

§900 SACRAMENTAL RECORDS

Introduction

The parishes of the Archdiocese are relatively new when considered within the total history of the Church. Yet there are many signs that as a church community we are "coming of age," not just because of the passing of time, but also because of a more mature sense of our identity. It is an identity which is not completely of our own making, but rather one that has been shaped in history. More and more we realize that we are a community of people with a past as well as a present and a future.

Some of the most important sources for understanding this historical identity are parochial sacramental registers of Baptism, Confirmation, Marriage, Death and First Communion. These books are an invaluable record of the people who made up a parish, and collectively the Archdiocese, at a given time. They are of vital interest not only to the Church, but also to countless individuals and even whole communities. Their value is acknowledged in both civil and Canon Law.

The following policy and attendant procedures are based partly on the provisions of Canon Law and Archdiocesan policies, and partly on questions that have been addressed nationally and locally concerning the creation, preservation and use of sacramental records. This policy is meant to provide some practical norms for parish use and is not intended as a complete statement of all the issues raised in Canon Law, civil law and archival practice.

(May 25, 1993)

§901 SACRAMENTAL RECORDS POLICY

§901.1. Ownership

901.1.1. Policy The ownership of all Roman Catholic Sacramental Records for parishes, schools and institutions within the jurisdiction of the Archbishop of Chicago reside with the Archdiocese.¹

§901.2. Delegation to Person in Charge

901.2.1. Policy The Archbishop delegates to the "person in charge" (whether pastor, chaplain or administrator), the responsibility for ensuring that the sacramental records of the Archdiocese are kept in accordance with these policies, Canon Law and attendant procedures.²

¹See Appendix I. "Ownership and Responsibility."

²See Appendix I. "Ownership and Responsibility."

§901.3. Responsibilities of Person in Charge

901.3.1. Policy It is the responsibility of the "person in charge" to ensure the following:

- (1) that sacramental records are properly maintained and kept in accordance with established Archdiocesan procedures and those of Canon Law (C. 535);³
- (2) that sacramental records are clearly and promptly annotated;⁴
- (3) that sacramental records are properly preserved;⁵
- (4) that access to sacramental records is in compliance with accepted Archdiocesan procedures.⁶

§901.4. Inspection

901.4.1. Policy All Sacramental Registers shall be inspected biennially by the area Dean or Vicar and certified as inspected with an appropriate seal, signature and date of inspection.⁷

³See §902 "Procedures for the Creation of Sacramental Records and their Annotations."

⁴See §902 "Procedures for the Creation of Sacramental Records and their Annotations."

⁵See §903 "Procedures for Preservation of Sacramental Records "

⁶See §904 "Procedures for Access to Sacramental Records."

⁷See Appendix I. "Ownership and Responsibility."

APPENDIX I

OWNERSHIP AND RESPONSIBILITY

- 1. Ownership.** Ownership of all sacramental records of parishes, schools and institutions under the jurisdiction of the Archbishop of Chicago rests with the Archdiocese.
- 2. Responsibility.** The creation, preservation and use of sacramental records are the responsibility of the person in charge, whether pastor, chaplain or administrator. (C. 535/1)
- 3. Missions.** A pastor who also has charge of a mission church is obliged to maintain for that church a separate set of sacramental registers.
- 4. Institutions.** Catholic institutions (hospitals, special homes, etc.) that have been granted permission by canonical decree to maintain their own sacramental records shall continue to do so. Persons assigned as chaplains or parish priests with sacramental responsibilities for Catholic or non-Catholic institutions which maintain no distinctly Catholic sacramental registers shall see to it that the reception of the sacraments of baptism and marriage be recorded in the sacramental registers of the territorial parish in which the hospital/institution is located. These sacraments shall not be recorded in the parish to which the priest is assigned if it is not the territorial parish. If a Catholic institution closes or combines with another institution in a manner that precludes the maintenance of specifically Catholic sacramental records, the records shall be discontinued and transferred to the Archdiocesan Archives. All future sacraments performed at that location shall then be recorded in the registers of the territorial parish.
- 5. Delegated Responsibility.** The person in charge may choose to delegate the day-to-day administration of these records to a parish secretary or another responsible person. Only the person in charge, or their chosen delegate, may access or view the sacramental registers. The registers may not be accessed or viewed by other individuals.
- 6. Certification of Registers.** If the person in charge does not personally make entries in the registers, the records shall at least be certified by his/her signature and dated at the foot of each page. All parish sacramental registers shall be inspected biennially by the area Dean or Vicar and certified as inspected with the appropriate seal, signature and date of inspection. A Certificate of Inspection form (provided by the Vice Chancellor for Archives and Records), documenting the inspection shall be sent to the Archives and Records Center by the appropriate Vicar or Dean.
- 7. Non-Transferable.** Under no pretext may anyone take with him/her any parochial books, including sacramental registers, when he/she leaves the parish, school or institution or is transferred to another assignment. Outside of the legitimate access described in §904 *Procedures for Access to Sacramental Records*, neither the originals nor any copies of sacramental registers, nor the data they contain, whether on microfilm or otherwise, can ever be given, loaned or sold to any person or institution without the

