

Adult Misconduct Resource

Conference of Major Superiors of Men



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Please contact CMSM for more information.

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Introduction

The reality of misconduct within religious life, the Church, and her ministry settings extends far beyond the widely publicized cases of child sexual abuse.

Misconduct encompasses a range of abuses of power within ministerial relationships, including verbal abuse and harassment, manipulation of power differentials, abuse of authority, spiritual abuse in ministry relationships, abuse within the sacrament of reconciliation and/or spiritual direction, exploitation of work, and sexual assault.

These violations of the dignity of the human person are fundamentally a betrayal of trust in the ministerial relationship and illuminate the vulnerability of all persons who come to religious for sacramental and pastoral care. The significant power imbalances involved often make meaningful consent impossible even between otherwise consenting adults.

To address this area of safeguarding ministry, leaders are encouraged to develop and implement best practices that hold both members and leaders accountable in applying the core safeguarding principles and procedures to adult misconduct: to prevent, to protect, and to respond. Doing so strengthens the protection of all persons and establishes, anchors, and maintains a culture of safety in all religious communities and ministry settings. When attended to fully, it helps religious communities prevent sexual violence and other abuse from occurring; protects all people from harm (particularly minors and vulnerable adults); and responds appropriately when harm is alleged to have occurred.

This resource is produced by the National Office of the Conference of Major Superiors of Men and is intended for communities of male religious. While anyone who finds it helpful is free to use it, other ways of life may wish to consult with the Council of Major Superiors of Women Religious, the Leadership Conference of Women Religious, the Resource Center for Religious Institutes, or the United States Conference of Catholic Bishops.

Vision

This resource offers a series of best practices for major superiors and their safeguarding ministry teams in responding to allegations of adult misconduct. Nothing in this resource is prescriptive, since it is the responsibility of the individual major superior to set and enact adult misconduct policies for their community.

Additionally, this resource will be regularly updated as recommended best practices evolve. This is Version 1 of the resource, current as of June 2026. The document will be reviewed yearly and new versions, if needed, will be provided after that review. Questions about this resource can be directed to the National Office’s Director of Safeguarding Initiatives, whose contact information can be found on cmsm.org. If you have suggestions for future versions of this document, send them to amr@cmsm.org.

Abbreviations

Throughout this resource, reference will be made to a number of church documents, abbreviated as follows:

- *Vos Estis Lux Mundi* (2023) – “VELM”
- *Universal Guidelines Framework* – “UGF”
- *Vademecum on Certain Points of Procedure in Treating Cases of Sexual Abuse of Minors Committed by Clerics* – “Vademecum”
- *Penal Sanctions in the Church: User Guide for Book VI of the Code of Canon Law* – “User Guide”

General Principles

Several general principles will serve as helpful guidelines throughout this resource.

First, every jurisdiction should have a *policy* to prevent and respond to adult misconduct. Second, the policy should focus on the same core *principles* of safeguarding ministry for children—prevent, protect, and respond—but suitably adapted for the reality of adult misconduct. Third, *procedures* properly adapted from

safeguarding ministry for children are best suited for responding to adult misconduct.

Finally, it is healthy to remember that adult misconduct covers a wide variety of issues, not all of them sexual, and in a variety of contexts: ministerial relationships, members with other members of the same community, with members of a different community, with family, etc. The Church is only in the beginning stages of developing best practices and consensus on how to deal with these issues. Incremental action steps are better than a perfect plan that cannot be executed, and leaders should expect to iterate and revise policies, procedures, and structures over time. Even small steps forward help make the Church a safer place that better witnesses to the good news of Jesus Christ.

Areas of Adult Misconduct

Adult misconduct can take on a variety of forms, including but not limited to: verbal abuse and harassment, manipulation of power differentials, abuse of authority, spiritual abuse in ministry relationships (including within the sacrament of reconciliation and/or spiritual direction), exploitation of work, and sexual assault. These forms of misconduct can range in seriousness from sinful behavior to crimes in canon law and/or civil law, requiring reporting to the appropriate authorities.

Despite this variance in areas of adult misconduct, adult misconduct often has at its core *misuse of power*. Such power differentials must be acknowledged so they can be managed and utilized appropriately. If they are not, some type of adult misconduct often follows.

Culture of Safety and Accountability

Policies, codes of conduct, and adherence to legal norms are all essential, but without work to integrate all of them into the life of a community and individual religious, they often become a dead letter, maintaining compliance rather than protecting the vulnerable and building the necessary trust religious need for evangelical effectiveness.

Thus, it is prudent for each community, in accord with its ministries, constitutions, way of life, and history, to seek ways to build a culture of safety and accountability. There is no single way to do this, but a series of best practices is recommended below in the area of initial and ongoing formation.

Cooperation with Civil Law and Observance of Canon Law

Consistent with *VELM* 20 and *UGF* 4.3, religious communities should cooperate and observe all relevant civil laws relating to adult misconduct. Additionally, retaining competent canonical counsel to guide the community through canonical procedures helps ensure the requirements of church law are met.

Power Differentials

As previously mentioned, power differentials are often the core issue with adult misconduct. In themselves, power differentials are neutral: a parent has a power differential over their child, a supervisor over their staff, a teacher over their students, a formation director over those in formation, and so on. These power differentials only become abusive when they are utilized improperly.

Power differentials cannot be erased or ignored. Rather, it is essential for those holding positions that create a power differential to acknowledge, understand, and work with them in a way that prevents them from becoming abusive.

All religious, simply by presenting themselves as religious, create power differentials with those they minister to, either by virtue of their religious life itself, their role in the community, their ministerial role, or some combination of all of these.

First, power differentials can be created by being a religious. This differential is created by the “power of soul” that religious have over those in their care. Both ordained and non-ordained religious are widely respected for their religious consecration and way of life, which often functionally grant them a certain power over a person’s soul, especially if that religious cultivates a rela-

tionship with the person.

Second, a power differential can be created by the role a religious has in their community. This power differential is largely internal. Those in canonical leadership have the power of their office and all that it entails. Formators have significant power over whether a candidate advances to the next stage of religious life. Local superiors have certain powers granted to them by the community, as do others in community roles (e.g., procurator/treasurer).

Third, power differentials can be created by ministry. This can be created by a priest over those they minister to; an executive director over those in a non-profit; a spiritual director over their directee; a vice president of mission over those who work or volunteer in the sponsored ministry, etc. In these cases, the power associated with the ministry creates an additional differential along with the inherent differential of religious life.

A final power differential to navigate is that between a major superior and a bishop. Although both are ordinaries, the powers reserved to a bishop may result in a major superior feeling explicit or implicit pressure to act in a certain way. This power differential needs to be navigated as part of a major superior's overall response to an allegation of adult misconduct.

Policy Development

A separate policy and procedure document must be developed, carefully vetted by civil and canonical legal counsel, and presented to members for their understanding and acknowledgment (typically with a signed acknowledgment), characterized by the following:

- Systematic, concise, and comprehensive
- Charism-informed and grounded in your particular law or other relevant documents
- Clear, practical, realistic: what is written should be what can reasonably be done

- Defendable in a public discussion
- Consistent with canon law
- Consistent with the *UGF*¹

General Principles

Draw from what is already available

There may be existing policies available in your community or sponsored ministries that can be modified and used. For instance, an education ministry will have existing human resources policies for employees or other policies (e.g., Title IX or accreditation standards) relevant to adult misconduct. An additional option is to review sample policies and procedures from secular not-for-profit organizations, other faith-based organizations, and professional organizations (e.g., other denominations of churches or charitable organizations like Catholic Relief Services). Other religious communities may have policies in place that can be shared and modified. Whatever their origin, your policy should include a section that addresses online risks.²

Consistent with *UGF* 1.3, your policy should contain a code of conduct.³ Consider developing it as an appendix to your policy and procedure document, in order to outline conduct expected for adherence to appropriate ministerial boundaries in ministry settings and in fraternal life/community.

It may be helpful to engage an outside consultant or consultants to advise, assist, and/or provide you with appropriate resources to construct your policy and procedures. A committee of appropriate professionals (e.g., psychologists, law enforcement, civil lawyers, canonists, etc) may be useful.

While you can review your existing procedures for safeguard-

1 *UGF*, 6.1: “Policies and procedures are aligned with the Universal Guidelines Framework.”

2 *UGF*, 2.1: “A comprehensive safe environment program is implemented that addresses both physical and online risks.”

3 *UGF* 1.3: “The Church Body upholds a defined code of conduct, outlining behavioral expectations for Church personnel.”

ing minors and make some adaptations for adult misconduct, the best practice is for your adult misconduct policies and code of conduct to be clearly separated and in writing. This separation can either be part of a unified safeguarding ministry policy where adult misconduct is a clearly distinct sub-section, or as two separate policies.

Follow your policies

Once policies are in place, follow them: they are your first baseline. There are no Charter or Accreditation Standards for adult misconduct/boundary violations, and communities will be held accountable to policies by civil authorities, abuse advocacy groups, community members, stakeholders/faithful, and the media.

