

SS. John and Paul's Commitment to Protecting God's Children (revised June 2008)

In order to foster a child-safe environment, and because most situations of volunteering could potentially involve some unsupervised work with a minor, every paid personnel and every volunteer will:

- Sign the form below, acknowledging they have received the stated material and authorize a criminal background check. A background check will be done once every seven years.
- Attend a "Protecting God's Children" workshop or its equivalent, which helps adults recognize warning signs of potential abuse and how to make children's environments safer places. This is a one-time requirement to be done ordinarily within six months of first volunteering.

The Archdiocese of Detroit's Safe Environments Policy is included in this set of papers, along with information on the Michigan Child Protection Law and a list of contact number if any concerns need to be reported, and the Archdiocesan Code of Pastoral Conduct. Please sign the release form below and take the time to read the information. If you have any questions, please call Paula Klozik, our parish business manager, or Fr. David Buersmeyer, the pastor, at 586.781.9010. Thank you.

Who has access to the information from the background check? The Archdiocese of Detroit is very specific that only one employee and the pastor have access to the information. At SS. John and Paul our Background Check Administrator is Paula Klozik, the parish business manager.

What if a background check reveals some past information in areas not related to abuse of minors?

If a question arises that pertains to abuse of minors or the supervision on minors, the pastor will meet with the person in question to explain why they cannot volunteer. Any other information that is not pertinent to care of minors will be kept confidential and does not prevent a person from being in a volunteer position. Again, only two people see any information.

What if someone has not signed the criminal background release, can they continue to volunteer?

If a person refuses to let the parish do a criminal background check, the pastor will meet with them confidentially and explain why they cannot be put into certain volunteer positions. In practice, most volunteer positions have the potential for unsupervised contact with minors, even if only rarely or briefly. All volunteer opportunities would become available once authorization for a background check is secured.

What if a volunteer doesn't attend a workshop? The parish will host one such workshop a year and make information available on others in neighboring parishes. These are valuable workshops, whether one is volunteering or not. Good for parents, grandparents, aunts, uncles, and so on. The workshop needs to be attended only one time. Although there can at times be extenuating circumstances for allowing some people to go beyond the six month requirement before attending such a workshop, the workshop is a requirement that must be fulfilled within a reasonable time.

(Please cut out this form and return it to the parish office. Keep the top part and policy sheets for your own records)

SS. JOHN AND PAUL PARISH RELEASE AND BACKGROUND AUTHORIZATION FORM

I have received a copy of the Archdiocese of Detroit Code of Pastoral Conduct and Archdiocese of Detroit Safe Environments Policy. (please check box on the right)

I am giving permission to have my name submitted for a background check. (please check box)

Print Name: _____
(First) (Middle Initial) (Last Name)

Michigan Driver's License: _____ Date of Birth: _____

Signature: _____ Today's Date: _____
(Signature of Parent/guardian required for those under age 18)

If less than 7 years in Michigan, previous residence(s) outside of Michigan during those years:

Street City State Zip County

Street City State Zip County

The forms and results will be kept confidential. If you have any questions, please feel free to contact the Background Check Administrator (Paula Klozik) at the parish office: 586.781.9010. You may return the authorization form in the enclosed envelope via the Sunday collection, drop it off at the office, or through the mail.

Archdiocesan Safe Environments Policy (April 2006)

Purpose:

The Archdiocese of Detroit is committed to providing safe environments and fostering continuous improvement in every organization that sponsors activities and/or provides services to children and youth. The Archdiocese intends to create communities of informed adults who model appropriate behavior, are vigilant to the warning signs of abuse and take action to prevent abuse and improve safety. Likewise, the Archdiocese is determined to ensure that facilities, grounds and procedures promote optimal safety.

General policy:

All Adults who are paid or volunteer personnel (clergy, religious and lay) shall:

1. Have a criminal history background check* and have been provided the Pastoral or Volunteer Code of Conduct before starting work in any capacity, and
2. Participate in a Protecting God's Children workshop within six months of a staff or volunteer assignment, if the potential exists for contact with children or youth.