§900 *Sacramental Records*

written permission of the Chancellor of the Archdiocese of Chicago or Vice Chancellor for Archives and Records. This permission, if granted, shall specify the conditions for use, duplication and/or publication.

§902 CREATION OF SACRAMENTAL REGISTERS AND THEIR ANNOTATION

§902.1. Registers In General

Required Registers

902.1.1 Policy Each parish shall keep the following sacramental registers: Baptismal, First Communion, Confirmation, Marriage and Death. (C. 535/1, 895) Each sacramental register shall include the name of the parish, the comprehensive dates for the register and shall be indexed. Although computer storage may supplement the registers for reference or statistical purposes, it is not an acceptable replacement for the books themselves.

Permanent Bindings, Paper, Ink

902.1.2. Policy Since the registers are meant for permanent preservation, the bindings and paper shall be of a quality that is considered permanent, durable and acid-free (i.e., non-yellowing). The ink that is used shall also be of a permanent quality. Only black ink shall be used. The best types of inks are those made for art work or India inks (usually found in cartridges). A black ball-point pen is acceptable. Felt-tip pens and pencils are not acceptable.

Accuracy and Legibility

902.1.3. Policy Since the registers are kept for future reference as legal proof (Canonical and civil) of church events, age and/or nationality status, it is necessary that the entries be made promptly, accurately and legibly. For this reason, entries, except for signatures, shall be printed rather than written out in cursive. An inaccurate or illegible record is a great future disservice to the persons involved and to their families.

Corrections, Additions, Deletions

902.1.4. Policy One of the tests for the validity of a record as legal proof is whether it has been officially kept and whether there have been any alterations. For this reason, the proper way to correct a factual error (e.g., a name or date) is to add a notation and not to erase or cross out what someone claims is incorrect. The notation must be based on some written proof of error (this proof should be identified in the notation area). A photocopy should be made of the proof and placed in a permanent folder. This folder is to be maintained by the parish, school or institution for the documentary proof used to change the original entry or to add a missed entry. This folder shall not include regular notations (e.g. Declarations of Nullity and notification of sacraments). In case of a technical or incidental error (i.e., spelling, date out of sequence, etc.) which is obvious to the "person in charge" once it is pointed out, a change in the original entry may be made without the need for the notation or proof. (C. 876) In cases of doubt, the Archdiocesan Archivist shall be consulted.

§902.2. **Baptismal Registers**

In General

902.2.1. Policy The baptismal register shall record the following information for each baptism: the name, date and place of birth of the baptized; the name of the minister of the sacrament; the names of the parents (including mother's maiden name), sponsor(s) and witness(es); and the date of the conferred baptism.

(i) When the parent(s) presents a child for baptism, if they are unknown in the parish, a birth certificate must be presented by the parent(s) in order for the child to be baptized. The information recorded in the baptism registers (birth date, birth place, and parent(s)' name(s)) must agree with the birth certificate. (C. 877)

(ii) Canon Law requires every person to be baptized with a sponsor, insofar as it is possible. Canon Law also requires that there be only one male and one female sponsor. Additional honorary sponsors may be appointed by the parent(s) but should not be recorded in the sacramental register. (C. 872-873)

Routine Notations

902.2.2. Policy The baptismal register serves as the "master record" for a person's membership in the Church. (C. 535/2) Notations concerning other sacraments received later in life are to be entered there: Confirmation, Marriage(s) (including convalidations), reception of Holy Orders, perpetual profession in religious institute, and change of rite. Notations of Declaration of Nullity (and prohibitions on future marriages), laicization and dispensation from vows shall also be entered when requested officially by the appropriate authorities.

