

PASTOR AND PAROCHIAL ADMINISTRATOR

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Abstract. The in-house pastor of a parish, who exercises pastoral care for the community entrusted to him under the authority of the diocesan bishop, is the pastor. The diocesan bishop is to be concerned with securing the continuity of pastoral care in the parish in the event of a vacancy or inability to fulfill the pastoral ministry of the pastor. The article presents the canonical institutions of pastor and parish administrator and their relationship to each other. An attempt is made to answer the following questions-problems: what are the prerequisites for the appointment of a parish administrator? What rights and duties a parish administrator has? and what is the difference between the legal institution of pastor and parish administrator?

Keywords: pastor; parish; administrator; bishop; nomination.

INTRODUCTION

The institution of the parish has a long history, and from the very beginning it has played a fundamental role in the lives of Christians, in the development of their faith and in the pastoral ministry of the Church. The first mentions of it can be found in the epistles of St Paul which describe the establishment of small communities as house churches, usually referred to by the Apostle as *houses* (1Co 16:19; Rom 16; Col 4:15; Phm 1:2). These *houses* can be seen as the beginnings of the first *parishes*. From the beginning, the parish was a response to a specific pastoral need to bring the Gospel closer to the People of God through the proclamation of the faith and the celebration of the sacraments.¹

¹ Cf. Congregation for the Clergy, *Instruction 'The pastoral conversion of the Parish community in the service of the evangelising mission of the Church' of the Congregation for the Clergy* (20.07.2020) [hereinafter: IPC], <https://press.vatican.va/content/salastampa/en/bollettino/pubblico/2020/07/20/200720a.html> [accessed: 19.07.2025].

The parish is therefore the smallest part of the People of God, in which a person is incorporated into the Church through baptism and deepens their faith by listening to the word of God and celebrating the sacraments [Cañada Horno. 2000, 203]. The one who is the proper pastor of the parish entrusted to him, who exercises the pastoral care of the community entrusted to him under the authority of the diocesan bishop, is the pastor (pastor) [ibid., 204]. He is called to share the ministry of Christ so that for this community he may carry out the offices of teaching, sanctifying and ruling with the cooperation of other priests or deacons and with the assistance of lay members of Christ's faithful, in accordance with Canon 519 of the 1983 Code of Canon Law.²

The ecclesiastical authority is concerned with ensuring the continuity of pastoral care in the parish. "When a parish becomes vacant or when a pastor is prevented from exercising his pastoral function in the parish by reason of captivity, exile or banishment, incapacity or ill health, or some other cause, the diocesan bishop is to designate as soon as possible a parochial administrator" (Canon 539 CIC/83).

The aim of this article is to present the canonical institutions of the pastor and parochial administrator and the relations between them.³ An attempt will be made to answer the following questions: What are the grounds for appointing a parochial administrator? What are the rights and duties of a parochial administrator? And, what is the difference between the legal institutions of pastor and parochial administrator? The questions cited above are important because, in practice, there are misunderstandings regarding the appointment of a parochial administrator which are the result of failure to comply with canonical provisions in this matter.

1. REASONS FOR ESTABLISHING A PAROCHIAL ADMINISTRATOR

The ecclesiastical legislator addresses the issue of the office and person of the pastor, recalling that "the pastor (*parochus*) is the proper pastor (*pastor*) of the parish entrusted to him, exercising the pastoral care of the community committed to him under the authority of the diocesan bishop in whose ministry of Christ he has been called to share, so that for that same community he carries out the functions of teaching, sanctifying, and governing, also with the cooperation of other presbyters or deacons and with the

² *Codex Iuris Canonici auctoritate Ioannis Pauli PP. II promulgatus* (25.01.1983), AAS 75 (1983), pars II, pp. 1-317 [hereinafter: CIC/83]. English text: https://www.vatican.va/archive/cod-iuris-canonici/cic_index_en.html [accessed: 19.07.2025].

³ The article will only consider the institution of parochial administrator while the issue of a priest temporarily taking over the governance of a parish until an administrator is appointed will not be addressed (Canon 541 CIC/83).

assistance of lay members of the Christian faithful, according to the norm of law” (Canon 519 CIC/83). He is the proper pastor who performs the ministry of teaching, sanctifying and pastoral governance for this community. In order for the pastor to perform his office fruitfully, he should enjoy stability in his office for the good of souls, and therefore he should be appointed for an indefinite period. He may be appointed for a specific period only if this is permitted by a decree of the bishops’ conference (Canon 522 CIC/83) [Adamczyk 2024, 5-31].

When a priest is appointed by the diocesan bishop as pastor of a particular parish, he receives an ecclesiastical office, which the ecclesiastical legislator defines as function constituted in a stable manner by divine or ecclesiastical ordinance to be exercised for a spiritual purpose (Canon 145 § 1 CIC/83). The fact that the pastor holds an ecclesiastical office gives him certain rights, among which is the stability of office. Where someone has been appointed pastor of a particular parish by his diocesan bishop with effect from e.g. 1st June, the bishop should not suddenly and unilaterally decide in November that the person appointed will be appointed to the office of the pastor of another parish. This is a common-sense conclusion as the pastor is responsible for the spiritual welfare of the faithful of his parish and should therefore remain in this office for a long time so that he can get to know the faithful and their needs, and help them develop spiritually over the years [Mazur 2020, 96-99]. A random and constant transfer of pastors would obviously defeat this purpose [Caridi 2022].

