees, and volunteers should inform all parties when a real or potential conflict of interest arises. Resolution of the issues must protect the person receiving ministry services.
- 8.1.3 ***Avoid the appearance of impropriety.*** Clergy, candidates for ordination, religious, employees, and volunteers should avoid the appearance of impropriety and shall not use their position or relationship to the Diocese for purposes that are, or give the appearance of being motivated by a desire for private financial gain, or to further their personal, religious, political or business interests (i.e., those with whom the employee has family, business, or other ties).
- 8.1.4 ***Do not solicit gifts.*** Clergy, candidates for ordination, religious, employees, and volunteers shall not solicit gifts.

8.2. Conflict of Interest in Counseling

- 8.2.1 Pastoral counselors should not provide counseling services to anyone with whom they have a business, professional, or social relationship. When this is unavoidable, the client must be protected. The counselor must establish and maintain clear, appropriate boundaries.
- 8.2.2 When pastoral counseling or spiritual direction services are provided to two or more people who have a relationship with each other, the Pastoral Counselor or Spiritual Director must:
 - Clarify with all parties the nature of each relationship,
 - Anticipate any conflict of interest,
 - Take appropriate actions to eliminate the conflict, and
 - Obtain from all parties written consent to continue services.

8.2.3 Conflicts of interest may also arise when a Pastoral Counselor's or Spiritual Director's independent judgment is impaired by:

- Prior dealings,
- Becoming personally involved, or
- Becoming an advocate for one (person) against another.

8.3. Clergy, candidates for ordination, religious, employees, and volunteers shall not engage in consulting or other outside employment where that activity might create a conflict of interest with the teachings of the Catholic Church.

8.4. ***Discipline may result for breach of conflict of interest policy.*** Any breach of the above may result in appropriate disciplinary action, up to and including discharge.

Most importantly, it is the ethical responsibility of the clergy member, candidate for ordination, religious, employee and volunteer to remove him- or her-self from a situation where a potential for conflict of interest exists; or where removal is not possible, to make known to all affected parties one's private interest. These responses will preserve the trust essential to professional objectivity.

9. **Reporting Ethical or Professional Misconduct**

Clergy, candidates for ordination, religious, employees, and volunteers have a duty to report their own ethical or professional misconduct and the misconduct of others.

9.1. Clergy, candidates for ordination, religious, employees, and volunteers must hold each other accountable for maintaining the highest ethical and professional standards. When there is an indication of illegal action by clergy, candidates for ordination, religious, employees, or volunteers a report must be made promptly to both the proper civil authorities, and the Misconduct Officer by contacting the Chancery.

9.2. When an uncertainty exists about whether a situation or course of conduct violates this *Code of Pastoral Conduct* or other religious, moral, or ethical principles, consult with:

- Peers,
- Others knowledgeable about ethical issues, or
- The Chancery office.

9.3. When it appears that a member of clergy, candidate for ordination, religious, an employee, or a volunteer has violated this *Code of Pastoral Conduct* or other religious, moral, or ethical principles:

- Report the matter to a supervisor or next higher authority, and
 - Report the matter to the Misconduct Officer by calling the Chancery.
- 9.4. The obligation of Pastoral Counselors and Spiritual Directors to report misconduct is subject to the duty of confidentiality. However, any agreement or duty to maintain confidentiality yields to the need to report misconduct that threatens the safety, health, or well-being of any of the persons involved.

10. Administration

Employers and supervisors shall treat all people justly in the day-to-day administrative operations of their ministries.

- 10.1. Personnel and other administrative decisions made by clergy, employees, and volunteers shall meet civil and canon law obligations and also reflect Catholic social teachings and comply with this *Code of Pastoral Conduct*.
- 10.2. No clergy, candidates for ordination, religious, employee, or volunteer shall use his or her position to exercise unreasonable or inappropriate power and authority.
- 10.3. Each clergy member, candidate for ordination, religious, employee, and volunteer providing services to children and youth must read and sign the Acknowledgement before providing services, acknowledging that he or she has read and will abide by the *Code of Pastoral Conduct* and the *Diocese of Rockford Norms for the Prohibition of Sexual Misconduct with Minors: Education, Prevention, Assistance to Victims and Procedures for Determination of Fitness for Ministry/Employment*.

11. Clergy, Candidates for Ordination, Religious, Employee and Volunteer Well-being

Clergy, candidates for ordination, religious, employees, and volunteers have the duty to be responsible for their own spiritual, physical, mental, and emotional health.

- 11.1. Clergy, candidates for ordination, religious, employees, and volunteers should be aware of warning signs that indicate potential problems with their own spiritual, physical, mental, and/or emotional health.
- 11.2. Clergy, candidates for ordination, religious, employees, and volunteers should seek help immediately whenever they notice behavioral or emotional warning signs in their own professional and/or personal lives.

- 11.3. Clergy, candidates for ordination, religious, employees, and volunteers must address their own spiritual needs. Support from a Spiritual Director is highly recommended.
- 11.4. Inappropriate or illegal use of alcohol and drugs is prohibited.

CATHOLIC DIOCESE OF ROCKFORD
VOLUNTEER ACKNOWLEDGEMENT

I, _____, in my capacity as a volunteer, acknowledge that I have received the Catholic Diocese of Rockford Code of Pastoral Conduct for Priests, Deacons, Pastoral Ministers, Employees, and Volunteers of the Catholic Diocese of Rockford, and agree that I have read and will abide by the provisions of this Code of Pastoral Conduct as a volunteer of the Diocese.

Volunteer's Printed Name

Volunteer's Signature

Date

Parish/Entity

City