



Archdiocese of Detroit

Safe Environments

September 1, 2004

To all Priests, Deacons, Pastoral Ministers, Staff and Volunteers.

Dear Friends in Christ,

In November of 2002, the Bishops of the United States approved and promulgated the *Charter for the Protection of Children and Young People*.

Article 6 of the Charter requires that each diocese and archdiocese establish clear and well-publicized standards for ministerial behavior and appropriate boundaries for clergy and other church personnel in positions of trust who have regular contact with children and young people.

In order to implement this section of the Charter, I am adopting for the Archdiocese the following *Code of Pastoral Conduct for Priests, Deacons, Pastoral Ministers, Administrators, Staff, and Volunteers*. This code is adapted from the *Protecting God's Children* program, which has served us well in helping to create safe environment programs for our people.

As members of the Church who serve God's people, we must strive to be exemplary in our service. In turn, we must be accountable for our behavior within the framework of a clear and unambiguous blueprint of appropriate and inappropriate behavior. This *Code of Pastoral Conduct* provides a basic structure for identifying limits. It is presented as a document that can be improved and your suggestions and recommendations for additions and revisions are encouraged.

I am most grateful for all of you in the various ministries who serve God's people with distinction, dedication and honor.

With good wishes, I am

Sincerely yours in the Lord,

Adam Cardinal Maida
Archbishop of Detroit



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I. Preamble

Priests, deacons, pastoral ministers, administrators, staff and volunteers in our parishes, religious communities/institutes and organizations must uphold Christian values and conduct. This *Code of Pastoral Conduct for Priests, Deacons, Pastoral Ministers, Administrators, Staff and Volunteers* provides a set of standards for conduct in certain pastoral situations.

II. Responsibility

The public and private conduct of clergy, staff and volunteers can inspire and motivate people, but it can also scandalize and undermine the people's faith. Clergy, staff and volunteers must, at all times, be aware of the responsibilities that accompany their work. They must also know that God's goodness and grace supports them in their ministry.

Responsibility for adherence to the *Code of Pastoral Conduct* rests with the individual. Those who disregard this *Code of Pastoral Conduct* do so at their own risk and will be held responsible by the parish, the religious community/institute, the school, the archdiocese and others. Corrective action may take various forms depending on the specific nature and circumstances of the offense and the extent of the harm.

III. Pastoral Standards

1. Conduct for Pastoral Counselors and Spiritual Directors¹

Pastoral counselors and spiritual directors must respect the rights and advance the welfare of each person.

- 1.1 Pastoral counselors and spiritual directors shall not step beyond their competence in counseling situations and shall refer clients to other professionals when appropriate.
- 1.2 Pastoral counselors and spiritual directors should carefully consider the possible consequences before entering into a counseling relationship with someone with whom they have a pre-existing relationship, such as an employee, a professional colleague or a friend. [See Section 7.2.2]
- 1.3 Pastoral counselors and spiritual directors should not audiotape or videotape sessions.
- 1.4 Pastoral counselors and spiritual directors must never engage in sexual intimacies with the persons they counsel. This includes consensual and nonconsensual contact, forced physical contact and inappropriate sexual comments.
- 1.5 Pastoral counselors and spiritual directors shall not engage in sexual intimacies with individuals who are close to the client, such as relatives or friends of the client, when there is a risk of exploitation or potential harm to the client. Pastoral counselors and spiritual directors should presume that the potential for exploitation or harm exists in such intimate relationships.
- 1.6 Pastoral counselors and spiritual directors assume the full burden of responsibility for establishing and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships.

¹ Pastoral counselors and spiritual directors: Clergy, staff and volunteers who provide pastoral, spiritual, and/or therapeutic counseling services to individuals, families or other groups.



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- 1.7 Physical contact of any kind – touching, hugging, holding – between pastoral counselors or spiritual directors and the persons they counsel can be misconstrued and should be avoided.
- 1.8 Sessions should be conducted in appropriate settings at appropriate times.
 - 1.8.1 No sessions should be conducted in private living quarters.
 - 1.8.2 Sessions should not be held in places or at times that would tend to cause confusion about the nature of the relationship for the person being counseled.
- 1.9 Pastoral counselors and spiritual directors shall maintain a log of the times and places of sessions with each person being counseled.

