

Prot. No. 20103597

January 11, 2011

His Eminence, Mauro Cardinal Piacenza
Congregation for the Clergy
Piazza Pio XII 3
00193 Rome, Italy

Your Eminence:

I write in response to your letter of December 15, 2010 in the above captioned matter. Your letter refers to a Reverend Jerome **Lester**. We have no priest by that name. From the content of the letter, I presume that the issue is that of Reverend Jerome **Lanser** and I will provide additional information on that basis.

In 2004, Archbishop Timothy Dolan, my predecessor, submitted Father Lanser's case to the Congregation for the Doctrine of the Faith in accord with the norms of *Sacramentorum sanctitatis tutela*. In 2006, the Congregation authorized Archbishop Dolan to conduct an administrative penal process due to the gravity of the allegations of sexual abuse of minors by Father Lanser. Prior to the initiation of that process, the Archbishop was notified of Father Lanser's precarious health situation. He determined to suspend the canonical processes and order Father Lanser to lead a life of prayer and penance.

Regarding Father Lanser's financial condition, he continues to receive the full pension benefits of a retired priest of the archdiocese and is qualified for state-issued medical coverage, thus fulfilling the requirements of canon 281, §2. The additional support that was being provided by the archdiocese was over and above ordinary insurance. To the best of my knowledge, Father Lanser has partial ownership of his residence and the woman who is his caretaker and has lived with him for many years also shares in his household expenses. Therefore, his pension and Social Security benefits have been deemed sufficient for his ordinary living expenses.

As I worked with our legal counsel anticipating the possibility of bankruptcy over the last several months, we reviewed the entire financial picture of the archdiocese. We also studied the situation of other dioceses which had resorted to this drastic measure under the crushing weight of the financial burden that clergy sexual abuse of minors had created. In one diocese the Church was severely criticized for asking the court to allow continued payments of special benefits to priests removed from ministry because of sexual abuse of minors. In light of all of these factors, it was determined that ordinary pension benefits would continue for retired priests but that for some, who had been removed from ministry as a result of their own actions, additional special benefits could no longer be supported. This is Father Lanser's situation.

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I am not sure whether the Congregation has the additional information that archdiocesan personnel continue to provide pastoral and spiritual support to Father Lanser and as recently as last week made a pastoral visit to assess his situation. Archdiocesan personnel also assisted him in obtaining the zero-premium additional insurance that is available through the government when additional coverage through the archdiocese was no longer being provided.

It came as a surprise to me that the Congregation was unaware of the financial difficulties being experienced by the Archdiocese of Milwaukee. The Quinquennial Report which is cited indicated that, because ordinary income had not changed significantly over the years under examination but expenses had increased, it had become more of a challenge to balance the annual budget. It was not reported that there was any difficulty in providing for the ordinary support of clergy because there was no such difficulty then nor is there now. As was reported in 2004, retired priests are provided a monthly pension payment funded from a qualified pension plan. These payments are adjusted regularly. In addition, there is a monthly retirement benefit from the government if they paid into the system and a subsidized medical coverage from the government.

In reviewing the files I have also noted that in August 2006 the Congregation was informed of the potential for bankruptcy for the Archdiocese of Milwaukee under the burden of sex abuse lawsuits filed in the State of California. While we were able to avoid that drastic measure at that time, as you know from my most recent correspondence, this is no longer the case.

If this response is not sufficient and we are advised that Father Lanser should receive special benefits, I will be forced to resume the administrative penal process to attempt to sever our canonical relationship with him. He would still receive the same pension if this dismissal were the outcome of the case.

With sentiments of esteem, I am,

Sincerely yours in Christ,

+ Jerome E. Listecki

Most Reverend Jerome E. Listecki
Archbishop of Milwaukee

ADOM043457



CONGREGATIO
PRO CLERICIS

Vatican City, 15 December, 2010

Prot. N. 20103597

The Most Reverend Jerome Listecki
Archbishop of Milwaukee
3501 South Lake Drive
P.O. Box 070912
Milwaukee, WI 53207-0912
UNITED STATES OF AMERICA

Your Excellency,

This Congregation has received a request for hierarchical recourse from Rev. Jerome Lester, a cleric incardinated in the Archdiocese of Milwaukee. Rev. Lester informs the Dicastery that he is living a life of prayer and penance, and that he was recently informed by the Vicar for Clergy that as of 1 October 2010 he would no longer be receiving "charitable assistance" in the form of payment of insurance premiums for Medicare Advantage, dental and vision coverage, as well as the benefit of the Health Reimbursement Account.

It is not clear to the Congregation if Your Excellency is aware of the termination of benefits to Rev. Lester, and if Your Excellency concurs in such termination. The Dicastery therefore kindly asks for Your Excellency's own opinion, as well as any relevant information which may help to shed light on this matter. Of particular interest would be an explanation as to how the above mentioned insurance benefits are applied to the priests of the Archdiocese in general, and how these benefits can to be considered as "charitable assistance" in the case of Rev. Lester, and not as an obligation of the Archdiocese, according to the norm of c. 281 §2. It does not seem that he has been dismissed from the clerical state, and thus c. 1350 §1 would appear to be operative.

Furthermore, the Congregation is surprised to learn from the letter of the Vicar for Clergy that the Archdiocese of Milwaukee is experiencing financial difficulties. The last information which the Dicastery has received concerning the financial status of the Archdiocese was in conjunction with the last *ad limina* visit in 2004, in which there was no indication of any difficulty in providing for the clergy. Given its competence in this area, the Congregation would be most appreciative if Your Excellency would send an updated report which highlights the financial difficulties of the Archdiocese. Lastly, the Dicastery would call to Your Excellency's attention the priorities for the use of ecclesiastical goods, as established in c. 1254 §2, noting that the support of the clergy ranks second in importance only to divine worship.

I take this opportunity to renew my sentiments of esteem and with every best wish, I remain,

Sincerely yours in Christ,


Mauro Cardinal Piacenza
Prefect

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