



## FACULTIES OF PRIESTS OF THE DIOCESE OF LAS CRUCES

### **POLICY**

Priests of the Diocese, at the time of ordination or incardination, receive the faculties of the Diocese. Extern and religious priests receive faculties when granted by the Bishop in writing. Reception of faculties is dependent upon meeting the background checks, and other criteria for being in good standing. Special faculties may be given to a priest because of a specific need in his ministerial appointment.

### **By the universal law of the Church, the following faculties are extended to those priests in good standing in the Diocese:**

1. To preach the Word of God everywhere with at least the presumed consent of the pastor of the parish (c. 764).
2. To administer the sacraments and sacramentals except those prohibited by The Code of Canon Law or those requiring the sacred order of the Episcopate.
3. To preach to men and women religious in their churches or oratories with the permission of the competent superior (c. 765).
4. To make an exception for a just reason to the required age of sixteen for a sponsor at Baptism or Confirmation (c. 874 §1, 2°; 893 §1) and provided that the selected sponsor has been confirmed (c. 874 §1, 3°). Ordinarily, the exception should be only by one year of age.
5. To admit a Christian who belongs to a non-Catholic ecclesial community to be a witness (not a sponsor) to Baptism and only in the company of a Catholic sponsor (c. 874 §2).
6. To administer the sacrament of Confirmation within his own territory to a baptized non-Catholic adult whom the priest has received into full communion with the Catholic Church (c. 883 §2).
7. To confirm those in danger of death (c. 883 §3).
8. To celebrate the Eucharist according to the norms of canonical and liturgical law (c. 900 §2).



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9. To concelebrate the Eucharist unless the welfare of the Christian faithful requires or urges otherwise but with due regard for the freedom of each priest to celebrate the Eucharist individually, although not during the time when there is a concelebration in the same church or oratory (c. 902).
10. To consume food or drink before the second or third celebration of the Eucharist on the same day (c. 919 §2).
11. To celebrate the Eucharist while seated, but without the people present, if one is sick or elderly (cc. 930 §1; 906).
12. To celebrate the Eucharist by using the text of any approved Mass if one is blind or suffering from another infirmity with someone present to help him (c. 930 §2).
13. To celebrate and distribute the Eucharist on any day and at any hour, except those excluded by liturgical laws of the universal or particular church (c. 931).
14. To celebrate the Eucharist in any suitable place (c. 932).
15. After consultation with the Bishop, to celebrate the Eucharist according to the extraordinary form of the Latin Rite privately or among a stable group of the faithful who request such celebration.
16. To those who have the habitual faculty to hear confessions by office or by concession to exercise that faculty everywhere unless it has been restricted by the local ordinary. Presbyters belonging to this or another diocese, religious institute or institute of apostolic life who do not have faculties for hearing confessions from their own ordinary or who have this faculty restricted by their own bishop, religious superior or the law itself, are likewise restricted by the Bishop (c. 967-969).
17. When the penitent is in danger of death, to hear confessions anywhere and absolve from any kind of censures and sins with the obligation of recourse in case of recovery (cc. 976; 1357 §3).
18. To absolve in the sacrament of Penance anyone from censures except those specifically reserved to the Holy See (c. 1355). Censures reserved to the Holy See are:
  - a. Desecration of the Consecrated Species (c. 1367).
  - b. Use of physical force against the Roman Pontiff (c. 1370).



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- c. Absolution of an accomplice in a sin against the 6<sup>th</sup> commandment (c. 1378).
  - d. Having consecrated a bishop without a pontifical mandate (c. 1382).
  - e. Being consecrated a bishop without a pontifical mandate (c. 1382).
  - f. Direct violation of the sacramental seal (c. 1388).
19. To absolve in the internal forum anyone of the faithful from a *latae sententiae* penalty which has not been declared, established by the law but not reserved to the Holy See, namely
- a. apostasy, heresy, and schism (c. 1364 §1);
  - b. physical attack on a bishop (c. 1370 §2);
  - c. pretended celebration of the Eucharist or conferral of sacramental absolution by a lay man or woman (c. 1378 §2);
  - d. false accusation of a confessor of solicitation (c. 1390 §1);
  - e. attempted civil marriage of a non-clerical religious in perpetual vows (c. 1394 §2); and
  - f. procured abortion (c. 1398).
- This faculty may be exercised by the confessor only within the confines of this Diocese and on behalf of any persons regardless of their domicile or the place where the penalty was incurred (c. 1355).
20. To carry the Oil of the Sick in a respectable manner so that in case of necessity the sacrament of the Anointing of the Sick may be administered (c. 1003 §1).
21. To impart blessings except those reserved to the Roman Pontiff and bishops (c. 1169 §2).
22. After consultation with the Bishop, to grant ecclesiastical funeral rites to baptized members of a non-Catholic church or ecclesial community unless this would be evidently contrary to the will of the decedent and provided the decedent's own minister is unavailable (c. 1183 §3).
23. To repeat the liturgical services on Good Friday and to celebrate an additional Mass on the Vigil of Easter after the celebration of the Vigil (Congregation for the Sacraments and Divine Worship, January 13, 1971).
24. To admit members of the Eastern Orthodox Churches to Holy Communion when the following conditions are fulfilled (c. 844 §3):
- a. they ask for the sacrament on their own accord;



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- b. there is a serious inconvenience in their having recourse to a priest of their own community, or they ask on the occasion of some important personal event which is being celebrated in the Catholic Church, e.g., their wedding, their child's First Communion.
25. To administer the sacraments of penance, Eucharist, and anointing of the sick to Christians not in full communion with the Catholic Church if the danger of death is present, or some other grave necessity urges it provided they ask for it of their own accord, cannot approach their own minister, are properly disposed *and* that they manifest Catholic faith in respect to these sacraments (c. 844 §4).

