

§800 FACULTIES

The following faculties or permissions apply to all priests who are in good standing and who are incardinated in the Archdiocese or who have been approved by the Archbishop to minister within the Archdiocese, even if they may be retired.

In a spirit of trust and in keeping with the principle of subsidiarity, every effort has been made to extend the discretionary authority of priests in the exercise of their ministry.

Whatever special faculties or permissions have been given to pastors apply also to parochial administrators. (c. 540, §1)

These faculties and permissions are effective August 15, 1986 and remain in effect until revoked.

Special Note

The information contained in this section is, in many cases, repetitious of that in previous sections and has been included here for purposes of quick reference. Users are encouraged to consult specific sections for a more complete statement of Archdiocesan Policy and Procedures regarding sacramental matters.

§801 BAPTISM¹

<p>801.1. <i>Faculty</i> To baptize those who are fourteen years of age or older.</p>
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Procedures

- a) Without this faculty it would be necessary to refer such cases to the diocesan bishop. (c. 863)
- b) As a rule, an adult is to be baptized in his or her own parish church. (c. 857, §2)
- c) The sacrament of baptism is not to be conferred in a private house except in the case of necessity. (c. 860, §1)
- d) Those fourteen or older are free to choose the rite in which they wish to be baptized. (c. 111, §2)

¹Also see §100 *The Sacraments of Initiation*.

§802 CONFIRMATION²

802.1. Faculty To confirm at the time they are licitly baptized or admitted into full communion with the Catholic Church those who are seven years of age or older. (c. 883, 2^o)

Procedures

- a) Canon 862 provides that outside the case of necessity, it is not lawful to confer baptism in the territory of another without permission.
- b) A priest who is admitting into full communion with the Church someone seven years of age or older who has already been validly baptized in the Catholic Church but who afterwards, without fault, was brought up in a non-Catholic religion or adhered to it, can administer the Sacrament of Confirmation in the very rite of admission. (Gen. Intro., Rite of Confirmation, n. 7, b; Com. Vat. II Interp., 21 Dec., 1979 (AAS 72:105))
- c) Special mandate must be obtained for a priest to confirm a person who was baptized previously in the Catholic Church but who was not catechized or simply was not previously confirmed (c. 884, §1; Com. Vat. II Interp., 21 Dec., 1979 (AAS 72:105))

802.2. Faculty To confirm those in danger of death. (c. 883, 3^o)

§803 EUCHARIST³

803.1. Faculty To celebrate Mass twice on weekdays for a good reason and three times on Sundays or Holy Days if a pastoral need requires it. (c. 905, §2)

Procedures

- a) A priest should not celebrate more Masses than allowed by this faculty unless extraordinary reason requires it.
- b) Also see §203 *Mass Offerings*, herein.

²Also see §100 *The Sacraments of Initiation*.

³Also see §100 *The Sacraments of Initiation* and §200 *The Sunday Eucharist and Other Liturgies*.

803.2. Faculty To distribute the Eucharist under both species according to Archdiocesan Policies and Procedures. (c. 925; Gen Inst. Rom. Missal, Appendix, n. 242)

803.3. Faculty To appoint auxiliary ministers of the Eucharist for a given particular occasion in cases of genuine necessity. (**Immensae Caritatis**, No. II) (See Policy 204.3.3., herein)

Procedures

Ordinarily, auxiliary ministers of the Eucharist are to receive their mandate from the Director of the Office for Divine Worship and be commissioned at the parish or institution. (cc. 230, §3; 910, §2)(See Policy 204.3.1., herein)

803.4. Faculty To dispense the faithful in individual cases from the Eucharistic fast for a proportionate reason. (cc. 89; 919, §1)

Procedures

A celebrant or concelebrant may consume food or drink between Masses when binating or trinating, even if the subsequent Mass is much later in the day. (c. 919, §9)

803.5. Faculty To organize public processions with the Blessed Sacrament outside of the church especially on the Solemnity of the Body and Blood of Christ (Corpus Christi) when the faithful would be well disposed to such celebrations. (c. 944, §1)

§804 RECONCILIATION⁴

804.1. Faculty To hear confessions of the Christian faithful within the Archdiocese of Chicago. (c. 969, §1)

Procedures

- a) Pastors already have this faculty by law. (c. 967, §2 and 968, §1) It is hereby extended to other priests as well.
- b) In the administration of the sacrament, the confessor, as a minister of the Church, is to adhere faithfully to the doctrine of the magisterium and the norms enacted by the competent authority. (c. 978, §2)

⁴Also see §300 *The Sacrament of Penance*.

