

Code of Ministerial Conduct



Franciscan Friars of Holy Name Province

December 19, 2018

The friars following the Gospel way of life revealed by the Lord to St. Francis, lead a brotherly life in common, and love and support one another. (Const. Art. 38)

PREAMBLE

The Franciscan Friars of Holy Name Province promise to accept and proclaim the following Code of Ministerial Conduct. As Franciscans, we seek to follow the Gospel of Jesus Christ and its mandates, to live our vowed life, and to act properly at all times within the limits of the culture and the societies in which we live. In this document, we hope to define the ministerial conduct expected of those striving to live the Evangelical Counsels.

Our moral behavior must adhere to the professional standards expected by society, lest the ultimate results prove disastrous to our personal reputation, our fraternity, and even the sacred mission of the universal Church. Friars have an obligation to know and to follow the policies regarding conduct in the (arch)diocese in which they reside and minister as well as the statutes of the jurisdiction.

GENERAL PRINCIPLES

Integrity

As friars, by virtue of our free profession of the Evangelical Counsels and in our role as spiritual leaders, we are expected to be persons of exceptional integrity and to conduct ourselves in an honest and open manner, free from deception or corruption. We shall handle this responsibility in a serious and conscientious fashion, one that reflects our responsibility to lead by example.

Competence

We shall maintain high levels of professional and ecclesial competence in our particular ministries. Training, education and experience all contribute to make us competent and credible in our areas of expertise.

Since competence also means knowing one's limitations, pastoral care outside a friar's area of professional competence is considered unethical.

Competence, in addition to the proper training, education and experience, involves the ability to put into action through behaviors and attitudes the faith, mission and values of the fraternity and its ministries.

Living the Gospel

We are committed to the values taught by Jesus and we work to promote his Good News of justice, love and peace at all times and in all places.

We shall have an intimate knowledge of the Gospels and Church teachings and be able to relate them to day-to-day situations encountered in community.

Continuing formation and education are essential for us. Time must be found for both. We must also ensure that our own faith life is strong and should seek spiritual nourishment through frequent celebration of the Liturgy of the Hours, the Eucharist, reconciliation and private prayer.

Especially in imitation of St. Francis, we friars want our lives to reflect the Gospel call to simplicity of life. We witness commitment to the local fraternal community, and to the larger social community in which we live, by a special care and concern for the needs of the poor and oppressed of society.

Respect for Others

Friars will always comport themselves in a manner that befits a Christian gentleman.

A friar working in any pastoral setting will not gratify his own needs by exploiting a person whom he serves. The friar will be ever vigilant in regards to the impact of his conduct on others and the appropriate boundaries to be kept by professionals in similar circumstances.

These requirements become particularly important because of the

essentially private, highly personal, and sometimes intensely emotional nature of the issues that are shared in the framework of the ministerial relationship established by a friar with the person he serves.

The people we serve often model their conduct after the conduct of the friar by who they are served, highlighting the importance of friars conducting themselves with propriety in all actions of his life.

A friar should not exclude, segregate, or demean the dignity of any person he serves because of ethnic origin, race, sex, creed, age, socio-economic status, or sexual orientation.

The requirement that the friar conduct himself with propriety in all the actions of his life is especially important in a pastoral setting because the person served tends to model his or her conduct after that of the friar by whom they are served.

A friar must not enter into financial partnerships or ventures with a person he serves, or assume any management responsibilities for a person's personal finances or business.

Sexual activity with a person he serves or has served, and indeed, with anyone, is sinful, unethical, and potentially criminal.

The following sexual behaviors are considered unethical. In a pastoral care relationship, both the friar and the one served need to be protected from:

- a. Verbal misconduct or abuse e.g. epithets, making or using derogatory comments, slurs and jokes that are demeaning.
- b. Verbal propositions or advances.
- c. Visual misconduct e.g. leering, sharing sexually oriented photographs or videos, either printed or electronic.
- d. Physical misconduct e.g. unwelcome and inappropriate touching or hugging; assault.
- e. Possessing sexually oriented or morally inappropriate materials

(magazines, cards, videos, internet sites, films, clothing, etc.) to view alone or with another.

Meetings, counseling sessions, friendly visits, or interviews ought always to be conducted in a public setting or in an office with a window so that occupants can be seen at all times.

Protecting Youth and Vulnerable Persons

The safety of a minor or vulnerable adult is of utmost importance. Therefore, sexual exploitation of a minor or adult, or the threat of physical harm to a minor or an adult is to be taken seriously and must be reported to appropriate authorities.

