



**Catholic Diocese *of* Memphis**

# **STATUTES OF THE DIOCESAN REVIEW BOARD OF THE DIOCESE OF MEMPHIS IN TENNESSEE**

February 2026

# Statutes of the Diocesan Review Board



## DECREE

The Diocesan Review Board (DRB) was established in the Diocese of Memphis in Tennessee in response to the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* promulgated by the United States Conference of Catholic Bishops in 2002. The DRB has provided invaluable assistance to me and my predecessors in evaluating allegations of sexual abuse of minors by clerics and in recommending policies for the protection of children.

After review of the current statutes, revisions have been submitted to me to bring the statutes into conformity with the requirements of canon law; therefore, having heard the DRB on this matter, I approve the attached *Statutes of the Diocesan Review Board of the Diocese of Memphis in Tennessee*, effective today.

Given at the Chancery in Memphis, under my sign and seal and the countersignature of my Chancellor, on the 19<sup>th</sup> of February 2026



+ *David P. Talley*

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

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

# STATUTES OF THE DIOCESAN REVIEW BOARD OF THE DIOCESE OF MEMPHIS IN TENNESSEE

## Nature and Purpose of the Board

1. The Diocesan Review Board (DRB) is a confidential consultative body that assists the Bishop of the Diocese of Memphis in Tennessee in accord with the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* promulgated by the United States Conference of Catholic Bishops. 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.<sup>1</sup>
2. The DRB does not investigate alleged delicts of sexual abuse of minors; rather it evaluates evidence presented by the diocesan bishop, his vicar(s), or his appointed investigator and offers advice to the diocesan bishop.<sup>2</sup>
3. If the Diocese receives an allegation of sexual abuse of a minor by a cleric who is already deceased, the diocesan bishop may ask the DRB to investigate the allegation.

## Membership & Terms

4. The DRB shall be composed of “at least five persons of outstanding integrity and good judgment [who are] in full communion with the Church.”<sup>3</sup>
5. The members are appointed by the diocesan bishop.
6. The majority of the members of the DRB shall be lay persons who are not in the employ of the diocese.<sup>4</sup>
7. At least one member should be a priest who is an experienced and respected pastor of the diocese.<sup>5</sup>

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<sup>1</sup> Cf. *Essential Norms*, 4.

<sup>2</sup> 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.

<sup>3</sup> *Essential Norms*, 5.

<sup>4</sup> *Essential Norms*, 5.

<sup>5</sup> *Essential Norms*, 5.

8. At least one member “should have particular expertise in the treatment of the sexual abuse of minors.”<sup>6</sup>
9. The members shall be appointed for a renewable term of five years.

### **Advisory Members**

10. The Promoter of Justice or another canonist selected by the diocesan bishop shall participate in the meetings of the DRB as a non-voting member. He/She is to serve as a canonical resource to the members of the DRB and may participate in the DRB’s deliberations.
11. The Victim Assistance Coordinator shall participate in the meetings of the DRB as a non-voting member.

### **Officers**

12. The diocesan bishop will appoint a chairman. The chairman presides over all meetings of the DRB, sets the agenda, calls meetings, and acts as primary liaison with the diocesan bishop and his vicars/delegates.
13. The chairman shall appoint a secretary to keep minutes of all meetings and hearings of the Board.
14. The chairman may also appoint a *pro temp* chairman to preside over meetings in his absence, or upon the chairman’s recusal from a specific matter.
15. It is the chairman’s responsibility to enforce the statutes of the DRB.

### **Meetings and Quorum**

16. The DRB shall meet at least twice a year.
17. A majority of the members of the DRB shall constitute a quorum.
18. No party shall have the right to disqualify members of the DRB. A DRB member shall only disqualify himself to hear a matter if such DRB member does not believe he/she can be fair and impartial, in light of such member’s relationship with a party or independent knowledge with respect to one of the parties.

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<sup>6</sup> *Essential Norms*, 5.

## Parliamentary Procedure

19. *Robert's Rules of Order*, newly revised, shall govern all proceedings before the DRB.

