



## GENERAL DECREE

### PARTICULAR LAW FOR THE PERSONNEL FILES OF CLERGY, SEMINARIANS, AND DEACON CANDIDATES

Mindful of the need for up-to-date norms for the proper care of ecclesiastical records, especially records relating to clerics and those who aspire to the clerical state, I hereby revoke the Policy on Permanent Records of Clergy (promulgated by my predecessor on 20 March 2008) and decree the following norms as particular law (cf. c. 29) for the Diocese of Memphis in Tennessee.

#### Introduction

The following norms are established for the sake of standardizing the retention of records, ensuring that complete records are kept, and protecting the privacy of the individuals to whom the records relate.

The proper management of clergy records should be governed by three principles.

1. The diocesan bishop must be able to make sound ministerial decisions based on accurate and complete records.
2. A cleric (or one in formation for the clerical state) should have access to his records restricted to certain persons for the sake of his right to privacy.
3. Personnel records should accurately document all decisions and actions made during a cleric's formation and ministry.

Personnel files for clerics and those in formation for admission to the clerical state include evidence of their educational and ministerial lives. Information placed in these files enables the local ordinary to make informed and responsible decisions concerning clerics, especially regarding their ministerial assignments.

#### Article 1. General Norm

These norms pertain only to the personnel files of clerics, former clerics, seminarians, and men in formation for the permanent diaconate.

## **Article 2. Clergy Personnel Files**

- §1. The chancellor and vice-chancellor(s) are responsible for clergy personnel files (cf. c. 482).
- §2. A personnel file is to be maintained in the curial archive for every deacon or priest incardinated in the Diocese of Memphis in Tennessee, every deacon or priest who currently resides or has resided in the Diocese, and every priest or deacon who, having been incardinated in the Diocese, has lost the clerical state.
- §3. The personnel file of a transitional deacon is kept with the personnel files of priests unless and until he should elect to remain a deacon (see c. 1038).

## **Article 3. Categorization of Files**

- §1. Personnel files of priests are to be organized in four different groups:
  - 1° active (incardinated priests who are not retired and have an assignment);
  - 2° inactive (incardinated priests who are retired or do not have an assignment);
  - 3° extern (priests incardinated in another diocese or institute and resident in the Diocese of Memphis); and
  - 4° laicized (priests who have lost the clerical state).
- §2. Personnel files of permanent deacons are organized in four different groups:
  - 1° active (incardinated permanent deacons who are active in ministry);
  - 2° inactive (incardinated deacons who are not active in ministry);
  - 3° extern (deacons who are not incardinated in the Diocese of Memphis but reside in the Diocese); and
  - 4° laicized (deacons who have lost the clerical state).

## **Article 4. Access to One's Personnel File**

- §1. A cleric may request to view his personnel file.
- §2. Personnel files may only be viewed at the Chancery.
- §3. A cleric may not remove anything from his personnel file.
- §4. The chancellor or his/her delegate is to be present while the cleric views his file.
- §5. If a cleric believes that something in his personnel file is factually incorrect or subject to a different interpretation, he may submit a written comment or rebuttal to be included in the file.

## **Article 5. Organization of Individual Files**

A cleric's personnel file is divided into six sections: general personnel file, canonical file, formation file, medical/psychological file, safe-environment file, and suitability file.

## **Article 6. Internal Organization of Files**

§1. The contents of the general personnel file shall include:

- 1° vitae card: a report (with picture) that details date of birth, date(s) of ordination(s), assignments, appointments, and other information on the life of the cleric;
- 2° immigration documentation: official immigration documents, such as copies of a visa and passport;
- 3° academic records: diplomas or other documents attesting to academic degrees earned or studies/training undertaken after ordination;
- 4° sabbatical documents: all documents related to a request for a sabbatical, decision of the local ordinary, location and conditions, etc.;
- 5° wills: originals or copies of the cleric's last will and testament, with any amendments, codicils, etc.;
- 6° civil legal documents: e.g., power of attorney, advanced directive, etc.;
- 7° funeral arrangements; and
- 8° correspondence to, from, or about the cleric (not including greeting cards, casual notes, etc.)

§2. The formation file should include various documents related to formation, including:

- 1° oaths and agreements: signed oaths and agreements, e.g., promise of celibacy, professions of faith, oath of fidelity, code of conduct acknowledgments, etc.;
- 2° petitions for ministries and orders;
- 3° seminary/academic transcripts and grade reports; and
- 4° certificates of ordination.

§3. The canonical file shall include all official canonical documents, e.g.:

- 1° grant of faculties;
- 2° letters/decrees of appointment to a parish/office/assignment;
- 3° penal decrees/sentences: decrees containing precepts, penal precepts, warnings, rebukes, imposed penances, extrajudicial decrees and sentences in penal matters;
- 4° petition for laicization and accompanying documents; and
- 5° rescript of laicization or decree of dismissal from the clerical state.

§4. The suitability file shall include:

- 1° testimonial letters/letter of suitability and
- 2° celebrets.

§5. For the contents of the medical/psychological file, see article 18 below.

§6. For the contents of the safe environment file, see article 19 below.

