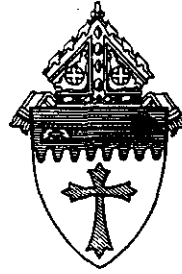


## Office of the Tribunal

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## Diocese of Erie

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June 25, 2001

Reverend Charles J. Higgins  
Office of Ministerial Personnel  
Archdiocese of Boston  
2121 Commonwealth Avenue  
Brighton, MA 02135-3193

Dear Father Higgins:

Thank you for meeting with me last Thursday at your office and for facilitating my review of the file concerning Reverend James J. Foley. I was able to meet with Father Foley later that same day. A number of issues and questions arose in our discussion that I wish to share with you at this time.

First, Father Foley restated to me what he had shared with you about his present residence at St. Patrick Rectory in Natick. He is aware that a new pastor will be named in the near future. Father Foley is not concerned that the change in pastors will have any significant impact on his residence. He is content to remain at St. Patrick Rectory until his lack of a ministerial assignment is resolved, something that he hopes will occur in the near future.

I shared with Father Foley that according to what I read in his file the possibility of an assignment in which he would be able to minister in a non-parochial setting away from the presence of youth has not been precluded. Father Foley was under the impression that the Review Board had decided against the possibility of any future assignment. I explained to Father Foley that the Review Board is an advisory body and does not have the authority to make such a determination. I further noted that the final decision for an assignment rests with His Eminence, Cardinal Law.

Father Foley shared with me his frustration over the length of time it has been since he was accused of sexual misconduct with a minor. He has cooperated with the evaluation process, the residential and outpatient therapy, and all other requests made of him. The mere fact that he has been without an

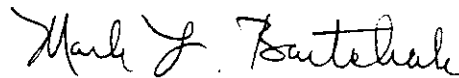
assignment or faculties since September 1999 has been a source of anxiety and frustration. Father Foley is trying his best to be patient in awaiting an assignment from His Eminence, the Archbishop of Boston. However, he is rightly concerned that waiting for an indefinite time is at the very least wearing on his emotional health and at worst is a matter of injustice.

Father Foley cannot wait indefinitely for a decision concerning an assignment to some form of ministry. I would suggest that a letter in response to these issues would go a long way in addressing his concerns. The letter might simply indicate that some form of restricted ministry is not precluded in his case and that it is a matter of finding an appropriate assignment. If such a restricted assignment is precluded and will not be forthcoming in the near future, he asks that it be communicated to him in writing. In such case, Father Foley will consider initiating a process to vindicate his rights in accord with the norm of law.

I hope that this follow-up to our meeting is helpful. I welcome any opportunity for further communication, including a phone call, especially if you might have any questions or suggestions that I can share with Father Foley. Again, thanks for your time and gracious hospitality at our recent meeting in Boston.

With every best wish, I am

Sincerely in Christ,

A handwritten signature in dark ink, appearing to read "Mark L. Bartchak". The script is cursive and fluid.

Rev. Msgr. Mark L. Bartchak, JCD  
Advocate