

The Advocate's Journey: Navigating the Minefield of Advocacy, Rights and the Law

In response to both a resolution passed at its annual meeting in 2006 and the ever-growing need, the Canon Law Society of America is sponsoring seminars to train canonical advocates for penal and other contentious, non-marriage cases, judicial as well as administrative, with an emphasis on clerical sex abuse of minors.

The first seminar will be held in San Antonio, Texas, from 28-30 January at the Oblate Renewal Center. The target audience is degreed canonists with broad Tribunal experience and with some initial experience of advocacy in penal cases. The role of the advocate will be explored in the context of a case study of clerical sexual abuse. Many of the ideas and practices would generalize to advocacy in other areas such as removal or transfer of a pastor, inappropriate behavior that does not necessarily

carry dismissal from the clerical state but could result in restrictions being placed on a cleric, laity being aggrieved and wanted to initiate action, etc.

The seminar leaders are Rick Bass, JCL, Fred Easton, JCL, Paul Golden, CM, JCD, Jerry Jorgensen, JCL, Pat Lagges, JCD and Dan Smilanic, JCD. Using the elements of the case study, the leaders will review the canons on penal process and share their broad experience of advocacy. The participants will have ample time to discuss their questions and to write various advocate's briefs.

The cost of the seminar is \$475 USD and includes all meals, private rooms, evening socials and all materials.

For further information, please contact Msgr. Rick Bass at msgrbass@comcast.net

PRESIDENTIAL REFLECTIONS

Presidential Travels Sustain Our Mission

My dear friends and colleagues,



Rev. Paul Counce

I have wondered for some months now what the contents of my first message here as President of the Canon Law Society of America might be. Yet now that the moment has arrived there is no doubt in my mind where

I must begin: I have to express my heartfelt thanks to you all for the opportunity to lead our Society in this way. I am humbled by the trust and confidence placed in me by so many colleagues, especially those who are so

much more learned in the science and practice of canon law. The gratitude I feel carries a resolve to do whatever I can to lead well, to advance the purposes of our Society, and so to assist the Church in carrying on the saving mission of Christ.

My presidential year began with a burst of busy travel, representing the CLSA at canonical meetings both north and south. In September, I went to the very far south, to Australia and then on to New Zealand. There I represented our Society at the 41st annual meeting of the Canon Law Society of Australia and New Zealand in Christchurch. The week after

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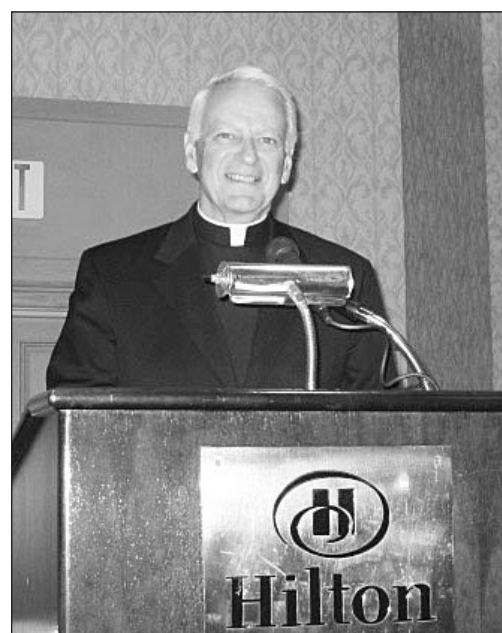
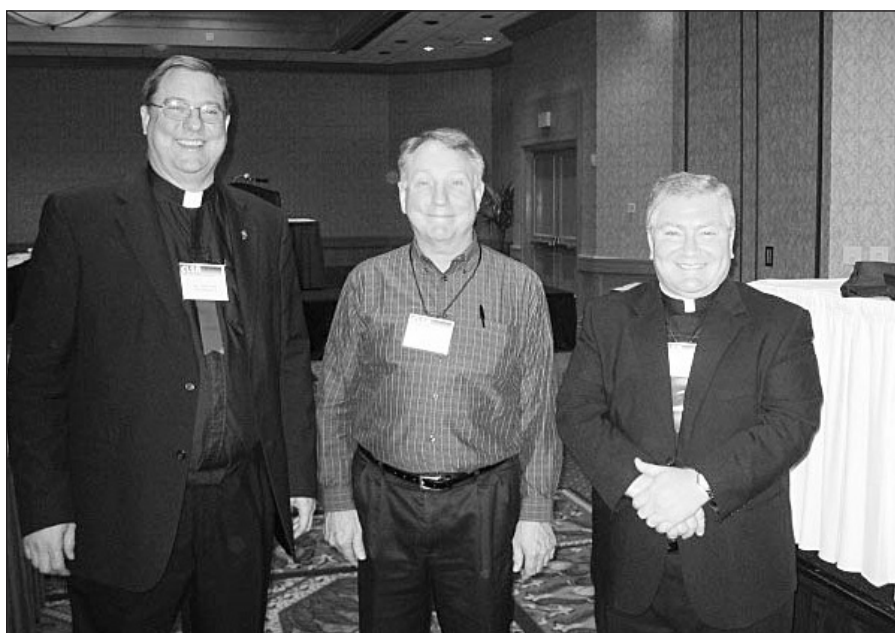
9 News Briefs

