Greetings from the Dean

Dear Friends of the School of Canon Law,

A number of significant developments and events have occurred in the School over the past few semesters, and other developments are yet in the planning stage. As Dean, I wish to take this opportunity to inform you about the varied life of the School – including the faculty and their activities and awards, the students, and various lectures, programs, and activities that shape our service of the Church.

The School of Canon Law is a unique community within the Catholic University of America – and not only due to its subject matter. The School is unique also due to the bonds that begin when a specific group of individuals, priests, religious, lay men and women – embark on the study of canon law. The bonds grow and deepen through the semesters of study, through classes, study sessions, and also through praying together and relaxation. And these bonds last after graduation; our graduates remain connected with one another and with the faculty, and these connections assist us in the service of the Church.

I hope this newsletter will strengthen these bonds, encourage others to study the law, and help us all in our varied service.

May God bless us all.

Robert J. Kaslyn, S.J., Dean

Faculty Update

WELCOME NEW FACULTY

Reverend Sean O. Sheridan, T.O.R. has joined the faculty, focusing on Teaching Office and Consecrated life.

Fr. Sean received his JCD from CUA in Spring 2009, and joined the faculty in Fall, 2009. His research interests include consecrated life, and the teaching office of the Church. Fr. Sean enjoys playing the organ, reading, listening to music.
Reverend John Beal

Rev. John Beal enjoyed a much delayed sabbatical this past semester (but still managed to offer direction of theses and dissertations, as well as, his professional expertise).

Publications:


Presentation:


"Conformity of Sentences: Practical Issues". Midwest Canon Law Society. [Hyatt Regency Columbus, OH United States] (04/2009)


"Catholic Gobble-De-Gook Revisited". Diocese of Tucson. [Redemptorist Renewal Center Tucson, AZ United States] (March 2, 2009)

Clergy Study Day. Diocese of Tucson. [Redemptorist Renewal Center Tucson, AZ United States] (March 2, 2009)

Recipient of the 2011 Distinguished Teaching Award

Dr. Kenneth J. Pennington

Dr. Kenneth Pennington received the new Distinguished Teaching Award in January, 2011, from the prestigious American Catholic Historical Association. Dr. Pennington is the first recipient of this new award, which will henceforth be presented annually to a college or university professor who has demonstrated a high commitment to teaching beyond the expected requirements of their position and through their influence and skill have promoted Catholic studies from one generation of scholars to another. Through this award the ACHA recognizes the importance of creative and effective teaching in the growth of Catholic studies.


The Reverend Steven M. Avella, president of the American Catholic Historical Association, informed Dean Kaslyn of this great news, and noted that the students raved about their experiences in Pennington’s classroom—especially when he came in character as Peter Abelard! Just a sampler of some of their comments: “...an excellent professor...as the semester went on I didn't want to miss any class.” “Great class, I've been recommending it to as many people as I can” “P. is awesome. He loves his subject.” and the best of all, “he loves his students.”

Indeed, that last comment sums it up Dr. Pennington—you love your students and that has apparently made all the difference in the world. It is a special joy for the ACHA—long headquartered at the CUA campus—to honor a man of your abilities, talents and skills.

Congratulations, Ken!
Reverend Msgr. Thomas Green

On April 10, 2009 Msgr. Green was named as listee of the International Biographical Centre list of Leading Professionals of the World.

Publications:


"Selected Legislative Structures as Instruments of Ecclesial Reform." This essay is a proposed contribution to the fourth Peter Paul Seminar, an international interdisciplinary group devoted to exploring various implications of the relationship between theology and canon law. This Seminar focuses on the theme: "Ecclesial Conversion and Reform in View of Church Unity."

Article in November 2009 CLSA Newsletter on November 2009 motu proprio of Benedict XVI Anglicanorum coetibus on corporate renewal with certain Anglicans.

Presentations:

On September 28, 2009 I gave a presentation on the canonical implications of clergy transferring affiliation from one church to another at a dialogue session in Scranton featuring the Roman Catholic Church and the Polish National Church.

"Selected Canonical issues with Ecumenical Implications." This is a presentation to be given at the annual meeting of the Catholic Association of Diocesan Ecumenical and Interreligious Officers on April 20, 2010 in Tampa, FL.

