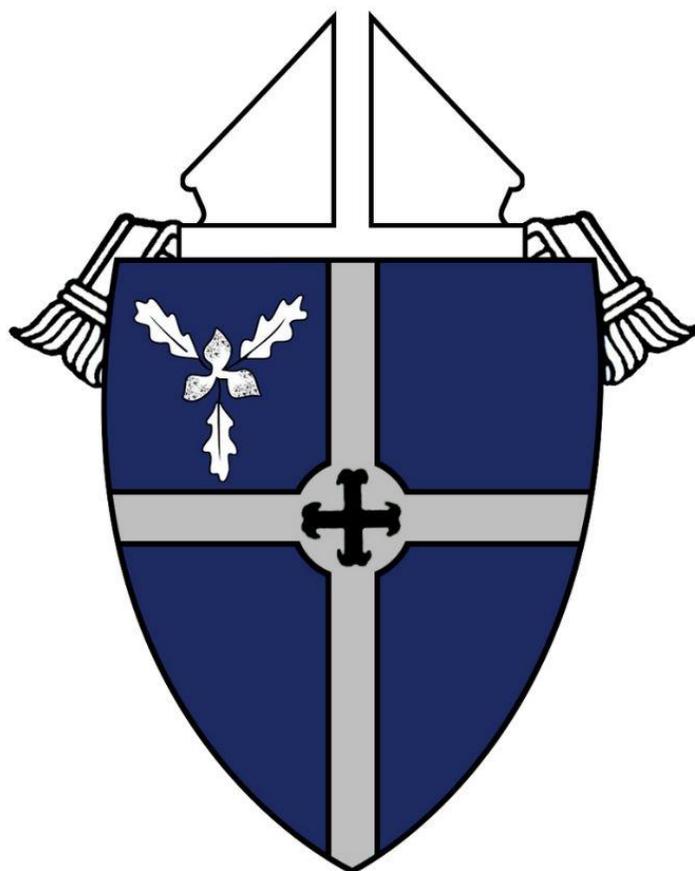


Diocese of Bismarck



Synod Resource Manual for Parishes

Compendium to the 2016 Synod Directory

April 29, 2020
Feast of St. Catherine of Siena

Dear Parish Staff Members:

In response to requests from throughout the Diocese, I am providing the “Synod Resource Manual for Parishes” as a compendium to the 2016 Synod Directory. Its purpose is to provide a quick reference to questions regarding the Synod Statutes and Appendices which are commonly encountered in parishes across the Diocese.

The content of this compendium is not particular law, but only meant to help in understanding and applying the Statues found in the Synod Directory. If there is any perceived discrepancy between this compendium and the Synodal Statutes, it should be known that the provisions in the Synodal Statutes supersede this compendium. As Synodal Statutes and Appendices are updated, the corresponding parts of this compendium will also be updated.

The compendium can be found on the Diocesan Website and should be printed for use by Parishes, effective immediately. The previous version of this compendium, known as the “Parish Resource Manual,” should no longer be used by Parish personnel and should be destroyed. For those who wish to use the same binder, once the old pages have been removed, please use the attached front cover page.

This compendium was compiled with input from both Diocesan staff members and Parish staff personnel from across the Diocese. I am grateful for this input and the desire of our Parish personnel to adhere faithfully to the particular law of the Diocese of Bismarck.

With every personal good wish for you, I remain

Sincerely yours in Christ,

A handwritten signature in black ink that reads "+1 David D. Kagan". The signature is written in a cursive style with a cross at the beginning.

Most Reverend David D. Kagan, D.D., P.A., J.C.L.
Bishop of Bismarck

Table of Contents

INTAKE	1
STOLE FEES	1
BAPTISM	1
REQUIREMENTS	1
Divorced or Unmarried Parents.....	2
Lapsed Catholics	2
Non-Catholic Parents.....	2
Same-Sex Parents	2
Age of Person.....	2
GODPARENTS (SPONSORS)	3
Parties that Request 2 Sets of Godparents	3
Requirements for Godparents.....	3
The Use of Proxies for Godparents.....	3
Witnesses.....	4
PLACE OF BAPTISM	4
Baptism of Persons from Another City or Parish.....	4
Baptism by a Visiting Priest or Deacon.....	4
Emergency Baptism	4
When Baptism is Doubtful.....	5
RECORDING BAPTISM	5
Recording of Infant/Child Baptism	5
Ascription.....	6
Recording of Baptisms of Adopted Children	6
Overseas Adoption	7
Emergency Baptism	8
Adult Baptism/Profession of Faith	8
Errors in the Baptismal Register	8
UNUSUAL SITUATIONS	8

Legal Guardians as Godparents	8
Single Mothers.....	9
“Change” of Godparents Requested	9
ISSUING BAPTISMAL CERTIFICATES.....	9
CONFIRMATION	10
REQUIREMENTS.....	10
Conditional Baptism	10
Sponsor (<i>Patrinus</i>)	10
RECORDING CONFIRMATION	10
CONFIRMATION FOR THE UNBAPTIZED AGE 7 OR OLDER.....	11
CATHOLICS FROM OTHER PARISHES	11
EASTERN CATHOLICS	11
MOST HOLY EUCHARIST	12
REQUIREMENTS.....	12
Penance	12
RECORDING OF FIRST HOLY COMMUNION	12
DEVELOPMENTAL DISABILITIES/MENTAL FUNCTIONING	13
RECEIVING COMMUNION TWICE IN THE SAME DAY	13
RECEIVING COMMUNION OUTSIDE OF MASS	13
PENANCE	14
INDIVIDUAL RECONCILIATION.....	14
GENERAL RECONCILIATION WITHOUT INDIVIDUAL CONFESSIONS.....	14
RECORDING OF FIRST PENANCE.....	14
TIMES OF ABSTINENCE AND FASTING.....	14
ANOINTING OF THE SICK	15
CELEBRATION	15
TIMING	15
MATRIMONY	16
RECORDING MARRIAGES.....	16
ANNULMENTS/DISSOLUTIONS.....	16
RECORDING ANNULMENTS/DISSOLUTIONS	16

WEDDINGS – DIOCESAN GUIDELINES	18
PRE-MARRIAGE PREPARATION	18
Responsibility for Marriage Preparation	18
First Contact.....	18
Nine Months	19
Mandatory Requirements for Marriage Preparations	19
PRE-MARRIAGE FORMS.....	19
Documents Needed	20
PLACE OF MARRIAGE.....	20
RITE OF MARRIAGE.....	21
MINISTER.....	21
NON-CATHOLIC MINISTERS.....	21
CONVALIDATIONS	22
WEDDING DATES.....	22
WEDDINGS – PARISH GUIDELINES	23
RITE OF CHRISTIAN INITIATION OF ADULTS (RCIA)	24
Catechumen vs. Candidate.....	24
Prior Marriages.....	24
Convalidation	24
FUNERALS/BURIALS/CEMETERIES	25
FUNERAL RITES AND MASS	25
PROHIBITED DAYS FOR FUNERAL MASS.....	25
PLACE OF CELEBRATION AND BURIAL.....	25
CREMATION.....	25
BURIAL REQUIREMENTS.....	26
NON-CATHOLICS AND A CATHOLIC FUNERAL.....	26
CATHOLICS DEPRIVED OF A CATHOLIC FUNERAL.....	26
CEMETERIES.....	27
GENEALOGICAL RESEARCH/PARISH ARCHIVES	28
GENEALOGICAL RESEARCH.....	28
PARISH ARCHIVES.....	28

MASS INTENTIONS	29
NORMAL MASS OFFERING	29
PAYMENT OF STIPENDS.....	29
SEPARATE MASSES FOR SEPARATE INTENTIONS	30
COLLECTIVE INTENTIONS	30
OFFERING OVER THE NORMAL AMOUNT	31
ONE OFFERING PER DAY	31
EXCESS MASS OFFERINGS	31
UNSATISFIED OBLIGATIONS	31
RECORDING OF MASS INTENTIONS	32
<i>MISSA PRO POPULO</i>	32
BEQUESTS FOR MASSES	32

INTAKE

1. Is the person in question a member of the Latin Catholic Church? (DOB Synod Statute 1)
 - a. If the answer to this question is no, please contact the Chancery or the Office of Canonical Services.
2. Is the person or family a member of this parish, or do they live in this parish's boundaries? Or have they been given permission to be enrolled in this parish? (DOB Synod Statute 85)
 - a. If the answer to this question is no, the proper pastor of the person in question is to be notified about the request being made. In cases of doubt contact the Chancery or the Office of Canonical Services.

