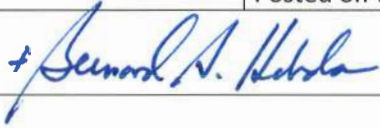




ARCHDIOCESE
SAINT PAUL & MINNEAPOLIS

United in Faith, Hope and Love

Issued Date: 12/15/16	Last Reviewed Date: 12/15/16	Number: 110
Subject: Sexual Abuse of Minors		
Reference:		Distribution Posted on website.
Archbishop Signature: 		

I. Purpose

The purpose of this policy is to promote Safe Environments and provide guidance for addressing allegations of sexual abuse. It is written in accordance with the *Ramsey County Settlement Agreement, Charter for the Protection of Children and Young People*, and the corresponding *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*. This Policy applies to all Clergy, Church Personnel and Adult Volunteers in leadership positions within a parish, Catholic school or the Archdiocese.

II. Definitions

“Adult Volunteer” means an adult volunteer for the Archdiocese or a Parish or School who has regular or unsupervised contact with unrelated minors.

“Archbishop” means the sitting Archbishop of St. Paul and Minneapolis (or the appointed Apostolic Administrator).

“Archdiocese” means that certain corporate entity formed, maintained and existing under Minnesota Section 315.16 with the Minnesota Business Name: “The Archdiocese of St. Paul and Minneapolis”.

“Archdiocese Territory” means the (12) counties of the greater Twin Cities metropolitan area: Ramsey, Hennepin, Washington, Dakota, Anoka, Carver, Wright, Scott, Chisago, LeSueur, Rice, and Goodhue; and those persons outside the geographical territory over whom the Archdiocese has the ability to direct or control.

“Auxiliary Bishop” means any titular bishop assigned to and serving the Archdiocese.

“Board” means the duly constituted serving Board of Directors of the Archdiocese.

“Church Institution” means a non-parish institution that is recognized as Catholic in mission or identity by the Archdiocese.

“Church Personnel” means religious (other than priests and deacons), seminarians, candidates for the diaconate, business administrators, teachers, and employees, as well as volunteers in positions of

leadership within a parish, Catholic school or the Archdiocese. Parish trustees, parish council members, parish finance council members, Catholic school advisory council members, and Archdiocesan finance council members are examples of volunteers in leadership positions.

“Clergy” means any persons ordained – bishops, priests, and deacons - who administer the rites of the Catholic Church.

“Cleric” means a member of the Clergy.

“Code of Conduct” means the Code of Conduct for Clergy, the Code of Conduct for Church Personnel, the Code of Conduct for Adult Volunteers, and the Code of Conduct for Youth Volunteers, as applicable.

A **Credible Allegation** of sexual abuse of a minor means one that is not manifestly false or frivolous and bears a semblance of truth.¹

“Director” means the Archdiocese employee responsible for managing Archdiocese processes for handling allegations of clergy misconduct and for leading the Office of Ministerial Standards and Safe Environment.

“Essential 3” means 1) acknowledgement of the Code of Conduct 2) Virtus, or equivalent, child protection training and 3) a criminal background check.

“Ministerial Review Board” means the advisory, consultative body assembled to advise the Archbishop and his staff regarding clergy misconduct. The Ministerial Review Board may also review and offer recommendations regarding Archdiocese policies and processes relating to misconduct.

“Minor” means anyone who has not reached the age of 18. For the purpose of this policy, “minor” includes a “Vulnerable Adult” as applicable.

“Parish” means a parish within the Archdiocese Territory that is Archdiocese-recognized as Catholic.

“Pastor” means a Parish pastor or a parochial administrator, as the case may be.

“Policies” means the Archdiocese policies relating to the sexual abuse of minors, including the Codes of Conduct.

“Safe Environment Program” means all policies, procedures, and programming that contributes to the protection of minors.

“School” means a primary school or a secondary school within the Archdiocese Territory that is Archdiocese-recognized as Catholic.

“Seminary” or **“Seminaries”** means the St. Paul Seminary, St. John Vianney Seminary, or both.