Professions of Faith

902.2.3. Policy The names of persons who are baptized Christians and who enter into full communion with the Catholic Church by means of a profession of faith shall be recorded in the parish baptismal register under the date of profession, together with the date and place of baptism of the party, and all other information as required in §902.2.1. *Baptismal Registers In General*, above. (N.B. The names of catechumens shall be recorded in the parish register of catechumens, after the "Rite of Acceptance into the Order of Catechumens," along with the names of the sponsors and the minister and the date and place of the celebration. Once the elect receive the sacrament of initiation, their name shall be recorded in the baptismal register as set forth in §902.2.1. *Baptismal Registers In General*, above, and notations shall be recorded in the confirmation and communion registers.)

Illegitimacy

902.2.4. Policy If a child is born of an unmarried mother, the name of the mother is to be inserted in the baptismal register if there is public proof of her maternity (i.e., a civil birth record) or if she declares this either in writing by a notarized letter/statement or before two witnesses. Likewise, the name of the father shall be inserted in the register if his paternity has been proven either by some public document or by his own declaration before the pastor and two witnesses. If these conditions are not met, the child is to be recorded as being of "Unknown Mother" or "Unknown Father," in Latin "mater ignota" or "pater ignotus." (C. 877/2) It is not permitted to make an annotation that says "Illegitimate." If the father admits paternity after the baptism, he must present a civil document to that effect before his name may be inserted in the register.

Adoption

902.2.5. Policy Baptism shall be postponed until after the child has been placed with the adopting parent(s), except in extraordinary circumstances such as a serious threat of imminent death. This is with the understanding that the postponement will be for a relatively short time only. Baptisms of children legally in the care of same sex partners shall be handled in the same manner.

(i) Children baptized *after* their adoption is finalized.

The following information shall be entered in the register:

- +the Christian name of the child as designated by the adopting parent(s);
- + the name of the adopting parent(s);
- + the date and place of birth;
- + the names of the sponsors selected by the adopting parent(s); and
- + the name of the minister performing the baptism.

A notation shall also be made in the register stating simply that the child is adopted. Baptismal certificates for adopted children issued by the parish will be no different than the baptismal certificates issued for children of natural (non-adopting) parents. The notation of adoption in the baptismal register shall *not* be entered on any baptismal certificate.

(ii) Children baptized *before* their adoption was finalized.

The following notations shall be added to the baptismal registers, but only after the adoption has been finalized:

- + parentheses shall be placed around the names of the natural parents;
- + the names of the adopting parent(s) shall then be inserted;
- + the child's former name shall also be parenthesized and the new name added;
- +parentheses shall be placed around the names of the original godparent(s)/sponsor(s);
- + the name(s) of the new sponsor(s) shall be inserted;
- + a notation, shall be made that the child was adopted, together with the name of the court or agency, date of adoption and case number. The parents must submit adoption papers along with the birth certificate.

Baptismal certificates issued by the parish for these individuals shall give only the name(s) of the adopting parent(s), the child's new legal name, the date and place of baptism, and the name of the priest/deacon who conferred the sacrament. *The name(s) of the sponsor(s) shall not be given and the notation of adoption in the register shall not be entered on any baptismal certificate.*

For future ease in reference after the adoption has been finalized, a baptismal entry for the adoptive child can be made in the baptismal register of the adoptive parents' parish, citing the date and location of the original baptismal record, and listing only the names of the adoptive parents, the date and place of birth. Only the original church of baptism may issue the baptism certificate and record notations. *Parish personnel having valid access to parish registers have an obligation not to disclose to any person any information that would identify or reveal, directly or indirectly, the fact that a person was adopted.*

Supporting Documents

902.2.6. Policy Certain notations in the baptismal register are accompanied by legal documents that serve as evidence and should also be preserved. Examples include adoption documents proving paternity; affidavits concerning previously omitted baptisms; and notarized court and governmental documents concerning name and/or date changes. These items shall never be glued, stapled or paper clipped into the actual register. After the appropriate notations are made, these items shall be kept in a separate file corresponding to each register and page number. The file shall be referred to in the notation. The file shall be kept permanently.