STOLE FEES

No charge is to be made for the administration of any Sacrament, however facility fees may be assessed for the use of church properties for marriages and funerals (DOB Synod Statute 91 §2).

Whatever the faithful offer voluntarily on the occasion of the administration of any sacrament is known as a "stole fee," is presumed to be given to the parish, and is to be deposited in the parish general account (DOB Synod Statute 91 §2).

The clergy may not require the use of parish envelopes or registration as a condition for the administration of any sacrament (DOB Synod Statute 91 §3.)

Pastors are to instruct the faithful about the reason a "stole fee" is intended for the parish or institution (DOB Synod Statute 91 §4).

The above applies to all priests and deacons, both active and retired, administering in the Diocese of Bismarck (DOB Synod Statute 91 §5).

BAPTISM

REQUIREMENTS

Only a person who has never been baptized in any valid Christian denomination can be baptized (c. 864). If you have any questions about the validity of a certain denomination's baptism or the manner in which the person was baptized, please contact the Chancery. (DOB Synod Statute 103 §2)

Please note that the Church's legislation is biased toward conferring the Sacrament of Baptism as seen in can. 868. The "founded hope" found in the aforementioned canon does not carry the

qualifier “well-founded.” Canon 868 §1 states: For an infant to be baptized licitly: 2º there must be a founded hope that the infant will be brought up in the Catholic religion; 3º if such hope is altogether lacking, the baptism is to be delayed according to the precepts of particular law after the parents have been advised about the reason.

No cleric may create any conditions for Baptism which are not contained in universal or particular law (synod statutes), such as denying Baptism during the Advent and Lenten Seasons, requiring a specific method of Baptism, the marital status of parents, unwillingness to register in the parish (though this is preferred), and length of residence and degree of participation in parish life (DOB Synod Statute 97 §2).

Divorced or Unmarried Parents

Although these situations present particular pastoral challenges, baptism is not to be conditioned on the marital status of the child’s parents as noted above.

Lapsed Catholics

An infant of negligent or lapsed Catholics may be baptized after reasonable assurance is given regarding the Catholic education and formation of the child. This assurance can be given by persons other than the parents of the child (DOB Synod Statute 98 §1).

Non-Catholic Parents

A child of non-Catholic parents may likewise be baptized if the parents promise in writing to arrange for the Catholic education of the child and it can be reasonably foreseen that such education will be secured (DOB Synod Statute 98 §2).

An infant of non-Catholic Christian parents is baptized licitly if the parents, or at least one of them or the person who lawfully takes their place requests it and if it is physically or morally impossible for them to obtain access to their proper minister (c. 868 §3; Art. 5 *De Concordia Inter Codices*).

Same-Sex Parents

According to the November 14, 2006 U.S. Bishops’ Letter on homosexuality, “Ministry to Persons with a Homosexual Inclination: Guidelines for Pastoral Care,” the baptism of children in the care of same-sex couples presents a serious pastoral concern. Nevertheless, the Church does not refuse the Sacrament of Baptism to these children, but there must be a founded hope that the children will be brought up in the Catholic religion. See the section on the recording of baptisms of adopted children below.

Age of Person

An infant, or one who has not attained the use of reason (around age 7), is to be baptized when the parents (or legal guardians) make such a request on behalf of their child (c. 867).

An adult, with regard to baptism, is anyone who has reached the age of reason (c. 852).

An adult is to be baptized once the person has manifested the intention to be baptized, has been instructed sufficiently about the truths of the faith and Christian obligations, and has been tested through the RCIA process, according to the due discretion of the pastor (c. 865). The Rite of Christian Initiation of Adults (RCIA) is the ordinary process to be followed by the clergy and laity in the Diocese of Bismarck when ministering to those adults not yet baptized (DOB Synod Statute 95 §1). However, no adult is to be denied entrance into full communion with the Catholic Church solely because of that person's inability or unwillingness to participate in the RCIA process (DOB Synod Statute 95 §2).

GODPARENTS (SPONSORS)

“There is to be only one male sponsor or one female sponsor or one of each (c. 873, DOB Synod Statute 99 §2). If there are to be two godparents, then one must be male and the other female (not two of the same sex). At least one is requested and desirable. In the event that a suitable godparent cannot be found, it is at the pastor's discretion to make a final determination in accord with c. 872. The maximum number of godparents is two.

Parties that Request 2 Sets of Godparents

If, for some reason, two sets of godparents are presented or desired, the person making the request is to be informed that only one male and one female can be entered into the baptismal register, while the others are not prohibited from taking an active role in the baptism itself and in the life of the person baptized.

It is at the discretion of the pastor to deal with such a unique request, but it must be made clear that no more than 2 names will be entered into the baptismal register and, in accord with DOB Synod Statute 99 §3, it must be impressed upon the godparents that they have a serious duty to assist raising the child in the faith, hence the importance and honor of their role as godparents.

Requirements for Godparents

The godparent must be Catholic (either Latin or Eastern), over the age of 16, confirmed, and “leading a life in keeping with the function to be taken on” (c. 874 §1). A person of the Orthodox faith may be a godparent as long as there is also a Catholic godparent (Directory on Ecumenism n. 98b; *CCEO* c. 685 §3). The same can be true for a member of the Society of St. Pius X (SSPX) who is presented as a godparent so long as, in the pastor's judgment, no serious future issues will arise (e.g. the godparent will not be an obstacle to the baptized fully embracing the ordinary form of the Mass). A godparent need not be present at the baptism itself, though it is desirable.

The Use of Proxies for Godparents

A “proxy,” or one who stands in for an absent godparent, though customary, is not required by universal or particular law. The presence of a proxy can be noted in the Baptismal Register (DOB Synod Statute 99 §4).

Witnesses

A non-Catholic may be a witness to the baptism but is not a godparent (c. 874 §2). A person who stands as a witness can be noted as such in the baptismal register.

PLACE OF BAPTISM

Baptism of Persons from Another City or Parish

The administration of Baptism is reserved by law to the proper pastor of the person to be baptized. In case of necessity, the permission of the pastor to baptize a person is presumed. In regard to baptismal preparation, the requirements of the proper pastor of the person to be baptized are to be respected and fulfilled, insofar as possible (DOB Synod Statute 94 §1).

Given the growing number of visiting persons unfamiliar to pastors or parish staff either due to temporary work in the area or familial ties to a parish, it is no longer uncommon that non-parishioners will request to have their child baptized in a given parish, such as the parish of the grandparents. In such a case, baptism is to be administered so long as the proper pastor has been duly notified and has granted his permission, with due regard to the requirements of the parish of origin, insofar as possible.

Baptism by a Visiting Priest or Deacon

A pastor can grant permission to a visiting priest or deacon to perform a baptism within his parish for various reasons. If the priest or deacon is from another diocese, he must present his Letter of Good Standing and *celebret* (as required by the USCCB and DOB Synod Statute 55 §2). In such a case, the recording of the baptism is done as noted below.

Emergency Baptism

Baptism should take place in the proper parish church and, as such, baptism shall not be administered in a private home or anywhere outside a parish church without the consent of the Diocesan Bishop, except in case of great necessity. In such a case, the baptism must be recorded in the proper register of the parish in whose boundaries the baptism took place (DOB Synod Statute 100).

Chaplains of institutions must report all Baptisms and Confirmations without exception to the pastor of the parish in whose boundaries the institution is located. Notification should also be made to the parish of the proper pastor. The faithful are to be instructed in their obligation to inform the proper pastor immediately if private Baptism is conferred in an emergency. In such cases, the pastor shall arrange to supply the ceremonies and complete the Rite of Baptism (DOB Synod Statute 101 §§ 1-2).

At times an emergency baptism must be administered in the hospital immediately after the birth of the child. In these cases, anyone (whether Catholic or not) may baptize the person. It is validly done by washing the child with water, in any small way, and repeating the Trinitarian

formula at the same time. The use of the active tense is required; i.e., “N., I baptize you in the Name of the Father, and of the Son, and of the Holy Spirit.”

When Baptism is Doubtful

If there is a doubt about the validity of a person’s baptism, see the section on “Confirmation.” With regard to churches or communities whose baptisms may be invalid, contact the Chancery immediately.

RECORDING BAPTISM

The recording of baptisms is a fundamental and necessary part of parish work. All other sacraments hinge on whether baptism was conferred validly. The reception of the sacraments of Confirmation, Matrimony, and Holy Orders are also registered at the parish of Baptism so that all sacraments which affect the juridic status (married/annulled) or ontological nature (confirmed, received Holy Orders) of the person are in one place.

