

DIOCESE OF MEMPHIS IN TENNESSEE

**PAGELLA FOR DEACONS
WITH COMMENTARY**



JANUARY 13, 2020

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SPECIAL FACULTIES GRANTED TO ALL DEACONS

Deacons who have received a letter of delegation from the diocesan bishop or his delegate have the following faculties.

Baptism

1. You may confer infant baptism in a private house for a grave reason that makes it difficult or dangerous for the infant to be brought to the church (c. 860, §1; RBC 12).

Ordinarily baptism is to be celebrated in the parish church (c. 857). In an emergency, it may be celebrated anywhere. This faculty is not needed in danger of death but is intended for use with a person who has a serious disability or illness that makes it difficult to come to the church.

Marriage

2. Within the territory of the parish, you may validly assist at marriages involving at least one party who is a Catholic of the Latin church (cc. 1108, 1111). This faculty may be used only within the territory of the parish to which you are assigned. In all other cases, you must obtain the faculty to assist at marriage from the local pastor or the local ordinary. This faculty may be subdelegated.

Ordinarily, priests and deacons assigned to a parish cannot validly assist at a marriage without prior delegation by the pastor of the parish in which the marriage is celebrated. This faculty is given to you for your parish of assignment so that the pastor does not have to give faculties and to avoid invalid marriages due to lack of delegation.

3. After the conditions of canon 1125 have been fulfilled, you may, for a just and reasonable cause, permit a mixed marriage between a Latin Catholic and a baptized non-Catholic to be celebrated in the parish, provided there is no doubt about the validity of the baptism of the Catholic party (c. 1124).

The conditions of canon 1125 are: (1) The Catholic party declares that he or she is prepared to remove dangers of falling away from the faith and makes a sincere promise to do all in his or her power to have all the children baptized and brought up in the Catholic Church. (2) The other party is to be informed at a suitable time of the Catholic party's promise and obligation of the Catholic party. (3) Both parties are to be instructed on the ends and essential properties of marriage that are not to be excluded by either party.

"In order to judge the existence or otherwise of a 'just and reasonable cause' with regard to granting permission for this mixed marriage, the deacon will take account, among other things, of an explicit refusal on the part of the non-Catholic party to allow the children to be baptized and raised Catholic." (DAPNE 150).

Funerals

4. When a priest is unavailable, you may celebrate the funeral liturgy in the presence of the cremated remains of a deceased person, taking into account the concrete circumstances in each individual case, and always observing the following conditions: (1) There is no anti-Christian motive for choosing cremation (c. 1176, §3). (2) The cremated remains will be handled with respect and buried or entombed in a place reserved for this purpose. (3) There is no other canonical prohibition of a funeral liturgy, namely, for notorious apostates, heretics, and schismatics and other manifest sinners for whom ecclesiastical funerals cannot be granted without public scandal to the faithful (c. 1184). Doubtful cases are to be referred to the bishop, the vicar general, or the chancellor.

Ecumenism

5. You may take part in meetings with other Christians aimed at improving ecumenical relations and resolving pastoral problems in common (DAPNE 91b).

These faculties may not be subdelegated unless otherwise indicated.

APPENDIX A

FACULTIES GRANTED TO ALL DEACONS BY LAW

The faculties in this section are for your information. You already have these faculties as a validly ordained deacon in good standing.

Divine Worship & Preaching

1. You may catechize and preach to the faithful apart from the liturgy (cc. 757, 762; SDO 22, 6°).
2. You may preside at the liturgy of the hours, celebrations of the word, and Sunday celebrations in the absence of a priest where this is permitted; you may preach at the liturgies at which you preside (GILH 254, nn. 7-8; DSCAP 29; c. 764).
3. You may proclaim the gospel at Mass; you may give the homily at Mass, at the discretion of the priest celebrant (GIRM 175, 171c).
4. You may assist the presiding priest at Mass and other liturgical celebrations as indicated in the rites (SDO 22, 1°).
5. You may administer the Body and Blood of Christ at Mass (c. 910, §1; GIRM 182).
6. You may preside at the Rite of Distributing Holy Communion outside Mass and you may bring holy communion to the sick and infirm (HCWE 17, 26; PCS 81-96).
7. You may preside at benediction and give the blessing with the Sacred Host (c. 943).

