



Code of Pastoral Conduct

For Priests, Deacons, Parish Life Coordinators,
Administrators and Staff

Diocese of Great Falls-Billings

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Preface

This *Code of Pastoral Conduct for Priests, Parish Life Coordinators, Deacons, Pastoral Ministers, Administrators, and Employees (Code of Pastoral Conduct for Staff)* is intended for use as a risk management tool by bishops, pastors, superiors of religious communities/institutes, and administrators. The purpose of the *Code of Pastoral Conduct for Staff* is to assist in developing and implementing uniform guidelines for appropriate behavior in situations of pastoral counseling and spiritual direction. The *Code of Pastoral Conduct for Staff* is not intended to address all situations that may arise in pastoral counseling relationships. It is intended to create a structure for addressing a variety of circumstances that, if not appropriately addressed, may create a risk of incidents, allegations, claims and/or lawsuits.

The Church must be exemplary. Clergy and staff should and will be held accountable for their behavior. In order to maintain the highest level of accountability, there must be a clear and unambiguous blueprint of appropriate and inappropriate behavior. The *Code of Pastoral Conduct for Staff* provides a basic structure for identifying limits. It is intended as a “continuous improvement document.” Therefore, your suggestions and recommendations for additions and revisions are encouraged.

The Diocese of Great Falls-Billings has modeled this *Code of Pastoral Conduct* on the VIRTUS® sample, and is now implemented in adherence to and in strict compliance with the *Charter for the Protection of Children and Young People, Revised Edition*¹ (*Charter*) and *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests, Deacons, or other Church Personnel*² (*Norms*). The *Charter* and *Norms* are available on the Internet at <http://www.usccb.org/ocyp/charter.pdf>

¹ The *Charter for the Protection of Children and Young People, Revised Edition*, United States Conference of Catholic Bishops, Washington, D.C., November 2002.

² The *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*, United States Conference of Catholic Bishops, Congregation for Bishops, Washington, D.C., December 8, 2002. Note: The *Norms* were officially promulgated as particular law of the United States on December 12, 2002.



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I. Preamble

Priests, Parish Life Coordinators, deacons, pastoral ministers, administrators, staff, and volunteers in our parishes, religious communities/institutes, and organizations must uphold Christian values and conduct. The *Code of Pastoral Conduct for Priests, Parish Life Coordinators, Deacons, Pastoral Ministers, Administrators, Staff, (Code of Pastoral Conduct for Staff)* provides a set of standards for conduct in certain pastoral situations.

II. Responsibility

The public and private conduct of clergy, staff, and volunteers can inspire and motivate people, but it can also scandalize and undermine the people's faith. Clergy, staff, and volunteers must, at all times, be aware of the responsibilities that accompany their work. They must also know that God's goodness and grace supports them in their ministry.

Responsibility for adherence to the *Code of Pastoral Conduct for Staff* rests with the individual. Clergy and staff who disregard this *Code of Pastoral Conduct* will be subject to remedial action by the Diocese. Corrective action may take various forms—from a verbal correction to removal from the ministry—depending on the specific nature and circumstances of the offense and the extent of the harm.



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III. Pastoral Standards

a. Conduct for Pastoral Counselors and Spiritual Directors³

Pastoral Counselors and Spiritual Directors must respect the rights and advance the welfare of each person.

- 1.1 Pastoral Counselors and Spiritual Directors who are diocesan personnel shall not advise beyond their competence in counseling situations and shall refer clients to other professionals when appropriate.
- 1.2 Pastoral Counselors and Spiritual Directors who are diocesan personnel should carefully consider the possible consequences before entering into a counseling relationship with someone with whom they have a pre-existing relationship (i.e., employee, professional colleague, friend, or other pre-existing relationship). [See Section 7.2.2]
- 1.3 Pastoral Counselors and Spiritual Directors should not audiotape or videotape sessions.
- 1.4 Pastoral Counselors and Spiritual Directors who are diocesan personnel must never engage in sexual intimacies with the persons they counsel. This includes consensual and nonconsensual contact, forced physical contact, and inappropriate sexual comments.
- 1.5 Pastoral Counselors and Spiritual Directors who are diocesan personnel assume the full burden of responsibility for establishing and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships.
- 1.6 Physical contact of any kind (i.e., touching, hugging, holding) between Pastoral Counselors or Spiritual Directors who are diocesan personnel and the persons they counsel can be misconstrued and should be avoided.
- 1.7 Sessions should be conducted in appropriate settings at appropriate times.