804.2. Faculty To hear the confessions of the Christian faithful anywhere in the world, provided the local Ordinary has not refused in a particular case to allow a priest to hear confessions within that jurisdiction. (c. 967, §2)

Procedures

This faculty is contingent upon the grant contained in Faculty 804.1.

804.3. Faculty To hear the confession of anyone in danger of death and to absolve from all sins and censures, even though one lacks the faculty to hear confessions and even if an approved priest is present. (c. 976)

Procedures

- a) This faculty is granted to all validly ordained priests by the law itself.
- b) See Appendix I for further explanation of censures.

804.4. Faculty To remit in the internal or external forum any automatic censure of excommunication or interdict provided that it is not reserved to the Apostolic See and has not been juridically declared.

Procedures

- a) By this faculty one may remit the excommunication attached to the procurement of an abortion (c. 1398) or that attached to apostasy, heresy, or schism. (c. 1364, §1)
- b) This faculty may be exercised anywhere in the world on behalf of those who are members of the Archdiocese or who incurred the penalty in the Archdiocese, and it may be exercised within the Archdiocese on behalf of anyone present here. (c. 1355, §2) A salutary penance should be imposed.

804.5. Faculty To remit in the internal sacramental forum any automatic censure of excommunication or interdict which has not been juridically declared, if it would be difficult for the penitent to remain in a state of serious sin during the time necessary for the competent authority to provide for the matter. (c. 1357, §1)

Procedures

This faculty is granted to confessors by the law itself. In view of Faculty 804.4., the chief application of this faculty would be the possibility of remitting censures reserved to the Apostolic See under the circumstances described and with the obligation of recourse within one month. (c. 1357, §2) An appropriate penance should be imposed and, where necessary, the reparation of any scandal or damage required.

804.6. Faculty To subdelegate to any priest in good standing the faculty to hear one's own confession within the Archdiocese and, if necessary, to empower him with the same faculties that the priest-penitent possesses for the internal forum. (c. 966, §§1-2)

§805 MATRIMONY⁵

805.1. *Faculty* FOR PRIESTS INCARDINATED IN THE ARCHDIOCESE: to assist at all marriages within the Archdiocese when one party is of the Latin rite (or a rite under the care of the Latin rite Ordinary). (cc. 1108-1109)(See Policy 402.1., herein)

- a) All incardinated priests of the Archdiocese, whether they are active or retired and whether they are in parochial or non-parochial assignments, enjoy this general faculty throughout the Archdiocese.
- b) For liceity, this faculty is to be exercised only with the consent of the local pastor or his delegate. Valid subdelegation of this faculty is limited solely to specified marriages within one's own parochial jurisdiction. The norms governing the place of celebration of marriage are to be faithfully observed. (c. 1118, §§1-3; See §404.3. *Place of Wedding*, for the policy of the Archdiocese of Chicago) Norms for subdelegation and the general faculties of pastors may be found under Faculty 805.2.

