



## Diocese of Brownsville

To the Priests, Deacons, and Consecrated Women and Men and  
To the Christian Faithful of  
The Diocese of Brownsville

May the Love and Peace of Christ the Lord Reign in Your Hearts

The Sacramental life of the Church surfaced as the primary and most important topic discussed at our First Diocesan Synod. The Clergy, Religious and Laity, in Synod assembled, felt it imperative to underscore the fact that each sacrament, celebrated for the sanctification of the people of God, is an encounter with Jesus Christ. Each time that we celebrate a sacrament, we give glory to God and build up the Body of Christ.

While each Sacrament is celebrated for the benefit of the recipient(s), it enriches the faith of the entire Christian community. For this reason, the presence and participation of the assembly is integral to each sacramental celebration. A well thought-out catechesis on the graces flowing from each Sacrament and a careful explanation of the rite are essential to nourish and strengthen the understanding and the faith of the recipients and of the Christian community.

It is with joy that I issue these particular laws for the celebration of the Sacraments in the Diocese of Brownsville. We have been entrusted with a great mission, "Go, therefore, and make disciples of all nations, baptizing them in the name of the Father, and of the Son, and of the holy Spirit, teaching them to observe all that I have commanded you" (Mt. 28:19-20).

This Particular Synodal Legislation, which is normative for the Diocese of Brownsville, is intended to assist the pastors and their staffs in the fulfillment of this important responsibility. May it serve as an aid to those involved in sacramental ministry for the proper preparation and celebration of the Sacraments.

*"Communicatio, Collaboratio et Communio"*

## SYNODAL LEGISLATION OF THE FIRST DIOCESAN SYNOD

### **Introduction**

The Universal Law of the Catholic Church found in the 1983 Code of Canon Law (CIC), especially Book IV, *The Sanctifying Function of the Church* (Canons 834-1253), regarding the sacraments (Canons 834-1165), serves as the foundation for the following Particular Laws on the Celebration of the Sacraments in the Diocese of Brownsville.

The Rite of Christian Initiation of Adults [and adapted for Children] (R.C.I.A.), promulgated by the United States Conference of Catholic Bishops (USCCB), is to be properly implemented as found in the National Directives for Christian Initiation (cf., c. 851 §1).

The present Presbyteral Faculties and Directives, given by the diocesan bishop, remain in effect until they are revoked by him.

Other canonical and pastoral considerations:

- a) “As a general rule a parish is to be territorial, that is, one which includes all the Christian faithful of a certain territory...” (c. 518).
- b) Under normal circumstances, all sacraments should be celebrated according to the prescribed rituals and the approved liturgical books, in the parish of the individual receiving the sacrament, so that he/she may give witness and share the joy within the Christian community.
- c) No member of the Christian faithful, who has fulfilled all canonical and diocesan requirements to receive a particular sacrament, may be deprived of its reception. If the pastor, for a legitimate reason, feels that a sacrament should be delayed, postponed or denied, he must advise the individual or the parent(s) with ample time, and state the reasons in writing.

**Note:** Parent(s) always refers to natural or adopted parents and/or legal guardians.

- d) Individuals with physical or developmental disabilities are eligible candidates for the sacraments. Any assessment of their readiness to receive a sacrament must respect their unique way of relating and communicating. While the special needs and requirements of the physically challenged parishioners must always be recognized and respected, in so far as they are able, they should participate in the sacramental preparation and in the celebration of the sacraments with all the parishioners. The pastor may consult the *Guidelines for the Celebration of the Sacraments with Persons with Disabilities*, published by the United States Conference of Catholic Bishops in 1995.
- e) Only unaltered originals or certified copies are acceptable as documentation for any of the sacraments.
- f) Regarding the requirement that godparents and/or sponsors be practicing Catholics, no proof of marriage in the Church should be required; their word should suffice.
- g) Parents, godparents and sponsors who complete the necessary sacramental preparation sessions for a given sacrament will receive a certificate of completion from the parish in which they were prepared; this certificate will be honored by all the parishes of the diocese for a period of three years.
- h) In cases in which parents and godparent(s), for legitimate reasons, are unable to attend the sacramental preparation sessions (e.g. a parent who is a non-Catholic or Christian, a parent or godparent is away due to work requirements, etc.), the sacrament may not be denied or delayed. The pastor will provide alternate means for their preparation.
- i) Parishes may not require the candidates for First Eucharist, First Penance and/or Confirmation to verify Mass attendance by having them sign church bulletins or by any other method.