¹ See Settlement Agreement, section 3.1.b.iii. dated December 12, 2015 between the Archdiocese of St. Paul and Minneapolis and Ramsey County Attorney, Ramsey County District Court File No.: 62-JV-15-1674; County Attorney File No.: 2138749 (hereafter, “Agreement”).

“Sexual Abuse” of a Minor means a physical act of a sexual nature with a minor including sexual touching or penetration. It includes all acts of sexual abuse as defined in Minnesota State Statutes. (*See*, in particular, MN State Statute §§ 609.341, subds. 11 and 12 and 626.556, subd. 1(n))

A **Substantiated Claim** of sexual abuse of a minor means one that is supported by sufficient evidence establishing reasonable grounds to believe that the abuse occurred.²

“Vulnerable Adult” means persons with physical, mental or emotional conditions that render them unable to defend or protect themselves, or get help when at risk of harm.

III. Policy

A. Prevention of Sexual Abuse of Minors

1. All Clergy, Church Personnel and volunteers who interact regularly or unsupervised with Minors must be in compliance with Archdiocesan policies and protocols.
2. The Archdiocese shall continue to provide information in writing to Seminaries, Parishes, and Schools regarding the prevention of abuse, training to identify signs of abuse, statements that the abused are not at fault and encouraging the reporting of abuse.³
3. All those required to comply with the Essential 3 shall complete VIRTUS training or equivalent Safe Environment training within thirty (30) days of the start of service and the Archdiocese shall continue to provide VIRTUS training (or its equivalent) no less than every three years to all Clergy, employees, and Adult Volunteers.⁴
4. All mandated reporters, as defined in Minnesota Statutes, must receive training regarding reporting obligations within thirty (30) days of beginning their employment or volunteer position with the Archdiocese, and then at least every three years thereafter.⁵

B. Procedure for Responding to an Allegation of Sexual Abuse of a Minor by Clergy, Church Personnel or Volunteers

1. All allegations of Sexual Abuse of a Minor shall be reported to law enforcement in accordance with state statutes.⁶
2. Any employee or Adult Volunteer serving the Archdiocese, a Parish or a School, even if not a mandatory reporter under State Statutes, who has reason to suspect Sexual Abuse of a Minor that

² See Agreement, section 3.1.b.iii.

³ See Agreement, section 6.9; *Charter for the Protection of Children and Young People* 2011, Art. 4 (hereafter, “Charter”).

⁴ See Agreement, section 5.21., 5.22; Charter, Art. 13.

⁵ See Agreement, section 6.1.b.

⁶ See Agreement, section 6.1, 6.3.a.; Charter, Art. 4; Essential Norms, n. 11.; *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*, n. 11 (hereafter, “Essential Norms”).

would be subject to mandatory reporting under State Statutes must report that suspicion to law enforcement or child protective services.⁷

3. Clergy, Church Personnel and volunteers who report Sexual Abuse of a Minor to civil authorities shall be required to report the same information without undue delay to the Director. The Director shall then promptly notify the Archbishop or his designee.⁸ Provided, however, information received during the sacramental confession is exempt from this notification requirement.⁹

4. A report to the Archdiocese does not relieve the individual from reporting suspected abuse as required under Minnesota law.¹⁰

5. The Director shall notify or confirm that law enforcement has been notified as required by law and Archdiocese Policies. The Director shall document the notification in writing.¹¹

6. If authorized by law enforcement, and the suspected abuse occurred at or during a Parish/School activity or involves Parish/School personnel or volunteers, the Director shall notify the principal or Pastor of the Parish/School, unless the suspected abuse involves the Pastor or principal, in which case the Director shall notify the Parish or School board of trustees. The Pastor, school principal, or other person in charge of the location should complete written documentation of the report and the actions taken.¹²

7. If the alleged abuse involves an accusation against a Cleric, the accused Cleric shall be notified of the allegation and removed from ministry during the course of the investigation.¹³ Removal from ministry is necessary to ensure the integrity of the investigation, prevent harm, safeguard the names and wellbeing of all persons involved, and for the benefit of the faithful.¹⁴

8. If the alleged abuse involves an accusation against a member of a religious institute, that institute should be notified promptly to the extent possible and permissible.¹⁵

9. If there is an allegation of Sexual Abuse of a Minor involving the Archbishop or any Auxiliary Bishop, in addition to the applicable notifications set forth above, the Director shall within a reasonable time notify the Archdiocese Board of Directors.¹⁶

⁷ See Agreement, section 6.1., 6.3.a. 6.2.

