

Appendix I

Directory of Terms

Administrative Act: the Bishop may act in the best interest of the Church, while remaining within the confines of canon law; certain actions, most especially those that may negatively impact ones position within the Diocese, require that action be taken in writing, and transmitted to the effected party. A party has a right to recourse consistent with canon law regarding the act of the Bishop.

Affected Volunteer: An *Affected Volunteer* is a lay person giving of their time voluntarily without compensation to a ministry of the church who has a defined position of specified duty, leadership or recognized position of authority/responsibility with oversight of activities or places where minors are present. This designation means that the person must fully comply with all the screening and SET requirements. Not all volunteers are “Affected Volunteers” for the purpose of this policy. (Anyone regularly engaged in activities with children is automatically included.) Others would include ushers, extraordinary ministers of Holy Communion, lectors, instructors, and chairpersons of various church committees (but not necessarily committee members). Example: The chairperson for the annual bazaar would be included but not everyone volunteering to help. However, the persons in charge of the child care becomes affected by the guidelines. The pastor or supervisor of the church organization or entity has the authority and responsibility to determine the status of a volunteer to determine if they are subject to this policy. In general if there is a question the preferred choice is to include the volunteer in the requirements.

Arizona Statutes: <http://www.azleg.state.az.us/ars>

Arizona Statute 13-3620: Duty to report abuse, physical injury, neglect...Full text can be located at the following website: <http://www.azleg.state.az.us/ars/13/03620.htm>

Arizona Sex offender website: <http://www.AZSEXOFFENDER.ORG>

Chancellor: a person stably appointed to oversee the care and organization of diocesan records, as well as notarize documents when necessary. Other duties may be assigned such as serving in an oversight position in various administrative processes (cc 483-4)

Charter for the Protection of Children and Young People and Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons: In June 2002, the United States Conference of Catholic Bishops created a document stating their commitment to ensure that the sexual abuse would not happen again. The *Charter* provides a framework for the *Essential Norms*, a set of guidelines created for dioceses in the United States to complement canon law regarding any sexual abuse of minors by cleric.

Code of Canon Law: body of universal laws that govern the Latin Rite of the Catholic Church

Congregation for the Doctrine of the Faith (CDF): Dicastery (office) of the Holy Catholic Church that addresses matters of the faith, also directs a bishop on how to proceed with grave delicts, including cases of sexual abuse of a minor.

Decree: decision of a Bishop made in writing in virtue of his executive, judicial or legislative power.

Delict: a criminal act in the Church, subject to canonical action

Office of Safe Environment: created to assist the Diocese of Gallup with the implementation of the *Policy and Procedures for the Protection of Children and Youth* in accord with the *Charter for the Protection of Children and Young People* and *The Essential Norms*. The Director of the Office of Safe Environment receives allegations of sexual misconduct with minors, coordinates pastoral outreach to affected individuals and communities, assists in the continued development and training of all employees and volunteers, and maintains responsibility for the ongoing administration of the Office of Safe Environment.

Ecclesiastical office: stable positions in the Church exercised for a spiritual purpose. At the diocesan level, these offices include the diocesan bishop, vicar general, judicial vicar, Episcopal vicar, chancellor, finance officer, promoter of justice, judge, investigator, notary, and dean. At the parish level, these officials include the pastor and the parochial vicar.

Emotional abuse: parent, guardian or custodian demonstrates behavior which is likely to have the effect of terror, rejection, isolation, humiliation or debasement of a child. Child is exhibiting severe anxiety, depression, withdrawal or untoward aggressive behavior which could be due to serious emotional damage by a parent, guardian, or custodian which can only be diagnosed by a medical doctor or psychologist.

Essential Norms: a document created by the United States Conference of Catholic Bishops. This document ensures that each diocese and eparchy will have policies and procedures in place to respond promptly to all allegations of sexual abuse of minors by diocesan and religious priests or deacons. This is particular law (mandatory) for all dioceses.

Faculties: permissions granted to a cleric to serve the People of God, such as permission to witness a marriage, act as confessor, or to administer confirmation.

Investigator: the person appointed by the Bishop or a judge to gather evidence in a case concerning the public good, i.e. criminal or marriage cases.

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Minor: a person who has not reached full legal age (18 years old). For the purpose of training requirements and youth volunteer status, the term “minor” also includes a person who is of full legal age, enrolled in High School and is declared as a dependent on the parents most recent federal income tax form. For this policy definition extends to those persons who habitually lack the use of reason is to be considered equivalent to a minor.

New Mexico Statutes: <http://www.nmonesource.com/nmnxtadmin/nmpublic.aspx>

New Mexico Statute 32A-4-2: definitions full text at http://law.justia.com/codes/new-mexico/2006/nmrc/jd_32a-4-2-d505.html

New Mexico Statute 32A-4-3: every person who knows or has reasonable suspicion of child abuse or neglect shall report the matter immediately to....full text at http://law.justia.com/codes/new-mexico/2006/nmrc/jd_32a-4-3-adad.html

New Mexico Sex Offender website: <http://www.nmsexoffender.dps.state.nm.us/>

Physical Abuse: impairment of a minor’s physical condition and includes any of the following: skin bruising, pressure sores, bleeding, failure to thrive, malnutrition, dehydration, health or welfare, burns, fracture of a bone, subdural hematoma, soft tissue swelling, injury to any organ, and any physical condition with imperils.

Peer-Leader: a minor (12-17 years of age) who is given a role of leadership of other minors in association with adult leaders. This is a position with defined responsibilities and accountability to the adult leaders.

Preliminary investigation: the investigation required by canon law. Once initiated through a decree, this process is used to gather evidence and to make the determination as to whether initiating a trial is necessary. The preliminary investigation must be brought to a conclusion through a decree, and either led to exoneration, administrative action, or a trial.

Promoter of Justice: The promoter of justice functions as the prosecutor of a penal case (Canon 1430). Like a plaintiff in a contentious case, the promoter brings the action, educes evidence, argues the case, and appeals if necessary. The promoter’s duty is to seek justice, and his/her concern is the public good. The promoter is not to prosecute if he/she decides there is no basis for the prosecution. The Promoter of Justice is to be consulted prior to the citation of the accused regarding the placing of the accused on “administrative leave”. The Promoter of Justice attends Review Board meetings and offers canonical advice; however has no voice in the Review Board’s determinations and recommendations.

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Sexual Abuse: intentionally or knowingly engaging in sexual conduct or conduct with a minor who is under the age of eighteen years of age. Abuse shall include inflicting or allowing sexual abuse, sexual conduct with a minor, sexual assault, molestation of a child, commercial sexual exploitation of a minor, sexual exploitation of a minor, incest, or child prostitution as detailed in the Arizona Revised Statutes and New Mexico Statutes.

Safe Environment Training or SET: is a general term used in this document to designate education processes designed to increase the awareness of individuals about the risks to children from many sources and how to respond. It also includes education for children to encourage them to be alert for inappropriate behavior of adults and how to seek help. This term includes both initial and various on-going or renewal education on the subject.

Vicar General: Vicar General/Moderator of the Curia is an appointed priest who, under the authority of the Bishop, is to coordinate those things which pertain to the treatment of administrative affairs and to take care that the other members of the curia properly fulfill the office entrusted to them (CC 473 §2). In cases concerning the sexual abuse of minors, the Vicar General/Moderator of the Curia works in conjunction with diocesan officials to conduct a fair investigation, to disseminate the information through various officials to the community, and to ensure that all policies and procedures are in accord with canon law, civil law and various Church norms.