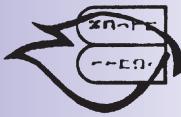


CLSA Newsletter

November 2004

A quarterly publication from the Canon Law Society of America



CLSA Scholarship Fund Needs Support

One of our CLSA members recently pointed out that one of the most significant changes from the 1917 *Code of Canon Law* to the 1983 code was the movement from concern for the institutions of the Church to a concern for individuals. It was a change initiated and advanced by teachings of papal encyclicals from Pope Leo XIII to our own Holy Father Pope John Paul II. In a world continuously torn by warfare and strife, the Church seeks to advance the rights and the responsibilities of the people of God.

The Canon Law Society of America can proudly look at the educational aspects of its mission to promote the study of canon law and its pastoral application to advance rights and responsibilities by rule of law as opposed to rule by person. As a respected professional society both here in the United States and throughout the world, the CLSA must lead the way in promoting new canonists in the Catholic Church. Our world is increasingly faced with discord and division, and our financial resources to support the education of canonists remains limited.

Established in 1985, the CLSA Scholarship Fund helps clergy, religious and laity pursue a licentiate degree in canon law at a university here in the United States, or Canada, or Europe. Funding for the CLSA Scholarship primarily comes from the members and friends of the society and a modest yearly donation from CLSA Publications. One will find in the *CLSA Proceedings* an accounting for revenues generated by the scholarship investment. The sluggish performance of the stock market and the rising costs of education suggest that membership donations to the scholarship fund are more important than ever. A contribution, no matter how larger or small, from a larger portion of our 1500 + membership speaks loudly to those who look to our society for leadership in canonical ministry. A one time contribution of \$10 dollars from each of our

members generates fifteen thousand dollars; and \$25 dollars would create over thirty-seven thousand dollars.

Each year the Board of Governors determines the total amount of funding available for the next funding year at its January board meeting. The value of the award is based upon a percentage of the scholarship fund as of December 31st. At the present time, the board is able to offer a partial scholarship of five to six thousand dollars.

The annual 2005 Advent appeal for the CLSA Scholarship Fund will begin the First Sunday of Advent. Please consider responding to the Scholarship Committee's request. For the first time, the Board of Governors authorized that members be afforded an opportunity to donate to the domestic or the new international scholarship fund. Some members may wish to donate to both funds or to split their contribution between the two. Both the domestic and the international scholarship funds are increasingly important as requests come in weekly for consideration. ▼

Convention Committee Seeks Your Input

Members who wish to suggest possible speakers and/or topics for future CLSA Conventions should send names and topics into either the Committee Chair, Msgr. Nevin J. Klinger, Immaculate Conception Church, 640 East Main Street, Birdsboro, PA 19508 or to the Office of the Executive Coordinator.

The Convention Planning Committee will meet December 15 & 16, 2004 to plan for the 2006 convention.

IN THIS ISSUE

2

Presidential
Reflections

3

Canadian
Society Meets

4

Announcements

8

Resources

Spirits Renewed at CLSA's 66th Convention



Sr. Sharon Ewart, RSM

Ralph Waldo Emerson once wrote, "Nature always wears the colors of the spirit." I can think of no more appropriate description of the scenery and experience of the 66th convention

of the Canon Law Society of America. The Fall foliage of bright golds, beautiful bronzes, forest greens and rich reds provided magnificent scenery so characteristic of southwestern Pennsylvania at this time of year. Nature's beauty and the welcoming hospitality of the Pittsburgh diocesan staff provided a setting where spirits were renewed, uplifted, and enriched.

The Pittsburgh convention, whose theme was *Vita Sacramentorum: Worship and Sanctification*, was by all accounts a great success, due in no small part to the generous efforts of many people prior to and during the convention, especially Mrs.

Rita Joyce and her Pittsburgh volunteers. We continue to hear high praise for the valuable assistance provided to participants in the Pre-convention workshop on "Penal Procedures & Selected Elements of Jurisprudence for Those Engaged in Advocacy/Adjudication in Cases of Sexual Abuse of Minors by Priests and Deacons." Special thanks to Rev. Patrick Lagges, Rev. Daniel Smilanic and Msgr. Ronny Jenkins for their insightful presentations during the workshop and the resources they made available to participants.

