

December 14, 2005

Dear Archbishop Dolan,

Let me begin with the familiar salutation of our late Holy Father: "May Jesus Christ be praised! Now and forever. Amen." I trust your celebration of the Advent time has been fruitful and blessed. I am reading again this Advent the wonderful book of John Saward, *Redeemer in the Womb* published by Ignatius Press. I can't recommend it enough! My only sadness is that I am unable to share it with others in the homilies for the Advent Season.

First, let me state that it has never been my intention to see you, Archbishop Dolan, or anyone in the Chancery or the Archdiocese as an adversary during the past three years. I just wanted to exercise my rights as a pastor and priest as stated in Church Law. I'm sure you and the Archdiocese would expect that of any priest in these circumstances.

Archbishop Dolan, the past three years have been extremely difficult for me and would have been impossible without a number of priest friends like Fr. Dick Talaska and Fr. Dave Filut, both classmates of mine. Their support and friendship (we've been friends since 1956) has exemplified priestly fraternity. My family has been heroic in their care, love and concern for me. I've heard from friends with whom I'd long lost contact.

Many parishioners of Blessed Sacrament Parish and former parishioners from the other three parishes it was my privilege to serve since 1968; have contacted me by mail and phone in the aftermath of the public announcement made in August of 2002. They have continued to offer support and encouragement through their prayers, calls and cards even today as I open my Christmas cards. (I have discouraged suggestions of petitions or phone campaigns or groups going to the Chancery on my behalf because I've felt this should be settled in the canonical process and not in the press. I have always refused requests for interviews by the press as well.) And I can honestly say I have had not one negative or mean-spirited call or letter from anyone in these three years.

In the last 70's I did have some serious problems that required not only spiritual help but psychological as well and I met with a Catholic psychiatrist for a period of several years. With his help, medication and a good spiritual advisor I was able to become a stronger person and a better priest. With God's grace I has reformed and have been able to be faithful to my priestly vows. I believe this is the impression I have made on people I have served in parish ministry. As you yourself sometime experience, people will bring up some moment or problem in which you were able to "be priest" for them and they have never forgotten it. I've had many such reminders from people who wanted me to know that they remembered and were grateful.

Last Thursday, the Feast of Mary's Immaculate Conception, my younger sister Therese brought my parents, Alex and Esther, to my apartment for Mass. (Joe Hornecek had given permission for my family to attend my celebration of Mass in 2002.) Afterward I took my folks to lunch before I took them home. Although they are aware of some facts

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of my situation, I have not shared with them all of the process we are now or have been undergoing, because at their age (Dad was just 87 and Mom will be 85 on December 21) they sometimes are confused or forget and this becomes very painful for them.

At lunch they brought up a subject we had talked about before: would I be able to preside at their funeral Mass and those of their family. My parents are in very good health considering their ages, as Dad still drives (though not at night) and Mom still shops. We celebrated their 65th wedding anniversary in October. Dad has six brothers and sisters still living (my aunt Jessie turned 96 in September) and Mom has three siblings living (her oldest sister is 88). Their children (my cousins) have also inquired about my ability to not only preside at funerals, but anoint if necessary or bring Holy Communion if requested. So far there have been no emergencies or requests for these services.

I noticed this question surfaced in the *Draft Report and Recommendations of the Ad Hoc Committee on the Equitable Treatment of Clergy*: “. . . there were questions about what role might be appropriate for the cleric to undertake in certain limited circumstances such as the death of a relative or close friend, and possibly his wish to make some pastoral contact with those grieving or to celebrate some sacramental milestone for a family member or close friend.” Besides my elderly relatives, I still have a niece (Lara) soon to be engaged and two nephews (Tim and Chris) whom I assume will want me to witness their future marriages.

Archbishop, I obviously have read the document from the Congregation for the Faith. I hope we can end the canonical process with the alternative solution proposed by that Congregation. I want to be able to celebrate Mass privately as I have been doing for the past three years. I am older enough in years of ordination to find even in Mass celebrated privately the grace and strength only Christ in the Eucharist can bring. I would like to be able to take care of the occasional pastoral needs of family and close friends. I stand by my years of fruitful ministry in this Archdiocese. I am not a threat or a danger to anyone. One of the greatest comforts in the fall of 2002 was the awareness that the school kids were praying for me. Together we had built a new gym and they were so very grateful for all the time and energy that it required from me and rest of the parish of Blessed Sacrament.

I have framed this letter to you within the context of the advise my civil attorneys and Fr. Woestman, my canonical advisor, have given me. I trust this letter will have your patient and pastoral understanding.

My prayers and best wishes to you, Archbishop, for a Blessed Christmas and Joyous New Year!

Sincerely,



792. Jim Jablonowski
August 24, 2002 Jim Jablonowski is called by Vicar who reads to him the statement to be read at all Masses this weekend at Blessed Sacrament Parish re his need to leave active ministry effective immediately. Hornacek also reads the media release statement to Jim and records the parish statement on Jim's voicemail. Jim will call Bishop Sklba to ask whether the number 20 years can be changed to 25. Vicar also encourages Jim to speak to Bob Turner.
JFH
633. James Jablonowski
On Monday, August 26, 2002 I contacted Father Jerry Hessel of St. Mary Czestochowa Parish in order to alert him to the fact that the abuse seems to have occurred in connection with students of St. Mary Czestochowa Parish sometime during the 1970's. My intention was to provide formal notification so that he might be sensitive to indications of other victims in the area or associated with the school population.
RJS
- ✓772. James Jablonowski
On October 30, 2002 in the context of a visit to Blessed Sacrament Parish in preparation for the celebration of their 75th anniversary scheduled for November 17, 2002 I became very concerned about the ongoing relationship of Father with boys in the parish and directed that anything beyond vague suspicion be reported to civil authorities immediately.
RJS
1001. Jim Jablonowski
November 11, 2002 Jim Jablonowski is seen by Vicar and issued a precept restricting public ministry and contact with former parishioners and employees of Blessed Sacrament Parish. Vicar allows Jim to have his parents attend his private Mass in his residence. His spirit is cooperative and respectful. He has lost some weight which is a good thing but has experienced recent problems with elevated blood pressure and cholesterol levels.
JFH
- ✓806. James Jablonowski
On November 17, 2002 in the context of the celebration of the 75th anniversary of Blessed Sacrament Parish, I was approached one of the staff who expressed her concern for Fr. Jablonowski's welfare, but also some disagreement with any continuing relationship between him and the children of the parish especially the young individual who has driven Father's car and continued a friendly relationship subsequent to Father's departure from the parish ministry. The following day I had an extended conversation with Fr. Jablonowski himself in which I reported how much he had been in my thoughts and prayers during anniversary mass and celebration. He said that his days are busy with personal prayer and reading, care for his elderly parents, and working with the estate of an elderly woman who had become a friend over the years. I underscored the necessity of his staying away from the parish and its youth after his departure from the active exercise of the pastorate.
RJS



CONGREGATIO
PRO DOCTRINA FIDEI

00120 Città del Vaticano,
Palazzo del S. Uffizio

1 August 2005

PROT. N. 137/03 – 19050
(In responsione fiat mentio huius numeri)

Your Excellency,

This Congregation for the Doctrine of the Faith has received the requested *Votum* from the Promotor of Justice of your Excellency's Archdiocese regarding the case of **Rev. James N. JABLONOWSKI**, a priest of your Archdiocese accused of the sexual abuse of minors, who has made recourse against his removal from his parish (can. 1740 *CIC*).