Doctor Kurt Martens

Dr. Kurt Martens is now Associate Professor of Canon Law having secured both tenure and promotion from Assistant Professor.

Publications:


Books edited:


Sister Rose McDermott

In honor of Sister Rose McDermott’s service as interim Dean, her 75th birthday, and her continuing service to the School, the faculty dedicated to her the first volume of its projected series *Institutiones iuris Canonici with the title, Service for Union with God and with One Another* and consists of a variety of scholarly articles by well-known canonists.

[Copies are still available, Contact the office of The Jurist:  
cua-thejurist@cua.edu]

Sister Rose also received the Role of Law Award from the Canon Law Society of America for outstanding service to the Christian faithful in 2002.

Publications:


(In Progress): "The Canonical Visitation of Major Superiors (canon 628 §1, §3): The Service of Authority and Obedience."

Book reviews:


Doctor Kenneth Pennington

Publications:

“Lex and ius in the Twelfth and Thirteenth Centuries,”


Continued on page 5
Kenneth Pennington continued from page 4

**Publications:**


(Two edited books are now in press and will appear in 2011):

*Law as Profession and Practice in Medieval Europe: Essays in Honor of James A. Brundage*, Edited by Kenneth Pennington and Melodie Harris Eichbauer (Ashgate: 2011)

*The History of Byzantine and Eastern Canon Law to 1500*, Edited by Wilfried Hartmann and Kenneth Pennington (The History of Medieval Canon Law; Washington, DC: Catholic University Press, 2011)

**Lectures in 2010:**


September 14, 2010: Catholic University, “The Roots of Democracy in Canon Law” Constitution Week Lecture and Dialogue on Demand Lecture Series


**Future events:**

I will be giving a lecture at Columbia University (New York) on April 20th, 2011 entitled “Torture as Evidence” as part of the Columbia University Society of Fellows lecture series.

Reverend Sheridan O. Sheridan, TOR

**Presentation:**

“Incapacity and Simulation: Mutually Exclusive Grounds or Key Juridic Facts Underlying Conforming Sentences?” Catholic University of America, School of Canon Law, Spring Canonical Seminar, March 20, 2010, Dupont Hotel.

**Publications:**


“Canon 810: Selected Issues Pertaining to the Hiring and Dismissal of Faculty Members at a Catholic University.” *Recht, Religie en Samenleving* 2009/1 (2009) 47-73.

**Accepted for Publication:**

“Catholic Universities and Juridic Personality.” *Journal of Catholic Higher Education*.

“*Gaudium et Spes*: The Development and Implementation Of the Church’s Role in Evangelization in the Pastoral Constitution on the Church in the Modern World.” *The Jurist*.


**Book Reviews:**


(In Progress):

The Matrimonial Tribunal
Lecturers & Staff

The Reverend John J.M. Foster, J.C.D.
Institute Director and Assistant Professor,
School of Canon Law

The Reverend John P. Beal, J.C.D.,
Institute Assistant Director and Ordinary
Professor, School of Canon Law

The Most Reverend Mark L. Bartchak,
J.C.D., Bishop elect of Altoona-Johnstown

The Reverend Monsignor William King,
J.C.D., Vicar General, Diocese of Harris-
burg

The Reverend Monsignor Jerry M. Sherba,
J.C.D., Ph.D., Judicial Vicar and Chancellor,
Diocese of Raleigh

FACULTY UPDATE

Reverend John J.M. Foster
Director of the Institute on Matrimonial Tribunal Practice

Publications:


Continued on page 9
Congratulations Class of 2009-2010!

“When I received news about the scholarship that would allowed me to attend classes at the School of Canon Law, I realized that I was about to have one of the most relevant experiences in my life.”

