

In the Vineyard, April 9, 2009

News from National

Message from National

Dear Friends,

As we leave the days of Lent and enter into the blessings of Holy Week and Easter, we find our hearts full of the journey ahead for Voice of the Faithful. Since the beginning, VOTF has been an Easter movement, and we must continue to ground ourselves in the Paschal Mystery that is the heart of our faith.

We must remain grounded in the great hope of transformation and new life. That is why we go forward. We are an Easter people. VOTF is an Easter movement.

May the blessings and wisdom of this holiest season strengthen us for the journey. May the hope and truth of the Risen Christ sustain and accompany us. May the joy of the Resurrection enter the hearts of all who suffer, and may it enlighten us all as we go forward.

With blessings for this Easter season,



Dan Bartley
VOTF President

Your Help Needed by Religious Orders Subcommittee

The Religious Orders Subcommittee of VOTF's National Representative Council is surveying the major religious Orders (men) and Congregations (women) on their child-safety programs and abuse-reporting procedures. After an initial round of contacts, the subcommittee is calling on VOTF members with ties to religious orders to help "fill in the blanks."

If you would like to help, here are the details.

National Child Abuse Prevention Month

April is the annual celebration of National Child Abuse Prevention Month in the U.S. The Strategic Plan Platform Committee on Protection of Children and Support for Survivors recommends that members and affiliates urge our parish communities to call attention to:

- The prevalence of child abuse in our society
- The urgent need to protect children
- The need for the continuing prayer and outreach to abused children, especially those abused in our Churches.
- Suggested actions include inserts in parish bulletins, prayers during liturgies, and listening to the stories of those abused.

For more information on how you and your parish can get involved,
<http://votf.org/featured/4360>

Flowers Anyone?

If you send Easter flowers this year, or remember your mother on Mother's Day with flowers, your kind thoughts can also benefit VOTF. By purchasing flowers through our Amazon.com web link, you designate a small percentage of your purchase for Voice of the Faithful. This "referral fee" from Amazon helps support our work, which as you know includes many project plans from our platform committees.

In these challenging financial times, it's a great way to obtain flowers -- and many other goods and services -- at competitive prices while supporting VOTF at the same time.

Just remember to use this [VOTF Amazon link](#) as you start your shopping.

News from the Affiliates

Update from NY affiliate on Statute of Limitation Reform

Submitted by Francis Piderit

In the continuing struggle to win justice through SOL reform, we note with sadness the communications being sent out in the name of our Catholic Church by the New York State Catholic Conference, which is the lobbying arm of the Catholic hierarchy in New York State, paid for with your contributions.

Since we are well-informed about the goals and the details of the legislation, it is important for you all to see how our Catholic bishops are communicating with Catholic laity. An e-mail was sent to teachers in Catholic parochial schools, and was forwarded to me by Maria Grieco, who teaches in such a school.

Update from NY affiliate on Statute of Limitation Reform (continued)

Submitted by Francis Piderit

The following argument is being used against the legislation: "Outside the home, public schools are the most frequent place where young people encounter abuse. Because of the inherent unfairness of not amending the law to allow new suits against public institutions, it is clear that this bill is not about justice for victims of sexual abuse. Instead it is a thinly disguised targeting of the Catholic Church and other religious and not-for-profit organizations."

Public institutions such as public schools are governed by different laws in many states, including New York State, to guard our government against frivolous lawsuits. The argument being made by the lobbyists is this: because the legislation proposed by Assemblywoman Marge Markey does not change the laws governing public institutions, we should conclude that the legislation is unfairly targeting Catholic institutions.

We all know that the Catholic Church is never mentioned in the proposed legislation. We also know that this legislation will remedy many cases where victims have been locked out of our courthouses. The fact that the legislation does not remedy every such case of injustice, and therefore should be opposed, is a totally un-Christian argument, unworthy of our Church. But this is the case that the lobbyists make, in our name and with our money.

Please continue to talk with your friends and family and encourage them to contact their legislators to encourage passage of this historic legislation. Members of VOTF will be lobbying in Albany on April 21 to convince lawmakers to pass the legislation this year.

Priest On Trial: The Anatomy of Triumphalism and Clericalism in the Roman Catholic Church-Part II

By John E. McGovern, VOTF Palm Beach, FL – President

(Editor's note – the following article is a follow up to an article published in the February issue of *In the Vineyard*.)

