

# Canon Law Society of America

September 2015

A quarterly eNewsletter from the Society

## PITTSBURGH, AT A GLANCE

*Fast Facts for the 77th Annual Convention*

### + MORRISEY TO OFFER COMMENTARY IN PITTSBURGH ON APOSTOLIC LETTERS

Rev. Francis Morrisey, OMI, will offer remarks at the 2015 convention on the recent apostolic letters issued *motu proprio* by Pope Francis. Father Morrisey, a member of the Special Commission for the Study of the Reform of the Matrimonial Processes in Canon Law, will address convention attendees in Allegheny Ballroom I & II during the buffet lunch on Tuesday, October 13, 2015.

### + SOUCKAR EXTENDS EARLY BIRD DEADLINE

In light of Father Morrisey's contribution to the convention program, President Michael Souckar, with the support of the Board of Governors, has extended the **early bird convention discount** until Friday, September 18, 2015. Active and Associate CLSA Members may register at the discounted \$400 rate through Friday, while Student Members may register for \$325, and non-members, for \$450. Registration costs will increase by \$50 after Friday, September 18.

When registering online for the convention, please apply the promo code **MOTU** on your checkout/payment page, in order to receive the appropriate discount. Individuals interested in attending the convention may also register by phone to ensure accurate pricing. Please call (202) 832-2350 with your request.

### + REFUNDS SCHEDULED FOR AFFECTED CLSA MEMBERS

All individuals who registered for the convention between September 5, 2015 and September 14, 2015, and did NOT receive the early bird promotional pricing, are eligible for a refund. Individuals will be contacted by the OEC with details of their refund transactions. Please allow two weeks for proper account crediting.

If you do not receive email correspondence from the OEC by September 30, [contact us](#). We thank you for your patience as we conduct this refund process.

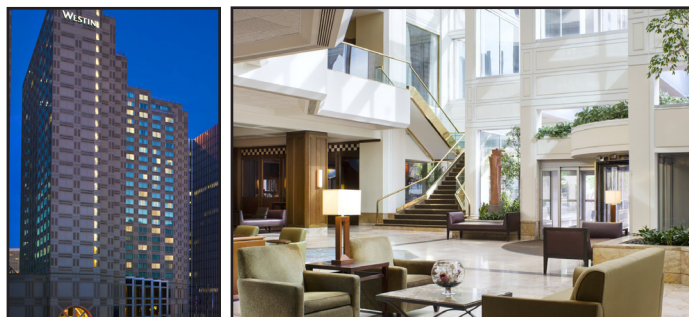


Photo credit: westinpittsburgh.com

## REGISTER FOR THE CONVENTION

### + HOTEL APPROACHES CAPACITY

To reserve hotel rooms, please call (412) 560-6365 and identify yourself as a guest with the CLSA convention as soon as possible. The hotel is honoring the \$164 rate, contingent upon available space after September 4, 2015 (the original cutoff date). There is no guarantee of sleeping rooms after September 4, 2015.

### + LOCAL SERVICES OFFER TRANSPORT

The Westin Convention Center is located 19 miles from Pittsburgh International Airport (PIT). Convenient options for transport between airport and hotel include [SuperShuttle](#) (\$24 one-way/\$46 round-trip), [Yellow Cab Company](#) (approx. \$45 one-way), and the [Airport Flyer Bus](#) (\$3.75 one-way). *Please note:* The bus operates between the airport and the downtown area every 20 minutes. Its closest drop-off is at the intersection of Liberty Avenue and Wood Street, a short walk from the hotel (0.2 miles away).

Allegheny County Airport (AGC) is located 18 miles from the Westin Convention Center Pittsburgh, and is accessible by SuperShuttle, taxi, and Star Transportation Group.

Pittsburgh's Union Station, home to [Amtrak rail service](#), is located across the street from the hotel and within walking distance. ♦

### *In this Issue:*

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# PRESIDENTIAL REFLECTIONS

Msgr. Michael A. Souckar



Dear Friends:

The past couple of weeks have been very busy for canonists, thanks to the initiatives taken by Pope Francis. First, the Holy Father has extended special faculties to priests during the upcoming Year of Mercy to reconcile those whose consciences and souls are burdened by the consequences arising from the procurement of an abortion. This will surely be a time of grace, forgiveness, and spiritual renewal for many, and an opportunity for them to know the compassionate mercy of the Lord as well as the Church's love and pastoral concern for them. The second major event was the promulgation of *Mitis Iudex Dominus Iesus* and *Mitis et misericors Iesus*, the Apostolic Letters issued *motu proprio* on the revision of the procedures for marriage nullity cases. These changes will surely impact many of our members who serve the Church in matrimonial tribunals.