Fr. Rogelio Ayala

DOCTORATE IN CANON LAW

- Reverend Rogelio Ayala Partida, B.A., J.C.L.
  Dissertation: Accountability in the Exercise of Diocesan Pastoral Care: The Functioning and Monitoring of Selected Ecclesiastical Offices (Director: The Reverend Monsignor Thomas Green)

- Reverend Christopher Joseph Leo Beaudet, B.A., M.Div., M.A., J.C.L.
  Dissertation: The Promotion of Doctrine by the Congregation for the Doctrine of the Faith in Light of Pastor bonus and Canon 754 (Director: Doctor Kurt Martens)

- Grazyna Kolondra, J.D., J.C.L.

- Reverend Anthony K. W. McLaughlin, B.D., J.C.L.
  Dissertation: The Obligation of Perfect and Perpetual Continence and Married Deacons in the Latin Church (Director: Reverend Robert Kaslyn)

- Reverend Cyprian R Rosen, OFM Cap., J.C.B., J.C.L., M.A.
  Dissertation: Fostering the Patrimony of the Order of Friars Minor Capuchin: a Study in the Mutual Responsibility of the Order and the Apostolic See (Director: Sister Rose Mc Dermott)

LICENSEE IN CANON LAW

- Reverend Mr. Hallie Dennis Bohan, B.S.
- Reverend Jeffrey Cabral, B.A., B.Phil., M.Div.
- Reverend Paul M. Clark, B.A., M.Div., M.A.
- Reverend Dennis Garcia, B.S., S.T.B.
- Federico Genoese Zerbi, B.S., J.D.
- Molly L. Hess, B.A., M.L.M.
- Reverend Ting Kwok Ip, B.A., S.T.B.
- Reverend John Francis Jirak, B.S., B.A., M.A.
- Nicole M. Lee, B.A.
- Reverend Michael Timothy McClane, A.B., S.T.B.
- Reverend Mark Steven Smith, B.S., M.S., M.Div.
- Reverend Paul Randall Valdez, A.A., B.S.

O = October 2009 graduate
J = January 2010 graduate
Today we are celebrating the first week of Advent as well as commemorating the life and work of Saint Nicholas. Nicholas served as bishop of Myra, a provincial capital in Asia Minor sometime in the fourth century. His kindness and generosity, in particular, towards children, has become legendary - he has reached fame as Santa Claus. According to one story, Bishop Nicholas rescued three young girls whose father for want of a dowry was about to sell them into prostitution. In his commentary on this saint in his thought-provoking book, All Saints, Robert Ellsberg notes: “It is common and appropriate to decry the commercialization of the Christmas season. There are fewer voices to mourn the trivialization of Saint Nicholas. Well does he deserve to be the patron of children, and well might they delight in his name. But he might be remembered not only as the jolly source of toys and treats but also as the protector of those whose lives and innocence remain threatened today, as they were in the time of Saint Nicholas, by violence, poverty and exploitation.”

If we accept that description of the life and work of Saint Nicholas, and if we apply it not only to children but to all men and women, then we, as canonists or as canonists in training, have a fitting role model to emulate. In other words, we, as canonists, must serve the Church so that she might better fulfill her divine given mandate, that is, to be a sign of the victory of Jesus Christ over sin and death. This time of Advent reminds us that we, as Christian believers, are living both a realized and an imminent eschatology: we recall the time of expectation, of waiting, before the birth of Christ while reminding ourselves that we are also now in a period of expectation, of waiting, for the second coming of Christ.

During this period of expectation, each one of us needs to cooperate with our God in helping bring about the reign of God. As canonists, we must serve the Church, so that as she travels as a pilgrim through this world and through time, she is constantly renewed and reformed in every age so that she may better express the reality of our salvation. As canonists, we have an important role to play in the Church – paraphrasing John Paul II’s words promulgating the Code, each one of us must foster the primacy which
must necessarily be given to faith, grace and charisms, especially charity in the life of our Church.

At the same time, we must also remind ourselves of the limitations of the law. Canon law cannot be perceived as an end in and of itself. Canon law is a tool that may be used well or it may be used badly – it all depends on the individual. If we abuse the law or if we overemphasize its importance, we are acting as did the fool in the gospel who built his house on sand and in times of crisis or difficulty, the whole edifice simply collapses. As canonists, we need to have a solid foundation for our use of the law, a foundation based on an on-going and living prayer relationship with our God. As Isaiah reminds us, God is the rock, the solid foundation for our lives of faith and of work; God must be the priority in our lives. But this is something that requires constant attention and time: we need to be men and women of prayer.