After having carefully examined the above mentioned *Votum* and in the light of Your Excellency's comments, this Dicastery rejects the cleric's recourse. And furthermore, grants the derogation from prescription established under art. 5 §2 of the *motu proprio Sacramentorum sanctitatis tutela* and authorizes you to initiate an administrative penal process in accordance with can. 1720 *CIC*. Your Excellency is therefore kindly requested:

- 1) to inform the accused of the allegations and proofs, while affording him the opportunity, via his canonical advocate, of a proper defence;
- 2) to evaluate accurately all the proofs and the evidence with the assistance of two assessors who are competent and renowned for their prudence;
- 3) to issue a decree in accordance with cc. 1342-1350 *CIC*, if the delict can be proven with certainty. The decree should contain the reasons *in iure et in facto*.

If you are of the opinion that the accused should be *dismissed from the clerical state* or have some other *perpetual penalty* imposed upon him, you are requested to refer the matter to this Congregation. Should a decree imposing such a penalty be issued by this Dicastery *in Congressu Particulari*, the accused would have the right to make recourse to the Ordinary Session of the Cardinal and Bishop Members of this Congregation (*Feria IV*).

./.

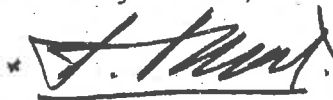
His Excellency
The Most Reverend **Timothy M. DOLAN**
Archbishop of Milwaukee
Office of the Archbishop
3501 South Lake Drive
Milwaukee, WI 53207-0912, U.S.A.

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If should also be noted that this Dicastery is not opposed to an alternative solution. Having considered that Rev. Jablonowski is 63 years of age and that no new accusations have emerged in almost 30 years; Your Excellency may consider imposing a penal remedy upon the cleric (cfr. can. 1348 *CIC*) while accepting his proposal to enter into retirement. In addition, Your Excellency may determine and monitor the faculties that Rev. Jablonowski could exercise as a retired priest (cfr. can. 223, § 2 *CIC*). If Your Excellency deems this avenue inopportune, an Administrative penal process could be initiated.

With prayerful support and best wishes, I remain

Yours sincerely in Christ,

A handwritten signature in black ink, appearing to read 'A. Amato', written over a horizontal line.

✠ Angelo AMATO, SDB
Titular Archbishop of Sila
Secretary

COPY

Prot. No. 137/2003 - 17421

July 30, 2003

His Eminence Joseph Cardinal Ratzinger
Congregation for the Doctrine of the Faith
Piazza del S. Uffizio 11
00193 Rome, Italy

Your Eminence:

In response to the request for data regarding the removal from the office of pastor of Reverend James N. Jablonowski, I am enclosing the *Acta* from that case.

In addition, in accord with the norms of *Sacramentorum sanctitatis tutela*, I am submitting for your consideration the fact that Father Jablonowski has been accused of multiple acts of sexual abuse of minors. The summary of these allegations is enclosed. Father Jablonowski has neither admitted nor denied that these acts of sexual assault occurred. We were in the process of compiling this material for submission to the Congregation when your letter of July 10, 2003 arrived.

There had been no previous reports regarding Father Jablonowski. However, in light of the statement of the Holy Father that there is no place in ministry for a priest who has abused a minor and as a consequence of the USCCB Charter and Norms, it is clear that he will never be able to assume any public ministry. X

As we have reviewed the various files, it is clear that when he did allegedly engage in sexual abuse, he also abused his office both to gain access to vulnerable boys and to elicit the trust of their parents. Our new found awareness of the severity of damage caused by sexual abuse at the hands of clergy makes it impossible for us to ignore this situation.

ADOM013030

Prot. No. 197/03 - 16955

His Eminence Joseph Cardinal Ratzinger
Congregation for the Doctrine of the Faith

page 2

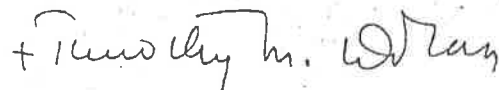
Given the nature of the alleged sexual abuse, along with the serious abuse of office, I have pondered long and hard to arrive at an opinion about the most appropriate action to be taken. I have met personally with each of the alleged victims and find them credible. I have been moved by their continuing attachment to the Church despite the devastating effects that this alleged abuse has had on their lives. We have expended diocesan financial resources to try to assist them toward healing and recovery. In order that justice may be made manifest and healing of the victims and the Church may proceed, I am asking that Reverend James N. Jablonowski be dismissed *ex officio* from the clerical state. Whatever financial needs he may have can be provided for from a fund that we can establish.

If the judgement of Your Eminence is that this case should proceed to a dismissal by decree of your Congregation, I would cede to that judgement. Furthermore, if it is your judgement that this case should proceed through a canonical penal process, I ask that you advise us if the Congregation will call the case to itself or assign it to our local Tribunal personnel. We stand ready to draw on the services of canonists who have been specially trained for these processes by the most competent Monsignor Charles Scicluna. I also humbly request a dispensation from prescription as well as a sanation of any procedural errors that may have occurred during the time this case was under investigation. The severity of the offenses is such that it is my opinion that these requests are justified.

I look forward to your further instructions in this matter.

With sentiments of deepest esteem, I am,

Sincerely yours in Christ,

A handwritten signature in dark ink, appearing to read "Timothy M. Dolan". The signature is written in a cursive style with a cross at the beginning.

Most Reverend Timothy M. Dolan
Archbishop of Milwaukee

ADOM013031

JOHN A. FIORENZA

Reserve Judge

NEWPORTE SQUARE BUILDING
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FAX (262) 240-4414

PEWAUKEE OFFICE
N19 W26702A Milkweed Lane
Pewaukee, WI 53072
(262) 695-2764

REPORT OF INVESTIGATION CONCERNING JAMES M. JABLONOWSKI

INVESTIGATION: I contacted [REDACTED] and made an appointment with him. He and his uncle, [REDACTED], met with me on July 23, 2002. I gave Mr. [REDACTED] a copy of the Archdiocese Sexual Abuse Intake Report and the District Attorney's Office Inter-Office Communication concerning Mr. [REDACTED]'s complaint. Mr. [REDACTED] made an oral statement to me, which I reduced to writing and subsequently sent it to him for approval. The memorandum is attached.

I contacted Mr. [REDACTED] and pursuant to his request I sent him a copy of the Archdiocese Sexual Abuse Intake Report on July 23, 2002 and the District Attorney's Office Inter-Office Communication. Mr. [REDACTED] then contacted me and we arranged to meet on July 31, 2002. The memorandum concerning our meeting is attached. As you can see, he did not wish to make a statement concerning the facts of this incident at that time.

On August 15, 2002, I had a telephone conference with Mr. [REDACTED] and he did make a statement concerning the incident, which I have reduced to a memorandum which is attached.

I contacted Attorney Thomas Brown who represents Father Jablonowski. He had indicated that he had not seen the Archdiocese Sexual Abuse Intake Statement nor the District Attorney's Office Inter-Office Communication. Copies of these documents were sent to Attorney Brown on July 23, 2002. I have inquired as to whether or not Father Jablonowski wishes to make any statement to me or be interviewed however Attorney Brown and his partner, Attorney Raymond Dallosto, have indicated that Father Jablonowski did not want to be interviewed. They have sent me a statement on behalf of Father Jablonowski. The statement is attached.

