

# I

## STANDARDS OF MINISTERIAL BEHAVIOR

### I.

Those involved in any form of ministerial service in the Diocese of Camden must always perform their ministry in accord with the teachings and values of the Roman Catholic Church as enunciated by the Bishop. These *Standards* provide a set of principles for conduct in certain pastoral situations. They are not intended to, and they do not, confer any rights on any individual; they are, rather, offered to those who provide ministerial service to assist them as they work with the Church in the fulfillment of its salvific mission.

### II.

The conduct of those involved in any form of ministerial service can inspire and motivate people, but it can also scandalize and undermine the people's faith. Those involved in ministerial service must, therefore, at all times and in every situation, be aware of the responsibilities that accompany their work, and pray for God's grace to support them in their ministry.

Those involved in any form of ministerial service are responsible for their spiritual, physical, mental and emotional health, and they should be aware of warning signs that indicate potential problems in these areas. They should also seek help immediately whenever they notice behavioral or emotional warning signs in their own professional and/or personal lives. In addressing their spiritual needs those providing ministerial service should consider support from a spiritual director, which is recommended.

Responsibility for adherence to these *Standards* rests with the individual, and those involved in ministerial service to whom they are applicable who do not comply with the *Standards* are subject to disciplinary and/or remedial action.

### III.

Those involved in the ministerial service of providing mental health counseling

- Shall not step beyond their own competence and training, and they are to familiarize themselves with resources to deal with situations that they themselves might not be able to address.

- Shall not, except in the most imperative or emergent situation, provide any form of guidance or mental health counseling to anyone with whom another relationship of any kind exists, or has existed in the past. The advice of another professional is to be obtained as soon as practical in regard to the continuation of such guidance or counseling.

- Shall not audiotape or videotape any session with one who is being provided mental health counseling. However, a counseling session which is provided under the direction of Catholic Charities by an intern who is acting under the supervision of a licensed practitioner and who is studying to become a mental health provider in an accredited graduate-school program may be audiotaped or videotaped provided: [1] the Catholic Charities supervisor of the graduate intern has approved such taping, [2] the client has consented in writing to such taping (and in situations where a minor is to be counseled or is to be present at a counseling session the minor's custodial parent(s) or guardian has consented in writing to such taping), [3] the tape of the counseling session will remain in the custody and possession of Catholic Charities except for review and critique by the intern's teachers and provided it is returned to Catholic Charities within four days, and [4] no later than fifteen days after the counseling session the tape of such session shall be destroyed and no copy shall be retained by any individual or entity. Regardless of whether a counseling session has been audiotaped or videotaped, a log of the times and places of each counseling session is to be maintained. However, counseling is not to be provided by an intern to a victim of sexual abuse; nonetheless, if a client is being provided counseling for a reason other than sexual abuse, and in the course of that counseling sexual abuse is uncovered, the client shall be provided the option to continue counseling with the intern.

- Shall not engage in sexual intimacies or exploitative behavior of any type, kind, nature or description with the persons to whom they are expected to provide mental health counseling, and this prohibition extends to consensual activity, and inappropriate or suggestive sexual comments.

- Shall not have any type of relationship, or engage in any activity, with those individuals who are close to those being provided mental health counseling - such as relatives, business associates or friends of the client.

- Shall assume the full responsibility for establishing and maintaining clear, appropriate boundaries in all of their ministerial service.

Since their ministry is to the client as part of their participation in the mission of the Church, they shall not exploit any client, or the relationship with a client, for any reason whatsoever at any time including after the provision of counseling has ended. Furthermore, physical contact of any type - including but not limited to touching, hugging or holding - with those being provided mental health counseling is impermissible.

Meetings and sessions with those being provided mental health counseling are to be conducted in appropriate settings at appropriate times and should not be held at places or times that could tend to cause any misunderstanding or confusion about the nature of the relationship for anyone.

No session is to be conducted in private living quarters.

### *CONFIDENTIALITY*

Information disclosed to those involved in the ministerial service of providing mental health counseling shall be treated as completely confidential and shall be held in the strictest confidence possible.