As an initial effort by the CLSA to help the members study these new norms, it is my pleasure to announce that Father Francis Morrissey, OMI, has graciously agreed to offer a reflection at the upcoming Convention, during which he will discuss the process leading to and question arising from the recently promulgated Apostolic Letters. As many are aware, Father Morrissey was a member of the Pontifical commission charged with recommending changes to these procedures. He will be speaking on Tuesday of the Convention during the lunch period.

I thank Father Morrissey for accepting this invitation, and I am sure his insights will be much appreciated by those attending the Convention. I believe that the promulgation of the revised norms and the fact that Father Morrissey will be speaking on them at the Convention is a cause for some who had not planned to attend this year's Convention to do so. Therefore, and as a courtesy, we have decided to **renew and extend the "Early Bird Special" registration rates until Friday, September 18th**. Looking ahead, the Board of Governors will be discussing additional ways that the CLSA and its Committees can be of service to our members and to the Church in the United States, as we study the revised canons and work toward their implementation.

As we prepare to welcome Pope Francis to our country, let us all pray for the safety and success of his pastoral visit. Even if we will not be at any of the Papal events, we can be in prayerful solidarity with the Holy Father during this historic visit. This surely will be a time of grace for all in our country.

Finally, I look forward to seeing you in Pittsburgh for the 77th Annual Convention of the CLSA. I thank all those who are preparing and presenting pre-convention workshops, major addresses, and seminars. Your scholarly work is deeply appreciated by all members of the CLSA. Until then, let's just hope that Pope Francis doesn't have any more canonical surprises up the sleeves of that white cassock. He's got us busy enough! ♦

## NEW MEMBERS

Please join us in welcoming the following new members who have joined the Society since June 2015. 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](http://www.clsa.org)).

Rev. Jeffery W. Bacon Cincinnati, OH	Rev. Michael Johnson St. Paul, MN
Rev. Brian Belongia Seymour, WI	Rev. Thomas Kurma Rome, Italy
Mr. Douglass Bond Chicago, IL	Rev. Francis N. Libera Phoenix, AZ
Rev. Ryan Boyle Valrico, FL	Mr. Corey Lyon Salina, KS
Rev. Raymond Bueno Washington, DC	Rev. Philip George Maruthoorkandathil Sparks, NV
Rev. Paul Cannariato Closter, NH	Rev. Joseph V. McCabe Maryknoll, NY
Rev. James Clark Memphis, TN	Mr. Ralph Joseph Ruggiero Pittsburgh, PA
Dcn. Sean Regan DeWitt Vatican City	Dr. Noel Odulio Sanvicente Los Altos, CA
Rev. John D. Dickinson South Berwick, ME	Mr. Christopher Siuzdak Dudley, MA
Rev. Jason Gries Evansville, IN	Rev. James Thaikootathil Middletown, CT
Rev. Scott A. Hastings Omaha, NE	Dcn. James Tobin Emerson, NJ
Rev. David Hudgins Adrian, MI	

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# RESOLUTION PROPOSALS

♦ 77th Annual Business Meeting of the Canon Law Society of America ♦

Wednesday, October 14, 2015

## 2015 RESOLUTION PROPOSALS, PAGE 1 OF 3

### DUES INCREASE RESOLUTION PROPOSED BY: Board of Governors

#### STATEMENT OF RATIONALE:

**WHEREAS**, the *Constitution*, “Article IV – Dues,” number 1 states:

Any change in the amount of the annual dues of active, associate, and student members shall be proposed by the Board of Governors but shall be determined by a majority vote of those active members present and voting at a General Meeting at which the proposal is made.

**WHEREAS**, the “Financial Policies” of the Board of Governors state that operating costs for the Society are to be covered by revenue from the dues of the membership (*2013 Board of Governors Handbook*, p. 36).