FINDINGS OF FACT: Based upon the investigation which I have had and using the burden of proof standard of a preponderance of evidence, rather than the higher standards of clear and convincing or beyond a reasonable doubt, I do find as follows:

1. That while [REDACTED] was a student from the fifth to the eighth grades at St. Mary's Czestowhowa Parish School, he was befriended by Father James Jablonowski.

2. That many times Mr. [REDACTED] was taken out of his classroom by Father Jablonowski and taken to his room at the Rectory.
3. That at times Father Jablonowski would also take Mr. [REDACTED] up to his cottage in Fredonia.
4. That at various times at these meetings with Father Jablonowski, Father Jablonowski would perform oral sex on Mr. [REDACTED].
5. That at various times Father Jablonowski would request that Mr. [REDACTED] use his foot to stimulate him and make Father Jablonowski ejaculate.
6. That Mr. [REDACTED] was a student at St. Mary's Czestowhowa Parish School.
7. That Father Jablonowski would single out Mr. [REDACTED] and at times brought him to his cottage.
8. That Father Jablonowski performed oral sex on Mr. [REDACTED] at the Rectory, his cottage, and at Father Jablonowski's aunt's home.
9. That Father Jablonowski requested Mr. [REDACTED] to use his feet to massage Father Jablonowski's penis until he ejaculated.
10. Father Jablonowski sexually abused [REDACTED] and [REDACTED] while they were students at St. Mary's Czestowhowa Parish School.

RECOMMENDATION:

It is hereby recommended that Father Jablonowski be removed from all Parish duties and consideration should be given to terminating his position as a priest.

Dated this 20th day of August, 2002.


John A. Fiorenza

1060. Jablonowski, James

He came to give me a report on his situation at Holy Assumption in West Allis. The relationship between him and Father Biegler is becoming strained. Biegler would like to see him reside at the parish and answer phones and doors regularly. Biegler, he claims, is very noncommunicative and wants to be "the boss" in everything. Jablonowski said that some of the parishioners are beginning to complain about this. The parish is already \$45,000 in the red. Basically, Biegler preached at all the masses about the financial situation and asked the people to add one dollar to their weekly donation. Jablonowski claims that in fact the collections fell off after that talk. He said that it is very difficult to communicate directly on things with Biegler who avoids discussion, etc. Jablonowski claims that Biegler laughs at the parish council and says go ahead and deliberate all you want, but things will be my way. Jablonowski said he is feeling better this year and that he would like to apply for a parish in the springtime. He does not feel that Holy Assumption needs an associate given the help that Biegler has from Msgr. Busch. Recently, the trustees wrote a letter inquiring as to what Jablonowski was doing for the youth. This letter was referred to him by Biegler and Jablonowski confronted the trustees with the facts of what he is actually doing. Both trustees were embarrassed and confided to him their concerns about Father Biegler's leadership. I told Jablonowski to let me know if I could facilitate a conversation between him and Biegler about some of these matters.

11/14/83

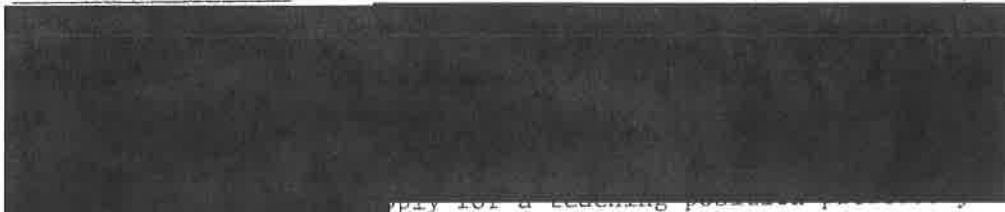
68. Jablonowski, James

He came to see me to "update" me about his situation. It seems like there is a real tension going on between him and Father Biegler who obviously resents Jablonowski's alternate residency. Jablonowski recounted what had happened on Christmas eve when he and Biegler and Msgr. Busch and Biegler's mother had a wonderful Christmas eve dinner together. After that Jablonowski returned to his apartment for a couple hours sleep. When he went to return for Mid-night Mass, his car would not start and he was unable to get there and also could not call the rectory or convent to alert the people about this. The next morning, when through the help of one of the sisters, he was able to get to the parish, he found Biegler in a very angry and ugly mood. Biegler reminded him that this would not have happened had he lived in residence at the rectory. Ever since then the tension between the two has gotten worse. He is hearing now that Biegler is "bad mouthing" him to other priests and to some of the parishioners. I encouraged him to confront Biegler about this and to try to discuss some of these apparent problems. Jablonowski paints Biegler as a very rigid person who needs all kinds of external things to fall in place otherwise he is not happy. Answering phones and doors, giving out keys to the gymnasium, etc., are all some of Biegler's hang-ups. Jablonowski seems to have freed himself from some of his past rigidity and is not letting some of these things bother him nor is he willing to go back to a clerical lifestyle that he experienced in his first assignment at St. Mary Czestochowa. He said he is still under the care of a psychiatrist who is pleased with the way Jablonowski is coping with things. He is going to talk to Father Gene Neuman so the Personnel Board knows what is going on. Jablonowski suspects that he may have to move at Biegler's request. Jablonowski knows that Biegler would be delighted to have Father McDermott as his associate. He feels that McDermott would probably do everything exactly the way Biegler wants it done.

1/23/84

ADOM013066

782. Jablonowski, James
He came to see me to let me know that he had moved into Holy Assumption Parish. He is not officially appointed there but would like the appointment formalized around the beginning of October. He said that his doctor still insists that he be in alternate residence. Father Biegler told him that Biegler has no problem with the concept but that his trustees and president of the parish council said there was no money this year or next for alternate residency. He asked to reside in the Archdiocesan house on Hampton Avenue. I told him I would know by October whether there would be a vacancy there. He said that he is quite uncomfortable with Biegler's mother present in the Holy Assumption rectory. He would like more privacy at his meals and feels that she butts into parish business. I told him that about October 1 I would sit down with him and Biegler to see what is possible.
8/25/82
893. Jablonowski, James
He called to say that his doctor is still recommending alternate residency. He would like to move into the Archdiocesan residence on Hampton Avenue. He and Biegler will meet with me next week to discuss alternate residency. Jablonowski assured me that he has nothing against rectory living but that his doctor is recommending alternate residency for him at this time.
9/24/82
924. Jablonowski, James
I gave him permission to live at the Archdiocesan residence on 60th Street with the proviso that if the Archdiocese needs to sell it, he will vacate it fast. Wayne Schneider is going to work out the rental fee with him and Jablonowski will submit a request to the St. Michael Priest Fund for at least some of this amount because his doctor is prescribing alternate residency as a necessity for him. We will now formalize his assignment to Holy Assumption.
10/1/82
536. Jablonowski, James
He came to see me to let me know that everything was going fine in his life. He has learned to slow down a bit and his doctor is pleased with the progress he has made. Since his alternate residency has helped in this situation, he asked about the disposition of the property on 60th Street which he is currently living in. I told him that if and when the Archdiocese sells the property, I was sure he would be given adequate notice. Besides that, it seems that Father Larry Leack might be interested in purchasing the property and allowing Jablonowski to continue to live there. I told Jablonowski that Father Biegler had called me and while he spoke highly of Jablonowski's personality, he did indicate some problem with job performance which I asked him to discuss with Jablonowski. Jablonowski told me that Biegler talked to him last week and that there does not seem to be any major problem here. Jablonowski is doing the work that has been assigned to him but feels that Biegler would like him to answer phones and doors on occasion and overlooks the fact that the celebration of liturgy with the grade school children is one form of giving one's attention to the grade school. He said that the parish is so well organized that even if he left, Biegler probably would not need another associate given all the assistance that Msgr. Busch affords now. He spoke of inter-parochial cooperation and said that he even mentioned to Biegler the idea of "clustering" the parishes of St. Augustine's, Holy Assumption, and St. Joseph, West Allis for better service and utilization of personnel. He said that were he considered, he might be interested in St. Joseph Parish, West Allis. I got the impression that this past year has been good for him, and I told him to be sure to let me know when his doctor feels that he can take on a little more by way of an assignment.