Perhaps especially during this Advent, we are being assaulted by signs that tempt us to despair; we are confronted with violence, fear, war, religious and ethnic intolerance. We need to be signs of the reality of salvation, of God’s love for us and for our world. To do this, to have the strength and hope to be signs of the coming reign of God, then each one of us must foster our lives of prayer and of faith; we must put into practice, in our private lives and in our public service, our firm belief in God’s loving providence for our world.

FACULTY UPDATE

Reverend John J.M. Foster continued from page 6

Book Reviews:

Presentations:


Rev. Christopher J. Beaudet, JCD  
Class of 2010  
Archdiocese of Saint Paul & Minneapolis

Since defending my doctorate in January, 2010 (a full year ago! Can you believe it?), I’ve continued my work at the Saint Paul Seminary School of Divinity in three capacities: Vice Rector for Administration, Assistant Professor of Canon Law, and as a member of the Formation Faculty. I also continue to serve as Judicial Vicar for the Archdiocese of Saint Paul and Minneapolis and as a weekend assistant at the Church of Saint Agnes, Saint Paul.

In October I joined Msgr. Joseph Punderson, Defender of the Bond for the Supreme Tribunal of the Apostolic Signatura, in Buffalo, NY at the CLSA convention to co-present a pre-convention workshop entitled, “Defending the Bond Today: A Practical Workshop for Defenders of the Bond.”

God bless,
Fr. Beaudet

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Rev. Rogelio Ayala Partida, JCD  
Class of 2010  
Diocese of Tepic, México

When I received news about the scholarship that would allowed me to attend classes at the School of Canon Law at the Catholic University of America, back in 2004, I realized that I was about to have one of the most relevant experiences in my life, and indeed it was. The School of Canon Law not only gave me the specific knowledge for being a professional in this ecclesiastical discipline, but also helped me to have a more complete understanding about the Church, and even a new vision of her.

After completing my doctoral studies and returning to my diocese, my bishop appointed me professor of the seminary and adjutant judicial vicar. I started teaching fundamental canon law and sacramental law courses in 2009. It has been an extraordinary experience. It is very rewarding to see how our young candidates to the priesthood assimilate step by step to the norms that are going to lead their future pastoral practice.

A few months after my arrival in the diocese, the dean of the school of canon law at the Pontifical University of Mexico, invited me to present a lecture on the occasion of the anniversary of the foundation of the school of canon law in México City. He wanted a canon lawyer from a prestigious University to expound on the topic of administrative law to the faculty and students. In October, 2010, I gave the lecture “the Vicar general: an Important Office in the Diocesan Curia,” which will be published in the journal Revista Mexicana de Derecho Canónico.

I have since been invited to give two other lectures, the first one in the regional tribunal meeting for the western zone, on the functions of the Defender of the Bond in the diocesan tribunal. The other lecture will be during this at the National meeting and will expound the role of the coordinator of the diocesan curia. I plan on continuing to do research in the field of scholarship.

Last summer, the CLSA invited the president of the Mexican Association of Canon Lawyers to attend the CLSA convention in Buffalo NY. The President was unavailable to attend and decided, after consultation with the chief committee, to appoint a representative ad casum. I was the appointed person. I was was honor to have such a singular opportunity of representation, and to see both Canadian and American conferences of canon lawyers holding the annual meeting together.

The next national meeting of the Mexican Association of Canon Lawyers will be July 11th to 15th, 2011. All of you are invited, particularly if you understand some Spanish. For more information you can consult the ASOMUXCAN web page.

With the joy to write something for this newsletter I send greetings from Tepic, México to the faculty, alumni and friends of the School of Canon Law at CU.

Fr. Rogelio Ayala Partida JCD.
“Finding Work as a Lay Canonist”

The million dollar question: how did you get into canon law? I’m sure every lay canonist has heard that question more than once. We all have our different answers, but I believe most of us can say in the end we love the Church and we love the Law.