**WHEREAS**, despite the efforts of the Executive Coordinators to reduce expenses by various cost saving measures and by providing various services in-house that had previously been outsourced, budgeted expenses in the General Operations Unit have increased every year;

**WHEREAS**, the expense providing salary and benefits to the Executive Coordinator, the Executive Assistant, and the Administrative Assistant have increased every year;

**WHEREAS**, operational expenses in the General Operations Unit is anticipated to continue to increase and exceed projected income;

**WHEREAS**, the use of interest and dividends alone from the General Operations Unit Investments is insufficient to cover expenses that dues do not;

**WHEREAS**, the Resources and Asset Management Committee has only been able to provide the Board of Governors and the Membership with a Balanced Budget for the General Operations Unit for the last four years and for the upcoming year by utilizing “prior years realized net assets;”

**WHEREAS**, the “prior years realized net assets” used to balance the budget for the General Operations Unit came from the years in which the General Operations Unit took in more income than expenses and from a positive gain in the value of the General Operations Unit Investments, and the continued use of a growing amount of “prior year realized net assets” will

exceed the capital gains of investments and exhaust the prior year profits in the near future;

**WHEREAS**, the Publications Unit continues to provide less and less Ordinary Net Income which has been used in the past to help offset projected deficits in the General Operations Unit;

**WHEREAS**, the Board of Governors desires to provide Webinars forums for discussing relevant issues in Canon Law and to provide these to members as a membership benefit without additional fees;

**WHEREAS**, there has not been an increase in dues since 2003, twelve years ago;

**WHEREAS**, according to the United States Department of Labor, Bureau of Labor Statistics, CPI Inflation Calculator the inflation rate from 2003 to 2014 has been 28.5% and if the active and associate membership dues had been increased according to the inflation rate they would now be \$257;

**AND WHEREAS**, the Resources and Asset Management Committee supports the need for a dues increase;

**BE IT RESOLVED** that the Board of Governors proposes an annual dues increase of \$50.00 per year for active and associate members and an annual dues increase of \$25.00 per year for student members, thereby making active and associate members’ dues to be \$250.00 per year and student members’ dues to be \$125.00 per year. The increase is to be effective July 1, 2016.

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### TITLE CHANGE RESOLUTION PROPOSED BY: Board of Governors

#### STATEMENT OF RATIONALE:

**WHEREAS**, Article VIII of the *Constitution* of the Canon Law Society of America (CLSA) creates the office of Executive Coordinator defined as follows:

#### Article VIII -- Executive Coordinator

1. The Executive Coordinator shall work under the President and the Board of Governors and shall be responsible for the general implementation of their policies and decisions as well as the fulfillment of specific duties as mentioned in the By-Laws.

2. The Executive Coordinator shall be appointed from the active membership by the Board of Governors for a three year term of service. Such service may be renewed by the consent of the Board of Governors.
3. Financial provisions for the position of Executive Coordinator, including office and secretarial expenses, shall be made by the Board of Governors.

And,

**WHEREAS**, the Executive Coordinator as so created is also referred to in a number of places in the By-Laws of the Society, and

**WHEREAS**, the responsibilities of the Executive Coordinator are the equivalent of the Executive Director of an American civil, and

**WHEREAS**, the Canon Law Society of America is a duly organized charitable corporation under section 501 (c) (3) of the United States Internal Revenue Code, and

**WHEREAS**, the office of Executive Coordinator functions in essentially the same manner as that of the Executive Director of an American civil corporation, and

**WHEREAS**, the title “Executive Coordinator” was adopted rather than “Executive Director” for reasons that are not entirely clear today, and

**WHEREAS**, use of the title “Executive Coordinator” in an entity that is both an ecclesiastical association and an American civil corporation could lead to misunderstandings and ambiguities with respect to the responsibilities, rights and privileges inhering to the office, and

**WHEREAS**, greater clarity can be given to the nature and role of the office in both its ecclesiastical and civil aspects, and potential misunderstandings better avoided, if it is given a title more readily familiar in civil law and common parlance, creating as much consonance as possible between the ecclesiastical and civil aspects of the CLSA’s organization and governance,

**NOW THEREFORE BE IT RESOLVED** that Article VIII of the Constitution of the CLSA be amended in its title and content changing the name of “Executive Coordinator” to that of “Executive Director” and that all references to “Executive Coordinator” in the Constitution and By-Laws of the Society and elsewhere in relation to this office be changed to “Executive Director;” and that henceforth the former office of “Executive Coordinator” shall be officially known as the office of “Executive Director.” The intent of this Resolution is to change the title of “Executive Coordinator” to “Executive Director” and not to change in any way the responsibilities, rights and privileges inhering to said office.