## SACRAMENT OF BAPTISM

(Canons 849-878)

*“Go, therefore, and make disciples of all nations, baptizing them in the name of the Father, and of the Son, and of the holy Spirit, teaching them to observe all that I have commanded you...”*  
(Mt. 28:19-20)

1. All persons, without exception, are candidates for the reception of the Sacrament of Baptism.
    - a) Infants and children, younger than seven years of age will be initiated using the Rite of Baptism;
    - b) Children, age seven and older (minors), must be initiated through the Rite of Christian Initiation of Adults, adapted for children; and
    - c) Adults, eighteen and older, must be initiated through the Rite of Christian Initiation of Adults.
  2. To register a person for the reception of the Sacrament of Baptism, it is necessary to present to the pastor or his delegate (preferably a priest or deacon):
    - a) An original or certified copy of his/her Birth Certificate;
    - b) For the baptism of an infant, an *Application for Baptism* (this form is provided by the parish office) completed by at least one of the parents, at least one month before the tentative date for baptism. The pastor or his delegate will confirm the date for the baptism as well as the dates for the baptismal preparation program for the parents and godparent(s); and
    - c) For the baptism of an adult, the necessary documentation should be presented to the pastor or his delegate concerning the candidate's readiness and completion of the required preparation for this sacrament in the R.C.I.A. process.
- N.B.** None of the following may be required for baptismal registration:
- a) Convalidation of an invalid marriage by the parents;
  - b) Proof of marriage for the parents or the godparent(s), whose word should be sufficient;
  - c) Proof of church financial support (i.e., envelopes);
  - d) Proof of domicile (i.e., I.D., utility bill or telephone bill, etc.);
  - e) Registration in the parish; and
  - f) Any other requirement not found in Church law concerning baptism.

3. The parents have the responsibility to bring up their children in the practice of the faith. Therefore, they are the ones who request the baptism of their offspring. They must be members of the parish community. Both parents (if they are Catholic) should actively participate in the sacramental life of the Church, as well as in the baptismal preparation process.

Parents may request baptism at another parish, after obtaining the written permission of their proper pastor. He must send a letter granting the permission to the pastor of the place of baptism, providing: (a) the personal *status* of the parents and of their child, (b) the arrangement for the baptismal preparation, and (c) his own personal pastoral advice or notations (See Appendix A).

4. Baptism may not be denied to the children of parents who are transients or migrants and have no permanent domicile. They are to be the object of special solicitude, and should be shown pastoral love and concern.

5. For obvious pastoral and practical reasons, the pastor should personally interview the parents of the child to be baptized when they register for baptism. The pastor, nonetheless, may delegate the parochial vicar or the deacon assigned to the parish to conduct the interview. Parents presenting a child for baptism should be welcomed and given the hospitality and assistance they deserve.

6. Parents and godparents are required to attend baptismal preparation classes in order to have a clear understanding of the sacrament and of their responsibility to their child/godchild, and to adequately prepare and dispose themselves for the celebration. The baptismal preparation classes for both parents and godparent(s) shall consist of three sessions of two-hours each, on different dates and not during the Rite of Baptism. Total hours of preparation shall not exceed six hours. The themes for baptismal preparation should comply with the *Guidelines for Sacramental Catechesis* issued by the Diocesan Offices of Catechesis and Family Life (See Appendix B).

If the parents or godparent(s) are from another parish they should bring a letter of presentation and recommendation from their proper pastor, indicating that:

- a) They are (active) members of their parish;
- b) They meet the requirements to baptize their child or be the godparent(s) (in the case of godparents, be practicing Catholics who are married in the Catholic Church); and
- c) They have completed the necessary preparation.

7. The godparents should be willing to accept the responsibility of assisting the parents in developing the faith life of the child, and give their personal testimony of Christian living (i.e., practicing their Catholic faith, being married in the Church and participating actively in their parish). Those who do not participate regularly in the sacramental life of the Church, especially in the Eucharist and/or who are living in irregular marriages are not qualified to function as godparents or sponsors (cf., c. 874).