This may include but is not limited to, the following:

- Parish Staff (all)
- Choir Director
- Altar Server Coordinator
- Scout Leaders—Boys, Girls, Campfire
- Religious Education (catechists, assistants, hall monitors)
- Vacation Bible School Volunteers
- Youth Group Director and volunteers
- School Staff—faculty, administrative, custodial, substitute teachers
- School Volunteers—Room Parents, Office Volunteers
- Field Trip Chaperones and Drivers
- Retreat Chaperones and Drivers
- Camp Counselors, Chaperones and Drivers
- Part-time or Supply Clergy
- Athletic Directors, Coaches and Assistants
- Knights of Columbus
- Parish Festival Chairpersons
- St. Vincent de Paul Society
- Soup kitchen or domestic shelter staffs and volunteers in locations where children are present

3. Numbers 1 and 2 above apply to incumbent staff and volunteers. However, their participation in a PGC workshop shall be required within six months of the issuance of this policy.

4. Volunteers under 18 should be paired with an adult or another teen and regularly supervised by an adult. Employees or volunteers, aged 16 and older, will attend the Protecting God's Children Workshop and will have a criminal history background check. Staff and Volunteers age 16 to 18 are required to have parental permission to attend the workshop and to have the criminal history background check.

5. All parents/guardians are urged to attend a Protecting God's Children workshop.

6. Contractors or personnel provided by public school districts cannot be required to attend PGC workshops. However, it is required that background checks be done by the contractor of the employees working in facilities when children or youth are present.

Requirement:

Each organization shall maintain a database of all staff and volunteers with the dates of each person's criminal background check, receipt of the Code of Conduct and Safe Environment Policies and participation in a Protecting God's Children workshop.

Each organization shall require a copy of the PGC certificate from each participant. An organization shall accept proof of attendance at a PGC workshop completed outside the Archdiocese or an equivalent training approved by the Office of Safe Environments.

Confirmed attendance at a Protecting God's Children Workshop is a condition for employment or volunteering. Non-compliance with this policy will result in the loss of employment or volunteer position, until requirements are met.

**Reminder: Archdiocesan Policy states that incumbent Church personnel and volunteers must be screened every seven years, on their anniversary date.*

MICHIGAN CHILD PROTECTION LAW

Since 1975, the Michigan Child Protection Law (MCL 722.621-638, the “Act,” available at michigan.gov/fia, select *Legal & Policy/Laws*) has required members of certain professions (e.g., physicians, nurses, psychologists, counselors, social workers, teachers and school administrators) to immediately report to the Michigan Family Independence Agency (“FIA”) suspected child abuse or neglect. Effective March 1, 2003, clergy (i.e., priests, deacons, religious) are also required to immediately report to the FIA suspected child abuse or neglect. This is a summary of the material provisions of the reporting requirements under the Act:

1. “Clergy” is defined as a “priest, minister, rabbi, Christian Science practitioner, or other religious practitioner, or similar functionary of a church, temple, or recognized religious body, denomination, or organization.”
2. “Child” is a person under 18 years of age.
3. “Child abuse” is defined as harm or threatened harm to a child’s health or welfare by a parent, legal guardian, teacher, teacher’s aide, clergy, or any other person responsible for the child’s health or welfare through non-accidental (i) physical or mental injury; (ii) sexual abuse; (iii) sexual exploitation; or (iv) maltreatment. “Child neglect” is defined as failure to provide adequate food, clothing, shelter or medical care.
4. The reporting obligation applies even if the abuse victim is over age 18 at the time of disclosure of the abuse for the reason that there may be a current risk of abuse to other children.
5. Persons required to report under the Act who have “reasonable cause: to suspect child abuse or neglect must make an immediate oral report to the FIA. This oral report must be made to the FIA office in the county where the child resides. Included herein are the addresses, telephone and facsimile numbers for the FIA offices in Wayne, Oakland, Macomb, Monroe, Lapeer and St. Clair counties.
6. Within 72 hours after making the initial oral report, the reporting person must also file a written report with the FIA. This report must contain the name of the child and a description of the suspected abuse or neglect. If available, the report should also contain (i) the child’s age; (ii) name and address of the child’s parents, guardian and/or persons with whom the child resides; and (iii) any other information available to the reporting person identifying the cause of the suspected abuse or neglect and the manner in which the abuse or neglect occurred. (The form for the required written report can be downloaded from michigan.gov/fia, select *Doing Business With the FIA/Forms*.) The written report must be mailed to the FIA office in the county where the child resides and a copy of the written report should also be faxed and mailed to the Policy Delegate for the Archbishop, 1234 Washington Boulevard, Detroit, Michigan 48226, Fax (313) 237-4642; and the attorneys for the archdiocese, Bodman, Longley & Dahling, LLP, 201 West Big Beaver Road, Suite 500, Troy, Michigan 48084, Fax (248) 743-6002.
7. Failure to report suspected child abuse or neglect as required by the Act is a criminal misdemeanor “punishable by imprisonment for not more than 90 days or a fine of not more than \$500, or both,” and could also subject the person who has failed to report and the Archdiocese of Detroit to significant civil liability for money damages.
8. There is a narrow exception to mandatory reporting by clergy of suspected child abuse or neglect. A clergy member is not required to report suspected child abuse or neglect only if such information has been obtained through a communication “made to a member of the clergy in his or her professional character in a confession or similarly confidential communication.”