³ Pastoral Counselors and Spiritual Directors: Clergy, staff, and volunteers who provide pastoral, spiritual, and/or therapeutic counseling services to individuals, families, or other groups.



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1.7.1 No sessions should be conducted in private living quarters.

1.7.2 Sessions should not be held at places or times that would tend to cause confusion about the nature of the relationship for the person being counseled.

1.8 Pastoral Counselors and Spiritual Directors who are diocesan personnel should maintain a log of the times and places of sessions with each person being counseled.

b. Confidentiality

Information disclosed to a Pastoral Counselor or Spiritual Director during the course of counseling, advising, or spiritual direction shall be held in the strictest confidence possible.

2.1 Information obtained in the course of sessions shall be confidential, except for compelling professional reasons or as required by law. The obligation of Pastoral Counselors and Spiritual Directors to report client misconduct is subject to the duty of confidentiality. However, any agreement or duty to maintain confidentiality must yield to the need to report misconduct that threatens the safety, health, or well-being of any of the persons involved and to comply with the legal requirements of the State of Montana.

a) If there is clear and imminent danger to the client or to others, the Pastoral Counselor or Spiritual Director may disclose only the information necessary to protect the parties affected and to prevent harm.

b) Before disclosure is made, if feasible, the Pastoral Counselor or Spiritual Director should inform the person being counseled about the disclosure and the potential consequences.

2.2 Pastoral Counselors and Spiritual Directors should discuss the nature of confidentiality and its limitations with each person in counseling.

2.3 Pastoral Counselors and Spiritual Directors should keep records.

2.4 Knowledge that arises from professional contact may be used in teaching, writing, homilies, or other public presentations only when



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effective measures are taken to absolutely safeguard both the individual's identity and the confidentiality of the disclosures.

- 2.5 While counseling a minor, if a Pastoral Counselor or Spiritual Director discovers that there is a serious threat to the welfare of the minor and that communication of confidential information to a parent or legal guardian is essential to the child's health and well-being, the Counselor or Spiritual Director should:
- Attempt to secure written consent from the minor for the specific disclosure.
 - If consent is not given, disclose only the information necessary to protect the health and well-being of the minor.

Consultation with the appropriate Church supervisory personnel is required before disclosure.

These obligations are independent of the confidentiality of the seal of the Sacrament of Penance. Under no circumstances whatsoever can there be any disclosure by a priest—even indirect disclosure—of information received through the sacrament.

c. Conduct with Minors

All personnel- i.e., professionals and volunteers - working with youth shall maintain an open and trustworthy relationship between youth and adult supervisors.

- 3.1 Staff and volunteers must be aware of their own and others' vulnerability when working alone with youth. Use a team approach to managing youth activities. Adults are not to be alone with minors except in a situation where another adult could walk in at any time.
- 3.2 Physical contact with youth can be misconstrued and should occur only when completely nonsexual and otherwise appropriate, and never in private.
- 3.3 All personnel must refrain from (a) the illegal possession and/or illegal use of drugs and/or alcohol all times, and (b) the use of alcohol when working with minors.



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- 3.4 Personnel should not provide shared, private, overnight accommodations for individual young people including, but not limited to, accommodations in any Church-owned facility, private residence, hotel room, or any other place where there is no other adult supervision present. Clergy must not allow minors to stay overnight in the cleric's private accommodations or residence except for relatives with parental permission.
- 3.4.1 In rare, emergency situations, when accommodation is necessary for the health and well-being of the youth, the volunteer should take extraordinary care to protect all parties from the appearance of impropriety and from all risk of harm.
- 3.4.2 A team approach will be used by all personnel to manage emergency situations.
- 3.4.3 Two or more adults must be present for events involving minors in high-risk settings. The recommended ratio for chaperones/supervisors is 1:6.
- 3.4.4 Facilities must be monitored during all organization activities.
- 3.4.5 Children requiring transportation or escort may be released only to a parent, guardian or other person who has been authorized in writing to take custody of the minor(s).
- 3.4.6 Parental approval must be obtained before permitting children to participate in athletic events or any other activity that involves potential risk.
- 3.4.7 Only qualified adult drivers may transport minors. Appropriate permission must be received and all proper insurance forms must be completed and approved by the authority of the organization. Forms and procedures are obtained from the insurance provider of the Diocese (visit the diocesan website for forms at www.dioceseofgfb.org)
- 3.4.8 Parental permission must be obtained, including a signed medical treatment form, before taking minors on trips.