8. For the Rite of Christian Initiation of Adults (RCIA), as they journey in faith with the candidate, the godparent(s) and sponsor(s) are required to receive adequate preparation consisting of two classes of two hours each, one in the fall and the other in the spring.

9. Ideally, the Sacrament of Baptism should be celebrated during the Sunday Liturgy, so that the entire community may witness the ceremony and welcome the newly baptized. Pastors are encouraged to schedule “Sunday Baptisms” as their pastoral circumstances permit. Because the Church views Lent as a penitential season of preparation for the Easter Sacraments of Initiation, it is advisable not to schedule baptisms during this time.

10. Private Baptisms: The celebration of the sacrament may not take place outside the parish church (i.e., at homes, gardens or hospitals), except in case of emergency (i.e., danger of death). The private celebration of a baptism for an individual child should be highly discouraged.

11. Baptism should be celebrated in the language more easily understood by the parents and the godparent(s) of the child being baptized, or by the adult being baptized.

12. Other than the free will offering that might be made when the sacrament is celebrated, there should be no charge levied for the instruction or for the celebration of the sacrament.

13. Pastors are encouraged to offer a follow-up program, post sacramental catechesis, for the persons who were baptized, their families and their godparent(s).

## SACRAMENT OF CONFIRMATION

(Canons 879-896)

*“Now when the apostles in Jerusalem heard that Samaria had accepted the word of God, they sent them Peter and John, who went down and prayed for them, that they might receive the holy Spirit, for it had not yet fallen upon any of them; they had only been baptized in the name of the Lord Jesus. Then they laid hands on them and they received the holy Spirit.”*  
(Acts 8:14-17)

1. Other than being baptized, confirmation candidates should have received the Sacraments of Penance and First Communion, be participating in the sacramental life of the Church, particularly at their parish Sunday Eucharistic Celebration (Mass), and have reached their sixteenth birthday and/or tenth grade in high school.
2. A Baptismal certificate is required to register the candidate for the preparation program and reception of the Sacrament of Confirmation.
3. Adults and adolescents who have not received the Sacrament of First Penance and/or First Communion must be prepared simultaneously for these sacraments while they are being prepared for the Sacrament of Confirmation.
4. Candidates for Confirmation:
  - Adults:** (eighteen years and older): a minimum of one year of preparation is required, as designed by the pastor.
  - Adolescents:** A two-year program of preparation is required as follows:
    - a) First year/Level I (ninth grade in high school); public school students receive preparation at the parish, and Catholic high school students receive preparation at the Catholic school they attend;
    - b) Second year/Level II (tenth grade in high school) receive preparation at the candidate's parish.
5. Preparation for the Sacrament of Confirmation, including the themes for the sacramental preparation sessions for parents and sponsors must conform to the *Guidelines for Sacramental Catechesis* of the Diocesan Offices of Catechesis and Catholic Schools (See Appendix C).



6. Adolescent candidates are required to participate in a day of recollection during Advent and a weekend retreat in the spring, prior to receiving the sacrament. The theme for these spiritual exercises should be the Sacrament of Confirmation.

In addition, the pastor will design a service project in which the adolescent candidates participate during the second year of preparation. Catechists may **not** require the candidates to log a specific number of hours in service projects to qualify for the reception of the Sacrament.

Candidates from another parish must present a letter from their pastor stating that the candidate has completed the diocesan preparation program and is ready for confirmation. Candidates from outside the diocese must have met the requirements of their own diocese.

7. In order to effectively accompany the confirmation candidates on their faith journey, parents and sponsors should enhance their own growth in the practice of the faith. To help them fulfill this responsibility, they are required to attend three, two-hour preparation sessions during the second and final year of the candidate's preparation.

8. Parents coming from outside the diocese and/or another parish must present an original baptismal certificate of the candidate and a letter from their pastor, stating that they are members of the parish community and that the candidate has completed the confirmation preparation program. Additionally, the pastor should attest that the sponsor is a practicing Catholic (i.e. married in the Church, active in the parish, etc.) and has completed the preparation for sponsors.

