



## **FACULTIES**

In addition to the rights and privileges granted to priests by reason of the universal law of the Church, the following faculties are granted to priests serving the Diocese of Owensboro:

- 1. The faculty is granted to pastors and parochial vicars (associate pastors) to baptize one who has completed the fourteenth year, without previously referring the matter to the diocesan bishop.**

Canon 863 requires that the baptism of persons fourteen years of age and older be referred to the diocesan bishop so that he himself may confer Baptism. This faculty allows pastors and parochial vicars to baptize such a person without previous recourse to the diocesan bishop.

- 2. The faculty is granted to parochial vicars to administer the sacrament of Confirmation to those persons who have attained the use of reason and whom they baptize.**

**Pastors and parochial vicars are also given the faculty to confirm those persons who have attained the use of reason and are already baptized in another church or ecclesial communion, when they are received by them in full communion with the Church.**

**Pastors and parochial vicars also enjoy the faculty to confirm Catholics, who, although baptized earlier, have not been reared in the Church, on the occasion of their being reconciled to the Church.**

Canon 883, #2, gives by law the faculty to confirm to the priest, who, by virtue of office or episcopal mandate, baptizes an adult or admits a baptized adult into full communion with the Church. Canon 530, #1, says pastors have, by office, the right to baptize. Canon 866 says that when an adult is baptized, unless a grave reason prevents it, the person should be immediately confirmed. Thus pastors have the right to confirm those adults whom they baptize. The above faculty gives pastors and parochial vicars the mandate to confirm those baptized persons with the use of reason whom they baptize or receive into full communion. It also gives pastors and parochial vicars the faculty to administer Confirmation to an individual who was baptized a Catholic as an infant but was never reared in the Faith when such individual is reconciled to the Church. (Canon 884, #1)

- 3. The faculty is granted to priests, for a good reason, to celebrate the Eucharist twice on weekdays and, if a pastoral necessity requires it, three times on Sundays and Holydays of obligation.**

Canon 905 #1 states that a priest may not celebrate the Eucharist more than once a day, except on those occasions when the law permits him to celebrate or concelebrate a number of times on the same day. Canon 905 #2 adds that if there is a shortage of priests, the local ordinary may permit a priest for a just cause to celebrate two times on weekdays and, if pastoral need requires it three times on Sundays and Holydays of obligation.

Canon 1248 #1 says that the faithful fulfill their obligation of assisting at Mass on a day of precept by attending Mass either on the day itself or on the evening to the preceding day. Since the obligation is fulfilled on the evening preceding the day of precept, and since Canon 905 #2 is a disciplinary law of the church, in view of Canon 87 #1, the diocesan bishop may permit priests to celebrate Mass three times on the day preceding a day of precept, provided the third Mass that day is for the day of precept.

**4. The habitual faculty to hear confession is granted to priests.**

Canon 968 #1 says that by virtue of his office and within the confines of his territory, the faculty to hear confessions is granted by law to the local ordinary, the canon penitentiary, the pastor, and those who take the place of the pastor. Canon 969 #1 says that all other priests must receive the faculty to hear confessions from the local ordinary.

The faculty to hear confessions may be granted by the local ordinary either temporarily or habitually. In the latter case, the grant must be made in writing (Canon 973) as is done here.

Canon 976 #2 states that those who have the habitual faculty to hear confessions from the local ordinary, either of the place of incardination or of the place of domicile, may exercise that faculty anywhere in the world, unless in a particular case the local ordinary has refused, without prejudice to the provisions of Canons 974 #2 and #3.

The above faculty gives the habitual faculty to hear confessions to priest's incardinated in the diocese or having a domicile in the diocese to whom the faculty is not given by law.

**5. The faculty is granted to confessors to remit in the internal (or external forum) a latae sententiae penalty established by the law but not yet declared, provided the remission is not reserved to the Apostolic See. This faculty may be exercised only within the confines of the diocese, and on behalf of any person regardless of the person's residence or the place where the penalty was incurred.**

Canon 1355 #2 states: If it has not been reserved to the Apostolic See, a latae sententiae penalty established by the law but not yet declared can be remitted by the ordinary on behalf of his own subjects, of those who are actually within his territory and of those who committed the crime in his territory. Any bishop has this power within the act of sacramental confession. The above faculty gives the confessor the ability to absolve from the same sort of penalties. This faculty may be exercised only within the confines of the diocese. As an example, this canon gives to the individual priest confessor the year-round faculty to absolve a penitent from the penalty attached to the sin of abortion.

Should a person leave the Catholic Church by a formal act and thereby enter a state of apostasy, heresy, or schism, a latae sententiae excommunication, not reserved to the Apostolic See is incurred. Should this person seek to be reconciled with the Church by reason of the remission of the latae sententiae excommunication, it would seem appropriate that the remission of the latae sententiae excommunication from apostasy, heresy, or schism be given in the external forum, because such a person on leaving the Church would not be bound by the canonical form for a subsequent marriage, but on returning would again be bound by the canonical form of marriage.

**6. The faculty is granted to parochial vicars to assist at marriages within the boundaries of the parish to which they are assigned.**

**The faculty is granted to parochial vicars to grant other priests the faculty to assist, in individual instances, at marriages within the boundaries of the parish to which the**

**parochial vicar is assigned.**

Canon 1111 #1 says that the local ordinary and the pastor, as long as they validly hold office, can delegate priests the faculty, even in a general fashion, to assist at marriages within the confines of their territory; Canon 1111 #2 requires that general delegation be in writing. This faculty giving such written general delegation to parochial vicars may be exercised within the confines of the parish to which they are assigned.