Stability in the office of pastor is not synonymous with the quality of irremovability of the pastor, which was abolished by post-conciliar legislation. A pastor may lose his office and in fact does lose it [Sztafrowski 1992, 64-66]. The ecclesiastical legislator specifies the ways in which a pastor may lose his office: “a pastor ceases from office by removal or transfer carried out by the diocesan bishop according to the norm of law, by resignation made by the pastor himself for a just cause and accepted by the same bishop for validity, and by lapse of time if he had been appointed for a definite period according to the prescripts of particular law mentioned in Canon 522” (Canon 538 § 1 CIC/83).

Among the reasons for the loss of office by a pastor, the ecclesiastical legislator indicates ‘removal’ (*amotio*) [Jougan 1992, 35]⁴ while omitting ‘deprivation’ (*privatio*). Both situations are covered by the general provisions of the Code governing the loss of ecclesiastical office (Canons 184-196 CIC/83).

⁴ The new Polish translation of the CIC/83, approved by the Polish Episcopal Conference by Resolution No. 22/390/2021 of 18th November 2021, incorrectly and imprecisely translates the Latin word *amotio* from the typical edition of the CIC/83 as dismissal (*odwołanie*). However, *amotio*, *-onis* means removal (from office), which is not the same as dismissal.

Removal means depriving someone of the legal title to the office they hold, without granting a new one, which does not have to be of a punitive nature. On the other hand, deprivation of office is usually of a punitive nature. Removal may take place by virtue of the law itself or by a decree of a competent superior. The following are removed from an ecclesiastical office by the law itself: 1) a person who has lost the clerical state;⁵ 2) a person who has publicly defected from the Catholic faith or from the communion of the Church, and 3) a cleric who has attempted marriage even if only civilly (Canon 194 § 1 CIC/83). In the last three situations, removal is only possible if it is established by the declaration of a competent ecclesiastical authority (Canon 194 § 2 CIC/83).

“Privation from office, namely, a penalty for a delict, can be done only according to the norm of law” (Canon 196 § 1 CIC/83). It takes effect according to the prescripts of the canons on penal law (Canon 196 § 2 CIC/83).

Removal by decree is regulated in Canons 1740-1747 CIC/83. First, the ecclesiastical legislator introduces a general principle: “When the ministry of any pastor becomes harmful or at least ineffective for any cause, even though no grave personal negligence, the diocesan bishop can remove him from the parish” (Canon 1740 CIC/83). Then it specifies the specific reasons for removing a pastor from the parish in the form of examples: 1) a manner of acting which brings grave detriment or disturbance to ecclesiastical communion; 2) ineptitude or a permanent infirmity of mind or body which renders the pastor unable to fulfil his functions usefully; 3) loss of a good reputation among upright and responsible parishioners or an aversion to the pastor which it appears will not cease in a brief time; 4) grave neglect or violation of parochial duties which persists after a warning; 5) poor administration of temporal affairs with grave damage to the Church whenever another remedy to this harm cannot be found (Canon 1741 CIC/83).

In the following canons, the ecclesiastical legislator specifies in detail the manner of removing pastors from parishes (Canons 1742-1747 CIC/83). It should also be added that the decree of removal takes effect when it is communicated in writing (Canon 193 § 4 CIC/83). The effects of the decree are specified in detail in Canon 1747 CIC/83, which provides special protection for pastors struggling with illness.

The Code of John Paul II allows the diocesan bishop to transfer a pastor against his will. In such a case, however, the procedural rules set out in Canons 1749-1752 CIC/83 must be observed. When transferring pastors,

⁵ Pursuant to Canon 290 CIC/83, a cleric loses his clerical state in three situations: 1) by a judicial sentence or administrative decree, which declares the invalidity of sacred ordination; 2) by a penalty of dismissal legitimately imposed; and 3) by rescript of the Apostolic See which grants it to deacons only for grave causes and to presbyters only for most grave causes.

it should also be remembered that the prior office becomes vacant through the canonical possession of the other office unless the law provides otherwise or competent authority has prescribed otherwise (Canon 191 § 1 CIC/83). This creates certain difficulties when transferring several pastors at the same time. This is because the provision of an office which by law is not vacant is by that fact invalid and is not validated by subsequent vacancy (cf. Canon 153 § 1 CIC/83).

Resignation – and for it to be valid – must be submitted to the person who has the right to confer the office in question, either in writing, or orally in the presence of two witnesses (Canon 189 § 1 CIC/83). The superior should not accept a resignation that is not justified by a just and proportionate cause (Canon 189 § 2 CIC/83). A resignation lacks all force if it is not accepted within three months (Canon 189 § 3 CIC/83). A resignation can be revoked by the one resigning as long as it has not taken effect. Once it has taken effect, it cannot be revoked, but the person resigning may receive the office by some other title (Canon 189 § 4 CIC/83).

