

3.6.2.3 PROPER ASSISTANT IN MARRIAGE OF EASTERN CATHOLICS

1. For validity, only a priest and not a deacon may witness a marriage if one or both parties are Eastern Catholics. [1]

2. For validity, only a priest and not a deacon may witness a marriage if one or both parties are Eastern non-Catholics (i.e., Orthodox, Oriental Orthodox, Assyrian Church of the East).[1]

[1] C. 1108 §3 (De Concordia Inter Codices); CCEO cc. 828 §§1-2, 832, §§1-3, Instruction on Applying Liturgical Norms of the Code of Canons of Eastern Churches 82.

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4.1.4.8 BAPTISM OF INFANTS OF NON-CATHOLIC CHRISTIANS

1. If non-Catholic Christian parents — or one of them, or the person who lawfully takes their place— seek the baptism of their child, yet intend to raise the child in their non-Catholic religion, and if it is physically or morally impossible for them to approach their own minister, a Catholic priest or deacon may baptize them (c. 868 §3). All conditions must be met, and the chancery is to be consulted.

2. However, if the Christian parents are Eastern non-Catholics, and it is not a case of necessity, a priest confers the sacrament of baptism. (CCEO c. 677 §2).

3. Since the minister is to celebrate the sacraments according to his own rite, confirmation and Eucharist are not administered (c. 846 §2).

3. However, before conferring baptism outside of necessity, the priest or deacon is to contact the chancery in regard to recording the baptism in the parish register.

4. At the least, there is to be catechesis regarding the meaning of baptism and the obligations assumed by parents, although this should be provided privately.

5. “Christian parents” are understood to mean that at least one of them is baptized, and they intend to raise the child in their own faith tradition. Catholics who have left the Church for some reason are not accounted to be included in this canon 868 §3. However, the opportunity to invite their return to the faith by friendly discussion is not to be missed.

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4.1.7.4 BLESSING OF ORTHODOX WEDDING BY PRIEST

1. If members of a non-Catholic Eastern Church (Orthodox) voluntarily ask a priest to celebrate their marriage, and nothing would prevent a valid (according to Catholic doctrine) and licit celebration, he may seek the faculty of blessing the marriage from the local ordinary.

2. The instructions of the ordinary about recording the celebration and informing the competent authority of the non-Catholic Eastern Church concerning the marriage are to be followed (c. 1116 §3, De Concordia Inter Codices).

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5.1 BAPTISM AND RECEPTION OF INFANTS

5.1.1 PARISH INVOLVEMENT IN THE BAPTISM OF INFANTS

1. **When** an infant is to be baptized into the faith of the Catholic Church, the parish community is to be involved in the preparation of parents and godparents, the liturgical celebration of the sacrament,

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and in providing assistance to parents after baptism. [1]

(The baptism of infants of Non-Catholic Christian parents, who intend to raise the child in their own faith, is treated in #4.1.4.8.)

[1] Rite of Baptism for Children, introduction, n. 4 and see nn. 9-10; Congregation for Divine Worship and the Discipline of the Sacraments, Christian Initiation, General Introduction (February 19, 1988) n. 7. [Hereafter RBC and General Introduction to Christian Initiation, respectively.]

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curia see: BAPTISM AND THE PARISH COMMUNITY (RESOURCES)

5.1.2 INSTRUCTION AND PREPARATION FOR INFANT BAPTISM

1. Pastors should urge parents to contact the parish in anticipation of birth or adoption so that there is sufficient time to prepare them properly for the sacrament. [1] (Also see #5.1.6 The Occasion of Celebrating Infant Baptism or Reception.)

