



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 on four different occasions 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., had violated the sixth commandment of the Decalogue with an adult male.
3. On April 24, 2023, the bishop communicated with Mother Teresa Agnes via text message and telephone about his desire to meet with her on April 25, 2023 on a "grave matter of importance regarding the life of the Carmel." The bishop, after learning that Mother Teresa Agnes would undergo surgery on April 25, 2023, agreed that they would meet on April 24, 2023 because the bishop "wanted to speak with her prior to her being placed under the effect of anesthetic."
4. The meeting took place as planned, and during the meeting Mother Teresa Agnes confirmed the truth of the previous revelations made to the diocesan Vicar General. (The meeting was electronically recorded).
5. On May 2, 2023, the recurrent sent the Bishop of Fort Worth a *remonstratio* requesting that the April 24 decree be revoked.
6. By decree dated May 3, 2023, served on May 10, 2023, the Bishop of Fort Worth responded to the *remonstratio*, rejecting the request and confirming his own decree of April 24, 2023.
7. Therefore, Mother Teresa Agnes on May 16, 2023 sent to this Dicastery her petition received on May 19, 2023 for hierarchical recourse against the decree of April 24, 2023.

III. OBSERVATIONS

THE COMPETENCE OF THE DIOCESAN BISHOP.

8. The juridical relationship between the Bishop and the Monastery in question has been established by Can. 615, which reads as follows: *An autonomous monastery which does not have another major superior besides its own moderator and is not associated to another institute of religious in such a way that the superior of the latter possesses true power over such a monastery as determined by the constitutions is entrusted to the special vigilance of the diocesan bishop according to the norm of law.*

9. In 2020, the Carmelite community, located in the Diocese of Fort Worth, Texas, was one of the seven communities of Discalced Carmelite nuns petitioning this Dicastery to erect a new association of Discalced Carmelite nuns according to *Cor Orans* standards.
10. At the time of the petition, Arlington Monastery was under the jurisdiction of the Provincial of Discalced Carmelites and observed the 1991 Constitutions.
11. Thus, on August 10, 2020, the monastic community petitioned this Dicastery to be allowed to join the new *Association of Christ the King*, to be allowed to change its jurisdiction from the Provincial of the Discalced Carmelites "to that of our diocesan bishop, and to move from observance of the 1991 Constitutions to those of 1990."
12. This request was made by unanimous vote on October 17, 2018, of the nuns of Arlington Monastery, who agreed to submit themselves "to the special vigilance of the diocesan Bishop in accordance with Canon 615."
13. This request also received the written approval of His Excellency, Bishop Olson, as well as the Provincial of the Discalced Carmelites.
14. In Bishop Olson's letter of approval (Dec. 30, 2019) sent to this Dicastery, he stated, "I understand and accept the change in jurisdiction that this decision entails, whereby I and my successors will now retain jurisdiction over this monastery in accordance with Canon 615 and the responsibilities outlined in *Cor orans*."
15. On October 23, 2020, this Dicastery issued a decree accepting the request of the Discalced Carmelite Nuns of Arlington, made with the consent of the Superior General of the Discalced Carmelite Fathers and the acceptance of the Bishop of Fort Worth, to transfer from the special supervision of the Order of Discalced Carmelite Fathers to the Jurisdiction of the Bishop of Fort Worth, for the reasons presented.
16. With this act, canon 615 became the foundational basis of the bishop's claim to have the right and duty to exercise supervision over Arlington Monastery, a legal fact not disputed by Mother Teresa Agnes' appeal. **What is disputed is the scope and limits of this supervision, which are not agreed upon by either party.**
17. As noted above, Mother places limits on 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).
18. The appellant, however, ignores Canon 628 §§ 2-3 and cites Cor Orans (Articles 75 §3 and 80-83), which further outlines this special supervision.

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.
19. This canon relates directly to canon 615 cited above, and gives the diocesan bishop the right to visit the monastery, including the observance of religious discipline.
20. Moreover, paragraph 3 clearly urges religious to answer truthfully the questions put to them so as not to hinder the visitation.
21. 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 provided for as a matter for the bishop to investigate. 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.

22. Therefore, since the bishop had received information that the Prioress had admitted sins against the sixth commandment, Bishop Olson did the following

- on the basis of the Mother's admissions decided to initiate an investigation by issuing a decree on April 24, 2023 to further establish the facts and circumstances of the allegations;
- made a visit to the monastery to inquire in the presence of witnesses about the facts that Mother Teresa Agnes had revealed;
- questioned other sisters about their knowledge of these facts.

23. In addition, there is nothing in universal or particular law to support Mother Teresa Agnes' claim in her appeal that, in cases such as the present, "it is necessary to elect a new Superior in accordance with the law who can conduct the investigation itself, the diocesan bishop having no competence in this matter."

24. The April 24, 2023 decree initiating the investigation clearly provides the reason for the investigation, namely, Mother Teresa Agnes' violation of the sixth commandment of the Decalogue and the vow of chastity. Given the vagueness of her admissions, further investigation into the facts surrounding Mother Teresa Agnes' admission of sexual misconduct was needed.


IV. CONCLUSION

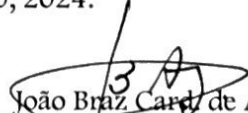
25. From the actions taken by Bishop Olson in response to Mother Teresa Agnes' admission that she violated her vow of chastity, the following can be inferred:

- that upon learning from the diocesan vicar-general of Mother's admission, the bishop immediately decreed the opening of an inquiry into the matter;
- that in the present matter, since the Prioress, who is the major superior of a monastery *sui iuris*, is the offender and given that her vicar was obstructing the investigation, therefore, it is the duty of the diocesan bishop who has special vigilance (canons 615, 628 2-3, Cor Orans, art. 83, b) over the Monastery to intervene and investigate the matter;
- that it has been shown that the decree opening the investigation did not lack constituent elements, particularly with regard to *fumus iuris*;
- that it is proven that the good name of the plaintiff was not unlawfully damaged (canon 220) by the decree, but that any damage caused was really "self-inflicted" by her pursuing the tactic of suing the bishop in the civil court.

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 issued by the Bishop of Fort Worth on April 24, 2023.

Anything to the contrary notwithstanding.
Given at the Vatican, April 30, 2024.


Sister Simona Brambilla, M.C.
Secretary


João Braz Cardelino
Prefect