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Convention Evaluations Tabulated and Now Available

Seventy program and hotel evaluations were returned to the Office of the Executive Coordinator from members attending the 69th Annual CLSA Convention in Costa Mesa California. Sixty-three of those returns came from Active members while three came from Associate and Non-members with one student member reporting. Sixty-one of the returns came from members who attend CLSA conventions each year. Among those returns 19 indicated that they personally paid about 100% of

convention expenses while 29 paid less than 20% and 14 paid about 25%. All returns with individual comments were tabulated and forwarded to the Board of Governors, General Convention Chair, and the Convention Planning Committee for consideration and evaluation. Individuals who wish to review a copy of the Program and Hotel Evaluation Tabulations should contact the Office of the Executive Coordinator by e-mail for an electronic copy in pdf format.



- The Executive Coordinator's Office said bon voyage to **Mr. Charlie Bloom**, our Administrative Assistant, on August 8th, 2007. When asked to provide a few words for this newsletter, Charlie wrote: "I have been working as the administrative assistant here at the Canon Law Society of America since February 2007. I have enjoyed my time here at the CLSA and have come into contact with many wonderful people. I will be leaving since I have completed my J.C.L. at Catholic University of America this summer. I will be going to my home diocese of Fort Worth where I hope to find work in the tribunal or in the surrounding area. I wish to thank Fr. Arthur Espelage for giving me the opportunity to work here at the CLSA, he has shown me the importance of knowing the law, but also how to apply it when dealing with a person." Charlie has been a great help in our settling into the Hecker Center, and he will be missed. Hopefully, we shall see him at future CLSA conventions.
- The **Canadian Canon Law Society** will hold its 42nd annual convention at the Renaissance Fallsview Hotel, 6455 Fallsview Boulevard, in Niagra Falls, Ontario, Canada, October 15th to the 18th, 2007. For more information contact webmaster@ccls-scdc.ca.
- The **Legal Resource Center for Religious** will hold a workshop, "Reconfiguration Best Practices Civilly, Canonically, Culturally," February 11-13, 2008 at the Hilton San Antonio Airport Hotel. The hotel rate is \$99.00 plus tax. Registration fees vary for subscribers and non-subscribers as well as group rates. For more information consult the LRCR website.
- The Canon Law Society of America is grateful each time that members and friends of the Society remember the CLSA in their wills. The **Executors**



Archbishop Donald Wuerl dedicates Hecker Center for Ministry in Washington, DC.

of the Estate of Robert O'Neill

recently awarded the Canon Law Society of America a gift of the sum of \$21,644.21. Ordained June 12, 1962, the donor received a Master in Church Administration in 1974 from the Catholic University of America. From 1974 to 1987 he served as Officialis of his diocese. No longer in active ministry, Robert passed away on December 12th, 2006. Members are requested to remember him in their prayers.

- On 11 June 2007, **His Holiness Pope Benedict XVI** issued in the form of a motu proprio, a change in number 75 of the Apostolic Constitution, *Universi Dominici gregis* (22 February 1996) of Pope John Paul II [AAS 88 (1996):305-343] on the election of a Roman Pontiff. The new provision takes place with its publication in the *Observatore Romano*. The Latin original pertaining to the change reads: *Si scrutinia de quibus in numeris septuagesimo secundo, tertio et quarto memoratae Constitutionis incassum reciderint, habeatur unus dies orationi, reflexioni et dialogo dicatus; in subsequentibus vero suffragationibus, servato ordine in numero septuagesimo quarto eiusdem Constitutionis statuto, vocem passivam habebunt tantummodo duo Cardinales qui in superiore scrutinio maiorem numerum suffragiorum obtinuerunt, nec recedatur a ratione ut*

etiam in his suffragationibus maioritas qualificata suffragiorum Cardinalium praesentium ad validitatem electionis requiratur. In his autem suffragationibus, duo Cardinales qui vocem passivam habent, voce activa carent.