In the case of resignation from a parish, the resignation must be accepted by the diocesan bishop, which is required for its validity (Canon 538 § 1 CIC/83). From that moment on, it takes legal effect (cf. Canon 189 § 3 CIC/83). However, by its very nature, a notification of the acceptance of the resignation is necessary.

Upon reaching the age of seventy-five, the pastor is requested to submit his resignation to the diocesan bishop, who, after considering all the circumstances of the person and place, should decide whether to accept or postpone the resignation. The bishop is obliged to provide the person resigning with suitable support and housing, taking into account the norms established by the conference of bishops (Canon 538 § 3 CIC/83). Although the ecclesiastical legislator provides here for a request, the pastor should submit his resignation. If he fails to do so, the bishop may remind him of the applicability of Canon 538 § 3 CIC/83, but the mere fact of not submitting his resignation cannot be a reason for removing the pastor from the parish (IPC 72⁶). At this point it should be noted that other causes must be present, which are enumerated in Canon 1741 CIC/83. It will also be necessary to apply the canons regulating the procedure for removing pastors (Canons 1740-1747 CIC/83).

⁶ “When the good of the faithful requires it, even if there are no other causes for cessation, the Pastor who has reached 75 years of age, should accept the invitation from the diocesan Bishop to resign from the Parish. The presentation of the renunciation, upon having reached 75 years of age, is to be considered a moral duty, if not canonical, although it does not mean the Pastor ceases from his office automatically. The cessation of office occurs only when the diocesan Bishop has informed the said Pastor, in writing, of the acceptance of his resignation. For his part, the Bishop should kindly consider the resignation presented by a Pastor, if for no other reason than he has reached 75 years of age.”

When a pastor loses his office by the lapse of a specific period (Canon 522 CIC/83), the loss of office takes effect from the moment of written notification by the competent authority (Canon 186 CIC/83) [Sztafrowski 1992, 64-66].

The loss of office by a pastor in any of these briefly discussed manners results in a vacancy in the parish, which means that there is no pastor in the parish at the time being [Pavanello 2004, 176].⁷ This, in turn, creates a need for someone to exercise the office of pastor. With this in mind, the ecclesiastical legislator states: "When a parish becomes vacant or when a pastor is prevented from exercising his pastoral function in the parish by reason of captivity, exile or banishment, incapacity or ill health, or some other cause, the diocesan bishop is to designate as soon as possible (*quam primum*) a parochial administrator" (Canon 539 CIC/83). Two issues should be noted at this point. Firstly, the active subject here is the diocesan bishop, not the local ordinary, unless he has special authorisation. It seems that the diocesan administrator may also do so (Canon 525 CIC/83). Secondly, Canon 539 CIC/83 contains a certain inaccuracy here, namely that the appointment of a parochial administrator is the only option that exists in cases of *sede impedita*. In the event that a parish becomes vacant, the diocesan bishop does not have to appoint an administrator contrary to what is stated in Canon 539 CIC/83, but may also immediately appoint a new pastor (IPC 75⁸) [Coccopalmerio 2012, 234]. However, it seems prudent to appoint a parochial administrator also in the case of a parish vacancy, in order to proceed more calmly with the appointment of a new pastor (which requires the search and verification of a candidate for a given parish (pursuant to Canon 521 CIC/83), especially when the vacancy occurred suddenly, e.g. due to the death of the pastor or his removal from office by virtue of the law itself [Sánchez-Gil 2002, 1306].

Depending on the circumstances, the bishop may sometimes anticipate a vacancy or may be surprised by it (e.g. the pastor unexpectedly dies of a heart attack at a relatively young age, without having previously shown any signs of ill health). Where the bishop knows that a pastor is approaching retirement age or has serious health problems and is gradually becoming unable to perform his duties, he should seek his successor, pursuant

⁷ The legal institution of vacancy also applies to parishes and therefore must be applied to the office of pastor. A vacancy in a parish can only be discussed in a broad sense: a parish is not actually identified with the pastor, and even in the absence of a person holding the office, it continues to exist both from a legal point of view and in concrete human and spiritual reality. The reference to a vacant parish in some canons of the Code seems to serve to emphasise that the vacancy of the office of pastor has consequences for the parish as such. In reality, the absence of a pastor also creates a special situation for the parish, which should be regulated by appropriate provisions of both universal and particular law.

⁸ "If it is not possible to proceed immediately with the appointment of the parish priest, the appointment of parish administrators must be done only in conformity with what is established in the canonical norms."

to Canon 524 CIC/83. As a result, when the pastor resigns, his successor will already be prepared to replace him in office. Sometimes it happens or may happen that a pastor ends his term of office at the beginning of the working week, and the next day the new pastor takes over his duties, leaving no period of vacancy in the parish [Caridi 2022].

When a pastor dies unexpectedly or has to leave his office suddenly for another reason, the diocesan bishop will need more time to find his successor. The newly elected pastor will in the first place have to complete his previous tasks and then move to the new parish. In this situation, there will be a significant time gap between the former pastor leaving the parish and his successor arriving. This is where the person of the parochial administrator comes in [ibid.].