9. The sponsors should be willing to accept the responsibility of assisting the parents in developing the faith life of the child, and give personal testimony of Christian living. Those who do not participate regularly in the sacramental life of the Church, especially in the Eucharist, and/or who are living in an irregular marriage are not qualified to be godparents or sponsors.

10. Receiving confirmation does not equate graduation; post-confirmation classes should be offered in every parish.

## **SACRAMENT OF PENANCE**

(Canons 959-997)

*“Whose sins you forgive are forgiven them, and whose sins you retain are retained.”  
(Jn 20:23)*

1. Candidates for First Penance are those members of the Christian faithful who have reached the use of reason, are seven years of age (cf., cc. 97 §2 and 989), or are in the second grade.
2. A Baptismal certificate is required to register the candidate at the parish or school for the preparation program and first reception of the Sacrament of Penance.
3. Ideally, the godparents of baptism should accompany the child in the formation for each of the Sacraments of Initiation. If this is not possible, at least one active Catholic adult in good standing in the Church, other than parents, should be willing to walk and support a child’s faith journey.
4. The program of preparation for the reception of the Sacrament of Penance is a one-year process; an additional year of religious education prior to entering this program is required. Preparation for this sacrament, including the themes for the sacramental preparation sessions for parents and sponsors must conform to the *Guidelines for Sacramental Catechesis* issued by the Diocesan Offices of Catechesis and Catholic Schools (See Appendix D).
5. First reception of this sacrament should precede first reception of the Sacrament of the Eucharist, by at least six months.
6. Since the Sacrament of Penance and Reconciliation and the Sacrament of the Eucharist are two distinct sacraments, catechesis for each sacrament is conducted separately. Children in second grade should be prepared for the Sacrament of Penance only; children in third grade should be prepared for the reception of First Holy Communion. This preparation may take place either in the parish religious education program or in the Catholic school where the child is

enrolled. The parish and the parochial school's catechetical programs should be carefully coordinated.

7. Preparation for the Sacrament of Penance must actively involve the parents and godparents or sponsors, so that, as primary catechists, they may better assist the child to understand, prepare, and be disposed to receive and celebrate this unique sacrament. The parents and godparents should participate in three, two-hour sessions, for a total of six hours. These sessions may take place as follows: an orientation session for parents and godparents or sponsors, in the fall, and two sessions, in the spring. A one-day retreat should be offered to the children with their parents, as part of the parish preparation program.

8. Candidates and their families are expected to faithfully participate in Sunday Mass, and they are to strive to deepen their understanding and appreciation of the Sacrament of Penance.

9. Pastoral care (i.e., by means of homilies, bulletin inserts, workshops, etc.) should be taken to develop an understanding among the faithful, that it is not necessary to receive the Sacrament of Penance each time that they are to receive Holy Communion, except in the case of grave sin.

10. Once they have celebrated the Sacrament of Penance, candidates for First Communion should be given the opportunity to approach the Sacrament of Penance frequently, especially during Lent, which is a season of renewal, penance and reconciliation.

**Note:** The Rite of Reconciliation of Several Penitents with General Confession and Absolution is not permitted, except in extreme circumstances (cf., Canons 960-963).

## **SACRAMENT OF THE MOST HOLY EUCHARIST**

(Canons 897-958)

*"I am the bread of life. Your ancestors ate the manna in the desert, but they died; this is the bread that comes down from heaven so that one may eat it and not die. I am the living bread that came down from heaven; whoever eats this bread will live forever; and the bread that I will give is my flesh for the life of the world."*