2. Confidentiality

Information disclosed to a pastoral counselor or spiritual director during the course of counseling, advising or spiritual direction shall be held in the strictest confidence possible.

- 2.1 Information obtained in the course of sessions shall be confidential, except for compelling professional reasons or as required by law.
 - 2.1.1 If there is clear and imminent danger to the client or to others, the pastoral counselor or spiritual director may disclose only the information necessary to protect the parties affected and to prevent harm.
 - 2.1.2 Before disclosure is made, if feasible, the pastoral counselor or spiritual director should inform the person being counseled about the disclosure and the potential consequences.
- 2.2 Pastoral counselors and spiritual directors should discuss the nature of confidentiality and its limitations with each person in counseling.
- 2.3 Pastoral counselors and spiritual directors should keep minimal records of the content of sessions.
- 2.4 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 both the individual's identity and the confidentiality of the disclosures.
- 2.5 While counseling a minor, if a pastoral counselor or spiritual director discovers a serious threat to the welfare of the minor and that communication of confidential information to a parent or legal guardian is essential to the child's health and well-being, the pastoral counselor or spiritual director should:
 - Attempt to secure written consent from the minor for the specific disclosure.
 - If consent is not given, disclose only the information necessary to protect the health and well-being of the minor.

Consultation with the appropriate Church supervisory personnel is required before disclosure.

These obligations are independent of the confidentiality of the confessional. Under no circumstances whatsoever can there be any disclosure—even indirect disclosure—of information received through the confessional.



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3. Conduct With Youth

Clergy, staff and volunteers working with youth shall maintain an open and trustworthy relationship between youth and adult supervisors.

- 3.1 Clergy, staff and volunteers must be aware of their own and others' vulnerability when working alone with youth. Use a team approach to manage youth activities.
- 3.2 Physical contact with youth can be misconstrued and should occur (a) only when completely nonsexual and otherwise appropriate, and (b) never in private.
- 3.3 Clergy, staff and volunteers should refrain from (a) the illegal possession and/or illegal use of drugs and/or alcohol at all times, and (b) the use of alcohol when working with youth.
- 3.4 Clergy should not allow individual young people to stay overnight in the cleric's private accommodations or residence.
- 3.5 Staff and volunteers should not provide shared, private, overnight accommodations for individual young people, including, but not limited to, accommodations in any Church-owned facility, private residence, hotel room or any other place where there is no other adult supervision present.
 - 3.5.1 In rare, emergency situations when accommodations are necessary for the health and well-being of the youth, the clergy, staff or volunteer should take extraordinary care to protect all parties from the appearance of impropriety and from all risk of harm.
 - 3.5.2 Use a team approach to manage emergency situations.

4. Sexual Conduct

Clergy, staff and volunteers must not, for sexual gain or intimacy, exploit the trust placed in them by the faith community.

- 4.1 Clergy, religious, staff and volunteers who are committed to a celibate lifestyle are called to be an example of celibate chastity in all relationships at all times.
- 4.2 Staff and volunteers who provide pastoral counseling or spiritual direction services must avoid developing intimate relationships with minors and inappropriate intimate relationships other staff or parishioners. Staff and volunteers must behave in a professional manner at all times.
- 4.3 No clergy, staff or volunteer may exploit another person for sexual purposes.
- 4.4 Allegations of sexual misconduct should be taken seriously and reported to the appropriate person in the parish (pastor), community/institute (religious superior), archdiocese (human resources director) or organization (director) and to civil authorities if the situation involves a minor.
 - 4.4.1 Canon and civil law procedures will be followed to protect the rights of all involved.
- 4.5 Clergy, staff and volunteers should review and know the contents of the child abuse regulations and reporting requirements for the state of Michigan and should follow those mandates.



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5. Harassment

Clergy, staff and volunteers must not engage in physical, psychological, written or verbal harassment of staff, volunteers or parishioners and must not tolerate such harassment by other Church staff or volunteers.

