



PROCESS FOR THE INCARDINATION OF A CLERIC

Diocese of Great Falls-Billings

Canon 269§:

A diocesan bishop is not to allow the incardination of a cleric unless:

- 1° the necessity or advantage of his own particular church demands it, with due regard for the prescriptions of the law concerning the decent support of clerics;
- 2° he is certain from a legitimate document that excardination has been granted, and he also has in addition appropriate testimonials from the excardinating diocesan bishop, in secrecy if necessary, concerning the cleric's life, morals, and studies;
- 3° the cleric has declared in writing to the same diocesan bishop that he wishes to be dedicated to the service of the new particular church in accord with the norm of law.

In addition to the steps listed in Canon 269§, the diocesan bishop obtains official notification from the excardinating bishop that excardination has been or will be granted. The diocesan bishop also accepts the priest for a five-year probationary period, during which time the vicar for clergy will meet periodically with the priest seeking incardination to assess how he is adjusting to ministry in the diocese, and to address any concerns the incardinating priest may have about ministry in the diocese.

Once he has determined all this, the incardinating bishop is to issue a letter of incardination to the cleric and send official notification of this to the excardinating bishop.

In addition to these requirements of law, it is customary for the two bishops to reach an agreement on when the new diocese will assume financial responsibilities for the cleric, whether there will be reimbursement for educational expenses the former diocese may have incurred for the cleric, and what will be done concerning the cleric's retirement benefits. It is the responsibility of the diocese of incardination at the time of retirement to assure the pension of a cleric.

If a priest legitimately resides in a diocese for five years ("legitimately" means with the presumed permission of his bishop, and without the bishop of the new diocese asking him to leave for a just cause), he becomes automatically incardinated in the new diocese if:

- a) he informs in writing both his bishop of incardination and the bishop of the new diocese of his desire to change incardination (this can be done during the five years or after five years have elapsed, and the letters can be sent to the different bishops at different times);



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- b) neither bishop informs the cleric within four months that he opposes the change. If the cleric seeks incardination before the five years have elapsed, the bishops have four months after the end of the fifth year. If he seeks it after the five years have elapsed, the bishops have four months from the receipt of the letters;
- c) If either bishop is opposed, he must express this in writing.

A religious who seeks incardination in a diocese must seek an indult of departure from his order in order to be incardinated in a diocese. The steps taken by the bishop of the incardinating diocese would be the same as those listed above for a cleric seeking to change dioceses of incardination.

Promulgated April 1, 1999
By Bishop Antony Milone
Approved