In the event that a pastor is removed by decree (Canons 1740-1747 CIC/83) is transferred against his will (Canons 1749-1752 CIC/83), the bishop may, depending on the circumstances, either first appoint a parochial administrator and then conduct the procedure in order to transfer or remove the pastor where it has been proven that his pastoral activity has become completely ineffective [Krukowski 2005, 451].

The ecclesiastical legislator also provides for other causes justifying the appointment of a parochial administrator in addition to a vacant parish, which are illustrative in nature (Canon 539 CIC/83), namely captivity, exile or banishment of the pastor, or inability to exercise his pastoral function. In such situations, the pastor is unable to perform his duties either completely (e.g. due to captivity, exile or banishment) or partially (e.g. due to ill health) [Sitarz 2013, 145⁹]. In such a situation, the bishop appoints a parochial administrator to perform all or some of the pastor's duties. The causes listed in Canon 539 CIC/83 are partly consistent with those listed in Canons 1740-1741 CIC/83 as causes for removing a pastor from office. The difference between them is that the causes listed in Canon 539 CIC/83 mean that the pastor cannot temporarily perform his duties, while Canons 1740-1741 CIC/83 refer to a situation where the pastor's activity has been ineffective for a long time [Krukowski 2005, 450-51; Coccopalmerio 2012, 234-35; Sánchez-Gil 2002, 1305].¹⁰

⁹ "Captivity (*captivitas*) should be understood not only that pastor's imprisoned but also house arrest (internment). Banishment (*relegatio*) means the removal of a pastor from his parish, combined with the prohibition of returning. Exile (*exilium*) usually means forced abandonment of a parish, diocese, or country. Incapacity (*inhabilitas*) is a state of a mental or physical nature that prevents a pastor from managing the parish and providing all or only some of the pastoral ministry."

¹⁰ While a parish vacancy is declared as a result of the death of the pastor or his cessation from office in accordance with the provisions of law (cf. Canon 538 CIC/83), the inability of the pastor to exercise his office may result from very different circumstances (captivity, exile

When listing examples of causes of *sede impedita* in a parish (captivity, exile or banishment, incapacity or ill health), the ecclesiastical legislator also mentions the possibility of ‘some other cause’ (Canon 539 CIC/83). At this point, the question should be asked: ‘What might be such other cause?’ In order to answer this question, it should be pointed out that it is neither possible nor necessary to examine and draw up a complete list of all other possible causes. It can simply be stated that any cause that prevents a pastor from performing his duties gives rise to the bishop’s obligation to appoint a parochial administrator. If, for any reason, a pastor is unable to perform his duties, it is necessary for another person to replace him in order to perform them. Otherwise, the faithful would suffer harm [Coccopalmerio 2012, 235]. It is clear that the existence of these ‘other causes’ is assessed by the diocesan bishop, who seems to be required to consult with the dean. These ‘other reasons’ may also include those related to canonical criminal law, such as the penalty of excommunication (Canon 1331 § 1 CIC/83), interdict (Canon 1332 CIC/83), or suspension (Canon 1333 § 1 CIC/83) imposed on the pastor [Sztolf 2020, 213].

It should also be added that both a parish vacancy [Pavanello 2004, 183]¹¹ and the inability of a pastor to perform his duties are treated in a similar manner in the Code. In both cases, it is the duty of the diocesan bishop – as well as the diocesan administrator or the person who temporarily administers the diocese (in accordance with Canon 525 CIC/83) – to appoint as soon as possible a priest called the parochial administrator to replace the pastor [Sánchez-Gil 2002, 1304].

2. DUTIES AND POWERS OF A PAROCHIAL ADMINISTRATOR

A parochial administrator is a priest who replaces the pastor pursuant to Canon 540 (Canon 539 CIC/83). He is bound by the same duties and possesses the same rights as a pastor unless the diocesan bishop establishes otherwise (Canon 540 § 1 CIC/83). In Canon 539 CIC/83, the ecclesiastical legislator introduces the concept of ‘parochial administrator’ instead of the vicar ecome (*vicarius economus* – Canons 472-473 of the 1917 Code of Canon Law¹²) and vicar substitute (*vicarius substitutus* – Canon 474 CIC/17) that existed in the Pio-Benedictine code [Sánchez-Gil 2002, 1306]. It should

or banishment, incapacity or ill health, or some other cause’, Canon 539 CIC/83), which may cause ‘varying degrees of incapacity’ and which require different treatment in each case.

¹¹ A parish vacancy is a legal reality, not just a simple fact. The purpose of the institution of vacancy in relation to a parish is to signal an exceptional situation, which is not so much an actual lack of pastoral care as the absence of a pastor as the proper pastor of the parish (Canon 515 CIC/83).

