



February 3, 2020

Dear Pastors, Pastoral Leaders, Parish Administrators, and School Administrators:

As we begin the New Year of 2020, I would like to take a moment to highlight the necessity to be vigilant regarding legal matters.

We live in an environment where legal action, lawsuits, and all sorts of litigation are a constant threat and a reality of our daily life. **Canon 1288 stipulates that parishes or other diocesan corporations may not undertake civil legal action without the written approval of the Ordinary.** With so many competent and helpful legal people involved in parish leadership, this may be a requirement that can be accidentally overlooked in some situations. Please be aware of this provision of canon law.

Our standard operating practice is that **a parish or school should first contact the appropriate diocesan office for discussion and counsel prior to any contact with a legal firm.** For example:

Facilities & Properties-Director - (920) 272-8260

- Matters relating to properties, leases, and cemeteries

Human Resources-Employee Relations Coordinator - (920) 272-8216

- Matters relating to terminations for parish and non-contract school employees

Education-Superintendent of Catholic Schools - (920) 272-8273

- Initial contact for matters relating to school contract employees. The Office of Catholic Schools will consult with Human Resources in cases of termination.

The diocesan office can help you assess the situation, assist in determining whether legal counsel is needed, and facilitate getting permission from the bishop for legal action. Each department offers its own expertise.

In trying to mitigate our legal exposure as a Church and to minimize the costs associated with legal actions that do occur, we have “attorneys of record” who represent parishes, schools, and the Diocese on legal matters. The benefit of having designated attorneys of record is the consistency with which we approach legal matters and their institutional knowledge of past situations.

We hope that you will not face a situation that ultimately requires representation by an attorney. If, after consultation with the diocesan office, it is determined legal counsel is required, we want to use this opportunity to ensure your understanding of the attorneys of record for the Diocese of Green Bay. They are:

Davis & Kuelthau, S.C.

Lead attorney for the Diocese: Mr. Timothy J. Feldhausen

Davis & Kuelthau handles all legal matters with the exception of personnel policies/employee termination matters.

Davis & Kuelthau, S.C.

Lead attorney for the Diocese: Mr. Robert W. Burns

Davis & Kuelthau handles all matters pertaining to personnel policies and employee terminations for the diocesan campus, parishes, and schools. Please be aware that the provisions of our insurance policy require pre-termination review by Davis & Kuelthau in order for coverage to be available in case of a subsequent legal action.

Law Office of Peter C. Brehm

Lead attorney for the Diocese: Mr. Peter C. Brehm

Law Office of Peter C. Brehm handles all matters pertaining to property, leases, contractual and group ruling applications, tax exempt status.

We again ask that you always contact a diocesan office before contacting one of our diocesan attorneys. Secondly, please be sure to be aware of the “attorneys of record.” *If you wish to have legal work undertaken by someone other than one of these three firms mentioned above, please clear with me in advance.*

Please call if you have any questions.

Blessings on you and those you serve,



Father Dan Felton

Vicar General and Moderator of the Curia

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