Immediately following the Pittsburgh convention, the Board of Governors met to orient new members and identify issues carrying over from the previous board that will need to be addressed at the January meeting of the board. The new board is enthusiastic about its role and responsibilities and eager to serve the society in any way it can. The composition of the board is reflective of the society's membership: priests, religious, married men and women, tribunal officials, chancery officials, pastors,

academics, long time members of the society, newer members - a microcosm of all who make up our society. I look forward to working with the new board and the many and diverse gifts each one brings to his or her service to the society.

During the week following our convention, Msgr. Mark Bartchak, CLSA Past President represented the society at the annual meeting of the Canadian Canon Law Society (CCLS) in Prince Edward Island. Many members of our society were present for the meeting where the keynote address was delivered by Rev. Kevin McKenna, a former CLSA President, on

(See PRESIDENT, p. 4)

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Position Listings

The Tribunal of the Diocese of Metuchen, seeks a full-time Canonist to work in both its first and second instance courts at the Diocesan Center. Minimum Qualifications: Licentiate in Canon Law. Knowledge of Spanish desirable but not necessary. Position open to clerics, religious, laity. Salary, health benefits, retirement based on diocesan guidelines. Send resume to: Rev. Richard J. Lyons, JCL, Judicial Vicar, Diocese of Metuchen, P.O. Box 191, Metuchen, NJ 08840; Fax 732-562-1193 Email: rlyons@diometuchen.org.

The Office of the Executive Coordinator was contacted by Dr. Jesús Hernández of Maracaibo,

VENEZUELA, who seeks a position as a tribunal judge or teacher in canon law. Dr. Hernández holds a doctorate from the Pontifical University Gregorianum in Rome as well as "Specialist" from the Scuola di Politica Internazionale of Rome. He is thirty-five years of age, married, with one child. He is fluent in written and spoken Spanish and Italian and able to lecture in English, French, and Portuguese. He and his family are willing to relocate to the United States. For his curriculum vitae please contact the Office of the Executive Coordinator or contact Dr. Hernández directly at anekhernandez@yahoo.com.

Canadian Canon Law Society Convention a Big Success

Participants of the three hundred and thirty-five member Canadian Canon Law Society gathered for their 39th Annual Convention at Charlottetown, Canada, October 18 — 21, 2004. The theme for this year's meeting on Prince Edward Island commemorated the 400th anniversary of the Church in Acadia with reflections on the theme: **Canon Law and the Rights and Obligations of the Faithful.** The Reverend Kevin McKenna delivered the opening session, "The Rights of the Christian Faithful," and the Honorable Doctor Noël Kinsella provided the closing session on "Human Rights in Canadian Society." On Tuesday afternoon, Mr. Léon Thériault delivered a fact filled and interesting historical description of the

"The Acadian Church" in the Maritime provinces between 1750 and 1850.

Participants were able to attend a variety of seminars, many available in English and French. Father Roland Jacques, O.M.I., spoke of the "Historical View of the Rights/Obligations of the Christian Faithful in the Church;" Sister Marie-Paul Courtier, F.M.A. addressed the "Rights of Religious and Novices in a Context of Decreasing Numbers;" Msgr. Rock Pagé spoke of "From Pain to Hope – Today." Reverend John Barry spoke on "The Rights and Obligations of Dioceses," and Dr. Michael McGowan addressed "Canon Law and Human Rights." Reverend Michael Walsh guided participants through pastoral planning with his address: "Harmonization of Lay and Ordained Ministries in a Parish in response to 'Forward in Faith' Pastoral Planning for the Future in the Archdiocese of Halifax;

and M. L'abbé Jacques St-Michel spoke of "*La loi de l'accès à l'information et les droits des fidèles.*" As in previous years, participants could attend panel discussions in English or French on "Financial Considerations in Marriage Nullity Cases and Other Questions."