¹² *Codex Iuris Canonici Pii X Pontificis Maximi iussu digestus Benedicti Papae XV auctoritate promulgatus* (27.05.1917), AAS 9 (1917), pars. II, pp. 1-593 [hereinafter: CIC/17].

be added that the function of parochial administrator must not be performed by a person who is not in the sacred order of the presbyterate (deacon). This follows from Canon 150 CIC/83 (the parochial administrator has the same duties and rights as the pastor) and Canon 521 § 1 CIC/83 (to become a pastor validly, one must be in the sacred order of the presbyterate).

Therefore, a distinction must be made between the different situations of the parish and the pastor as discussed above. In the case of a vacant parish, it is obvious that a parochial administrator has all the rights and duties of a pastor because he must completely replace the person who is no longer there.

In the first place the Code lists the rights and obligations of the pastor, which are teaching, sanctifying, and governing. In defining the pastor, the ecclesiastical legislator points to three basic functions of the pastor, teaching, sanctifying and governing – i.e. shepherding and guiding the people of God (Canon 519 CIC/83). These functions are further specified in subsequent canons (Canons 528-529 CIC/83), although it should be remembered that this subject is also discussed in other parts of the Code, especially when it comes to the tasks of teaching and sanctifying, to which the legislator devotes separate books [Sztafrowski 1992, 54-56].

The ecclesiastical legislator lists the duties specifically entrusted to the pastor, which concern acts in the field of sanctification (Canon 530 CIC/83). Under normal circumstances, these are the functions that are indeed ‘especially entrusted to a pastor’ being at the same time his duties and powers. The pastor is responsible for their performance, and as a rule, consent is required for others to undertake these activities. This does not apply to parochial vicars as they are appointed to participate in the pastoral care of the pastor; however, pursuant to Canon 545 § 2 CIC/83, they perform their pastoral ministry under the authority of the pastor [Sztafrowski 1992, 56-57].

A pastor bound by a duty of residence (Canon 533 CIC/83) and of celebrating Mass for the parishioners (Canon 534 CIC/83), keeping parochial registers and parochial archives (CIC 535). The priest concerned has the right to remuneration (Canon 531 CIC/83) and annual leave (Canon 533 § 2 CIC/83). If the diocesan bishop judges, after he has heard the presbyteral council, that parishes should have pastoral councils, the pastor is obliged to establish such a body (Canon 536 CIC/83). He should also establish a parish finance council (Canon 537 CIC/83).

The ecclesiastical legislator confers the right to act on behalf of the parish in all legal matters, including the administration of ecclesiastical property solely on the pastor (Canon 532 CIC/83). It also requires compliance with the provisions of Canons 1281-1288 CIC/83 which define the rights and duties of administrators of church property and the performance of acts relating to the administration of goods [Sztafrowski 1992, 62-63]. In the

event of a vacancy in the parish, the administrator has the duties and rights listed above.

In the event of captivity, exile, deportation, etc., the parochial administrator must fully replace the absent or inactive pastor, with the exception of those functions which the pastor is able to perform despite the situation. In the event of incapacity or illness, it must be considered whether these circumstances cause the pastor to be completely or only partially incapable of acting. In the first case, the parochial administrator must replace the pastor in all his functions; in the second case, he must replace him only in those functions in which he is unable to act because he retains the office of pastor. This must be clearly stated in the document of appointment. This is the meaning of the last clause in Canon 540 § 1 CIC/83: “unless the diocesan bishop establishes otherwise.” Thus, the bishop must be very careful in deciding which functions to entrust to the parochial administrator because this is a delicate matter; he must entrust him only with those functions which the pastor is unable to perform [Coccopalmerio 2012, 235; Sánchez-Gil 2002, 1304].

The ecclesiastical legislator stipulates that the parochial administrator is not permitted to do anything which prejudices the rights of the pastor or harm parochial goods (Canon 540 § 2 CIC/83). The phrase “not permitted to do anything which prejudices the rights of the pastor” means that these rights must be preserved. Therefore, the parochial administrator may not take any action in which he waives, modifies or diminishes the rights of the pastor. The rights of the pastor are the rights of the parish as a legal entity and therefore, of the pastor *pro tempore* (for the duration of his office). To understand this rule, it should be noted that among parish activities, some are left to the free decision of the pastor, in the sense that he can decide on them in one way or another, e.g. on methods of catechesis or on the number of Masses celebrated on Sundays and holidays, etc. The administrator must not do anything that would infringe on the pastor’s freedom to decide on these matters at his own discretion. Infringement of the rights of the pastor means making a decision that the pastor might not have made. This is also the reason for the well-known rule contained in Canon 428 § 1 CIC/83: “When a see is vacant, nothing is to be altered.” The principle that “when a see is vacant, nothing is to be altered” is an important guideline for the parochial administrator in all circumstances; in the event of a vacant parish, but above all in cases where the parish is not vacant, and especially when the pastor is expected to take up his duties as soon as possible. However, it loses its validity where an urgent decision must be made for the obvious good of the faithful (if the administrator discovers a real abuse – e.g. improper handling of the Blessed Sacrament or theft of parish funds by a parochial employee – he should intervene immediately to mitigate the evil done) [Coccopalmerio 2012, 235-36].

