



General Decree

Particular Law for the Diocesan Archives

Mindful of the need for up-to-date norms for the proper care of ecclesiastical records, I hereby revoke the *Governing Policies and Procedures of the Office of Archives and Record Management* with its accompanying Statutes (promulgated by my predecessor on 10 July 1997) and decree the following norms as particular law for the Diocese of Memphis in Tennessee.

Article 1. General Norm

- §1. The Curia of the Diocese of Memphis in Tennessee has various archives: the historical archive (*CIC*, c. 491, §2), the curial archive (c. 486, §2), the secret archive (c. 489, §1), the tribunal archive, and the Catholic education archive, etc. Unless otherwise stated, the following norms pertain only to the historical archive, the curial archive, and the secret archive.
- §2. All documents and materials contained in the archives of the diocesan curia are the property of the Diocese of Memphis in Tennessee and are to be preserved and administered according to the norms of the *Code of Canon Law* and the following norms.

Article 2. Location

The archives are housed at the location determined by the diocesan bishop. At present, they are kept at the Chancery (The Catholic Center).

Article 3. Personnel

- §1. *Chancellor*: "In every curia a chancellor is to be appointed whose principal function, unless particular law establishes otherwise, is to take care that acts of the curia are gathered, arranged, and safeguarded in the archive of the curia" (c. 482, §1).
- §2. *Vice-chancellor*: "If it seems necessary, the chancellor can be given an assistant whose title is to be vice-chancellor" (c. 482, §2). Any reference in these norms to

the chancellor is understood to apply also to the vice-chancellor unless otherwise stated. The chancellor, nevertheless, always retains the right to reserve certain decisions or acts to himself/herself.

§3. *Archivist*: Whenever he considers it advantageous, the diocesan bishop may appoint an archivist who is responsible for the care of the historical archive. The archivist is directed in his/her work by the chancellor. The archivist has the following responsibilities in taking care of the historical archive:

- 1° to maintain and publish an inventory or catalog of materials contained in the historical archive;
- 2° to recommend record management policies for diocesan departments/offices;
- 3° to recommend updates to the Records Retention Policy;
- 4° to increase archival holdings by correspondence with individuals and other sources; and
- 5° to assist approved researchers/visitors in the use of archival materials.

Norms for the Curial Archive

Article 4. Curial Archive

§1. “In every curia there is to be erected in a safe place a diocesan archive, or record storage area, in which instruments and written documents which pertain to the spiritual and temporal affairs of the diocese are to be safeguarded after being properly filed and diligently secured” (c. 486, §2).

§2. “An inventory, or catalogue, of the documents which are contained in the archive is to be kept with a brief synopsis of each written document” (c. 486, §3).

Article 5. Contents of the Curial Archive

The Curial Archive shall contain the following:

1. personnel files of all incardinated clerics,
2. personnel files of all non-incardinated clerics currently residing in the diocese,
3. information/files for all members of all religious institutes or societies of apostolic life residing in the diocese,
4. all documents and records of the Office of the Bishop, and
5. other documents, at the discretion of the local ordinary or the chancellor.

Article 6. Access to the Curial Archive

§1. “The archive must be locked and only the bishop and chancellor are to have its key. No one is permitted to enter except with the permission either of the bishop or of both the moderator of the curia and the chancellor” (c. 487, §1).

- §2. “Interested parties have the right to obtain personally or through a proxy an authentic written copy or photocopy of documents which by their nature are public and which pertain to their personal status” (c. 487, §2).
- §3. A cleric who wishes to view the contents of his personnel file may make a request to the Office of the Chancellor to arrange an appointment.
- §4. “It is not permitted to remove documents from the archive except for a brief time only and with the consent either of the bishop or of both the moderator of the curia and the chancellor” (c. 488).

Article 7. Change of Bishops

- §1. When a diocesan bishop resigns or otherwise loses office (e.g., through transfer to another diocese), all documents from his tenure are to be inventoried and prepared for transfer to the historical archive. This transfer shall not take place, however, until a new diocesan bishop or apostolic administrator has been appointed and has approved the transfer of documents. This provision does not apply to documents held in the personnel files of clergy and members of religious institutes and societies of apostolic life or any other document which by its nature or by designation of the bishop is to be retained in the Curial Archive.

Additional norms for clergy personnel files are found in the *Particular Law for the Personnel Files of Clergy, Seminarians, and Deacon Candidates*.

Norms for the Secret Archive

Article 8. Secret Archive

- §1. “In the diocesan curia is also to be a secret archive [*archivum secretum*], or at least in the common archive there is to be a safe or cabinet, completely closed and locked, which cannot be removed; in it documents to be kept secret are to be protected most securely” (c. 489, §1).
- §2. Though the Latin name *archivum secretum* is usually translated as secret archive, the designation is meant to convey that the contents of the archive are confidential, without the negative connotations often associated with the word “secret” in current English usage. The diocesan bishop may permit other interested persons to view the documents contained in the secret archive when appropriate. Such documents have been and will always be made available to officials who have a legal right to access them.

