



Catholic Diocese *of* Memphis

Particular Law for Response to Allegations of Sexual Abuse of Minors by Clergy

February 2026

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ABBREVIATIONS

c.	canon
cc.	canons
<i>CCEO</i>	Code of Canons of the Eastern Churches
<i>CIC</i>	Code of Canon Law (1983)
DDF	Dicastery for the Doctrine of the Faith
DRB	Diocesan Review Board
<i>SST</i>	Pope John Paul II, Apostolic Letter <i>motu proprio</i> by which are promulgated norms on more grave delicts reserved to the Congregation for the Doctrine of the Faith <i>Sacramentorum sanctitatis tutela</i> , 30 April 2001; Revised norms by Pope Francis, Rescript <i>exaudientia Sanctissimi</i> , 11 October 2021

*VELMPope Francis, Apostolic Letter *motu proprio* *Vos estis lux mundi*, 7 May 2019*

Particular Law for Response to Allegations of Sexual Abuse of Minors by Clergy



DECREE OF PROMULGATION

The safeguarding of children is a priority for the universal Church, and it is my duty as Bishop of this local Church to see that proper policies are promulgated for this purpose. In light of new legislation on this subject from the Holy See, current policies must be updated to conform to new legislation and to incorporate insights from experience.

Therefore, having consulted with the Presbyteral Council and the Diocesan Review Board, I hereby promulgate this "Particular Law for Response to Allegations of Sexual Abuse of Minors by Clergy" for the Diocese of Memphis in Tennessee.

These norms are to be published on the Diocesan website. They are effective immediately. Any previous policies or instructions to the contrary are hereby abrogated.

Given at the Chancery in Memphis, under my sign and seal and the countersignature of my Chancellor, on the 16th of February 2026


Most Reverend David P. Talley, M.S.W., J.C.D.
Bishop of Memphis


Very Reverend James M. Clark, J.C.D., Ph.D., J.V.
Chancellor

INTRODUCTION

The Diocese of Memphis in Tennessee recognizes that sexual abuse of minors by clergy is a serious crime and will not be tolerated. It constitutes one of the most serious breaches of trust in human relationships, and it can have devastating consequences for the victim, the victim's family, and the entire Church. To deal with abuse that may have occurred and to prevent further problems in the future, the Diocese of Memphis in Tennessee, in accord with number two of the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*, sets forth the following policy for responding to claims of sexual abuse of minors by clergy.

This policy applies specifically to allegations of sexual abuse of minors by a priest or a deacon. Anyone who has experienced sexual abuse by a bishop should report the abuse at <https://reportbishopabuse.org>.¹

¹ See *VELM*.

DEFINITION OF TERMS USED IN THIS POLICY

For the purposes of this policy, “**sexual abuse**” is defined as any external offense against the sixth commandment of the Decalogue, which “can include, for example, sexual relations (consensual or non-consensual), physical contact for sexual gratification, exhibitionism, masturbation, the production of pornography,² inducement to prostitution, conversations and/or propositions of a sexual nature, which can also occur through various means of communication.”³ Note: Any sexual misconduct on the part of a priest or deacon involving a minor constitutes sexual abuse.

“**Minor**” is defined as a person under the age 18.⁴ For the purposes of this policy, any person who “habitually [has] an imperfect use of reason” is equivalent to a minor.⁵

The words “**clergy**” and “**cleric**” refer to any ordained priest or deacon of the Catholic Church.

“**Church personnel**” refers to any person who has not received the sacrament of Holy Orders (i.e., not a cleric) who is an employee, an appointed minister, a diocesan seminarian, a man enrolled in the permanent diaconate formation program, or an authorized volunteer of the Diocese of Memphis in Tennessee or one of its subsidiaries.

“**Employee**” refers to anyone paid a wage or a salary by and controlled by the Diocese, a parish, or another subsidiary of the Diocese.