⁸ See Agreement, section 6.3.b.

⁹ See Code of Conduct for Clergy, 8.3.b; Minn. Stat. § 595.02; 1983 Code of Canon Law, canon 983; cf. Code of Conduct for Clergy, 8.2.

¹⁰ See Agreement, section 6.1., 6.3.b.; Code of Conduct for Church Personnel 8.3.b; Minn. Stat. § 595.02; 1983 Code of Canon Law, canon 983; cf. Code of Conduct for Church Personnel, 8.2.

¹¹ See Agreement, section 6.3. b.i.

¹² See Agreement, section 6.3.c., 6.3.c.i; Charter, Art. 7.

¹³ See Charter, Art. 2; Essential Norms, n. 6; 1983 Code of Canon Law, canon 1722.

¹⁴ See Charter, Art. 7; Essential Norms, n. 13.

¹⁵ See Charter, Art. 7; Cf. Charter, Art. 15.; Essential Norms, n. 12

¹⁶ See Agreement, section 6.10.

10. All Credible Allegations of Sexual Abuse of Minors by Clergy will be referred to the Ministerial Review Board. All actions taken relating to an allegation of Sexual Abuse of a Minor by Clergy must comply with the requirements of the Ministerial Review Board.¹⁷

11. The Archdiocese shall provide assistance to Pastors and principals so that they may appropriately respond to media inquiries and provide media response designed to reassure the community that abuse allegations are taken seriously and that the Archdiocese cooperates fully with civil authorities.¹⁸

C. Investigation

1. When the Archdiocese receives a report of Sexual Abuse of a Minor and makes a mandated report to law enforcement pursuant to Minnesota statute, the Archdiocese shall not conduct an internal investigation, and will not interfere in any way with law enforcement until law enforcement concludes its investigation, closes its file without investigation, or authorizes the Archdiocese to take action.¹⁹

2. The Director is responsible to ensure that all internal investigations of allegations of the Sexual Abuse of a Minor by Clergy, Church Personnel or Volunteers are conducted impartially, thoroughly and fairly.²⁰

3. Investigations shall be conducted so as to gather accurate facts and ascertain the truth. Facts shall be considered and analyzed objectively. Actions taken during, and at the conclusion of, the investigation shall be well-reasoned and judicious.²¹

4. If the allegation involves a Cleric, the Director shall request all related written reports from the Seminary, Parish, or School.²²

5. Investigations of allegations of the Sexual Abuse of a Minor by a member of a religious institute shall be coordinated with the religious institute.²³ The Director is responsible to ensure that this coordination occurs.

D. Resolution

1. Allegations of Sexual Abuse of a Minor by non-Clergy shall be resolved in accordance with Justice in Employment, state and federal statutes and other applicable norms.

2. If Credible Allegations of Sexual Abuse of Minors by Clergy are not determined to be substantiated:

- a. The Cleric will be returned to ministry in the same or other suitable assignment, if appropriate, as determined by the Archbishop.

¹⁷ See Agreement, section 7.3.a; Policy #103, "Ministerial Review Board;" Charter, Art. 2; Essential Norms, nn. 4-5.

¹⁸ See Agreement, section 9.1.; cf. Charter, Art. 4; cf. Essential Norms

¹⁹ See Agreement, section 6.4; Charter, Art. 4; Essential Norms, n. 11.

²⁰ See 1983 Code of Canon Law, canon 1717; Essential Norms, n. 6.

²¹ See Charter, Art. 5; Essential Norms, n. 6.