Furthermore, the parochial administrator is ‘not permitted’ to take any actions that would cause damage to parochial goods. The interpretation of this clause is not straightforward as it is not only the administrator, but also the pastor and the bishop that are prohibited from taking actions that would result in damage to parish goods. It should be understood as a warning and an encouragement to the parochial administrator to manage the material assets of the parish with particular prudence. It should therefore be concluded that the parochial administrator should not undertake extraordinary administrative acts in the management of the temporal goods of the parish, including acts of alienation, unless it is a matter of urgent necessity [Krukowski 2005, 452].

After completing his function, the parochial administrator is obliged to render an account of his activities to the pastor in accordance with Canon 540 § 3 CIC/83.¹³ The report on the activities of the parochial administrator should be comprehensive and cover all aspects of the parochial life. If the pastor has any further questions about the situation of the parish and its parishioners, the parochial administrator should answer them, unless this would violate his pastoral duty of confidentiality or secrecy, e.g. of confession or official secrecy. This obligation on the part of the administrator does not apply in cases where the administrator managed a vacant parish or where the pastor was absent or deprived of the use of reason.

3. DIFFERENCES BETWEEN A PASTOR AND A PAROCHIAL ADMINISTRATOR

The ecclesiastical legislator states that “a parochial administrator is bound by the same duties and possesses the same rights as a pastor” (Canon 540 § 1 CIC/83). Many bishops or officials of the diocesan curia draw the erroneous conclusion that ‘parochial administrator’ and ‘pastor’ are synonymous terms, but this is not the case. If this were so, then ‘what would be the point of using two different titles?’ and ‘why not call both of them pastors and not have a problem with it?’

¹³ Canon 540 § 3 CIC/83 in Latin: “Administrator paroecialis post expletum munus parocho rationem reddat.” The new Polish translation of the CIC/83 translates this canon as follows: “After completing his task, the parochial administrator should submit a financial report to the pastor.” This translation is incorrect, inaccurate, and narrows the administrator’s duty to financial matters only. It is unclear why the translator added the word ‘financial.’ The intention of the ecclesiastical legislator is that the administrator should account for his activities as a whole, and not limit himself to financial matters. The previous translation by E. Szafrowski from 1984 was not free of errors (which is understandable), but in the new updated Polish translation of the CIC/83, Canon 540 § 3 has been mistranslated.

The instruction *Pastoral Conversion of the Parish Community* clearly states that: “In effect, the office [of parochial administrator] is essentially transitory and is exercised while awaiting the appointment of the new parish priest [pastor]” (IPC 75). On the other hand, No. 19 of the instruction *The Priest, Pastor and Leader of the Parish Community*¹⁴ reminds us that “where circumstances require it, and as a provisional measure, a parish may be entrusted to an administrator. It should be recalled, however, that the office of parish priest, which is essentially pastoral, requires fullness and stability. The parish priest must be an icon of the presence of the historical Christ. The demands of configuration to Christ underline the importance of this commitment.”

The function of parochial administrator in a parish is of a temporary nature, until the vacancy is filled by the appointment of a new pastor – which should not be deferred without a grave cause (Canon 151 CIC/83¹⁵) – or until the *sede impedita* situation ceases. In short, it is only a substitute, and therefore a transitional function that serves as a bridge for pastoral continuity in such circumstances where pastoral activity would be interrupted until a new pastor is appointed or the incumbent is restored to office. It should be clarified that the parochial administrator ceases his duties when the new pastor takes office or when, after the cessation of the pastor’s inability to perform his duties, he returns to his office, which should be included in the decree of the diocesan bishop [Sánchez-Gil 2002, 1306].

Meanwhile, pursuant to Canon 522 CIC/83, a pastor must possess stability and therefore is to be appointed for an indefinite period of time; the diocesan bishop may appoint a pastor only for a specific period if the conference of bishops has permitted this by a decree. Pursuant to No. 212 of the Directory for the Pastoral Ministry of Bishops *Apostolorum Successores*,¹⁶ “The salvation of souls is the supreme law which must guide the Bishop in appointing or removing pastors. For the true good of the faithful and for the serene exercise of the care of souls, pastors should enjoy a certain stability of office, and should therefore be assigned, in principle, for an indefinite period of time. Only with approval from the Episcopal Conference can a Bishop appoint a pastor for a temporary period. In such a case, the Decree of appointment must indicate the temporary nature of the particular assignment.

¹⁴ Congregazione per il Clero, Istruzione *Il presbitero, pastore e guida della comunità parrocchiale* (04.08.2002); English text: https://www.vatican.va/roman_curia/congregations/ccclergy/documents/rc_con_ccclergy_doc_20020804_istruzione-presbitero_en.html [accessed: 19.07.2025].

¹⁵ “The provision of an office which entails the care of souls is not to be deferred without a grave cause.”

¹⁶ Congregatio pro Episcopis, *Direttorio per il ministero pastorale dei vescovi Apostolorum Successores* (22.02.2004); English text: https://www.vatican.va/roman_curia/congregations/cbishops/documents/rc_con_cbishops_doc_20040222_apostolorum-successores_en.html [accessed: 19.07.2025].