2. The pastor is to see that parents and godparents are properly instructed in the meaning and obligations of this sacrament by seeing that some program or process for their spiritual and catechetical preparation is provided. [2] **(The baptism of infants of Non-Catholic Christian parents who intend to raise the child in their own faith, is treated in #4.1.4.8.)**

3. Pastors are to see that catechesis on the sacrament of baptism for parents and godparents:

- a. is based on the Catechism of the Catholic Church (nn. 1210-1284); [3]
- b. explains the celebration of the Rite and the meaning of its elements; [4]
- c. emphasizes the role of parents as the primary and principal educators of their children in the faith; [5]
- d. addresses the permanent nature of the sacrament and its obligations, of parents, and of the candidate when grown; and
- e. addresses the proper and continuing spiritual role of the godparents. [6]

(Further explanation, recommended instructional content and resources are available from the diocesan Office of Catechesis.)

4. Parents are ordinarily expected to participate fully in the program of preparation.

a. However, exception can be made when parents have participated in similar preparation for another child or some other circumstance warrants it in the judgment of the pastor.

b. Special pastoral assistance is recommended for parents who have been away from the practice of the faith or whose marital or other situation is not in conformity with the teaching of the Church. (See more at 5.B.5 Right and Delay of Infant Baptism.)

5. Godparents are, at least, to be instructed about their liturgical role and reminded of their ongoing duties to assist the baptized to lead a Christian life in harmony with baptism. Their participation in the program of preparation is to be encouraged. (See #5.1.3 Qualifications and Duties of Godparents in Infant Baptism.)

[1] CC. 867 §1.

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[2] CC. 851, 2º; also see c. 777, 1º; RBC, introduction, n. 5; General Introduction to Christian Initiation, n. 13.

[3] Available at the Vatican website. A summary is also presented in USCCB, National Directory for Catechesis, (2005) pp. 120-122 under “1. Catechesis for Baptism.”

[4] RBC; General Introduction to Christian Initiation.

[5] Vatican II, Declaration on Christian Education, Gravissimum educationis (October 28, 1965) n. 3; cc. 226 §2 and 774 §2. [Hereafter GE.]

[6] C. 872.

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curia see: BAPTISM, ROLES IN (RESOURCES)

5.1.4 RITE OF BRINGING A BAPTIZED CHILD TO THE CHURCH AFTER RECOVERY FROM DANGER

1. The Rite of Bringing a Baptized Child to the Church is to be used when an infant whose parents intend to raise it Catholic is baptized in urgent danger of death according to the shorter rite but recovers. [1]

2. The action is to be properly recorded according to the norms in #5.G.5 Recording Reception into the Catholic Church. (The proper ascription of the child to a Church sui iuris must be recorded as well. See c. 535 §2, De Concordia Inter Codices).

[1] RBC, nn. 165-185, Chapter VI, Rite of Bringing a Baptized Child to the Church. It may also be adapted for other situations, and the rite itself should be consulted for details.

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curia see: POSSIBILITIES IN URGENT DANGER OF DEATH BAPTISMS (RESOURCES)

5.1.5 RECEPTION OF INFANTS INTO THE CATHOLIC CHURCH

1. Pastors are to take care that infants are properly received into the Catholic Church whenever baptism would not effect this reception by itself, and that this is properly recorded. (See #5.G.5 Recording Reception into the Catholic Church).

2. When a baptized child under 14 is adopted by Latin Catholic parents, the child becomes ascribed by the law itself to the Catholic Church of the parents. However, the facts of baptism and the proper ascription to a Church sui iuris of the child must be recorded in the baptismal register of the proper parish of the adoptive parents. (See #5.G.4.4 and #5.G.5 Recording Reception into the Catholic Church.) [1]

3. In other cases, when an infant of a Catholic parent or parents was baptized apart from danger of death and by someone other than a Catholic bishop, priest or deacon, one of the following actions must be taken. [2] In both cases, the proper ascription of the child to a Church sui iuris must be recorded as well. [3]

a. The Rite of Bringing a Baptized Child to the Church is used with suitable adaptation and properly recorded according to the norms of #5.G.5 Recording Reception into the Catholic Church; or

b. The parents declare their intention, even orally, to the pastor (or to another priest or deacon as his representative) that the infant be Catholic. Recording the details of this action in the baptismal registry of the parish establishes evidence of the act of reception by the Catholic minister. (See #5.G.5 Recording Reception into the Catholic Church.)