Those providing the ministerial service of mental health counseling are to discuss the issue of confidentiality and its limitations with each person prior to the commencement of the counseling. The client is to be advised that information will not be kept in confidence which would present a serious danger of imminent harm to the individual or any other person, which involves child abuse, or which evidences an intent to commit a crime.

Communications which are made within the context of a professional relationship to individuals such as a physician, a lawyer, a psychologist, a newsperson, a marriage counselor, a licensed social worker or one who counsels victims of violence are generally protected - by law - from compelled disclosure. However, the privileged nature of such communications is not applicable when information is disclosed that indicates that there is an imminent danger of serious harm to anyone—either the person disclosing the information or someone else.

Notwithstanding these observations concerning confidentiality, it needs to be borne in mind that communications made to a priest “as a spiritual advisor” or in his “professional character” are unique in both canon and civil law. The applicable New Jersey statute states that:

*Any communication made in confidence to a cleric in the cleric’s professional character, or as a spiritual advisor in the course of the discipline or practice of the religious body to which the cleric belongs or of the religion which the cleric professes, shall be privileged. Privileged communications shall include confessions and other communications made in confidence between and among the cleric and individuals, couples, families or groups in the exercise of the cleric’s professional or spiritual counseling role.*

Knowledge that arises from professional contact may be used in teaching, writing, homilies or other public presentations only when effective measures are taken to absolutely safeguard the identity of any individual disclosing information, any

identifying information of any kind as to such individual, and the confidentiality of the disclosure.

#### IV.

Those involved in the ministerial service of providing spiritual direction

- Shall not step beyond their own competence and training, and they are to familiarize themselves with resources to deal with situations that they themselves might not be able to address.
- Shall not, except in the most imperative or emergent situation, provide any form of spiritual direction to anyone with whom another relationship of any kind exists, or has existed in the past. The advice of another individual experienced in the provision of spiritual direction is to be obtained as soon as practical in regard to the continuation of such spiritual direction.
- Shall not audiotape or videotape any session with one who is being provided spiritual direction.
- Shall not engage in sexual intimacies or exploitative behavior of any type, kind, nature or description with the persons to whom they are providing spiritual direction, and this prohibition extends to consensual activity, and inappropriate or suggestive sexual comments.
- Shall not have any type of relationship, or engage in any activity, with those individuals who are close to those being provided spiritual direction - such as relatives, business associates or friends of the individual being provided such direction.
- Shall assume the full responsibility for establishing and maintaining clear, appropriate boundaries in all of their ministerial service.

Since their ministry is part of their participation in the mission of the Church, they shall not exploit any individual being provided spiritual direction, or the relationship arising from the provision of such direction, for any reason whatsoever at any time including after the provision of spiritual direction has ended. Furthermore, physical contact of any type - including but not limited to touching, hugging or holding - with those being provided spiritual direction is impermissible.

Meetings and sessions with those being provided spiritual direction are to be conducted in appropriate settings at appropriate times with due regard for sacramental requirements, and should not be held at places or times that could tend to cause any misunderstanding or confusion about the nature of the relationship for anyone.

No session is to be conducted in private living quarters.

## CONFIDENTIALITY

Information disclosed to those involved in the ministerial service of providing spiritual direction shall be treated as completely confidential and shall be held in the strictest confidence possible.

Those providing the ministerial service of spiritual direction are to discuss the issue of confidentiality and its limitations with each person prior to the commencement of the spiritual direction. The individual is to be advised that information will not be kept in confidence which would present a serious danger of imminent harm to the individual or any other person, which involves child abuse, or which evidences an intent to commit a crime.

Communications which are made within the context of a professional relationship to individuals such as a physician, a lawyer, a psychologist, a newsperson, a marriage counselor, a licensed social worker or one who counsels victims of violence are generally protected - by law - from compelled disclosure. However, the privileged nature of such communications is not applicable when information is disclosed that indicates that there is an imminent danger of serious harm to anyone—either the person disclosing the information or someone else.

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Knowledge that arises from professional contact may be used in teaching, writing, homilies or other public presentations only when effective measures are taken to absolutely safeguard the identity of any individual disclosing information, any identifying information of any kind as to such individual, and the confidentiality of the disclosure.