²² See Agreement, section 6.3.d.

²³ See 1983 Code of Canon Law, canon 678.

b. Appropriate steps will be taken to restore the good reputation of the Cleric.²⁴

3. If Credible Allegations of Sexual Abuse of Minors by Clergy are determined to be substantiated:

- a. The Congregation for the Doctrine of the Faith shall be notified.²⁵ If the Cleric has not yet been removed from ministry, the Archbishop shall remove the Cleric from exercising any ministry.²⁶
- b. The final resolution of the canonical process will be deferred until the conclusion of civil and criminal processes, unless more expedited action is necessary.²⁷
- c. If an act of Sexual Abuse of a Minor by a Cleric is established through admission or as a result of an investigation in accord with canon law, the Cleric will be removed permanently from ecclesiastical ministry, and may be dismissed from the clerical state, if the case so warrants.²⁸ A Cleric may at any time request a voluntary dispensation from the obligations of the clerical state (i.e., laicization).²⁹
- d. The Archdiocese, Parish, School, or affiliated entity shall remove photos and any visible honors (such as a plaque honoring that Cleric individually or naming of a building or hall in that Cleric's honor) from public display for each Cleric with Substantiated Claims of Sexual Abuse of a Minor. This does not prevent the Archdiocese from displaying photos of Clerics with Substantiated Claims of Sexual Abuse of a Minor if that photo or the words accompanying it clearly indicate that the Cleric had a Substantiated Claim of Sexual Abuse of a Minor asserted against him.³⁰
- e. If a Cleric seeks assignment, transfer, or residence outside of the Archdiocese Territory, the Archdiocese shall seek permission from the Cleric to make available for review by the receiving diocese, religious community, or organization a complete copy of his Clergy file and any other Archdiocese files materially related to the Cleric. If the Cleric permits review, the Archdiocese shall provide such receiving entity access to the complete Clergy file and any other Archdiocese files materially related to the Cleric. If the Cleric refuses review or limits review of the complete file or any other Archdiocese files materially related to the Cleric, the Archdiocese shall notify the receiving entity that the Cleric refused access or is limiting access.³¹
- f. No Cleric who has a Substantiated Claim of Sexual Abuse of a Minor may be transferred for a ministerial assignment in another diocese or institution. If a Cleric with a Substantiated Claim of Sexual Abuse of a Minor takes up residence in another diocese, the Archdiocese shall disclose to the other diocese the Cleric's status and information concerning the Cleric's Substantiated Claim of Sexual Abuse of a Minor and any other information indicating that he

²⁴ See 1983 Code of Canon Law, canons 220, 1390; Charter, Art. 5; Essential Norms, nn. 6, 13.

²⁵ See *Sacramentorum Sanctitatis Tutela*, Art. 6, 16 (hereafter, "SST"); Charter, Art. 5.

²⁶ See 1983 Code of Canon Law, canon 1722; Essential Norms, n. 6.

²⁷ Essential Norms, n. 11.

²⁸ See SST, Art. 6; 1983 Code of Canon Law, canon 1395 §2; Essential Norms, nn. 6, 9.

²⁹ See Essential Norms, n. 10.

³⁰ See Agreement, section 13.7; Charter, Art. 7

³¹ See Agreement, section 7.4.

may be a danger to Minors.³² The Chancellor for Canonical Affairs is responsible to ensure that this disclosure occurs.