- Catholic New York, (www.cny.org), the Archdiocese of New York's newspaper, recently announced that the **Rev. Michael Martine, JCL**, a 2006 graduate of The Catholic University of America, recently has been named as the first holder of the Edward Cardinal Egan Chair in Canon Law at St. Joseph's Seminary in New York. Since his graduation, Father Martine serves as professor and chairman of the canon law department at St. Joseph's. He has also served as the seminary's procurator. Fr. Martine was ordained in 1997.
- Life at the **Hecker Center for Ministry** saw more access to the facility this summer as the Newman Bookstore re-located to their recently renovated space. Finishing touches continue on the grounds and the buildings on Fourth Street. Archbishop Donald Wuerl dedicated the Hecker Center for Ministry and blessed offices before a small reception on September 11, 2007. Visitors are always welcome at the Office of the Executive Coordinator.

(See MEETINGS, p. 4)

(MEETINGS, from p. 3)

- The English text of the Apostolic Letter of Pope Benedict XVI on **Use of the Pre conciliar Liturgical Forms**, published 7 July 2007, may be found in the USCCB Newsletter, vol xliii (May/June 2007) and as a pdf document on their website: www.usccb.org/liturgy.
- The Diocese of Charleston will host the **Eastern Regional Conference of Canonists**, May 5 to 7, 2008 at the Mills House Hotel, Meeting and Queen Streets, Historic Charleston, South Carolina. The theme for the meeting is “Pondering a Third Code: Celebrating the Silver Anniversary of the Code of Canon Law, exploring contemporary topics either not covered — or not sufficiently covered in the present Code of Canon Law.

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Presenters at the Eastern Regional will be: Msgr Frederick Easton of Indianapolis, IN; Sister Elizabeth McDonough, OP, of Columbus, Ohio; the Reverend Francis G. Morrissey, OMI of St. Paul University, Ottawa, Canada and Msrg. Girard M. Sherba of Raleigh, NC.

- The theme for this year’s **Midwest Canon Law Convention** is: “The Salvation of Souls as the Supreme Law of the Church.” Hosted by the Diocese of Gaylord, the convention will meet at the Grand Traverse Resort and Spa, Traverse City, MI, April 7-9, 2008. Registration for the convention is \$150.00.

Presenters at this meeting will be: The Most Reverend Kevin Vann, Diocese of Fort Worth, TX; Reverend John Foster, Professor of Liturgical Law, Catholic University of America, Washington, DC; Mrs. Lynda A. Robitaille, Professor, St. Paul University, Ottawa, Canada. There will also be a selected panel of Defenders of the Bond and Judges.

Topics for the Midwest meeting include: (1) Pastoral issues and Challenges Today: Preaching, Teaching, Catechesis, Pre-Cana, and Diocesan Synods; (2) The Eucharist and Liturgical Law; (3) Concerns Regarding Defective Convalidations: Signatura - Roman Rota; (4) Intention Against the Good of the Spouse: A Step Further.

For information contact Mary Dickerson at 989-732-5147 or gaylordtribunal@dioceseofgaylord.org or Linda Tedde at 330-744-8451 or ltedde@youngstowntdiocese.org.

- The **Western Regional Canon Law Conference** will convene Monday March 3, 2008 at 12:00pm and close on Wednesday, March 5th, 2008 at 11:00am . The location will be: Spa Resort Casino, 100 Indian Canyon Road, Palm Springs, CA. Hotel room rates for the conference are \$143 plus tax per night for either a single or double occupancy (Sunday through Thursday).

DID YOU KNOW?

- Did you know that there is a **CLSA Calendar of Events** available on the home page of www.clsa.org ... Material is arranged by year, month, and day so that members can scroll forward or backward for information on upcoming CLSA events. If you wish to offer an event for possible inclusion on the CLSA website, please contact the Office of the Executive Coordinator.
- Did you know that the CLSA website offers students and those researching canonical topics valuable information? At the “Site Index” go to **“Researching Canonical Topics.”** One will discover a number of documents in pdf format. If you wish to offer additions for inclusion, please contact the Office of the Executive Coordinator.

For reservations, telephone the hotel 800-584-1279 with the group code: WESTERN REGIONAL CANON LAW CONFERENCE. The rate is valid until February 11, 2008.

Speaker at the Western conference will be: Francis G. Morrissey, O.M.I. Topics for the presentation are yet to be determined.

For more information contact: Msgr. Anthony T. Ferrero, 1201 E. Highland Ave, San Bernardino, CA 92404. Telephone: 909/475-5320 or e-mail canonicalservices@sbdiocese.org.

- Portland, Oregon will be the site of the 2008 **Northwest Regional CLSA Meeting**. The dates will be March 31 to April 2, 2008. For more information contact the Reverend Patrick Brennan and/or Ms Linda Weigel.