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Medication of any kind may not be administered without written parental permission.

- 3.4.9 Adult participants are required to abstain from drinking alcoholic beverages during the duration of the event, as well as during their travel to and from events.
- 3.4.10 Both adults and minors are expected to attend all activities with the entire group.
- 3.4.11 During all activities, especially a dance or other social event, chaperones shall remain and be available in the premises where the activity takes place.
- 3.4.12 On any trip, information will be distributed to chaperones / supervisors for review with all participants to help familiarize them with the program schedule and layout of the facilities where the event activities will take place.
- 3.4.13 A specific location must be designated where minors will be able to locate their chaperone/supervisor or where the group will meet at an agreed-upon time.
- 3.4.14 During overnight activities, chaperones/supervisors are responsible for establishing curfew and for enforcing it.
- 3.4.15 Chaperones/supervisors must check rooms after curfew to make sure that minors are in their rooms and remain there; sleeping rooms may not be shared with one minor and one adult.
- 3.4.16 Clergy should not allow minors to stay overnight in the cleric's private accommodations or residence, except for relatives with parental permission.

d. Sexual Misconduct and Montana State Reporting Requirements

Clergy and staff must not, for sexual gain or intimacy, exploit the trust placed in them by the faith community. It is the policy of this Diocese that this prohibition extends not simply to intimate physical relationships, but to any



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behavior intending to cause or resulting in illicit sexual gratification, regardless of the extent of physical contact. It is also the policy of this Diocese that clergy, religious, employees and volunteers shall at all times refrain from involvement in any relationship that gives the appearance of prohibited sexual behavior.

- 4.1 Clergy, religious, and staff are called to be an example of chastity in all relationships at all times.
- 4.2 In the context of this policy, sexual abuse of a minor includes: contacts or interactions between a minor and an adult, three or more years older than the minor, when the minor is being used as an object of sexual gratification for the adult. A minor is abused whether or not this activity involves explicit force, whether or not it involves genital or physical contact, whether or not it is initiated by the minor, and whether or not there is discernible harmful outcome. As noted above, these principles apply equally to cases involving the abuse of vulnerable adults.
- 4.3 No clergy or staff may exploit another person for sexual purposes. It is the policy of this diocese that personnel shall refrain from any involvement in any relationship or contact whereby either party receives illicit sexual gratification regardless of the extent of physical contact. Personnel shall at all times refrain from behavior that “could cause scandal” (Canon 277, Section 2).
- 4.4 Allegations of sexual misconduct should be taken seriously and reported to the Vicar General or, in cases of sexual abuse of a minor, the VAC (Victim Assistance Coordinator), and to civil authorities if the situation involves a minor. The Diocesan procedures set forth herein will be followed to protect the rights of all involved.
- 4.5 Clergy and staff are responsible to know contents of the child abuse regulations and reporting requirements for the state of Montana and will follow those mandates, including but not limited to the following from the Montana Code Annotated:



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MT

Agency: Department of Public Health and Human Services

Website: <http://www.dphhs.mt.gov/cfsd/>

State Statutes: http://data.opi.mt.gov/bills/mca_toc/index.htm

Statute Citation: Mont. Code Ann. § 41-3-201

Statute Link: [Statute Link](#)

Procedure: Contact department

Hotline: 1-866-820-5437

e. Harassment

Personnel must not engage in physical, psychological, written, or verbal harassment of anyone and must not tolerate such harassment by others.