It is the grave responsibility of the pastor to see that every Baptism is carefully and accurately recorded in the Baptismal Register, giving all information that is required in can. 877 §1. The Baptism of children born to unmarried persons is to be recorded in conformity with the prescripts given in the section on “Single Mothers” found below. The norms governing the recording of the Baptism of adopted children are to be strictly followed in conformity with can. 877 §3 (DOB Synod Statute 101 §§1-3).

Recording of Infant/Child Baptism

Whatever is written on the birth certificate is what is recorded. If there is no father’s name on the birth certificate, see the section on “Single Mothers” below. The mother’s maiden name is recorded, not her married name. The baptismal certificate is a public document which reports on the legal birth certificate; therefore, no additions or changes can be made that are different from the birth certificate.

The names of the minister, parents, sponsors, witnesses (if any), proper ascription, the place and date of the conferral of the baptism, and the date and place of birth are to be recorded in the register (cc. 535 § 1, 877 §1; DOB Synod Statute 46). The pastor, or one delegated by him, is to record the baptism in the baptismal register.

Baptized non-Catholic children below the age of reason are received into the Church simply by the written or oral declaration of a parent or guardian to this effect that is manifested to a pastor or his representative. No sponsor or godparent is required for this act of reception. An entry in the Baptismal Register should indicate the name of the child, names of the parents, date and place of original Baptism and the date of reception into the Church (DOB Synod Statutes 46, 1°; 123 §2).

Ascription

Ascription is one's membership in his or her proper Church *sui iuris* (sometimes referred to as "rite"). A person's ascription is determined by the ascription of the parents, not the rite in which the child was baptized. (i.e. a child of Ukrainian Catholic parents baptized in a Latin Catholic Church is still ascribed as a Ukrainian Catholic.)

One's ascription dictates what laws apply to him or her, either the Latin Code or the Eastern Code (i.e. laws relating to ordination and marriage in particular). The vast majority of Catholics are "Latin" but we have many "Ukrainian" and some "Maronite" Catholics in our Diocese. The laws of ascription are designed to preserve membership in Eastern Churches, which are dwindling in number and are often absorbed by Latin Churches.

Through the reception of baptism a child is ascribed to the Latin Church if the parents belong to that Church or, should one of them not belong to it, if both parents agree in choosing that the child be baptized in the Latin Church; but, if the agreement is lacking, the child is ascribed to the Church *sui iuris* to which the father belongs (c. 111 §1; Art. 1 *De Concordia Inter Codices*).

However, if only one parent is Catholic, the child is ascribed to the Church to which the Catholic parent belongs (c. 111 §2; Art. 1 *De Concordia Inter Codices*).

Any candidate for baptism who has completed the fourteenth year of age may freely choose to be baptized either in the Latin Church or in another Church *sui iuris*; in which case the person is ascribed to the Church which he or she has chosen (Can. 111 §3; Art. 1 *De Concordia Inter Codices*).

In the baptismal register, a note is also to be made of ascription to a Church *sui iuris* or the transfer to another Church *sui iuris*. These annotations are always to be stated on a Certificate of Baptism. (c. 535 §2; Art. 3 *De Concordia Inter Codices*)

Recording of Baptisms of Adopted Children

How the baptism is recorded depends on if the child was legally adopted before or after the baptism.

For children baptized after their adoption is finalized, the following information shall be entered:

- a. the Christian name(s) of the child as designated by the adoptive parent(s);
- b. the name(s) of the adoptive parent(s);
- c. the date and place of birth;
- d. the names of the sponsors selected by the adoptive parent(s);
- e. the place and date of the baptism;
- f. the name of the minister performing the baptism; and
- g. the fact of adoption but not the names of the natural parents.

Baptismal certificates issued by the parish for adopted children will be no different from other baptismal certificates. No mention of the fact of adoption shall be made on the baptismal certificate.

For children baptized before their adoption is finalized, the following notations shall be added to the baptismal register, but only after the adoption has been finalized with due regard for the civil law of the jurisdiction.

- h. parentheses shall be placed around the names of the natural parents;
- i. the name(s) of the adoptive parent(s) shall then be added;
- j. the child's former surname shall also be parenthesized, and the new surname added; and
- k. a notation shall be made that the child was legally adopted.

Baptismal certificates issued by the parish for these individuals shall give only the name(s) of the adoptive parent(s), the child's new legal surname, the date and place of baptism, and the name of the minister who conferred the sacrament. The name(s) of the sponsor(s) shall not be given, and no mention of the fact of adoption shall be made on the baptismal certificate.

For future ease in reference, and to afford what may often be the only possibility of reference after the adoption has been finalized, a baptismal entry for the adopted child can be made in the baptismal register of the adoptive parents' parish, citing the date and location of the original baptismal record, and listing only the name of the adoptive parents, and the date and place of birth.

As a general rule, parish personnel having access to parish registers have an obligation not to disclose to any person any information which would identify or reveal, directly or indirectly, the fact that a person was adopted. However, in accord with DOB Synod Statute 50, those with a strict right (i.e the person his/herself) can be granted such information when requested.

Legal documents showing the adoption and name change of the child should be shown to the parish personnel prior to any changes being made in the baptismal register.

Overseas Adoption

Many parents look to adopt children from overseas. Sometimes these children have already been baptized; in the case of children from Russia, Ukraine, etc., they were probably baptized in the Eastern Catholic or Orthodox faith and received Chrismation at the same time. If the parents have a baptismal certificate translated into English, it is used as the proof of baptism. The adopted child is ascribed to the Latin Catholic Church at the time of adoption (See CCEO c. 29 §2, 2°).

The Baptism and Chrismation are recorded in the baptismal register of the parish of the parents. A note should be added about the Eastern Catholic or Orthodox Church of baptism in

the “notations” section of the baptismal register, along with their ascription to the Latin Catholic Church at adoption.

Children who have received the Sacrament of Chrismation at the time of Baptism should not be confirmed later on. Chrismation is the same Sacrament as Confirmation.

Emergency Baptism

The baptism is recorded at the Catholic parish nearest the hospital. If requested, the rest of the ceremony may be supplied at a later date (DOB Synod Statute 102 §2).

Adult Baptism/Profession of Faith

The prescripts of the canons on adult baptism are to be applied to all those who, no longer infants, have attained the use of reason (c. 852 §1).

For an adult who is baptized, the above recording requirements under “Recording of Baptism” are used.

For an adult who comes into the fullness of the Catholic Church (has already been baptized), the fact of the Profession of Faith is to be recorded in the baptismal register of the parish. The person’s name, place and date of baptism is recorded in the usual manner, but the date of the Profession of Faith is noted in the Remarks section, along with the name of the sponsor if they are also confirmed at that time (DOB Synod Statute 46, 1°).

Errors in the Baptismal Register

There have been times that an unintentional error is made in the baptismal register (i.e. the misspelling of a name). When an error of that type is identified and verified, it should be corrected, but only by the pastor (DOB Synod Statute 48).

Draw one line through the error.

Enter the correction.

The Pastor initials and dates the correction.

UNUSUAL SITUATIONS

Legal Guardians as Godparents

Although there is nothing in canon law regarding the inability of a child’s legal guardian being his or her godparent at baptism, it seems that since a godparent is one who assists the parents in raising the child in the Catholic Faith, the guardian should not be the godparent. Therefore, other suitable godparents should be named, insofar as possible.

Single Mothers

If it concerns a child born to an unmarried mother, the name of the mother must be inserted, if her maternity is established publicly or if she seeks it willingly in writing or before two witnesses. Moreover, the name of the father must be inscribed if a public document or his own declaration before the pastor and two witnesses proves his paternity; in other cases, the name of the baptized is inscribed with no mention of the name of the father or the parents (c. 877 §2). Apart from the aforementioned, in cases of rape, due consideration is to be given to the desires of the mother.

“Change” of Godparents Requested

At times parents have a ‘falling-out’ with the godparents, or the godparents no longer practice their Catholic faith, so the parents wish to ‘change’ the names of the godparents to reflect the new reality. Parents are free to ask others to assume the role of godparent in a child’s life, but the names of the godparents cannot be changed in the baptismal register. One of the things godparents can do is provide verification of baptism in case something happens to the baptismal register. A person who was not physically present at the baptism cannot provide that verification.

ISSUING BAPTISMAL CERTIFICATES

A baptismal certificate is issued upon the receipt of the Sacrament of Baptism and is given to the parents (for an infant) or to the adult.