Msgr. Bernard C. Gerhardt of the Archdiocese of Washington, DC, a long-time member of the CLSA, passed away on August 10th 2007 at George Washington University Hospital of complications of cancer. A priest of 54 years, Monsignor Gerhardt, age 81, served the archdiocesan tribunal for 37 years holding a variety of positions. A native Washingtonian, Monsignor Gerhardt graduated from Gonzaga College High School. He spent two years in the Army Air Forces near the end of World War II training as a gunner. After serving in postwar Europe, he entered the seminary at St Charles College in Catonsville, MD, and graduated from St. Mary's Seminary and University in Baltimore in 1949. He completed his theology studies at the Pontifical North American College in Rome and was ordained a priest in 1953. From 1955 to 1958, Monsignor studied Canon Law at The Catholic University of America where he earned a JCD. Upon completion of his studies, he joined the Archdiocesan Tribunal. In 1970, Pope Paul VI awarded him the papal honor, chaplain to his holiness; in 1978 he was named a prelate of honor; and he was named a protonotary apostolic, a rare honor and the highest non-bishop rank possible for a priest in a diocese. In 1995, Monsignor was named chancellor of the Archdiocese of Washington and appointed to the Council of Priests and the Archdiocesan College of Consultors. After 2001, Monsignor served as a delegate to the archbishop and a judge to the Archdiocesan Tribunal while also serving the Personnel Board and the Ecumenical Commission. A long-time friend from his seminary days described Monsignor Gerhardt. "He dealt with people who had broken marriages, broken dreams; he just showed a great deal of compassion and understanding." Another colleague remarked that "one of his greatest qualities was his presence to people and his ability to just sit and listen, whether someone was talking

about a problem with a marriage or about his favorite baseball team, the Orioles."

The **Reverend Donald R. Hudson, JCL**, former Judicial Vicar of the Diocese of Oakland, California, passed away on Sunday, September 16th, 2007, at the age of 70 and after a long illness. Father Hudson was a 1964 graduate of Loyola in Chicago, Illinois, where he received his B.S. He received his Master of Divinity from St. Patrick Seminary, Menlo Park, California in 1965. Later he entered the United States Air Force and upon retirement studied canon law at the Angelicum in Rome, Italy, where he received his JCL degree in a 1995. A member of the Canon Law Society of America since 1995, Father Hudson served in a variety of capacities in the Tribunal of the Diocese of Oakland as Defender of the Bond, a Judge, and Judicial Vicar until his retirement from active ministry at the end of 2002. Members of the society are requested to remember him in our prayers.

The **Very Reverend Joseph Donald Simon, S.V.D.**, Provincial Superior of the Southern Province (U.S.A.) of the Society of the Divine Word passed away on July 18, 2007 as a result of complications arising from cancer. He was 75 years of age. He was ordained a priest on May 4, 1961. Following ordination he studied church history at Gregorian University in Rome and earned his Licentiate there in 1963. Returning to Bay St. Louis he taught Church History and Homiletics at St. Augustine's until he was assigned to the newly opened Divine Word College in Epworth, IA in 1966. He was President of the College from 1987 – 1993. Father returned to Bay St. Louis to serve as Director of Development for the Southern Province from 1993-1996. He then served as pastor of St. Joseph's Church in Maurice, Louisiana from 1996 – 2002. In 2002, Father Simon was elected Provincial Superior of the Southern Province which includes parishes in

Mississippi, Louisiana, Texas and Arkansas.

The Canadian Appeal Tribunal announced the passing of **Mr. Richard M. McGrath**, Judge of the Canadian Appeal Tribunal. Richard was diagnosed with cancer in late June. He passed to eternal life on Thursday, July 12, 2007. He is survived by his wife, children and grandchildren. Canonists who attended St. Paul's University and those who knew him for his activities in the Canadian Canon Law Society remember him as a man with a great sense of humor and one who loved to collect witty sayings. May he rest in peace!

Many CLSA members may already be aware of the passing of another noted canonist. Venezuelan **Cardinal Rosalio Castillo Lara** (85) died Tuesday October 16, 2007 after several weeks in the hospital. Monsignor Ovidio Pérez Morales told news TV channel Globovisión that Cardinal Castillo Lara was hospitalized since last September 19 because of an acute pulmonary failure. Pérez Morales said the death of Cardinal Castillo Lara causes great pain among the Venezuelan Catholic Church. He stressed that both his person and services to the Catholic Church were a reason for national pride. Pérez Morales forecast the Venezuelan people are to bid farewell to Castillo Lara with gratefulness. He underscored that Cardinal Castillo Lara will remain in Venezuelans' memory as a great bishop and as a Venezuelan who has occupied the highest positions in the world church. He was the Secretary of the Pontifical Code Commission during the latter days of the formation of the 1983 Code of Canon Law for the Catholic Church and later President of that commission.