Outside Clergy or People

902.2.7. Policy When a priest or deacon baptizes in a parish church to which he is not assigned, the pastor or person in charge is responsible for the filing of the necessary records. The baptism shall be recorded in the parish where the baptism took place. If the family is registered in a parish other than the one in which the baptism took place, the baptism is to be recorded in the church where the sacrament was celebrated. Only the parish of baptism may issue certificates and record notations.

§902.3. Confirmation Registers

902.3.1. Policy The names of the confirmed, the parents, the sponsors, the minister; the place and date of the conferral of confirmation; and the place and date of baptism are to be noted in the confirmation register of the parish. A notice must also be sent to the church of baptism indicating the name of the recipient; date and place of confirmation; and the name of conferring bishop/dean/pastor so that a notation may be made in the baptismal register. (C. 895)

902.4. Marriage Registers

In General

902.4.1. Policy All marriages (including marriages convalidated) are to be entered in the marriage register. The following items are to be noted: the names of the spouses, the priest or deacon who assisted and the two witnesses, the place and date of the marriage celebration, and any pertinent notation (e.g., date and place of baptism). (C.1121)

(i) In the case of a convalidation, a recent copy of the marriage license is needed. The word convalidation should be noted in the notation section. The pre-nuptial file should be sent to the Office for Canonical Services for a Nihil Obstat prior to the convalidation ceremony. (C. 1156-1160)

(ii) In the case of radical sanation, a recent copy of the marriage license is needed. The marriage register shall list the date of the original marriage and the date radical sanation is granted, with a notation indicating that sanation was granted by the Archdiocese. Radical sanations are issued by the Office for Canonical Services. A note should be made in the baptismal records of each party when radical sanation is granted. It is also necessary to retain the pre-nuptial file permanently in the parish marriage case files. (C.1161-1165)

Notations

902.4.2. Policy The following notations are to be entered in the marriage record: all permissions or dispensations, delegations to assist at weddings, decrees of dissolution or declarations of nullity for previous marriage; and any restrictions on future marriages.

Whenever a rescript is involved, the name of the diocese, congregation, or tribunal, etc., which issues the rescript shall be noted, together with the date and the protocol number if one is provided. (For dispensations from canonical form, see *Book Four, Part I, §400* and *§902.7.1 (ii) Marriage*, below.) The pastor of the parish in which the marriage has taken place must forward this information as soon as possible to the pastor of the parish where each party was baptized (C.1122) or to the Archdiocese for the Military Services, if required.

§902.5. Death Registers

902.5.1. Policy A bound register shall be used as noted in *§902.1.1. Required Registers* and *§902.1.2. Permanent Bindings, Paper, Ink.*, above. Burial permit books do not satisfy the conditions of a permanent register. The registers shall be chronologically arranged by date of parishioner death. It shall include the date of anointing, name of anointing priest and date and place of interment/cremation. Additional information may include name of funeral home, next of kin and cause of death (if known).

§902.6. First Communion Registers

902.6.1. Policy These registers shall be kept and shall include the names of the first communicant and parents as found on the baptismal certificate, the place and date of baptism, and the date of reception of the sacrament.

§902.7. Special Circumstances/Celebrations Outside a Parish Church Building

902.7.1. Policy When sacraments are administered in places other than a parish church building, in accordance with Archdiocesan norms, it is important that the records not be "lost" in an unexpected place and be retrievable for future reference:

(i) **Baptism:** Baptism shall be recorded at the parish whose territory encompasses the location at which the sacrament was celebrated, *unless the place of baptism is a Catholic institution which has received permission from the Chancery to maintain its own sacramental records.*

(ii) **Marriage:** When the wedding takes place according to canonical form, the sacramental records shall be entered and kept at the territorial parish within the boundaries of which the wedding was celebrated, unless the place of marriage is a Catholic institution which has received permission from the Chancery to maintain its own sacramental records. In the case of a wedding celebrated with a dispensation from canonical form, the marriage shall be recorded in two places. (C.1121/3): (1) in the parish of the Catholic party whose pastor prepared the couple for marriage and requested the dispensation (or at least gave permission for another priest to do so); and (2) in the Chancery of the diocese which granted the dispensation from canonical form. The pre-nuptial files shall be kept in the parish where the wedding took place. The priest who requested the dispensation is responsible for sending the usual notification of marriage to the parish of baptism of the Catholic party. He is also responsible for notifying the Chancery which granted the dispensation from canonical form if the marriage *was not* celebrated.