The “**Diocesan Review Board**” (DRB) is a confidential consultative body composed mostly of lay persons not in the employ of the diocese, that advises the diocesan bishop in his assessment of allegations of sexual abuse of minors and in his determination of a cleric’s suitability for ministry, reviews policies for dealing with sexual abuse of minors, and offers advice on all aspects of a case whether retrospectively or prospectively.⁶

The “**Victim Assistance Coordinator**” is a competent person designated by the diocesan bishop “to coordinate assistance for the immediate pastoral care of persons who claim to have been sexually abused when they were minors by priests or deacons.”⁷

² Child pornography is “any representation of a minor, regardless of the means used, involved in explicit sexual activities, whether real or simulated, and any representation of sexual organs of minors for primarily sexual purposes” (*VELM*, art. 1, §1, c).

³ DDF, *Vademecum* on Certain Points of Procedure in Treating Cases of Sexual Abuse of Minors Committed by Clerics, version 2.0, 5 June 2022, I.2. See also *VELM*, art. 1, §1, a.

⁴ *Vademecum*, I.3. See also *Vademecum*, I.4; *SST*.

⁵ *SST*, art. 6, 1°; *Vademecum*, I.5. Cf. *VELM*, art. 1, §2, a.

⁶ Cf. United States Conference of Catholic Bishops, *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*, 5 May 2006, 4.

⁷ *Essential Norms*, 3.

NORMS

VICTIM ASSISTANCE COORDINATOR

1. The diocesan bishop appoints a Victim Assistance Coordinator “to coordinate assistance for the immediate pastoral care of persons who claim to have been sexually abused when they were minors by priests or deacons.”⁸
2. The Victim Assistance Coordinator shall treat with dignity and respect anyone who claims to have been harmed or abused together with the person’s family. They are to be “a) welcomed, listened to and supported, including through provision of services; b) offered spiritual assistance; c) offered medical assistance, including therapeutic and psychological assistance, as required by the specific case.”⁹
3. “The good name and the privacy of the persons involved, as well as the confidentiality of their personal data, shall be protected.”¹⁰

DIOCESAN REVIEW BOARD

4. The diocesan bishop is assisted by a Diocesan Review Board (DRB). The DRB is a confidential consultative body that assists the diocesan bishop in discharging his responsibilities. The functions of the DRB include the following:
 - a. advising the diocesan bishop in his assessment of allegations of sexual abuse of minors and in his determination of the suitability of clerics for ministry,
 - b. reviewing diocesan policies for dealing with sexual abuse of minors,
 - c. offering advice on all aspects of these cases, whether retrospectively or prospectively.¹¹
5. The DRB does not investigate alleged delicts; rather it evaluates evidence presented by the appointed investigator and offers advice to the diocesan bishop.¹² The DRB, however, may be asked by the diocesan bishop to investigate allegations against clerics who are already deceased.
6. The DRB shall be composed of “at least five persons of outstanding integrity and good judgment [who are] in full communion with the Church.”¹³

⁸ *Essential Norms*, 3.

⁹ *VELM*, art. 5, §1.

¹⁰ *VELM*, art. 5, §2.

¹¹ Cf. *Essential Norms*, 4.

¹² Task Force Convened by the Chairman of the Bishops’ Committee on Canonical Affairs of the United States Conference of Catholic Bishops, *A Resource for Canonical Processes for the Resolution of Complaints of Clerical Sexual Abuse of Minors*, November 2003, 10; USCCB, *Diocesan Review Board Resource Booklet*, 3.

¹³ *Essential Norms*, 5.

7. The majority of the members of the DRB shall be lay persons who are not in the employ of the diocese.¹⁴
8. At least one member should be a priest who is an experienced and respected pastor of the diocese.¹⁵
9. At least one member “should have particular expertise in the treatment of the sexual abuse of minors.”¹⁶
10. The members shall be appointed for a term of five years renewable.¹⁷
11. The Promoter of Justice or another canonist selected by the diocesan bishop shall participate in the meetings of the review board. He/She is to serve as a canonical resource to the members of the DRB and may participate in the DRB’s deliberations; however, he/she does not have active or passive voice in the DRB’s voting.¹⁸
12. The Victim Assistance Coordinator shall participate in the meetings of the DRB; however, he/she does not have active or passive voice in the DRB’s voting.
13. The statutes of the DRB shall include numbers 4-12 above and, in addition, specify all other details concerning meetings, interviews, and how the Board will evaluate and make determinations to be offered to the diocesan bishop. The promulgation and subsequent emendation of the statutes are subject to the approval of the diocesan bishop.