The annual general business meeting took place on Wednesday. Elected to office were the following: Msgr. Roch Pagé as Francophone President; Lt/Col Rev. Jean Bourgeois as Francophone Vice-President; and Msgr. Wayne Kirkpatrick as Anglophone Consultor.

Copies of the convention seminar papers are available for purchase from the Canadian Executive's Office. Contact Mr. Michael Tremblay, Aquinas House, 1070 Colborne Street, London, Ontario, N6A 4B3, CANADA for cost of the booklets and shipping and handling. ▼

NEW MEMBERS

Rev. Andrzej Pawlowski
Koszalin, POLAND
Rev. Eduardo C. Aguirre Oestmann
Sacatepequez, GUATEMALA
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Yakima, WA
Sr. Margaret Botch
Spokane, WA
Mr. Sean P. McDonough
St. Paul, MN
Ms. Amy M. Arnold
Phoenix, AZ
Rev. Mr. Dennis W. Nesser
Wheeling, WV
Friar Nicholas F. Wolfra, OFM
Conv.
Washington, DC
Rev. Robert V. Meyers
Highland Park, NJ

In Memoriam

The Executive Coordinator's Office learned of the passing of the Very Rev. John J. Hedderman of the Diocese of Salt Lake City, Utah on October 4, 2004. Born in 1932, Father Hedderman received a B.A. degree from St. Patrick's College, Menlo Park, California in 1956 before being ordained in 1960. He received his JCL degree from The Catholic University of America, Washington, DC. Since 1963 he served his diocese in the Chancery and Tribunal.

Mr. Robert G. Wesselmann of Acworth, Georgia, a member of the CLSA since 1958 passed away on April 20th, 2004. Robert received and STL from St. Mary of the Lake, Mundelein, IL and a JCL from the Gregorian University in 1957. He served in a number of capacities in the Diocese of Belleville, IL, until resigning from active ministry in 1966. Within the CLSA,

Robert served as Chair of the Committee on Research and Discussion (1964-1965) and as a member of the Board of Governors (1965-1968). A champion for interracial justice, Robert kept as active in church activities as he could. He is survived by his wife Dorothy Wesselmann.

As most members and Catholics in the United States already know, His Eminence James Cardinal Hickey, Retired Archbishop of Washington passed away on Saturday, October 23rd, 2004. A long time member of the Canon Law Society of America, Cardinal Hickey graduated from Sacred Heart Seminary College in Detroit, Michigan, in 1942. He earned a licentiate in theology from The Catholic University of America in 1946 before beginning studies in Rome, Italy. He received his JCD from the Lateran University in 1950 and an STD from the Angelicum University in 1951. ▼

ANNOUNCEMENTS

- The annual Conference of Chancery and Tribunal Officials of the Province of St. Paul and Minneapolis will meet in Mandan, ND, from May 2 – May 4, 2005. Fr. Francis Morrisey, OMI, of St. Paul University, Ottawa, will be the guest presenter. For more information, contact Fr. Chris Kadrmas, JCL, at 701.222.3035 or frchris@bismarckdiocese.com.
- The CLSA is happy to announce that the **Reverend Kevin C. Rhoades**, of Mount St. Mary's Seminary in Emmitsburg, MD, and a member of the CLSA since 1995 was appointed by Pope John Paul II to be the new bishop of Harrisburg, Pennsylvania. Bishop Rhoades received his STL in Dogmatic Theology from the Gregorian University, Rome, Italy, in 1986 and his JCL from the Gregorian in 1988. From 1988 to 1990 he served as Assistant Chancellor of the Diocese of Harrisburg and joined the faculty of Mount St. Mary's Seminary in 1994 where he became the Rector.
- The Office of the Executive Coordinator regrets to inform our members that our bookkeeper, **Mrs. Kay Winner** resigned her position at the end of October 2005. She will undergo back surgery in early November and finds the commute from her home in Silver Spring, Maryland, to northern Virginia in the winter time too exhausting. Kay joined the Executive's office on July 1, 2001. During her time, she worked with the treasurers and our accountant to add a polished and professional look to our financial papers. Kay remarked the other day that when she came to work for the CLSA, she had no idea of what canon law is or canon lawyers do; but in her time with us, she admires the dedication and work of our members. Kay will be deeply missed for her generosity and friendly smile at the Executives Office.