Any requests for a baptismal certificate should be completed ‘with notations’ – meaning all sacraments received, ascription, and any notations regarding marriage and declarations of nullity. These requests come from parishes/individuals when a person is getting married. They also come from Marriage Tribunals to establish the fact of baptism and marriage in an annulment case. The pastor or, in the pastor’s absence, the parochial vicar is to sign the baptismal certificate (DOB Synod Statute 50).

For adopted children, see the section above regarding the “Recording of Baptisms of Adopted Children.”

CONFIRMATION

REQUIREMENTS

The reception of the Sacrament of Confirmation is not to be needlessly deferred. Pastors shall take care that all children in the parish are confirmed between the age of reason and the second semester of the sophomore year of High School (DOB Synod Statute 105 §1; See Also DOB Synod Appendix 14 on Age for Confirmation).

No one may require of candidates for Confirmation more than what is required by Canon Law, as found in cc. 889-891, and the Synod Statutes of the Diocese of Bismarck. For example, one may not require things such as regular participation in parish life, the signing of bulletins to prove Mass attendance, or the financial contributions of the parents, etc. (DOB Synod Statute 104 §2).

Conditional Baptism

The fact of Baptism must be established for each candidate for Confirmation. If a record of Baptism cannot be secured, the sworn testimony of one reliable witness who is in a position to know the facts must be obtained. If such testimony is not available, the candidate is to be baptized at least conditionally, and the record of both Baptism and Confirmation is to be entered in the parish registers. In cases of doubt about the validity of one's Baptism, contact the Chancery (DOB Synod Statute 103 §2).

Sponsor (*Patrinus*)

Whenever possible there is to be a sponsor. The requirements for a sponsor for Confirmation are the same as that for a godparent at Baptism: the sponsor must be Catholic (either belonging to the Latin Church or Eastern Church), at least 16 years of age, confirmed, and "leading a life in keeping with the function to be taken on" (c. 874 §1). It is recommended that a baptismal godparent also be the Confirmation sponsor. Parents may not be sponsors for their children. Spouses and fiancés should not be the sponsor of the one to be confirmed, however final determination of this question is left to the pastor (DOB Synod Statute 107).

RECORDING CONFIRMATION

As soon as Confirmation has been administered in a parish, proper entries are to be recorded in both the Confirmation and Baptism Registers, with mention made of the minister, the parents and sponsor, and the place and date of the conferral of Confirmation (DOB Synod Statute 108 §1).

If a person is confirmed in a parish other than the place of Baptism, the pastor of the place of Baptism is to be notified without delay so that a record of Confirmation may be entered in the Baptismal Register (DOB Synod Statute 108 §2).

CONFIRMATION FOR THE UNBAPTIZED AGE 7 OR OLDER

A priest is not to separate the Sacraments of Baptism, Confirmation, and Holy Communion when baptizing or receiving into full communion of the Catholic Church anyone who is seven years of age or older, unless pastoral necessity requires the intervention of the bishop of Bismarck, in which case a detailed request is to be made in writing. A child in such a situation can certainly be later incorporated into Confirmation classes at the discretion of the pastor but is not to take an active part in the eventual confirmation ceremony, apart from assisting as a lector or altar server (DOB Synod Statute 105 §2).

Those received into the Church are to be recorded in the baptismal register with special notations made in the remarks section; the name of the one received, the date and place of original baptism, and the date of reception into the Catholic Church (DOB Synod Statute 46).

CATHOLICS FROM OTHER PARISHES

In some rare cases, a request may be made for one to be confirmed in a parish other than the one to which they belong. A candidate belonging to another parish is not to be presented for Confirmation without the consent of the proper pastor who, in turn, is to receive authentic notification after the Sacrament has been administered (DOB Synod Statute 106).

EASTERN CATHOLICS

Catholics belonging to an Eastern Catholic Church *sui iuris* (e.g., Ukrainian, Maronite, etc.), normatively receive Baptism and Confirmation (Chrismation) at the same time, as infants. Therefore, any person presenting him or herself for Confirmation who is from the Ukrainian or another Eastern Catholic Church *sui iuris* should not be 'confirmed' again. The baptismal certificate of these persons will show whether or not all three Rites of Initiation were completed at Baptism. However, it is not uncommon for those who are Eastern Catholics by law/ascription to be baptized in a Latin Church where their parents now attend. In such a case, please see the subheading "Ascription" in the section "Recording Baptism." In the event of an Eastern Catholic who is not Confirmed, please note that the Diocesan Bishop does not automatically possess the requisite permissions to confirm Eastern Catholics. In such cases, the Diocesan Chancery should be immediately consulted (DOB Synod Statute 105 §4).

MOST HOLY EUCHARIST

Any baptized person not prohibited by law can and must be admitted to holy communion (c. 912). Baptized non-Catholics can be admitted to the Eucharist under certain circumstances (i.e. Eastern Orthodox, members of SSPX, etc. See c. 844). Please call the Office of Canonical Services if such an occasion arises.

REQUIREMENTS

The administration of the Most Holy Eucharist to children requires that they have sufficient knowledge and careful preparation so that they understand the mystery of Christ according to their capacity and are able to receive the body of Christ with faith and devotion. (c. 913 §1). It is primarily the duty of parents and those who take the place of parents, as well as the duty of pastors, to take care that children who have reached the use of reason are prepared properly and, after they have made sacramental confession, are refreshed with this divine food as soon as possible. It is for the pastor to exercise vigilance so that children who have not attained the use of reason or whom he judges are not sufficiently disposed do not approach holy communion (c. 914). If there is any doubt however, about their use of reason or disposition, it should be resolved in favor of the person's receiving Communion.

The presentation of a baptized non-Catholic child by a parent or guardian for instruction for First Holy Communion is to be understood as a declaration that the child be received into the Church (DOB Synod Statute 123 §3).

Penance

For previously baptized children and adults, sacramental confession precedes one's first reception of Holy Communion. (See c. 914) A person who is being baptized at the Easter Vigil does not receive the Sacrament of Penance first.

Priests have the responsibility to catechize their parishioners regarding the Sacrament of Penance prior to reception of Holy Communion. A person who is conscious of grave sin is not to receive Holy Communion without first confessing his/her sins, unless there is a grave reason and no opportunity to confess (c. 916).

No recording of first penance is to be made, ever!

RECORDING OF FIRST HOLY COMMUNION

Each pastor is to maintain a First Communion Register in their parish (DOB Synod Statute 46 §2). There is no requirement in Code of Canon Law or our Diocesan Synod Statutes to send this information to the parish of baptism. However, it is common practice to do so.

An authentic record of Baptism shall be secured for each person prior to their First Holy Communion. If this record is not able to be found, the sworn testimony of one reliable witness who is in a position to know the facts is to be obtained. If such evidence cannot be obtained,

the person is to be baptized at least conditionally, and the record of both Baptism and First Holy Communion is to be entered in the parish records (DOB Synod Statute 124).

DEVELOPMENTAL DISABILITIES/MENTAL FUNCTIONING

The criteria for persons with developmental disabilities or other mental issues (i.e., Alzheimer's) are the same as for all persons. The person should be able to distinguish the body of Christ from ordinary food, even if this recognition is only evidenced through manner, gesture, or reverential silence rather than verbally. If required, the pastor should consult with parents, psychologists, religious educators, or other experts in making a decision about whether a person is able to receive the Eucharist.

RECEIVING COMMUNION TWICE IN THE SAME DAY

A person may receive Communion two times in the same day, as long as the second time is within the context of Mass (c. 917; DOB Synod Statute 122 §2). For example, a person who attends a Communion Service and receives the Eucharist may attend Mass on the same day and receive again, but not the reverse. A person who attends Mass in the morning (i.e., Saturday) and then attends the Sunday Vigil Mass in the evening may receive Communion both times.

RECEIVING COMMUNION OUTSIDE OF MASS

Holy Communion may be distributed outside of Mass whenever it is reasonably requested, with the liturgical rites being observed (DOB Synod Statute 121 §1)

PENANCE

In this Sacrament, the faithful confess their sins to a legitimate confessor, while expressing sorrow for those sins and an intention to reform their lives. In return, God absolves them from their sins through the ministry of the priest. At the same time, the individuals are also reconciled to the Church community which has been wounded through sin (c. 959).

INDIVIDUAL RECONCILIATION

This is the ordinary way of confessing sins and receiving absolution: one penitent/one priest (c. 960).