Christian Initiation

8. You may administer baptism to infants—those under seven and those lacking the use of reason (cc. 861, §1)
9. You may celebrate the minor exorcisms and blessings of catechumens (RCIA 91, 96; OICA 109, 119).
10. Whenever an impediment is discovered after everything has already been prepared for the wedding, and the marriage cannot be delayed without probable danger of grave harm until a dispensation is obtained from the competent authority, you may dispense in occult cases from all impediments except prior bond, impotence, consanguinity in the direct line and the second degree of the collateral line, sacred orders, and a public perpetual vow of chastity in a religious institute of pontifical right (c. 1080, §1). You may dispense either Catholic party, even if they live outside the parish territory, provided the marriage takes

place in the parish, and you may dispense a parishioner even if the marriage is lawfully celebrated outside the parish territory.

This is a faculty that you have by law provided you have the faculty to assist at marriage. This faculty is intended for a marriage at which you will assist according to the canonical form, not the extraordinary form of canon 1116. When a marriage is celebrated according to the extraordinary form, all deacons have this faculty, not just those who have the faculty to assist at marriage.

The dispensation should be granted in writing: "In virtue of the faculty of canon 1080, §1, I dispense N. from the impediment of _____ so that he/she may be free to marry N. on [date] at this church, [name of parish]. The reason for this dispensation is to avoid the probable danger of grave harm if the marriage is delayed while waiting for the dispensation from the competent authority." You should write the dispensation on parish stationery, sign and date it. A copy is to be sent to the local ordinary and another copy retained for the marriage file.

Some impediments are of their nature public, such as, for example, lawful consanguinity or affinity, bond of marriage, holy orders, a public perpetual vow of chastity in a religious institute, disparity of worship, adoption. Sometimes one of these may be occult in fact. Other impediments are of their nature occult, such as, for example, illegitimate consanguinity or affinity, or crime. Yet they may be in fact public, since it may happen that they are capable of proof owing to the particular circumstances of the case. Some impediments may be public in one place or at one time but occult elsewhere or later. Accordingly, the code sometimes speaks of occult cases (cc. 1047, §3; 1048; 1080, §1).

Blessings & Sacramentals

11. You may give the blessings of the rites at which you preside; you may preside at other blessings in accord with the *Book of Blessings* (DB/BB 18c).
12. You may celebrate or impart other sacramentals in accord with the law (cc. 1168; 1169, §3).

Penance Services

13. You may preside at penitential celebrations when the sacrament of penance is not celebrated (RP 36-37).

Pastoral Care of the Sick & Funerals

14. You may celebrate the rites for visits to the sick and the prayers on the occasion of death (OUI 138, 151; PCS 212, 221).

15. When a priest is unavailable, you may preside at funeral rites—the vigil, funeral liturgy outside Mass, and committal (OE 19, OCF 14).

APPENDIX B

FACULTIES GRANTED BY LAW IN DANGER OF DEATH

You have the following faculties from the moment of your ordination, but they may be used only if someone is in danger of death. These faculties may be used anywhere in the world with at least the presumed consent of the pastor.

1. If a priest is unavailable, you may baptize anyone not yet validly baptized, including a fetus, provided the person is alive (cc. 861, §2; 868, §2; 871). Those who had the use of reason at any time during their life may not be baptized without having manifested this intention; they must also have some knowledge of the principal truths of the faith and must promise to observe the commandments of the Christian religion (c. 865, §2). Normally, a priest should baptize in danger of death so that he may confirm the person immediately afterward, even if an infant (c. 866). Thus, this faculty should be used only if no priest who has the sacred chrism is available.

The Rite of Christian Initiation for the Dying, from Pastoral Care of the Sick, is to be used, if the ritual is available. The one to be baptized demonstrates “some knowledge of the principal truths of the faith” and the “promise to observe the commandments of the Christian religion” by an affirmative answer to the four questions you are to ask at the beginning of the rite (PCS 282). After asking the questions, if death is imminent, it suffices to observe what is necessary for validity: baptism with water and the Trinitarian formula (cc. 850, 853; PCS 277). Viaticum should be given. The baptism is registered in the parish where the baptism takes place (cc. 877-878).

2. You may celebrate the Rite of Viaticum outside Mass (PCS 197-211), except the apostolic pardon (*formula indulgentiae plenariae*), with at least the presumed permission of the pastor, chaplain, or superior, who must be notified afterwards (c. 911, §2; PCS 197-211). The dying person must request the sacrament and be properly disposed. To ensure the proper disposition, if the person has not had an opportunity to confess, you should ask him or her to make an act of perfect contrition, that is, to be sorry for all unconfessed grave sins committed after baptism, out of love for God and not merely from fear of hell, with the intention of sinning no more. This requirement applies both to Catholics and baptized non-Catholics. A Catholic, moreover, should be exhorted to intend to confess any serious sins later in individual confession, if the opportunity presents itself.