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4. The third norm above is also to be followed when an infant of non-Catholic parents was baptized by a non-Catholic minister, or by another person with the proper intention to confer Christian baptism, and the parents now want the infant received into the Catholic Church.

5. However, the chancery is to be consulted first if the parents are members of an Eastern Catholic Church or of an Eastern Church not in Communion with the Catholic Church (i.e., Orthodox), or if the minister of baptism was a priest of any of those Churches. (See #5.1.8 regarding any request to baptize an infant of Eastern Catholic or Orthodox parents.)

[1] See letter of Archbishop Pietro Sambi, apostolic nuncio, to USCCB General Secretary, p.n. 17,437, March 2, 2011. It cites and attaches the translation of a response from the Pontifical Council for the Interpretation of Legislative Texts, p.n. 12900/2011, January 26, 2011 to the prefect of the Congregation for the Oriental Church.

[2] The ordinary ministers of the sacrament in c. 861 §1 are bishops, priests and deacons.

[3] C. 535 §2, De Concordia Inter Codices

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curia see: RECEPTION OF AN INFANT INTO THE CATHOLIC CHURCH (RESOURCES) ; RECEPTION OF AN INFANT BY A RECEIVED AND RECORDED DECLARATION OF THE PARENTS (RESOURCES)

5.1.8 BAPTISM OF INFANT OF EASTERN CATHOLICS, NON CATHOLIC CHRISTIANS OR NON - BAPTIZED PARENTS

1. If even one parent of an infant to be baptized is an Eastern Catholic, the provisions in #3.6.1 Pastoral Care of Eastern Catholics in General are to be followed. **When the parties belong to different Catholic Churches sui iuris, attention must be made to the ascription of the child to the proper Catholic Church sui iuris according to canon 111 §1.**

2. If an infant of Eastern Orthodox parents is presented for baptism, apart from danger of death or the reception of the parents into full communion, the chancery is to be consulted. [1]

3. If an infant of non-Catholic parents is presented for baptism, apart from danger of death or the baptism or reception of a parent into the Catholic faith, and for some reason that merits consideration, [2] it is recommended that the chancery be consulted. (See #4.1.4.8 Baptism of Infants of Non-Catholic Christians.)

[1] CCEO c. 681 §5. The possibility of baptizing the child of Orthodox or other Christians (baptized) who do not intend the child to become Catholic is now provided by c. 868 §3, De Concordia Inter Codices.

[2] Sacred Congregation for the Doctrine of the Faith, Instruction on Infant Baptism, Instructio de baptismo parvulorum, Pastoralis actio (October 20, 1980) n. 30.

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curia see: BAPTISM INVOLVING EASTERN CATHOLICS (RESOURCES)

5.6.7 AUTHORIZED ASSISTANT AT CATHOLIC MARRIAGE AND DELEGATION

1. Only a priest (sacerdos) may celebrate a marriage validly when it involves even one member of an Eastern Catholic Church **or of an Eastern non-Catholic (Orthodox) Church**, even though the other party is a Latin Catholic. [1]

2. To protect the validity of marriage, the pastor is to take care that any priest or deacon who assists at a marriage in his parish has the faculty and the canonical capacity to do so.

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3. For reasons of family ties, bonds of friendship, or other pastoral advantage in their estimation, pastors and rectors are authorized to permit a deacon to assist at a wedding even though it is celebrated during Mass. [2] This permission is to be given by way of exception in particular cases rather than as a customary practice in the parish or church.

[1] De Concordia Inter Codices, c. 1108 §3. The law does not permit delegation to a deacon, since he cannot confer the priestly blessing required by the Eastern law for validity, and this is not a dispensable law.

[2] C. 1108 §2; cc. 86, 87 §1 and 89.