I told him he was free to explore this with Czachowski but that it be clear he would not be assigned in addition to the rest of the priests there. In other words, when one of them left that priest would not be replaced.

4/5/82

431. Jablonowski, James

He told me that Father Czachowski does not know if there will be a position at Notre Dame High School for him and so he is going to look into the position currently being offered at Thomas More High School.

5/7/82

569. Jablonowski, James

He asked me why he is being recommended for Holy Assumption Parish. I explained to him that he had been recommended for every teaching position that was available in high school work but that the positions were either taken by other people or unacceptable to him, e.g., St. Mary, Burlington. He admitted all this is true. He stressed his need for alternate living and wondered if the position at St. Catherine, Granville would permit alternate residency. I encouraged him to speak to both Baertlein and Biegler. I told him he had been recommended to Biegler because the rectory living situation would be the closest to the pleasant atmosphere he has been used to at St. Mary Czestochowa. He said that his doctor was considering putting him on a six-month leave of absence. In such a case he said that he would go to his cottage near Plymouth and rest. When he spoke about doing some help-out ministry if he should be on sick leave, I told him it didn't sound compatible with the idea of total rest. He will communicate with me further next week.

6/16/82

623. Jablonowski, James

He told me he had visited Biegler but did not like the fact that Biegler's mother lived in the rectory. He feels this is an invasion of a priest's privacy. He wants to return and ask Biegler about the possibility of alternate residency. I told him I was suggesting he try it for a month or two and see if alternate residency would then be needed. It would be easier to negotiate in that way with the parish council. He claims that his doctor is insisting that he curtail his activities. Jablonowski is considering a leave of absence at his doctor's direction. I suggested he try St. Catherine's, Granville as another possibility for an alternate residency. I told him that before the middle of the month he would have to indicate to me whether he would accept an assignment or not. He will take a week's vacation and then call me on the 13th. He has moved his residence into one of the spare bedrooms at St. Mary Czestochowa. I am going to have to ask him to move from there but did not want to do so until I get his final decision. I think I should talk to his doctor in the meantime.

6/30/82

89. DORSZYNSKI/JABLONOWSKI ✓

Met with both priests about future projections for themselves and St. Mary Czestochowa Parish. Dorszynski is 68 and is willing to become Pastor Emeritus when he is 70. Jablonowski wishes to stay one more year. I suggested it would be more advantageous for him to leave now so that Dorszynski could begin to work with another priest who might become the Administrator. Dorszynski asked that for his sake and the good of the parish, that Jablonowski be given one more year. I told him to put that in writing and I would present it to the Personnel Board, whose advice I will follow on the matter.

4/8/80

363. Jablonowski

Mrs. [REDACTED] called from St. Mary Czestochowa Parish with a complaint about Father Jablonowski who heads the parish grade school. She complained that he ruled with an autocratic hand and would not allow some of the programs to exist which the parents wanted to see, comparable to what other grade schools provide for their children. The parish school is declining in numbers and there is a bad attitude she says toward Jablonowski. I told her to talk directly to Jablonowski and when she said he refuses to meet with them, I said her next step would be to talk to the pastor, Msgr. Dorszynski, which she agreed to do.

2/14/81

1243. Jablonowski, James

[REDACTED], a parishioner, called to say that she enjoys St. Mary Czestochowa but is upset because Jablonowski refuses to allow her or anyone to receive communion in the hand. She said that the pastor looks disgusted and practically throws the host at her when she approaches him. As a result, she attends mass there but no longer receives communion. She was upset about this and I told her I would look into the matter. Later on I asked Sampon if he would check it out.

9/18/81

182. Jablonowski, James

He told me that he was worried about what was going to happen to Msgr. Dorszynski when he left. I told him there were a number of options for Julius and that he did not have to worry because Dorszynski is quite resourceful. Then we began to talk about himself. I guess he is still very fearful of moving. He told me that he has been seeing a psychiatrist off and on since he was in the seminary. In recent months he has intensified the consultations. He feels that he is just about burned out and was considering a leave of absence. However, the psychiatrist thinks that if he is in a place where he can do an honest day's work and be relieved in the evening hours, he can remain in ministry. At Dorszynski's suggestion he contacted Father Czachowski at St. Stanislaus. Czachowski would be happy to have him involved in the school operation even allowing him alternate residency in the neighborhood so that he could completely relax in the evening. When I suggested a second psychiatric or psychological opinion, he declined because he said the man he has been seeing knows him so well. He did agree, however, to have me talk to his doctor and said he would have the doctor get in touch with me next week. I told him we would try to work out a good situation for him. My fear is that instinctively he may be trying to obtain an assignment that will cause him the least bit of resistance to any type of change. He claims he gets along best with the very young and very old.

2/23/82

ADOM013070

BORN	February 3, 1942	Milwaukee, Wisconsin
STUDIES	St. Francis Minor Seminary 1956-1960, 1960-1961; St. Francis Major Seminary 1961-1964, 1964-1968	
TONSURE	April 2, 1965	Seminary Chapel M. Rev. W. E. Cousins
ORDERS	Nov. 6, 1965	St. John Cathedral M. Rev. R. R. Atkielski
	March 26, 1966	St. John Cathedral M. Rev. W. E. Cousins
SUBDEACON	March 11, 1967	St. John Cathedral M. Rev. W. E. Cousins
DEACON	Nov. 4, 1967	St. John Cathedral M. Rev. W. E. Cousins
PRIESTHOOD	May 18, 1968	St. John Cathedral M. Rev. W. E. Cousins
APPOINTMENTS	Temp. AP	St. Patrick, Milwaukee June 18, 1968
	AP	St. Mary Czestochowa, Milwaukee July 31, 1968
		Associate Pastor, Holy Assumption, West Allis - October 11, 1982
	Pastor, St. Hedwig Parish, Milwaukee - February 4, 1986	
	Pastor, Blessed Sacrament Parish, Milwaukee, June 16, 1998	
NAME	JABLONOWSKI, Rev. James Neil	



To: Archbishop Dolan
From: Barbara Anne Cusack
Re: Canonical Precept
Date: October 28, 2002

Attached is a canonical precept formally restricting ministry and other actions of Father Jablonowski. Father Hornacek was notified by the school principal at Blessed Sacrament that Father Jablonowski had shown up at a school football game in the company of a 17 year old functioning as a chauffeur. (This is the same boy whose father contacted us with his concerns about that relationship.) Father has also told parents that he will be at the school basketball games when the season starts. Parents are disturbed about his presence.