The dying person must request the sacrament and be properly disposed. To ensure the proper disposition, if the person has not had an opportunity to confess, you should ask him or her to make an act of perfect contrition, that is, to be sorry for all grave sins committed after baptism, which have not yet been confessed, with the intention of sinning no more. This requirement applies both to Catholics

and baptized non-Catholics. A Catholic, moreover, should be exhorted to intend to confess any serious sins later in individual confession.

In addition to the request for the sacrament and the proper disposition, members of ecclesial communities (Protestants) must be unable to approach a minister of their own community, and they must manifest Catholic faith in the sacrament. A suitable manifestation of faith would be an affirmative answer to the questions: "Do you accept the faith in the sacrament of the Eucharist as Christ instituted it and as the Catholic Church has handed down? Do you believe that this is really and truly the body of Christ?"

3. You may celebrate the Rite of Commendation of the Dying (OUI 142; PCS 165, 212-222).
4. Even if you lack the faculty to assist at marriage, when one or both parties is in danger of death and when the local ordinary cannot be reached, you may dispense the parties to marriage both from the form to be observed in the celebration of marriage and from every impediment of ecclesiastical law, whether public or occult, except the impediment arising from the sacred order of the presbyterate (c. 1079, §2). In these cases, you are to inform the local ordinary of a dispensation granted for the external forum, and this dispensation is to be recorded in the marriage register (c. 1081). If you are in doubt as to whether a dispensation has been granted for the external forum or the internal forum, contact the judicial vicar or chancellor.

The local ordinary is not considered accessible if he can be reached only by telegraph or telephone (c. 1079, §4), e-mail or fax.

If you lack the faculty, the marriage is celebrated according to the extraordinary form (c. 1116, §2). In that case, no dispensation from form is necessary unless another witness is unavailable.

If you have the faculty to assist, you should dispense from the form if: (1) the marriage is being celebrated outside the territory of the parish; (2) two witnesses are unavailable.

If there is time, you should exhort the parties to make an act of perfect contrition, if they are baptized.

All impediments may be dispensed except prior bond, impotence, consanguinity in the direct line and second degree of the collateral line, and the sacred order of the presbyterate. You should dispense as follows: "I dispense you from the canonical form and/or from the impediment of _____."

The parties must be present together and must express their consent to marry each other, even by signs if one party cannot speak (c. 1104). If you lack the marriage ritual and are unsure of the formula for asking for and receiving the consent of the parties in the name of the Church, you may use equivalent words of your own (c. 1108, §2).

If the dispensation is for a public impediment, you are to notify the local pastor and local ordinary immediately afterward so that the dispensation may be properly recorded (cc. 1081-1082).

If it is a mixed marriage between a Catholic and baptized non-Catholic, no permission is necessary in danger of death (c. 1068).

APPENDIX C

ABBREVIATIONS

c.	canon
cc.	canons
BB	<i>Book of Blessings</i> , 1987 (ICEL), 1989 (USA)
DAPNE	Directory for the Application of the Principles and Norms on Ecumenism (Pontifical Council for Promoting Christian Unity), 1993
DB	<i>Rituale Romanum: De Benedictionibus, editio typica</i> , 1984
DSCAP	Directory for Sunday Celebrations in the Absence of a Priest (Congregation for Divine Worship), June 2, 1998
GILH	General Instruction of the Liturgy of the Hours, 1971
GIRM	General Instruction of the Roman Missal, 3 rd edition, 2000
HCWE	Rite of Holy Communion and Worship of the Eucharist outside Mass, 1973
OCF	<i>Order of Christian Funerals</i> , 1985 (ICEL), 1989 (USA)
OE	<i>Ordo exsequiarum, editio typica</i> , 1969
OICA	<i>Ordo initiationis christianae adultorum, editio typica</i> , 1972
OUI	<i>Ordo unctionis infirmorum eorumque pastoralis curae, editio typica</i> , 1972
PCS	Pastoral Care of the Sick: Rites of Anointing and Viaticum, 1983
RBC	Rite of Baptism of Children
RCIA	Rite of Christian Initiation of Adults, 1988
RP	Rite of Penance, 1973
SDO	<i>Sacrum Diaconatus Ordinem</i> , the apostolic letter <i>motu proprio</i> of Pope Paul VI restoring the permanent diaconate, June 18, 1973