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curia see: AUTHORIZED ASSISTANT AT MARRIAGE (RESOURCES)

5.B.1 RIGHT TO SACRAMENTS AND SPIRITUAL GOODS IN GENERAL

1. Pastors are to judge the eligibility and proper disposition for the sacraments and other spiritual goods according to the norms of Church law and with due attention to the duties and rights of the Christian faithful, including parents. They are to determine the time, place, and manner of the reception of the sacraments and other spiritual goods according to the norms of Church law. [1]

2. Realistic provision must be made for persons with disabilities to prepare for and celebrate the sacraments, and to receive assistance from the spiritual goods of the Church, according to their condition. The guidelines of the United States Conference of Catholic Bishops (1995) are to be applied. [2]

3. The decisions of other parish ministers and staff about eligibility and proper disposition are subject to the determination of the pastor.

4. Further questions about these rights may be directed to the chancellor, especially when baptized non-Catholics seek to have a child baptized without intending it to be Catholic, or seek the sacraments of Eucharist, Penance or the Anointing of the Sick, or Orthodox parties seek the intervention of a Catholic priest to celebrate marriage.

[1] See cc. 519, 528 §2, 777 and 843 §2, inter alia.

[2] See NCCB/USCCB, Guidelines For the Celebration of the Sacraments with Persons with Disabilities (1995). Available at the website of the National Catholic Partnership on Disability, <http://www.ncpd.org/views-news-policy/policy/church/bishops>. [Hereafter Disability Guidelines.]

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curia see: RIGHT TO SACRAMENTS AND SPIRITUAL GOODS OF THE CHURCH (RESOURCES)

5.B.5 RIGHT AND DELAY OF INFANT BAPTISM

1. If a founded hope that an infant will be brought up in the Catholic religion is altogether lacking, the baptism is to be delayed and the parents or lawful guardians are to be informed of the reason. [1] Every effort should be made to encourage the parents or guardians to a conversion of their intentions.

2. The pastor is competent to make this judgment. [2]

(Doubt about this founded hope may arise because the parents do not practice the faith, or merely cohabit without marriage, or are in a marriage not recognized by the Church, or are in a same sex relationship.)

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3. This founded hope is not required when the infant of non-Catholic parents is baptized in danger of death. It is not required when an infant of non-Catholic Christians is baptized because the parents or at least one of them or the person who legitimately holds their place asks for it, and it is physically or morally impossible for them to have access to their own minister. [3]

[1] C. 868 §1, 2^o; also see Sacred Congregation for Divine Worship, Rite of Baptism for Children, *Ordo baptismi parvulorum* (September 8, 1969), no. 3. [Hereafter RBC.]

[2] C. 530, 1^o.

[3] C. 868 §1, 2^o and §3, *De Concordia Inter Codices*

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curia see: BAPTISM, INFANT AND HOPE OF CATHOLIC UPBRINGING (RESOURCES)

5.C.3 RITES AND CATECHESIS AFTER BAPTISM IN DANGER OF DEATH

1. If an infant is baptized in danger of death by a Catholic cleric and the other ceremonies of the Rite of Baptism are omitted, but recovers, the Rite of Bringing a Baptized Child to the Church should be celebrated later. (See #5.1.4 Rite of Bringing a Baptized Child to the Church). This is to be recorded along with the ascription of the child to a Church *sui iuris*. [1] (See #5.G.4 Recording Catholic Baptism, Catechumenate and Election.)

2. If an infant is baptized by a Catholic lay person or a non-Catholic, either the Rite of Bringing a Baptized Child to the Church or the declaration of the Catholic parents should be used to clearly establish the enrollment of the infant or child into the Catholic Church. This is to be recorded along with the ascription of the child to a Church *sui iuris*. (See #5.1.4 Rite of Bringing a Baptized Child to the Church for a fuller discussion as well as #5.1.5 Reception of Infants into the Catholic Church and #5.G.4 Recording Catholic Baptism, Catechumenate and Election.)

3. If an adult is baptized in danger of death and recovers, he or she should be given suitable catechesis, be welcomed at the church and receive other sacraments of initiation as necessary according to the provision of RCIA, n. 374 [US]. A catechumen should promise to complete the usual catechesis according to RCIA, n. 370 [US].