Article 9. Destruction of Old Documents

- §1. “Each year documents of criminal cases in matters of morals, in which the accused parties have died or ten years have elapsed from the condemnatory sentence, are

to be destroyed. A brief summary of what occurred along with the text of the definitive sentence is to be retained" (c. 489, §2).

Article 10. Access to the Secret Archive

- §1. "Only the bishop is to have the key to the secret archive" (c. 490, §1).
- §2. "When a see is vacant, the secret archive or safe is not to be opened except in a case of true necessity by the diocesan administrator himself" (c. 490, §2).
- §3. "Documents are not to be removed from the secret archive or safe" (c. 490, §3).

Article 11. Records of Penal Investigations and Processes

In the case of penal preliminary investigations (c. 1717), the "acts of the investigation, the decrees of the ordinary which initiated and concluded the investigation, and everything which preceded the investigation are to be kept in the secret archive of the curia if they are not necessary for the penal process" (c. 1719).

Norms for the Historical Archive

Article 12. Historical Archive

- §1. "A diocesan bishop is also to take care that there is an historical archive in the diocese and that documents having historical value are diligently protected and systematically ordered in it" (c. 491, §2).
- §2. The archivist, under the supervision of the chancellor, is responsible for the care of the historical archive.

Article 13. Contents of the Historical Archive

The historical archive shall contain both documents and items of historical or patrimonial importance, including the following:

1. historical curial documents;
2. books, documents and other items relevant to the history of the Diocese;
3. books and documents concerning the history of current and former churches and parishes in the Diocese;
4. documents pertaining to adoptions facilitated by diocesan agencies;
5. any other books, documents, and audio/visual media records that are relevant to the history of the Diocese, as determined by the chancellor;
6. files of employees or volunteers who have left an appointed, volunteer, or elected curial office/position;
7. published documents, histories, newsletters, etc.;
8. books, articles, and other materials published or printed by the diocesan curia;

9. clippings, accounts of activities, notes, annotated books, notebooks, etc.;
10. all administrative, historical, and pertinent records and materials of the general administration and similar materials;
11. notarized duplicate copies of all current legal documents and deeds (as well as those maintained in safes or safety deposit boxes or local or national banks and/or law offices;
12. church furnishings or liturgical items with historical value or that are not currently in use; and
13. relics of saints that belong to the Diocese that are not currently being used for public veneration.

Article 14. Archivist's Duties

- §1. The archivist is to be ever mindful that “[a]ll documents which regard the diocese or parishes must be protected with the greatest care” (c. 486, §1).
- §2. The archivist shall collect, catalogue, preserve, protect, and, when necessary, restore those records and materials pertaining to the history of the life of the Diocese.
- §3. The archivist shall make records available to those persons authorized to view such information, materials, or records.
- §4. The archivist shall diligently keep a record of those items that are on loan to others from the historical archive (e.g., liturgical vessels, relics, etc.).
- §5. No records of any kind are to be removed, stored, destroyed or disposed of without the knowledge and permission of those in charge of the historical archive.

Article 15. No Loan Items

In order to maintain autonomy of ownership of all materials maintained in the archive, the archive will not accept, nor care for “on loan” items or papers from any source.

Article 16. Forwarding of Curial Documents to the Archive

- §1. Each curial department, with the exception of the tribunal, should forward items of historical significance to the historical archive.
- §2. The chancellor is competent to specify items to be forwarded to the historical archive and the procedure for doing so.

Article 17. Temporary Removal of Files from the Historical Archive

- §1. If a diocesan or parochial employee needs to view items in the historical archive,

the chancellor or the archivist or their delegate must be present.

- §2. If there is just cause for an item to be temporarily removed from the historical archive, the following norms are to be observed.
 - a. Removal of any item from the historical archive requires the prior permission of the local ordinary, the chancellor, or the archivist.
 - b. Items removed from the historical archive are not to be removed from the Chancery building without prior written permission from the local ordinary, the chancellor, or the archivist.
- §3. The chancellor is competent to mandate specific procedures for requesting items from the historical archive.

Article 18. Transfer of Files by Departing Curial Staff

- §1. Administrators, employees, and/or volunteers, upon leaving appointed, volunteer, or elected curial offices/positions, shall transfer files, not required by their successors to the historical archive before the day of their departure from curial office/position.
- §2. Files generated while an elected, appointed, or hired person is in office are the property of the office in which they were generated, and not that of the individual.
- §3. Files must not be removed from offices at the end of a term of office except to be transferred to the historical archive.
- §4. Under no circumstances should any file be destroyed or altered in any manner prior to transfer or deposit in the historical archive.