Often, the next question, at least for me, is how did you get into tribunal work and to Phoenix? It is true that most of us go to school under the patronage of some diocese with an agreement that once finished, the canonist will serve that diocese. I did not seek a diocese to sponsor me, so as graduation approached I had to go in search of a job. Especially in these times of reduced budgets and unemployment, the task is not easy, but is also not impossible. What I tell people is that if you are willing to go anywhere, you can find a job. Because there are so many people, lay and cleric, who are already attached to a diocese, dioceses without these resources are sometimes in desperate need of educated canonists who are willing to move.

To begin this search, I started by sending inquiry letters and resumes to dioceses that I was interested in. What worked for me, however, was checking the CLSA’s website and the canon law yahoo group for listings. Those two resources have the most immediate needs of dioceses for canonists. That was how I found my position in Phoenix. The job was posted on both of these resources. The job description and diocese appealed to me and so I applied. Of course, with any big move such as this, a great amount of prayer and discernment is also required. Talking to the professors at CUA also helped. They are wonderful resources on anything canon law or the Church.

If someone isn’t willing or able to go just anywhere, and is not already attached to a diocese, it is possible to find contract work with dioceses that are in need of additional help. The contacts made in law school make that possible, in addition to sending out inquiries to tribunals. As the Director of the Tribunal, I have recently made arrangements with two canonists outside of the diocese to do contract defender of the bond work. One of them was a classmate of mine, and the other made an inquiry into our tribunal looking for additional canonical work.

Finally, one of the best pieces of advice I got was no matter what your interests are, it is always good to start in a tribunal. That is so true! First of all, that is where the work is in American dioceses, and second, a lot of valuable experience is gained in a tribunal. Not only are you working with grounds and procedural law, but also the gamut of sacramental law and a lot of general norms. I also come across a lot of questions regarding rights and obligations. Depending on the size of diocese you work with, a tribunal may deal with all canonical issues, which is the case with Phoenix.

Thus, my day is always varied and never the same.

To conclude, the Church is always in need of more trained canonists. One of the benefits for Americans to study at the Catholic University of America, as opposed to other universities, is the type of connections you make. There is a good chance that a cleric or lay person in your class who is tied to a diocese may need additional help in the future. Your professors also know what is going on in the American canonical world and can help to point you in the right direction.

So, I encourage you to ask a lot of questions and talk to professors and the CLSA while you are still in school. In the end, God will provide and lead you where you will best serve!

Kudos:

Melodie Harris Eichbauer has accepted a tenure track assistant professor position at Florida Gulf Coast University in Fort Myers.

Ms. Eichbauer successfully defended her dissertation in 2010; her dissertation, entitled From Gratian’s Concordia discordantium canonum to Gratian’s Decretum: The Evolution from Teaching Text to Comprehensive Code of Canon Law was directed by Dr. Ken Pennington, Ph.D. of the School of Canon Law although the degree was earned in the Department of History.
Grace-Ann Lewis
Assistant to the Dean

It’s been a pleasure working with you since joining the staff of the School of Canon in Summer 2009. Since then, I have been accepted into the masters’ degree program in the School of Arts and Science, Department of Psychology, here at CUA, where I am pursuing a general degree in Psychology, with a focus in neuropsychology.

The School of Canon Law would like to know how you are doing also.

We may feature your communication in the next Update.

Update your contact information at the following link:

http://canonlaw.cua.edu/newsletter/ click on address submission

The Jurist: Upcoming Topics in volume 71

Sean Sheridan: “Gaudium et Spes: the Development and Implementation of the Church’s Role in Evangelization in the Pastoral Constitution on the Church in the Modern World”


Jobe Abbass: “The Missing Link in the Legislative History of the CCEO Canons”

William Daniel: “Nullity of the Definitive Sentence Due to the Violation of the Right of Defense A Case Study”


Eugene Duffy: “Processes for Communal Discernment: Diocesan Synods and Assemblies”

Joseph Famerée: “True or False Reform: What Are the Criteria? The Reflections of Yves Congar”

Margaret O’Gara: “Seeing in a New Light: from Remembering to Reforming in Ecumenical Dialogue”

Henk Witte: “Reform with the Help of Juxtapositions: A Challenge to the Interpretation of the Documents of Vatican II.”