The Bishop may not appoint a pastor for a shorter period than that indicated by the Episcopal Conference. Stability, however, must not become an obstacle to a pastor's willingness and availability to accept another parish if the good of souls so requires."

The instruction *Pastoral Conversion of the Parish Community* contains the following explanation: "As the Second Vatican Ecumenical Council affirmed, pastors should enjoy in their respective parishes that stability of office which the good of souls demands." As a general rule, therefore, a pastor should be 'appointed for an indefinite period.' However, the diocesan bishop may appoint pastors for a specific period provided that this has been established by decree of the Episcopal Conference. Given the need for the pastor to be able to establish an effective bond with the community entrusted to him, "it is fitting that Episcopal Conferences not establish too short a period, preferably no less than 5 years for a fixed-term appointment" (IPC 68). Thus, even when a pastor holds office on a temporary basis, the term of office should not be less than five years, which is already an appropriate time for developing long-term plans for evangelisation and implementing a dynamic pastoral ministry.

While the pastor performs his official duties with *potestas ordinaria propria*, the *potestas* of the parochial administrator is *ordinaria vicaria* because he exercises an office dependent on the diocesan bishop and assists the pastor (Canon 131 § 1-2 CIC/83¹⁷). However, the office of parochial administrator is not an ecclesiastical office within the meaning of Canon 145 § 1 CIC/83 as it lacks the criterion of stable manner, i.e. it is not established for an indefinite period of time, nor is it an institution independent of the person holding the office, which would continue to exist after the task has been completed (Canon 540 § 3) [Ahlers 2009].

A parochial administrator takes up his office without having to take possession of it, unlike the pastor: "the local ordinary or a priest delegated by him places the pastor in possession" (Canon 527 § 2 CIC/83).¹⁸ An administrator may be removed from office by the bishop at any time and without giving reasons, which cannot happen in the case of a pastor.

In analogy to the principle of *sede vacante nihil innovetur* (Canon 428 § 1 CIC/83), in the case of a vacancy in a bishop's see, the parochial administrator is not permitted to do anything that would legally restrict the pastor or harm the parochial property.

¹⁷ "§ 1. The ordinary power of governance is that which is joined to a certain office by the law itself; delegated, that which is granted to a person but not by means of an office. § 2. The ordinary power of governance can be either proper or vicarious."

¹⁸ Among ecclesiastical offices lower than that of bishop, the office of pastor is the only one where the Code provides for taking possession as the formal beginning of office.

Finally, the function of parochial administrator may not last too long. The instruction *Pastoral Conversion of the Parish Community* clearly states: "In effect, the office is essentially transitory and is exercised while awaiting the appointment of the new parish priest. For this reason, it is illegitimate for the diocesan bishop to appoint a parish administrator and to leave him in that position for an extended period of time, more than a year, or even permanently, in order to avoid the appointment of a parish priest" (IPC 75) [Pavanello 2004, 183-84]. The instruction also explains the reasons for introducing such a provision: "As experience shows, this solution is often adopted in order to circumvent the requirements of the law regarding the principle of stability for the parish priest, which constitutes a violation, with harm to both the mission of the priest and that of the community itself. Because of the uncertainty about the presence of a pastor, the parish is not able to program far-reaching evangelisation plans and must limit its pastoral care to mere preservation" (IPC 75). This is by all means a valid justification as it would be detrimental to the priest-administrator (continuous temporary status and numerous restrictions on activity can be a cause of discouragement) as well as to the community, which, in conditions of uncertainty about the presence of a shepherd, would not be able to develop long-term plans for evangelisation, being forced to limit itself to conservative pastoral care.

Meanwhile, in many dioceses, there has long been a practice of clergy receiving their first parish as parochial administrators. If everything seemed to be functioning well and there were no problems, after a year he would take over as pastor. Another 'practical' reason for appointing an administrator instead of a pastor may be that the clergyman is 'waiting in a queue' to take over as pastor, but is not yet ready to take office (e.g. he has a teaching job at a school, is involved in another ministry, or is on sabbatical leave), or the bishop may have other plans for the priest appointed as parochial administrator; perhaps after a year of work, he will receive another parish (he is a pastor 'on probation' or in the process of 'training'). These are all illegal practices, which are exposed by the instruction *Pastoral conversion*, stating that the bishop thus avoids appointing a pastor and, if it is found that the 'priest-administrator' (who is in fact the pastor in the bishop's intention) does not meet expectations, he has the possibility of removing him without any problems.