(iii) **Death:** If, as a clergyman, a priest is called upon to preside at a non-Catholic burial, an entry can be made in the parish's death records together with a notation concerning the religion of the deceased and the services which were provided. All Catholic funeral liturgies, even if celebrated outside the church building, shall be entered in the parish death records.

§902.8. Sacramental Certificates (C.535/3)

902.8.1. Policy As an authenticated (i.e., signed and sealed) transcript of the original record, every certificate shall be accurate, legible (preferably printed) and complete (including all notations except in cases of adoption as indicated above in §902.2.5. *Baptismal Registers: Adoption*. The absence of information to fit an item on the printed form shall be indicated by a line or the words "none" or "not given," rather than by leaving the space blank. It is also possible to issue a signed and sealed certificate without adding the notations. Certificates of this kind must be clearly marked with the words "FOR NON-SACRAMENTAL PURPOSES" since they are not sufficient to certify the canonical status of an individual.

§903 PRESERVATION OF SACRAMENTAL RECORDS

§903.1. Storage

903.1.1. Policy Sacramental registers are to be kept in a secure place (e.g., the parish safe) as well as stored and handled in an environment that ensures their preservation. (C.535, pages 4 & 5) Ideally this means a constant cool temperature with a relative humidity of 40% to 50% and no prolonged exposure to sunlight or artificial light. While most parish offices cannot fulfill such precise requirements, steps can always be taken to avoid high temperatures, dampness and direct sunlight.

§903.2. Restoration

903.2.1. Policy Registers that have been worn out by use and age can be rebound and restored, provided this work is done according to archival requirements. Rebinding that destroys any data or renders any part of the records unusable is not acceptable. For these reasons, the Vice Chancellor for Archives and Records shall be consulted before any rebinding or restoration work is undertaken.

§903.3. Copies

903.3.1. Policy Sacramental registers can be protected from loss due to fire, age or heavy use by making duplicate copies in any one of several ways: transcripts, microfilm and digital images. Under no circumstances, however, shall the original register be discarded. For the purpose of providing secure duplicate copies, the Archdiocese has undertaken a diocesan-wide digitization project of sacramental records which includes the periodic updating of the digital images. This project and any other steps taken on the parish level shall be regarded as a means of preservation, not free access or publication. The same restrictions of access apply to copies as to original records. (*§904 Procedures for Access to Sacramental Records*, below). As with original records, no copies of sacramental records or the data they contain, whether on microfilm, digital images or other form, may ever be given, loaned or sold to any person or institution without the written permission of the Archbishop, except for the legitimate access described in *§904.1.*, below. Permission so granted shall specify the condition for use, duplication and publication.

§903.4. Transfer to Archdiocesan Archives/Closed Parishes

903.4.1. Policy The ordinary repository for sacramental registers is the parish that created them. In the event that a parish or institution does not have the facilities or the means to preserve their older books or to handle the volume of research requests, the Archdiocesan Archives and Records Center shall be contacted for a possible transfer of the registers to the Archdiocesan Archives and Records Center. In the event that a parish is closed, the registers and all other parochial records shall be surveyed by the Archives and Records Center staff to determine appropriate retention periods. Sacramental registers shall be transferred by the Archives, after inventory, to the parish which assumes parochial responsibility for the majority of the closed parish's territory. (The Vice Chancellor for Archives and Records, the pastor or administrator of the closed parish and the Office of Research and Planning, shall designate which parish assumes parochial responsibility.) The registers shall remain in the parish that assumes parochial responsibility for three years and then be sent to the Archdiocesan Archives and Records Center which shall assume the responsibility for administering them.

§904 ACCESS TO SACRAMENTAL RECORDS

Preamble

Sacramental records are of a mixed nature: private and public. They are private in that they were created in circumstances presumed to be private and confidential. They are public in that they will stand in civil law as valid and authentic evidence when an appropriate civil record does not exist. They are not "public" in the sense that they are open to immediate examination and inspection by anyone for whatever reason.