Follow canon law

Canon law is the second baseline for responding to allegations of adult misconduct/boundary violations. Canon law is evolving in the area of adult misconduct, but failure to follow what is in place can result in serious problems. Consistent with *UGF* 8.3, even personnel who work with the community should be trained in canonical reporting requirements around vulnerable adults.

Follow the Universal Guidelines Framework

Other than canon law and documents related to canon law, the only document specifically on adult misconduct from the universal Church is the *Universal Guidelines Framework*, developed by Tutela Minorum within the Dicastery for the Doctrine of the Faith. Still in *ad experimentum* form in 2026, it is expected to become a permanent part of church guidelines in this area. It provides a set of guidelines that will be referenced throughout this resource. A link to the full text is available in the “Resources” section.

Admittance

Any community accredited by Praesidium will have robust admittance policies already in place. Many of these can be transposed over to adult misconduct, although special care may be

needed to find a psychological screening process that addresses adult misconduct issues.

Initial and Ongoing Formation to Prevent Adult Misconduct

Each community's policy should include a commitment to continuing formation in adult misconduct for all community members through the stages of religious life (candidacy, initial formation, ongoing formation, new leader orientation, etc). This policy should be reflective of your charism and way of life, vetted by canonical counsel, and realistic about providing the formation members will need given the ministries of your community.

Intercultural Formation for Safeguarding

Addressing adult misconduct in communities containing multiple cultures requires addressing how those communities as a whole conceive of and think about adult misconduct and helping members from other cultures come to understand US cultural norms. For instance, what constitutes "late-night texting" can vary widely from culture to culture; for some, texting after 8 p.m. is late; for others, 11 p.m. or midnight may be considered late. Similarly, body contact can have widely varying connotations across cultures. Helping international members understand the differences between their culture of origin and US culture is essential for preventing adult misconduct. A community's policy should include what formation is required for international members before they can minister in a US context.

Other Areas of Policy Development

Given the differences in local law, community culture (expressions of charism), community size, and history, it is best to review existing policies from affiliated institutions and adapt them to your needs for other areas of adult misconduct policy.

It is important to recall that not all adult misconduct is sexual in nature. Many other areas can and should be covered in a policy, including:

- living arrangements, especially formal exclaustation or

informally living outside community life;

- the proper use of technology, including social media and so-called artificial intelligence resources;
- public communications, both in terms of expected individual conduct and the way accusations will be related to stakeholders/the public;
- financial controls and accountability, especially “special” arrangements or fundraising and oversight of community funds; and
- what policies will be authoritative across different civil/national jurisdictions and what policies must be determined at the local level.

Some of these, but not all, can be addressed through a code of conduct, which can be adapted from other religious institutes or sponsored ministries of the community.

Finally, where a religious is governed by multiple policies (such as someone who works at a school, a retreat center, and is on the leadership team), it will be necessary to coordinate policies in some manner, determining which policy applies where and which takes precedence in uncertain situations. Human resources experts and civil lawyers can help with this process.

Canonical Considerations

General Considerations

The following considerations are not meant to replace canonical consultation, but are illustrative of points major superiors should consider when dealing with adult misconduct.

It is prudent to have experienced canonical counsel who understand religious life. Do-it-yourself approaches can create serious canonical issues. Consulting a canonist from the beginning of an issue can help both with applying the law and observing required processes.

Although it is wise to be cautious when creating written records, such additions to personnel files can often help when the history of response needs to be recounted or if a subsequent leader needs to understand the history of a particular case. It is best to consult a canonist on documentation that must take a particular form (e.g., the decree starting a preliminary investigation) or occur at a particular time (e.g., the issuance of a penal precept).

Finally, it may be prudent to include your community's adult misconduct policy as part of your particular law, utilizing whatever mechanism is normal for your jurisdiction. Doing so allows canonical precepts and disciplinary delicts related to your policy to have canonically binding power.

Preliminary Investigations

The general structure of a preliminary investigation is laid out in cc. 1717-1719. It is important to understand that, while all allegations need to be examined (and all admissions of guilt need to be addressed), the preliminary investigation discussed in cc. 1717-1719 only applies to matters that may constitute a canonical crime. A preliminary investigation is intended to be very basic and conducted quickly; as an example, in cases of sexual abuse of a minor, the ordinary expectation is that it takes no more than three months.

Additionally, version 2.0 of the *Vademecum on Certain Points of Procedure in Treating Cases of Sexual Abuse of Minors Committed by Clerics* contains a series of guidelines. Although the text itself is dedicated to crimes against minors, many of the points can be applied to adult misconduct, such as the wide variety of ways notices come to a major superior's attention (9-10). The *Penal Sanctions in the Church: User Guide for Book VI of the Code of Canon Law* indicates that the person in charge of the preliminary investigations should be "an expert in canon law or, at least, possess a certain expertise to direct his investigations in a practical way in order to obtain the necessary elements to shed light on the information received" (182). That expert may rely on

another person to gather information, if necessary.

Recall that there is a general presumption of innocence in canon law (c. 1321), and the burden of proof rests on the accuser (c. 1526). For these reasons, the best practice is for the major superior to inform the accused of the allegation but not question them in a manner consistent with a preliminary investigation. This preserves the canonical assumption of innocence on the part of the accused. The accused should also always be given the opportunity to be represented by canonical counsel.

Preliminary canonical investigations may be needed in a variety of situations related to adult misconduct:

- Theft, embezzlement, and illicit alienation of ecclesiastical goods (c. 1376, §1)
- Solicitation during confession (c. 1385)
- Attempted marriage (whether civil or religious) to a woman (c. 1394)
- Various offenses against chastity, such as concubinage, public sins against chastity (c. 1395), or procuring an abortion (c. 1397)
- Refusal to obey the lawful command/prohibition of a legitimate superior after a warning (c. 1371)
- Incitement of hatred or provoking of disobedience of the Holy See or ordinary (c. 1373)
- Habitual neglect of the obligations of consecrated life (c. 696)

Many of these situations will require the involvement of the Dicastery for the Doctrine of the Faith, so it is imperative that the investigation be properly conducted and documented.

Precepts

Penal precepts are issued in accord with the norms in c. 1339. A precept encourages a change in behavior and serves as an official canonical warning that a penalty will follow if the specified behavior does not change. For example, a local superior may issue a precept to have a member cease to keep alcohol in his room or

end contact with individuals who have caused problems for him. In addition, anyone on a wellness plan should have a precept in place detailing the consequences of failing to adhere to it.

Best Practices

General Guidelines

The following guidelines are drawn in part from the practice of safeguarding ministry for children and adapted to the reality of adult misconduct. As best practices, they serve to help protect the vulnerable and thus bolster the evangelical witness of religious communities. They can and will evolve over time, and this resource will be updated as they evolve.

An overview of best practices is as follows:

- All allegations require notification of relevant parties, internally and externally, in accord with canon and civil law
- All allegations must be investigated, although the form this takes will vary
- Pastoral care and support should be offered for the accuser and accused
- Canonical and (if appropriate) other legal support should be offered for the accused
- There should be external, professional review of the investigation report, with recommendations as needed
- If problematic behavior is identified, there should be a clear wellness plan established, including the identification of an outside supervisor
- All wellness plans should include individualized benchmarks to determine if healing is sincere and real progress has occurred
- If restoration to ministry is possible, individualized parameters determining when and how this occurs should be identified

- Separate from notification, clear communication should be made with all stakeholders: members of the community, the faithful, the ordinary, colleagues in the ministry setting, etc.
- Careful documentation standards as prescribed by canon law, civil law, and your internal policies

Prevention: Wellness, Formation, and Community Structures

Wellness

Holistically, wellness is the pursuit of human flourishing. It is characterized by an integrated state of spiritual, emotional, physical, cognitive, and social health that enables members to accept and love themselves more freely, and to accept and respond to God's call to intimacy and fullness of life in ministry and service of the charism of the religious community. In this balance of God, self, and others, ministry is most effectively embraced, and the charism is transmitted. The member models a life that is integrated and transparent, and ministry and fraternal relationships are healthy and life-giving.

Adult misconduct and/or boundary violations either disrupt the integration and balance of the person or are caused by an already existing lack of integration and balance. Such violations create harm and/or scandal to the religious community and the faith community being served.

Prevention of adult misconduct and/or boundary violations is a function of a member's adherence to the wellness commitments. A healthy and balanced member is less likely to engage in misconduct in any of its expressions. These commitments take a variety of forms, but they are especially spiritual, social, and communal.