Cases of violations of canon law are even more drastic when particular legislation does not distinguish between the office of pastor and the function of administrator. These are enactments and therefore cover an abstract number of cases where the bishop, the author of the enactments, acts by virtue of his legislative power contrary to the law, illegally. By contrast, however, "if it is not possible to proceed immediately with the appointment of the

parish priest, the appointment of parish administrators must be done only in conformity with what is established in the canonical norms” (IPC 75).¹⁹

Here are a few examples of the norms: “Special support in parochial life should be given to women religious. The pastor or parochial administrator should conclude a written employment contract with women religious employed in pastoral ministry, specifying the type and hours of work and the conditions for fair remuneration;”²⁰ “A parochial administrator is not permitted to do anything which prejudices the rights of the pastor or can harm parochial goods” (Canon 540 § 2 CIC/83). “Bearing in mind the provisions of the Code, shepherds of souls, i.e. pastors and administrators are reminded that without consultation and agreement with the Diocesan Curia, they are not allowed to enter into contracts for the purchase of movable or immovable property, enter into agreements for the purchase or sale of church property, enter into real estate lease agreements, or take out or grant loans exceeding their own six-months’ income.”²¹

“Only the pastor or administrator is authorised to conclude, modify and terminate contracts”²² with parochial employees. “Missions play an important role in the renewal of parochial life, and pastors or administrators should organise them every 10 years.”²³ “Pastors and administrators are encouraged to establish community centres at parishes, which would enable young people and children to spend their free time and contribute to the integral development of their personalities.”²⁴ A classic example of violation of the universal law is the following provision: “A candidate for the office of pastor is generally first appointed as administrator,”²⁵ i.e. the administra-

¹⁹ It may seem surprising that the Directory of the Dicastery for Bishops for the Pastoral Ministry of Bishops *Apostolorum Successores* does not contain any mention of a parochial administrator, and it took more than a decade for an important clarification of this issue to appear in IPC 75. This seems to be a serious oversight.

²⁰ See *Pierwszy Synod Diecezji Opolskiej (2002-2005). Statuty i aneksy*, Opole 2005, statute 265, p. 107. The legislator equates an administrator with a pastor. An administrator is not permitted to do anything that might infringe on the pastor’s rights, such as concluding a written employment contract with women religious employed in pastoral care.

²¹ See *Pierwszy Synod Diecezji Opolskiej*. Aneks 24. *Instrukcja synodalna w sprawie zawierania umów dotyczących dóbr materialnych*, no. 2, p. 292. If the diocesan curia allowed it, an administrator would be able to break universal law.

²² *Pierwszy Synod Diecezji Gliwickiej. Statuty i Aneksy*, Opole 2018, statute 165, p. 40.

²³ *Ibid*, statute 273, p. 60. This is a bizarre rule. An administrator organises parochial missions every 10 years. So he serves in the parish for at least 10 years. Besides, parochial missions are a special event and should not be subject to an administrator’s decision.

²⁴ *Pierwszy Synod Diecezji Gliwickiej...*, statute 286, p. 63. What situation does an administrator put the pastor in if he creates a community centre in the parish that which the pastor would not want to create? This constitutes a violation of parochial rights, in particular the rights of the pastor.

²⁵ *Wsluchani w Ducha. Uchwały II Synodu Archidiecezji Katowickiej*, Katowice 2016, statute

tor is a pastor 'on trial.' "Parochial administrators are appointed for one year and their term of office is renewable for a maximum of three years. Appointments to the position of parochial administrator are made from among those who have applied for the position of pastor or by direct appointment by the archbishop. After successfully completing his service as parochial administrator, the priest may apply for the position of pastor."²⁶ This is a typical example of treating a presbyter as a pastor 'on probation' or 'in training.'

Finally, it is worth comparing the office of parochial administrator and that of parochial vicar. The former replaces the pastor while the latter is 'associated with the pastor' as his 'co-worker', assisting him (Canons 545 and 548 § 2 CIC/83). A parochial administrator is appointed in situations where there is a lack of pastoral activity and it must be exercised by another person in place of the pastor; whereas in the case of the appointment of a parochial vicar, pastoral activity is present, but the pastor needs assistance to exercise it properly. However, it should be remembered that a parochial vicar also replaces the pastor in the event of his absence and vacancy of the parish or an impediment to the pastor's ministry, pursuant to Canon 541 CIC/83 [Coccopalmerio 2012, 233].

CONCLUSIONS

The above considerations lead to the conclusion that a pastor is a shepherd who exercises the ministry of teaching, sanctifying and pastoral governance for this community. He may lose his office in situations specified by law, which leads to a vacancy in the parish. When a parish is vacant or the pastor cannot exercise his pastoral ministry in the parish, the diocesan bishop should appoint a parochial administrator as soon as possible (Canon 539 CIC/83).

A parochial administrator is a priest who has the same duties and rights as a pastor, performing the tasks of teaching, sanctifying and shepherding in his stead. Many people draw the wrong conclusions, equating 'parochial administrator' with 'pastor'. The office of parochial administrator is temporary (until the vacancy of the parish is filled) and is not an ecclesiastical office within the meaning of Canon 145 § 1 CIC/83 as it lacks the criterion of a stable manner that the office of pastor has. A parochial administrator is not permitted to do anything that might infringe on the powers of the pastor or harm the goods of the parish. His duties cease when a new pastor takes office or when the current pastor is no longer unable to perform

135, p. 51.

²⁶ Archdiocese of Los Angeles, *Administrative handbook – Roman Catholic Archdiocese of Los Angeles*, <https://handbook.la-archdiocese.org> [accessed: 08.12.2024].

his duties. After completing his task, the parochial administrator is obliged to submit a report on his activities to the pastor.

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