*Jn 6:48-51*

1. Candidates for First Holy Communion are members of the Christian faithful who have received the Sacraments of Baptism and Penance, who understand and believe in the real presence of Christ in the Eucharist, and who are well disposed to receive him.
2. Children must be in the third grade and participating in the celebration of Sunday Eucharist as part of the two-year parish sacramental preparation program prior to receiving the sacrament.
3. Preparation for the Sacrament of the Eucharist, including the sacramental preparation sessions for parents and sponsors must conform to the *Guidelines for Sacramental Catechesis* issued by the Diocesan Offices of Catechesis and Catholic schools (See Appendix D). The parish and parochial school catechetical programs must work collaboratively in this effort.
4. A Baptismal Certificate and a proof of the candidate's reception of First Penance are required to register at the parish or school for the preparation program and reception of the Sacrament of Holy Communion.
5. Since the Sacrament of Eucharist and the Sacrament of the Penance and Reconciliation are two distinct sacraments, catechesis for each sacrament is to be conducted separately. Children in second grade should be prepared for the Sacrament of Penance only; children in third grade should be prepared for the reception of First Holy Communion. This preparation may take place either in the parish religious education program or in the Catholic school where the child is enrolled. The parish and the parochial school's catechetical programs should be carefully coordinated.

6. The program of preparation for the Sacrament of the Eucharist must actively involve the parents and godparents, so they, as primary catechists, may better assist the children to understand the Eucharistic celebration as a sacrificial banquet, and prepare for and be well disposed to receive Holy Communion. The program consists of three, two-hour sessions for a total of six hours. These sessions may take place as follows: an orientation session in the fall for parents and godparents and two sessions in the spring. A one-day retreat should be offered for the children with their parents as part of the parish/catholic school preparation program.

7. Parents and sponsors are expected to live a sacramental life and to lead their child or candidate by example, as they give witness to the gospel in their daily life. They are to encourage them, once they have received First Holy Communion, to approach the sacrament frequently as part of their own spiritual and sacramental life.

8. Pastoral care (i.e. by means of homilies, bulletin inserts, workshops, etc.) should be offered to advise the Christian faithful that it is not necessary to receive the Sacrament of Penance and Reconciliation each time that they are to receive Holy Communion, except in the case of grave sin.

9. Ideally, the godparents who presented the child for baptism should accompany the candidate during the preparation and reception of each of the Sacraments of Initiation. If this is not possible, at least one active Catholic adult in good standing in the Church, other than the parents, should be willing to walk and support the child's faith journey in preparation for First Holy Communion.

10. If a child is prepared in another parish, he/she must bring a letter from the pastor of the parish where the preparation took place, attesting to their preparation for the reception of the sacrament.

11. The celebration of the Eucharist is the celebration of the whole Christian community. When children receive Holy Communion for the first time, the community welcomes them and supports them in their journey of faith. Therefore, this should be a joyous experience for all the

Christian faithful of the parish. The celebration should be scheduled at a regular weekend Mass and in the language more easily understood by the candidate and the family.

12. Since all the Sacraments are celebrated in the context of the Christian community, private Masses for First Communion are **not** permitted.

**Note:** Members of the Christian faithful who are married outside the Church should abstain from receiving the Most Holy Eucharist until their irregular situation is resolved. On the other hand, those who are divorced and have not remarried are encouraged to receive Holy Communion.

## SACRAMENT OF MATRIMONY

(Canons 1055-1165)

*"The LORD God said: "It is not good for the man to be alone. I will make a suitable partner for him." So the LORD God formed out of the ground various wild animals and various birds of the air, and he brought them to the man to see what he would call them; whatever the man called each of them would be its name. The man gave names to all the cattle, all the birds of the air, and all the wild animals; but none proved to be the suitable partner for the man. So the LORD God cast a deep sleep on the man, and while he was asleep, he took out one of his ribs and closed up its place with flesh. The LORD God then built up into a woman the rib that he had taken from the man. When he brought her to the man, the man said: "This one, at last, is bone of my bones and flesh of my flesh; This one shall be called 'woman,' for out of 'her man' this one has been taken." That is why a man leaves his father and mother and clings to his wife, and the two of them become one body."*

(Gn 2:18-24)

### Introduction

The following particular norms for the Sacrament of Matrimony reflect the *Marriage Guidelines for the Dioceses of Texas* prepared and published on September 1, 1994, by the Texas Catholic Conference, which should be acknowledged as basic legislation. The other document to consult is *The Comprehensive Marriage Preparation Guidelines* issued by the Office for Family Life of the Diocese of Brownsville (See Appendix E).

