



CANONICAL FACULTIES
General, Pastors, Parochial Vicars,
Sacramental Ministers, Deacons
Diocese of Great Falls-Billings

GENERAL FACULTIES

1. **To preach the word of God in churches and oratories throughout the diocese. (Canon 764)**

The Code states:

Without prejudice to the provisions of Canon 765, priests and deacons, with at least presumed consent of the pastor of a church, have the faculty to preach everywhere, unless this faculty has been restricted or removed by the competent Ordinary or unless particular law requires express permission.

2. **To confer baptism solemnly after consultation with the pastor. (Canon 530§ 1)**

The Code states:

... the administration of baptism is a function especially entrusted to the pastor. Baptism is administered according to the **rite prescribed** in the approved liturgical books, except in a case of urgent necessity when only those elements which are required for the validity of the sacrament must be observed (Canon 530§1; and 850).

Consultation with the pastor is required. "Without permission it is unlawful for anyone to confer baptism outside his own territory, not even upon his own subjects" (Canon 862).

"An adult is to be baptized in his or her proper church and an infant in the proper parish church of the parents" (Canon 857§2). Baptism is not to be conferred in private houses or a hospital except in a case of necessity (Canon 860).

Offerings received (by anyone other than the pastor) for conferring baptism are to be given to the parish by the priests, unless there is a **clear** contrary intention on the donor's part (Canon 531).

3. **To celebrate two masses of the Lord's Supper on Holy Thursday if there is an urgent pastoral need.**

Liturgical law states that the local Ordinary may permit another Mass of the Lord's Supper to be celebrated in churches and public or semi-public oratories in the evening or, in the case of genuine necessity, even in the morning, **but**



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exclusively for those who are in no way able to take part in the evening Mass. Such Masses must not prejudice the principal evening Mass. Priests who have already celebrated a Mass for the convenience of the faithful may concelebrate again at the evening Mass.

- 4. To binate on weekdays and trinate on Sundays and Holy Days of Obligation if a serious pastoral reason justifies it and when no other priest is readily available (Canon 905§2).**

The code states:

A priest who celebrates a number of Masses on the same day may apply each Mass for the intention for which an offering was made, subject, however, to the rule that, apart from Christmas Day, he may retain for himself the offering for only one Mass; the others he is to transmit to the purposes prescribed by the Ordinary.

A priest who on the same day concelebrates a second Mass may not under any title accept an offering for the Mass.

- 5. To hear the confessions of the faithful habitually anywhere in the Diocese. (Those who have this faculty can exercise it throughout the world unless in a particular case a local bishop has refused). (Canon 967§2)**

If another local Ordinary revokes the faculty to hear confessions, the priest loses it only in the territory of the Ordinary who revokes it.

This faculty to hear confessions granted to priests incardinated or domiciled in the Diocese of Great Falls-Billings ceases by revocation of the faculties, excardination or loss of domicile.

- 6. To commute or dispense, for a just cause and only in a sacramental confession, a private vow or promissory oath, provided that the dispensation or commutation does not violate the right of another (Canon 1196§3).**

In law, a vow is a deliberate and free promise made to God. A vow is public if it is accepted in the name of the Church by a lawful Superior; otherwise it is private.



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With this faculty a priest can, in confession, commute a private vow into something more appropriate than what was initially promised to God. If no injury to another's rights results, he can dispense from a private promise.

7. **To remit in the internal sacramental forum any undeclared *latae sententiae* censure (excommunication, suspension, interdict) that is not reserved to the Holy See. (Canon 1355§2)**

The following are reserved to the Holy See:

- Desecration of the Blessed Sacrament;
- Assaulting the Roman pontiff;
- Absolution of an accomplice in a sin against the sixth commandment;
- Unlawful ordination of a bishop;
- Violation of the seal of the confession.

This faculty can be exercised for parishioners, those in the territory and those who committed the offense in the Diocese (Canon 1355§2). Confessors ought to be mindful of what excuses from liability to a penalty (Canon 1323) and that, in remitting the censure, he is constituted by God as a minister of both divine justice and divine mercy. "The confessor is to impose salutary and appropriate penances in proportion to the kind and number of the sins confessed, taking into account the conditions of the penitent" (Canon 98§1).

In danger of death any priest can validly and lawfully absolve any penitents from any censures and sins.

A penalty *latae sententiae* is one that is incurred automatically upon the commission of a particular offense. The following grave offenses incur automatic excommunication, interdict or, in the case of clerics, suspension:

- Apostasy from the faith, heresy or schism;
- Using physical force against a bishop;
- Attempting to say Mass or hear confessions when not ordained;
- False denunciation of a confessor;
- Attempted marriage by a priest or by a religious in perpetual vows;
- Actually procuring a completed abortion.