Up to this point, we had not issued a precept for Father because we thought he was abiding by the voluntary agreement reached with Bishop Sklba that he refrain from ministerial activity. If we were going to initiate removal from office of pastor actions, I would suggest that we wait for that process to be completed before issuing the precept. The reason for that suggestion would be that we cannot remove his confessional faculties without removing him from office since, for pastors, they are *ipso iure* faculties. Now, however, since we are not going to a removal process until the Charter and Norms are settled, we probably do need to formalize his restrictions. I simply left off the removal of faculties provision.


ARCHDIOCESE OF MILWAUKEE
OFFICE OF THE ARCHBISHOP

April 8, 2003

Reverend James Jablonowski

██████████
Wauwatosa WI 53208

Dear Jim,


On October 30, 2002, I issued a precept placing certain obligations upon you. Among those obligations was the following mandate:

“To cease any and all contact with any members or employees of Blessed Sacrament Parish and School, to remain off of parish and school property, and away from any parish or school activity.”

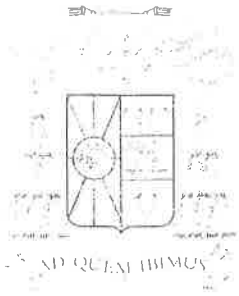
That same precept stated that any violations could result in penal action and you were put on notice of that fact by a canonical warning. It has come to my attention that you are indeed in violation of the provision noted above. Therefore, I am issuing the enclosed precept which supercedes that of March 31, 2003 and which will remain in effect until notice of its revocation.

I do not think you have yet grasped the seriousness of this issue and how important it is that you observe these restrictions. I do not wish to, but will not hesitate to, engage further penal remedies.

Sincerely yours in Christ,



Most Reverend Timothy M. Dolan
Archbishop of Milwaukee



TIMOTHY MICHAEL DOLAN

Miseratione Divina et Apostolicae Sedis Gratia
Archiepiscopus Milvauchiensis

PRECEPT


In response to the pastoral needs of this Christian community, in virtue of my authority as diocesan bishop (c. 381, §1), and in accord with the provisions of canon 49, I formally place upon Reverend James Jablonowski the following obligations:

- 1) To refrain from all contact with minors, vulnerable adults, and other persons or categories of persons who have proven to be occasions of temptation in the area of sexual morality;
- 2) To cease until further notice all public ministry including the celebration of Eucharist; Eucharist may be celebrated in a private setting alone or with only another priest or priests in attendance; the celebration of any other sacraments will require my explicit permission in each case;
- 3) To avoid all places and situations that, from past experience, have been occasions of serious temptation in the area of sexual morality;
- 4) To cease any and all activities and relationships that may be described under the broad category of pastoral counseling;
- 5) Until further notice the faculty to hear confession is revoked;
- 6) To refrain from clerical attire or identification in public.
- 7) To cease any and all contact with any members or employees of Blessed Sacrament Parish and School, to remain off of parish and school property, and away from any parish or school activity.

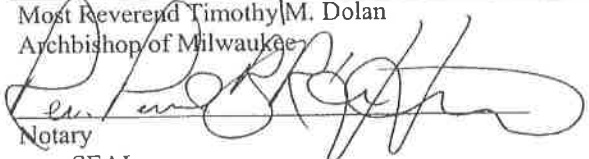
The reasons motivating this decree are the allegations of sexual activities in violation of the obligation of clerical celibacy (c. 277, §1). These restrictions are seen as necessary and prudent precautions and will remain in effect until notice of their revocation. Any violations of this precept could result in penal action and this decree shall serve as canonical warning to that effect.

This decree shall be executed by means of its communication to Reverend James Jablonowski by postal delivery.

Given this 8th day of April, 2003.



 Most Reverend Timothy M. Dolan
 Archbishop of Milwaukee



 Notary
 SEAL

April 26, 1985

The Reverend Eugene C. Neuman
Priests' Personnel Board
P.O. Box 2018
Milwaukee, WI 53201

Dear Gene:

I met with Father James Jablonowski on April 22, 1985 to discuss the formal statement from a therapist indicating need for continued professional consultation. I verified that we have such a recommendation from Dr. [REDACTED] dated October, 19, 1982. I was informed that a renewed statement would be arriving for our files within a week. It would seem that continuing alternate residence remains a professional recommendation from Dr. [REDACTED]

Sincerely,

Most Reverend Richard J. Skiba
Auxiliary Bishop of Milwaukee

RJS/srs

COPY

ADOM013110

August 27, 2002

Rev James Jablonowski

██████████
Wauwatosa, WI 53208

Dear Father Jim,

Thank you for your call today with your home address. I forgot to ask you if you have an email address.

Beginning September 1, 2002 you will be receiving your compensation and benefits through us. This includes full compensation, insurance and Professional Expense Reimbursement. Please complete the enclosed Compensation Report Form and return it to me as soon as possible. Compensation checks are cut twice a month – the 15th and end of month. Housing checks are cut separately and sent only at end of month. There is an enclosed form to be completed for direct deposit also, which would begin after you receive the first check. If you have any questions about this contact me.

Also enclosed is the insurance application for Compcare POS which needs to be completed and returned to me as soon as possible since it will be effective September 1st. It is my understanding that you are happy with your current policy, and that you will continue to reside at the above address and therefore continue to be eligible for the POS. If you have any questions about this application, please give me a call. I have completed most of the information for you to assist you, but please review it for accuracy, sign and date it and return the form to me.

The POS Special Edition 1 will automatically change to POS Special Edition 2 on October 1st unless you inform me that you wish to change your policy to the HMO Option 3. I enclose a comparison chart for your review.

Please contact me either by phone 414-769-3484 or by email schweihsk@archmil.org if I can help you in any way. You remain in my prayers throughout this difficult time.

Peace,

Sister Kathleen Schweihs
Administrative Assistant

Enclosures:

Compensation Record Form
Direct Deposit Form
Insurance Application
Health Insurance Comparison Chart
Self-Addressed Envelope

SETTLEMENT AGREEMENT AND MUTUAL RELEASE

This Settlement Agreement and Mutual Release (hereafter "Agreement") is made by and between Mr. [REDACTED] whose address is [REDACTED] [REDACTED] and the Roman Catholic Archdiocese of Milwaukee (hereafter "Archdiocese"), and all of its affiliated entities and parishes, including, without limitation, St. Mary of Czestochowa Parish.

[REDACTED] has brought to the attention of the Archdiocese allegations that he was sexually abused by Fr. James Jablonowski during the 1970s when [REDACTED] [REDACTED] was a minor.

[REDACTED] and the Archdiocese of Milwaukee entered into pastoral mediation on March 26, 2003 to achieve reconciliation and restoration, and to otherwise resolve all disputes between them.

Accordingly, the parties to this Agreement wish to resolve and satisfy all claims of any nature that [REDACTED] has against the Roman Catholic Archdiocese of Milwaukee, and all of the Archdiocese's employees, agents, officers, directors and assigns, including, without limitation, all members of the Roman Catholic clergy and all parishes, schools, and religious orders, and any person or entity affiliated with the Roman Catholic Church in the territory of the Archdiocese of Milwaukee, arising from the sexual abuse of [REDACTED] by Fr. James Jablonowski without the necessity of further proceedings or expense of any nature, and all parties wish to generally release one another from all liability for any claims that may exist to the date of the signing of this Agreement, including,

but not limited to, any claims for sexual abuse of [REDACTED] by Fr. James Jablonowski.