[1] c. 535 §2, *De Concordia Inter Codices*

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curia see: RITES AND CATECHESIS AFTER BAPTISM IN DANGER OF DEATH (Notes)

5.G.3.1 ISSUING SACRAMENTAL CERTIFICATES TO INDIVIDUALS AND CHURCH AUTHORITIES

1. Only authenticated certificates of sacramental records are to be issued.

a. They are to be authenticated by the signature of the pastor and to bear the seal of the parish as well as the date of issue.

b. It is required that certificates also bear the complete mailing address of the parish / institution that issued them.

2. No certificate of sacramental records is to be issued to any individual unless this right can be established by the information required in the Sacramental Records Request. [1]

a. Individuals have the right to receive a certificate of their own sacramental records free of charge. Parents and guardians exercise this right respectively for their children and wards (including legally incapacitated or protected persons).

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b. An individual who is unknown to parish personnel must present photographic identification (original or photo copy) to accompany the request. Cases in which the individual cannot present identification should be referred to the diocesan archivist.

c. Certificates of sacramental records may be provided to Catholic parishes, dioceses, seminaries, religious communities, and tribunals. A baptismal certificate of a Catholic respondent in a marriage case may be provided to the procurator of the petitioner and sent to a church address.

3. Certificates of Sacramental Records With Annotations are to be issued according to the following provisions.

a. The norms that limit disclosure of adoption, birth outside of marriage, or unknown parentage must always be observed. (See #5.G.4.)

b. All other annotations in the baptismal registry or the registry of reception must be entered on the certificate. These include the original ascription to the Church sui iuris and any subsequent transfer to another Church sui iuris. [2]

c. Whenever an annotation is empty or missing for First Communion, Confirmation, Marriage, Ordination or Religious Profession, that item is to be reported as “none” or “not given” and never just left empty.

4. However, if a Certificate of Sacramental Records must be issued without annotations, it is to bear the statement that it is issued “For Non Sacramental Purposes” and no annotations of marriage, invalidity, religious profession or orders, etc. are to be reported.

[1] Available from <http://www.dioceseoflansing.org/archives>.

[2] C. 535 §2 (De Concordia Inter Codices)

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curia see: ISSUING SACRAMENTAL CERTIFICATES TO INDIVIDUALS AND CHURCH AUTHORITIES (Notes)

5.G.4.2 RECORDING CATHOLIC BAPTISM IN GENERAL

1. To permit adequate space for notations, entries in the baptism register are to be recorded in every other entry space (i.e., a blank entry space is to be left after each entry).

2. The complete legal name of the baptized, the names of the minister, parents, godparent(s), Christian witnesses if any, the place and date of baptism, and the date and place of birth are recorded in the baptism registry of the parish church in which baptism is celebrated. [1] However, the special norms regarding birth outside of marriage, unknown parentage and civil adoption are to be observed. (See #5.G.4.4 - #5.G.4.6.) When it is deemed necessary to clarify who the parents or guardians are, an authentic civil certificate of birth or of legal adoption, or some other authentic public document, is to be reviewed by the pastor first.

3. In all cases, the Church sui iuris to which the baptized person becomes ascribed (enrolled) is also recorded (and is reported on any sacramental certificates that are issued). [2]

4. If baptism is administered outside a parish church (i.e., the sacred place or building itself), it is to be recorded in the register of the parish church in whose territory it was celebrated. (This includes cases when it is administered in a “migrant camp,” hospital, nursing home, prison, etc.)

5. If confirmation and Eucharist are given at the time of baptism (e.g., full initiation at the Easter Vigil), those facts are to be annotated in the record of the baptismal registry and then recorded separately in the registers of Confirmation and First Communion as well.

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6. Whenever baptism is conferred conditionally because, after prudent investigation, the fact or the validity of a prior baptism remains doubtful, the word “conditional” is to appear in the annotations. (See #5.D.1 Conditional Baptism, Proof of Baptism, and Validity of Non Catholic Baptisms.)