The jury verdict in the case of State of Florida v. Francis Guinan was delivered at 2:50 pm on Monday, February 23, 2009. Guilty of “the lesser included crime of grand theft in the amount of \$20,000 but not greater than \$100,000,” read the clerk. During the three hours which passed awaiting the decision, parishioners milling about the courthouse began to tell their stories to the press eager to capture the thoughts of bystanders. One story stood out among the many: “Our pastor recently got up and stated he did not think the parish would mind that he had just sent a check for \$36,000 to the poor in his home country in India.” The parishioner said: “You could hear a **pin** drop.”

Priest On Trial: The Anatomy of Triumphalism and Clericalism in the Roman Catholic Church-Part II (continued)

By John E. McGovern, VOTF Palm Beach, FL – President

The Guinan case provides Voice of the Faithful (VOTF) with much instructive matter for genuine reform in the Church.

The parish finance council, mandated by Canon Law, needs to exist and not simply serve as a “sounding board” for the pastor. The parish finance council needs to have deliberative authority so the resources of the parish are used properly. If the parish finance council were operative, the incident of a pastor announcing to the parish on a typical Sunday morning that he had just decided to write a check for \$36,000 to one of his special causes would not happen – at least not as a surprise to the congregation. The parish finance council must have a deliberative role in all fiscal matters of the parish.

The word “discretion” appears exactly eight times in The Code of Canon Law – none contextually as used during the defense portion of the Guinan case to describe the “right

of the pastor” to spend money in the manner chosen by Guinan. The phrase “right of discretion” does not appear at all in The Code yet several Irish priests, testifying for the defense in an attempt to help their countryman avoid prosecution, stated that the pastor, “under the law,” has “the right of discretion” to spend money as he believes necessary.

As predicted, the weakness of diocesan fiscal policy and those who devised it, was “center court” during the closing arguments in the case. The defense attorney described “the war” and “the game” that is played out in Catholic parishes as clergy attempt to hide money from the diocese so that it does not get “taxed” and leave the coffers of the parish. The Guinan case demonstrated how, each week, as much as \$19,000 was taken “off the top” and placed in several slush funds. One slush fund served the purpose of paying Guinan’s personal American Express account for such expenses as gambling trips to Las Vegas, expensive dinners, rounds of golf, trips to Ireland and, in one instance, paying the American Express bill of a woman who frequently accompanied Guinan on his trips. Another slush fund served the purpose of paying a cash pension to a former parish employee on top of her monthly diocesan pension.

It should be noted that this slush fund was the creation of Fr. Skehan (awaiting sentencing in his own grand theft case to which he has pled guilty rather than go to trial). A slush fund at St Vincent’s was used to pay “a severance” to a former employee of Guinan’s at St. Patricks when her employment was terminated by the diocese after his departure. Guinan claimed that he was told by the Vicar General of the Diocese to “take care of this matter yourself.” Guinan proceeded to write checks totaling \$43,000 “to avoid a potential wrongful termination lawsuit against the church.” This was within his discretionary limit of \$50,000 – or so he claimed.

One of the parish bookkeepers who testified in the case stated that “Fr. Guinan was around the parish for about two hours per week.” In other parts of her testimony, bookkeeper Rene Wardrip stated that she sometimes had “to scurry to get priests to say the masses.” At one point in his testimony, Guinan stated that it was Wardrip who deliberately filed fraudulent reports with the diocese and completed fabricated weekly bank deposit slips. “But that was part of your decision not to change the policies and practices set by your friend Fr. Skehan,” reminded the prosecutor, “which you told this jury was your decision.”

Diocesan fiscal policy does state that a pastor can spend \$50,000 without getting permission from the bishop, but it was written to allow prudent spending by competent persons for legitimate expenses; yet even priests who testified blamed the diocese for its policy which “lacked definition.” Aspects of “the dysfunctional church” were displayed numerous times in various bits of testimony by clerics during both the prosecution and defense portions of the case.

During the waning days of Guinan’s pastorate at St. Patrick Parish in Palm Beach Gardens, numerous members of the parish complained to then-Bishop O’Malley about the manner in which Guinan was spending money at that parish. Despite those complaints, many of which were rebuffed by diocesan officials – most notably Fr.

Notobartolo, then and current Vicar General of the Palm Beach Diocese and one of the earliest prosecution witnesses in this case, Guinan was moved and appointed pastor at St. Vincent Parish in Delray Beach – “and was recommended for the job by Fr. Skehan” stated the prosecution.