IN SUPPORT OF ABSENTEE BALLOTS  
PROPOSED BY: Board of Governors

**STATEMENT OF RATIONALE:**

**WHEREAS**, Article IX of the *Constitution* of the Canon Law Society of America (CLSA) describes the election of officers is by the membership of the CLSA during its Annual General Meeting, and

**WHEREAS**, Section 17 of the By Laws outlines the method by which those elections are to take place, and

**WHEREAS**, no provision is made for every member of the CLSA to have an opportunity to vote for the officers of the CLSA because of their absence from the Annual General Meeting,

**NOW THEREFORE BE IT RESOLVED** that Article IX of the Constitution and Section 17 of the By Laws be amended as shown below in boldface to make provision for absentee voting by CLSA members in the election of officers of the CLSA during the Annual General Meeting.

CONSTITUTION

Article IX -- Elections

1. The election of the Vice-President, the Secretary, the Treasurer, and the Consultors shall take place during the Annual General Meeting.
2. The person elected Vice-President thereby becomes President-elect and will succeed to the office of Presidency at the conclusion of the next Annual General Meeting. However, if by the time of that next Annual General Meeting the elected Vice-President is unavailable to serve in the office of Presidency, no fewer than two nominations shall be made for the office of Presidency by the Committee on Nominations.
3. The President, Vice-President shall hold office for one year; the Secretary, Treasurer and the elected Consultors shall hold office for three years. Terms of office shall end at the close of the Annual General Meeting at which new officers are elected. The terms of the Secretary and Treasurer shall end in different years so that both do not go out of office in the same year.
4. Insofar as it shall be possible, the Consultors shall be from different regions.
5. Nominations for the elective offices shall be communicated to all active members by the Committee on Nominations not less than one month before the Annual General Meeting. Active members present at the Annual General Meeting have the right to nominate candidates for each office from the floor. In every case, the nomination is subject to the consent of the nominee.

6. For all offices no fewer than two nominations shall be made by the Committee on Nominations.
7. It shall be a necessary qualification of any nominee, whether named by the Committee on Nominations or from the floor, that the nominee be an active member of the Society.
8. The electoral body of the Society shall be all active members who are present at the General Meeting at which the voting takes place **and any active member who has requested an absentee ballot from the Office of the Executive Coordinator forty-five days prior to the election, and returned to it on or before the fifteenth day prior to the election. Such Absentee Ballots shall be counted in the vote tally in the first ballot at the Annual General Meeting and will not be included in any voting subsequent to that.** Voting by proxy is prohibited.
9. The election shall be by secret ballot according to the rules set down in the By-Laws.
10. Elected officers shall assume their office at the close of the Annual General Meeting at which the respective officers are elected. If an office is actually vacated, the one newly elected shall assume that office immediately upon election.
11. If either the Treasurer or the Secretary becomes unable to fulfill the term of office, the President, after consultation with the Vice President and Past President, will appoint an interim Treasurer or Secretary who will hold office until the next Annual General Meeting, at which time there will be an election to fill the unexpired term of office, if any.

BY LAWS

17. The elections of officers of the Society will be carried out in accordance with Article IX of the Constitution. The method of election follows:

For the election of single offices:

1. The results shall be determined by an absolute **majority of the active members present and voting and the active members voting by official Absentee Ballot** and voting. If an absolute majority is not reached on the first ballot, the names of those receiving the two highest number of votes shall again be proposed to the **electorate present at the Annual General Meeting**. In case of a tie for any of the offices, one more ballot shall be taken for that office in which the tie resulted.