CONTACTING CATHOLIC AND CIVIL AUTHORITIES

Archdiocese of Detroit: To inform the Detroit archdiocese of a complaint of sexual abuse involving Catholic clergy or church personnel and/or to speak to the archdiocesan Victim Assistance Coordinator:

Archdiocesan Policy Delegate, 1234 Washington Blvd., Detroit, MI 48226. Toll free 866.343.8055.

Government Agencies

Family Independence Agency: 800.942.4357

Macomb County:

Child Protective Services: 586.412.6109

Prosecutor: 586.469.5350

Oakland County:

Child Protective Services: 248.975.5010

Prosecutor: 248.858.0656

Lapeer County:

Child Protective Services: 810.664.5968

Prosecutor: 810.667.0326

St. Clair County:

Child Services: 810.966.2173 (M-F., 8 -5)

weekends and after hours: 800.662.1023

Prosecutor: 810.985.2400

Wayne:

Child Protective Services: 313.396.0300

Prosecutor: 313.224.5777

Monroe:

Child Protective Services: 734.243.7400

Prosecutor: 734.240.7600

Archdiocese of Detroit Code of Pastoral Conduct

For Priests, Deacons, Pastoral Ministers, Administrators, Staff and Volunteers

I. Preamble

Priests, deacons, pastoral ministers, administrators, staff and volunteers in our parishes, religious communities/institutes and organizations must uphold Christian values and conduct. This *Code of Pastoral Conduct for Priests, Deacons, Pastoral Ministers, Administrators, Staff and Volunteers* provides a set of standards for conduct in certain pastoral situations.

II. Responsibility

The public and private conduct of clergy, staff and volunteers can inspire and motivate people, but it can also scandalize and undermine the people's faith. Clergy, staff and volunteers must, at all times, be aware of the responsibilities that accompany their work. They must also know that God's goodness and grace supports them in their ministry.

Responsibility for adherence to the *Code of Pastoral Conduct* rests with the individual. Those who disregard this *Code of Pastoral Conduct* do so at their own risk and will be held responsible by the parish, the religious community/institute, the school, the archdiocese and others. Corrective action may take various forms depending on the specific nature and circumstances of the offense and the extent of the harm.

III. Pastoral Standards

1. Conduct for Pastoral Counselors and Spiritual Directors¹

Pastoral counselors and spiritual directors must respect the rights and advance the welfare of each person.

- 1.1 Pastoral counselors and spiritual directors shall not step beyond their competence in counseling situations and shall refer clients to other professionals when appropriate.
- 1.2 Pastoral counselors and spiritual directors should carefully consider the possible consequences before entering into a counseling relationship with someone with whom they have a pre-existing relationship, such as an employee, a professional colleague or a friend. [See Section 7.2.2]
- 1.3 Pastoral counselors and spiritual directors should not audiotape or videotape sessions.
- 1.4 Pastoral counselors and spiritual directors must never engage in sexual intimacies with the persons they counsel. This includes consensual and nonconsensual contact, forced physical contact and inappropriate sexual comments.
- 1.5 Pastoral counselors and spiritual directors shall not engage in sexual intimacies with individuals who are close to the client, such as relatives or friends of the client, when there is a risk of exploitation or potential harm to the client. Pastoral counselors and spiritual directors should presume that the potential for exploitation or harm exists in such intimate relationships.
- 1.6 Pastoral counselors and spiritual directors assume the full burden of responsibility for establishing and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships.¹
- 1.7 Physical contact of any kind – touching, hugging, holding – between pastoral counselors or spiritual directors and the persons they counsel can be misconstrued and should be avoided.
- 1.8 Sessions should be conducted in appropriate settings at appropriate times.
 - 1.8.1 No sessions should be conducted in private living quarters.
 - 1.8.2 Sessions should not be held in places or at times that would tend to cause confusion about the nature of the relationship for the person being counseled.
- 1.9 Pastoral counselors and spiritual directors shall maintain a log of the times and places of sessions with each person being counseled.