Some typical spiritual wellness commitments include:

- Daily Eucharist and Mass
- Regular use of the sacrament of Reconciliation
- Private prayer

- Liturgy of the Hours
- Rosary
- Devotional prayer/novenas
- Retreats and spiritual conferences
- Spiritual reading
- Examen
- A commitment to ceasing all serious sin

Some typical social wellness commitments include:

- Meeting regularly with a competent, trained, spiritual director
- Practice the Direction of Intention: invite the Holy Spirit into daily activities and encounters
- A commitment to take vacations, not staycations
- A commitment to make time for socializing with family and friends, whether in-person or virtually
- A commitment to reach out for emotional support, such as self-help meetings, a ministry mentor, or professional counseling

Communal wellness commitments may include:

- Time for community sociality, with intention and regularity
- Living within one's means with a monthly budget
- End-of-life planning, such as a will and advance directives
- Daily "digital content examen," examining one's use of the internet, gaming, social media, and "doom scrolling" and how this may affect one's social life

Finally, a commitment should be made to care for one's body through exercise, proper nutrition, and sleep, as well as an annual physical, any necessary specialist care, medication adherence, or other steps as outlined by health professionals.

Formation

Those who are Praesidium accredited will already have structures in place regarding initial formation to prevent abuse of minors. These can be adapted for adult misconduct.

Continuing formation in safeguarding ministry is a vital, life-long commitment to personal conversion and pastoral vigilance. Rather than being a one-time “job training,” it is integrated into the four areas of formation—human, spiritual, intellectual, and pastoral—to ensure that religious life remains grounded in the Gospel’s mandate to protect the vulnerable and model healthy, balanced relationships in fraternal life.

This ongoing process requires members to engage in difficult but necessary conversations and a deep dialogue that explores a healthy and mature understanding of intimacy and sexuality, understanding and practicing safe boundaries, understanding the dynamics of power and power differentials, and the need to cultivate and maintain healthy fraternal relationships in both community life and ministry settings.

In practice, the commitment to continuing safeguarding formation manifests through structured experiences in skills building and education, as well as through attendance at intentional spiritual reflection tailored to the specific charism of each religious community. However, there is no consensus on the best practices in formation to prevent adult misconduct. We expect this area to be reflected on and updated significantly as communities uncover new best practices.

Nevertheless, solid fundamentals in initial formation are a good start to preventing adult misconduct. For human formation, these may include:

- Intentional work to help *formandi* know themselves, including their stressors, how to work through sexual attraction in a healthy way, setting and maintaining good boundaries, and where to turn for help when they sense there is a possibility of relational danger/abuse
- Work to help *formandi* improve their affective maturity,

so they know how to engage in healthy relationships with men and women of various ages without abusing or misusing the other person

- Helping *formandi* to understand that religious, practically speaking, have a public function in the church, so their words and actions are scrutinized to a degree that the average private citizen or lay person's are not
- If challenges are revealed in initial formation, they must be addressed substantively before a *formandi* continues in his initial formation.
- Doing so reflects a commitment to safeguarding, where issues are immediately addressed rather than hoping someone will "grow out of them"
- Achieving balance and integration is the best preventative for adult misconduct and boundary violations; if this is impossible for someone to demonstrate, extreme care should be taken in moving them on to the next stage of formation

Spiritual formation around adult misconduct can also help prevent issues. This may include:

- Discussions of how and where sexualized imagery applied to the faith (e.g., bride/bridegroom, nuptial union) or ministerial relationships (e.g., spiritual paternity) is and is not appropriate
- A clear understanding of how to not mix spiritual and human boundaries in ministry (e.g., a religious should not insist on an exclusive relationship where he is the only one who can offer individual spiritual direction or confession and/or routinely deliver these in an individual's home) as well as the way that religious life, by virtue of its power over the soul, practically always results in a power differential
- A clear understanding of how spiritual and/or sacramental ministries can lead to a kind of intimacy and how to maintain proper boundaries through this intimacy

Pastoral formation may include sections on abuse and trauma, which can help *formandi* understand the longevity and depth of wounds that abuse causes and help them to minister to people who may have been abused. Such formation may also assist the religious to maintain proper boundaries around their own experiences of trauma, so they are not seeking to have their own emotional needs met in an unhealthy way through their ministerial interactions.

Intellectual formation may focus on traditional motifs within our theological tradition that apply to safeguarding, such as *gratia sanans* (healing grace) and Christ the healer. Any pertinent resources from the charism can also be brought to bear.

Community Structures for Wellness

In addition to individual work via formation, communities should consider whether the structures of their community may inadvertently contribute to adult misconduct. Some factors to consider include:

- What kinds of work, both internal to the community and externally in ministry, are being asked of individual members? Have they been suitably trained for it? Does it lead to burnout/stress that contributes to them seeking solace in unhealthy places?
- Have pastoral planning processes taken into consideration the impact those plans will have on the wellness of members?
- What is the quality of community life? Do members often find themselves isolated, with little meaningful communal life?
- Are those of non-American backgrounds welcomed in an appropriate way, with the community prepared to receive them? Are they offered aids for inculturation?

Formation of Lay Staff and Volunteers

The reliance on lay staff and volunteers means that communities will likely need to form them on the topic of adult misconduct.

If those staff and volunteers work for a sponsored ministry, the major superior may wish to ensure that the sponsored ministries have their own misconduct policies and codes of conduct which are in general alignment with the community's policies. Where staff or volunteers work for the community itself, the best practice is for them to be trained in the community's code of conduct and formally acknowledge it, or, if that code of conduct is too specific to religious life, have their own subsection of the policy and code of conduct that is a better fit for lay employees.

Allegation Notifications

The *UGF* indicates that “every allegation, suspicion, or concern is addressed promptly, thoroughly, and transparently” (4.2). The following best practices, drawn from the response to accusations of child sexual abuse, offer a template for doing this.

Allegation notifications can come from a variety of sources: a potential survivor/victim, law enforcement, civil counsel, email/electronic means, or social media. All allegations must be taken seriously and the response should always conform to written policy. The *UGF* also indicates that processes for raising complaints should be responsive and understood by children and adults, among others (4.1).

If the allegation is received anonymously, the entire process of notification and investigation becomes much more challenging. When this is the case, major superiors are encouraged to turn to their civil and canonical counsel, as well as communications experts and their council to decide how to proceed.

The accusation is typically shared with your leadership team, civil counsel, canonical counsel, and reported to civil authorities where appropriate. Where there is a semblance of truth⁴ that a canonical crime identified in *VELM* has been committed, a major superior is obligated to inform the local ordinary.⁵ In other

4 This term is used canonically to mean “not obviously false or frivolous.” It indicates that there is a possibility the alleged crime occurred and that an investigation should take place.

5 See *VELM*, art. 1 for the scope of canonical crimes, and *VELM*, art. 3, §1 for the requirement to report to the local ordinary.

situations, it is typically prudent to inform the local ordinary anyway, given the key role the bishop has in any ministry done in a diocese. It is especially important to clearly communicate with the bishop if the religious is a cleric with delegated faculties and/or an assignment in the diocese.

In certain specific instances (those marked as *delicta graviora* and involving clerics, such as solicitation during confession), the Dicastery for the Doctrine of the Faith also must be notified.⁶

Accusers are usually offered pastoral care by an outside behavioral health professional (see “Pastoral Accompaniment” below). However, any offer should be vetted by your legal counsel and/or informed by the manner in which the allegation of adult misconduct has been received (e.g., through a civil suit or plaintiff attorney).

Allegation Investigation

All investigations should be preceded by an internal file review, which establishes the history of the member and provides context for the allegation. Generally speaking, a major superior may determine if an accusation has a semblance of truth. If an allegation has a semblance of truth and the matter is a potential canonical crime, a preliminary investigation in accordance with the norms of canon law should be started. Your canonical counsel can assist you in identifying when a canonical preliminary investigation is necessary and how to conduct it.

It is important to establish what is necessary for the type of preliminary investigation being undertaken. A canonical preliminary investigation may be as simple as a statement from the accuser and a response from the accused through their canonical counsel. When this is the case, it may be best to have a canon lawyer conduct the canonical preliminary investigation to avoid unneeded details. If other details are needed for civil law, criminal law, or adherence to your own policies, however, it may still be necessary to have a non-canon lawyer investigate.

For those situations that have a semblance of truth but are

6 See SST Art. 4 §1.

not potentially a canonical crime (e.g., someone posting racial or ethnic slurs online in violation of your code of conduct), an investigation should still take place, but it does not have to follow the norms of canon law.

The best practice is for all allegations to be investigated by an outside, independent, professional investigator. This investigator should:

- know how to coordinate civil and canonical investigations;
- some knowledge of religious life and your safeguarding protocols;
- understand when and how to apply investigative measures that may appear heavy-handed, such as confiscating a member's electronics to catalog possible evidence of online misconduct.

If your investigator does not know how to coordinate civil and canon law, it is best to consult with your canonical counsel and the civil authorities to ensure all parties are satisfied with the investigation.

A written report is typically produced from an investigator and provided to the major superior.

External Advisory Models

The best practice is for a major superior to have an external structure which provides independent, discipline-specific, and professional expertise in the review of facts and in the offering of suggestions to major superiors regarding cases of adult misconduct.

