



ARCHDIOCESE OF SAINT PAUL AND MINNEAPOLIS

CLERGY BULLETIN

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THE MINISTRY OF A PERMANENT DEACON

Reverend and dear Fathers and deacons,

Since 1968, when the bishops of the United States petitioned the Holy See for authorization to restore the permanent diaconate in their dioceses, this local church has been strengthened and enriched by the many devout and competent men who have responded to this unique call.

However, along with the successes, there have been challenges in realizing the vision and purpose of the permanent diaconate. These challenges include questions relating to the identity of the permanent deacon, the means for incorporating the deacon into pastoral ministry, the vocation of marriage as it relates to the permanent diaconate, and the need for better formation of candidates.

This policy, along with the recently promulgated *Pagella of Faculties for Deacon* and *Incardination/Excardination Policy for Permanent Deacons*, is meant to address these challenges. Permanent deacons who are currently in assignments that are prohibited by these policies may remain in those assignments up until their current Ministerial Agreement expires, but no subsequent assignments will be made in contradiction to these policies.

Given at Saint Paul, Minnesota, this 29th day of January, in the year of Our Lord 2013.
All things to the contrary notwithstanding.

The Most Reverend John C. Nienstedt
Archbishop of Saint Paul and Minneapolis

Jennifer Haselberger
Chancellor for Canonical Affairs

I. Assignments

A permanent deacon exercises his ministry under the authority of the Archbishop of Saint Paul and Minneapolis, and within a specific and designated pastoral context.

The pastoral context in which a deacon exercises his ministry is determined by the Archbishop of Saint Paul and Minneapolis, who appoints the deacon to a specific ministerial assignment by means of an assignment letter. The assignment letter specifies the nature of the ministerial assignment, the term or manner in which it is made, and identifies the priest who will be supervising the deacon's assigned ministry. Generally, a ministerial assignment will on average take five to ten hours of the deacon's time per week, to ensure that the deacon has adequate time to devote to his secular occupation and to his family¹.

The appointment and removal of a deacon from a ministerial assignment is the responsibility of the Archbishop of Saint Paul and Minneapolis. The Archbishop may request that the Comprehensive Assignment Board make recommendations regarding the appointment of a permanent deacon, but in all cases the decision to appoint or remove belongs to the Archbishop alone. The principal criteria for making an assignment are the pastoral needs of this local Church and the personal qualifications of the deacon².

Pastors may request that a permanent deacon be assigned to their parishes. Such a request should be made to the Comprehensive Assignment Board.

If he meets the necessary requirements, a permanent deacon may be assigned by the Archbishop of Saint Paul and Minneapolis to a salaried³ administrative or ministerial position at the diocesan or parochial level⁴. However, such an assignment will only be considered a ministerial assignment if the assignment is made by the Archbishop following the provisions listed above *and* the areas of responsibility that the deacon is expected to discharge are proper to the diaconate. The areas of responsibility of such an assignment will be outlined in the assignment letter from the Archbishop. This is necessary to preserve the integrity of diaconal ministry.⁵

With few exceptions, a permanent deacon will not receive a ministerial assignment to his home parish or to the parish or institution at which he has salaried employment.

¹ The permanent deacon and his priest-supervisor may choose to enter into a 'Ministry Agreement' to provide greater specification on the deacon's areas of responsibility. Any such agreement would be between the deacon and priest-supervisor, and would not limit in any way the Archbishop's ability to appoint, remove, or otherwise direct the deacon's ministry.

² *The National Directory for the Formation, Ministry, and Life of Permanent Deacons in the United States*, United States Conference of Catholic Bishops, 2004, #42.

³ Salaried employment refers to any work for which the deacon is compensated beyond what is specified in Section III of this policy

⁴ While the Archbishop makes the assignment, when the assignment is at a parish the parish remains the hiring institution.

⁵ *Ibid*, #48.

While performing the diaconal duties required by his ministerial assignment, the permanent deacon enjoys liability coverage through the Archdiocesan Self-Insurance Program. However, when a deacon receives a salaried ministerial assignment, such an assignment will not be covered under Justice in Employment, but instead will be *ad nutum episcopi*.

