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Litterae ad Conferentiam episcopalem Civitatum Foederatarum
Americae Septentrionalis missae quibus pastores christifidelium
Ecclesiarum orientalium ibi commorantium designantur

PONTIFICIUM CONSILIUM
DE LEGUM TEXTIBUS

Prot. N. 13533/2012

Vatican City, 23 February 2012

Your Eminence,

It has been brought to our attention by some canonists that in the matter of designating pastors for the oriental faithful who are without pastors of their own Church *sui iuris*, the praxis indicated in the letter of the Congregation for Oriental Churches dated May 30, 1955, Prot. N. 803/48 and sent to the Hierarchy of the then Apostolic Exarchate of Pittsburgh of the Ruthenians, might still be observed in some places of the United States.

The said letter, in applying the norm of c. 86 § 3, 2° of the m.p. *Crebrae allatae sunt* (AAS 41 [1949] 89-118), had indicated that “If the designation required by the canon is not made, the presumption will remain – to all intents and purposes – that the Ruthenian faithful who are without a pastor of their rite *in administratione sint cleri latini* would be subjects of the Latin pastor of the place...”.

As you know, the above solution which concerned the organizational situation of those times has become outdated, and the norm currently in force for the whole Church is that which c. 916 § 4 *CCEO* indicates: “If there is no pastor for the Christian faithful of a certain Church *sui iuris*, the eparchial bishop for those same faithful is to designate the pastor of another Church *sui*

iuris, who is to assume their care as their proper pastor, with the consent, however, of the eparchial bishop of the pastor to be designated”.

In fact, the duty of the eparchial bishop as enshrined by the canon is to be implemented concretely and strictly in those terms. Obviously, if the designation is delayed in coming, those faithful can always freely attend and receive the Sacraments in a parish of any other Church *sui iuris, servatis aliis de iure servandis*. However, the pastor of such a parish cannot be considered formally as the “proper pastor” required by c. 916 § 4 *CCEO*.

The Pontifical Council for Legislative Texts, in accord with the Congregation for the Eastern Churches, considers necessary to make these clarifications to avoid definitely any praxis contrary to the norm in force that might possibly exist in some places. We hope that you will kindly share these clarifications with the members of your Conference.

With sentiments of personal esteem and prayerful best wishes, I am

Yours truly *in Domino*

FRANCESCO Card. COCCOPALMERIO
President

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