## V.

Those involved in any form of ministerial service, including but not limited to teachers, catechists, coaches, youth ministers, scout leaders and those providing spiritual direction or mental health counseling:

- Must be aware of the difficulties that can be encountered when working alone with youth, and should use a team approach in all youth activities.
- Are prohibited from (a) the illegal possession and/or illegal use of drugs, and (b) the use, consumption, serving or distribution of alcohol when working with minors.
- Shall never, under any circumstances, travel overnight with a minor (or minors) without the written permission of the minor's (or minors') custodial parent or legal guardian, and without at least one other adult being present. Even when such permission has been obtained, and another adult is present, one must never share overnight accommodations with a minor. Additionally, there must always be compliance with the Diocesan Chaperone Policy.
- Shall review and be familiar with the contents of the child abuse reporting requirement set forth in the New Jersey statute which is appended to these *Standards*.

Where there is reasonable cause to believe that any minor has been subjected to any form of abuse - sexual or otherwise - this is to be immediately reported to the Division of Child Protection and Permanency, to the diocesan liaison, and to all others required by Policy C, and the Chancellor of the Diocese is thereafter to be informed that such report was made. Other allegations of sexual misconduct are to be reported to the Chancellor of the Diocese.

No mental health counseling or spiritual direction is to be provided to a minor without the written consent of the minor's custodial parent or legal guardian.

A priest shall not allow any minor to remain overnight in a rectory, or in his private accommodations or residence.

## VI.

In dealing with an adult who habitually lacks the use of reason, or with a vulnerable person, those providing ministerial service of any kind shall be guided in their conduct and behavior as they would in dealing with a minor. This includes the application to such situations of the reporting requirements set forth in Policy C. "Vulnerable person" means any person in a state of infirmity, physical or mental deficiency or deprivation of personal liberty which in fact even occasionally limits the person's ability to understand an offense being committed, or limits the person's ability to resist the offense.

## VII.

Those involved in any form of ministerial service, including but not limited to teachers, catechists, coaches, youth ministers, scout leaders and those providing spiritual direction or mental health counseling:

- Must never engage in any conduct which would tend to exploit the trust placed in them.
- Are called to chastity in every situation, and those who are publicly committed to a celibate life are to be examples of celibate chastity in all relationships at all times.
- Must avoid the development of inappropriately intimate relationships with co-workers, staff, volunteers or parishioners, and must always act in a professional and moral manner.
- Shall assume the full responsibility for establishing and maintaining clear, appropriate boundaries in all of their ministerial service.

Additionally, they are prohibited from acquiring, possessing, distributing, manufacturing, circulating, transmitting, producing, owning or maintaining pornographic images, pictures, films, pictures, representations, illustrations, likenesses, descriptions, portrayals or depictions, by whatever means and using whatever technology, regardless of whether actual or virtual, and regardless of the age of the individual or individuals shown, portrayed, simulated or depicted.

## VIII.

Those involved in any form of ministerial service, including but not limited to teachers, catechists, coaches, youth ministers, scout leaders and those providing spiritual direction or mental health counseling:

Must never take any advantage of any kind of anyone to whom he or she is providing service in order to further his or her interests of any kind, including but not limited to personal, religious, political, financial, familial or business interests.

Must report their own ethical or professional misconduct, and the misconduct of others, and they must hold each other accountable for maintaining the highest ethical and professional standards.

When there is reasonable cause to believe that any illegal activity has occurred the appropriate law enforcement authorities are to be notified. After such notification this matter is to be called to the attention of the Chancellor of the Diocese.

When there is reasonable cause to believe that an individual providing ministerial services has violated any provision of these *Standards of Ministerial Behavior*, or any other religious, moral, or ethical principles, the individual having such reasonable cause to believe shall, with all appropriate documentation and supporting material

- Report the issue to a supervisor or next higher authority and
- Refer the matter directly to the Chancellor
- Make any other reports required by Policy C

#### IX.

Prior to the commencement of employment or volunteer status those providing ministerial assistance shall, in addition to satisfactorily completing the necessary application and fulfilling the other prerequisites, (1) pass a criminal history background check, (2) attend child abuse prevention training as directed by the Diocese, (3) submit to additional criminal background checks as required.