8. **To exercise some functions during either a wedding legitimately held in a non-Catholic church or a funeral service held in a non-Catholic church, provided there is no celebration of the Lord's Supper.**



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After consultation with the ordinary, to exercise some functions in any other non-Catholic service, even a liturgical one, provided that it is not the celebration of the Lord's Supper

The current universal law states that a Catholic is not to act as a scripture reader or to preach at the celebration of the Lord's Supper or at the principal liturgical service of the Word held by Christians who are separated from us.

At other services, even liturgical ones, it is allowable to exercise some functions, with the previous permission of the local Ordinary (given by this faculty) and the consent of the authorities of the community concerned. (*Ad Totam Ecclesiam n. 56*)



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FACULTIES OF PASTORS

1.
 - a. **To baptize an adult or admit a baptized adult into full communion with the Catholic church. (The law itself grants the additional faculty to confirm the candidate during these rites.)**
 - b. **To admit into full communion and to confirm an adult who has been baptized in the Latin Catholic church but was brought up in or adhered to a non-Catholic religion.**
 - c. **To administer the Sacrament of Confirmation to a baptized adult Latin Catholic who has completed the various stages of the catechumenate according to the rite of the catechumenate approved by the U.S. Bishops.**
 - d. **To mandate another priest to perform these rites in individual cases. (Any priest so delegated has the faculty by the law itself to confirm the candidate during the rites of admission.)**

The law states that “the baptism of adults, at least those who have completed their fourteenth year, is to be referred to the bishop, so that he himself may confer it if he judges this appropriate”. Furthermore, “the provisions of the canons on adult baptism apply to all those who, being no longer infants, have reached the age of reason; on the completion of the seventh year, the minor is presumed to have the use of reason” (Canon 863, 852§1, 97§2). An adult is to be admitted to the catechumenate. This faculty permits pastors to baptize or receive those individuals above the age of seven.

Converts from Orthodox churches may not be received without permission from the Holy See. The Pastoral Office must be contacted in each instance.

A pastor may mandate another priest (not a deacon) to baptize and confirm an adult or receive and confirm a convert. In order for the confirmation to be valid, the mandate must be expressly given by the pastor for the specific celebration. (Canon 883§2)

The fact of baptism or reception and the fact of confirmation which was conferred as part of the rite must be recorded in the baptismal register of the parish.



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The confirmation of a lapsed Catholic who has returned to the full practice of the faith is to be duly recorded in the parish confirmation register and notification is to be sent to the place of baptism in accordance with Canon 895 and 535§2.

2. **To permit the marriage of two baptized persons, one of whom was baptized in the Catholic church or received into it after baptism and has not left it by a formal act, and the other of whom is a member of a church or ecclesial community which is not in full communion with the Catholic church.**

In the case of mixed religion, the permission is not to be granted unless the conditions of Canon 1125 are fulfilled. These conditions are:

- The Catholic promises to do all in her/his power to practice the faith and raise the children in the faith;
- The other party is informed of this promise;
- Both parties are instructed in the essential ends and properties of marriage, which are not to be excluded by either party.

Notification of the permission for a case of mixed religion and the promise signed by the Catholic party is to be sent to the Pastoral Office with the Summary Form after the marriage has been witnessed.

3. **To dispense from the impediment of *disparity of cult* for a just and reasonable cause in the case of a marriage between a baptized Catholic and a person who has never been baptized.**

- The same conditions must be fulfilled as for granting permission for a mixed religion.
- A list of just and reasonable causes is given on the Dispensation Form.

Notification of the dispensation from *Disparity of Cult* and the promise by the Catholic party is to be sent to the Pastoral Office with the Summary Form after the marriage has been witnessed.

4. **To dispense for a just reason from the obligation of observing a holy day or a day of penance, or commute the obligation into some other pious works (Canon 1245)/**

The code states:



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With due regard for the rights of diocesan bishops which is mentioned in Canon 87, and in accord with the prescriptions of the diocesan bishop, the pastor in individual cases can dispense from the obligation to observe a feast day or day of penance; or he can commute it to other pious works.

5. To allow a Catholic lay person to preach to the faithful during a liturgical service at some time apart from the homily.

The code states:

The laity may be allowed to preach in a church or oratory if in certain circumstances it is necessary, or in particular cases it would be advantageous, according to the provisions of the Episcopal Conference and without prejudice to Canon 767§ 1. (Canon 766)

Lay people may be permitted on special occasions to address the faithful during a liturgical celebration or assembly. This address is to be given, if possible, at a place apart from the ambo where the Scriptures are proclaimed and the homily given. Moreover, it is normally to be scheduled at a time other than during the Liturgy of the Word, usually after the Prayer After Communion. The homily, given by the sacred minister, should not be omitted.