II. Salaried Employment⁶

According to the *Directory for the Ministry and Life of the Permanent Deacons*, the secular work of permanent deacons is in some sense linked with their ministry⁷. The *National Directory* specifies that 'the diaconate is lived in a particularly powerful way in the manner in which a deacon fulfills his obligations to his secular occupation, to his civic and public responsibilities, and among his family and neighbors.' Therefore, unlike priests and bishops, permanent deacons are not prohibited from engaging in business or trade, or from holding public office⁸. On the contrary, the deacon is ordained precisely for service in both the sanctuary and the marketplace⁹.

A permanent deacon is not entitled to salaried employment from the Archdiocese of Saint Paul and Minneapolis, its parishes, or its institutions. While a deacon is free to seek salaried employment at a parish or institution of the Archdiocese of Saint Paul and Minneapolis, this employment is separate from his ministerial assignment, as defined in Section I. In the event that the salaried employment involves the discharge of duties normally entrusted to non-ordained members of the faithful it must be clear to both the deacon and the members of the faithful that the permanent deacon is not acting in a ministerial capacity. A permanent deacon does not enjoy liability coverage under the Archdiocesan Self-Insurance Policy except when performing duties required by his ministerial assignment, even when employed by a parish or institution of the Archdiocese of Saint Paul and Minneapolis.

The salaried employment of a permanent deacon is governed by Justice in Employment and the relevant labor and employment laws. The policy *Clerical Dress and Means of Address for Permanent Deacons* should be followed in all cases.

⁶ Salaried employment, as used in this section, is defined as any work that a permanent deacon may be hired or contracted to perform which is not a part of his ministerial assignment, and for which he receives financial compensation. Moreover, salaried employment refers to any work for which the deacon is compensated beyond what is specified in Section III of this policy

⁷ *Directory for the Ministry and Life of the Permanent Deacons*, Congregation for Clergy, 1998, #12

⁸ Deacons of the Archdiocese of Saint Paul and Minneapolis are prohibited by particular law from holding public office.

⁹ *National Directory*, #59.

III. Compensation

The Archdiocese of Saint Paul and Minneapolis has no automatic financial liability to a permanent deacon or to his family, particularly in terms of salary, medical and dental benefits, or retirement.

With the exception of those permanent deacons who are assigned to a salaried administrative or a ministerial appointment made by the Archbishop of Saint Paul and Minneapolis, permanent deacons serve without compensation but are entitled to continuing education, miscellaneous, and mileage allowances. These allowances, along with the Deacon Council dues, are the obligation of the parish or institution where the permanent deacon has his ministerial assignment as defined in Section I.

As of April 1, 2012, the allowances are as follows:

Continuing education ¹⁰	up to \$1,200 per year
Miscellaneous ¹¹	up to \$300 per year
Mileage ¹²	\$.55 per mile
Deacon Council Dues	\$125 per year

Stole fees always become the property of the parish or institution at which the sacrament or sacramental is conferred.

A permanent deacon assigned to a fulltime salaried position at the diocesan or parochial level is entitled to receive remuneration commensurate with the salaries and benefits provided to the lay men and lay women on staff for that particular occupation¹³. If the permanent deacon intends to claim exceptions to this policy, such as by claiming a housing allowance for income tax purposes, that should be factored into his compensation package to ensure that it remains commensurate with those of lay employees of the parish or institution.

IV. Resignation and Retirement

Every permanent deacon ordained for the Archdiocese of Saint Paul and Minneapolis is expected to have a ministerial assignment from the Archbishop of Saint Paul and

¹⁰ Continuing education is defined as relevant vocational training subsequent to ordination, including conference and/or seminar registration fees, retreat fees, and other educational opportunities directly related to the ministry of the permanent deacon.

¹¹ Vestments, books, subscriptions, etc, directly related to the ministry of the permanent deacon

¹² Reasonable and necessary transportation undertaken in connection with diaconal ministry

¹³ *National Directory*, #96.