Every person has the right to know their status in the Church and to be furnished with an authenticated certificate of his/her own sacramental records. However, these records are not only of value to the persons named in the registers. Research (whether historical, genealogical, sociological, demographic, etc.) is also a valid reason for permitting access to these records, provided that the rules of access protect the legitimate right of privacy of the persons named in the registers. It is the responsibility of the Archdiocese, acting in and through the pastors of the various parishes, to supervise how these records are used, by whom and for what purposes.

The passage of time has a critical effect on the sensitivity of all records. As current events become historical events, the need for withholding them from use is reduced and in some cases, may eventually disappear entirely. For this reason older records may be made more broadly available to researchers, whereas recent records shall be more restricted from use. At present the cutoff date for unrestricted use is December 31, 1925. The norms governing access to sacramental records (whether originals or copies) is as follows:

§904.1. Sacramental Records Up To and Including the Year 1925

<p>904.1.1. Policy All researchers seeking records up to and including the year 1925 shall be referred to the Archdiocese of Chicago Archives and Records Center for access to registers via microfilm. Microfilm copies of all sacramental records up to that date, and most cemetery records, are available for research in the Archives and Records Center. Research directly in registers at the Archives and Records Center or at parishes is expressly forbidden in order to protect the originals from wear, provide proper supervision, and ensure privacy of records that might fall beyond December 31, 1925. These rules are designed to protect the legal rights and the exercise of responsibilities of all concerned, both civilly and canonically. Under no circumstances are sacramental registers to be removed from parish premises.</p>

§904.2. Sacramental Records After the Year 1925

904.2.1. Policy These records are not open to examination.

904.2.2. Policy If a person is seeking his/her own record or has a legitimate reason to request another family member's records, the pastor or authorized parish personnel shall examine the registers and issue the required information either directly or by mail. If the requestor is not known to parish personnel, a signed request with proof of identification (picture ID) is required. If the request is in writing it must be signed and include the name of parents, date of birth and other pertinent information so that there is no doubt that the person requesting the information is entitled to receive it. Genealogical research is only permitted in records prior to December 31, 1925. Records after that date may be accessed only by the person in the record or their next of kin. Next of kin must provide notarized copies of death certificate(s) and birth certificate(s) linking them directly to the person/people in the record. These requests must also include an approximate date of the sacrament as neither the Archives and Records Center nor parishes have the resources to do extensive research. Please see the procedures for requesting genealogical certificates at archives.archchicago.org/sacramen.htm for more detailed information. Death records from the parishes are open for research.

904.2.3. Policy The use of sacramental records for scholarly research may only be done at the Archdiocese of Chicago Archives and Records Center using microfilm/digital copies of registers with permission of the Vice Chancellor for Archives and Records

904.2.4. Policy If because of the age and value of the parish records, the demands of researchers or if the proper care of the records becomes burdensome, the pastor should contact the Vice Chancellor for Archives and Records for a possible transfer of the registers to the Archdiocesan Archives and Records Center where they can be more safely preserved and more easily administered.

§904.3. All Sacramental Records

904.3.1. Policy Parishes should not charge any fees for providing information from sacramental registers. However, a minimum handling fee may be charged for issuing a certificate. (If hardship is claimed, fees should always be waived.)

904.3.2. Policy Requests made by government or corporate agencies (e.g., Social Security Administration, Immigration, insurance companies, etc.) should be accompanied by a signed release by the person whose record is requested (or a legally qualified guardian) authorizing the release of the information.

904.3.3. Policy Subpoenas and other court orders demanding that records be handed over should be accepted, but no records shall be handed over to the server. In cases where the pastor has been served a subpoena, contact the Office of Legal Services before responding.

904.3.4. Policy Certificates issued directly to a parish or other church entity for the purposes of canonical investigation (e.g. pre-nuptial preparation, tribunal, etc.) shall be clearly marked "For Canonical Investigation Only" with a red ink stamp. Certificates issued to a next of kin following the policy stated in §904.2.2 must be clearly marked "For Genealogical Purposes Only" with a red ink stamp. These genealogical certificates should not bear the seal of the parish, school, or institution unless it is needed for legal reasons. In these few cases, the requestor must provide the legal document that requires the sealed certificate (e.g. a completed citizenship application, probate documents, etc.).