While the *Charter for the Protection of Children and Young People* (Charter) and the *Praesidium Accreditation Standards for Catholic Religious Institutes* (Accreditation Standards) mandate the use of an independent review board (IRB) for cases involving minors and vulnerable persons (as defined in VELM), there is no such mandate in regard to allegations of adult misconduct lodged against members.

Best practice, however, recommends that major superiors seek external advice to strengthen their response to allegations involving adult misconduct lodged against members, and to demonstrate both accountability and transparency in their safeguarding ministry.

Following best practices, the core functions and membership of external advisory models embrace procedural standards to:

- embrace the core principles of safeguarding ministry, i.e., to prevent, to protect, and to respond;
- ensure an unbiased review of the facts;
- provide advice and recommendations to major superiors.

Common Models for External Advisory Functions

- **Independent Consultation:** A major superior may choose to consult with experts on an individual basis rather than as a group. In this model, he would retain the necessary expertise (e.g., civil law, canon law, psychology/social work, law enforcement/investigation) and develop a process to consult each expert as part of his response procedure. For those developing their external advisory group, this is often the easiest model to start with and can provide a major superior with quality feedback with relatively little administrative burden. To help with consistency, it is best to choose the same individuals in each area of expertise rather than selecting a new expert each time a case arises.
- **Ad-Hoc External Review Committee Model:** This model involves the major superior convoking a temporary committee, called together to review the independent investigation report of allegations of adult misconduct. It has the same makeup and function as other models. For those who have a serious situation with a number of difficult elements but which is time limited (i.e., a group of incidents relating to a single person or sponsored ministry), this may be a good choice.

- **Independent Adult Misconduct Advisory Committee Model:** This model uses a stand-alone board to review allegations of adult misconduct. It may in fact be a subset of the religious community's existing review board for sexual abuse of minors, although in this model it is clearly distinguished from it.
- **Combined Review Board Model:** This model uses a single standing board—originally established as a component of adherence to the accreditation standards in responding to allegations of sexual abuse of minors—to also review allegations of adult misconduct. This model is not recommended, as the expertise of those review boards is built for cases dealing with minors, not adult misconduct.

This list does not exhaust all the possible options; over time, other models will be invented/utilized and this list will be updated.

Core Functions of External Advisory Review Groups

Following best practices, all external advisory models advise the major superior on:

- Actions to be taken in response to an allegation, e.g., evaluation and treatment for the accused, removal from ministry of the accused during the period of allegation investigation, suggestions for restoration of ministry post-allegation determination (if applicable), and any necessary public notifications.
- Possible procedures for outreach and accompaniment of survivor/victims and/or their families.
- Provision of both short-term and ongoing continuing care and accompaniment of members who have engaged in adult misconduct.
- Suggestions for notification and accompaniment of the members of the religious community in understanding and accepting the conduct of a confrere with a credible

allegation of adult misconduct.

Membership of External Advisory Groups

Best practices in the composition of external advisory models focus on inclusion of lay leadership, representation of multidisciplinary expertise, and invitation of adult survivors to serve.

Specifically, external advisory models include both lay and clerical/religious members. This helps ensure the objectivity of the group while balancing their knowledge of the community's charism and way of life. Typically, members represent the disciplines of law (attorneys, retired judges), law enforcement (police, FBI, Homeland Security), canon law, mental health (social work, psychology, pastoral counseling), pastoral care (health care chaplaincy, spiritual direction), and secular human resource professionals. Finally, the major superior should consider inviting adult abuse survivors to serve. Generally speaking, all members of the group are external to the institute; internal consultation is typically given to the major superior by his council.

Collaboration

Religious communities may wish to establish the external advisory group through collaboration with other communities by forming a single entity that serves multiple religious communities. This may both achieve economies of scale and provide a richness of response.

Allegation Response

A written report is typically produced from a professional investigator and shared with the major superior. Part or all of the report can be shared with the external advisory group for review and to make recommendations to the major superior or his agent regarding an appropriate response.

If a full review board model is used, it is not recommended that the same board currently used for adherence to the Charter and Accreditation Standards be used, as the cases are quite different and different expertise and procedures are needed. The

best practice is for the external advisory group to be separately constituted, either as individuals for consultation or as a separate body with its own members, by-laws, and procedures.

Whatever model is in place, those who are a part of it should make recommendations to the major superior about his response to the allegation. This may include the risk reduction strategies of an appropriate wellness plan, and/or recommendations for restoration of ministry. Either the group as a whole or certain members of it can also provide ongoing review to wellness plans for accountability and support as well as recommendations about restoration to ministry.

Post-consultation with the board, civil and canonical counsel, and leadership team, a major superior should take appropriate action, possibly including:

- Notifications/communications to stakeholders such as members, ministry sites, Ordinary, etc.
- Development of monitoring and accountability (wellness plan, to include identification of a supervisor of the plan)
- Consideration of community placement

Communications regarding an allegation of adult misconduct should be timely, accurate, and as transparent as possible while protecting confidential information, the integrity of any investigation, and the rights of those involved. The best practice is for messaging to maintain a pastoral, respectful, and compassionate tone that acknowledges the seriousness of the situation and the impact on those affected. Communications should also be coordinated closely with sponsored ministries, legal and canonical counsel, communications personnel, and the local diocese to ensure consistency and clarity.

Pastoral Accompaniment of the Survivor/Victim

The best practice remains to accompany survivor/victims once they notify the institute of an accusation, consistent with the UGF 3.1: “The Church Authority ensures holistic, person-centered support to victims/survivors.”

The exact scope of this role is not determined by canon law or any accreditation standards, but the *UGF* does indicate that there should be outreach to survivor/victims and their families, done by competent professionals who understand trauma, and that survivor/victims should have access to counselling and spiritual guidance (3.1.1-3).

This person, often referred to as a “Survivor/Victim Assistance Coordinator” or S/VAC, maintains a survivor-centered approach. Typically, the person retained has skills in accompanying those wounded by abuse, often (but not always) from a social work background. The person who accompanies the survivor/victim should not be the same person who accompanies the accused so as to maintain healthy boundaries in ministerial relationships.

In some cases, even though access to the survivor/victim may be blocked by their legal counsel, the community may still wish to offer these services as a form of outreach. In other cases, when the S/VAC does have access to a survivor, they may do an intake to hear the survivor/victim’s story, serve as a reporter to various authorities, connect the survivor/victim with resources, and be a point of contact for the survivor/victim.

Disclosure of abuse is difficult for survivor/victims, and many find it helpful not to have to speak to a member of the community, even if that person was not associated with the alleged abuse. The S/VAC, who is usually not a member of the community, can be a more neutral party that aids in this disclosure.

Monitoring and Supervision

Monitoring and supervision in adult misconduct bears some resemblance to safety plans for those who have abused children but differs in key respects. While the Praesidium Standards require safety plans, no such requirement exists for adult misconduct. Yet, a similar model remains the best practice for adult misconduct. To distinguish between the two, “safety plans” refers to plans for those who have abused minors, while “wellness plans” refers to plans for those who have engaged in adult misconduct.

In some cases, a wellness plan can be put in place (in cooperation with the member) even without a substantiated adult misconduct claim if the behavior pattern of a member warrants it.

A best-practice wellness plan is a structured, concrete, realistic series of risk reduction strategies that reflect a member's willingness to embrace healing and wellness.

A best-practice wellness plan contains goals, objectives, concrete interventions, timelines, and accountability measures that address all the wellness commitments from the perspective of the unique member. It is individualized and concrete and includes benchmarks for measuring adherence to the plan and for consenting to outside, professional, and regular monitoring and evaluation of progress. This process of commitment with accountability creates the possibility for authentic healing and reconciliation to unfold, with the hope of eventual restoration of ministry. Depending on the severity of the misconduct and the recommendation of external advisors such as a treatment center, the wellness plan may be abrogated when certain parameters are met, or it may be permanent.

Sample wellness plans are available for download in CMSM Member Content.

Restoration of Ministry

Overview

The best practice is for restoration of ministry to be an ongoing conversation among a specific group of people, guided by the general procedures outlined below. Typically, these conversations involve the major superior, the member, some type of outside assessor (usually a psychologist), and where there is a desire to take up ministry again, the bishop where the member will serve.

The bishop is especially important to include in the discussions, as any plan for a restoration to ministry that he does not feel comfortable with will end up with a rehabilitated member but no place to minister.

Risk Assessment

The basis of any restoration of ministry is an objective risk assessment, starting with a determination of facts: what is happening that needs to stop? What is not happening that needs to start? Considerations include the incident(s), history of the member, context, personality, clinical history, patterns of behavior, etc.

With this in mind, what is the concrete, realistic plan for repairing the harm done by the misconduct and/or changing the behavior pattern? This could include treatment, a healing/reconciliation process, or more.