CLSA PUBLICATIONS

Latest Publications

- ___ *In Time of Need* (2005) List Price: \$15.00 72 pp. ISBN: 1-932208-06-2
- ___ *Dignitas Connubii*, List Price: \$60.00 ISBN: 1-932208-15-1
- ___ *Sponsorship in the United States Context: Theory and Praxis*, List Price: \$35.00 ISBN: 1-932208-14-3
- ___ *Roman Replies and CLSA Advisory Opinions* (2007) List Price: \$17.00 ISBN: 1-932208-19-4

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: 1-932208-01-0
- ___ *Procedural Handbook for Institutes of Consecrated Life* (2001) List Price: \$35.00 viii + 287 pp. ISBN: 0-943616-89-1
- ___ *The Tribunal Handbook: Procedures for Formal Matrimonial Cases*. List Price: \$35.00 ISBN: 1-932208-07-0

Codes of Canon Law

- ___ *Code of Canon Law, Latin-English Edition, New English Translation* (1999) List Price: \$15.00 xliii + 751 pp. ISBN: 0-9463616-79-4
- ___ *Code of Canons of the Eastern Churches, Latin-English Edition, New English Translation*. (2001) List Price: \$60.00 xli + 860 pp. ISBN: 0-943616-88-3

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. **OUT OF PRINT**
- ___ *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
- ___ *CLD Index* (Vols. 1 to 12) List Price: \$35.00 ISBN: 1-932208-10-0

CLSA Proceedings

- ___ *CLSA Proceedings* (2001) List Price: \$8.00, vi + 371 pp. ISBN: 0-943616-91-3
- ___ *CLSA Proceedings* (2002) List Price: \$8.00, vi + 440 pp. ISBN: 0-943616-99-9
- ___ *CLSA Proceedings* (2003) List Price: \$8.00, vii + 456 pp. ISBN: 1-932208-03-8
- ___ *CLSA Proceedings* (2004) List Price: \$8.00, 464 pp. ISBN: 1-932208-08-9
- ___ *CLSA Proceedings 67* (2005) List Price: \$10.00, 464 pp. ISBN: 1-932208-12-7
- ___ *CLSA Proceedings 68* (2006) List Price: \$15.00, 344 pp. ISBN: 1-932208-17-8

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: \$25.00 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 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
- ___ *Dignitas Connubii* List Price: \$60.00 ISBN: 1-932208-15-1

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: \$15.00 xix + 504 pp. ISBN: 0-943616-67-0
- ___ *CLSA Advisory Opinions (1994-2000)* List Price: \$20.00 xxxiv + 625 pp. ISBN: 0-943616-42-1
- ___ *CLSA Advisory Opinions (2001-2005)* List Price: \$20.00 ISBN: 1-932208-11-9
- ___ *CLSA Advisory Opinions Set of Three (1984-2005)* List Price: \$35.00 No additional discounts allowed on this special.
- ___ *Code, Community, Ministry* (1992) List Price: \$5.00 vi + 145 pp. ISBN: 0-943616-54-9

- ___ *Pastoral Care in Parishes Without a Pastor, Applications of Canon 517, §2* (1995) List Price: \$8.00 xiv + 71 pp. ISBN: 0-943616-68-9
- ___ *Protection of Rights of Persons in the Church* (1991) List Price: \$10.00 vi + 54 pp. ISBN: 0-943616-56-5
- ___ *Reception and Communion Among Churches* (1997) List Price: \$25.00 iv + 456 pp. ISBN: 0-9673864-0-3
- ___ *Selected Issues in Religious Law* (1997) List Price: \$18.00 iv + 168 pp. ISBN: 0-943616-74-3
- ___ *The Art of the Good & Equitable* (2002) List Price \$25.00 xi + 308 pp. ISBN: 0-943616-97-2
- ___ *The Canonical Implication of Ordaining Women to the Permanent Diaconate* (1995) List Price: \$7.00 55 pp. ISBN: 0-943616-71-9

Roman Replies & CLSA Advisory Opinions:

- ___ *Roman Replies and CLSA Advisory Opinions* (2004) List Price: \$17.00 vii + 216 pp. ISBN: 1-932208-05-4
- ___ *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
- ___ *Roman Replies & CLSA Advisory Opinions* (2005) List Price: \$17.00 ISBN: 1-932208-09-7
- ___ *Roman Replies & CLSA Advisory Opinions* (2006) List Price: \$17.00 ISBN: 1-932208-16 X
- ___ *Roman Replies & CLSA Advisory Opinions* (2007) 110 pp List Price: \$17.00 ISBN: 1-932208-19-4

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

(PRESIDENT, from p. 1)

our convention I went north, for the Canadian Canon Law Society held its 42nd annual meeting in Niagara Falls, Ontario. I shared with members of both sister societies warmest good wishes – and even a few nervous good wishes *en français* while in Canada! – from all of you. In both place the esteem and gratitude of our international colleagues for the leadership and assistance of the CLSA – especially by our publications and in the context of the personal consultation we offer – was made clear, not only in words but by their marvelous hospitality.