When VOTF held its 2004 Conference on “Toward a More Accountable Church: Parish Fiscal Responsibility,” the current CFO of the diocese, Denis Hamel, was a principal speaker and spoke of how they tried to “set things right” at St. Patricks and were either ignored or castigated by Notobartolo for stating their concerns. Careful analysis of current policy is once again needed; continuing education of clergy in “parish as business” is necessary in order to avert future problems often hinted at during the trial when defense counsel would jocosely state, “The IRS is not in the courtroom” as he was grilling prosecution witnesses about cash bonuses not reported. The church in the modern era is not simply the domain for clerical attitudes to be played out in defiance of common sense, responsible business practice or the will of the People of God.

The Code of Canon Law stipulates that the priest is allowed to be absent from the parish for a period of retreat each year and also for “up to one month either continuous or interrupted” for vacation “unless permission of the bishop is given for absence.” The prosecution detailed that during the 19 months that Guinan was pastor at St. Vincent Ferrer in Delray Beach FL he used parish resources for: “Seven gambling trips to Las Vegas, three trips to the Bahamas, two trips to Ireland and nine various expensive golf outings and hotel stays.”

“You were appointed pastor in September and you began your trips in October,” the prosecutor stated when Guinan took the stand in his own defense. Later in the same testimony, Guinan stated that each time he wrote a check, and used his “right of discretion,” he was entitled to spend up to the \$50,000 limit. “That was the policy.”

In closing arguments, the defense attorney, Richard Barlow, stated that it would be a challenge for the jury to come to a decision and resist succumbing to the anger generated by the facts of this case. “Was it right for Guinan to do what he did? Perhaps not! Nor was it unlawful. He had discretion given him by diocesan policy.”

Prosecution attorney Preston Mighdoll stated the matter differently: “This is theft according to the law. This case is about attitudes. Some may think that it is OK to play the game, to hide money. It is unlawful. Guinan used his discretion unlawfully and he betrayed the people he was called to serve and whose money was given in the offertory.”

Lastly, the standard set of instructions to jurors given by the judge contained the traditional reminder about “not leaving common sense at the door” when jurors enter the deliberation room to review the evidence and make decisions about credibility of witnesses.

Clericalism, paternalism, triumphalism – attitudes which we all must continue to root out and challenge in order for the Church in the modern era to be authentic and for the vision

of Vatican II to be realized – all played a role in this case. The goal of fully realizing the vision of Vatican II is still being fought by factions in the church which blame Vatican II for the problems of the current era. Those factions, existing among both clergy and laity, are largely champions and supporters of the “isms” questioned and challenged by VOTF.

For updates on the Palm Beach case:

http://www.palmbeachpost.com/localnews/content/local_news/epaper/2009/03/28/0328prieststeal.html

<http://www.wpbfl.com/news/19088147/detail.html>

News from International

Update on the Church in Ireland

By Sean O’Conaill, VOTF Ireland

Things are very quiet in Ireland just now on the church front. The publication of the Dublin report has been delayed until the summer - we hear the delay is caused by court proceedings related to abuse in Dublin. The stepping down of Bishop Magee of Cloyne last month, widely seen as a preliminary to his formal retirement, has taken the heat out of that situation.

Update on the Church in Ireland (continued)

By Sean O’Conaill

VOTF Ireland

We are frankly grateful for this lull, as it allows us to recoup our energies and to reflect that we played a role in the important enforcement of accountability upon a delinquent bishop. There is a lot still to happen this year in Ireland and all eyes will be on Archbishop Diarmuid Martin of Dublin, to see if he will expand on an earlier observation that victims of abuse were failed not just by their abusers but by the church as an institution. He has already drawn a clear line between himself and the longer-serving bishops who so badly handled everything, so there is the possibility that 2009 will mark a clear waypoint on the journey towards a healthier church.

Coincidentally Ireland is gripped by an intense economic crisis that has distracted attention from the church crisis. We have 11% unemployment and a disastrous one-third slump in tax revenue that has precipitated a major political crisis also. An emergency budget tomorrow may cause serious social unrest if the burdens it imposes are seen to be not only intolerable but unfair. It is unclear that our political parties have the collective talent to see us through this, so we could be in for political turmoil also.

Site Seeing

How long ago did the Church know about the problem of pedophile priests? Early documents just released suggest it has been for much longer than the Church yet admits...

http://www.nytimes.com/2009/04/03/us/03church.html?_r=2&hpw

Aging of Catholic bishops could lead to rebirth – an *LA Times* article on future possibilities of the Catholic Church

<http://www.latimes.com/news/local/la-me-bishops5-2009apr05,0,1552149.story?page=1>

National Catholic Reporter update on the meeting of Bishop Morlino with the congregation of St. Thomas to hear their support of Ruth Kolpack.