So, in consideration of the mutual promises made here, and other valuable consideration, receipt of which is hereby acknowledged, the parties to this Agreement agree as follows:

1. The Archdiocese agrees to pay to [REDACTED] the total sum of \$50,000 by check within seven days of the signing of this Agreement. [REDACTED] has told the Archdiocese that he has debts of approximately \$117,000, and the amount paid by the Archdiocese will assist [REDACTED] in resolving some of his debts.

2. The Archdiocese and [REDACTED] also agree that at the end of this calendar year, the Archbishop will consider whether the Archdiocese in its sole discretion will further assist [REDACTED] with more financial help towards his debts. It is agreed and understood between [REDACTED] and the Archdiocese that there is no claim or expectation by [REDACTED] of any further payments by the Archdiocese, other than as set out in paragraphs one and three, and that any consideration the Archbishop may give to further payments is a gratuity, solely in the discretion of the Archbishop, and not reviewable by any court or other entity.

3. [REDACTED]'s daughter is also a student at the [REDACTED] [REDACTED] in [REDACTED], Wisconsin. The Archdiocese further agrees to pay 50 percent of [REDACTED]'s daughter's 2003-2004 tuition at [REDACTED] or \$700, whichever amount is less. Similarly, the Archdiocese agrees to pay 50 percent of Mr. [REDACTED]'s daughter's tuition at [REDACTED] or \$700, whichever is less, for the 2004-2005 school year. The Archbishop in his sole discretion may decide to provide assistance with

tuition for [REDACTED]'s daughter after the 2004-2005 school year. However, that is in the sole discretion of the Archbishop, is acknowledged by the parties to be a gratuity if it occurs, and is not an expectation of [REDACTED] nor reviewable by any court or any other entity.

4. [REDACTED] and the Archdiocese will each bear their own costs and attorney fees associated with this settlement, and there will be no payment to [REDACTED] other than that specifically enumerated in these paragraphs.

5. In return for the payments set out above, and for the mutual promises contained herein, [REDACTED] agrees to release and forever discharge the Roman Catholic Archdiocese of Milwaukee, and all of the Archdiocese's employees, agents, officers, directors and assigns, including, without limitation, all members of the Roman Catholic clergy, and all parishes, schools, and religious orders, including, without limitation, St. Mary Czestochowa Parish and any person or entity affiliated with the Roman Catholic Church in the territory of the Archdiocese of Milwaukee from, and covenants not to sue them for, all claims, causes of action, charges, and demands, whether in tort, contract, or otherwise, of any nature that he may have had at any time up to and including the date of signing of this Settlement Agreement, including, without limitation, any claim of any nature arising from the assault, injury, whether physical or mental, or any other activity by Fr. James Jablonowski.

6. The Archdiocese hereby releases and forever discharges [REDACTED] from all claims, demands, and causes of action of any nature that were in existence up to and including the date of the signing of this Settlement Agreement.


7. [REDACTED] declares that he has read the foregoing Agreement; had an opportunity to discuss it with a lawyer; and fully understands its terms. [REDACTED]

[REDACTED] further declares that he has obtained professional counseling for the injuries alleged and understands their impact on him. He declares that he voluntarily accepts the terms and sum of money under this Agreement for the purpose of making a full and final compromise, adjustment and settlement of all claims as described above.

4/5/03
Date

[REDACTED]

4-7-03
Date


Archdiocese of Milwaukee
by: Dr. Barbara Anne Cusack


ARCHDIOCESE OF MILWAUKEE
CHANCERY

May 23, 2002

Mr. E. Michael McCann
District Attorney
821 West State Street
Milwaukee, WI 53233

Dear Mr. McCann,

As per our agreement, I am enclosing materials for your review. The first two intake reports will need special and, if possible, expedited attention. Father Jablonowski is currently serving as pastor of Blessed Sacrament Parish. I have reviewed our files and find that these are the first reports we have received of any such behavior. We have not informed Father that these reports have been made nor have we informed him that this contact is being made with your office.

Thank you for your assistance and cooperation. If you need anything further, please do not hesitate to contact me.

Sincerely,



Barbara Anne Cusack
Chancellor

October 11, 1982

C
O
P
Y

The Reverend James N. Jablonowski ✓
Holy Assumption Parish
[REDACTED]
West Allis, Wisconsin 53214

Dear Father Jablonowski:

Following the recommendation of the Personnel Board regarding your assignment, and with the concurrence of the Archbishop, I herewith transfer you from your present position of "Awaiting Assignment" and appoint you Associate Pastor at Holy Assumption Parish, West Allis, effective immediately.

In keeping with the Term of Office Policy inaugurated August 1, 1980, your assignment will exist for a period of up to six years from its effective date and after that will be reviewed for possible extension.

Accept my prayers and good wishes as you move on to a new area of priestly work.

Sincerely yours in the Lord,

Reverend Joseph A. Janicki
Vicar for Priest Personnel

ADOM013330

August 13, 1985

The Reverend James N. Jablonowski
Holy Assumption Parish

West Allis, Wisconsin 53214

Dear Father Jablonowski:

Following the recommendation of the Priests' Personnel Board and in accord with Canons 539-540 of the 1983 Code, you are hereby appointed temporary administrator of Holy Assumption Parish, West Allis, Wisconsin, while Fr. John Biegler is on sabbatical. This appointment is effective August 19, 1985.

As temporary administrator you come under the provisions of Canon 540 which is quoted here in full:

- §1 The parochial administrator is bound by the same obligations and has the same rights of the pastor, unless the diocesan Bishop prescribes otherwise.
- §2 The parochial administrator may not do anything which could prejudice the rights of the pastor or could do harm to parochial property.
- §3 When he has discharged his office, the parochial administrator is to give an account to the pastor.

Note that you have the responsibility for the Pro Populo Mass on Sundays and Holy Days of Obligation; you are authorized to sign checks on all parish accounts to cover ordinary expenditures and to meet payroll obligations. Please note that in keeping with Canon 540, §2, no extraordinary changes are to be made. Urgent matters should be referred to the Archbishop.

Thank you, Jim, for taking on this additional task for the good of the Church. Your willingness to do this is greatly appreciated. Hope you are enjoying the beautiful summer weather!

Faternally yours in the Lord,

(Rev.) Michael T. Newman
Chancellor

MTN/mk

cc: Rev. Eugene C. Neuman, Priests' Personnel Board
Most Rev. Leo J. Brust, Co-Vicar for Clergy Personnel
Most Rev. Richard J. Sklba, Co-Vicar for Clergy Personnel
Rev. John R. Biegler, Holy Assumption Parish, West Allis

ADOM013331

ARCHDIOCESE OF MILWAUKEE

3501 SOUTH LAKE DRIVE • P.O. BOX 2018 • MILWAUKEE, WISCONSIN 53201 • PHONE 414/769-3300

OFFICE OF THE ARCHBISHOP

January 20, 1986

The Reverend James N. Jablonowski ✓
Holy Assumption Parish

[REDACTED]
West Allis, Wisconsin 53214

Dear Father Jablonowski,

It is with great pleasure that I ask you to become the Pastor of St. Hedwig Parish in Milwaukee. Following the recommendation of the Personnel Board, I am happy to entrust the faithful of that parish to your pastoral care, beginning on February 4, 1986. This appointment is being made for a period of time up to six years, after which time it will again be reviewed for possible renewal.