- 5.1 Clergy and staff shall provide a professional work environment that is free from physical, psychological, written, or verbal intimidation or harassment.
- 5.2 Harassment encompasses a broad range of physical, written, or verbal behaviors, including without limitation the following:
 - a. Physical or mental abuse.
 - b. Racial insults.
 - c. Derogatory ethnic slurs.
 - d. Unwelcome sexual advances or touching.
 - e. Sexual comments or sexual jokes.
 - f. Requests for sexual favors used as:
 - a condition of employment, or
 - to affect other personnel decisions, such as promotion or compensation.
 - g. Display of offensive materials.
- 5.3 Harassment can be a single severe incident or a persistent pattern of behavior where the purpose or the effect is to create a hostile, offensive, or intimidating work environment.
- 5.4 Allegations of harassment will be taken seriously and reported immediately to the Vicar General or, in cases involving sexual abuse of a minor, the VAC. Diocesan procedures will be followed to protect the rights of all involved.



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f. Parish, Religious Community/Institutional Records and Information

Confidentiality will be maintained in creating, storing, accessing, transferring, and disposing of parish, religious community/institute, or organizational records. Employees who have been granted access to confidential records must follow diocesan policy.

g. Conflicts of Interest

Clergy and staff should avoid situations that might present a conflict of interest. Even the appearance of a conflict of interest can call integrity and professional conduct into question.

- 7.1 All personnel are required to disclose all relevant factors that could potentially create a conflict of interest. Pastoral counselors should not provide counseling services to anyone with whom they have a business, professional or social relationship. When this is unavoidable, the client must be protected. The counselor must establish and maintain clear, appropriate boundaries.
- 7.2 All personnel are required to inform all parties when a real or potential conflict of interest arises. Resolution of the issues must protect the person receiving ministry services.
 - 7.2.1 No clergy or staff may take advantage of anyone to whom they are providing services in order to further their personal, religious, political, or business interests.
 - 7.2.2 Pastoral counselors should not provide counseling services to anyone with whom they have a business, professional, or social relationship. When this is unavoidable, the client must be protected. The counselor must establish and maintain clear, appropriate boundaries.
 - 7.2.3 When pastoral counseling or spiritual direction services are provided to two or more people who have a relationship with each other, the Pastoral Counselor or Spiritual Director must:



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- a. Clarify with all parties the nature of each relationship,
 - b. Anticipate any conflict of interest,
 - c. Take appropriate actions to eliminate the conflict, and
 - d. Obtain from all parties written consent to continue services.
- 7.3 Diocesan personnel are often in the position of representing the Bishop at the parish level and consequently may have a conflict of interest in terms of advocacy for staff personnel vis-à-vis the chancery; personnel are simply asked and reminded to exercise their best and most careful judgment in this regard.
- 7.4 Conflicts of interest may also arise when a Pastoral Counselor's or Spiritual Director's independent judgment is impaired by:
- a. Prior dealings,
 - b. Personal involvement, or
 - c. Advocacy for one person against another.

In these circumstances where conflicts of interest have arisen, the Pastoral Counselor or Spiritual Director shall advise the parties that he or she can no longer provide services and refer them to another Pastoral Counselor or Spiritual Director.

h. Reporting Ethical or Professional Misconduct

Clergy and staff have a duty to report their own ethical or professional misconduct and the misconduct of others.

- 8.1 The focus of the Diocese is prevention; however, part of achieving this goal requires that clergy and staff must hold each other accountable for maintaining the highest ethical and professional standards. When there is an indication of improper actions by any personnel, all personnel are required to notify the Vicar General; and, in cases of suspected sexual abuse of a minor, all personnel are required to contact civil authorities as well as the VAC.
- 8.2 When an uncertainty exists about whether a situation or course of conduct violates this Policy or other religious, moral, or ethical



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principles, consult with the Vicar General or, in cases of sexual abuse of a minor, the VAC.

