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ARCHDIOCESE OF CHICAGO
OFFICE FOR CHILD ABUSE
INVESTIGATIONS AND REVIEW

Memo

To: Fr. John Canary, Fr. John Collins, Fr. Vince Costello; Colleen Dolan; Carol Fowler, Jimmy Lago, Leah McCluskey, John O'Malley, Jan Slattery.

CC: Maryann Fox, Jan Leonatti, Deacon Dan Welter.

From: Fr. Dan Smilanic.

Date: February 9, 2010.

Re: Weston laicization (Prot. No. 153/2009).

The Congregation for the Doctrine of the Faith, having received and studied the *acta* of the case, supported the request of the Cardinal that Michael Weston be laicized *ex officio*, and they dispensed from the requirement of a judicial process. On October 30, 2009, the Holy Father decreed that Michael Howard Weston be dismissed from the clerical state *ex officio et pro bono Ecclesiae*. The Rescript of laicization asked that Michael Weston sign both copies of the decree in attestation that he had been informed of his laicization and the precepts associated with it. On December 29, 2009 he was sent a photocopy of the Rescript (in the original Latin), an unofficial translation and a letter explaining that he had been laicized that asked him to schedule an appointment to sign both copies of the decree. The letter presented several options for that appointment, and asked that he contact either myself or Deacon Dan Welter by January 19, 2010. He never contacted either of us. The Cardinal has signed both copies of the Rescript, and his signature has been notanzed by Jimmy Lago.

Pursuant to that -

1. One original will be returned to the Congregation for the Doctrine of the Faith with a cover letter from Cardinal Francis George OMI. Accompanying it will be a copy of the December 29th letter sent to Michael Weston and a photocopy of the receipts of Registered Mail from the Post Office.
2. The other original will be filed in Michael H. Weston's Chancery file, along with all the associated materials (e.g., receipts of Registered Mail from the Post Office, etc.) Access to his file is to be done through the Chancellor.
3. The effective date of the laicization of Michael Howard Weston is October 30, 2009; in this type of laicization, the effective date is the date of the decision of the Holy Father.
4. Of note is paragraph 6 of the Rescript (from the 'unofficial translation'):
"The Ordinary should take care, as much as is possible, lest the new condition of the dismissed priest engender scandal among the faithful. Yet, if there is present a danger of the abuse of minors, the Ordinary is able to make known the fact of the dismissal and also the canonical reasons."

5. In accord with Canons 535, §2 and 1054, a request has been sent to the parish of his baptism asking that the entry that records his baptism now also note his laicization and his release from all the corresponding obligations, including that of celibacy. As with all laicized clergy, the parish has been instructed that whenever a certificate attesting to his baptism is issued, there is not to be any mention of his ordinations, nor should there be any mention of the obligation of celibacy.
6. Any inquiries about his return to the lay state should be referred to the Chancellor of the Archdiocese of Chicago. In the letter to his parish of Baptism, it was requested that this also should be noted in the baptismal entry.
7. The associated precepts are similar to the precepts associated with all types of laicizations. They are (from the 'unofficial translation'):
 - a. he is excluded from the exercise of the sacred ministry, with the exception of those functions mentioned in canons 976 and 986, §2, and for this reason he cannot give a homily, nor is he able to hold any office that entails pastoral leadership nor to hold any office involving parochial administration;
 - b. he may not exercise any office in seminaries and similar institutions. In other institutions of higher learning, which depend in anyway upon ecclesiastical authority, he may not hold any position of authority or teaching;
 - c. in other institutions of higher studies that are not dependent on ecclesiastical authority, he may not teach any theological discipline;
 - d. in institutions of a lower level of studies that are dependent on ecclesiastical authority, he may not exercise any administrative or teaching function. The same restriction remains for the dismissed and dispensed priest from teaching religion even in institutions of the same nature that are not dependent upon ecclesiastical authority.