Article 19. Preservation of Parochial Archival Materials

- §1. Parishes are encouraged to send certain archival materials to the historical archive for safe keeping, e.g., very old sacramental registers, historical documents, etc.
- §2. Parochial archival materials should not be deposited at the historical archive if they are expected to be viewed/consulted on a regular basis.
- §3. All items from parochial archives remain the property of the respective parish and should be properly labeled as such, e.g., "Property of N. Parish."
- §4. Whenever a parish is canonically suppressed, the records, documents, and temporal goods of the suppressed parish are forwarded to the parish with which it is merged, as specified in the decree of suppression.

Article 20. Other Items Given to the Historical Archive

- §1. Parishes, individuals, organizations, schools, or other ecclesiastical entities may wish to donate items to the historical archive for preservation, safe keeping, or so that they can be used by others for religious purposes. Such items become the property of the Diocese and cannot be validly alienated without the written permission of the local ordinary.
- §2. A written document shall be composed and signed indicating that the item has been given to the Diocese.
- §3. If such items are loaned to an ecclesiastical entity, a written record is to be made.
- §4. The chancellor is competent to mandate procedures for donating and loaning items. The chancellor is also competent to make decisions about what donated items are to be accepted for the historical archive. In case of doubt, the local ordinary is to be consulted.
- §5. Items of significant historical, artistic, or monetary value should not be refused without the permission of the local ordinary (cf. c. 1267, §2).
- §6. Items donated with a modal obligation or condition are not to be accepted without the permission of the local ordinary (cf. c. 1267, §2).

Article 21. St. Peter Orphanage/St. Peter Home for Children

- §1. Records from St. Peter Orphanage/St. Peter Home for Children are preserved in the historical archive. These records include sacramental records and residential records, e.g., academic records, medical updates and vaccinations, and correspondence.
- §2. Mindful of the need to respect the privacy of individuals who were served by St. Peter Orphanage/St. Peter Home for Children, these records shall be kept confidential.
- §3. The chancellor is competent to mandate policies and procedures for the release of information from these records.

Article 22. Guests/Researchers

- §1. No one may access the historical archive without the permission of the chancellor or the archivist.
- §2. Permission to access the historical archive for non-Chancery employees must be made in writing to the chancellor. A written statement of purpose for the research and the records to be consulted must be submitted to the chancellor by the

researcher.

- §3. Those who are approved to access the historical archives for the purpose of research may quote from archival documents only with permission of the chancellor and with due reference to the source.
- §4. No letter, memorandum, or document written by a person still living may be quoted, paraphrased, or used in any way without the written consent of the author.
- §5. The researcher must assume full responsibility for conforming to the civil laws regarding libel, property rights, etc. that may be involved in the use of manuscripts and other archival materials.

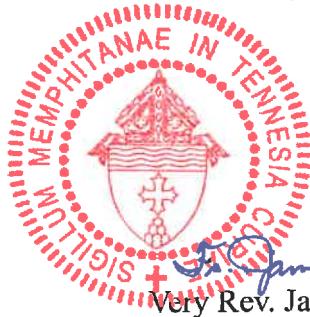
Article 23. Handling of Archival Materials by Guests

- §1. Records shall be handled with care. They shall not be traced over or marked upon.
- §2. If the chancellor grants permission for the reproduction of materials, the process is carried out by the archivist. Those requesting materials to be reproduced must pay for them in advance.
- §3. Permission to reproduce material does not constitute the right to publish.
- §4. If permission is given for the use of materials for publication, two copies of the publication are to be sent (at the author's expense) to the archivist. A thesis or dissertation is considered a publication.
- §5. No book, document, manuscript, or other item may be removed from the historical archive.
- §6. A copy of the above policies on handling archival materials shall be presented to all researchers or those seeking to use materials in any manner.

These norms are to be published on the diocesan website.

All contrary diocesan laws and customs are hereby revoked.

Given at the Chancery in Memphis on the 19th of February 2026


+ 
Most Rev. David P. Talley, M.S.W., J.C.D.
Bishop of Memphis in Tennessee

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

Appendix A

Procedure for Temporary Removal of Items from the Historical Archive

All items and files located in the historical archive, whether paper, electronic, or otherwise, are the property of the Diocese of Memphis in Tennessee. If a diocesan or parochial employee needs to view an item in the historical archive, this should ordinarily take place in the presence of the chancellor or the archivist. If there is a just cause for temporary removal of an item from the historical archive, the prior permission of the local ordinary, the chancellor, or the archivist is required.