The obligation to report misconduct can be subject at times to confidentiality. In extreme circumstances, however, even the obligation of confidentiality must yield to the need to report misconduct. This obligation to report misconduct does not include information received through the Sacrament of Reconciliation.

Friars have an obligation to know and to follow the policies regarding conduct in the (arch)dioceses in which they reside and minister as well as the statutes of the jurisdiction.

When working with youth, friars must use appropriate judgment to insure an open and trustworthy relationship. However, best pastoral practice always suggests a team approach for youth ministry to include parents of the youth or other adult supervisors.

Friars are never to consume alcohol or illegal drugs in the presence of youth.

Youth are not to be accommodated in our friaries, unless as guests of a friar's family.

Friars are never to be nude in the presence of minors.

Sexually suggestive conversation or video or print media is never to be shared with minors.

Friars are to be vigilant in their conversation with youth. They are not to demean, humiliate, intimidate or shame the young by word or gesture.

Friars will not transport youth in a vehicle, unless accompanied by another adult.

Friars are prohibited from unnecessary and/or inappropriate physical contact with minors.

Social Media and Electronic Communication

A friar is to respect appropriate boundaries in all electronic communication.

Any adult who becomes aware of a boundary violation regarding electronic communication and social media by a friar is to notify his ministry site supervisor, or his local guardian.

A friar is to report to the guardian and or Praesidium Liaison immediately any communication with a minor that may be construed as inappropriate and forward that communication along to the appropriate authority.

A friar is never to communicate on a personal level with a minor via internet-based social networking sites, mobile phones, texting, instant messaging, etc. with minors, unless the minor is a relative, provided the relatives' parents are aware of the existence of such communication.

A friar understands that even communication considered private in the digital world often has the possibility of becoming public, sometimes without an individual's knowledge or consent.

In all electronic communication and postings, a friar is not to say or post anything that is, or could be construed by any observer, as harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning, or humiliating. Any sexually-oriented conversation or discussion about sexual activities is prohibited.

If electronic communication or social networking postings are a regular and an integral part of a friar's professional activities with minors, the friar is to establish a mechanism whereby a supervisor has access to the communications or postings.

A friar should comply with all federal and state laws, as well as all applicable contracts and licenses governing use of electronic media.

Transmission of any material in violation of civil or criminal codes is prohibited, including threatening or obscene materials, or any materials/programs protected by trademarks or copyright laws.

Reporting Misconduct

We have a duty to report ethical or professional misconduct. In cases where there are clear indications of illegal actions, notification should be made immediately to the Provincial Minister and/or to the diocesan officials, who will then approach law enforcement.

When we are uncertain whether a particular situation or course of conduct would violate this Code of Ministerial Conduct or other ethical principles, we should inform the Provincial Minister, who can consult with the Ministerial Conduct Board.

When we believe that a friar may have violated this Code of Ministerial Conduct or other ethical principles, we should attempt to resolve the issue by bringing it to the attention of the individual and his Guardian, Provincial Minister, ministry supervisor, and, if need be, to civil authorities.

Physical and Emotional Well-Being

As friars, we have the duty to be attuned to our physical, mental and emotional health. We should be aware of warning signs in our behavior and moods that can indicate conditions that can be detrimental to our mental and physical health e.g. extreme mood swings, the use of pornography, inappropriate use of alcohol, misuse of other drugs, or isolating behaviors.

Because we are brothers, it is important to be attuned to one another

with genuine concern and to be alert for any warning signs of emotional or physical illness.

We cannot minister to others unless we friars also minister to one another. We should immediately seek help when we identify warning signs in our professional or personal lives that our health is weakening.

We should make use of allotted time for vacation and days away from the work environment. We should determine healthy limits in our work environment, and live within these limits as much as possible.

We should be supportive of one another, both in terms of affirmation and holding one another accountable for our mutual physical and emotional well-being.

Spiritual Well-Being

As friars, we are responsible for caring for our spiritual health and ongoing conversion.

1. We must maintain and nurture an ongoing prayer life, including a regular practice of communal prayer, Liturgy of the Hours, and the Sacrament of Reconciliation.
2. We need to address our own spiritual needs to remain focused. Having a spiritual director is highly recommended.
3. We need to take advantage of allotted time for an annual retreat and days of reflection.

Professional Well-Being

We have a responsibility to attend to our ongoing professional development. We should participate annually in seminars and workshops in areas that are relevant to our current ministry. We should stay current through reading of both religious and secular sources. We should also participate in a regular process of supervision and/or evaluation of the effectiveness of our ministry.

