Archdiocese of Saint Paul and Minneapolis Policy

I. Purpose

The purpose of the Clergy Records Policy is to define what records are to be kept regarding Clergy and in what manner. The policy aims to standardize the retention of records, to ensure that a complete record is kept, to not destroy clergy files, and to rightfully protect the privacy of individuals.

II. Definitions

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

“Cleric” means a member of the Clergy.

“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.

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

“Policies” means Archdiocese policies relating to the sexual abuse of minors, including the Codes of Conduct for Catholic Church Clergy, employees, and volunteers.

“POMS Program” (or its equivalent) means the Archdiocese’s internal program for Clergy the Archdiocese desires to have supervised.

“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.

### III. Policy

The Archdiocese maintains Clergy files on all Clerics who are granted faculties to minister in the Archdiocese for more than thirty (30) days, including extern and religious Clergy, whether they are ever incardinated or provided with an official assignment. Clergy files are never destroyed.

Clergy compliance with the Essential 3 requirements is to be documented in the Clergy file and monitored by the Director in an electronic database (CRM). On an annual basis the Director reviews Clergy compliance with the Essential 3 and shall within a reasonable time send a letter of Clergy non-compliance, if applicable, to the board of trustees of the relevant Parish or School where the cleric is assigned.

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 the Archdiocese file materially related to the Cleric. If the Cleric permits review, the Archdiocese shall provide such receiving entity access to the Clergy file. If the Cleric refuses review or limits review of the file, the Archdiocese shall notify the receiving entity that the Cleric refused access or is limiting access.

The Clergy file shall contain the following:

1. Seminary records (if available)
2. Appointment letters and decrees and other assignment records
3. Testimonial letters, letters of good standing
4. Biographical data, sacramental records, funeral arrangements, and last will and testament
5. Psychological and medical records (if applicable)
   a. Any records or related correspondence will be marked “Confidential” and may only be accessed by authorized personnel. A signed release from the Cleric will be included in the file.
6. Material correspondence and memoranda
7. Communications related to the cleric’s ministerial service
8. Legal documents, including immigration records (if applicable)

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1 See Settlement Agreement, section 12.4. 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 and Amendment to Settlement Agreement, section 5, dated July 19, 2016 (hereafter, “Agreement”).
2 Agreement, 12.5.
3 Agreement, 5.6.a.; 12.6.
4 Agreement, 5.6.c.
5 Agreement, 7.4.

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9) Signed acknowledgment form or printed electronic record verifying that the cleric has received, understands, and will comply with the Policies.

10) Safe Environment compliance records, including:
   a. Copies of background checks
   b. Records and certification of safe environment training
   c. Acknowledgment of receipt, understanding, and agreement to comply with the Code of Conduct

11) Records of accusation(s), including any allegation of sexual abuse of a minor

12) Records of any internal investigation

13) Internal memoranda or documentation regarding Clergy misconduct

14) Records relating to review by the Ministerial Review Board

15) Information pertaining to the POMS Program

16) Records of any mandatory report made to law enforcement about the Cleric

17) Civil and canonical legal documents

18) Records of resolution of allegations and investigations

19) Reports from the Cleric regarding any arrest or citation involving conduct that violates the Archdiocese Policies and available, relevant documentation gathered by the Director

Clerics shall be notified in a timely manner of information being placed in their file related to allegations of a) illegal activity, b) violations of the Code of Conduct for Clergy, or c) inappropriate behavior of a serious nature.

Clerics may review their personal file upon request to the Chancellor for Canonical Affairs. File reviews will be facilitated by an Archdiocesan staff member and documented in the file. Information marked “Confidential” will be made available to the Cleric, with the exception that some information may be redacted to preserve the privacy of third parties. Clerics may not remove, alter, damage, or destroy any information in the file. Clerics may submit a written document to be included in the file. Such document may serve to refute, clarify, or give testimony that something exists in the file which the Cleric believes to be factually incorrect or subject to a different interpretation. Clerics may request copies of materials in the file, subject to approval by the Chancellor for Canonical Affairs. Copies will be provided for documents for which the Cleric was the author or the recipient, as well as documents that were publicly distributed or accessible. Documents requested in order to present a defense in a civil or canonical process will be processed accordingly.

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6 Agreement, 4.1, 12.7.a.
7 Agreement, 12.2.
8 Agreement, 12.7.b.
9 Agreement, 12.3.
10 Agreement, 4.3.
11 Agreement, 12.7.d.
12 Agreement, 12.7.f.
13 Agreement, 12.7.c.
14 Agreement, 12.7.g.
15 Agreement, 12.7.h.
16 Agreement, 12.7.e.
17 Agreement 5.14.c.