A risk assessment is typically done by a professional with experience, who is outside the community, and may have forensic capacity. The professional may use a variety of techniques, including psychological testing, psycho-sexual interviews, forensic interviews, substance use/process addition assessment, etc. The goal is to assess the risk of reoffense.

Suitability

Suitability for return to ministry typically manifests in the completion of a healing and reconciliation process, with appropriate documentation and verification of significant progress across mind-body-spirit as well as an outside assessment indicating low risk for inappropriate behavior.

The best practice is for the major superior to determine this concurrently with competent outside review (especially canon law and psychology), in conversation with the accused and the bishop, where appropriate. Depending on the circumstances of the misconduct, sometimes only internal ministry will be possible and in other cases no ministry will be possible.

A major superior will often use a wellness plan as an accountability measure when suitability has been reached. Other considerations include the optics of the situation to the public, the ministry site, and the community, and the ongoing care of the accuser.

Return to Ministry

The current best practice is to utilize a “step-down” model; a gradual return to full-time ministry, and, within the ministry setting(s), moving from more restrictions to fewer restrictions (this can occur across a number of ministry settings, or, within one ministry setting). A “step-down” may begin with restricted ministry, where limits can easily be imposed, and as benchmarks are realized, limits are gradually reduced.

Challenges can include an unrealistic or vague wellness plan, a lack of accountability once the wellness plan is in place, not enough feedback from outside parties (e.g., therapist, spiritual director, friends, ministry collaborators, etc), the step-down occurring too quickly, enmeshment, enabling, or codependency from friends, family, or community members, or an inappropriate assignment (e.g., one that discourages adherence to the wellness plan).

During the restoration process, accountability continues via a wellness plan, which should detail the ways the accused continues to receive compassionate support. The wellness plan should be concrete, measurable, realistic, and have accountability measures that are consistently enforced. The plan must be monitored and adherence evaluated for it to be effective in the long term.

Other considerations include fraternal support for the accused, which can reduce the possibility of recidivism; resiliency (i.e., attitudes and self-affirmations that promote balance and integration across body-mind-spirit), which can be developed; and living arrangements (where and with whom should the accused live?).

Mutual Relations and Return to Ministry

It must be remembered that a bishop holds the final say when it comes to the granting of faculties, with no other recourse possible. If a community determines that an allegation was false or that someone has been rehabilitated from genuine misconduct, the local bishop still makes an independent decision on whether to grant faculties to a cleric which he can withhold if he chooses.

The bishop may also refuse residence in his diocese to the religious.

This is a very challenging area of adult misconduct as bishops are often unwilling to take on any risk when an allegation has been made public, even if the accused is later cleared. The best practice remains to maintain as good a relationship as possible with the ordinaries where your community ministers and be as open and transparent as possible with them.

Conclusion

In light of the realities outlined above, this resource underscores that safeguarding against adult misconduct is not a peripheral concern but a central responsibility of leadership within religious life. By integrating clear policies, faithful adherence to canon and civil law, and ongoing formation rooted in human dignity, communities are better equipped to address the complex dynamics of power, vulnerability, and trust inherent in ministry. The breadth of topics covered—from prevention and wellness to investigation, accompaniment, and restoration—reflects a holistic commitment to accountability and care, while recognizing that these approaches must remain responsive to emerging insights and developing best practices.

Ultimately, the effectiveness of these efforts depends on a sustained culture of vigilance, transparency, and compassion. This document is intended to serve not as a static directive but as a living resource that will continue to evolve alongside CMSM members' growing understanding of responding to adult misconduct. As leaders and members embrace this ongoing development and commit to continual learning and adaptation, they help foster environments where all persons are respected, protected, and supported, strengthening the Church's witness and its fidelity to the dignity at the heart of the Gospel.

Appendix I – Adult Misconduct Decision Tree

This decision tree is presented as one possible sequence of the steps that may be taken by a leader during an adult misconduct case. For actual cases, the sequence may vary significantly, and many of the steps will be repeated throughout the case, such as consulting with your canonist and meeting with the accused. Nevertheless, it is presented here as a shorthand reference for a major superior.

1. Receive Allegation

- Document allegation
- Determine whether allegation concerns:
 - Abuse/misconduct
 - Boundary violation
 - Criminal behavior
 - Ministerial impairment
- Maintain confidentiality and secure records

2. Initial Assessment

- Is there immediate risk to minors/vulnerable adults/wider community?
 - YES → Remove member temporarily from ministry and/or residence as needed, utilizing step 3
 - NO → Continue assessment



• Consult Civil and Canonical Counsel

- Obtain legal advice regarding:
 - Mandatory reporting (and if required, report the allegation)
 - Employment implications
 - Liability/risk management
- Obtain canonical advice regarding:

- Canonical obligations
- Rights of accused
- Investigative procedures, especially whether a preliminary investigation is needed



3. Initial Communication with the Accused Member

- Inform member of allegation
- Explain process and rights
- Encourage cooperation
- Provide spiritual, psychological, and canonical (if needed) support
- Clarify administrative restrictions (if any)



4. Determine Whether Preliminary Canonical Investigation is Warranted

- Does the allegation have the semblance of truth (that is, is not obviously false or frivolous)?

NO →

- Document findings
- Restore reputation if appropriate
- Consider support/reintegration plan

END

YES →

- Open preliminary canonical investigation
- Appoint investigator(s)
- Preserve records and evidence



5. Communication Management

- Internal Community
 - Notify leadership and relevant members

- Provide appropriate pastoral communication
- Sponsored Ministries
 - Inform ministry leadership as appropriate
 - Address operational concerns and safety
- Public/External Communication
 - Designate spokesperson
 - Protect confidentiality and due process while being as transparent as possible



6. External Fact-Finding Investigation

- Engage an outside, professional investigator to determine the facts of the case.
- The investigation will focus on gathering factual information.
- The findings will be used for the canonical, administrative, and civil processes.
- Preserve all collected evidence and records.



7. Consult External Advisory Group

- Present facts
- Seek recommendations regarding:
 - Credibility
 - Restrictions
 - Treatment
 - Ministry status



8. Communicate with Appropriate Dicastery (If Required)

- Determine whether matter must be referred to:
 - Dicastery for the Doctrine of the Faith

- Dicastery for Institutes of Consecrated Life
- Other competent authority
- Submit required documentation
- Follow instructions from Holy See



9. Interim Administrative Actions

- Meet with the member again to update
- Return to the groups in 6 and communicate again



10. Need for Treatment or Evaluation?

- Determine intervention. Is treatment/evaluation needed?
 - YES → Send member for treatment/evaluation
 - NO → Continue supervision and assessment



11. Develop Wellness Plan

- If formally evaluated, develop a wellness plan in coordination with the treatment facility
- If not formally evaluated, develop a wellness plan in coordination with outside expert on wellness



12. Decision on Return to Ministry

- Consult (where applicable):
 - Leadership team
 - Bishop
 - Canonical counsel
 - External advisory group
 - Treatment professionals
 - Dicastery directives
- Is return to ministry appropriate?

- NO → Continue restricted life plan or move to internal ministry
- YES →
 - Define ministry limitations and step-down process
 - Continue monitoring and supervision
 - Schedule periodic reviews



13. Long-Term Follow-Up

- Annual wellness review
- Compliance monitoring
- Ongoing spiritual and psychological support
- Community and ministry evaluation

Appendix II – Sample Code of Conduct

This sample code of conduct presents model guidelines for pastoral ministry, offered as a possible help to religious communities in developing their own standards for ministerial practice. Originally formulated by Br. Ignatius Perkins, OP and Fr. James Sullivan, OP, it is reproduced here with permission.

Introduction

As members of religious communities and as pastoral ministers in the Church, we are steadfastly committed to protecting children, vulnerable persons, and adults from abuse or misconduct in any form. The profound negative impact of victims and survivors and the falsely accused, and the harm suffered in and by the Church when misconduct is perpetrated by clergy, religious and the laity, have been a cause of great scandal. The commission of misconduct in any form is a grave offense against the dignity of the human person and all humanity. As pastoral ministers our response must be committed to protect and restore the dignity, freedom, and human flourishing of all persons, not only to prevent abuse and misconduct, but also to address allegations of adult misconduct in a way that is pastoral, just, and transparent while at the same time bringing healing and hope to all victims, survivors, and abusers.

Pastoral ministry in the Church has a spiritual and transcendent dimension. It is rooted in the Church's moral tradition, shaped by the religious convictions that come to us through faith in Jesus, and developed by the witness of the saints, theological reflection, the liturgy, and tradition. Pastoral ministry is an integral part of the life of the Church, which is ordered to directing people to God, "who alone is goodness, fullness of life, the final end of human activity, and perfect happiness."⁷ At the same time, the pastoral minister must serve others in a professional manner according to the specialized competence developed in formation

7 Pope St. John Paul II. *Veritatis Splendor* (Rome. Italy: Libreria Editrice Vaticana. 1993), 9.

and be committed to excellence, integrity, and selfless dedication to the community served. The professional ministerial relationship is like a covenant in which persons seeking out the minister entrust themselves in some way to one who has both authority and power over them.