GENERAL RECONCILIATION WITHOUT INDIVIDUAL CONFESSIONS

In the Diocese of Bismarck, the only ordinary way to celebrate the Sacrament of Penance and the confession of all serious sins is through clearly and directly communicated, individual and integral confession and absolution. The conditions for general absolution in this Diocese do not exist, except as specifically stated in c. 961 §1, 1°, namely, in the case of imminent danger of death when there is not time for individual confessions (DOB Synod Statute 127 §4).

RECORDING OF FIRST PENANCE

The first reception of the Sacrament of Penance should never be recorded in the parish Registers. No 'certificate' should be given out. The reason for this is that a person's reception of the Sacrament cannot be verified, as it is done in private.

TIMES OF ABSTINENCE AND FASTING

Abstinence from meat, or some other form of fasting, with a preference for fasting from alcohol, is to be observed on all Fridays, unless a solemnity should fall on a Friday (1966 NCCB Pastoral Statement on Penance and Abstinence). Abstinence from meat and fasting are to be observed on Ash Wednesday and Good Friday (c. 1251). Abstinence from meat is to be observed on all Fridays of Lent.

The law of abstinence binds those who have completed their fourteenth year. The law of fasting binds those who have attained their majority (eighteen), until the beginning of their sixtieth year. Pastors of souls and parents are to ensure that even those who by reason of their age are not bound by the law of fasting and abstinence, are taught the true meaning of penance (c. 1252).

For a just cause, a pastor, and indeed any priest ministering in the Diocese of Bismarck with the appropriate faculty, can grant in individual cases a dispensation from the general laws of fasting, abstinence and the observance of feast days, including Sundays, according to the norms of c. 1245, and should encourage, in their place, other prayers or pious practices (DOB Synod Statute 199).

ANOINTING OF THE SICK

CELEBRATION

The Sacrament can be celebrated for one individual or for several in a communal celebration, as long as they have been suitably prepared and are properly disposed, and the celebration is performed according to the prescripts of the Diocesan Bishop (c. 1002; See Also DOB Synod Appendix 23).

Only a priest can validly administer this Sacrament; not a deacon (c. 1003; See Also DOB Synod Statute 133).

TIMING

The Anointing of the Sick can be administered to a person who, having reached the age of reason (age 7), begins to be in danger due to sickness or old age. The Sacrament can be repeated if the person, having recovered, again becomes gravely ill or if the condition becomes more grave during the same illness (c. 1004).

The Sacrament can be administered **in a case of doubt** as to whether the sick person has attained the use of reason, is dangerously ill, or is dead (c. 1005). Children may be anointed if they have sufficient use of reason to be strengthened by the Sacrament. If it is clear that the person is dead, the Sacrament is not to be given.

Priests have the faculty to grant, and they should impart, the Apostolic Blessing with the attached plenary indulgence as often as they administer the Sacrament of the Anointing of the Sick to those in serious danger of death, according to the formula contained in the approved liturgical books (DOB Synod Statute 135).

MATRIMONY

RECORDING MARRIAGES

All marriages should be recorded in the marriage register of the parish in which the wedding was celebrated. Additionally, the information must be sent to the parish of baptism of Catholic party(ies). (DOB Synod Statutes 168, 170).

Weddings celebrated with a dispensation from canonical form in non-Catholic churches or other places should be recorded in the parish within whose boundaries the marriage ceremony took place (DOB Synod Statute 168 §3).

A convalidation is recorded in the marriage register of the parish where the convalidation occurred and also at the parish of baptism of the Catholic party(ies). The wedding date is that of the Catholic ceremony. However, the date and place of the civil wedding may be recorded as well.

The provisions of civil law are to be observed conscientiously to the extent that they are not contrary to divine or ecclesiastical law. Clergy must promptly comply with notification to the proper civil authority after each marriage ceremony has taken place, unless it is a convalidation (DOB Synod Statute 142 §2).

ANNULMENTS/DISSOLUTIONS

The Office of Canonical Services is available to assist persons who wish to have a prior bond examined for invalidity or possible dissolution. There are several different ways to declare a marriage bond invalid or to have it dissolved. The interested party should be directed to contact the Office of Canonical Services for a packet to begin this process (701-204-7203).

Pre-marriage files are commonly requested by the Office of Canonical Services as they are a vital component to the annulment process. A copy of the file (complete with FOCCUS results) should be sent upon request of the Office of Canonical Services if possible. The current directive is to shred all FOCCUS results after being reviewed by the preparing cleric and couples in marriage preparation. If, however, a marriage file in a parish has FOCCUS results that have not been shredded, this may be sent to the Office of Canonical Services upon request.

RECORDING ANNULMENTS/DISSOLUTIONS

When a marriage has been declared invalid or has been dissolved, the information is sent to both the parish where the wedding was held and to the place of baptism of the Catholic party(ies). It should be recorded as **“marriage declared invalid by the Diocese of Bismarck on (date).” In marriage nullity cases that have been appealed to the Archdiocese of St. Paul/Minneapolis and declared invalid after the appeal, please contact the Office of Canonical Services for direction on recording.**

If the marriage was dissolved by virtue of the Pauline Privilege (marriage between 2 unbaptized persons) it should be recorded as “**marriage dissolved by Bishop (name) on (date).**” If the marriage was dissolved *in favorem fidei* (marriage between a baptized and an unbaptized person), it should be recorded as “**marriage dissolved by Pope (name) on (date).**”

If, for some reason, a marriage has not been recorded in either the parish where the wedding was held or in the parish of baptism, the marriage should first be recorded, and then the fact of the annulment or dissolution.

WEDDINGS – DIOCESAN GUIDELINES

This is a quick overview of the requirements for weddings within the Diocese of Bismarck. For more information, please see the [Preparing for Marriage–Companion resource for parish staff and clergy](http://bismarckdiocese.com/documents/2016/12/PreparingForMarriageSynod.pdf) found at: <http://bismarckdiocese.com/documents/2016/12/PreparingForMarriageSynod.pdf>

For the recording of marriages, convalidations, or annulments/dissolutions, please see the “Matrimony” section above.

PRE-MARRIAGE PREPARATION

Responsibility for Marriage Preparation

It is the responsibility of the pastor of the place where the marriage is to be celebrated to personally, but not exclusively, ensure the proper preparation of engaged couples. It is recommended that the same priest prepare the couple and assist at the marriage ceremony (DOB Synod Statute 143 §3).

When preparing couples in the Diocese of Bismarck, even if the ceremony is to take place elsewhere, it is the responsibility of the preparing priest to ensure that all current marriage preparation requirements as found on the diocesan website are met (DOB Synod Statute 143 §4).

When couples are prepared outside of the Diocese of Bismarck, but the ceremony takes place within the Diocese of Bismarck, it is the responsibility of the preparing priest to ensure that all current marriage preparation requirements of his own diocese are met (DOB Synod Statute 143 §5).

Every cleric who assists at a marriage ceremony involving a Catholic party(ies) who are not his proper subjects is to first receive the permission of the proper pastor of the party(ies). This only applies, however, if neither of the parties is the assisting cleric’s proper subject. If one of the parties is his subject, this permission is not needed (DOB Synod Statute 154 §1).

Any exchange of pre-nuptial files between the Diocese of Bismarck and another diocese must be made through the respective chanceries. Preparing clergy are to have such files sent no less than three weeks prior to the wedding, or as directed (DOB Synod Statute 147 §5).

First Contact

When a couple calls/comes in to schedule their wedding date, the **first** question which should be asked is: “Have either of you **EVER** been married before?” If the answer is ‘yes,’ then ask: “How did that marriage end? By death or divorce?” If the answer is ‘divorce,’ then ask: “Has

that marriage been declared invalid (annulment) by the Catholic Church?” If the answer is ‘no,’ then direct the person to the Office of Canonical Services (701-204-7203).

Please remember: EVERY PRIOR MARRIAGE COUNTS whether it was done in a Catholic church, a non-Catholic church, or civil court. The Office of Canonical Services determines what needs to be done in order for the couple to marry validly.

Please note: No wedding date can be set until the marriage has been declared invalid and any restrictions have been resolved (DOB Synod Statute 146 §2). This is diocesan policy. If the answer is ‘yes’ to the question of a declaration of invalidity, the wedding date may be scheduled, but only after a Document a Freedom to Marry has been presented, which is only granted once any restrictions have been resolved. Please inform the parties that the Document of Freedom to Marry should be brought to the initial meeting with the cleric preparing the couple for marriage.