Activity of the Roman Rota 1991–2001

The following information appeared in the *CLANZ Newsletter* (2004, No. 2) as coming from "Relazione sull'Attività della Rota Romana nell'Anno Giudiziario 2001" *Quaderni dello Studio Rotale* 12 [2002] (Romae: Libreria Editrice Vaticana, Città del Vaticano, 2003) 177-199.

Year	Cases Pending	New Cases	Definitive Sentences & Decrees	Cases Still Pending
1991	580	214	132	593
1992	593	231	124	635
1993	635	231	128	640
1994	640	244	105	747
1995	747	253	106	814
1996	814	242	130	854
1997	854	245	147	890
1998	890	283	152	960
1999	960	240	178	963
2000	963	322	135	1022
2001	1022	292	128	1055

(PRESIDENT, *from p. 2*)

"The Rights of the Christian Faithful." Mark said the program was excellent and the meeting a good opportunity to interact with our Canadian colleagues. Congratulations to Msgr. Roch Page who is the new President of the Canadian Canon Law Society! I look forward to working with Roch in his new capacity.

I am grateful to Mark for representing the society at the Canadian meeting. With the increasing number of meetings the CLSA President is invited to or expected to attend throughout the year, it is difficult for one person to be available for all such national, regional and international meetings. In light of this reality, we think we can serve the society more effectively by sharing that responsibility among the three members of the "presidency" (past president, president, and vice-president/president elect).

In recent weeks I have been contacting members inviting them to serve on society committees for which new members are needed. I want to thank all those who have agreed to serve as committee members and those who considered the invitation but, for

various reasons, were not able to accept at this time. We are all aware of the increasing professional responsibilities being placed on our members these days and I am most grateful for your willingness to assist the society in any way you can. I also want to express to those chairpersons and members whose terms on CLSA committees expired following the Pittsburgh convention our deep gratitude for their service to the society. It is our hope to have the new membership of committees completed by the January board meeting. This includes membership of current committees as well as the membership of new task forces established in response to the society's resolutions on diocesan synods and diocesan/eparchial councils.

At the beginning of another year in the life of the society we are reminded of the challenges facing not only the CLSA, but the Church and our country. May we all be ready to act on the words of Paul VI: "Let us stress what we have in common rather than what divides us" (ES 109). Let us pray for a renewed spirit that enables our leaders and ourselves to seek the truth "with fresh eyes, open minds and changed hearts." ▼

CLSA PUBLICATIONS

Latest Publications

- *Marriage Studies 5* (2004) List Price \$30.00
x + 226 pp. ISBN 1-932208-04-6.
- *Roman Replies and CLSA Advisory Opinions* (2004) List Price: \$17.00
vii + 216 pp. ISBN 1-932208.05-4

Handbook Series

- *Church Finance Handbook* (1999) List Price \$18.00 xvii + 330 pp. ISBN: 0-943616-80-8.
- *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: \$15.00 xlivi + 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
- *CLSA Proceedings* (2003) List Price: \$25.00 vii + 456 pp. ISBN: 1-932208-03-8

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)
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ISBN: 0-943616-42-1
- *Code, Community, Ministry* (1992)
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ISBN: 0-943616-54-9
- *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
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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

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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.



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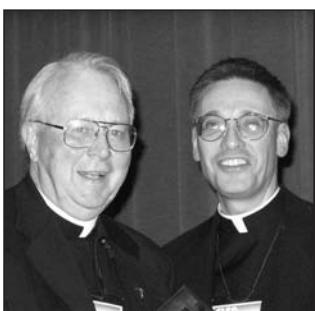
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For information on payment policy, discount schedule, shipping and handling information, return and replacement policy, please consult www.clsia.org.

For a description of individual items, please consult the CLSA website.

Scenes from the CLSA Convention



Saint Paul Faculty Offers Workshops

The Faculty of Canon Law of Saint Paul University announces two intensive workshops on tribunal practice and jurisprudence designed for canonists and advanced students of canon law to be offered May 16-20 and May 23-27, 2005. Registration is at 8:30 pm. Courses begin at 9 a.m.