COMPLAINT

14. A complaint of sexual abuse of a minor may come to the knowledge of a cleric or employee from an alleged victim, a third party, an anonymous source, the public sphere (e.g., media outlet), etc.
15. Each and every complaint shall be treated promptly and seriously. No complaint shall be dismissed without prompt and serious attention.
16. All complaints are to be directed to the Victim Assistance Coordinator, who will treat the alleged victim and/or victim’s family members with compassion and respect.

¹⁴ *Essential Norms*, 5.

¹⁵ *Essential Norms*, 5.

¹⁶ *Essential Norms*, 5.

¹⁷ *Essential Norms*, 5.

¹⁸ Cf. *Essential Norms*, 5.

17. The Victim Assistance Coordinator should see to it that, whenever possible, the complaint be put down in writing and signed, dated, and notarized by an ecclesiastical notary. If the complaint is received orally, it should be put down in writing by the Victim Assistance Coordinator and notarized.
18. If the complaint should regard behavior within the sacrament of penance, the identity of the complainant cannot be revealed to the priest.¹⁹
19. If the source of the complaint is information received from an anonymous source,²⁰ from the public sphere (e.g., a media outlet), or some other source, the person who receives the information is to convey the information to the Victim Assistance Coordinator immediately. The Victim Assistance Coordinator shall make a written record of the reported information and sign it in the presence of an ecclesiastical notary who will in turn notarize it.
20. Even if the complainant does not approach the church about the event and the information is received from some other source(s), the diocesan bishop must examine the allegation.²¹
21. The Victim Assistance Coordinator shall inform the complainant of the civil agencies where a report of abuse may be reported. A written record shall be made of the report to civil authorities and forwarded to the diocesan bishop.
22. If a complaint seems to indicate that a crime against a minor has been committed, the Victim Assistance Coordinator shall report the information to the Tennessee Department of Children's Services. A written record shall be made of the report to civil authorities and forwarded to the diocesan bishop. If the diocesan bishop receives an allegation and discovers that it has not been properly notified to civil authorities, he must report the allegation immediately.²²
23. The diocese "will comply with all applicable civil laws with respect to reporting of allegations of sexual abuse of minors to civil authorities and will cooperate in their

¹⁹ "In cases concerning the delicts mentioned of in art. 4 §1, the Tribunal cannot indicate the name of the accuser to either the accused or his patron unless the accuser has expressly consented" (SST, art. 24, §1).

²⁰ "At times, a *notitia de delicto* can derive from an anonymous source, namely, from unidentified or unidentifiable persons. The anonymity of the source should not automatically lead to considering the report as false, especially when it is accompanied by documentation that attests to the likelihood of a delict. Nonetheless, for easily understandable reasons, great caution should be exercised in considering this type of *notitia* especially when it is accompanied by documentation that attests to the likelihood of a delict. Nonetheless, for easily understandable reasons, great caution should be exercised in considering this type of *notitia*, and anonymous reports certainly should not be encouraged" (*Vademecum*, 11).

²¹ "A *notitia de delicto* (cf. canon 1717 § 1 CIC; canon 1468 §1 CCEO; art. 10 SST; art. 3 VELM), occasionally called a *notitia criminis*, consists of any information about a possible delict that in any way comes to the attention of the Ordinary or Hierarch. It need not be a formal complaint" (*Vademecum*, 9).

²² "When the laws of the state require the Ordinary or Hierarch to report a *notitia de delicto*, he must do so, even if it is expected that on the basis of state laws no action will be taken (for example, in cases where the statute of limitations has expired or the definition of the crime may vary)" (*Vademecum*, 49).

investigation. In every instance, the [diocese] will advise and support a person's right to make a report to public authorities.”²³