Parochial vicars are given the faculty to grant other priests the ability to assist at marriages, in individual instances, within the boundaries of the parish to which the parochial vicars are assigned.

- 7. The faculty is granted to those able to assist at marriages to dispense from the canonical form for marriage and from all the impediments to marriage which may be dispensed by the local ordinary, when everything has been prepared for the marriage and when the marriage cannot be delayed without the probable danger of grave harm until the dispensation can be obtained from the competent authority.**

Canon 1080 #1 says that whenever an impediment is discovered after everything is prepared for the wedding and the marriage cannot be delayed without probable danger of grave harm until a dispensation is obtained from competent authority, the local ordinary may dispense from all impediments of ecclesiastical origin except the impediment arising from sacred orders and the impediment coming from a public perpetual vow of chastity in a religious institute of pontifical right. This faculty gives to those able to assist at marriages the ability to dispense from the canonical form of marriage and from all ecclesiastical impediments which can be dispensed by the local ordinary when the marriage cannot be delayed and when everything has been prepared for the marriage.

- 8. The faculty is granted to pastors and parochial vicars assigned to a parish, to permit the marriage between two baptized persons, one of whom has baptized in the Catholic Church or received into it after Baptism and ~~who has not departed from the Church by a formal act~~, and the other of whom belongs to a church or ecclesial community not in full communion with the Catholic Church. This permission is not to be given unless the conditions mentioned in Canon 1125 are fulfilled.**

Canon 1124 says that without the express permission of the competent authority, marriage is prohibited between two baptized persons, one of whom was baptized in the Catholic Church or received into it after Baptism and who has not departed from the Church by a formal act and the other of whom belongs to a church or ecclesial community not in full communion with the Catholic church.

The above faculty gives the ability to permit such mixed marriages to pastors and parochial vicars assigned to a parish. Before the permission is given the conditions mentioned in Canon 1125 concerning the affirmation and promises by the Catholic and the education of both parties concerning marriage must be fulfilled.

- 9. In virtue of Canon 1111,1 the faculty is granted to diocesan priests to witness validly all marriages celebrated within the territorial limits of the diocese.**

This faculty does not apply to priests and deacons of religious orders who serve in the diocese. They must still obtain delegation to assist validly at marriages celebrated beyond the limits of their particular assignment.

- 10. The faculty is given to pastors and parochial vicars to certify that a marriage of a Catholic**

**was nonexistent in the eyes of the Catholic Church because of a lack of canonical form.**

Canon 1108 defines canonical form as those marriage contracted in the presence of a priest or deacon and two witnesses. According to Canon 1117, canonical form is to be observed whenever at least one of the contractants was baptized in the Catholic Church or was received into it and has not left it by a formal act. (Leaving the church by a formal act applies only to marriages celebrated since November 27, 1983.) Before certifying that a marriage is invalid because of lack of canonical form the priest must ascertain that no subsequent convalidation or sanation has occurred.

A reply from the Pontifical Council for the Interpretation of Legal Texts dated June 26, 1984, stated that the normal pre-nuptial investigation (Canons 1066-1067) is sufficient to prove the state of freedom to marry of those who attempted marriage without the proper canonical form.

**11. The faculty is granted to pastors and parochial vicars assigned to a parish to allow church funeral rites for an unbaptized child if the parents had intended to have the child baptized.**

Canon 1183 #2 states that the local ordinary may allow church funeral rites celebrated for children whose parents had intended to have them baptized but who died before Baptism. This faculty gives the ability to permit such funerals to pastors and parochial vicars assigned to a parish.

**12.**

**A. The faculty is granted to pastors and parochial vicars assigned to a parish to allow church funeral rites for a baptized person belonging to a non-Catholic church ecclesial community, provided this is not clearly contrary to the wishes of the deceased and provided a minister of the faith of the deceased is not available.**

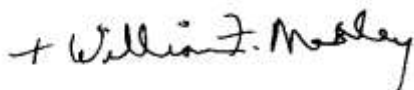
**B. Keeping in mind the Church's recommendation that cremation take place after the Funeral Liturgy (*Order of Christian Funerals, Appendix 2: Cremation, #418*), the faculty is granted to pastors and parochial vicars assigned to a parish to allow church funeral rites in the presence of cremated remains of the body of a deceased person after making a prudent judgment regarding this matter in each case. (01-18-02)**

This faculty gives the ability to allow such funerals to pastors and parochial vicars assigned to a parish, who must first make a prudent judgment concerning the matter.

**13. The faculty is given to priests to dispense, in individual cases, and for a just reason, from the Eucharistic abstinence.**

**14. The faculty is given to parochial vicars, assigned to a parish to dispense, in individual cases and for a just reason, from the obligation of observing a day of precept or a day of penance, or to commute the obligation into other pious works. This faculty may be exercised on behalf of a parishioner and a person visiting within the boundaries of the parish.**

Canon 1245 gives the faculty to pastors.



Most Reverend William F. Medley  
Bishop of Owensboro

*Effective 7/1/2017*  
Very Reverend J. Patrick Reynolds  
Vicar General