These travels framed a wonderful convention of our own, our 69th annual gathering in Costa Mesa, California. The “evaluation sheets” turned in by so many of you at the conclusion of the convention show were very positive, lauding especially the content of the various presentations and the quality of the food! It was good to see you there, not only to learn together but also to renew acquaintances and “network” in ways that are beneficial to our common interests and ministries.

During the convention the question was raised about the need to revisit our Society’s *Code of Professional Responsibility* and its *Statement on Professional Courtesies*. Much sentiment was expressed urging the revision of these texts, which were developed in the 1980’s. In the past quarter century since the promulgation of the *Code of Canon Law*, much of our canonical experience – and it seems especially our assistance in more contentious situations within the Church – suggest that an updating is in order. Thus I have established a Task Force for this purpose, and have asked Sr. Melanie DiPietro to serve as its chair. May I ask you to take time to re-read these statements (which are available on the CLSA website at <http://www.clsa.org>) and to forward on to Melanie your own ideas regarding them? The input will be valuable. Thank you.

Surely the most important thing currently taking place within the Society is the hiring of a new Executive Coordi-

nator. Art Espelage has served as the CLSA’s Executive Coordinator since 1999, and informed us last Spring that the present fiscal year would be his last in that role. Our Past President, Steve Pedone, honored him at the Costa Mesa convention with the formal thanks of the Society and more, but at the same time a Search Committee was busy seeking and interviewing candidates for this full-time position in our Washington, DC, office. I wish I could announce the hiring of a new Executive Coordinator to you at this time, but as of this writing this is not yet possible. I do hope to share good news with you soon on this subject.

There are two other very ambitious works currently underway in the Society. One is being done by a special

convention.

The other major new work within the CLSA which I would like to bring to your attention is our “Publications Advisory Board.” It’s no secret that the market for canonical publications is not as great as it once was. At the same time as this market has declined, our Society has encountered other difficulties, both practical as well as financial, in producing quality works in the field of canon law. Yet the membership of the CLSA and its Board of Governors remain insistent that we make every effort to continue to bring forth publications that will benefit the entire Church, including not only the canonical professional but also the pastoral minister and the committed disciple of the Lord. To help ensure this,

In the past quarter century since the promulgation of the *Code of Canon Law*, much of our canonical experience – and it seems especially our assistance in more contentious situations within the Church – suggest that an updating is in order.

developmental committee known as the “Future Initiatives Project.” This group has just completed a comprehensive consideration of the CLSA and its future, and its report has been submitted to the Board of Governors. This report recommends some significant steps be taken over the next year or so, principally focusing on the committee structure of the CLSA and on the content and focus of the Society’s activities. The BOG will discuss the report at its meeting in late January 2008, and I am confident that shortly thereafter these recommendations will be passed on to the membership of the Society. The FIP committee hopes to inform many of you about its ideas during the various regional meetings of canonists in 2008. Progress in refining and implementing the group’s recommendations should become more visible at the 2008

the PAB was established. It is presently developing clear policies and procedures, which will help everyone connected with our publications – from editors to authors to readers to those who simply dream up ideas for new books! While at present the number of publications “in the pipeline” is small, in part so as to enable the PAB to develop its guidelines without having to adapt these to many projects already underway, we hope that in coming years publications will again increase in number.

In this vein, I also wish to point out that in the planning for each CLSA convention, effort is made to solicit input for formal presentations, which then are published in our annual CLSA *Proceedings*. This is a “call for papers,” so that every CLSA member might have

(See PRESIDENT, p. 8)

CLSA Membership Demographics

Outside the United States of America		Within the United States	
APO AE	1	Alabama	7
Australia	22	Alaska	7
Belgium	2	Arizona	6
Brazil	1	Arkansas	6
Burundi	1	California	104
Canada	50	Colorado	11
Chile	1	Connecticut	22
Czech Rep.	1	Delaware	9
Dominica	1	District of Columbia	36
Germany	1	Florida	48
Ghana	1	Georgia	23
Guam	1	Idaho	5
India	1	Illinois	64
Ireland	10	Indiana	27
Italy	32	Iowa	18
Jamaica	2	Kansas	16
Kenya	2	Kentucky	26
Latvia	1	Louisiana	31
Malaysia	1	Maine	4
Malta	1	Maryland	26
Mexico	2	Massachusetts	45
Micronesia	1	Michigan	58
New Zealand	2	Minnesota	46
Nigeria	3	Mississippi	7
Norway	1	Missouri	24
Pakistan	1	Montana	6
Philippines	7	Nebraska	14
Poland	1	Nevada	8
Spain	1	New Hampshire	7
Sri Lanka	2	New Jersey	52
Thailand	2	New Mexico	14
Trinidad & Tobago	2	New York	84
United Kingdom	25	North Carolina	10
Zambia	1	North Dakota	9
		Ohio	61
		Oregon	13
		Pennsylvania	84
		Puerto Rico	2
		Rhode Island	12
		South Carolina	6
		South Dakota	7
		Tennessee	11
		Texas	85
		Utah	2
		Vermont	6
		Virginia	19
		West Virginia	3
		Wisconsin	37
		Wyoming	5