<http://ncronline.org/news/faith-parish/madison-bishop-hears-supporters-fired-parish-worker>

Dr. Thomas Patrick Melady, former U.S. ambassador to the Vatican, discusses the recent trend of refusing Communion to Catholics and the general lack of civility in public discourse, particularly among Catholics.

<http://ncronline.org/news/politics/politicizing-communion-harms-interests-church>

In his article for the *Washington Post*, Kenneth Woodward discusses why Notre Dame should welcome Obama.

<http://www.washingtonpost.com/wp-dyn/content/article/2009/03/29/AR2009032901352.html>

Calendar

As part of the National Child Abuse Prevention Month, the Attorney General of NH, Kelly Ayotte will discuss the results of the 4th and final audit of the Manchester Dioceses program for the protection of children from abuse. The Meeting will be sponsored by the Nashua area Voice of the Faithful.

The meeting will take place on April 20th at 7 PM at the club house of The Village at Hollis Depot on Route 111A in Hollis, NH.

Directions from Nashua: from Route 3 take Exit 5 W (Rt.111). Proceed west on 111. At the junction of Rts.111 and 111A (the 4th traffic light), go left onto 111A. In 3/10 of a mile on the left is Cross Road. You will have passed Alpine Grove on your right) take left at Cross Road and the club house is the building on the immediate right. The parking lot is in the front of the building. For more information, please contact Bill McPherson at Nealgate@comcast.net.

Twin Cities VOTF is holding its annual Apology Service for survivors of clergy, religious, or church employee abuse of any religious denomination at 4:00 pm, Sunday, April 26 in the Social Hall of St. Edward's Catholic Church, Bloomington, MN.

The Speaker will be Dr Jim Ayers, member of the Twin Cities VOTF Steering Council and Clinical Director of the Minneapolis Walk-In Counseling Center. A light meal will be shared at the conclusion of the service. Text of the Annual Apology Service can be accessed at : www.twincities-votf.org.

October 30-31, 2009: VOTF National Conference

MAKING OUR VOICES HEARD

Featuring SR. JOAN CHITTISTER, O.S.B., and FR. THOMAS REESE, S.J.

Join in lively discussions as we come together to reflect on the state of our church and how we can be part of the changes that will renew our faith.

Book Review

Submitted by Gaile M. Polhaus, PhD

Saving Jesus from the Church (Harper One, 2009) by Robin R. Meyers is a book worth reading. Dr. Meyers is a UCC minister, a philosophy professor, columnist for PBS, and writes in American, not academese. His main point is that the Christian Church changed from following Jesus (action) to believing in Christ (navel gazing) in the fourth century. This is not a new idea -- others have already written about this idea. This book, however, is readable. While I don't agree totally with all of Meyers' thesis (IMHO worship is dead only when it doesn't propel us to action) I suggest you all read it if you haven't already. It is a good compendium of many contemporary ideas about Jesus and his way.

Letters to the Editor

Dear Vineyard:

Under Federal Law: "A Conspiracy begins when the first overt act is committed; and all who join in this conspiracy become members of a criminal enterprise: When six or more persons join in a criminal conspiracy: Federal Racketeering (RICO) state: The "clock does not begin to toll until the last overt act is committed;" and by one's silence; is a criminal act; (EVEN THOUGH IT MAY BE 30 YEARS LATER). Thus; by the silence of one member to cover up the crime of another; is the nonetheless inexcusable to be charged as a member of a criminal enterprise."

In His Service: Dennis King

Dear Vineyard:

Have you heard that Bishop Martino of the diocese of Scranton, Pa, criticized Miseracordia college in Dallas PA for having a speaker on campus talking about diversity, which included sexual diversity. When the college invited Bishop Martino to debate the issue as a guest at the university, he refused. Keep in mind, even though the college is in the diocese of Scranton geographically, it is run by the Religious Sisters of Mercy, and is independent of diocesan control. This did not stop Bishop Martino from essentially butting his nose in where it didn't belong. The speaker was NOT there to promote a gay "agenda," nor was the university endorsing his views. He was simply there to lecture on the issues of racial and ethnic diversity and just HAPPENS to be a gay man. This is just one more example of the hierarchy trying to control the smaller issues simply because they can't control the larger ones. This diocese has a high rate of sexual abuse

cases pending from what I've heard and read. YOU might want to follow up on this story.
It's been in the Scranton Pa papers a great deal.
Sincerely, Patrick O'Neill, Coal Twp. Pa. 17866