The parties should also be asked if they are currently civilly married to each other, and this information must be passed on to the preparing cleric so that he can prepare them properly for a Catholic ceremony (convalidation). See the section on “Convalidations” below.

If neither party has been married before, the wedding date may be scheduled, and a time set up for the couple to speak with the preparing cleric.

Nine Months

At a minimum, couples must begin the marriage preparation process at least **nine months** before the wedding date. This allows sufficient time for the pastoral care outlined below to take place without undue pressure. Furthermore, a decision to postpone the marriage, if necessary, may be made by the couple and the preparing cleric before the wedding plans are truly complete. It is highly recommended that the couple finish all elements of marriage preparation at least six weeks prior to the wedding (DOB Synod Statute 146 §1).

Mandatory Requirements for Marriage Preparations

The main requirements of the pre-nuptial investigation are: interviews, completion of all relevant Pre-Nuptial Forms, a marriage inventory, the pre-marriage weekend, and a Natural Family Planning course. Only the Diocesan Bishop is able to grant relaxations to these main requirements, and such requests must be in writing (DOB Synod Statute 145 §2).

Preparing clergy must send every pre-nuptial file, **except the marriage inventory (i.e FOCCUS)**, to the Chancery for a *nihil obstat* no less than three weeks prior to the wedding or as directed (DOB Synod Statute 147 §2).

PRE-MARRIAGE FORMS

Preparing clergy must observe the universal norm to conduct individual interviews to establish the freedom to marry of each party, utilizing the Pre-Nuptial Forms, which the priest himself is to fill out.

They are also to implement the prudent practice of separating couples when taking any marriage inventory (DOB Synod Statute 147 §1).

Form A – to be used for **all** couples marrying within the Diocese of Bismarck

Form B – to be used for Catholic/Non-Catholic and Catholic/Non-Baptized couples

Form C – to be used for a party who has been married before

Form D – to be used when a canonical witness is required to determine a party's freedom to marry or baptismal status

Form E – to be sent to the parish of baptism of the Catholic party/(ies).

All of these forms are available on the diocesan website at: <https://www.bismarckdiocese.com/pre-marriage-forms>. Also included there is a Help Sheet explaining the various Impediments to Marriage, as well as a Checklist and Instructions for Pre-Nuptial Questionnaire.

Documents Needed

Catholic parties – a baptismal certificate with notations issued within nine months of the parties' initial meeting with the preparing cleric.

Non-Catholic parties – a baptismal certificate or a notarized statement from someone who was present at the baptism (c. 876).

For persons baptized as an adult – a baptismal certificate or their own oath as to their baptism (c. 876).

For prior marriages declared invalid – a Document of Freedom to Marry.

For prior marriages which ended in death – a death certificate.

For convalidations of civil unions – a marriage certificate.

PLACE OF MARRIAGE

Two Catholics are ordinarily to be married in the parish church of either party.

Marriages between Catholics of different Churches *sui iuris* are to be celebrated before the pastor of the groom, unless either particular law determines otherwise or a just cause excuses (DOB Synod Statute 148).

Marriages between Catholic parties are to take place within a Church building. Only the Diocesan Bishop is able to grant exceptions for serious reasons, and such requests must be in writing (DOB Synod Statute 158).

In the case of mixed marriages between a Catholic and baptized non-Catholic, the wedding is to take place of the parish Church of the Catholic party. However, the Catholic may request that the wedding take place in the non-Catholic party's home church (Dispensation from Form on Pre-Marriage Form B).

If a 'destination' wedding is being planned outside of the Diocese of Bismarck, the couple should be directed to the diocese in which the wedding will take place for their policies and guidelines.

RITE OF MARRIAGE

When both parties are Catholic, the wedding is to take place within a Nuptial Mass unless the cleric who assists determines otherwise for a serious reason (DOB Synod Statute 156 §1).

When one party is Catholic and the other is a baptized non-Catholic, it is expected that the Rite of Marriage Outside of Mass will be used, unless the cleric assisting determines otherwise for a serious reason (DOB Synod Statute 156 §2).

Disparity of Cult marriages, which occur between a Catholic and an unbaptized person, always take place outside of the Mass (DOB Synod Statute 156 §2).

MINISTER

Normally, the pastor, associate pastor, or deacon of the Catholic parish in which the couple is being wed receives (assists at) the consent of the couple.

A priest or deacon from outside the Diocese of Bismarck may preside at the wedding and receive (assist at) the consent of the couple. In this case, a Letter of Good Standing must be sent in advance to the Chancery office (DOB Synod Statute 153 §2). Written delegation from the pastor of the place of contract or the local ordinary is to be given the visiting priest/deacon. For convenience, a space is provided on Form A for this written delegation.

A marriage between a Latin (Roman) Catholic and Eastern Catholic (i.e. Ukrainian, Maronite) must be presided over by a priest – **never a deacon**. A wedding between a Latin Catholic and an Eastern Catholic does not need the permission of the proper Eparch.

A deacon may preach at a wedding that takes place within the Mass, but never receives (assists at) the consent of the couple (See *The Order of Celebrating Christian Matrimony* n. 59). A deacon may preach and assist at a wedding that takes place outside of the Mass (See *The Order of Celebrating Christian Matrimony* n. 79).

A marriage between an Eastern Catholic and a baptized non-Catholic or a non-baptized person must have the required permission/dispensation from the proper Eparch. Please contact the Diocese of Bismarck's Office of Canonical Services (701-204-7203) regarding such a situation.

NON-CATHOLIC MINISTERS

If a non-Catholic wishes to have his/her minister participate in a wedding with a Latin Catholic, that participation is limited to a blessing and/or words of greeting and congratulations to the couple. Weddings in a Catholic parish are presided over by the priest/deacon. **The priest/deacon must ask for and receive the consent of both parties.** Ceremonies in which a Catholic priest/deacon

witnesses the vows of the Catholic party and a non-Catholic minister witnesses the vows of the non-Catholic are **not** permitted.

Weddings in a non-Catholic church are presided over by that minister. A priest or deacon may attend the wedding but not serve as an official witness, and a Dispensation from Canonical Form must have been received prior to the celebration.

CONVALIDATIONS

If the couple is currently civilly married and the Catholic party(ies) wishes to receive the Sacraments or one or both are coming into the Catholic Church, they must have a Catholic wedding, typically called a convalidation (Latin for 'with validity'). A convalidation should be a fairly simple ceremony: the priest/deacon should ask for and receive the couples' consent, and two witnesses are required. A new marriage license from the State is not needed.

Preparing clergy are to ensure that any couple celebrating a convalidation ceremony must clearly understand that a new and complete consent is exchanged (DOB Synod Statute 149 §2).

A convalidation is not a 'magic pill' which will fix the problems already existing in the marriage; if the couple is having serious issues that may lead to divorce, they should be dissuaded from the convalidation and encouraged to seek counseling. The Office of Canonical Services (701-204-7203) may be able to help with referrals for counselors.

Pre-nuptial preparations for convalidations must follow the same main requirements as all other marriages. Only the Diocesan Bishop is able to grant relaxations to these main requirements, and such requests must be in writing (DOB Synod Statute 149 §1).

WEDDING DATES

In this Diocese, marriage ceremonies are not to take place on Sundays and Holy Days of Obligation. Marriage ceremonies may take place during an anticipated Sunday Mass celebrated on Saturday or on the vigil of a Holy Day of Obligation (DOB Synod Statute 157).

When one or both parties are entering the Church on the Easter Vigil, the union is to be convalidated prior to the Vigil, and can even be done on the morning of Holy Saturday. In this case, dispensation for disparity of worship or permission for mixed religion, along with permission for convalidation, is required (DOB Synod Appendix 12).

Weddings during the seasons of Advent and Lent should take into consideration the special nature of those liturgical seasons. See the *Rite of Marriage* for the choices of Mass texts and Scripture readings on the Sundays of Advent, Lent, and Easter.

Nuptial Masses held after 4:00 pm on Saturday evening but not during a regularly scheduled parish liturgy do fulfill the Sunday obligation (See Pius XII Apostolic Constitution *Christus Dominus*, VI, 1953). **Masses that start earlier than 4:00 P do not fulfill the Sunday Obligation.**

WEDDINGS – PARISH GUIDELINES

This Section is left blank so that each parish can, in accord with Diocesan law (DOB Synod Statutes), develop their individual guidelines for the celebrations of weddings.