FORWARDING OF THE COMPLAINT TO THE DIOCESAN BISHOP

24. Upon receipt of a complaint, the Victim Assistance Coordinator shall immediately forward the written complaint to the diocesan bishop.
25. The diocesan bishop shall review the complaint to determine if the complaint has at least the semblance of truth. To assist in this determination, he will forward the complaint to the Diocesan Review Board and ask for its observations. If the DRB believes that the allegation has the semblance of truth and recommends a preliminary investigation, the DRB will also recommend the name of an investigator.
26. The diocesan bishop shall investigate all complaints of clerical sexual abuse that are alleged to have occurred within the territory of the Diocese of Memphis in Tennessee. Even if the complaint regards a cleric who is incardinated in some other diocese or institute, the diocesan bishop shall conduct the investigation.²⁴
27. If a complaint of clerical sexual abuse is alleged to have occurred outside the territory of the Diocese of Memphis in Tennessee, the diocesan bishop shall transmit it immediately to the diocesan bishop of the place where the events were said to have occurred, as well as to the proper ordinary of the person reported.²⁵
28. If the diocesan bishop, having heard the Diocesan Review Board, determines that the complaint does not have the semblance of truth, he shall write a decree indicating his decision and the reasons on which the decision was based. Copies of the decree shall be sent to the Victim Assistance Coordinator and the DRB. If the complaint regards an allegation of a delict reserved to the DDF, the Bishop shall communicate the allegation and his decree to the DDF.²⁶ The written complaint and the ordinary's decree shall be kept in the secret archive of the Curia.
29. If the cleric admits that he has engaged in sexual abuse of a minor, the Tennessee Department of Children's Services shall be notified immediately. The cleric will be asked to resign any current ministerial offices, and his faculties will be revoked.

²³ *Essential Norms*, 11.

²⁴ “[I]t will naturally be helpful for there to be communication and cooperation between the different Ordinaries involved, in order to avoid conflicts of competence or the duplication of labour, particularly if the cleric is a religious...” (*Vademecum*, 22).

²⁵ *Vademecum*, 31.

²⁶ “Even in these cases, however, it is advisable that the Ordinary or Hierarch communicate to the DDF the *notitia de delicto* and the decision made to forego the preliminary investigation due to the manifest lack of the semblance of truth” (*Vademecum*, 19).

30. If the diocesan bishop, having heard the Diocesan Review Board, determines that the complaint has the semblance of truth, he is to issue a decree opening a preliminary investigation in accord with canon 1717.
31. The diocesan bishop must determine whether or not he will notify the cleric that an allegation has been made against him. This will be necessary if the diocesan bishop chooses to impose precautionary measures at this time. Otherwise, the diocesan bishop may choose not to inform the cleric until an appropriate time during, or even after, the preliminary investigation.²⁷
32. At this time, the diocesan bishop does not usually apply precautionary measures, e.g., restricting the ministry of the cleric or imposing/forbidding residence in some place or territory, etc. This usually takes place as part of the penal process after a preliminary investigation has been concluded.²⁸ If, however, the diocesan bishop chooses to impose precautionary measures before the preliminary investigation has been completed, he must issue a precept to the cleric clearly articulating the precautionary measures being imposed. The cleric, however, has the right to make recourse against this decree according to the norm of law.²⁹
33. The diocesan bishop shall not transfer or assign a cleric to active ministry while an allegation of sexual abuse of a minor is being investigated.³⁰

PRELIMINARY INVESTIGATION

34. In accord with canon 1717, §1, and the *Essential Norms*,³¹ the purpose of the preliminary investigation is to inquire about the facts and circumstances of the alleged delict and the imputability (legal responsibility) of the alleged offender.³²

²⁷ Regarding the proper time to inform the accused of an allegation, “there is no uniform criterion or explicit provision in law. An assessment must be made of all the goods at stake: in addition to the protection of rights as well as the good name of the persons involved (cf. cann. 50 and 220 CIC and 23 and 1517 CCEO), consideration must also be given, for example, to the risk of compromising the preliminary investigation or giving scandal to the faithful, and the advantage of collecting beforehand all evidence that could prove useful or necessary” (*Vademecum*, 53). “Should a decision be made to question the person under investigation, since this is a preliminary phase prior to a possible process, it is not obligatory to name an official advocate for him. If he considers it helpful, however, he can be assisted by a patron of his choice. An oath cannot be imposed on the accused person (cf. *ex analogia*, canons 1728 § 2 CIC and 1471 § 2 CCEO)” (*Vademecum*, 54).