Power in ministerial relationships is ambiguous. It can arouse suspicion and defensiveness when it is associated with coercion and exploitation. Yet, fundamentally, it is the capacity to influence others and depends upon the context and individuals involved. A person has authority who is acknowledged by the community as its representative. In ministry, this comes from Religious Profession and Ordination, commissioning or credentialing (e.g., religious educators, pastoral care directors, spiritual directors). Through the conferral of authority, the minister represents the community of faith, the Church, and even God. Fr. Richard Gula, SS, says, “having authority gives us the right to be heard and heeded in ‘religious’ matters, but it also carries the correlative duty to use our power and authority for the good of the community and not for personal gain.”⁸ Because of the power differential inherent in relationships between a minister and the laity, the primary burden of responsibility for behavior within them always falls on the minister, from the first day of formation until death.

Guidelines For Pastoral Relationships

As pastoral ministers in the Church, we must conduct ourselves in a manner consistent with the discipline, norms, and teachings of the Church. These require each minister to maintain appropriate professional boundaries with all persons of all ages to avoid even the appearance of sexual impropriety, harassment, or abuse of power. If we are to be effective pastoral ministers of the Gospel, our lives must reflect our relationship with Jesus Christ through the evangelical counsels. The following Guidelines for Pastoral Relationships in Ministry are offered to help ministers

8 Richard M. Gula, *Ethics in Pastoral Ministry* (New York: Paulist Press, 1989), 68.

achieve the goal of bringing healing and hope to all persons entrusted to their pastoral care.

1. Pastoral Relationships:

A. Boundaries:⁹

1. Pastoral ministers assume the full burden for setting and maintaining clear and appropriate boundaries in all pastoral relationships, including the location for ministry, the start and end time of appointments, and recognizing transference and countertransference.
2. Pastoral ministers shall read and abide by the ethical standards established by their religious communities, organizations, and the diocese in which they minister.
3. Pastoral ministers are responsible for recognizing the warning signs of boundary violations. Some of these warning signs include:
 - a. finding ways or excuses to be alone with a particular person;
 - b. spending excessive time with the same person;
 - c. receiving personal gifts, including money, which inevitably are associated with often unconscious or unspoken demands or expectations;
 - d. giving gifts or according favors to a person in a pastoral relationship;
 - e. keeping aspects of a relationship with a person secret from others (such as frequency of telephone calls, electronic communication, late night texting, private visits); and
 - f. voiced suspicions by others who have observed the minister engaging in potentially inappropriate behavior with a particular person.
4. A pastoral minister must avoid any situation that

⁹ Thomas B. Drummond, *The Ministerial Counseling Role: Guidelines for Ethical Behavior* (Chicago, IL: The Plains Group, 1998).

might present even the appearance of a conflict of interest between a counselor and a person being counseled.

5. Physical contact in pastoral relationships must be respectful and consistent with the intent to provide a safe and comfortable environment that is clearly differentiated from a social occasion. Pastoral ministers shall be aware that any physical contact can be misinterpreted. Nor can they assume that an individual wants to be touched.
 6. Ministries must always be conducted in appropriate settings at appropriate times, never in places or at times that might cause confusion about the nature of a minister's relationship to the person seeking pastoral care. In physical settings, ministers must avoid unconscious interpretation by either the minister or the one seeking ministry.
 7. Pastoral ministers are responsible for seeking appropriate spiritual or psychological counseling should they find themselves at risk of acting on countertransference or a sexual or romantic attraction to a parishioner, client, counselee or any other person.
 8. Sexual contact by a pastoral minister with another person is a violation of the trust given to the minister in any pastoral relationship. This includes consensual contact, forced physical contact, and sexually explicit conversations not related to counseling issues.
 9. Ministers should avoid swearing or using foul language, vocally or in writing, especially in the presence of those whom they serve in ministry.
- B. Dual Relationships: Dual relationships become problems in pastoral ministry when roles are confused and boundaries are not respected. They do not have to become problems if the minister is:
1. being honest with him/herself;
 2. paying attention to his/her needs;

3. satisfying personal needs outside of the dual relationship through prayer, communal life, and other forms of self-care;
 4. keeping the pastoral role as the primary one in the relationship, and
 5. monitoring the development of the dual relationship, such as through therapy, supervision, and/or spiritual direction.
- C. Friendships Within Ministry:
1. Friendship is an important aspect of human life and flourishing. A minister may experience the temptation to reduce or hide the power gap in a pastoral relationship, leading to treating it as if it were a friendship. This can put him/her at greater risk of unethical behavior. One analysis of styles of pastoral leadership identifies facets of friendship and shows that several conflict with what ministry demands:¹⁰
 - a. Choice – friends choose each other;
 - b. Similarity – friends have certain things in common;
 - c. Mutuality – friends hold certain things in common;
 - d. Equality – friends are equal in power and status;
 - e. Reciprocity – friends give and receive equally;
 - f. Benevolence – friends love the other for themselves and not for utilitarian benefit;
 - g. Knowledge – friends invite truthful self-disclosure;
 2. Ministry correlates with some aspects of mutuality and benevolence: sharing a common baptism and faith; benevolence in the sense of acting in service to our neighbor. But other aspects of friendship are incompatible with a pastoral ministry relationship.

10 Martha E. Storz, *Pastor Power* (Nashville, TN: Abington, Press, 1993), 111-17.

Friendship, as a matter of choice, opens the possibility of exclusion. The minister may legitimately be accused of “playing favorites” within the community of believers. The minister ought to behave in a benevolent way toward those who have sought him/her out for their own benefit. Pastoral counseling or spiritual direction is not reciprocal, the relationship is not one of equal power, and the minister can be effective without disclosing personal, intimate knowledge about himself/herself.

D. Electronic Communications and Social Media:

1. Electronic communications and social media provide valuable ways in which to preach and interact within our society and culture. However, we must remember we represent Christ and the Church as ministers; therefore, our interactions in electronic communications and social media must reflect our vowed life and the Gospel we profess.
2. Ministers must be prudent in their interactions in electronic communications and social media in any pastoral relationship. They must assume all such interactions are always public and may be shared more broadly than they intend. They must also recognize that written communication lacks the nuances and interpretive clues present in face-to-face conversations.

E. Confidentiality:

1. Information disclosed to a minister during the course of counseling, advising, or spiritual direction must be held in confidence. A breach of confidentiality occurs when a minister discloses confidential or privileged information in the absence of compelling professional reasons or as required by law.
2. Ministers must respect the right of all persons to a good reputation, both in the public and private sphere.

2. **Personal Relationships:**

- A. Ministers are responsible for developing resources to meet their own spiritual and emotional needs. They are also responsible for taking care of their own health, to avoid the serious impairment of judgment associated with sleep deprivation, nutritional deficiencies, and an excessive workload. Failures in these areas may render a minister susceptible to boundary violations with others.
- B. Ministers should cultivate friends inside and outside the religious community marked by the attributes outlined in 1.C.1 above. Sometimes these friends may have need for pastoral ministry. The best practice is to direct their friend to another pastoral minister. If they choose to mix a personal and professional ministerial relationship with someone, they are at a greater risk for violating trust. In these situations it is important that the minister reflect on:
 - 1. Which role is dominant for me in this relationship?
 - 2. Whose needs are being met?
 - 3. Self and friends should honestly discuss: How are our roles in the pastoral relationship changing the nature of our friendship?
- C. Ministers are responsible for seeking appropriate spiritual or psychological counseling should they find themselves at risk of acting on a sexual or romantic attraction to a parishioner, client, counselee or any other person.
- D. Consistent with 1.D above, ministers must be prudent in their interactions in electronic communications and social media even with friends; they must assume any such interactions are always public.

- 3. **Use of Electronic Media:** Possessing, distributing, downloading, or intentionally viewing real or virtual pornography is a violation of our vowed life and ethical norms. Ministers who struggle with pornography should disclose their

struggles to the religious superior or pastor, in confidence, to discuss the best means to address the problem and seek professional help, including therapeutic counseling, spiritual direction, and the sacrament of Reconciliation.

4. Responding to Self-disclosure, Allegations, and Evidence of Impropriety:

- A. Ministers shall follow the procedures outlined in the ministerial ethics policies of their religious orders or diocese for reporting unethical behavior for pastoral ministers, staff, and volunteers at their ministry site.
- B. If a minister witnesses evidence of boundary violations or other unethical behavior with an adult or adults by another minister, he should speak directly to the minister and give specific examples of the behavior. Regardless of what the minister's intentions are, the objective behavior is what matters. If there is some question regarding whether the behavior is appropriate or not, the ministers shall discuss the matter with the pastor or administrator. If the behavior is deemed inappropriate or unethical and the minister refuses to change the behavior, the administrator or pastor and/or another minister observing the behavior shall contact the administrator or pastor.
- C. If ministers are told by a third party about possible boundary violations or unethical behavior, they should encourage the third party to speak directly to the minister and offer to accompany them as a witness. If there is some question regarding whether it is appropriate or not, the minister alone shall discuss the matter with the religious superior or pastor. If the behavior is deemed inappropriate or unethical and the minister refuses to change the behavior, the religious superior or pastor and/or the minister observing the behavior shall contact the administrator or pastor.