2. Confidentiality

Information disclosed to a pastoral counselor or spiritual director during the course of counseling, advising or spiritual direction shall be held in the strictest confidence possible.

- 2.1 Information obtained in the course of sessions shall be confidential, except for compelling professional reasons or as required by law.
 - 2.1.1 If there is clear and imminent danger to the client or to others, the pastoral counselor or spiritual director may disclose only the information necessary to protect the parties affected and to prevent harm.
 - 2.1.2 Before disclosure is made, if feasible, the pastoral counselor or spiritual director should inform the person being counseled about the disclosure and the potential consequences.
- 2.2 Pastoral counselors and spiritual directors should discuss the nature of confidentiality and its limitations with each person in counseling.
- 2.3 Pastoral counselors and spiritual directors should keep minimal records of the content of sessions.
- 2.4 Knowledge that arises from professional contact may be used in teaching, writing, homilies or other public presentations only when effective measures are taken to absolutely safeguard both the individual's identity and the confidentiality of the disclosures.

¹ Pastoral counselors and spiritual directors: Clergy, staff and volunteers who provide pastoral, spiritual, and/or therapeutic counseling services to individuals, families or other groups.

- 2.5 While counseling a minor, if a pastoral counselor or spiritual director discovers a serious threat to the welfare of the minor and that communication of confidential information to a parent or legal guardian is essential to the child's health and well-being, the pastoral counselor or spiritual director should:
- Attempt to secure written consent from the minor for the specific disclosure.
 - If consent is not given, disclose only the information necessary to protect the health and well-being of the minor. Consultation with the appropriate Church supervisory personnel is required before disclosure.

These obligations are independent of the confidentiality of the confessional. Under no circumstances whatsoever can there be any disclosure—even indirect disclosure—of information received through the confessional.

3. Conduct With Youth

Clergy, staff and volunteers working with youth shall maintain an open and trustworthy relationship between youth and adult supervisors.

- 3.1 Clergy, staff and volunteers must be aware of their own and others' vulnerability when working alone with youth. Use a team approach to manage youth activities.
- 3.2 Physical contact with youth can be misconstrued and should occur (a) only when completely nonsexual and otherwise appropriate, and (b) never in private.
- 3.3 Clergy, staff and volunteers should refrain from (a) the illegal possession and/or illegal use of drugs and/or alcohol at all times, and (b) the use of alcohol when working with youth.
- 3.4 Clergy should not allow individual young people to stay overnight in the cleric's private accommodations or residence.
- 3.5 Staff and volunteers should not provide shared, private, overnight accommodations for individual young people, including, but not limited to, accommodations in any Church-owned facility, private residence, hotel room or any other place where there is no other adult supervision present.
- 3.5.1 In rare, emergency situations when accommodations are necessary for the health and well-being of the youth, the clergy, staff or volunteer should take extraordinary care to protect all parties from the appearance of impropriety and from all risk of harm.
- 3.5.2 Use a team approach to manage emergency situations.

4. Sexual Conduct

Clergy, staff and volunteers must not, for sexual gain or intimacy, exploit the trust placed in them by the faith community.

- 4.1 Clergy, religious, staff and volunteers who are committed to a celibate lifestyle are called to be an example of celibate chastity in all relationships at all times.
- 4.2 Staff and volunteers who provide pastoral counseling or spiritual direction services must avoid developing intimate relationships with minors and inappropriate intimate relationships other staff or parishioners. Staff and volunteers must behave in a professional manner at all times.
- 4.3 No clergy, staff or volunteer may exploit another person for sexual purposes.
- 4.4 Allegations of sexual misconduct should be taken seriously and reported to the appropriate person in the parish (pastor), community/institute (religious superior), archdiocese (human resources director) or organization (director) and to civil authorities if the situation involves a minor.
- 4.4.1 Canon and civil law procedures will be followed to protect the rights of all involved.
- 4.5 Clergy, staff and volunteers should review and know the contents of the child abuse regulations and reporting requirements for the state of Michigan and should follow those mandates.