Minneapolis until for reasons of age or infirmity he is no longer able to fulfill the ministry of the deacon.

Generally, the age at which a deacon may request retirement from his ministerial assignment is 70. However, if reasons of health necessitate it, a permanent deacon may request retirement at an earlier age.

Should circumstances require that the permanent deacon relocate outside of the Archdiocese of Saint Paul and Minneapolis, the *Policy for the Incardination/Excarnation of Deacons* will apply.

Other circumstances, such as financial or family issues, may require that a permanent deacon request a leave of absence from his ministerial assignment. In such cases the deacon should submit his resignation to the Archbishop of Saint Paul and Minneapolis, who will determine whether the resignation should be accepted and, if so, outline the provisions for the leave of absence from diaconal ministry.

If the ministry of a permanent deacon becomes ineffective or harmful because of personal difficulties or irresponsible behavior, the Archbishop may withdraw his ministerial assignment and faculties, in accord with the norms of canon law.

A permanent deacon can be removed from the clerical state through the canonical process of dismissal or through the grant of a dispensation from the obligations of Holy Orders. Once a permanent deacon is removed from the clerical state, the Archdiocese of Saint Paul and Minneapolis ceases to have any financial or other liability for him.

V. Faculties

A permanent deacon receives the faculties of the Archdiocese of Saint Paul and Minneapolis from the Archbishop or his delegate by letter. The faculties of a deacon are as found in the *Pagella of Faculties for Deacons*.

A permanent deacon may have his faculties withdrawn according to the norms of canon law.

VI. Celibacy

The obligation of clerical celibacy affects every deacon, whether married or unmarried. An unmarried man who receives ordination to the permanent diaconate is obliged to maintain 'perfect and perpetual continence, for the sake of the kingdom of heaven'. A married man ordained to the permanent diaconate is obliged to maintain the chastity required of those in the married state, and, should his marriage end, either through death or divorce, he is impeded from contracting another marriage.

In rare circumstances, a deacon who is widowed after ordination may apply to the Holy Father for a dispensation from the impediment of Holy Orders (canon 1087). However,

this dispensation is only granted when the diocesan bishop attests that the ministry of the deacon is truly necessary to the diocese and when the deacon has young children who need the care of a mother. The current practice of the Holy See is to grant a dispensation to permanent deacons who are widowed only in the rarest of cases, and the request will not be considered when these factors are not present.

A permanent deacon who is divorced after ordination, even if he receives a declaration of nullity, is prohibited from contracting another marriage. This prohibition continues for as long as he remains in the clerical state.

When the marriage of a permanent deacon ends because of the death of a spouse or because of a civil divorce, the Church is called on to minister to both the permanent deacon and the other members of his family, including, in the case of divorce, his former spouse. While this may be particularly difficult in the case of divorce, the Church's responsibility to permanent deacons, their wives and families remains, and the entire diaconal community shares in the responsibility to provide consolation, understanding and direction through this painful adjustment.

There is nothing to prevent a permanent deacon who has been widowed from continuing in the exercise of public ordained ministry, provided that he observes the obligation of clerical celibacy.

Canonically, there is nothing to prevent a permanent deacon who is separated or divorced from continuing to exercise public ordained ministry. There are, however, pastoral problems. Since the permanent deacon is a public figure, his exercise of ordained ministry after a separation or divorce may cause some members of the Christian community distress, and thereby limit the effectiveness of the deacon's pastoral ministry. In addition, the permanent deacon often needs time away from ministry in order to adjust to his new situation.

Therefore, as a general rule, a permanent deacon who is divorced will be asked to resign from his ministerial assignment and take a six month leave of absence. During the time of leave, he will be expected to refrain from wearing clerical garb or exercising any of the ministries or functions of a deacon. At the end of the period of leave, the permanent deacon will be asked to meet with the Archbishop or his delegate to determine if a reinstatement of faculties is appropriate. Any subsequent ministerial assignment would be at a location different from those at which he served during his marriage.