

RAIMUNDUS LEO

Divina Miseratione et



Apostolicæ Sedis Gratia

ARCHIEPISCOPUS SANCTI LUDOVICI

**DECREE**

of

**EXTRA-JUDICIAL ADJUDICATION**

*In the matter of Sister Louise Lears, S.C.*

Whereas I have diligently examined and considered all of the elements and proofs of the Accusation, which have been assembled, certified, and inserted into the *Acta Processus et Causae* (hereinafter, *Acta*) of the extra-judicial penal process held regarding Sister Louise Lears (hereinafter, "the Accused"), of the Sisters of Charity, domiciled at 4540 Chouteau Avenue, in the City of Saint Louis, with the postal code of 63110-1545, who is presently accused, and who has been hitherto duly admonished, and given sufficient time for repentance of the commission of the delicts delineated in the *Decree of Summons to Appear and Canonical Admonition*, dated December 28, 2007; the *Summons to Appear and Canonical Admonition*, dated January 15, 2008; the *Notification of Accusation and Proofs and the Faculty to Exercise the Right of Defense*, dated January 17, 2008; and the *Decree of Final Admonition*, dated May 12, 2008, all of which documents have been duly issued, and lawfully and effectively notified to the Accused.;

Considering that 1) every baptized Roman Catholic of the Latin Rite is obligated, by the norm of can. 11 of the *Code of Canon Law*, to observe all ecclesiastical laws applicable in his respect; and 2) that the Accused is a baptized Roman Catholic in the Latin Rite (*Acta*, nos. 285-286);

Considering: 1) that anyone who obstinately rejects the doctrine *de Fide tenenda*, mentioned in can. 750, §2, and fails to retract said rejection after written admonition by his Ordinary, commits the delict treated in can. 1371, 1°; 2) that anyone who publicly imposes hands on a woman as part of a prohibited religious ceremony which is the simulation of the conferral of priestly ordination on the same woman (*Acta*, nos. 68-70; 71-72; 176-179; and 181-182), and publicly rejects by repeated, externalized words (*Acta*, nos. 87; 137-139; and 205), protests (*Acta* nos. 83-84; and 85-88), and contradictory examples, the truth *de Fide tenenda* that it is impossible for a woman to receive ordination to the priesthood, and refuses to comply with the terms of a canonical admonition requiring the same to retract that error opposed to the aforesaid definitive teaching of the Church, obstinately rejects the doctrine mentioned in can. 750, §2, and refuses to retract his error after written admonition by his Ordinary; and 3) that each of the aforementioned



essential elements of that delict referenced in cann. 750, §2, and 1371, 1°, are attributed to the Accused with moral certitude (cf. can. 1608, §1);

Considering: 1) that anyone who is guilty of prohibited participation in sacred rites commits the delict referenced in can. 1365; 2) that anyone who attends a public and religious ceremony of attempted ordination of a woman to the Sacred Priesthood; who publicly, as a woman, imposes hands on another woman, in reply to the invitation extended to “*ordained ministers*” to do so, in a ceremony which is the simulation of the ordination of the woman to the Sacred Priesthood (*Acta*, nos. 68-70; 71-72; 176-179; and 181-182); and publicly supports and states that she is “*proud*” of the attempted ordinands’ challenging of the truth *de Fide tenenda* that it is impossible for a woman to receive ordination to the priesthood (*Acta*, nos. 85-88); and 3) that the essential objective and legal elements of that delict referenced in can. 1365 are attributed to the Accused with moral certitude (cf. can. 1608, §1);

Considering: 1) that anyone who publicly incites the subjects of the Apostolic See or of an Ordinary to animosity or hatred toward the Apostolic See or an Ordinary because of some act of ecclesiastical power or ministry, or provokes the same subjects to disobedience against the legitimate authority of the Apostolic See or the Ordinary, commits that delict referenced in can. 1373; 2) that anyone who publicly foments discord among subjects against the Roman Pontiff and an Ordinary because of some act of ecclesiastical power or ministry (*Acta*, nos. 85-88), and who, as a religious sister, member of a “pastoral team” of a parish, and Coordinator of Religious Education, posits acts *per se* scandalizing (*Acta*, nos. 68-70; 71-72; 176-179; and 181-182) subjects of an Ordinary by leading them to participate in sacred rites which the same Ordinary has publicly reprobated as immoral and unlawful (*Acta*, nos. 207-210), and publicly and gravely manifests unjust disrespect toward and challenge to (*Acta*, nos. 85-88), the person and the authority of the Roman Pontiff and local Ordinary, publicly incites the subjects of the Apostolic See and an Ordinary to animosity or hatred toward the Apostolic See or Ordinary because of some act of ecclesiastical power or ministry, and provokes the same subjects to disobedience against the Apostolic See or Ordinary; and 3) that each of the aforementioned essential elements of that delict referenced in can. 1373 are attributed to the Accused with moral certitude (cf. can. 1608, §1);