4. Credible Allegations of Sexual Abuse of a Minor by Clergy that are unresolvable or inconclusive:

- a. An appropriate response will be made to the allegations, in consultation with the Ministerial Review Board and the Director.³³ Possible responses or resolutions include, but are not limited to:
- i. Issuance of discipline based on inappropriate conduct not constituting Sexual Abuse of a Minor;
 - ii. Voluntary resignation from office;
 - iii. Involuntary removal from office;
 - iv. Removal or restriction of ministerial faculties;
 - v. Dispensation from, or prohibition of, wearing clerical attire;
 - vi. Transfer of the Cleric to a suitable assignment;
 - vii. Refusal of commendatory letter to exercise ministry outside of the Archdiocese;
 - viii. Requirement to disclose allegation to appropriate parties;
 - ix. Mentoring, monitoring, counseling, or other assistance programs;
 - x. Written warning or rebuke, or penance;
 - xi. Prohibition of contact with specific persons or categories of persons.
- b. The Archdiocese shall not assign a Cleric for a position in public ministry or a position that provides access to Minors who has a Substantiated Claim or pending Credible Allegation of Sexual Abuse of a Minor against him or who is otherwise deemed unsuitable for ministry.³⁴
- c. The Archbishop may take appropriate non-penal actions to restrict public ministry of Clerics under his jurisdiction in order to provide for ecclesiastical discipline, determine the suitability of a Cleric for ministry, or to repair scandal, restore justice, and reform offending behavior.³⁵
- d. Decisions that affect the status or ministry of a Cleric will be issued in writing, and the Cleric will be provided the opportunity to pursue recourse through a canonical process.³⁶

³² Charter, Arts. 5, 14; Essential Norms, n. 12.

³³ See 1983 Code of Canon Law, canons 142 §1, 149, 157; Charter, Arts. 2, 17; cf. Charter, Art. 6; Essential Norms. Arts. 4, 7, 9, 13.

³⁴ See Agreement, section 7.3; Charter, Art. 5; Essential Norms, nn. 6, 8, 9, 12.

³⁵ See 1983 Code of Canon Law, canons 142 §1, 149, 157, 381, 1341; Charter, Arts. 6, 12-13, 17; Essential Norms. Arts., 7, 9, 13.

³⁶ See 1983 Code of Canon Law, canons 47-58; Essential Norms, Art. 13.

E. Disclosure

1. At the time a Cleric is removed from ministry due to a Credible Allegation of Sexual Abuse of a Minor, public disclosure will be made of the following: a Credible Allegation has been received, the allegation has been reported to law enforcement, the Cleric is presumed innocent, and the Cleric has been removed from ministry pending conclusion of the investigation.³⁷
2. The Archdiocese shall disclose any allegation of Sexual Abuse of a Minor to any Diocese, Catholic entity or secular employer who inquires about the existence of any allegation of Sexual Abuse of a Minor with regard to a past or present Archdiocesan Cleric, to the extent disclosure is allowed by federal and state law. The Archdiocese shall also disclose the status or resolution of the allegation as reflected in its records, as allowed by federal and state law.³⁸
3. If an allegation of Sexual Abuse of a Minor by a Cleric is determined to be substantiated, the following, if known, will be disclosed publicly on the Archdiocesan website: name, date of birth, date of ordination, known assignment history, the diocese or religious order, date removed from ministry, current city of residence, and current ministry status.³⁹
4. The Archdiocese shall make public disclosures of Substantiated Claims of Sexual Abuse of Minors by Clerics and pending Credible Allegations of Sexual Abuse of Minors by Clerics that are under investigation. In each case of a Substantiated Claim, the Archdiocese will add the name of the Cleric to the disclosure section of its website. Public disclosures under this paragraph shall be made as soon as reasonably practicable but, in any event, no later than forty-five (45) days after the relevant determination. The Archdiocese will also share this information with the public by issuing and posting a press release on its website.⁴⁰
5. The Archdiocese shall not recommend, and prohibits a Cleric or Archdiocese employee from recommending, an employee for a position that provides access to Minors if the employee has a Substantiated Claim or pending Credible Allegation of Sexual Abuse of a Minor against him or her.⁴¹
6. The Archdiocese shall publish periodically in *The Catholic Spirit* (Archdiocesan newspaper) a statement urging victims of Sexual Abuse of a Minor to contact law enforcement to make a report of the abuse.⁴²
7. The Archdiocese will provide law enforcement in the appropriate jurisdiction with the known residential address of each Cleric having a Substantiated Claim or pending Credible Allegation of Sexual Abuse of a Minor.⁴³

³⁷ Charter, Arts. 5, 7; Essential Norms, nn. 6, 13.