5. Harassment

Clergy, staff and volunteers must not engage in physical, psychological, written or verbal harassment of staff, volunteers or parishioners and must not tolerate such harassment by other Church staff or volunteers.

- 5.1 Clergy, staff and volunteers shall provide a professional work environment that is free from physical, psychological, written or verbal intimidation or harassment.
- 5.2 Harassment encompasses a broad range of physical, written or verbal behavior, including, but not limited to, the following:
- Physical or mental abuse.
 - Racial insults.
 - Derogatory ethnic slurs.
 - Unwelcome sexual advances.
 - Sexual comments or sexual jokes.
 - Requests for sexual favors used as:
 - a condition of employment, or
 - to affect other personnel decisions, such as promotion or compensation.
 - Display of offensive materials.
- 5.3 Harassment can be a single severe incident or a persistent pattern of behavior where the purpose or the effect is to create a hostile, offensive or intimidating work environment.

5.4 Allegations of harassment should be taken seriously and reported immediately to the appropriate person in the parish (pastor), community/institute (religious superior), archdiocese (human resources director) or organization (director).

5.4.1 Canon and civil law procedures will be followed to protect the rights of all involved.

6. Parish, Religious Community/Institute and Organization Records and Information

Confidentiality will be maintained in creating, storing, accessing, transferring and disposing of parish, religious community/institute or organization records.

6.1 Sacramental records shall be regarded as confidential. When compiling and publishing parish, religious community/institute or organization statistical information from these records, great care must be taken to preserve the anonymity of individuals.

6.2 Most sacramental records older than 70 years are open to the public.

6.2.1 Information regarding adoption and legitimacy remains confidential, regardless of age.

6.2.2 Only staff members who are authorized to access the records and supervise their use shall handle requests for more recent records.

6.3 Parish, religious community/institute or organization financial records are confidential unless review is required by the Archdiocese of Detroit, the supervising institution or an appropriate government agency. Contact the Department of Finance and Administration of the Archdiocese of Detroit or the supervising institution upon receipt of any request for release of financial records.

6.4 Individual contribution records of the parish, religious community/institute or organization shall be regarded as private and shall be maintained in strictest confidence.

7. Conflicts of Interest

Clergy, staff and volunteers should avoid situations that might present a conflict of interest. Even the appearance of a conflict of interest can call integrity and professional conduct into question.

7.1 Clergy, staff and volunteers should disclose all relevant factors that potentially could create a conflict of interest.

7.2 Clergy, staff and volunteers should inform all parties when a real or potential conflict of interest arises. Resolution of the issues must protect the person receiving ministry services.

7.2.1 No clergy, staff or volunteer should take advantage of anyone to whom they are providing services in order to further their personal, religious, political or business interests.

7.2.2 Pastoral counselors and spiritual directors should not provide counseling services to anyone with whom they have a business, professional or social relationship. When this is unavoidable, the client must be protected. The counselor must establish and maintain clear, appropriate boundaries.

7.2.3 When pastoral counseling or spiritual direction services are provided to two or more people who have a relationship with each other, the pastoral counselor or spiritual director must:

- Clarify with all parties the nature of each relationship.
- Anticipate any conflict of interest.
- Take appropriate actions to eliminate the conflict.
- Obtain from all parties written consent to continue services.

7.3 Conflicts of interest may also arise when the independent judgment of a pastoral counselor or spiritual director is impaired by one of the following circumstances:

- Prior dealings.
- Becoming personally involved.
- Becoming an advocate for one person against another.

In these circumstances, the pastoral counselor or spiritual director shall advise the parties that he or she can no longer provide services and refer them to another pastoral counselor or spiritual director.

8. Reporting Ethical or Professional Misconduct

Clergy, staff and volunteers have a duty to report their own ethical or professional misconduct and the misconduct of others.

8.1 Clergy, staff and volunteers must hold each other accountable for maintaining the highest ethical and professional standards. Indications of illegal actions by clergy, staff or volunteers must be reported immediately to the proper civil authorities, as well as to the archdiocese (human resources director), parish (pastor), religious community/institute (religious superior) or organization (director).