For the election of the Consultors:

1. There shall be at least four nominees for the office of Consultor, plus any others who may be nominated from the floor. Members shall, on one ballot, vote for two Consultors. If anyone names the same Consultor twice, that vote for this office shall be considered invalid. **In the first ballot, an election shall be determined by an absolute majority of**

**the active members present and voting and the active members voting by official absentee ballot.**

- a. If an absolute majority is not reached by anyone on the **first** ballot, the names of the top three candidates shall again be proposed to the electorate. The active membership present at the AGM, shall vote for two candidates. The two with the highest number of votes are considered elected.
  - b. If in the first ballot only one person receives an absolute majority, the other top two candidates shall be placed on the second ballot. The two with the most number of votes are considered elected.
  - c. If on the first ballot there are three or four persons who have a majority of the votes, the two with the most votes shall be considered elected.
2. Any ties not taken care of in the above procedure shall be resolved by lot.
  3. The ballot for the election of all Officers and Consultors shall be prepared by the Office of the Executive Coordinator before the Annual General Meeting. Extra nominations for all offices shall take place before any office is voted on. After all the nominations have taken place, the members will mark their ballots, thereby voting for all offices at one time. The run-off elections, if necessary, shall be held by using unprinted ballots, but again all at one time.

19. To amend these By-Laws there is needed the approval of the Board of Governors and the consent of a majority of the active members present and voting at the Annual General Meeting at which the amendment is proposed. Without the approval of the Board of Governors, these By-Laws may be amended in the same manner as the Constitution itself in accordance with the provisions of Article XII:

1. That the proposal to amend the Constitution has been filed by an active member with the Secretary at least three months prior to the Annual General Meeting of the Society at which that member intends his proposal to be submitted.
2. That notice of the proposed amendment has been sent to each active member of the Society at the last known mailing address not less than one month in advance of that Annual General Meeting mentioned in No. 1a of this Article. ♦

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**NOTE:** All proposed resolutions are subject to review by the Resolutions Committee. Clarifications, modifications, and amendments may also be made to the resolution by CLSA members, with the approval of the author(s), at the Resolutions Hearing and the Annual Business Meeting. ♦

# FROM THE DESK OF THE EXECUTIVE COORDINATOR



Rev. Roger H. Keeler

I pen these thoughts during a welcomed time of quiet this Friday morning: the email *bing* hasn't been heard from my computer for twenty minutes, the phone hasn't rung in the past fifteen, and the chime telling me I have a new text message hasn't been heard for an hour.

It has been an interesting week!

From the notification early Monday morning that there would be a press conference at noon Rome time the next day presenting the reforms for the procedures to determine the nullity of marriage, through to this mid-Friday morning, it has been a veritable flurry of activity as I – as we all – set aside everything we typically do to engage and grapple with *Mitis et misericors Iesus* and *Mitis Iudex Dominus Iesus*.

I think we agree that this is truly an exciting time to be engaged in the Church's juridic ministry! I think we can all agree that while the new norms open many doors, they also raise countless questions. So as we share an earnest desire to respond adroitly to the new norms, we recognize that sorting through it all calls us to calm, sober, and intelligent study, reflection, and professional conversation. It's going to take time.

My contribution to this Newsletter is brief, reflecting the week that was: there will be much more to say in the report being prepared for our Pittsburgh Convention. However, there are three things I want to bring to attention.

First, the theme for our 77<sup>th</sup> Annual Convention was conceived almost two years ago, in November of 2013, seeing that on the 8<sup>th</sup> of December, 2015, the Church would pause to remember the close of the Second Vatican Council, fifty years previously. The Board of Governor's struck a worthy theme: *Church Structures Fifty Years After Vatican II: Present and Future*. In their rationale, they write:

As canon lawyers we are challenged today to revitalize the church's structures as instruments of pastoral ministry and genuine community. In defining the vocation of canon lawyers, Fr. Ladislav Örsy, SJ, describes our task as a partnership with the Spirit in building appropriate structures for the unfolding kingdom of God in human history.

I see in these words a propitious and gracious inspiration of the Holy Spirit. I see the same wonderful action of the Spirit

in the two *motu proprio*s given on the Feast of the Birth of Mary. Haven't we been given new tools with which to address the very challenge to revitalize ecclesial structures articulated above?

The theme, the plan and the preparations done for this Convention cannot be replaced by *Mitis et misericors Iesus* and *Mitis Iudex Dominus Iesus*, rather, they must necessarily come together, complimenting one another.