³⁸ Cf. Essential Norms, nn. 12-13.

³⁹ Charter, Art. 7.

⁴⁰ See Agreement, section 9.4; Charter, Art. 7.

⁴¹ See Agreement, section 7.5.

⁴² Charter, Arts. 1, 4, 12..

⁴³ See Agreement, section 13.9.; Charter, Art. 4; Essential Norms, n. 11.

F. Rights of Persons Accused of Sexual Abuse of a Minor⁴⁴

1. Accused Church Personnel and Adult Volunteers shall be afforded due process during the investigation in accordance with Justice in Employment, state and federal law and other applicable norms.
2. During the investigation, an accused Cleric is accorded the presumption of innocence.⁴⁵
3. Appropriate steps shall be taken to protect a Cleric's reputation during the investigative process and restore his reputation if the allegation is determined to be unsubstantiated.⁴⁶
4. The Cleric will be informed of the allegation and encouraged to retain the assistance of civil and canonical counsel. If necessary, the Archbishop or his delegate may appoint and provide canonical counsel for the Cleric.⁴⁷
5. At all times, the Cleric retains his fundamental right to protect his privacy. The Cleric may be requested to provide private or confidential information as part of the canonical process, or to comply with appropriate medical and psychological assessments or care at a facility mutually acceptable to the Archdiocese and the Cleric. Such psychological or medical services will be conducted at no expense to the Cleric and in a professional, dignified manner. Reports of psychological or medical assessments or services will remain confidential and disclosure will be limited to necessary parties and as required by law.⁴⁸
6. The Cleric has the right to protection against self-incrimination. He cannot be compelled to testify or to take an oath prior to testifying during the course of the investigation.⁴⁹
7. The Cleric has the right to review and respond to the allegation prior to the conclusion of the investigation, and to appear in person before the Ministerial Review Board prior to a Ministerial Review Board recommendation as to his fitness for ministry.⁵⁰
8. The Cleric has the right to self-defense.⁵¹ This includes but is not limited to the right to the following:
 - a. Be represented by an advocate or counsel;
 - b. Know the accusation(s);
 - c. Be heard and present evidence and proofs;
 - d. Review evidence and proofs of the case;

⁴⁴ See Essential Norms, nn. 2, 13.

⁴⁵ See Charter, Art. 5; Essential Norms, n. 6; 1983 Code of Canon Law, canon 1321.

⁴⁶ See 1983 Code of Canon Law, canon 220; Charter, Art. 5; Essential Norms, n. 13.

⁴⁷ See Charter, Art. 5; Essential Norms, n. 8.a.

⁴⁸ See 1983 Code of Canon Law, canon 220; Essential Norms, n. 7.

⁴⁹ See 1983 Code of Canon Law, canon 1728 §2.

⁵⁰ See Essential Norms, n. 6.

⁵¹ See 1983 Code of Canon Law, canon 221.

- e. Present a written and oral defense;
 - f. Receive a written decision with the reasons for the decision expressed at least in summary;
 - g. Respond to or challenge the decision, including through a canonical process of recourse.
9. The Cleric will be notified of the results of the investigation.⁵²
 10. The Cleric has the right to basic sustenance, remuneration, and social assistance, consistent with his condition.⁵³
 11. The Cleric has the right to due process carried out without unnecessary delay.
 12. The Cleric may be provided with therapeutic professional assistance, voluntarily and at no cost to the Cleric, during the time of leave, during the pendency of the investigation, and after the conclusion of the process, consistent with his condition.⁵⁴

G. Rights of Those Accusing Clergy or Church Personnel of Sexual Abuse of a Minor⁵⁵

1. All who report allegations of abuse or suspected Sexual Abuse of a Minor have the right to first inform law enforcement. The Archdiocese will provide assistance in identifying the appropriate law enforcement agency if necessary.⁵⁶
2. All who report allegations of abuse or suspected Sexual Abuse of a Minor have the right to make the report to or seek a response from the Archdiocese.⁵⁷
3. All who act in good faith and report knowledge, suspicion, or concern of Sexual Abuse of Minors by Clergy or Church Personnel shall be afforded protection against retaliation.⁵⁸
4. The identity of victims/survivors will be protected from disclosure in so far as possible. The identity of others reporting suspicion of Sexual Abuse of Minors will be kept confidential, in so far as possible. However, anonymity cannot be guaranteed. All who are abused or report abuse have the right to maintain their good reputation and protect their privacy.⁵⁹
5. Anonymous allegations may be made in writing or by calling the victim assistance hotline. Anonymous allegations will be assessed and investigated accordingly.