(PRESIDENT, from p. 7)

the opportunity to develop a topic, research it, write on it, and present it to the Society assembled in convention. Do you have a favorite topic or know of an issue which you think is under-emphasized in canonical science? Is there a burning question in law or an interesting point of jurisprudence which you believe demands attention? Do you have an interest in or perspective regarding some part of our craft that ought to be shared? If so, please respond favorably then to this call! Barbara Anne Cusack, who chairs the Convention Planning Committee this year, would be most interested in hearing what *you* would like to present as a seminar at a future convention.

Finally, I close with a related appeal for your help: can you assist the Society in other ways? A great deal of my efforts in the past few weeks has been devoted to finding persons to serve on various CLSA committees and task forces. I am immensely grateful to those generous members who have accepted appointment to our work, often with an eagerness that is impressive. Yet also so often I contact a member about some possible service only to discover that he or she is already over-extended in ministry, and simply doesn't have the time to devote to one more thing! I can appreciate that, for no one wants to cause more grief to anyone's calendar or sanity, but at the same time I don't want helpful service to go undone because I don't know of someone's interests or abilities. As I write this I am still looking for active members of the Society who are able to serve on our Committees on Resolutions, Investment Review, Religious Law and Diocesan Synods, as well as an additional person to help with Convention Liturgies. While by the time you read this I hope to have all of these positions filled, knowing of your interests and willingness to assist will be a big help to me and to the Board of Governors in the coming months.

(Rev.) Paul Counce
President, CLSA

- On 11 June 2007, His Holiness Pope Benedict XVI issued in the form of a *motu proprio*, a change in number 75 of the Apostolic Constitution, *Universi Dominici gregis* (22 February 1996) of Pope John Paul II [AAS 88 (1996):305-343] on the election of a Roman Pontiff. The new provision takes place with its publication in the *Observatore Romano*. The Latin original pertaining to the change reads:

Si scrutinia de quibus in numeris septuagesimo secundo, tertio et quarto memoratae Constitutionis incassum reciderint, habeatur unus dies orationi, reflexioni et dialogo dicatus; in subsequentibus vero suffragationibus, servato ordine in numero septuagesimo quarto eiusdem Constitutionis statuto, vocem passivam habebunt tantummodo duo Cardinales qui in superiore scrutinio maiorem numerum suffragiorum obtinuerunt, nec recedatur a ratione ut etiam in his suffragationibus maioritas qualificata suffragiorum Cardinalium praesentium ad validitatem electionis requiratur. In his autem suffragationibus, duo Cardinales qui vocem passivam habent, voce activa carent.

- The September 2007 *Newsletter of the Canon Law Society of Great Britain and Ireland* contains an article on pages 80 to 95 of an AFFIRMATIVE Judgement of a Tribunal for New South Wales and the Australian Capital Territory of a case concerning the right to a good reputation. The doubt was formulated: "Whether injury to the right of a good reputation was suffered by Hecuba, at the hands of Father Menelaus, (Can 220) and, if so, whether satisfaction is to be ordered or damages awarded as reparation of the right harmed (Can 128)."
- The same Canon Law Society of Great Britain and Ireland Newsletter, June 2007, No. 150 also published two items of possible interest to canonists. The Reverend Augustine Mendonca has published an article

entitled, "Apostolic Signatura's Declaration on the Necessity of Using Experts in Marriage Nullity Cases" and Monsignor Gordon Read published an article entitled "Mass Obligation and the Support of One's Own Parish."

For more information on the *CLSG&I Newsletters* contact Monsignor Ralph Brown, Prot. Ap., Vaughan House, 46 Francis Street, London SW1P 1QN.

- A new text on canon law comes from Paulist Press. *The Battle for Rights in the United States Catholic Church* by Kevin McKenna traces the struggles

in the nineteenth century for reform as regards penal procedures being used with clergy, financial accountability issues, and the role of Rome in the U.S. Church developments. Featured are canonists such as Richard Burtzell of New York, Peter Baart of Detroit, and Eugene O'Callaghan of Cleveland. It has some resonance with contemporary ecclesiastical issues and can hopefully provide some useful context. It is available through on-line booksellers or can be ordered directly from Paulist Press (800-218-1903; 800-836-3161, fax). Paperback, 209 pages ISBN: 0-8091-4493-8.