RITE OF CHRISTIAN INITIATION OF ADULTS (RCIA)

(See DOB Synod Appendix 12)

Catechumen vs. Candidate

A Catechumen is a person who has not been baptized. He or she probably has had very little, if any, faith formation. Therefore, the instruction of Catechumens should be more basic and intense, since Christianity itself must be presented, along with Catholicism.

A Candidate is a person who has been baptized in a Protestant denomination, and more than likely has had some or much faith formation. Therefore, the instruction of Candidates can be geared more toward the teachings of the Catholic Church and may not take as long.

Catechumens and Candidates, if possible, should not be taught together in one homogeneous group. Catechumens should always be baptized, confirmed and receive Holy Communion for the first time at the Easter Vigil. Candidates may be received into the Church at any time during the year after the Pastor has determined they are ready.

Prior Marriages

The Church's teaching on marriage is normally presented at some point during the time of instruction. However, each individual or couple who is seriously considering entering the Church (whether through baptism or reception) should be interviewed regarding prior bonds at the beginning of the RCIA process.

A Catechumen or Candidate who is divorced, but not re-married and is not considering re-marriage, is not required to undergo the annulment process during the time of instruction. It needs to be made clear, however, that if he/she ever wishes to marry in the Church, all prior bonds must be successfully proven null in a Church Tribunal.

A Catechumen or Candidate who has been divorced and is currently re-married will need to have his/her prior attempt(s) at marriage successfully proven null in a Church Tribunal before being baptized or received into the Church. A Catechumen or Candidate who is divorced but considering remarriage, either by way of a committed dating relationship or engagement, also needs to have his/her prior attempt(s) at marriage successfully proven null in a Church Tribunal before being baptized or received into the Church.

Convalidation

It is not always necessary for a couple who are married and then one or both enter the Church to have their marriage convalidated. If one or both were not baptized, their marriage automatically becomes a sacramental union with the baptism of the person(s).

If one of the parties in the marriage was Catholic but the couple married outside the Church without dispensation from canonical form, then a Catholic ceremony (Convalidation) is required prior to the other party being received into the Church.

When one or both parties are entering the Church on the Easter Vigil, the union is to be convalidated prior to the Vigil, and can even be done on the morning of Holy Saturday. In this case, dispensation for disparity of worship or permission for mixed religion, along with permission for convalidation, is required.

FUNERALS/BURIALS/CEMETERIES

FUNERAL RITES AND MASS

The “Funeral Rites” include the following: the vigil, the funeral Mass or liturgy of the word, and the committal rite. The “Funeral Liturgy” applies to the funeral Mass or liturgy of the word.

Audio-visual presentations immediately prior to or during a funeral Mass are not to be permitted (DOB Synod Statute 186 §1).

Eulogies may be given at the vigil, at the cemetery, or at a gathering after the funeral rites but not at any moment during the funeral Mass (DOB Synod Statute 186 §2).

Music is integral to the funeral rites. The texts of the songs chosen should express the Paschal Mystery of the Lord’s suffering, death, and triumph over death and should be related to the chosen readings from Scripture. The other principles, rubrics, and norms concerning music in the Mass are to be followed (DOB Synod Statute 188).

PROHIBITED DAYS FOR FUNERAL MASS

The celebration of a Funeral Mass is permitted on any day except Solemnities that are Holy days of Obligation, the Paschal Triduum, and the Sundays of Advent, Lent, and Easter (GIRM n. 336).

PLACE OF CELEBRATION AND BURIAL

Normally, a funeral is held in the person’s parish church. However, if the person died outside his/her parish and the body was not transferred there, the funeral is to be celebrated in the church of the parish where the death occurred (c. 1177; DOB Synod Statute 187 §1).

The burial is to be held in the parish’s cemetery, if there is one. However, every person has the right to designate the cemetery in which he/she wishes to be buried (c. 1180; DOB Synod Statute 180 §1).

CREMATION

The Church recommends that the dignity of the body be kept inviolate and, therefore, the body is to be buried. However, cremation is allowed as long as it is not done for reasons contrary to Christian teaching (DOB Synod Statute 177 §3).

When cremation is chosen, it is preferable to celebrate the funeral Mass in the presence of the body prior to cremation. However, the Mass can be celebrated with the ashes present (DOB Synod Statute 177 §4).

If the person's body is cremated, the ashes are to be buried or placed in a columbarium, but never kept in the family's home, made into jewelry, dispersed in nature, etc. (DOB Synod Appendix 25).

BURIAL REQUIREMENTS

For state law regarding burial of bodies and/or cremated remains, please visit the following link: <http://www.legis.nd.gov/information/acdata/pdf/33-05-01.pdf>.

NON-CATHOLICS AND A CATHOLIC FUNERAL

Persons who are under instruction for reception into the Church at the time of their death, as well as those who have indicated a positive desire to embrace the Faith, are to be considered as baptized in the matter of their ecclesiastical burial, provided they died without the Rite of Baptism through no fault of their own (DOB Synod Statute 178 §1).

The same principle applies to persons for whom a documentary proof of Baptism cannot be secured, but for whom there are positive indications that constitute a reasonable presumption in favor of baptism (DOB Synod Statute 178 §2).

The parish priest should permit infants who die before Baptism to be given the full rites of ecclesiastical burial, if the parents had intended to have them baptized (DOB Synod Statute 178 §3).

The Church's funeral rites may be celebrated for baptized persons who are enrolled in a non-Catholic Church or ecclesial community, unless their intention is evidently to the contrary and provided that their own minister is not available (DOB Synod Statute 178 §4).

CATHOLICS DEPRIVED OF A CATHOLIC FUNERAL

Keeping in mind that an ecclesiastical burial is a right that the Church gives to the faithful, all baptized persons must be permitted ecclesiastical burial, unless they are expressly deprived of it by law. In cases of doubt, the Diocesan Bishop is to be consulted (DOB Synod Statutes 177, 179).

Some Catholics must not be allowed to have a Catholic funeral. These are: notorious apostates, heretics, or schismatics who are unrepentant; those who chose cremation for a reason contrary to Christian faith, and other manifest sinners who cannot be granted a Catholic funeral without causing public scandal. If there is any doubt, the Diocesan Bishop is to be consulted and his judgment followed (DOB Synod Statute 179).

A person who simply stops practicing the Catholic faith without being an apostate, heretic, or schismatic is to be granted a Catholic funeral.

CEMETERIES

The cemetery board of each parish that has a cemetery is in charge of that cemetery. According to North Dakota State law, no bodily remains can be accepted for burial unless the burial permit has been issued and the sexton endorses the time and place of burial. Permanent records must be kept by the person in charge of the cemetery.

It is not strictly necessary for a funeral home to notify the parish or the pastor that a burial is taking place in a Catholic cemetery; however, the person in charge of the cemetery itself must be notified.

Without the express permission of the Diocesan Bishop, non-Catholics may not be buried in a Catholic cemetery unless they are members of a Catholic family or the non-Catholic spouse in a mixed marriage (DOB Synod Statute 181 §1).

The pastor or priest in charge of a Catholic cemetery may permit, upon request, clergymen of other faiths to conduct grave-side services in the cemetery on the occasion of the burial of a non-Catholic (DOB Synod Statute 181 §2).

Non-Catholic religious rites, including all types of sectarian and fraternal services, are never permitted in a Catholic cemetery, unless the Diocesan Bishop expressly grants this permission. This prohibition does not refer to civil or military honors (DOB Synod Statute 181 §3).

GENEALOGICAL RESEARCH/PARISH ARCHIVES

GENEALOGICAL RESEARCH

On occasion, parishioners and others wish to research their family history. They may approach the parish for **baptismal, marital, or burial** information. Any information deemed to be confidential (i.e. adoption) should never be divulged.

Records over 100 years old may be copied and handed over to the researcher. It is up to the pastor to decide whether the secretary should do the research and make the copies, or whether the record books may be given to the researcher for him/her to do the research and make the copies. All research must be done on site.

Any information contained in official parish records is to be given **only to those who have a strict right to request them**. Any such records, including but not limited to official sacramental certificates, are to be signed by the pastor only or, in the pastor's absence, the parochial vicar and must include the seal of the parish. **In case of doubt about the person's right to the information, contact the Chancery** (DOB Synod Statute 50).

PARISH ARCHIVES

Each parish is required to have parochial registers, which the pastor maintains, in which the Sacraments of Baptism, First Communion, Confirmation, Matrimony, and Holy Orders are recorded (DOB Synod Statute 46). A register for funerals and/or burials (if a cemetery is attached to the parish) is also to be kept. These registers are to be kept in a locked, fire-proof cabinet. Access should be limited to the pastor and parish secretary.

