

GENERAL PROCURATOR

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The General Procurator is one of the three major officials of the Order selected by the General Definitory (cf. Const. n° 189).

It is his job to handle the business of the Order with the Holy See, under the direction of the General or the Definitory, as the case may require (Const. 190).

Given that he is our legal representative in the Vatican and should often visit the Secretary of State for the Vatican and the other different Roman Dicasteries or Vatican Congregations, to present a variety of different problems from our friars and nuns that require the attention of the Apostolic See, he is always willing to offer guidance for the most current cases and in this way facilitate the presentation and outcome of the same. You can consult him directly for all juridical cases, of a distinct nature, or to check the procedure to follow:

- for cases of dispensation from the obligations to holy orders and vows, with resignation from the clerical state for priests who are less than 40 years old;
- for priests in danger of death
- for the request of a dispensation from the impediment to enter into a second marriage on the part of a widowed permanent deacon

THE DOCUMENTS THAT ARE NEEDED TO PREPARE A CASE FOR DISPENSATION FROM THE OBLIGATIONS DUE TO PRIESTLY ORDINATION

1. Letter from the priest concerned addressed, in a spirit of humility and penitence, to the Holy Father, with a summary of the principle reasons which have led to his defection and the reasons that prevent him returning in order to overcome the crisis and return to his ministry.

The request will have to be signed in writing by the Party Concerned.

2. A "curriculum vitae" of the priest, together with the most important moments and dates of his life, formation and ministry, which explains and justifies at the deepest level and in great detail the reasons for his crisis and his defection, and make it clear that his defection is irreversible.

(The "curriculum" acts as an introductory "petition" to the case, together with the request for dispensation.

3. A document summarizing all the pastoral attempts implemented by the diocesan Ordinary or by the Major Religious Superior, to prevent the Interested Party from presenting his request for dispensation and the assistance offered him to try and overcome his crisis, return to the right path and take up his ministry again.

4. A document which must show that the Interested Party, who has decided definitively to abandon the priesthood, has been suspended from the exercise of his Orders, -- avoiding all possibility of scandal and saving his reputation--from the moment the request for dispensation has been presented to the Ordinary who had accepted the said request.

5. A decree of the appointment of the examining magistrate to the case as well as the Notary with the obligation to abide by the "basic Norms" of the Congregation for Doctrine and Faith, of October 14, 1980 (AAS., LXXII (1980), pp. 1132-1137).

6. The examination of the Interested Party made by the Judge in the presence of the Solicitor for Oaths and having pronounced the oath to tell the truth, with prepared and relevant questions, above all relating to the period of formation prior to ordination and with a thorough investigation of all that refers, in a particular way, to the reasons provided and indicated in the "curriculum" as reasons for the crisis, the defection and the irreversibility of the same.

7. The examination or declaration of the witnesses who should already have been indicated by the Interested Party, chosen by the examining magistrate: parents and family members of the priest; Superiors and confreres during the period of his formation; present Superiors and companions, etc.

8. If there is some kind of medical psychological, psychiatric or psychoanalytical report, from the period of his formation or present day.

9. A copy of the "scrutinies" prior to ordination and other relevant documents to the Interested Party which can be found in the archives of the house of formation.

10. Personal opinion—summarized by the examining judge of the case and on the opportunity or the usefulness or not of granting dispensation, bearing in mind the reasons advanced during the proceedings and of the personal well-being of the Interested Party, but above all of the good of the Church and the Diocese or the Religious Institute and of the souls that had confided in him during his pastoral ministry.

11. Personal approval of the Bishop or the Major Religious Superior who promoted the process for the case, should be already agreed on the same through the reading of the Acts received from the Judge, should be on the possibility or on the opportunity of a concession from the dispensation and on the absence of scandal in the case where is agreed the same.

12. Personal assurance on the absence of scandal, in the case where the dispensation is agreed to, on the part of the local Ordinary where, in fact, the Interested Party is living since he left the ministry.

13. An authenticated copy of a civil marriage document, where this may be the case or of a declaration of nullity or of divorce, where this may be the case, should be already agreed with respect to the woman or the Interested Party.

NB! The Acts, collected and put together a file and each page numbered, must be verified by a notary and sent, in triplicate, to the Congregation for Divine Worship and Sacramental Discipline; the file should not contain letters that are illegible, and if they are important, they must be typed. The same is true for photocopies that cannot be read.

THE PROCEDURE FOR PETITIONING THE HOLY SEE AND THE ORDER

It is important that when ours nuns make presentation to the Holy See and to the Order that it is well done. This will help the process run more smoothly. For this reason we would like to indicate here the "praxis" or the way to present petitions to the Holy See or the Order, according to the different cases.

I IN GENERAL

1. Address the petitions to the Holy Father with the words: "Most Blessed Father", typed and signed personally by the "oratrix" (the person who makes or presents the petition).
2. Always indicate:
 - a) Name and religious title
 - b) Secular name: Christian name and surname
 - c) City and Diocese of the convent (monastery)
 - d) The protocol number and date of other rescripts that have previously been granted to the same person/s (even those granted many years previously).
3. Send the petitions to Rome in duplicate, written on A4 paper (22 x 28 cms), leaving sufficient space at the end of the petition for the "**recommendation**" of the Procurator General of the Order.
4. The standard fee for the Rescript could be sent together with the expenses of the Secretary, which we leave to the discretion of the communities.
5. The petitions can be sent through our Secretary PRO MONIALIBUS, even the convents that are under the jurisdiction of the local Ordinary. The Secretary will then see that they are presented to the General and that the procedure with the Holy See will be as quick as possible.
6. The petitions must be "recommended" by the Prioress and the Bishop (or the Provincial in the convents that are under the jurisdiction of the Order).

II IN PARTICULAR

1. Transfer of a nun, from one convent to another of the Order. Send together the two Acts of the Chapter of the two convents concerned, plus recommendations by the respective Ordinaries, as well as the personal request of the nun involved.
2. Religious coming from other Institute
 - a) The request from the nun concerned.
 - b) The Chapter Act from the convent that is to accept her, signed by the Prioress and the Secretary.
 - c) The agreement of the Superior General of the former Institute (indicating the Diocese where the General House is situated of the said Institute).
3. Requests for exclaustation:
 - a) The request from the sister concerned (or if the exclaustation had to be imposed, a petition from the Prioress), indicating the reasons.
 - b) A short "curriculum vitae" of the religious concerned, written by the Prioress.
 - c) If the exclaustation is for health reasons, a medical certificate should be sent. Follow closely *Verbi Sponsa*, N° 17, 1-2.

4. Dispensation from solemn vows:
 - a) The request from the sister concerned, which must be for "very grave" reasons, and duly reasoned.
 - b) A brief "curriculum vitae" with details of the religious concerned, and written by the Prioress.
 - c) The personal opinion of the Prioress.
 - d) The opinion of the Council of the Community.
5. Dispensation from temporary vows:
 - a) The request from the Religious concerned, addressed to Fr. General, indicating the reasons.
 - b) Recommendation from the Prioress.
6. Foundations. When it is a new foundation:
 - a) Request from the Prioress of the founding convent.
 - b) Chapter Act of the said convent, assuming responsibility for the foundation, and signed by the Prioress and Secretary.
 - c) Authorization from the local Ordinary where it is to be founded.
 - d) Permission from the local Ordinary of the founding convent.
 - e) A list of the Religious who are going to the new foundation (full name and religious title, with details of their age and profession).