### Complaints Regarding Clerics Who Are Still Living

20. **Forwarding of Complaint to the DRB Chairman:** When a complaint of sexual abuse by a living cleric is received by the diocesan bishop, after notifying the appropriate civil authorities, he must first determine if the complaint has at least the semblance of truth. If the complaint appears to have some semblance of truth, the diocesan bishop will decree the opening of a canonical preliminary investigation. If it appears that the complaint does not have any semblance of truth or that the complaint does not meet the definition of sexual abuse of a minor by a cleric, the diocesan bishop shall first forward the complaint to the DRB for its observations before deciding to dismiss the complaint.
21. **Summary Procedure for Manifestly Frivolous Claims:** If, in the opinion of the chairman, a forwarded complaint appears patently frivolous or manifestly does not meet the definition of sexual abuse of a minor, the chairman, in conjunction with two additional concurring DRB members, may immediately transmit to the Bishop a signed advisory opinion that such claim is frivolous or does not meet the definition of sexual abuse of a minor.
22. **Initial Hearing for a Complaint:** If the complaint is not manifestly frivolous, the chairman shall schedule a meeting of the DRB to be held within fifteen days. If the DRB determines that the complaint has the semblance of truth, it will forward a written opinion to the diocesan bishop along with the name of a proposed investigator for his consideration. If the DRB determines that the complaint does not have any semblance of truth, it shall forward a written opinion to the diocesan bishop for his consideration. The diocesan bishop will postpone the investigation if requested by civil authorities.
23. **Scheduling a Hearing:** Before decreeing the conclusion of a canonical preliminary investigation, the diocesan bishop shall forward all relevant documents and statements collected during the investigation to the chairman of the DRB. Upon receipt of the relevant documents, the chairman shall notify the DRB and schedule a hearing no later than 120 days after referral. For a just cause, the chairman may extend the date of the hearing up to an additional sixty days.
24. **Conduct of Hearing:** The DRB may consider all written documentation, audio recordings, and videotaped interviews provided by the investigator. The members of the DRB may ask clarifying questions of the investigator. If the DRB determines that additional information should be obtained, a written recommendation shall be made to the diocesan bishop stating what additional information should be sought. The proceedings shall then be continued after the diocesan bishop has sought additional information.

25. **Continuances:** Except for a just cause, a matter should ordinarily be heard and disposed of in one meeting. If, however, additional information is requested from the diocesan bishop, the chairman shall schedule a new date for the hearing to be resumed.
26. **Live Witnesses:** With the express approval of the diocesan bishop, the DRB may be allowed to interview or hear statements from the complainant, the alleged victim, the accused cleric, or other witnesses, either live or by audio or video presentation.
27. **Privacy:** The public is not allowed to attend meetings of the DRB. Video or audio recordings of meetings are not permitted. With the permission of the chairman, a party or witness may request that a support person be present during the hearing. Such requests should be made at least ten days prior to the hearing, and their approval is solely at the discretion of the chairman.
28. **Determination on Credibility of a Complaint:** Bearing in mind the right of the accused to be considered innocent until proved otherwise (c. 1321, §1), the complaint will be deemed credible if the DRB determines that, based on the available evidence, it is more likely than not that abuse occurred. If the available evidence is equally divided, the allegation will not be deemed credible.
29. **Findings and Recommendation on the Credibility of a Complaint:** The DRB members present and voting shall attempt to come to a unanimous decision regarding the credibility of a complaint. If, however, two-thirds of the members of the DRB present and voting concur with respect to a recommendation, such shall be the recommendation of the DRB. Failure of at least two-thirds of the DRB members present and voting to concur will result in no finding of sexual misconduct being made to the diocesan bishop. The findings and recommendation of the DRB shall be reduced to writing and signed by the chairman and secretary and transmitted to the diocesan bishop. The DRB shall not cause the findings and recommendation to be revealed to any other person. It is solely within the diocesan bishop's discretion whether to share the contents of the written opinion of the DRB with the parties or the public.

### **Complaints Regarding Clerics Who Are Deceased**

30. **Forwarding of Complaint to the DRB Chairman:** Any information regarding sexual abuse of a minor by a cleric who is already deceased shall be communicated to the DRB by the diocesan bishop.
31. **Investigation:** Since there is no need for a canonical preliminary investigation, the chairman of the DRB is competent to select and employ a professional investigator to investigate the matter.

32. **Hearing:** After the investigator has conducted a thorough investigation, the chairman of the DRB shall schedule a hearing. The DRB may consider all written documentation, audio recordings, and videotaped interviews provided by the investigator. The members of the DRB may question the investigator. If the DRB determines that additional information should be obtained, the chairman shall instruct the investigator to obtain the required information.
33. **Live Witnesses:** The DRB may interview or hear statements from the complainant, the alleged victim, or other witnesses, either live or by audio or video presentation.
34. **Privacy:** The public is not allowed to attend meetings of the DRB. Video or audio recordings of meetings are not permitted. With the permission of the chairman, a party or witness may request that a support person be present during the hearing. Such requests should be made at least ten days prior to the hearing, and their approval is solely at the discretion of the chairman.
35. **Determination on Credibility of a Complaint:** Bearing in mind the right of the accused to be considered innocent until proved otherwise, the complaint will be deemed credible if the DRB determines that, based on the available evidence, it is more likely than not that abuse occurred. If the available evidence is equally divided, the allegation will not be deemed credible.
36. **Findings and Recommendation on the Credibility of a Complaint:** The DRB members present and voting shall attempt to come to a unanimous decision regarding the credibility of a complaint. If, however, two-thirds of the members of the DRB present and voting concur with respect to a recommendation, such shall be the recommendation of the DRB. Failure of at least two-thirds of the DRB members present and voting to concur will result in no finding of sexual misconduct being made to the diocesan bishop. The findings and recommendation of the DRB shall be reduced to writing and signed by the chairman and secretary and transmitted to the diocesan bishop. The DRB shall not cause the findings and recommendation to be revealed to any other person. It is solely within the diocesan bishop's discretion whether to share the contents of the written opinion of the DRB with the parties or the public.