

THE DEACON MANUAL

CHAPTER XII

CONFIDENTIALITY

A. POLICY

The dignity of each human being demands that the Community observe due discretion (which may require confidentiality) in its dealings, both general and ecclesiastical, with other clerics, with one another, and with the laity, all of whom it serves (see Canon 220). At the same time, the spirit of brotherhood among the members of the Community speaks for a policy of open communication. These two opposing goals, neither of which can perfectly be attained in the present life, are forever in tension as we seek to further God's Kingdom. Nonetheless, in certain sensitive matters involving permanent deacons, policy must favor confidentiality over openness, unless some greater good is clearly to be accomplished by public candor.

Because of the consultative nature of most of the personnel actions discussed in this manual, total secrecy will seldom be possible, even when it might be the unanimous wish of all parties to a sensitive matter. Certainly, however, various levels of confidentiality, ranging from absolute secrecy to merely normal discretion, can and must be observed to the best of our ability. Permanent deacons should be aware that no personnel action is final until it is approved by the Archbishop, and up to that point in the evolution of such action, it is only a proposal. To discuss such proposals openly as though they were accomplished facts is tantamount to the thoughtless spreading of rumors, which can only work to the detriment of the entire Community.

B. CONFIDENTIALITY REGARDING PERSONAL PROBLEMS

The Archbishop and every cleric who owes him obedience are all bound to secrecy concerning the personal problems of any individual cleric, whose natural and legal rights to privacy must be scrupulously respected. To assure an adequate measure of confidentiality during its deliberations on the personal problems of any permanent deacon, the Diaconal Council (hereafter "the Council") will demand of its members the highest level of integrity and discretion. Permanent deacons who are not members of the Council, but who have knowledge of such problems, are likewise bound to the same high standard of confidentiality. For example, a married permanent deacon who has positive, certain knowledge of a brother deacon's emotional difficulties is not at liberty to discuss those problems with his own wife, much less his friends or neighbors, unless all these persons are actively engaged in attempting to solve the brother deacon's emotional problems through counseling, prayer, or other means. This general prohibition against discussion of personal problems applies even when the problem is a

matter of public record, such as an indictment for driving while intoxicated, or the filing of a petition for marital separation or divorce.

C. CONFIDENTIALITY REGARDING PERSONNEL ACTIONS

As a minimum, the following types of personnel actions, and all discussions, deliberations, and records pertaining to them, shall be held strictly confidential by the Director and the Council:

- Requests for laicization
- Requests for personal leave or for sick leave
- Requests for treatment for alcohol or chemical dependency
- Requests for administrative transfer or removal, and subsequent recourse
- Requests for arbitration of a dispute between a permanent deacon and his priest-supervisor (see Chapter XI)
- Submissions of administrative resignation
- Requests for review of a permanent deacon's personal profile, evaluations, and goals
- Requests for dismissory letters and excardination

D. PERSONAL FILES AND RECORDS

The following, and only the following, personnel files shall be maintained by the Director for the Archdiocese:

1. General Files.

A general file shall be maintained on each permanent deacon in the Archdiocese, containing

- Biographical data and a chronological record of assignments
- Public documents (certificates of baptism and ordination, letters of assignment, etc.)

- Current employment contract for full-time deacons
- Record of participation in the Archdiocese Sexual Abuse Prevention Workshop
- Other letters and written material of a public nature

2. Confidential Files.

A confidential file shall be maintained, in accordance with the provisions of Canons 289 and 290, on each permanent deacon in the Archdiocese, to which only the Archbishop, the Chancellor, and the Director shall have access. These files shall be maintained by the Director.

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