805.2. *Faculty* FOR PRIESTS WHO ARE NOT INCARDINATED IN THE ARCHDIOCESE: to assist at marriages according to the following norms:

- (1) Pastors of territorial parishes have the faculty by law within their parish boundaries to assist validly at marriages of parishioners or non-parishioners provided one is Latin rite (or under the jurisdiction of the Latin rite ordinary). (c. 1109) For liceity, permission of the proper pastor is required. (c. 1115)
- (2) Pastors of non-territorial parishes or personal pastors can assist validly only at marriages within the limits of their jurisdiction involving at least one of their own parishioners. (c. 1110)
- (3) Associate pastors, by delegation from the Archbishop, have the same faculties for assisting at marriages as the pastor with whom they are assigned. (c. 1111)
- (4) One who does not have a general faculty to assist at marriages (cf. Faculty 805.1.) and who performs a marriage outside his own jurisdiction (if any) must receive delegation from the pastor or associate pastor where the marriage is to take place. This is for validity. (c. 1108, §1)

⁵Also see §400 *The Sacrament of Marriage*.

Procedures

- a) Pastors have the faculty by law to delegate to specific priests or deacons to assist at marriages within their jurisdiction either by special delegation (i.e., for a specific marriage) or by general delegation (i.e., for all marriages). (c. 1111, §1) General delegation must be given in writing. (c. 1111, §2) If he so chooses, the pastor may delegate this power of delegation to other priests. (c. 137, §1)
- b) Associate pastors have the faculty to subdelegate specific priests or deacons to assist at specific marriages. This power may not be further delegated.

805.3. Faculty To dispense from canonical form and impediments solely of ecclesiastical origin, except that of priesthood, those who are in danger of death. (c. 1079, §1)

Procedures

If this faculty is used, the Office for Canonical Services is to be notified within five days so that a proper record can be made. This faculty may be exercised anywhere for members of the Archdiocese and it may be exercised within the Archdiocese for non-members.

805.4. Faculty Whenever an impediment is discovered after all the wedding preparations have been made and the marriage cannot be deferred without a probable danger of serious harm until a dispensation can be obtained by ordinary means from the competent authority, to dispense from all impediments solely of ecclesiastical origin, even public in nature, with the exception of impediments arising from sacred orders or from a vow of perpetual chastity in a religious institute, for marriages which one could otherwise witness validly. (cc. 1080. §1; 87, §2)

Procedures

Telephoning for a dispensation is considered to be an extraordinary means and so is not required. If this faculty is used, the Office for Canonical Services is to be notified within five days so that a proper record can be made. This faculty does not apply to dispensations from canonical form. It can be exercised only within the Archdiocese.

805.5. Faculty To permit marriage between two baptized persons, one of whom was baptized in the Catholic Church or received into it after baptism and has not left it by a formal act, and the other of whom is a member of a church or ecclesial community which is not in full communion with the Catholic Church. (c. 1124)

Procedures

This faculty may be used only in cases in which a record of baptism for both parties is on file and in instances when neither party had previously married, even invalidly.

805.6. Faculty To allow the celebration of a Nuptial Mass for the marriage of a Catholic with a baptized person who is not Catholic, provided the couple request it and circumstances justify it. (Ecumenical Guidelines of the Province of Chicago (1986), n. 111)

Procedures

- a) The Eucharist is not to be administered to non-Catholics except according to the provisions of Canon 844, §3. (See Faculty 810.1.)
- b) Ordinarily, in a marriage between a Catholic and a baptized person who is not Catholic, the Rite for Celebrating Marriage Outside Mass is to be used. In a marriage between a Catholic and one who is not baptized, Mass may not be celebrated. The Rite for Celebrating Marriage Between a Catholic and an Unbaptized Person is to be used.

805.7. Faculty To grant permission to a parishioner for his or her marriage to be celebrated elsewhere. (c. 1115)

Procedures

Marriages are to be celebrated in the parish of either the bride or the groom. Marriages can be celebrated elsewhere with the permission of the proper pastor. Pastors already have the authority by law to give this permission, and it is hereby extended to associate pastors as well.

§806 ANOINTING OF THE SICK

806.1. Faculty To carry the oil of the sick in order to anoint in case of necessity. (c. 1003, §3)

Note: This permission is granted to all priests by the law itself.

806.2. Faculty To bless olive oil or any natural vegetable oil in case of necessity but only in the celebration of the Anointing of the Sick. (c. 999, §2)

Note: This faculty is granted to all priests by the law itself.