Considering: 1) that anyone who externally violates Divine or Canon Law, which, because of its special gravity demands punishment, and which is coupled with the urgent need to prevent and repair scandal, commits that delict referenced by can. 1399; 2) that anyone who posits an act which *per se* is capable of inducing a soul to commit an objective mortal sin, and which act directly entices a number of Catholic faithful to lose membership in and full communion with the Roman Catholic Church (*Acta*, nos. 68-70; 71-72; 176-179; and 181-182), and which act directly can lead a great number of souls to imperil their eternal salvation, and which objective violation is not exclusively foreseen by another canon of Book VI of the *Code of Canon Law*, commits a violation of Divine or Canon Law, which, because of its special gravity, demands punishment, and which is coupled with the urgent need to prevent and repair scandal; and 3) that each of the aforementioned essential elements of that delict referenced in can. 1399 are attributed to the Accused with moral certitude (cf. can. 1608, §1);



Having that jurisdiction provided for in can. 1408, because the Accused is domiciled within the territory of the Archdiocese of Saint Louis;

Having that jurisdiction provided for in can. 1412, because the Accused has posited certain objective acts within the territory of the Archdiocese of Saint Louis which constitute objective delictual conduct;

Taking into account that more than one summons and notification (cf. can. 1720, 1<sup>o</sup>) and canonical admonition (cf. can. 1347, §§1-2), informing the Accused of the exact Accusation and extending the faculty of the same to exercise the right of defense, was delivered to the Accused, requiring her to appear before the Undersigned, so that the Accused might take cognizance of the alleged proofs and elements of the Process, so that she be held duly accountable for her very grave failings contradicting the Roman Catholic Faith and the sacred canons; and that, by means of such notifications, an extra-judicial penal process (cf. can. 1720, 1<sup>o</sup>) was lawfully initiated against the Accused in full accordance with the substantive requirements of the Natural and Divine Law;

Noting that: 1) the Accused and her Procurator and Advocate have been given access to each and every single element of the *Acta* of the instant case; 2) that the Accused has, either personally, and/or vicariously through her procurator, exercised her right of defense *ad informationem et ad contradictorium* on the dates of January 15, 2008; February 11, 2008; February 15, 2008; February 22, 2008; February 27, 2008; May 9, 2008; May 13, 2008; and June 4, 2008; and that recordation of said acts of exercise of the right of defense, and proof of the actual and legitimate notification of all decrees, summonses, admonitions, have been duly authored and issued by a Notary of the Archdiocese of Saint Louis, and authenticated and inserted in the aforesaid *Acta*, all in conformity with the procedural and substantive norms of Universal and Natural Law;

Notwithstanding the insufficiently demonstrated, fallaciously argued, and, at times, most disrespectful submissions, with attendant materials, in the *Defense Statement in Response to Accusations and Proofs and Canonical Admonition*, dated February 11, 2008; the *Letter and Addendum to Defense Statement of February 11, 2008*; and the *Defense Statement for Sister Louise Lears, S.C.*, all presented by the Accused, and Mr. J. Michael Ritty, the legitimately constituted Procurator and Advocate of the Accused;

Observing that the Accused, at the time when she posited the objective acts at issue, was presumed by operation of the law (cf. can. 15, §2), and is proven by reason of her religious formation, doctoral level of education, public ministry as a member of the "pastoral team" of a Roman Catholic parish, public charge as a Coordinator of Religious Education (CRE) of the Archdiocese of Saint Louis, and the notorious and public reproof of the Undersigned Archbishop of Saint Louis of any attempted ordination of a woman to the Priesthood, to have known that the objective acts which she deliberately committed were contradictory to a sacrosanct and infallible truth of the Roman Catholic Faith (cf. can. 750, §2), and the sacred canons which she has been accused of violating;

Considering that the Accused, and her legitimately constituted and approved Procurator and Advocate, Mr. J. Michael Ritty, have explicitly, on more than one occasion, made extra-judicial statements (cf. cann. 1535 and 1536, §§1-2; *Acta*, nos. 205 and 212) corroborated by other



elements and proofs, only confirming the occurrences, gravity, and consequent veracity of the *capita* of the Accusation (*Acta*, no. 192);

Noting, however, that the Accused has submitted a *Letter*, dated February 6, 2008 (*Acta*, nos. 211-214), and *Written Statement* (*Acta*, nos. 315-316), wherein she “*acknowledges*” the Apostolic Letter *Ordinatio Sacerdotalis* of the Servant of God Pope John Paul II of May 22, 1995; the *Responsum ad dubium* of the Congregation for the Doctrine of the Faith of October 28, 1995; and the 1997 Statement of the Catholic Theological Society of America contesting the nature of the authority of the teaching [against the priestly ordination of women] and its grounds in tradition; and failed to withdraw from contumacy as required by the Undersigned’s stipulations as set forth in the *Decree of Final Admonition*, dated May 12, 2008 (*Acta*, nos. 301-304), by reason of the Accused pertinaciously and contumaciously refusing to comply at least substantively with the first and third essential conditions of the aforesaid *Decree*;

