



November 12, 2019

Dear Sisters,

I am writing to you on behalf of the LT about a situation that has arisen as a result of a canonical visitation to our sisters in San Rafael and the relevant procedures outlined in *Cor orans* that pertain to assisting communities whose vital autonomy, as defined in *Cor orans*, is uncertain.

At the request of the Archbishop of San Francisco, his delegate and I conducted a canonical visitation of the community of San Rafael earlier this year. Shortly after the visitation, we submitted our report to CICALSAL. After months of waiting, I finally received a communication from Rome on November 1 in response to our report. Attached to the letter was a Decree, *ad nutum Sanctae Sedis*,* appointing and nominating the following to be members of an Ad Hoc Commission to evaluate the situation of the San Rafael community, in line with *Cor orans* N. 56:

- the Ordinary of the Diocese of San Francisco
- the President of CCA
- the Federal Assistant of CCA
- the Major Superior of the monastery in San Rafael

Since our association does not have a Federal/Religious Assistant, *nor do we want one*, I consulted with both Fr. Rafal by email and with Fr. Saverio directly who happened to visit our community this past week. I requested for a waiver of the requirement for a Religious Assistant on the Ad Hoc Commission since CCA does not have one. Fr. Saverio immediately consulted with the Congregation and the Congregation's response is to require us to appoint an *ad casum** Religious Assistant to take the role within the Ad Hoc Commission for San Rafael. Fr. Saverio assures me that the appointment of an *ad casum* Religious Assistant for this Ad Hoc commission is necessarily only temporary because the procedure for appointing a permanent Religious Assistant is very complicated and requires nominations of 3 names and inclusion in our Statutes. The LT has the responsibility to recommend a name for this

Baltimore MD Beacon NY Boston MA Concord NH Danville PA Eldridge IA
Barrington RI San Rafael CA Cleveland OH Latrobe PA Oldenburg IN Reno NV

ad casum Religious Assistant. We are nominating Fr. Mark Joseph DeVelis, OCD, a member of the Washington Province and current Prior of the OCD Friars in Brighton, MA. With the permission of Fr. Jude Peters, provincial, Fr. Mark Joseph has graciously agreed to be part of the Ad Hoc Commission.

The exchange of many emails to and from Rome regarding this situation included an email I received from the Generalate's Procurator General, Fr. John Joseph Bergara, OCD, who shared with me a conversation he recently had with Archbishop Carballo pertaining to the figure of the Religious Assistant. He had this conversation prior to his being aware of the situation of San Rafael. I quote below the section of his email to me for your information.

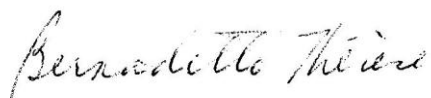
"Last week, I have an occasion to consult archbishop Carballo about the obligation to have an assistant in each federation, he says me, he doesn't give any exception. All association and federation are be obliged to have an assistant. I know one federation in Spain they present the new statutes without assistant maybe they accept by mistake...The congregation imposed an assistant to one federation with three monasteries....Canonically, it's free, it's "recommended" but the practise of the congregation is to impose the figure of assistant."

I am sharing this information with you at this time as we do the work of revising our Statutes. *The LT is in agreement with all of you that we do not want a Religious Assistant for our Association. We will still pursue the exception when we submit our Statutes.* However, this information is just a heads-up of the nature of the response that we can expect to receive from the Congregation when they review our Statutes.

If you have any questions, any of us in the LT will be happy to respond. This letter is informational and does not require a vote of our membership since it pertains to a Decree that cannot be appealed. This lack of recourse to an appeal regarding the *ad casum* Religious Assistant was also confirmed in an email from our Procurator General.

Please hold our San Rafael sisters in prayer.

Your Sister,



**ad nutum* is a term that means "at the disposition of the Holy See." It refers to any circumstance involving a conflict of ecclesiastical jurisdiction, where Rome decides to take the matter under its own jurisdiction and reserves to itself the right to make a final judgment on the matter.

ad casum means For the case; Relating to the case or cause of action.