1. Candidates for the Sacrament of Matrimony are those members of the Christian faithful, other baptized Christians and non-baptized persons (marrying a Catholic), who are free to marry in or by the Catholic Church (i.e. not bound by a previous union or any other civil or ecclesiastical impediment).
2. Documentation: The pastor or appointed delegate witnessing the marriage must be certain that the following documentation is in his possession prior to the wedding ceremony or convalidation.
  - a) A properly completed Pre-Nuptial Investigation Form, (i.e. Form V);
  - b) A baptismal certificate issued within six months prior to the marriage with proper notations;
  - c) Dispensations or permissions, if needed;

- d) Two Affidavits of free status for each of the future spouses ;
- e) If one of the parties is under the age of eighteen, an affidavit of free status signed by at least one parent and a completed parental consent form supplied by the County Clerk; and
- f) Civil Marriage License issued by the State of Texas at least five days before the date of the marriage ceremony or, for a convalidation, a certificate of civil marriage.

**Note:** For non-Catholics all the above documents are required, except a baptismal certificate.

All completed and original documentation for marriage must be presented and on file at least one month before the date of the marriage celebration, except the Marriage License, which may be brought to the priest not later than five days before the wedding.

3. To ensure adequate time for marriage preparation, couples planning to marry or convalidate their civil union in or by the Church should contact the parish (of the bride or groom) where the marriage is to take place, at least six months prior to the intended date of the wedding or convalidation, to arrange for an initial interview with the pastor or appointed delegate. The pastor may delegate the parochial vicar or deacon to complete the preparation.

The purpose of the initial interview is to:

- a) Welcome the bride and the groom, determine their freedom to marry, and discuss the documentation that is required;
- b) Provide an overview of the marriage preparation requirements which include the completion of a *FOCCUS premarital instrument*, the assignment of a parish sponsor couple to assist them in their preparation for their life as a married couple, and information regarding the diocesan marriage preparation retreats available to them; and
- c) Set a tentative date for the wedding, while making it clear that all requirements must be met before setting a fixed date.

**Note:** No tentative date will be set or agreed upon before ascertaining the freedom to marry of both parties. A person, who was previously married, must obtain the necessary dispensations,



permissions, and/or declaration of invalidity of the previous marriage/s due to Lack of Form, Privilege of the Faith or through a Formal Tribunal Declaration, before a date is set.

- d) When special circumstances arise (e.g., persons with disabilities, foreigners, persons in the military, time of war or deployment, etc.), pastors should employ pastoral discretion in regard to time requirements and prepare the couples accordingly, but always within the frame of hospitality, legality and justice.

**Note:** In the United States, unlike Mexico and other Central and South American countries, the priest represents both the Church and the State as a witness to a marriage; consequently, couples need not and should not marry civilly before the Catholic wedding takes place.

4. The pastor or appointed delegate must obtain, through the Diocese's Judicial Department, any matrimonial permissions or dispensations needed (i.e., Mixed Religion, Disparity of Cult, Canonical Form, ceremony being performed at a chapel or place other than the church, etc.) as well as dispensations from *Vetita* imposed by a Tribunal upon the Declaration of Nullity of a previous marriage.

5. When canonical permission has been obtained for the marriage to take place at a parish other than that of the bride or groom, the pastor of the parish where the wedding will take place, is responsible for conducting the entire process of preparation for and celebration of the marriage.

- a) If the preparation has already taken place in another parish, the pastor is to be certain that he receives the formal permission, all documentation pertaining to the bride and the groom, and the testimony from the pastor of the parish where the preparation took place, indicating that the couple has been fully prepared, and that both parties are ready and free to marry.
- b) If a visiting cleric from outside the Diocese of Brownsville is to witness the marriage or convalidation, the pastor of the parish where the ceremony will take place is responsible for conducting the entire process of preparation for and celebration of the marriage. After acquiring the visiting cleric's *Celebret*, and a letter of suitability from his diocese,

the pastor will formally and in writing, delegate the visiting cleric to witness the marriage.

6. Persons who married outside the Catholic Church and wish to convalidate their union are expected to participate in the normal assessment and in a preparation process adapted to their needs (e.g. participation in a Convalidation Conference, making use of the *REFOCCUS* instrument, meeting with a sponsor couple, and participation in a Marriage Encounter).