Considering that the Accused has not withdrawn from contumacy in her objective delictual conduct, according to the plain requirements of can. 1347, §2; that she is, consequently, subjectively pertinacious and contumacious in her violations; and that, therefore, she has committed the aforesaid delicts without any exempting or mitigating circumstances (cf. cann. 1323-1324), with full and non-rebutted imputability (cf. can. 1321, §3), within the time limits established by the *Code of Canon Law*, concerning both criminal (cf. can. 1362, §§1-2) and penal (cf. cann. 1363, §§1-2; and 1720, 3<sup>o</sup>) actions and, therefore, that the conduct of the Accused is fully punishable.

**Therefore, exercising my lawful jurisdiction to hear and decide this case, after having weighed all of the proofs and the arguments with the help of two assessors (cf. can. 1720, 2<sup>o</sup>), and with God alone before my eyes, I, by this my definitive sentence, decide and pronounce, to the degree of moral certitude (cf. can. 1608, §1), that the Accused, Sister Louise Lears, of the Sisters of Charity, is guilty of having committed with malice each of the following delicts:**

- 1) Pertinacious Rejection of the Doctrine, of which can. 750, §2, treats, by one who does not make a retraction after having been admonished by the Ordinary (cf. can. 1371, 1<sup>o</sup>);**
- 2) Public Incitement of the Subjects of the Apostolic See or the Undersigned Ordinary to animosity, because of some act of ecclesiastical authority or ministry, and publicly provoking said subjects to disobedience against them (cf. can. 1373);**
- 3) An especially Grave Violation of Divine or Canon Law, leading to the infliction of spiritual harm and Particularly Grave Scandal, urgently requiring repair (cf. can. 1399).**

With respect to the accusation that Sister Lears has committed the delict of prohibited *communicatio in sacris* (cf. can. 1365), although the Undersigned has found said accusation to be morally certain in its objective and legal elements of commission, it is hereby decreed and provided that said charge against Sister Lears is denounced to the Holy See, by reason of the Congregation for the Doctrine of the Faith enjoying possible exclusive competence over final adjudication of whether or not said delict has been committed by the Accused in its additional subjective and punishable elements, inasmuch as the Accused may have committed reserved violations referenced in the *Epistula ad totius catholicae episcopos*



*aliosque ordinarios et hierarchas quorum interest: de delictis gravioribus eidem Congregationi pro doctrina fidei reservatis* (cf. *Congregatio pro Doctrina Fidei*, May 18, 2001, AAS 93 [2001], pp. 785-788).

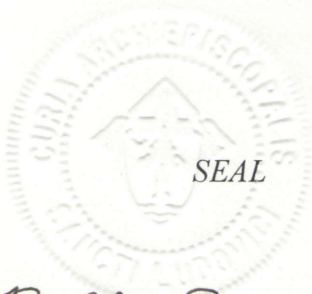
Wherefore, in the most sincere hope and with the prayer that the application of the due canonical penalties will lead the guilty party to seek the remedy of her very grievous sins and canonical delicts, I decree and impose the following punishments:

1) the just penalty of a *ferendae sententiae* interdict, for her public and pertinacious rejection of a teaching *de Fide tenenda*, and contumacious failure to retract after having been admonished by her Ordinary (cf. cann. 750, §2; 1371, 1°); and incitement of subjects of the Holy See and the Undersigned Ordinary unto strong discord and disobedience (cf. can. 1373);

2) the just penalty of a *ferendae sententiae* prohibition of reception of a mission in the territory of the Archdiocese of Saint Louis, effective immediately, for her having repeatedly and very gravely scandalized two women unto their final commission of the most grievous sins of schism and the simulation of ordination to the Sacred Priesthood, by which they have been thrown off the path to eternal salvation, and, in so doing, having given grave scandal to all of the faithful of the Archdiocese of Saint Louis (cf. can. 1399; cf. can. 682, §2).

Wherefore, Sister Louise Lears is hereby notified that, she may make recourse against this Decree of Extra-Judicial Adjudication before the Holy See, after she, first, requests from the Undersigned the revocation or revision of the same decree and sentence, within ten useful days from the lawful notification made to her of this decree (cf. can. 1734, §§1-2).

Issued and read, at Saint Louis, on the twenty-sixth day of June, in the Year of the Lord 2008.



*+ Raymond Leo Burke*

(Most Rev.) Raymond Leo Burke  
Archbishop of Saint Louis

*REV. MSGR JEROME D. BILLING*  
(Rev. Msgr.) Jerome D. Billing  
Chancellor