806.3. Faculty To administer the sacrament of the Anointing of the Sick in a communal setting according to Archdiocesan Policies and Procedures. (c. 1002)

Procedures

Generally, the communal Anointing of the Sick should not take place at a regularly scheduled parochial Mass of obligation.

§807 CHRISTIAN BURIAL⁶

807.1. Faculty To permit the celebration of the rites of Christian burial, even with Mass, for a non-baptized child if the parents intended to have the child baptized. (c. 1183, §2)

807.2. Faculty To celebrate the rites of Christian burial, even with Mass, for a baptized non-Catholic who might reasonably be presumed to desire or prefer Catholic burial services. To celebrate the rites of Christian burial, but without Mass, for a baptized non-Catholic whose minister is unavailable, provided such arrangement would not be contrary to the will of the deceased. (c. 1183, §3)

Procedures

A decision to have Catholic burial services for a non-Catholic would be appropriate where the non-Catholic party worshipped regularly at the Catholic church or identified with the Catholic church more than any other. It would not be appropriate if the deceased were an active member of a non-Catholic Christian church, unless a minister of that church was unavailable. This determination should be made in consultation with family members.

§808 PREACHING

808.1. Faculty To preach everywhere with at least the presumed consent of the rector or a church unless restricted by the competent Ordinary. (c. 764)

Procedures

- a) Pastors or administrators have a responsibility to see that the Word of God is preached with integrity. (c. 528, §1) It is to be noted that the homily within Mass is to be given only by a priest or deacon. (c. 767, §1)
- b) To preach to religious in their own churches or oratories requires permission of the superior who is competent in accord with the norm of their constitutions. (c. 765)
- c) Preaching in ecumenical and inter-faith settings is covered in Faculty 810.3.

⁶Also see §700 *The Order of Christian Funerals*.

§809 OTHER POWERS OF DISPENSATION

809.1. Faculty To dispense in individual cases for a just reason from observing the Sunday or Holy Day obligation or to commute this obligation to other pious activities. (c. 1245)

809.2. Faculty To dispense in individual cases for a just reason from the observance of penitential acts or to commute this obligation to other pious activities. (c. 1245)

809.3. Faculty To dispense from or commute any private vow or promissory oath for a just reason provided this does not harm any acquired rights of others. (cc. 1196, 1^o, 3^o; 1203)

Procedures

Pastors already have these faculties by law. They are hereby extended to all priests enjoying the faculties of the Archdiocese. They may be exercised anywhere for members of the Archdiocese and they may be exercised within the Archdiocese for non-members.

§810 ECUMENICAL RELATIONS

810.1. Faculty To administer the sacraments of Eucharist, Penance, and Anointing of the Sick to members of the oriental churches and members of other churches which in the judgment of the Apostolic See are in the same condition as the oriental churches as far as these sacraments are concerned, when they spontaneously ask for these sacraments and are properly disposed. (c. 844, §3)

Procedures

This concession is given by the law itself. Respect should be shown for the policies of the oriental churches, which may be more restrictive.

810.2. *Faculty* To administer the sacraments of Eucharist, Penance, and Anointing of the Sick to other Christians who do not have full communion with the Catholic Church who are in danger of death, when their own minister is lacking and they spontaneously ask for them, provided they are properly disposed and manifest the Catholic faith toward these sacraments. (c. 844, §4)

Procedures

This concession is given by the law itself. To administer the same sacraments other than in danger of death requires the prior judgment of the diocesan bishop that a grave necessity exists. (c. 844, §4)

810.3. *Faculty* With the consent of the authorities of the community concerned, to preach or act as reader during the official worship of other faiths or communions, except the celebration of the Lord's Supper or the principal Sunday Service of the Word; and to invite members of other communions to preach or act as reader during a Catholic non-eucharistic service, under the same conditions. (Ecumenical Directory, I, n. 56; Statement by Bishops' Committee for Ecumenical and Interreligious Affairs, "On Sharing of Pulpits," June 22, 1972; Ecumenical Guidelines of the Province of Chicago (1986), n. 41)

Procedures

Ecumenical and inter-faith sharing in prayer (i.e., vespers services, Bible services, etc.) is permitted, even encouraged. Pulpit sharing at a Mass or principal Sunday Service may be very appropriate on occasion, but is to be an exceptional occurrence. For that reason the law requires that a special dispensation be obtained in each case.