- 5. Prohibited Interactions and Behaviors:** In order to maintain a safe environment for ministry, the following behaviors are categorically prohibited:
- A. Inappropriate or lengthy embraces.
 - B. Kissing on the mouth.
 - C. Engaging in any physical, emotional, or sexual contact.
 - D. Showing affection in isolated areas such as bedrooms, closets, staff-only areas, sacristies, stairwells, or other private areas.
 - E. Being in bed with minors or adults.
 - F. Tickling or wrestling with minors or adults.
 - G. Holding a minor or an adult on the lap.
 - H. Any type of massage between the minister, minors, and adults.
 - I. Any form of unwanted affection.
 - J. Compliments that relate to physique or body development.
 - K. Taking an overnight trip alone with one or more minors or vulnerable adult.
 - L. Driving alone in a vehicle with one or more minors or vulnerable adults.
 - M. Meeting privately with minors or adults in an area without windows, or where doors cannot remain open.
 - N. Introducing sexually explicit or pornographic topics, vocabulary, or media
 - O. Encouraging minors or adults to possess, use, share, or distribute pornographic materials.
 - P. Photographing minors or adults in a state of undress.
 - Q. Providing alcohol, drugs, or tobacco to minors and adults.
 - R. Being under the influence of alcohol or illegal drugs when supervising or ministering to minors or adults.
 - S. Providing money or inappropriate or expensive gifts.
 - T. Engaging in physical or verbal discipline that frightens or degrades an adult.
 - U. Frequenting places where nudity or inappropriate sexual behaviors are prevalent, i.e., places which by their very

purpose violate the norms of chastity or modesty.

- V. Engaging in physical, psychological, written, or verbal harassment of minors and adults, possibly including:
 - 1. Racial insults or discriminatory practices.
 - 2. Derogatory ethnic slurs.
 - 3. Persecution based on religious beliefs or practices.
 - 4. Disparaging remarks and treatment because of disability.
 - 5. Provoking bullying and ridicule as a result of illegal disclosure of medical information.
 - 6. Unwelcome sexual advances or touching.
 - 7. Sexual comments or sexual jokes.
 - 8. Requests for sexual favors;
 - 9. Display of offensive materials.

The prohibited behaviors enumerated above are intended to apply both to ministerial and non-ministerial settings. However, ministers may encounter exceptional situations (notably, with members of their own families) where a minister's prudent judgment may derogate from strict observance from a few of these norms.

- 6. Guidelines for Positive Behaviors:** Appropriate affection between a minister, a minor, and an adult can constitute a positive dimension of pastoral care. Nonetheless, touching an adult can be misunderstood and must be considered with great discretion. Depending on circumstances, it might be appropriate for a minister to engage in the following positive behaviors with minors and adults:

- A. Verbal praise.
- B. Handshakes.

- 7. Guidelines for Pastoral Counseling:** Ministers offering pastoral counseling to minors and adults shall abide by the following guidelines:

- A. Provide the time and the environment to carefully listen and hear the experiences of those who have been abused by others.
- B. Counseling takes place in the public portion of the organization or ministry site, and never in an isolated area or in a minister's private room.
- C. The office door has a window or can be left open during counseling.
- D. The relationship between a minister and a counselee remains professional, all information is kept confidential, and counseling is kept to a reasonable timeframe.
- E. Personal or physical attraction to or from the adult is recognized and acknowledged, and the counselee is immediately referred to another minister or qualified professional.
- F. Careful boundaries around physical contact are observed at all times; contact is never initiated by the minister.
- G. The sacrament of penance is ordinarily celebrated in the church (or at a place and time designated for this purpose).

8. Guidelines for Electronic Communications and Social Media:

Ministers who are engaged in ministry to minors and adults that involves social media and/or electronic communication (including videoconferencing; chat rooms; email; social media; texting etc.) must follow the guidelines of the diocese or organization where they minister. Where such policies are lacking, unclear, or deficient, the following guidelines should be adopted:

- A. Personal accounts should not be used for ministry communication.
- B. Acceptable hours for electronic communication with adults shall be between 8:00 am and 9:00 pm. Communication shall occur outside these hours only in emergency situations or to communicate time-sensitive information

related to ministry or a ministry-related event.

- C. Neither personal nor ministerial social media accounts shall be used to contact minors or adults. If an adult contacts a particular minister engaged in ministry, a polite reply is permitted, but the minister is not to engage in sustained communication in this manner.
- D. A minor's and adult's personal identifiable information, including photos, email addresses, and videos, may never be posted or distributed without their consent.

9. Other Guidelines for Ministry Planning: When planning or participating in ministry events, ministers shall comply with all policies of the Diocese, their religious community, and organizations where they minister. At a minimum, ministers are to anticipate and comply with the following:

- A. Ensuring all ministry activities have been approved in advance by the religious community or Diocese, and an appropriate administrator.
- B. Communities or parishes must never provide overnight accommodations for adults in community houses
- C. Ministers must report any suspected adult abuse or misconduct (sexual, physical, verbal, neglect, harassment) to the appropriate authorities.

10. Guidelines on Residences of Ministers and Physical Space for Ministry:

- A. Anyone under the age of 18 is not permitted in the actual living spaces of the minister, unless accompanied by a parent or legal guardian.
- B. Unaccompanied minors are not permitted to stay overnight anywhere in residences of religious communities or diocesan rectories.
- C. Space shall be set aside to allow ministers to meet with their families, parishioners, and others whom they serve.
- D. Administrators and pastors have the obligation to enforce these norms.

- E. Physical space for ministry must be arranged as follows:
1. All rooms and offices designated for meeting visitors, counseling, and advising must be located outside the private and common areas of the residence.
 2. Designated rooms and times for meeting visitors and counseling must be posted and distributed.
 3. The furniture in public meeting rooms must be arranged to afford physical barriers between ministers and visitors.
 4. The doors of designated offices, meeting rooms, common rooms, and stairwells must have transparent window panels, which shall not be obstructed.

Final Reflections

Our pastoral relationships with minors and vulnerable adults are both professional and personal. Thus, the definitions and norms describe both ministerial and personal relationships. Pastoral ministers must be cognizant of the high standard of conduct that our ministries demand and that the people around us have a right to expect. We must exercise the utmost prudence in every interaction with others, recognizing always the dignity, freedom, and human flourishing of all those whom we serve and in our role as ministers in the Church.

In our ministries and our conduct, we are guided by our commitment to celibate chastity so that “we do nothing that people might object to, so as not to bring discredit on our work as God’s servants” (2 Corinthians 6:3).

As pastoral ministers, we are bound to respect the human dignity of those to whom we minister, aided by the virtues of charity, compassion, and prudence. Prudence requires special measures in our ministries and conduct with all persons. We accept our responsibilities for establishing and maintaining clear and appropriate boundaries in all ministries and pastoral relationships so that healing and hope can be realized.

Glossary of Terms

1. **Abuse of Power:** The ministers misuse their authority in pastoral relationships or in the course of ministry, either for personal gain or for the benefit of others. This occurs most often in supervisor-subordinate relationships; however, the abused party can also be a supervisor, a co-worker, or someone seeking pastoral care or guidance. An individual in a ministerial relationship may claim abuse of power if they experience the minister as pressuring or obligating them to do something against their will. Therefore, while upholding Catholic teaching at all times, it is important that the minister not force someone to act against his or her sincere judgment of conscience. A proper pastoral procedure attempts to both expand a person's moral capacity by presenting objective moral truth and to maximize a person's strength by encouraging the next step in love toward the full appropriation of the objective norms of morality.
2. **Adult:** A person 18 years of age or older.
3. **Adult Misconduct:** A contact or interaction (physical, emotional, psychological, spiritual, verbal, electronic, written) between adults that violates human dignity, compromises pastoral relationships, confidentiality, violates boundaries, harassment (physical, sexual, verbal), transference, conflicts in relationships, and threats.
4. **Allegation:** A first-person accusation of abuse or misconduct of an adult brought against a current, former, or deceased minister of the community or Diocese, which is reported to the community or Diocese through any form of communication, including from anonymous sources
5. **Allegation – Established:** An accusation of the abuse of an adult that has been substantiated by facts and circumstances, such that there is objective certainty of its truth.
6. **Confidential:** Describes private information which shall be kept restricted and only be disclosed to an authorized person for legitimate reasons or because the disclosure is legally required.