7. For convalidation following a Lack of Form or a Formal Annulment process, appropriate pastoral care should be taken before setting a date, especially if either or both of them received a *Monitum* (warning) or a *Vetitum* (a prohibition).

- a) Persons with a *Monitum* (warning) or a *Vetitum* (prohibition) are not free to marry until certain conditions have been fulfilled. Consequently, they may not begin the process of marriage preparation or set a tentative date for the marriage or convalidation prior to fulfilling said conditions. In the case of a *Vetitum* (prohibition), the pastor should contact the Diocesan Tribunal for instruction and direction on how to proceed.
- b) Individuals requesting to be married after undergoing two or more divorces must be evaluated by the pastor. He may require that they be psychologically evaluated by one of the *Periti*/psychologists or counselors of the Diocesan Tribunal. Based on the results of the evaluation, the Diocesan Bishop or the Judicial Vicar may give them a Decree of Freedom to Marry.

9. A series of four to ten sessions with a trained sponsor couple is required as an essential part of marriage preparation. The parish-based program has the advantage of being more personal because it is couple-to-couple and can more easily be adapted to the individual needs of the persons preparing for marriage. The role of the sponsor couple complements but does not substitute for the role of the pastor in marriage preparation. At the completion of the sessions, the sponsor couple will present its findings, evaluation, assessment, and recommendations to the pastor, in writing. He will continue with the process, as needed.

10. The couple is also expected to make a diocesan Marriage Preparation Retreat (Catholic Engaged Encounter, *Retiro Pre-Matrimonial*, New Life: Remarriage Retreat, or For Better or Forever Retreat). Arrangements to attend any of the retreats should be made shortly after the initial meeting with the pastor to ensure space availability for the desired retreat date.

11. A careful presentation of the procreative dimension of marriage and on the morally acceptable methods of Natural Family Planning given by trained personnel is required as part of the marriage preparation process.

12. If one of the parties has not received all the Sacraments of Initiation, the marriage preparation should not be postponed. Preparation for marriage and for the sacrament(s) lacking should be done simultaneously, and the Sacraments of Initiation should have been received prior to the celebration of the Sacrament of Matrimony.

13. After the requirements of marriage preparation have been completed, the pastor will conduct a pastoral follow-up interview with the couple to discuss what insights and growth they have discovered in themselves and in their relationship, and to verify their preparedness and disposition for the celebration of their marriage.

14. If the pastor or appointed delegate, at any point during the marriage preparation process, finds that the couple's readiness is questionable, he should seek immediate consultation with qualified resource personnel or with medical and psychological experts if necessary, to ascertain whether to proceed with the marriage ceremony.

15. To allow the couple time to concentrate on the sacramental nature of their upcoming marriage, the pastor will try to complete the marriage preparation process with the couple 60 to 90 days before the wedding. This will allow time for the couple to identify any serious problems that may exist between them, and, if circumstances warrant it, to consider prolonging or breaking the engagement.

16. There are special circumstances which may warrant the delay of the marriage celebration. These include, but are not limited to, the youth of one or both parties; pregnancy; elopement; parental pressure; marrying to escape an unhappy home life; personality disorders; and doubtful commitment to Church teaching (cf. A5 in *Comprehensive Marriage Preparation Guidelines*).

17. Request for marriage in the Catholic Church is a unique opportunity for the evangelization and reconciliation of Catholics who do not practice their faith or strongly identify with it. The non-practicing Catholic should be given an opportunity to return to the active practice of the faith and should receive special catechesis in the Catholic faith, in addition to full participation in the marriage preparation process.

In cases of non-Catholics approaching the Catholic Church to celebrate their marriage with a member of the Church, all clergy and parish staff should welcome them and assist them in every way possible, giving witness to Christ's love.

18. Pastors are encouraged to offer a program for newly married couples to assist them on their journey of faith as they become the lead agents in the formation of a new domestic church.