APPENDIX I**A Brief Examination of Censures**

There are various kinds of censures: excommunication, interdict, or suspension. These censures can be incurred automatically (latae sententiae) or they can be imposed after a canonical process (ferendae sententiae). In addition it happens very rarely that the Church "declares" an automatic censure, i.e., the Church publicly draws attention to the fact that someone has incurred an automatic penalty.

Most censures that a confessor will deal with are automatic censures which have never been declared by the Church. Chiefly these would be the excommunication attached to the procurement of an abortion (c. 1398) or the excommunication attached to apostasy, heresy, or schism . (c. 1364, §1) By reason of these faculties of the Archdiocese, any confessor can absolve from these penalties.

I. Automatic Excommunications

Automatic excommunication is attached to the following offenses:

1. Apostasy, heresy, or schism. (c. 1364, §1)
2. Procuring an abortion. (c. 1398)

Automatic excommunication reserved to the Apostolic See is attached to these offenses:

1. Desecration of the sacred species (c. 1367);
2. Physical violence against the pope (c. 1370);
3. Attempted absolution of one's accomplice in a sin of impurity (c. 1378);
4. Unauthorized episcopal consecration (c. 1382);
5. Direct violation of the seal of confession (c. 1388).

An excommunicated person is forbidden:

1. To take any ministerial role in the Eucharist or any other act of public worship;
2. To celebrate the sacraments or sacramentals or receive the sacraments;
3. To discharge any ecclesiastical offices, ministries or functions, or to place any acts of governance. (c. 1331, §1)

II. Automatic Interdicts

An automatic interdict is attached to these offenses:

1. Physical attack on a bishop (c. 1370, §2);
2. Attempted celebration of the Eucharist by a lay person (c. 1378, §2, 1°);
3. Attempted hearing of a sacramental confession or conferral of sacramental absolution by a lay person (c. 1378, §2, 2°);
4. Falsely accusing a confessor of solicitation (c. 1390, §1);
5. Attempted civil marriage by a cleric or by a religious in perpetual vows (c. 1394, §§1-2).

By reason of these faculties of the Archdiocese, any confessor can absolve from these automatic interdicts.

A person under interdict is forbidden:

1. To take any ministerial role in the Eucharist or any other act of public worship;
2. To celebrate the sacraments or sacramentals or to receive the sacraments. (c. 1332)

III. Suspensions

The special faculties given to confessors in the Archdiocese of Chicago do not apply to suspensions of clerics, either automatic or imposed by competent authority.

IV. Recourse

In view of the extensive faculties granted for the remission of automatic censures (cf. Faculty 804.4.), the probability of having to make recourse on behalf of a penitent is very slight. In those cases the Office for Canonical Services may be consulted for advice.

APPENDIX II

Liturgical Faculties for Deacons

1. To proclaim the Scriptures to the faithful; to teach the faithful after consultation with the pastor and his approval; to preach when the deacon is the presiding minister of a sacrament or liturgical rite; to preach at Eucharistic liturgies, with the approval of the pastor.
2. To administer the Sacrament of Baptism at the request of the pastor.
3. To distribute Holy Communion at Mass and to bring communion to the sick and dying, at the direction of the pastor.
4. To be the official witness for weddings, with proper delegation.
5. To assist in the liturgy of the Eucharist; to carry out with the priests of the parish the various liturgical roles in service at the altar (with proper liturgical dress); to preside at funeral and burial rites (liturgical wake services, non-Eucharistic funeral services, and cemetery services); to be of help to the pastor and priests of the parish in their assigned duties.
6. To be the minister of Exposition and Benediction of the Blessed Sacrament and to conduct non-Eucharistic liturgical services.