²⁸ “To defend the good name of the persons involved and to protect the public good, as well as to avoid other factors (for example, the rise of scandal, the risk of concealment of future evidence, the presence of threats or other conduct meant to dissuade the alleged victim from exercising his or her rights, the protection of other possible victims), in accordance with art. 10 § 2 SST, the Ordinary or Hierarch has the right, from the outset of the preliminary investigation, to impose the precautionary measures listed in canons 1722 CIC” (*Vademecum*, 58). See also *Vademecum*, 59-60.

²⁹ *A Resource for Canonical Processes*, 13.

³⁰ *Vademecum*, 63.

³¹ *Essential Norms*, 6.

³² See *Vademecum*, 34.

35. The preliminary investigation is not a trial or a pre-trial hearing. It is an administrative action that is meant to give the ordinary a sense of the probability that a delict did or did not occur.³³
36. The diocesan bishop will issue a decree opening the preliminary investigation and appointing an investigator, usually the investigator recommended by the DRB.
37. The appointed investigator must be cognizant of his/her duty to protect the good name of all persons involved in the investigation, i.e., alleged victims, witnesses, and the accused.³⁴
38. The diocesan bishop shall send a copy of the decree opening the preliminary investigation to the Diocesan Review Board. The DRB may offer to the diocesan bishop advice regarding the preliminary investigation at any time. The preliminary investigation, however, is not conducted by the review board.³⁵
39. If civil authorities request that the Church not investigate until their civil investigation is complete, all diocesan authorities will comply with their request.³⁶
40. Ordinarily, the accused cleric is to be notified of the accusation and that a preliminary investigation has been initiated to investigate the allegation. At the time of notification, the cleric is not required to have civil or canonical counsel; however, he is to be “encouraged to retain the assistance of civil and canonical counsel.”³⁷ “During the investigation the accused enjoys the presumption of innocence, and all appropriate steps shall be taken to protect his reputation.”³⁸
41. Though the canon law of the Latin Church does not require that the ordinary inform the accused of an accusation against him or of the fact that a preliminary investigation is underway, the ordinary is encouraged to have the investigator question the accused cleric. The accused cleric, however, cannot be forced to take an oath or to confess to any criminal action (c. 1728, §2). The cleric is to be advised of his right to be accompanied by a canonical advocate while being questioned by the investigator.
42. The appointed investigator must make sure that the good reputation of the accused cleric is in no way illegitimately harmed (cc. 1717, §2; 220).

³³ See *Vademecum*, 33.

³⁴ *Vademecum*, 44.

³⁵ *A Resource for Canonical Processes*, 10.

³⁶ “In cases where it seems appropriate to await the conclusion of the civil investigations in order to acquire their results, or for other reasons, the Ordinary or Hierarch would do well to seek the advice of the DDF in this regard” (*Vademecum*, 26).

³⁷ *Essential Norms*, 6.

³⁸ *Essential Norms*, 6.

43. Since the preliminary investigation is not a trial, the accused cleric does not have the right to inspect the acts of the preliminary investigation.³⁹ The ordinary, however, is free to allow the accused priest to inspect the acts so as to provide a summary response to them.
44. The investigator is to submit a report to the diocesan bishop indicating the investigator's own conclusion about the probability of the delict having occurred and a statement of how the investigator came to that conclusion. The investigator's report will be forwarded to the DRB for its observations.
45. The DRB may request that further investigation be conducted by obtaining additional documents or interviews. With the consent of the diocesan bishop, the DRB may interview the complainant, the accused, alleged victims, or other witnesses.
46. The DRB shall issue a written opinion concerning the investigation and the credibility of the allegation.
47. Upon receiving the report of the investigator, the diocesan bishop must consider all the acts of the preliminary investigation and the written opinion of the DRB. If he determines that sufficient elements have been collected to determine whether or not the alleged delict has occurred, he shall compose his *votum* and issue a decree closing the preliminary investigation. The decree should include his determination as to whether or not the accusation is manifestly false. If the accused cleric is a member of an institute of consecrated life or a society of apostolic life, the cleric's superior is to be notified of the allegation against the cleric and the results of the preliminary investigation.
48. If the diocesan bishop determines that the accusation is manifestly false, the decree shall be communicated to the DRB and the Victim Assistance Coordinator. A copy of the acts of the preliminary investigation shall be placed in the secret archive.
49. If the diocesan bishop determines that it is possible that a delict reserved to the Dicastery for the Doctrine of the Faith has been committed, he is to indicate this in the decree concluding the preliminary investigation and forward the acts to the Dicastery.⁴⁰ It is always the Dicastery that determines how to proceed with the matter. If the accused cleric has not yet been notified of the allegation against him, he must be notified at the time that the allegation is forwarded to the Dicastery. If the accused cleric wishes to seek voluntary laicization at this time, the accused cleric's petition should be included with the referral to the Dicastery. The cleric's petition should include his reasons for requesting the dispensation, the circumstances surrounding the accusation, etc.⁴¹
50. If the diocesan bishop determines that it is likely that a non-reserved delict has been committed, then he is to indicate the means by which the delict is to be prosecuted.