#### **Article 7. Reduction of the Formation File**

§1. After a cleric has been ordained to the priesthood for five years, all documents in the formation file are destroyed, **except** the following:

- 1° petitions for institution in the ministries of lector and acolyte;
- 2° petitions for ordination to the diaconate and priesthood;
- 3° profession of faith;
- 4° oath of fidelity;
- 5° promise of celibacy;
- 6° last seminary/academic transcript;
- 7° documents attesting to safe-environment training, additional academic study/training/certification; and
- 8° final seminary/formation evaluation.

#### **Article 8. Records of Penal Investigations and Processes**

If a preliminary investigation (c. 1717) or a penal process is conducted against a cleric, the documentation will be held in the secret archive (c. 489, §1).

#### **Article 9. Files in the Secret Archive**

If there is a file in the secret archive that contains information pertaining to a cleric, the local ordinary may place a notice in the personnel file indicating that fact.

#### **Article 10. Files for Deceased Clerics**

When a cleric dies, his personnel file is moved to the historical archive, unless in a particular instance, the local ordinary decides otherwise. The file is retained permanently.

#### **Article 11. Seminarian Personnel Files**

§1. A personnel file is to be maintained in the Office of Vocations for every seminarian.

§2. The director of vocations is responsible for the personnel files of seminarians.

## **Article 12.   Contents of Seminarian Files**

The seminarian's personnel file shall contain the following documents:

- 1° application documentation (including application to study for the priesthood and documents submitted at time of application, e.g., personal statements, writing samples, letters of recommendation, transcripts of previous schools, etc.);
- 2° correspondence (e.g., letters to/from the seminary about the seminarian and letters, emails, faxes, or memos to/from or about the seminarian);
- 3° formation reports/evaluations (e.g., seminary evaluations and other reports from advisors, instructors, field experience supervisors, etc.);
- 4° Medical Records (e.g., medical examination reports and immunization reports);
- 5° psychological reports (e.g., reports of an evaluation by a psychological professional and summary report of psychological testing);
- 6° transcripts/report cards;
- 7° profession of faith;
- 8° oath of fidelity;
- 9° promise of celibacy;
- 10° petition for admission to candidacy;
- 11° petitions for institution in the ministries of lector and acolyte;
- 12° notifications of institution in ministries;
- 13° petition for ordination to the diaconate;
- 14° certificate of ordination to the diaconate; and
- 15° safe environment documentation (including certificate of safe-environment training, acknowledgement of codes of conduct and/or ministry standards, criminal background check results, correspondence regarding these matters).

## **Article 13.   Transfer of Seminarian File at Ordination**

When a seminarian is ordained to the diaconate, his personnel file is moved to the curial archive to be kept with priest files.

## **Article 14.   Transfer of File for a Seminarian Who Leaves Formation**

- §1. The personnel file of a seminarian who leaves formation for the priesthood before ordination is moved to the historical archive where it is retained permanently. The psychological evaluation will be destroyed.
- §2. The director of vocations is to include a statement in the file detailing the circumstances surrounding the seminarian's departure and any letter(s) of resignation from the seminarian.

## **Article 15. Deacon Formation Personnel Files**

- §1. A personnel file is to be maintained in the Office of the Permanent Diaconate for every man who is in formation for the permanent diaconate (aspirants and candidates).
- §2. The director of the Office of the Permanent Diaconate is responsible for the personnel files of men in formation for the permanent diaconate.

## **Article 16. Transfer of Candidates File at Ordination**

The personnel file of a man in formation for the permanent diaconate shall contain the same documentation as that of a seminarian file. See article 12 above.

## **Article 17. Transfer of File for a Candidate Who Leaves Formation**

The personnel file of one in formation for the permanent diaconate who leaves formation before ordination is moved to the historical archive where it is retained permanently.

## **Article 18. Medical/Psychological Records**

- §1. Any written medical or psychological records or evaluations of a cleric or one aspiring to the clerical state are private documents and must be protected.
- §2. All records of psychological testing for a seminarian or a man in formation for the permanent diaconate are to be destroyed five years after his ordination.
- §3. If the diocesan bishop requests a medical or psychological evaluation of a cleric, the report from the evaluation is to be kept in the personnel file for five years. After five years, it is to be destroyed, unless the cleric requests that it be kept for some legitimate reason.
- §4. If a cleric requests laicization or if a process for dismissal from the clerical state is initiated, psychological reports cannot be included among the documentation unless the cleric gives express written consent, which is to be included among the documentation.
- §5. Since the Diocese is self-insured, certain personnel have access to confidential medical information from the company that administers the health insurance plan. This information is strictly confidential and is never included in a personnel file.

## **Article 19. Safe Environment Records**

- §1. In accordance with the Church's commitment to providing a safe environment for minors, documentation of safe environment training and acknowledgement of

diocesan policies and/or codes of conduct regarding ministry with minors are to be carefully preserved.

- §2. Information on the results of criminal background checks should be permanently retained in the personnel file.
- §3. Any other correspondence regarding safe environment and child protection matters are to be kept in the personnel file.
- §4. Copies of these documents are also to be kept on file in the Office of Human Resources.

#### **Article 20. Financial Records**

Financial records, e.g., documentation of remuneration, insurance, pension, etc., are not kept in personnel files. This information is to be securely kept in the Office of Human Resources.

These norms are to be published on the diocesan website and are effective immediately.

All contrary diocesan laws and customs are hereby revoked.

Given at the Chancery in Memphis on the 19<sup>th</sup> 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