As representative of the Archbishop in that parish, you are called upon to serve the needs of God's people so that they can take their rightful place as baptized Catholics in their own Faith-community and in society. Your mission, like my own, is one of teaching and sanctifying, and also of administering the parish, together with the Parish Council and those organizations designated to collaborate with you.

It is a privilege to share my ministry with you. May God's blessings fill your life.

Sincerely yours in the Lord,

Most Reverend Rembert G. Weakland, O.S.B.
Archbishop of Milwaukee

ADOM013332

ARCHDIOCESE
OF MILWAUKEE

3501 SOUTH LAKE DRIVE • P.O. Box 07912 • MILWAUKEE, WISCONSIN 53207-0912 • PHONE 414/769-3300

OFFICE OF THE ARCHBISHOP

April 6, 1998

Rev. James N. Jablonowski
St. Hedwig Parish
[REDACTED]
Milwaukee, WI 53202

Dear Father Jablonowski,

It is with a sense of joy in our shared faith that I ask you to become the Pastor for Blessed Sacrament Parish in Milwaukee. Following the recommendation of the Priests' Placement Board, I am happy to entrust this office to your pastoral care beginning on June 16, 1998. This appointment is being made for a period of up to six years and will be reviewed for a possible extension.

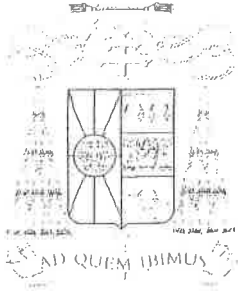
As Pastor of this parish you are called upon to serve the needs of God's people so that they can take their rightful place as baptized Catholics in their own Faith-community and in society. Your mission, like my own, is one of teaching and sanctifying, and also of administrating at the parish, together with the Parish Council and those organizations designated to work with you. I trust that you will work closely with the priests in the area and enter fully into Archdiocesan parish planning efforts.

It is a privilege to share my ministry with you. May God's blessings fill your life.

Sincerely yours in the Lord,

Most Reverend Rembert G. Weakland, O.S.B.
Archbishop of Milwaukee

ADOM013333



TIMOTHY MICHAEL DOLAN

Miseratione Divina et Apostolicae Sedis Gratia
Archiepiscopus Milvauchiensis

PRECEPT

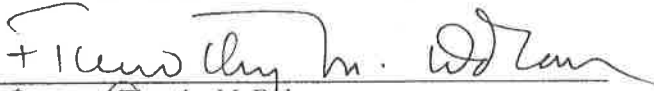
In response to the pastoral needs of this Christian community, in virtue of my authority as diocesan bishop (c. 381, §1), and in accord with the provisions of canon 49, I formally place upon Reverend James Jablonowski the following obligations:

- 1) To refrain from all contact with minors, vulnerable adults, and other persons or categories of persons who have proven to be occasions of temptation in the area of sexual morality;
- 2) To cease until further notice all public ministry including the celebration of Eucharist; Eucharist may be celebrated in a private setting alone or with only another priest or priests in attendance; the celebration of any other sacraments will require explicit permission of a local ordinary in each case;
- 3) To avoid all places and situations that, from past experience, have been occasions of serious temptation in the area of sexual morality;
- 4) To cease any and all activities and relationships that may be described under the broad category of pastoral counseling;
- 5) To cease any and all contact with any members or employees of Blessed Sacrament Parish and School, to remain off of parish and school property, and away from any parish or school activity.

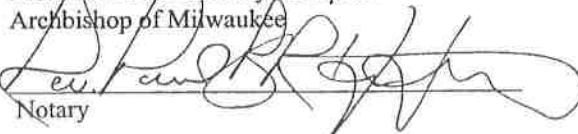
The reasons motivating this decree are the allegations of sexual activities in violation of the obligation of clerical celibacy (c. 277, §1) which have also resulted in your being prevented from the exercise of your pastoral office. These restrictions are seen as necessary and prudent precautions and will remain in effect for three months from this date. Any violations of this precept could result in penal action and this decree shall serve as canonical warning to that effect.

This decree shall be executed by means of its communication to Reverend James Jablonowski by Very Reverend Joseph Hornacek.

Given this 30th day of October, 2002.



Most Reverend Timothy M. Dolan
Archbishop of Milwaukee



Notary

SEAL

ADOM013342


ARCHDIOCESE OF MILWAUKEE
DEPARTMENT FOR CLERGY

February 5, 2003

Rev. James Jablonowski

██████████
Wauwatosa WI 53208

Dear Jim,

During the past month I had the opportunity to meet with you and each of my brother priests who stepped aside from active ministry at Bishop Sklba's request in 2002, and who continue to hope and pray for a just resolution to this painful transition period. I promised to remain in communication with you as helpful and necessary.

Archbishop Dolan sent you a letter January 16, 2002, asking you to voluntarily submit your resignation for the pastoral welfare of the parishioners or to respond by February 5, 2002, with reasons for choosing not to do so. I believe a follow-up letter from the Archbishop will be sent to you this week.

A couple different proposals were suggested by way of attempting to resolve the "situation." After careful study of these proposals and computation of their potential cost to the Archdiocese, after further reviewing the history of what was offered in similar cases in the past, what your canonical rights are, and what the archbishop's canonical obligations are, the following plan was approved by Archbishop Dolan:

- 1) If a priest elects voluntary laicization, we would offer what has been our practice, if not policy, for more than a decade, namely \$10,000 when the petition is submitted and \$10,000 when a definitive response is received, regardless of the contents of the response. We would offer, in addition, and new to our practice, minimum support during the time the case is in process. That minimum support would be the monthly amount a pensioned priest receives. During the processing of the case we would also provide some outplacement assistance. This assistance could consist of payment for services from a career counseling office, such as the one at Marquette or Stritch. These services provide the individual with information about how to "translate" their skills from one career to another. We could then offer three sessions of outplacement assistance which provides help with resume writing, interviewing skills, etc.
- 2) If the priest does not want to seek voluntary laicization but would rather have the penal process imposed, we would have an obligation of minimal support from the time he loses office until the case is complete. During the time of the trial, which could be up to a year, we would provide a monthly subsidy at the level of a pensioned priest. At the conclusion of the trial, if there is a penalty imposed of dismissal from the clerical state, your canonical obligation of support ceases but some small amount (obviously less than the \$20,000 above) could be given in charity.

February 5, 2003
Rev. James Jablonowski
- Page 2 -

- 3) In all instances we would maintain the priest on our health insurance for one year at our expense. He would then be free to ask for an additional six months of coverage but at his own expense. This coverage would cease as soon as he had employment providing this benefit.

While this plan may not be exactly what you hoped for, it is a genuine effort to respond justly and equitably.

Sincerely yours in the Lord,



V. Rev. Joseph F. Hornacek
Vicar for Clergy

JFH/ks

ADOM013347


ARCHDIOCESE OF MILWAUKEE
OFFICE OF THE ARCHBISHOP

Prot. No. 137/03 - 19050

January 13, 2006

His Excellency
The Most Reverend Angelo Amato, SDB
Congregation for the Doctrine of the Faith
00120 Citta del Vaticano
Palazzo del S. Uffizio

Your Excellency,

In accord with the instructions provided in your letter of August 1, 2005, I have proceeded with an administrative penal process in the case of the Reverend James Jablonowski. I first gave him another opportunity to seek voluntary laicization but, again, he refused that option. The schedule of his canonical advocate, Reverend William Woestman, and the Christmas holidays, delayed the completion of this process until now.

