



DICASTERO  
PER GLI ISTITUTI DI VITA CONSACRATA  
E LE SOCIETÀ DI VITA APOSTOLICA

Prot. n. 2566/2020

**DECREE**

**I. FATTISPECIE:**

1. In April 2023, the Most Rev. Michael Olson, Bishop of Fort Worth, Texas, received information from the Reverend Jonathan C. Wallis, Vicar General of the Diocese of Fort Worth, that the Reverend Mother Teresa Agnes (Gerlach) of Jesus Crucified, O.C.D., Prioress of the Holy Trinity Monastery in Arlington, Texas, had told him that she had violated the sixth commandment of the Decalogue with a priest from outside the Diocese of Fort Worth.

**II. Procedure:**

2. On April 24, 2023, Bishop Olson, issued a decree ordering the opening of an investigation in order to ascertain the truth of the facts regarding the allegations that Mother Teresa Agnes Gerlach, O.C.D., a perpetually professed member of the Order of Discalced Carmelites, had violated the sixth commandment of the Decalogue with an adult male.
3. On April 24, 2023, Bishop Olson separately decreed the following: "I, Most Reverend Michael F. Olson, Bishop of the Diocese of Fort Worth, place you in precautionary suspension from office" (*leave of absence*), which decree is the subject of the recurrent's recourse.
4. On May 4, 2023, the plaintiff sent the Bishop of Fort Worth a *remonstratio* requesting that the April 24<sup>th</sup> decree be revoked.
5. By decree dated May 5, 2023, the Bishop of Fort Worth responded to the *remonstratio*, rejecting the request and confirming his own decree of April 24, 2023.
6. Therefore, against the decree of April 24, 2023, Mother Teresa Agnes on May 19, 2023 sent her petition for hierarchical appeal to this Dicastery.

**III. OBSERVATIONS**

7. The appellant claims that the Bishop of Fort Worth's decree constitutes a precept of a penal nature.
8. However, the restrictions imposed were precautionary in nature not imposed as part of a penal trial or as part of an administrative penal process.
9. There is nothing in the Code of Canon Law preventing the competent ecclesiastical executive authority from issuing a precept under can. 49 CIC, which, at the same time, threatens provisions for non-compliance.
10. The recurrent argues that the diocesan bishop does not have the competence to execute such a precept. She argues that episcopal oversight is limited in canon 615 by the clause 'ad normam iuris.'
11. Mother Teresa Agnes further limits the bishop's vigilance to the matters contained in the following canons: 628 § 2 (on canonical visitation), 630 § 3 (on confessors), 637 (on rendering accounts in

matters of the administration of property), 667 § 4 (on seclusion), and 688 § 2 (on the confirmation of indult).

12. The appellant, however, ignores Canon 628 §§ 2-3 and Cor Orans (Articles 75 §3 and 80-83), which further outlines this special supervision by the diocesan bishop.

Canon 628 §§ 2-3:

*§2. It is the right and duty of a diocesan bishop to visit even with respect to religious discipline, 1) the autonomous monasteries mentioned in can. 615; 2) individual houses of an institute of diocesan right located in his own territory*

*§3. Members are to act with trust toward a visitor, to whose legitimate questioning they are bound to respond according to the truth in charity. Moreover, it is not permitted for anyone in any way to divert members from this obligation or otherwise to impede the scope of the visitation.*

13. This canon relates directly to canon 615, and gives the diocesan the right to visit a monastery *sui iuris*, “even with respect to religious discipline.”
14. Moreover, paragraph 3 clearly urges religious to answer truthfully the questions put to them so as not to hinder the visitation.
15. The canon does not limit the kind of questions concerning religious discipline that can be questioned. Certainly a serious infraction of the law in matters of governance, finance, and behavior must be considered as matters subject to the bishop’s investigation. This canon permits a visitation that has all the components of an investigation, but it does not determine how such visits that reveal disciplinary problems are to be resolved
16. The suspension of the plaintiff’s office as prioress was clearly administratively imposed for the welfare of Mother Teresa Agnes and the good of the monastery. The precautionary suspension from the office imposed on the recurrent and the accompanying restrictions were lawful, reasonable, necessary, and proportionate. They took into consideration her rights and, at the same time, took into account her admitted offenses as a religious.


#### IV. CONCLUSION

WHEREFORE, having evaluated the documents in possession of this Dicastery, and after hearing the opinion of the Congress of the same Dicastery on March 12, 2024, this *Dicastery for Institutes of Consecrated Life and Societies of Apostolic Life*, for the reasons above presented, with this Decree rejects, in accordance with canon 1739, the appeal of Mother Teresa Agnes, and, thereby reaffirms the validity of the decree imposing precautionary measures on the recurrent issued by the Bishop of Fort Worth on April 24, 2023.

Anything to the contrary notwithstanding.

Given at the Vatican, April 30, 2024.

  
João Braz Card. de Aviz  
Prefect

  
Sister Simona Brambilla, M.C.  
Secretary