When seeking permission to temporarily remove an item from the historical archive, the person making the request must:

- indicate the reason for the request;
- agree to the proper care of the item while in his/her possession;
- assume responsibility for damage, alteration, or loss of the item;
- agree not to remove the item from the Chancery building, unless written permission has been granted by the local ordinary, the chancellor, or the archivist;
- indicate the anticipated time that the item will be returned; and
- complete the “Removed from Archive” form.

Copies of the “Removed from Archive” form are located in the historical archive. The white copy is to be kept on file at the archive. The yellow copy is kept with the item and should accompany the item when it is returned, thereby serving as proof of return.

Questions regarding this procedure may be directed to the archivist.

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

2/19/20
Date

Appendix B

Procedure for Temporary Removal Items from the Historical Archive

Each curial department is asked to maintain working files for two years. After two years, they are to submit these files to the historical archive.

For historical purposes, each department should include a record of what has happened in that department within a given year. The types of materials that should be sent to the historical archive, include the following:

- letters and/or relevant correspondence;
- memos, agendas, and minutes for committee meetings;
- annual or quarterly reports;
- strategic plans and updated materials;
- manuals, publications, newsletters and news releases;
- brochures, flyers and promotional materials for special events;
- printed programs and booklets; and/or
- artifacts of special significance.

Materials to be sent to the Archives are to be prepared in the following manner.

1. Organize the files into appropriate categories and/or classifications.
2. Remove files from hanging files.
3. Place files in manila folders.
4. Label each file (print only).
5. Arrange materials in sequential order—most recent in front, oldest in back.
6. Remove metal paper clips, staples, tape, rubber bands, and replace with plastic paper clips.
7. All files sent to the historical archive must be submitted along with the completion of the “Files Sent to Archive” form, giving a brief description of the files submitted. The white copy of the form is submitted with files. A yellow copy of the form is retained by the department submitting the files.

Questions regarding this procedure may be directed to the archivist.



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



Date

Appendix C

Procedure for Donation to the Historical Archive and Loans from the Archive

When items are donated to the historical archive, each item must be properly recorded. This means that each item submitted must be accompanied by a completed "Deed of Gift" form. To borrow an item from the historical archive, a completed "Acquisition Form" must be submitted.

"Deed of Gift": This form indicates that the item donated is permanently given to the Diocese and that the one donating it fully understands that he/she is conveying all legal title and property rights to the Diocese. This form must be signed and dated by the donor.

"Acquisition Form": This form includes a brief description of the donated item, the location and/or person(s) that donated the item, and a photograph of the item itself. Information on the recipient of the loaned item and the length of the loan are required.

Completed forms are kept on file in the historical archive.

Questions regarding this procedure may be directed to the archivist.



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



Date

Appendix D

Policy and Procedure for Requesting Records of St. Peter Orphanage/St. Peter Home for Children

Requests for records from St. Peter Orphanage/St. Peter Home for Children pertain to sacramental records and residential records. Sacramental records are church records of baptism, first holy communion, and confirmation. Residential records pertain to items such as academic records, medical updates and vaccinations, and correspondence. Both types of records may contain private information, and the privacy of individuals must be protected. The provisions of the following policy and procedure must be observed.

1. The historical archive of the Diocese of Memphis does not contain any records of **adopted children** from St. Peter Orphanage/St. Peter Home for Children. All records for former residents adopted from these institutions have been sent to the Department of Children Services in Nashville, TN. Any request for these records must be sent directly to the Department of Children Services, Cordell Hull Building, 8th Floor, 436 Sixth Avenue North, Nashville, TN 37243-1290. For more information, please check their website.
2. Record requests for any **child who was not adopted** from either St. Peter Orphanage/St. Peter Home for Children must be made by the person him/herself. This request must be in writing and include the following:
 1. statement of reason for making the request;
 2. dates and times of residency at St. Peter Orphanage/St. Peter Home for Children; and
 3. proof of identity, such as a copy of one's birth certificate, a copy of a marriage certificate, or a copy of a valid driver's license or state-issued ID with photo and current address.
3. Immediate relatives may request records for a **deceased former resident**. This request must be in writing and include the following:
 1. statement of reason for making the request;
 2. a copy of the death certificate of the former resident;
 3. proof of identity of the person making the request, such as a copy of one's birth certificate, a copy of a marriage certificate, or a copy of a valid driver's license or state-issued ID with photo and current address; and
 4. proof of direct relationship to the former resident.

No records will be given to a third party, such as a family research agent/company.

All requests should be addressed to the Office of the Chancellor, Diocese of Memphis, 5825 Shelby Oaks Drive, Memphis, TN 38134. Requests should also include a check in the amount of \$25.00, made payable to the Diocese of Memphis.

For additional information, contact the archivist at (901) 373-1200 or archives.cc@cc.edom.org


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


Date