³⁹ *A Resource for Canonical Processes*, 11.

⁴⁰ *SST*, 13. Cf. *Essential Norms*, 6.

⁴¹ *A Resource for Canonical Processes*, 13.

51. If the allegation has been referred to the Dicastery or is to be prosecuted locally, the bishop may apply the precautionary measures mentioned in canon 1722, i.e., withdraw the accused from exercising sacred ministry or any ecclesiastical office or function, impose or prohibit residence in a given place or territory, and prohibit public participation in the Most Holy Eucharist. These restrictions remain until the canonical process has been concluded.⁴²

AFTER THE PRELIMINARY INVESTIGATION

52. “Care will always be taken to protect the rights of all parties involved, particularly those of the person claiming to have been sexually abused and of the person against whom the charge has been made.”⁴³

53. “When an accusation has been shown to be unfounded, every step possible will be taken to restore the good name of the person falsely accused.”⁴⁴

54. When a cleric is removed from ministry because the diocesan bishop has forwarded a complaint to the DDF or because the diocesan bishop must proceed to a local canonical process, the parish or ministry to which he was assigned shall be notified in a timely fashion of the reason for the cleric’s absence. If the cleric has resigned from a parochial office or ministry, this shall also be notified, while always taking care not to imply that such resignation is an admission of guilt.

55. The notice to the parish/ministry is to be carefully formulated so that it respects the right to privacy of the alleged victim(s) and respects the cleric’s right to be considered innocent until proven guilty. The notice should carefully avoid anything that would unjustly damage the cleric’s reputation.⁴⁵

56. Any and all such notices must be approved by the diocesan bishop, who is to approve its formulation and decide the manner of its publication.

⁴² Cf. *Essential Norms*, 6.

⁴³ *Essential Norms*, 13.

⁴⁴ *Essential Norms*, 13.

⁴⁵ Canon 220.

REGARDING CLERICS WHO HAVE ADMITTED TO OR BEEN FOUND GUILTY OF ABUSE OF A MINOR

57. Any cleric who has admitted to or been found guilty of sexual abuse of a minor, shall be removed from all offices or ministries, and his faculties shall be revoked. He shall never again be assigned to any ecclesiastical office or ministry and will be encouraged to request dispensation from the obligations of the clerical state. If appropriate, the diocesan bishop shall request from the Roman Pontiff that the cleric be dismissed from the clerical state.⁴⁶
58. No cleric from a religious institute or society of apostolic life who has admitted to or been found guilty of sexual abuse of a minor shall be accepted into the Diocese of Memphis in Tennessee to exercise ministry or be incardinated in the Diocese.
59. If a diocesan cleric who has abused a minor(s) is to be transferred for residence to another diocese, the diocesan bishop “shall forward, in a confidential manner, to the bishop of the proposed place of residence any and all information concerning any act of sexual abuse of a minor and any other information indicating that he has been or may be a danger to children or young people.”⁴⁷

VERIFICATION OF SUITABILITY FOR MINISTRY

60. If a cleric from another diocese or institute wishes to exercise ministry in the Diocese of Memphis in Tennessee on a stable basis, the diocesan bishop shall verify that the cleric is suitable for ministry and has not admitted or been convicted of sexual abuse of a minor.⁴⁸

⁴⁶ *Essential Norms*, 8, 10.

⁴⁷ *Essential Norms*, 12.

⁴⁸ Cf. *Essential Norms*, 12.