⁵² See Essential Norms, n. 6.

⁵³ See 1983 Code of Canon Law, canon 281, 384.

⁵⁴ See 1983 Code of Canon Law, canon 384; cf. Essential Norms, n. 7.

⁵⁵ See Charter, Art. 2; Essential Norms, n. 13.

⁵⁶ Charter, Art. 2; Essential Norms, n. 11.

⁵⁷ See Charter, Art. 2.

⁵⁸ See Agreement, section 6.7;; Whistleblower Policy #108; Charter, Art. 7; Essential Norms, n. 13.

⁵⁹ 1983 Code of Canon Law, canon 220; Charter, Art. 7; Essential Norms, n. 13.

6. All who have been harmed by Clergy or Church Personnel have a right to make a report, be heard and respected, and be offered healing assistance, reconciliation, services, and support to the extent appropriate, including spiritual, pastoral, and emotional care.⁶⁰
7. All who are abused or report abuse have the right to request assistance in preparing their report, or to request spiritual and emotional support, from of the Archdiocese. Requests for mental health or other professional assistance may be referred to an appropriate third party or to the Archdiocesan Victim/Survivor Assistance Program.⁶¹
8. No settlement agreement will bind parties to confidentiality, unless this is requested by the claimant.⁶²
9. Persons alleging Sexual Abuse of a Minor should be provided with: (1) an adequate explanation of the Archdiocese's overall process and procedures for dealing with allegations of Sexual Abuse of a Minor, including its policy on reporting to civil authorities; (2) advice that the Archdiocese shall endeavor to conduct its investigation with appropriate discretion and, to the extent possible, protect the privacy and reputations of both the person reporting as well as the person about whom the report was made; and (3) a timely response to inquiries and, as necessary, periodic update(s) as to the status or resolution of the allegation.⁶³

H. Assistance/Pastoral Care of Persons Who Have Been Sexually Abused by Clergy⁶⁴

1. The Archdiocese has partnered with an outside health care agency to provide victim assistance services for those harmed by Clergy Sexual Abuse or other misconduct in ministry.⁶⁵
 - a. This assistance includes crisis response, mental health assessments and referrals, and additional support for counseling or therapy.
 - b. Financial resources are available for professional services for victims/survivors of abuse.
2. The Archdiocese commits to the healing and wellbeing of victims/survivors and their families. In addition to the counseling services available through the outside health care agency, the Archdiocese provides other assistance including spiritual advice or direction upon request.
3. In instances where a claim of Sexual Abuse of a Minor is substantiated, Archdiocese leadership shall meet, if requested, with the victim/survivor or his or her support person(s) as may be reasonably arranged, with due respect for the needs of the victim/survivor.⁶⁶
4. In instances where a claim of Sexual Abuse of a Minor is substantiated, if requested by the victim/survivor, the Archbishop shall, on behalf of the Archdiocese, send a personally signed

⁶⁰ See Charter, Arts. 1-2.

⁶¹ See Charter, Arts. 1-2.

⁶² See Agreement, section 13.6; Charter, Arts. 2-3.

⁶³ See Agreement, section 6.5.

⁶⁴ See Charter, Art. 1.

⁶⁵ See Essential Norms, n. 3.

⁶⁶ See Agreement, section 13.2; Charter, Art. 1.

letter of apology to the victim/survivor in the context of a Minnesota Rule of Civil Procedure 408 settlement communication.⁶⁷

⁶⁷ See Agreement, section 13.3; Charter, Art. 1.