Records of the minutes of the parish finance council and parish pastoral council should be kept and maintained by the secretary of those councils.

Decrees of appointments of new pastors, as well as a record of the taking of the Profession of Faith and Oath of Fidelity, should also be maintained.

MASS INTENTIONS

NORMAL MASS OFFERING

In the Diocese of Bismarck, the set amount for a Mass offering is \$10 (DOB Synod Statute 270 §1).

No one may demand or suggest that a higher offering is to be made. A priest who agrees to offer Mass for a specific intention is morally and canonically bound to do so, even if no stipend is offered (DOB Synod Statute 270 §§1-3).

Offerings less than the customary amount should not be refused (DOB Synod Statute 270 §5).

PAYMENT OF STIPENDS

Stipends are not to be paid in advance to individual priests out of any stipend account in a parish. While transactions by individual parishioners can be freely arranged, parish accounts are to pay out Mass stipends only after the attached intention has been satisfied (DOB Synod Statute 271 §3).

Mass offerings and stipends received from parishioners are to be managed by the parish business office. As administrator, the pastor is responsible to oversee the payment of bills and may delegate the record keeping authority to a business manager. It is, however, ultimately the pastor's responsibility to facilitate the education of the staff so they can determine when Mass offering stipends are provided to priests and when priests cannot accept stipends for Mass offerings. Because of Mass intentions/stipends related to collective intentions or *Pro Populo* intentions and factors such as limitations in daily stipend allowance (*Missae Per Diem*), the best practice is for pastors and parish priests to report their Mass stipends to their staff at the end of each month for each of the parishes in his cluster (DOB Synod Appendix 18).

Mass stipends received should be managed as "dedicated funds" that a parish temporarily holds for restrictive purposes. The parish should use the established account from the Diocese Chart of Accounts for this purpose which is 8170.00PAD (DOB Synod Appendix 18).

Although all regular parish Mass offerings and stipends are to be managed by the parish business office, it is acknowledged that individual priests may need to handle various private requests such as those from family or those for private Masses offered by both parishioners and non-parishioners. In these cases, priests are to keep their own registers. *IMPORTANT NOTE: Any such Mass stipend funds are still taxable income to the priest and the priest would need to include that income on his personal income tax report.*

Parishes must use the payroll process to pay monthly Mass stipends to their priests. Mass stipends are reportable to the IRS as income and should be included on the annual parish W2 report to the priest and parish W3 and 941 reports to the IRS. The sum total of all monthly

Mass stipends for priests in parish clusters must be processed from the parish which performs the priest's payroll. The individual parishes within the cluster will need to manage payments between the parishes accordingly for stipends to be paid through the payroll process (DOB Synod Appendix 18).

Stipends should be paid to the pastors and parish priests at the end of each month. Mass stipends are never to be paid in advance (DOB Synod Appendix 18).

Priests must accept their Mass stipends for said intentions and have them processed through the parish payroll to be included on their paycheck and all necessary tax documents. Priests cannot decline Mass stipends and simply allow the parish to keep the stipends. If a priest wishes to make a contribution to his parish he may do so separately, but not by declining Mass stipends (DOB Synod Appendix 18).

Regarding priests assigned to parishes who are members of religious orders with a vow of Poverty (DOB Synod Appendix 18):

- This Mass Stipend addendum applies for Masses offered by the assigned parish priests at their respective parishes.
- The priest should provide a monthly Mass stipend report to the parish business office as previously mentioned.
- These stipends should be directed to the religious order of the priest who fulfills the Mass intention or directed in accordance with the policy of the religious order.

SEPARATE MASSES FOR SEPARATE INTENTIONS

According to c. 948, only one stipend, also known as an offering, can be taken for one Mass, no matter how small the offering is. The donor's intention, however, can include more than one person. A "Mass offering" includes both the intention and the stipend, which are distinct (c. 945.)

COLLECTIVE INTENTIONS

It is possible to accept several offerings for a 'collective intention' at a single Mass, if the following regulations are observed (DOB Synod Statute 274):

- 1) Donors must be informed of and consent to the combining of their offerings before such a Mass is celebrated;
- 2) The place and location of the Mass is to be announced or at least made known to all donors;
- 3) There is only to be two such Masses per week per celebrant;
- 4) The celebrant can only keep the customary stipend for one Mass (\$10) and remaining stipends must be sent to the Chancery, which will deposit them into the Education Fund for Seminarians. All intentions included in the collective intention are to be considered fulfilled.

OFFERING OVER THE NORMAL AMOUNT

If a person offers money for the celebration of Masses, but does not indicate how many Masses are to be said, the number of Masses to be said is computed based on the normal amount of a Mass stipend.

Example: the normal Mass offering is \$10; a person submits an offering of \$100 but does not specify the number of Masses; 10 Masses for that intention should be said (DOB Synod Statute 270 §4).

Example: Even if the person knows the set amount of the offering and indicates he wants to give a higher amount, the Priest can accept but is not to keep the excess amount, which is then to be placed in the Mass Stipend account.

ONE OFFERING PER DAY

Canon 951 states that a priest who celebrates more than one Mass per day may apply each Mass for the intention for which the offering was given. However, the priest may only keep one offering for himself each day, except for Christmas. Each stipend attached to these additional Masses must be forwarded to the Chancery of the Diocese of Bismarck (DOB Synod Statute 271 §§ 1-2).

A priest who concelebrates a second Mass on the same day cannot accept an offering for it (DOB Synod Statute 271 §1).

Example: a priest presides at a morning Mass and keeps the offering. He then concelebrates at an evening Mass the same day; no offering can be kept. However, if the priest is the presider at both Masses, he may only keep the offering for one of the Masses.

EXCESS MASS OFFERINGS

If more Masses are asked to be celebrated than can be celebrated in a parish or oratory, contact the Chancery for guidance.

UNSATISFIED OBLIGATIONS

A Parish may only accept as many Mass offerings as it is able to satisfy within a year. Parishes that are currently holding unsatisfied Mass offerings beyond what can be satisfied in one year should immediately make arrangements to have these Mass offerings sent to the Chancery where arrangements can be made for their timely fulfillment. Mass offerings sent to the Chancery should include the intention, attached stipend, date received, and name of the person making the offering (DOB Synod Statute 272).

RECORDING OF MASS INTENTIONS

Each parish is to keep a special book in which the number of Masses to be celebrated, the intention, the amount of the offering, and the celebration of the Masses are recorded (DOB Synod Statute 46, 10°).

The parish office is to be responsible for the handling of Mass offerings given by parishioners and is to keep accurate and up-to-date registers for Mass offerings; this ensures fiscal transparency and lessens the burden upon clergy. However, it is acknowledged that individual priests may need to handle various private requests, such as those from family or those for private Masses. In these cases, they are to keep their own registers (DOB Synod Statute 279 §1).

Special attention should be given to noting collective intentions and any intentions or stipends forwarded to the Chancery (DOB Synod Statute 279 §2).

Parish registers of Mass offerings are to be made available to the local Ordinary upon his request, particularly during his pastoral visit and along with other sacramental registers. Electronic registers are acceptable provided routine backups are arranged and paper copies are made available when requested (DOB Synod Statute 279 §3).

MISSA PRO POPULO

Pastors and parochial administrators are obliged to offer one *Missa pro populo*, or Mass intention for the people, on Sundays and all Holy Days of Obligation observed in the Diocese. Such an intention is a requirement of his office and a stipend is not to be included. However, he is able to retain a stipend for one additional Mass celebrated on the same day. In addition, when several parishes are under the care of one priest, he is bound to apply only one Mass for all the people entrusted to him (DOB Synod Statute 273§1).

The *Missa pro populo* may be delegated in a manner in keeping with the requirement of can. 534 §1 (DOB Synod Statute 273 §1).

BEQUESTS FOR MASSES

Bequests for Masses left in wills or money in any way contributed for Masses are deemed to have been given for Masses to be celebrated at the amount stated in Statute 270, unless the testator or donor clearly indicates otherwise (DOB Synod Statute 275 §1).

Whenever there is a persistent doubt in a particular case concerning the proper fulfillment of Mass bequests, or Mass offerings connected with pious wills, the matter is to be referred to the Diocesan Bishop (DOB Synod Statute 275 §2).

Priests are forbidden to accept pious foundations or trusts for Masses or for any other works of piety without the express prior written approval of the Diocesan Bishop. Permission will not be given to accept foundations that involve perpetual obligations. (DOB Synod Statute 276).