Lecturers include, among others, Augustine Mendonça, Francis Morrisey, Roch Pagé, and Lynda Robitaille.

Applicants may enroll in either or both of the workshops. The morning sessions of Week 1 (May 16-20) will focus on the collection and evaluation of proofs and those involved in these processes: judges, auditors, advocates, promoter of justice and defender of the bond. Afternoon sessions are devoted to jurisprudence. A "mock court" will conclude the week.

The morning sessions of Week 2 (May 23-27) will focus on cases of incapacity, defects of knowledge, and defects of will. As in Week I, the afternoon sessions are devoted to jurisprudence, and a mock court will conclude the week.

Applicants should have a degree in canon law or equivalent studies, which normally should include introductory courses in Marriage Law, Procedural Law, Jurisprudence, and General Norms. The workshop fee is \$300 Canadian or \$250 US per week, payable on or before the first day.

A NON-REFUNDABLE DEPOSIT OF \$50 MUST ACCOMPANY THE REGISTRATION FORM TO SECURE REGISTRATION.
Enrollment is limited.

N. B. If courses are needed for credit, fees will change.

For information, please contact:
Beverly Kavanaugh
Tel: (613) 751-4018
Fax: (613) 751-4036
E-mail: canonlaw@ustpaul.ca ▼

RESOURCES

- From the Legal Resource Center for Religious comes the following information. The September issue of *In Brief* may be found on our website at www.LRCR.org/law_lib/InBrief.pdf. This issue contains information on:
 - New Medicare as Secondary Payer rules
 - IRS examination focus
 - Employment law cases
 - Banking Regulation increases speed of check handling
- The User ID is civil, the password is canon. See also www.LRCR.org/mission_new.htm for all newly posted documents on the web site.
- FAQ on New Medicare Regulations
- 2005 Legal Seminar advance information
- 2004 Group Ruling Letter
- William H Woestman, O.M.I. has created a new publication, *Sacraments: Initiation, Penance, Anointing of the Sick: Commentary on Canons 840 – 1007*, 3rd edition, revised and updated, Ottawa, Faculty of Canon Law, St. Paul University, 2004. The new text is xvi + 553 pages with the ISBN 0919261-55-8. The text is available through the Faculty of Canon Law, 223 Main Street, Ottawa, ON K1S 1C4, CANADA. The price is C \$60.00 and US \$46.50 which does not include shipping costs.
- The latest issue (Vol 10, No. 1) of *La Revista Mexicana de Derecho*

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, 108 North Payne Street, Suite C, Alexandria, VA 22314-2906. 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 \$200.00. Application forms are available from the Office of the Executive Coordinator.

Canónico, a publication of the Professors of the Institute of Canon Law at the Pontifical University of Mexico is available. It contains a number of articles of possible interest to members: *Analisis y comentarios al nuevo Reglamento de la ley de Asociaciones Religiosas y Culto Público en Mexico* by Dr. Jorge Luis Roque Pérez; *El Juego Jurídico de compromiso estatal condicionado y las Asociaciones Religiosas* by Dr. Miguel López Dávalos; *La Generación de las ciencias teológicas* by Dr. Jesús Gaona Moreno, and *La erección y división de Parroquias* by Dr. Luis de Jesús Hernández Mercado. Subscription price for this periodical is \$40.00 USA. For more information contact: Victoria n. 98, Tlalpan 14000, México DF or e-mail: revistamdc@pontificia.edu.mx.

- Peter Vere and Michael Trueman recently published *Surprised by Canon Law: 150 Questions Catholics Ask about Canon Law*. ISBN: 0-86716-608-8 @ \$9.99. The text is a 126 page paperback with an index.
- NACPA (National Association of Church Personnel Administrators) recently published *The Church Pay Manual: A Practical Guide for Pay Programs in Church Organizations* by William P. Daly, SPHR. The cost is \$65.00. For more information contact NACPA, 100 East Eighth Street, Cincinnati, OH 45202-2129. ▼

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