7. Confidential Documents: Documents given confidential status as defined by the religious community or Diocese in its policies and procedures, or as required by canon or civil law.
8. Dual Relationships: Occur when the pastoral minister interacts with another person in more than one capacity. This happens, for example, when a pastor becomes a long-term counselor to someone on his staff, or when a friend comes to a minister for spiritual direction or ongoing pastoral counseling. They become problematic when roles get confused and boundaries are not respected.
9. Electronic Communications and Social Media: Includes (but are not limited to) the activities that take place through online tools and sites such as email, phone conversations, texting, instant messaging, using social media platforms such as Facebook, YouTube, WhatsApp, or Twitter, profiles on social networking sites, blogs, and requesting to be friends or approving friend requests.
10. Harassment: The systematic, continued, unwelcome, and annoying actions, including physical or verbal threats and demands that create an offensive or hostile work environment.
11. Harassment-Sexual: Consists of sexual advances, requests for sexual favors, or “verbal, visual, or physical conduct of a sexual nature or of a hostile nature based on gender, that were unwelcome and pervasive or severe”.
12. High Risk Minister: A minister who has abused a minor and adults in the past and is likely to abuse again if left untreated and/or unsupervised.
13. Member: A minister for whom the religious community or Diocese is responsible according to canon law and the rules of the religious community.
14. Ministry:
 - A. Ecclesiastical Ministry: Any ministry under the authority of a diocesan bishop.
 - B. Public Ministry: Any ministry under the authority of a diocesan bishop, and/or the sponsorship of a religious institute;

15. **Pastoral Relationship:** This is an association, connection, or dealing between a person with a special authority and competence serving in a ministerial capacity and an individual with a religious need. This includes a minister's pastoral relationships in (but not limited to) preaching, teaching, counseling, spiritual direction and guidance, nursing, the Sacrament of Reconciliation, and the celebration of the Liturgy. Pastoral relationships also include service in a supervisory role over others, such as a pastor to a vicar or other members of his staff.
16. **Personal Continuing Care Plan (PCCP):** A formal, written supervision program for a minister who has an established allegation of adult misconduct.
17. **Pornography:** Any representation of a minor or adult, regardless of the means used, involved in explicit sexual activities, whether real or simulated, or any representation of sexual organs for primarily sexual purposes.
18. **Adult Misconduct Review Board:** A group of volunteers with unique knowledge, expertise and experience who provide counsel and recommendations to the administrator or pastor in situations involving the abuse and misconduct of adults.
19. **Report:** A third-party accusation of abuse or adult misconduct brought against a current, former, or deceased minister that is brought to the administrator or pastor, including reports made anonymously.
20. **Risk Assessment:** A prediction of the degree of possibility of re-offense by someone with a known history of abusive behaviors, offenses, and adult misconduct.
21. **Sexual Contact:** The intentionally touching another person's intimate body parts (including genitals) or the clothing covering the immediate area surrounding those body parts. It also includes intentionally touching the erogenous zone of another (this includes, but is not limited to the thighs, buttocks, pubic region, breasts or chest), or being touched by another person in any of these areas for the purpose of sexual

- arousal or gratification.
22. Sexual Exploitation: The sexual contact between a minister and a person with whom the minister has a pastoral relationship, regardless of who initiates the sexual contact.
 23. Social Media:¹¹
 - A. Social Media is defined as any form of electronic communication through which a user creates, utilizes, accesses, retrieves, and/or visits online communities or systems to share information, ideas, personal messages, and other content.
 - B. For the purposes of this Code of Conduct, Social Media is to encompass, but is not limited to, all of the following: email, texting, chat rooms, instant messaging, social networks, video messaging, on-line message boards, gaming systems, landline and mobile telephones, on-line voice communications, etc.
 24. Transference: Occurs when a person redirects some of their feelings or desires for another person onto an entirely different person. In an ongoing ministerial relationship involving spiritual direction or pastoral counseling, the minister can become a metaphor – a stand-in for someone else. Your behavior may be aligned with how the person you are seeing wishes another would have acted toward them, or may remind them of someone else's behavior. For a priest, being called "Father" is an invitation for transference for someone who had issues with their father, and the transference could be positive or negative. Transferences are distortions of reality.
 25. Counter-transference: Occurs when the minister does not recognize transference and treats it as accurate and responds accordingly. For example, an effective minister may elicit such gratitude in the person receiving ministry that the individual cannot contain their enthusiasm and shows it in ways that

11 National Catholic Social Services *Code of Conduct*. (Washington, DC: National Catholic Services, 2018).

may violate boundaries. Acting on the counter-transference as if it were really about you will undermine the effectiveness of ministry and potentially lead to more serious boundary violations.

26. Vulnerable Adult:

- A. Persons 18 years of age and older, with physical, mental, emotional, or behavioral conditions;
- B. Adults with an illness, or situation that renders an inability to defend, protect, or get help when injured or abused;
- C. Individuals whose condition or disability impairs their ability to provide adequately for their own care, including adults who habitually lack the use of reason, along with individuals who have a court-appointed guardian.
- D. The elderly, whose various circumstances might make them susceptible to persons or situations that cause them harm, or individuals who are residents or patients within hospitals, group homes, nursing homes, day service facilities, day activity centers, adult foster-care homes or an adult who receives care services from a licensed home care or personal care service within their own homes.

Appendix III – Reflection Questions/Topics On Community Life

Below is a sample of questions and topics of community life and adult misconduct. They are available to be used for ongoing formation activities.

Spiritual direction:

- What kinds of boundaries support healthy relationships between spiritual directors and their directees?
- In what ways can the relationship between a spiritual director and directee become unhealthy or abusive?

Authority:

- What kinds of boundaries support healthy relationships between members in authority and those who are subject to their authority?
- In what ways can a member's use of authority become unhealthy or abusive?
- In what ways can a member's response to one in authority become unhealthy or abusive?

Ministry privilege:

- What kinds of boundaries support healthy relationships between members and lay colleagues?
- In what ways can relationships between members and lay colleagues become unhealthy or abusive?

Privileged access:

- What kinds of boundaries regarding privileged access to confidential information support healthy relationships within the religious community and/or in the ministry setting (workplace)?

- What kinds of boundaries regarding privileged access to money support healthy relationships in religious life?
- In what ways can privileged access to confidential information or money become unhealthy or abusive for members?

Patterns of relating in fraternal life:

- In what ways have you experienced and/or witnessed bullying/intimidating behavior by confreres?
- Being threatened—explicitly or implicitly—with violence, retaliation, loss of standing, or other negative consequences
- Being publicly shamed, corrected, belittled, or dismissed rather than addressed respectfully and privately
- Being targeted with sarcasm, ridicule, mocking humor, or “jokes” at one’s expense
- Being repeatedly accused—directly or indirectly—of incompetence, disloyalty, bad faith, or inappropriate motives
- Being intentionally excluded from meetings, conversations, or decision-making that directly affect one’s role, responsibilities, or well-being

Passive-aggressive behaviors:

- Gossip or triangulation
- Speaking sarcastically to or about a person
- Withholding information
- Giving the “silent treatment” instead of engaging concerns openly and respectfully
- Experiencing patterns of control, unpredictability, or emotional pressure that create fear, anxiety, or a need to “walk on eggshells”
- Other behaviors you would describe as bullying or in-

timidating?

- What are appropriate or helpful responses toward bullying behavior for one who feels targeted?
- What are examples of appropriate/helpful responses and inappropriate/unhelpful responses for persons who witness or learn of bullying behavior?

Resources

Book VI of the *Code of Canon Law*

Book VI of the *Code of Canon Law* concerns penal sanctions in the Church and was significantly altered in 2021. An overview of the changes can be found in the Holy See’s press bulletin announcing the updates.

CMSM Member Content

All members of CMSM (major superiors and councilors) have the ability to access member content. It contains a series of archived videos and resources on different topics, including safeguarding. A digital version of this resource will be available there.

Penal Sanctions in the Church: User Guide to Book VI

This guide from the Dicastery of Legislative texts provides a “user guide” for delicts not covered in other user guides, such as the *Vademecum 2.0* below.

Tutela Minorum website

Tutela Minorum, also known as the Pontifical Commission for the Protection of Minors, is part of the Dicastery for the Doctrine of the Faith. Despite the name, it concerns itself with abuse of children and adults and was the body that developed the *Universal Guidelines Framework*. It issues annual reports and other documents about safeguarding.

Universal Guidelines Framework

A provisory or “draft” document from Tutela Minorum, this document provides a universal set of guidelines for safeguarding across church bodies. It includes guidelines related to both children and adults, including prevention, protection, and response. It is expected that the document will be revised and permanently incorporated into the Church’s documents on safeguarding.

Vademecum 2.0

This “user guide” is issued by the Dicastery for the Doctrine of the Faith and covers delicts reserved to the DDF. It mainly concerns abuse of minors but also has certain points about vulnerable adults.

Vos Estis Lux Mundi

This *motu proprio* from Pope Francis issues important norms concerning accusations against bishops and major superiors. Once again primarily concerned with abuse of minors, it also has provisions about vulnerable adults.

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