RESOURCES

- The Canon Law Society of Great Britain and Ireland's Conference Registrar, the Reverend Peter Kravos, announced that the society's 2008 annual conference will take place 5 to 9 May, 2008 at the Casa La Salle, Via Aurelia, Rome. Residential accommodation will be approximately \$990.00 US or 742.00 Euros. The registration fee for the conference is \$100.00 US or 80.00 Euros. For more information contact: pmkravos@hotmail.com.
- One of the services offered by the Office of the Executive Coordinator is that of posting openings for positions as well as positions sought by individuals. Members who wish to use this service of the CLSA are invited to click on the Employment navigation link or to contact the Office of the Executive Coordinator to place a posting on the website. Once positions are filled or found, the entry will be removed at the direction of the one posting the position.
- Those seeking an English text of *Summorum Pontificum* may wish to consult the the following found on the USCCB website, <http://www.usccb.org/liturgy/bclnewsletter>

June 07.pdf The promulgation date for implementation is 14 September 2007.

- Members may find a new text useful for parish ministry. *Canon Law of the Sacraments for Parish Ministry* by William Woestman, OMI recently became available. Published in Ottawa, Ontario by the Faculty of Canon Law, Saint Paul University, 2007 the new text contains 414 pages. (ISBN 978-0-919261-58-7 Price: C\$52.00 or US\$52.00.) Please note that the price does not include shipping and handling. Price does not include applicable taxes. Price is subject to change without notice. Credit card payments are accepted. Please fax with signature for credit card payment. Checks should be made payable to: Faculty of Canon Law. To place an order: email: sjstras@ustpaul.ca or Telephone: 613-751-4017 or Fax: 613-751-4036
- CLSA Member, **Bishop Randolph Calvo** of Reno, Nevada, recently addressed jurists at the Red Mass in the Diocese of Orange, California, on the place of mercy in our justice system of the United States. His full text may be found in *Origins* (November 8, 2007) 37, No. 22, 354-355.

ANNOUNCEMENTS

- **Archbishop Donald Wuerl** of Washington, DC, visited the Office of the Executive Coordinator on September 11, 2007 when the Hecker Center for Ministry was formally opened. Attended by twenty fellow bishops as well as priests, religious, laity, and friends of the Paulist Fathers, the Center was dedicated and God's blessings asked through the intercession of Father Isaac Hecker, Founder of the Paulists. (Insert Picture of Archbishop Wuerl)
- His Holiness, Pope Benedict XVI has appointed **Monsignor Michael J. Hoepfner**, presently Vicar General of the Diocese of Winona, MN, to be the new bishop of the Diocese of Crookston. Born 1 June 1949 in Winona, the new bishop completed his studies in Philosophy at Immaculate Heart of Mary Seminary in Winona before attending the North American College in Rome and the Gregorian University where he completed his theological studies in 1974. Bishop Hoepfner was ordained for the Diocese of Winona by Pope Paul

VI the 29th of June 1975. In 1985 he began studies in canon law at St. Paul University in Ottawa, Canada where he received his JCL degree in 1987 at which time he became a member of the Canon Law Society of America. The Society extends its congratulations and prayers on behalf of Bishop Hoepfner as he begins his new service to the people of God in Crookston, MN.

- Recently, **Mr. Robert W. Graffio**, joined the Executive Coordinator's Office as a part-time Administrative Assistant. Rob is presently pursuing his J.C.L. degree from The Catholic University of America in Washington, DC. A native of the Orange County area of California, Rob holds a B.A. Criminology, Law & Society (1997) from the University of California, Irvine, as well as a M.A. Theology (2006) from Loyola Marymount University in Los Angeles. Rob brings a wealth of experience from his past work experience with the Office of Canonical Services in the Diocese of Orange and also as Office of Assistant

for a California law firm. We welcome Rob to his new association with the Canon Law Society of America.

- Members of the Canon Law Society of America elected at the business meeting of October 10, 2007 new members to the Society's Board of Governors. The **Reverend Daniel A. Smilanic** of the Archdiocese of Chicago. Also elected is the **Reverend Thomas C. Anslow, C.M.** of the Archdiocese of Los Angeles who assumes the office of Treasurer from the outgoing officer, Sister M. Dominica Brennan, OP, of the Archdiocese of Minneapolis-St. Paul. Three new members were also elected to the CLSA's board of governors: **Reverend Patrick S. Brennan** of the Archdiocese of Portland, OR; the **Reverend Phillip J. Brown, SS** of Washington, DC and **Ms Zabrina R. Decker** of the Archdiocese of Milwaukee, WI. For more information on all of the CLSA Board of Governors, consult the CLSA website.

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, The Hecker Center, 3025 Fourth Street, NE, Suite 111, Washington, DC 20017-1102. 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.

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