7. When an emergency baptism has occurred for some reason and the Rite of Bringing the Baptized Child to the Church is celebrated at a later date at the parish church, the phrase “ceremonies supplied” and the date, place and minister of the Rite are added to the original entry as made in number 1 above.

8. When a priest baptizes someone who will be ascribed to an Eastern Catholic Church, special notation of this is to be made according to the instruction of the curia.

9. To establish a Catholic record if one does not exist, the existing valid marriage of a person when baptized or received into the Church may be inscribed as an annotation.

[1] C. 877 §1.

[2] C. 535 §2, De Concordia Inter Codices

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curia see: BAPTISM AND "CEREMONIES SUPPLIED" (RESOURCES) ; RECORDING EXISTING VALID MARRIAGE WHEN PERSON IS INITIATED INTO CHURCH (RESOURCES)

5.G.5 RECORDING RECEPTION INTO THE CATHOLIC CHURCH

1. The reception of a baptized adult (one who has reached the age of reason [1]) into the Church by a profession of faith is to be recorded in the registry of baptism or of reception according to the following norms:

a. The name of the person with date and place of baptism, and the date and fact of reception are recorded along with the name of the Catholic priest who receives the person. [2]

b. As much as possible, the following information is also recorded: minister of baptism, parents, godparents, the place and date of baptism, and the date and place of birth.

c. In all cases, the Church sui iuris to which the baptized person becomes ascribed (enrolled) is also recorded (and is reported on any sacramental certificates that are issued). [3]

2. This information is similarly recorded in the proper parish of Catholic parents when they adopt a child who was baptized in a different Catholic Church, a non-Catholic Church or a non-Catholic ecclesial community. However, the enrollment of the child into the Latin Church by virtue of adoption must also be recorded. (See 5.1.5 Reception of Infants into the Catholic Church. The law itself ascribes the child to the Church of the adoptive Catholic parents.)

3. In cases other than adoption, the information in the first norm is entered for an infant (one who has not reached the age of reason or an adult who is likened to an infant in law) when:

a. parents or guardians declare their intention to the pastor or his representative to raise a baptized non-Catholic infant as a Catholic, [4] and the declaration is annotated in the baptism/reception register. [5]

b. The Rite of Bringing a Baptized Child to the Church is used to bring an infant who was not baptized Catholic into the Church. (See #5.1.5 Reception of Infants into the Catholic Church.)

4. When a priest receives a member of an Orthodox or Oriental Orthodox Church or of the Assyrian

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Church of the East into full communion with the Catholic Church, special notation of this is to be made according to the instruction of the curia.

[1] See cc. 97, 852.

[2] RCIA [USA] 486.

[3] **C. 535 §2, De Concordia Inter Codices**

[4] C. 868 §1, 2º.

[5] See opinion on canon 861 by John Huels [1999] in CLSA Advisory Opinions 1994-2000, pp. 246-249. Some formal act that manifests the intention of the parents or guardians is required for the infant to enter the Catholic Church. It could be an oral or written declaration that is then recorded in the parish register. This record establishes clarity about the canonical status of the infant as a Catholic, since he or she cannot enter the Church by a profession of faith.

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curia see: RECEPTION, ANNOTATIONS AND CONSULTATIONS (RESOURCES)

5.G.10.4 RECORDING ASCRIPTION TO A CHURCH SUI IURIS, CHANGE OF RITE

1. The original ascription of a person into a Catholic Church sui iuris created by baptism or reception into communion is to be annotated in the parish registry of baptism or reception.

2. Any subsequent change of ascription is to be annotated in that parish registry, or the place of archive, but only according to the instructions of the curia. [1]

[1] See cc. 111, 112 and 535 §2 (De Concordia Inter Codices); CCEO cc. 32-34.

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curia see: CHANGE OF ENROLLMENT IN SUI IURIS CHURCH OR ENROLLMENT INTO PERSONAL ORDINARIATE (RESOURCES)