## **SACRAMENT OF ANOINTING OF THE SICK**

(Canons 998-1007)

*“Is anyone among you sick? He should summon the presbyters of the church, and they should pray over him and anoint (him) with oil in the name of the Lord, and the prayer of faith will save the sick person, and the Lord will raise him up. If he has committed any sins, he will be forgiven.”*

*(James 5:14-15)*

1. The Sacrament of Anointing is appropriate for those persons whose health is seriously impaired by sickness or advanced age. This includes persons who are seriously ill whether they are at home, in hospitals or in nursing homes, as well as children who are old enough to experience benefit from the sacrament.
2. The nature of this sacrament demands the earliest possible celebration, at the beginning of a serious illness, prior to a serious surgery, or when one is in danger of death. Postponing the anointing could convey the faulty impression that this is a sacrament for the dying.
3. Although the frequency of anointing a sick person is a matter of pastoral judgment, a person may request the sacrament again, if the sickness recurs, or if the condition becomes more serious.
4. Persons who are already dead should not to be anointed. The Order of Christian Funerals has prayers for the dead which are more appropriate.
5. The Sacrament of Anointing of the Sick should be part of the overall care and concern of the Church for the sick in the community. This care includes visits to the sick, celebrating the Sacrament of Penance and Reconciliation, taking them Holy Communion when requested, and praying for their well-being.
6. The Sacrament of Anointing is often preceded by the Sacrament of Penance, and, in cases of danger of death, followed by Viaticum.
7. The actual time for the anointing should be chosen in consultation with the family and the sick person, so that a convenient time may be chosen for all to participate.

8. The Sacrament of Anointing may be celebrated in the sick person's room, at home, or in the hospital. It may also be celebrated in the parish church or hospital chapel. Consideration should be given to the condition of the patient, others in the room, the space available, and the meaningful celebration of the Sacrament.

9. If the sick person wishes (or asks) to celebrate the Sacrament of Penance, provision for this is made prior to the celebration of Anointing. If confession is to take place during the celebration of the Rite, the privacy of the patient must be guaranteed.

10. A common celebration of the Anointing of the Sick should be celebrated in parishes at least once or twice annually, for the benefit of persons who are living with a life threatening illness and are able to come to the parish church. The congregation should be adequately prepared for the celebration. It may take place, ideally, during a Sunday Mass, or at a designated Celebration of the Eucharist during the week. It does not seem appropriate, however, to celebrate this Sacrament at Mass during the Easter or Christmas seasons.

11. Pastoral care must always be taken to distinguish between the prayer to ask God for healing, the laying on of hands associated with charismatic liturgies ("healing services"), and the actual Sacrament of Anointing of the sick.

12. Outside of the celebration of the Sacrament of Anointing, clergy should never bless any kind of oil, for their own blessings or at the request of people for their own use at home or in hospitals.

13. Lay Ecclesial Ministers are **not** allowed to bless people under any circumstances or to use holy water other than to bless themselves or their children.

14. The holy oils must be treated with reverence at all times. The use of these sacred oils is limited to bishops and priests in the celebration of the Sacraments over which they rightfully preside.

**Note:** Regarding the Sacrament of Anointing of the Sick, a clear distinction should be made between what is a “sacrament” and what is a “sacramental”. For further reading see: *The Instructio de orationibus ad obtinendam a Deo sanationem* (Instruction regarding prayers to obtain healing from God), approved and published on September 14, 2000, by the Congregation for the Doctrine of the Faith and *The Revised Rites for the Pastoral Care of the Sick*, 1983 Edition.

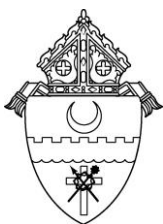
As this Synodal Legislation becomes a part of our daily life and practice in this particular church, it is my fervent prayer that, relying on the intercession of Mary Immaculate, patroness of our diocese, we do everything for the glory of God and we continue to work in the spirit of the three pastoral priorities set by our First Diocesan Synod: “*Communicatio, Collaboratio et Communio*”.

Given at the Catholic Pastoral Center, in the City of Brownsville, in the State of Texas, United States of America, on this the twenty-second day of August, Memorial of the Queenship of Mary, in the Year of Our Lord two thousand and six.

+Raymundo J. Peña  
Bishop of Brownsville

Msgr. Heberto M. Diaz, Jr.  
Chancellor

\*See attached Memo from Bishop Daniel E. Flores dated October 12, 2010 indicating that until further notice the Diocesan Synodal Legislation on the Sacraments remain in effect until further notice.



For more information on the Diocesan Synodal Legislation  
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