- 8.3 When it appears that any personnel may have violated this Policy or other religious moral, or ethical principles:
- a. Report the issue to a supervisor or next higher authority, or
 - b. Refer the matter directly to the Vicar General and,
 - c. In cases of sexual abuse of a minor, the VAC.
- 8.4 The obligation of Pastoral Counselors and Spiritual Directors to report client misconduct is subject to the duty of confidentiality. However, any agreement or duty to maintain confidentiality must yield to the need to report misconduct that threatens the safety, health, or well-being of any of the persons involved except as provided for in Section 2.6
- 8.5 Pornography
- 8.5.1 Accessing and viewing pornography or adult-only Web sites is morally reprehensible, and accessing it using diocesan property is strictly forbidden under all circumstances using parish or diocesan equipment.
- 8.5.2 All priests, deacons, Parish Life coordinators, administrators and staff are obliged to report evidence of inappropriate behavior to civil authorities if it involves child pornography; the supervisor in this case will cooperate with the Vicar General in notifying the civil authorities.
- 8.5.3 If there is evidence that a cleric is involved in accessing and viewing child pornography, the bishop should be notified immediately, who will in turn notify the civil authorities and the Congregation for the Doctrine of the Faith.

i. Administration

Employers and supervisors shall treat clergy, staff, and volunteers justly in the day-to-day administrative operations of their ministries.

- 9.1 Personnel and other administrative decisions made by clergy, staff, and volunteers shall meet civil and canon law obligations and also



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reflect Catholic social teachings and these *Codes of Pastoral Conduct for Staff and Volunteers*.

- 9.2 No clergy, staff, or volunteer shall use his or her position to exercise unreasonable or inappropriate power and authority.
- 9.3 Staff persons providing services to children and youth must read and sign the *Code of Pastoral Conduct for Staff* before providing services.

j. Staff Well-being

Clergy, staff, and volunteers have the duty to be responsible for their own spiritual, physical, mental, and emotional health.

- 10.1 Clergy, staff, and volunteers should be aware of warning signs that indicate potential problems with their own spiritual, physical, mental, and/or emotional health.
- 10.2 Clergy, staff, and volunteers should seek help immediately whenever they notice behavioral or emotional warning signs in their own professional and/or personal lives.
- 10.3 Clergy, staff, and volunteers must address their own spiritual needs. Support from a Spiritual Director is highly recommended.

IV. Contacting the Diocese of Great Falls-Billings

To request information from the diocese on the Code of Pastoral Conduct, contact:

Rev. Jay H. Peterson, V.G.
Catholic Pastoral Center
P O Box 1399
Great Falls, MT 59403-1399
1-800-332-9998 toll-free
1-406-727-6683

Or

Sister Kathleen Kane, OP, Victim Assistance Coordinator 406-378-2369.



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V. Statement of Acceptance: Diocesan Code of Conduct for Staff

Our children are the most important gifts God has entrusted to us. As a Diocesan representative, I promise to strictly follow the rules and guidelines in this Diocesan *Code of Pastoral Conduct* as a condition of my providing services to the children and youth of our Diocese.

I will:

- Treat everyone with respect, loyalty, patience, integrity, courtesy, dignity and, consideration.
- Avoid situations where I am alone with children and/or youth at Church activities.
- Use positive reinforcement rather than criticism, competition, or comparison when working with children and/or youth.
- Refuse to accept expensive gifts from children and/or youth or their parents without prior written approval from the pastor or administrator.
- Refrain from giving expensive gifts to children and/or youth without prior written approval from the parents or guardian and the pastor or administrator.
- Report suspected abuse to the pastor, administrator, or appropriate supervisor and the local Child Protection Service agency. I understand that failure to report suspected abuse to civil authorities is, according to law, a misdemeanor.
- Cooperate fully in any investigation of abuse of children and/or youth.

I will not:

- Smoke or use tobacco products in the presence of children and/or youth.
- Use, possess, or be under the influence of alcohol at any time while engaged in ministry.
- Use, possess, or be under the influence of illegal drugs at any time.
- Strike, spank, shake, or slap children and/or youth.
- Touch a child and/or youth in a sexual or other inappropriate manner.
- Use profanity in the presence of children and/or youth.

I understand that as a Diocesan representative working with children and/or youth, I am subject to a thorough background check including criminal history. I understand that any action inconsistent with this *Code of Pastoral Conduct* or failure to take action mandated by this *Code of Pastoral Conduct* may result in my removal as a diocesan employee working with children and/or youth.

I agree to the entire Code of Pastoral Conduct.

Printed Name

Parish/School and Town

Signature

Date

**This page is to be copied, signed and sent to the Chancery
(PO Box 1399, Great Falls, MT, 59403-1399)**