8.2 When an uncertainty exists about whether a situation or course of conduct violates this *Code of Pastoral Conduct* or other religious, moral or ethical principles, consult with one of the following:

- Peers.
- Others knowledgeable about ethical issues.
- Human Resources or the responsible administrative authority for the religious community/institute or organization.

8.3 When it appears that a member of the clergy, a staff member or a volunteer has violated this *Code of Pastoral Conduct* or other religious, moral or ethical principles:

- Report the issue to a supervisor or next higher authority, or
- Refer the matter directly to the Chancery office or the responsible administrative authority for the religious community/institute or organization.

8.4 The obligation of pastoral counselors and spiritual directors to report client misconduct is subject to the duty of confidentiality. However, any agreement or duty to maintain confidentiality must yield to the need to report misconduct that threatens the safety, health or well-being of any of the persons involved except as provided for in Section 2.5.

9. Administration

Employers and supervisors shall treat clergy, staff and volunteers justly in the day-to-day administrative operations of their ministries.

9.1 Personnel and other administrative decisions made by clergy, staff and volunteers shall meet civil and canon law obligations and also reflect Catholic social teachings and this *Code of Pastoral Conduct*.

9.2 No clergy, staff or volunteer shall use his or her position to exercise unreasonable or inappropriate power and authority.

9.3 Each volunteer providing services to children and youth must read the *Code of Conduct for Volunteers* before providing services.

10. Staff or Volunteer Well-Being

Clergy, staff and volunteers have the duty to be responsible for their own spiritual, physical, mental and emotional health.

10.1 Clergy, staff and volunteers should be aware of warning signs that indicate potential problems with their own spiritual, physical, mental and/or emotional health.

10.2 Clergy, staff and volunteers should seek help immediately whenever they notice behavioral or emotional warning signs in their own professional and/or personal lives.

10.3 Clergy, staff and volunteers must address their own spiritual needs. Support from a spiritual director is highly recommended.

10.4 Inappropriate or illegal use of alcohol and drugs is prohibited.

IV. CODE OF CONDUCT FOR VOLUNTEERS

Our children are the most important gifts God has entrusted to us. A volunteer must strictly follow the rules and guidelines in this *Code of Conduct for Volunteers* as a condition of providing services to the children and youth of our archdiocese.

A volunteer **must**:

- Treat everyone with respect, loyalty, patience, integrity, courtesy, dignity and consideration.
- Avoid situations where he or she is alone with children and/or youth at Church activities.
- Use positive reinforcement rather than criticism, competition or comparison when working with children and/or youth.
- Refuse to accept expensive gifts from children, youth or their parents without prior written approval from the pastor or administrator.
- Refrain from giving expensive gifts to children and/or youth without prior written approval from the parents or guardian and the pastor or administrator.
- Report suspected abuse to the pastor, administrator or appropriate supervisor and the local Child Protection Services agency. Failure to report suspected abuse to civil authorities is, according to the law, a misdemeanor.
- Cooperate fully in any investigation of abuse of children and/or youth.

A volunteer **must not**:

- Smoke or use tobacco products in the presence of children and/or youth.
- Use, possess or be under the influence of alcohol at any time while volunteering
- Use, possess or be under the influence of illegal drugs at any time.
- Pose any health risk to children and/or youth through fevers or other contagious situations.
- Strike, spank, shake or slap children and/or youth.
- Humiliate, ridicule, threaten or degrade children and/or youth.
- Touch a child and/or youth in a sexual or other inappropriate manner.
- Use any discipline that frightens or humiliates children and/or youth.
- Use profanity in the presence of children and/or youth. A volunteer working with children and/or youth is subject to a thorough background check, including criminal history. Any action inconsistent with this *Code of Pastoral Conduct* or failure to take action mandated by this *Code of Pastoral Conduct* may result in removal as a volunteer with children and/or youth.

V. Contacting the Archdiocese of Detroit

To request information from the Archdiocese of Detroit on the *Code of Pastoral Conduct*, contact: Director of Human Resources, Archdiocese of Detroit, 1234 Washington Boulevard, Detroit, Michigan 48226, Telephone: (313) 237-5947

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