- 5.1 Clergy, staff and volunteers shall provide a professional work environment that is free from physical, psychological, written or verbal intimidation or harassment.
- 5.2 Harassment encompasses a broad range of physical, written or verbal behavior, including, but not limited to, the following:
 - Physical or mental abuse.
 - Racial insults.
 - Derogatory ethnic slurs.
 - Unwelcome sexual advances.
 - Sexual comments or sexual jokes.
 - Requests for sexual favors used as:
 - a condition of employment, or
 - to affect other personnel decisions, such as promotion or compensation.
 - Display of offensive materials.
- 5.3 Harassment can be a single severe incident or a persistent pattern of behavior where the purpose or the effect is to create a hostile, offensive or intimidating work environment.
- 5.4 Allegations of harassment should be taken seriously and reported immediately to the appropriate person in the parish (pastor), community/institute (religious superior), archdiocese (human resources director) or organization (director).
 - 5.4.1 Canon and civil law procedures will be followed to protect the rights of all involved.

6. Parish, Religious Community/Institute and Organization Records and Information

Confidentiality will be maintained in creating, storing, accessing, transferring and disposing of parish, religious community/institute or organization records.

- 6.1 Sacramental records shall be regarded as confidential. When compiling and publishing parish, religious community/institute or organization statistical information from these records, great care must be taken to preserve the anonymity of individuals.
- 6.2 Most sacramental records older than 70 years are open to the public.
 - 6.2.1 Information regarding adoption and legitimacy remains confidential, regardless of age.
 - 6.2.2 Only staff members who are authorized to access the records and supervise their use shall handle requests for more recent records.



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- 6.3 Parish, religious community/institute or organization financial records are confidential unless review is required by the Archdiocese of Detroit, the supervising institution or an appropriate government agency. Contact the Department of Finance and Administration of the Archdiocese of Detroit or the supervising institution upon receipt of any request for release of financial records.
- 6.4 Individual contribution records of the parish, religious community/institute or organization shall be regarded as private and shall be maintained in strictest confidence.

7. Conflicts of Interest

Clergy, staff and volunteers should avoid situations that might present a conflict of interest. Even the appearance of a conflict of interest can call integrity and professional conduct into question.

- 7.1 Clergy, staff and volunteers should disclose all relevant factors that potentially could create a conflict of interest.
- 7.2 Clergy, staff and volunteers should inform all parties when a real or potential conflict of interest arises. Resolution of the issues must protect the person receiving ministry services.
 - 7.2.1 No clergy, staff or volunteer should take advantage of anyone to whom they are providing services in order to further their personal, religious, political or business interests.
 - 7.2.2 Pastoral counselors and spiritual directors should not provide counseling services to anyone with whom they have a business, professional or social relationship. When this is unavoidable, the client must be protected. The counselor must establish and maintain clear, appropriate boundaries.
 - 7.2.3 When pastoral counseling or spiritual direction services are provided to two or more people who have a relationship with each other, the pastoral counselor or spiritual director must:
 - Clarify with all parties the nature of each relationship.
 - Anticipate any conflict of interest.
 - Take appropriate actions to eliminate the conflict.
 - Obtain from all parties written consent to continue services.
- 7.3 Conflicts of interest may also arise when the independent judgment of a pastoral counselor or spiritual director is impaired by one of the following circumstances:
 - Prior dealings.
 - Becoming personally involved.
 - Becoming an advocate for one person against another.

In these circumstances, the pastoral counselor or spiritual director shall advise the parties that he or she can no longer provide services and refer them to another pastoral counselor or spiritual director.



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8. Reporting Ethical or Professional Misconduct

Clergy, staff and volunteers have a duty to report their own ethical or professional misconduct and the misconduct of others.