6. To permit a non-Catholic to act as a scripture reader and to offer prayers during either a wedding or other appropriate service, provided that there is no celebration of the Eucharist.

Universal law states that bishops are to promote unity and to issue practical norms which are in accord with the provisions laid down by the supreme authority of the Church. (Canon 755§2)

A separated brother or sister is not to act as a scripture reader or offer prayers during the celebration of the Eucharist. At other services, even liturgical ones, it is allowable to exercise some functions with the previous permission of the local Ordinary and the consent of the authorities concerned. Through this faculty, this permission is granted.

It is not permissible for a member of a separated community (except members of the Orthodox churches) to act as godparent in the liturgical and canonical sense at baptism and confirmation. (*Ad Totam Ecclesiam*, nn. 56, 57)



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A baptized person who belongs to a non-Catholic ecclesial community may not be admitted except as a witness to baptism and together with a Catholic sponsor. (Canon 874§2) The notation of "witness" must be entered as such into the Baptismal register.



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FACULTIES FOR PAROCHIAL VICARS

1. **The general faculty to assist at marriage within the confines of their territory or jurisdiction and to give a special delegation for a specific marriage.**

Parochial Vicars of territorial parishes (or missions) validly assist at marriages within the confines of their parish territory when at least one of the parties is a subject.

2. **Associates also have the special faculties granted to pastors under numbers 1a, 1b, 1c, 1d, 2, 3, 4, 5, and 6.**

Canon 548§2 states that the parochial vicar (associate pastor) is to assist the pastor in fulfilling the total parochial ministry and, if circumstances warrant it, to substitute for the pastor in accord with the norm of law. These faculties are to enable him to do so. Canon 548§3 emphasizes the importance of the pastor and associate communicating with one another so that there be no confusion as to who is doing what. It seems that this would be particularly expedient in the case of the exercise of these faculties.



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FACULTIES FOR SACRAMENTAL MINISTERS

1. **The general faculty to assist at marriage within the confines of the territory to which they are assigned as sacramental minister and to give a special delegation for a specific marriage.**
2. **Sacramental ministers also have the special faculties granted to pastors under numbers 1a, 1b, 1c, 1d, 2, 3, 4, 5 and 6 within the confines of the territory to which they are assigned as sacramental minister.**



FACULTIES FOR DEACONS

1. To proclaim the gospel of the Lord and to read the Scriptures to the faithful and to teach and preach to the people (Canon 757).
2. To attend to the following:
 - a. To assist the bishop and the priest during liturgical actions in all things which the ritual attributes to Him;
 - b. To administer baptism solemnly and to supply the ceremonies that have been omitted at baptism in the case of an infant or adult;
 - c. To have custody of the Eucharist, to distribute it to himself and to others and to impart benediction of the Blessed Sacrament to the people;
 - d. To administer sacramentals and to preside at funeral and burial rites;
 - e. To preside over the offices of religious worship and prayer services when there is no priest present;
 - f. To direct Bible services when there is no priest present.

An official explanation of the documents since Vatican II has noted that "a priest or deacon in no way implies that a deacon may exercise the office of presiding when priests are present, even though the texts in question do not carry the phrase 'in the absence of a priest.'" The mind of the legislator is that a deacon is ordained to assist the priest or to substitute when there is no priest. The deacon is an ordinary minister of the Word of God, just as he is for the celebration of baptism and for the giving of communion. As such, he may lawfully give the homily after the proclamation of the Gospel, as indicated in the General Instruction of the Roman Missal (n. 61), which adds **sometimes**. Accordingly, the deacon may fulfill his proper office in the preaching of the Word of God without completely supplanting priests in the work of instructing the faithful (Notitiae 12 (1976), pp. 46-47).

3. To conduct the rite of the administration of Viaticum and to assist dying persons and those with them by reciting the prayer of commendation and the prayers after death if no priest is available.



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“The ordinary ministers of viaticum are the parish priest (pastor) and his assistants, the priest (chaplain) who is responsible for the sick in hospitals and the Superior of a clerical religious institute. In case of necessity, any other priest with at least the presumed permission of the competent minister may give viaticum.

If no priest is available, viaticum may be brought to the sick by a deacon or by another member of the faithful, either a man or a woman, who has been duly appointed by the bishop to give the Eucharist to the faithful. In this case, a deacon follows the rite prescribed in the ritual; other ministers use the rite they ordinarily follow for distributing communion, but with the special words given in the ritual for the rite of viaticum” (Pastoral Care of the Sick, n. 29b).

4. **Within the limits of the parish to which he is assigned, to assist at marriages when Mass is not celebrated and the priest is not needed to preside.**