To this end, and in fairness to the presenters and the work they have invested, the schedule for the Convention will not be altered. No presentation will be pre-empted with new offerings. Presenters whose material could well be impacted by the new norms have been invited to respond in the way they deem best. As of this writing, none have shied away from the challenge that has been put before them. Let's be supportive of our colleagues who have been put into a very awkward situation, indeed! We owe them all our gratitude!

Second, back in June when it seemed that an announcement from Rome could happen prior to the Synod, Frank Morrisey was approached with the hope that he might be willing to address the Convention with either an update from the Commission and what we might look forward to, or with reflections on what had been given. Frank is, as we all know, a good friend of the Society and he agreed without hesitation.

The question became: when? With the Convention agenda set in place there really aren't very many alternatives ... except for lunch on Tuesday, the 13<sup>th</sup> of October: the day we have a buffet lunch. The hotel is working on something that can be served easily, we can pitch in to tidy up for the afternoon session, and perhaps can we borrow just a few minutes from the Candidate Forum? Frank is comfortable with that and I know we will welcome his experience and his insight.

Third, we know that working with these new norms is going to take some time and effort. There have [\(jump to page 7\)](#)



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## DUES REMINDER: VOTING ELIGIBILITY

Active Members who wish to vote in the Board of Governors election at the 2015 Annual Business Meeting in



Pittsburgh, PA, should remit annual dues no later than October 1, 2015. To check your current dues status, visit the "Membership" page under the "Manage Profile" section of the CLSA website.

## IN MEMORIAM

### *Scholarship Donations*

Mary and Joseph Charnoki

Msgr. Russell H. Davis

Very Rev. Joseph Doogan

Mr. and Mrs. R.J. Ferguson

Fr. Don Goetz

Margaret Ketcha

Sr. Ellen M. O'Hara

Rev. James Provost

Deacon Raymond Smith, LPC

Rev. Than N. Vu

MAY THEY REST IN GOD'S PEACE



Rev. Manuel Viera, O.F.M. (pictured right), Vice President/President-Elect of the CLSA, joins Father Ernesto David Gonzalez Muñoz, Judicial Vicar of Monterrey and President of the Asociación Mexicana de Canonistas, at the Rotal Workshop in Mexico in September. Photo Credit: Rev. Gregory Luyet

(from page 6) have been some ideas circulating about how best to go about getting people on board, and I am sure there are many, many more ideas percolating. If you have an idea or a suggestion, jot it down and send me an email will you? I would very much like to see this Convention as the one that gave the two motu propios a solid and sound nudge into our collective practice.

A final note on *Mitis Iudex Dominus Iesus*: the office hopes to post an English-language translation being prepared by Meg Romano-Hogan, Bruce Miller and Jerry Sherba on the web-site within the next few days. They undertook this on their own initiative and have been working diligently on it since Tuesday morning. I know all of us will eagerly – and gratefully! – welcome the fruit of their work.

In today's *Newsletter* you will also find three Resolutions that will come up for discussion at the Seventy-Seventh Annual Business Meeting on Wednesday, the 14<sup>th</sup> of October. Two of them concern the Constitution and By-Laws of the Society and require the thirty day notice that coincides with this *Newsletter* and its accompanying email. The third has to do with membership dues and requires our thoughtful consideration.

Well, it's now just after 4:00. I've lost track of the phone calls, and don't want to look at the email cache until I get this draft over to Colleen's desk. These calls and messages? Good. No, more than good. Very good! It shows me that the *communio* spoken of by Cardinal Walter Kasper, quoted by the Board in anticipation of this Convention, is very much alive and well in our Society. It is a *communio* expressed in so many ways these past days as a "common responsibility" for the instruments of pastoral ministry and genuine community that we all touch.

I look forward to seeing many of you in Pittsburgh! ♦

## PUBLICATION UPDATES

- Very Rev. Peter O. Akpoghiran, JCD, CLSA Member, and Judicial Vicar/Chancellor of the Archdiocese of New Orleans, announces the publication of *The Catholic Formulary in Accordance with the Code of Canon Law, Vol. VI: Laicization and Readmission Acts*. The book is available for purchase at [www.amazon.com](http://www.amazon.com).
- *Roman Replies and CLSA Advisory Opinions 2015* will be distributed on-site to all convention attendees, and following the conclusion of the convention, the volume will be available for purchase from the online bookstore.