



EDWARD

by the grace of God and the favor of the Apostolic See

BISHOP OF CLEVELAND

**Decree establishing the Secretariat for Canonical Services
as an organ of the Diocesan Curia**

The law of the LORD is perfect,
refreshing the soul.
The decree of the LORD is trustworthy,
giving wisdom to the simple. [Ps. 19:8]

Prot. N. 386/2022

1. The work of the Tribunal Office of the Diocese of Cleveland, while formerly confined to causes of nullity of marriage, has over time expanded to include assistance to the faithful of the Diocese of Cleveland over all matters concerning the law of the Church. The great majority of these issues do not involve the exercise of judicial power, and it is inappropriate and confusing for a 'tribunal' to function as an office of executive or administrative power.
2. To promote the good order of the local Church for the service of the People of God, I hereby establish *the Secretariat for Canonical Services* as a new and separate Secretariat of the curia of the Diocese of Cleveland.
3. The Secretariat for Canonical Services shall promote, provide for and ensure the good order of the Church through the observance of her laws, in service to the People of God and "always observing canonical equity and keeping in mind the salvation of souls, which in the Church must always be the supreme law" (can. 1752, *CIC*).
4. The Secretariat shall be led by a Secretary for Canonical Services who shall report to the diocesan bishop with due attention to the role of the Moderator of the Curia (can. 473, *CIC*), in the same manner as other Secretaries of the diocesan curia.
5. Particular responsibilities of the Secretariat shall include:
 - a. Permissions and dispensations for marriage, and liaison with other particular churches regarding preparation for marriage;

- b. Administrative matters relating to marriage including the dissolution of non-consummated marriages; use of the Pauline Privilege; dissolution of marriage *in favorem fidei*; other matters pertaining to canons 1141-1155, *CIC*; and administrative declarations of invalidity of marriage due to total absence of the canonical form of marriage.
 - c. Sanation of marriage *in radice*;
 - d. Change of ascription of Church *sui iuris*;
 - e. Canonical elements of clergy discipline;
 - f. The penal law of the Church, excluding strictly judicial functions which belong to the Tribunal;
 - g. The Canonical Advisory Board of the Diocese of Cleveland;
 - h. Administration and liaison regarding the Lawyers' Guild of the Diocese of Cleveland;
 - i. Canonical advice and assistance to the diocesan bishop and other organs of the diocesan curia; and insofar as possible and appropriate, to the clergy and lay faithful of the Diocese (not excluding religious, whether clerical or lay).
6. The Tribunal remains a distinct organ of the curia, under the judicial vicar who reports directly to the diocesan bishop (cf. *Mitis Iudex Dominus Iesus*, III), with responsibility for the application of judicial power in the Church including but not limited to matrimonial causes, penal causes, and *iurium* causes. The Secretariat for Canonical Services and the Tribunal shall share resources until further notice.
 7. The Office of the Chancellor remains a separate Office of the diocesan curia.
 8. This decree comes into effect immediately and is to be notified in due course to the diocesan curia and to the local Church.

Given at Cleveland, Ohio, this thirty-first day of May, the feast of The Visitation of the Blessed Virgin Mary, in the year of Our Lord two thousand and twenty-two.



The Most Reverend Edward C. Malesic, JCL
Bishop of Cleveland



Chancellor