**By the universal law of the Church, the following faculties are granted to pastors of parish communities:**

26. To exercise the pastoral care of the community entrusted to him under the authority of the Bishop so that for this community he may carry out the office of teaching, sanctifying, and ruling with the cooperation of other presbyters or deacons and with assistance of the lay members of Christ's faithful. (c. 519)
27. To act in the person of the parish in all juridic (canonical) matters according to law. (c. 532)
28. In case of necessity, to celebrate the *Missa pro Populo* (required on Sundays and other holy days of obligation), on the same day through another priest, or on another day. Pastors who have the care of several parishes are bound to apply only one Mass for the entire people entrusted to him (c. 534 §§1, 2).
29. To assist, by virtue of their office, at the marriage of both subjects and non-subjects provided one of the parties is of the Latin rite, but only in the pastor's own parish (c. 1109).
30. To delegate the faculty to assist at the marriages generally or for a particular marriage (c. 1111 §1) (the delegation is to be given in writing and the fact of delegation is to be noted in the marriage record).
31. To grant permission for the marriage between Catholics or between a Catholic and baptized non-Catholic to be celebrated in a Catholic Church or oratory other than the parish church of the Catholic parties. Only the



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Bishop or his designee can permit marriages to be celebrated in a suitable place other than a Catholic church (c. 1118 §§1, 2).

32. To suspend the obligations of a vow for as long a time as the fulfillment of the vow brings disadvantage to the person who made it. if one has power over the matter of the vow (c. 1195).
33. To dispense from private vows made by a person belonging to the parish to which the pastor is assigned and also by a visitor within the parish, but only if no injury is done to the acquired rights of others (c. 1196).
34. To commute to a lesser good what has been promised by a private vow made by a person belonging to the parish to which the pastor is assigned and also by a visitor within the parish's territory (c. 1197).
35. To suspend the obligations of a promissory oath. This faculty may not be exercised if the suspension from the oath would tend to prejudice those who refuse to remit its obligations (c. 1203).
36. To dispense or commute a promissory oath. This faculty may not be exercised if the dispensation from the oath would tend to prejudice those who refuse to remit its obligation (c. 1203).
37. To dispense, in individual cases and for a just cause, from the observance of a day of precept (i.e. Holy Days of Obligation, or days of penance, such as Ash Wednesday or Good Friday) or to commute the obligation into some other pious work. This faculty may be exercised on behalf of one's own parishioners or of one visiting within the boundaries of the parish (c. 1245).

**By virtue of the power granted to him by the universal law of the Church, the Bishop grants the following faculties, delegations and permissions:**

38. To pastors, administrators, parochial vicars, and other priests with the approval of the pastor, to baptize an adult (i.e. one who has completed his or her seventh year) without previously referring the matter to the Bishop and to administer Confirmation and Eucharist immediately (c. 863).
39. To pastors, administrators, parochial vicars, and other priests with the approval of the pastor to baptize an adult who is not domiciled within the parish to which the priest is assigned, provided the adult has been admitted to the catechumenate in the parish of the priest administering baptism.



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Notification of admission to the catechumenate and of the reception of Baptism should be made to the person's proper pastor (cc. 857 §2; 851 §1).

40. To pastors, administrators, parochial vicars and other priests with the approval of the pastor to receive into the Church an adult already baptized in a non-Catholic Church, who does not dwell within the confines of the parish to which they are assigned, provided the person took the course of instructions in the Catholic faith within the parish in which they are received into full communion.
41. To priests, if priests are lacking and for a just cause, to celebrate the Eucharist twice on weekdays and even, if pastoral necessity requires it, three times on Sunday and Holy Days of Obligation (c. 905 §2).
42. To priests incardinated and having an assignment in the Diocese, to whom this faculty is not given by the law itself, the Bishop grants the habitual faculty to hear confessions (c. 967 §2). This faculty is not lost by loss of assignment.
43. To all parochial vicars, the general faculty to assist at marriages within the boundaries of the parish to which they are assigned (c. 1111).
44. To pastors, administrators, and parochial vicars, to allow an ecclesiastical funeral for an unbaptized child if the parents had intended to have the child baptized (c. 1183 §2).
45. The Pastors, administrators, chaplains and rectors to dispense the faithful from the Eucharistic fast for a just cause.
46. To pastors and administrators, the ability to grant permission for an individual layperson to use low-gluten hosts or *mustum* for the celebration of the Eucharist. Permission can be granted habitually, for as long as the situation continues which occasioned the granting of permission.

### **Faculties of non-incardinated resident priests:**

47. Priests from outside the Diocese receive faculties from their proper bishop. If they possess the faculty of preaching or hearing confessions from their own ordinaries, they may presume the faculty to preach and to celebrate the sacrament of reconciliation within the Diocese, unless the Bishop, Vicar General, or Vicar for Clergy has specifically denied that faculty. The



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procedure for extern priests seeking faculties within the Diocese of Las Cruces is found in the *Protocol for Extern Priests Seeking to Serve in the Diocese*. The document is included in the Diocese of Las Cruces *Pastoral Manual* available on the diocesan website.

Initial:

Current: September 1, 2020