- 8.1 Clergy, staff and volunteers must hold each other accountable for maintaining the highest ethical and professional standards. Indications of illegal actions by clergy, staff or volunteers must be reported immediately to the proper civil authorities, as well as to the archdiocese (human resources director), parish (pastor), religious community/institute (religious superior) or organization (director).
- 8.2 When an uncertainty exists about whether a situation or course of conduct violates this *Code of Pastoral Conduct* or other religious, moral or ethical principles, consult with one of the following:
 - Peers.
 - Others knowledgeable about ethical issues.
 - Human Resources or the responsible administrative authority for the religious community/institute or organization.
- 8.3 When it appears that a member of the clergy, a staff member or a volunteer has violated this *Code of Pastoral Conduct* or other religious, moral or ethical principles:
 - Report the issue to a supervisor or next higher authority, or
 - Refer the matter directly to the Chancery office or the responsible administrative authority for the religious community/institute or organization.
- 8.4 The obligation of pastoral counselors and spiritual directors to report client misconduct is subject to the duty of confidentiality. However, any agreement or duty to maintain confidentiality must yield to the need to report misconduct that threatens the safety, health or well-being of any of the persons involved except as provided for in Section 2.5.

9. Administration

Employers and supervisors shall treat clergy, staff and volunteers justly in the day-to-day administrative operations of their ministries.

- 9.1 Personnel and other administrative decisions made by clergy, staff and volunteers shall meet civil and canon law obligations and also reflect Catholic social teachings and this *Code of Pastoral Conduct*.
- 9.2 No clergy, staff or volunteer shall use his or her position to exercise unreasonable or inappropriate power and authority.
- 9.3 Each volunteer providing services to children and youth must read the *Code of Conduct for Volunteers* before providing services.

10. Staff or Volunteer Well-Being

Clergy, staff and volunteers have the duty to be responsible for their own spiritual, physical, mental and emotional health.



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- 10.1 Clergy, staff and volunteers should be aware of warning signs that indicate potential problems with their own spiritual, physical, mental and/or emotional health.
- 10.2 Clergy, staff and volunteers should seek help immediately whenever they notice behavioral or emotional warning signs in their own professional and/or personal lives.
- 10.3 Clergy, staff and volunteers must address their own spiritual needs. Support from a spiritual director is highly recommended.
- 10.4 Inappropriate or illegal use of alcohol and drugs is prohibited.

IV. CODE OF CONDUCT FOR VOLUNTEERS

Our children are the most important gifts God has entrusted to us. A volunteer must strictly follow the rules and guidelines in this *Code of Conduct for Volunteers* as a condition of providing services to the children and youth of our archdiocese.

A volunteer must:

- Treat everyone with respect, loyalty, patience, integrity, courtesy, dignity and consideration.
- Avoid situations where he or she is alone with children and/or youth at Church activities.
- Use positive reinforcement rather than criticism, competition or comparison when working with children and/or youth.
- Refuse to accept expensive gifts from children, youth or their parents without prior written approval from the pastor or administrator.
- Refrain from giving expensive gifts to children and/or youth without prior written approval from the parents or guardian and the pastor or administrator.
- Report suspected abuse to the pastor, administrator or appropriate supervisor and the local Child Protection Services agency. Failure to report suspected abuse to civil authorities is, according to the law, a misdemeanor.
- Cooperate fully in any investigation of abuse of children and/or youth.

A volunteer must not:

- Smoke or use tobacco products in the presence of children and/or youth.
- Use, possess or be under the influence of alcohol at any time while volunteering.
- Use, possess or be under the influence of illegal drugs at any time.
- Pose any health risk to children and/or youth through fevers or other contagious situations.
- Strike, spank, shake or slap children and/or youth.
- Humiliate, ridicule, threaten or degrade children and/or youth.



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- Touch a child and/or youth in a sexual or other inappropriate manner.
- Use any discipline that frightens or humiliates children and/or youth.
- Use profanity in the presence of children and/or youth.

A volunteer working with children and/or youth is subject to a thorough background check, including criminal history. Any action inconsistent with this *Code of Pastoral Conduct* or failure to take action mandated by this *Code of Pastoral Conduct* may result in removal as a volunteer with children and/or youth.

V. Contacting the Archdiocese of Detroit

To request information from the Archdiocese of Detroit on the *Code of Pastoral Conduct*, contact:

Director of Human Resources
Archdiocese of Detroit
1234 Washington Boulevard
Detroit, Michigan 48226

Telephone: (313) 237-5947

Archdiocese of Detroit *Code of Pastoral Conduct*.

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