On January 3, 2006, I met with two appointed assessors, both of whom are respected priests of the Archdiocese, noted for their prudence, and both of whom have received canonical training. They had previously studied the *Acta* assembled in the case. Because the Promoter of Justice had previously, at your request, prepared a brief while the matter was pending at your Congregation, I asked him to file an additional brief after reviewing the defense proposed by Father Woestman. Both of these briefs were also reviewed by the two assessors and are included in the enclosed *Acta*.

In the serious and prolonged discussion of the matter, there was complete harmony in arriving at the unanimous agreement that the delicts had indeed occurred. In fact, the defense brief did not offer any argument that the acts had not been committed. Therefore, it is my finding that the delicts are proven with certainty.

The discussion with the assessors on the penalty to be imposed was also thorough. Various options were studied. The options considered included the following:

- Removal from any public ministry or public presentation as a priest but retention of the clerical state and accompanying permission for private celebration of Mass
- Allow early retirement with limited and monitored ministry
- Impose a life of prayer and penance
- Dismissal from the clerical state.

Concerns about the various options were discussed. One major concern shared by all is the fact that we have no assurance that there will not be ongoing liability for the Church if Father Jablonowski is permitted to continue in any kind of ministry or remain in the clerical state. He has not been cooperative in the restrictions that have already been placed upon him and there is concern that he would not be obedient in the future. He

Prot. No. 137/03 - 19050



CONGREGATIO
PRO DOCTRINA FIDEI

00120 Città del Vaticano,
Palazzo del S. Ufficio

July 07, 2003

PROT. N. 137/2003-17421
(In responsione fiat mentio huius numeri)

CONFIDENTIAL

Your Excellency:

The **Rev. James JABLONOWSKI**, a priest of the Archdiocese of Milwaukee accused of sexual abuse of a minor, has presented a recourse to the Congregation for the Doctrine of the Faith against the administrative measures taken by Your Excellency in his regard, which he claims are contrary to the dispositions of Canon Law.

So as to examine the present recourse, I ask Your Eminence kindly to forward the complete acts of the case, including the following elements:

- 1) a copy of Your Excellency's decree;
- 2) indications as regards the notification of the same decree to the priest in question;
- 3) a copy of the priest's request for revocation of your decree together with a copy of your reply to the same;
- 4) the essential details of the case: exact kind of delict/s alleged; date (at least approximate) of the same; the victim's age and sex; whether the offence is a one-time action or has it been repeated; whether the accused priest constitutes at present a risk for minors in his ministry; whether there is a risk of recurrence; whether there are symptoms of psychological problems; whether he has undergone evaluation in a specialized institution; his precise ministerial situation (with special reference to his sustenance); whether the civil authorities have taken any measures concerning the allegation;

./.

His Excellency
The Most Rev. Timothy M. DOLAN
Archbishop of Milwaukee
Chancery Office
P. O. Box 070912
3501 South Lake Drive
Milwaukee, WI 53207-0912
USA

ADOM013349

5) finally, Your Excellency's perception of the present case, the presence of scandal in the local community and the reaction of public opinion.

With kind regards and prayerful best, I remain,

Sincerely yours in Christ,

+ 

+ Angelo Amato, SDB
Titular Archbishop of Sila
Secretary

ADOM013350



CONGREGATIO
PRO DOCTRINA FIDEI

00120 Città del Vaticano,
Palazzo del S. Ufficio

January 12, 2004

PROT. N. 137/2002-18353
(In responsione fiat mentio huius numeri)

Your Excellency,

This letter is in reference to your request for a dispensation from the prescription in the case of **Rev. James N. JABLONOWKI**, a priest of your Archdiocese accused of the sexual abuse of a minor, so that a formal canonical process be initiated.

In order to expedite the examination of this case, we kindly ask Your Excellency to submit a response from your Promoter of Justice to the Rev. Jablonowki's hierarchical recourse (cf. enclosure).

With kind regards and prayerful best wishes, I remain

Sincerely yours in Christ,

✠ Angelo Amato, SDB
Titular Archbishop of Sila
Secretary

(Enclosure)

His Excellency
The Most Rev. Timothy M. DOLAN
Archbishop of Milwaukee
P.O. Box 070912
3501 South Lake Drive
Milwaukee, WI 53207-0912
U.S.A

ADOM013351


ARCHDIOCESE OF MILWAUKEE
OFFICE OF THE ARCHBISHOP

December 5, 2002

Reverend James Jablonowski
[REDACTED]
Wauwatosa, WI 53208

Dear Jim,

I know this is a very difficult time for you, as it is for so many of us, but please be assured that you are in my prayers. As the Archbishop of Milwaukee, I must address the spiritual wellbeing of all my people, yourself included. So, I thought it might be good for me to let you know my thoughts and reflections at this time as we attempt to bring some clarity and resolution to a very painful situation.

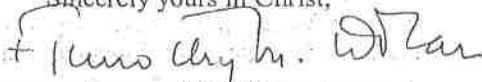
To begin, I want you to know that I believe that the Charter and Norms developed by the U.S. Catholic bishops provide needed structure and direction to this very difficult problem in the Church today. However, until the Holy See responds to the Charter, we all find ourselves in a state of limbo. Still, some clarification in your situation can be offered. I appreciate your willingness to step aside from your responsibilities at Blessed Sacrament Parish in response to the request from Bishop Sklba to do so. Although it was no doubt very painful for you to do, such a move was truly in the best interest of all the concerned parties. Your cooperation reflected your concern for the people at the parish.

While we all await the Holy See's response to the Norms, I would not want to create any false expectations about future priestly ministry. Without pre-judging any situations, given the substance of the allegations against you, I cannot foresee ever authorizing your return to active ministry, nor would I be able to recommend you to another diocese or religious community. In other words, I consider your situation to be such that I do not see how you could remain in the office of pastor. Therefore, I am asking for your resignation so that you and the parish can move on.

As you consider this request, I am sure that financial issues come to mind. So, I would ask you to see Father Joe Hornacek for clarification about how we might be able to assist you. You have given valuable years of service to the Church and deserve support. Furthermore, given the realities at hand, you might consider beginning a transition to the lay state, and might even want to request laicization. In this regard, Father Jim Connell in the Chancery Office can answer your questions and help you with the process. In the interim, I need to reiterate the importance of your not exercising any priestly ministry, other than celebrating Mass privately, and not publicly presenting yourself as a priest. I know that you have obtained the services of a canonical advisor. I encourage you to maintain that relationship.

Thank you, Jim, for your generous years of service to the Church. With the assurance of my prayers, I am,

Sincerely yours in Christ,


Most Reverend Timothy M. Dolan
Archbishop of Milwaukee



William H. Woestman, O.M.I.

Holy Rosary Church, 612 N. Western Avenue Chicago, IL 60612

February 28, 2003

The Most Reverend Timothy M. Dolan
Archbishop of Milwaukee
P.O. Box 070912
Milwaukee, WI 53207-0912

Dear Archbishop Dolan:

I have discussed thoroughly with Father James Jablonowski your request that he resign by March 5 his office of pastor of Blessed Sacrament Parish and have presented to him the various options open to him. I am writing this letter as his duly appointed advocate and procurator in response to your request.

Father Jablonowski is now sixty-one years old and has served the Archdiocese of Milwaukee faithfully as a priest for thirty-five years. His accomplishments as a priest and a pastor speak for themselves. During this present crisis the people of Blessed Sacrament have continued to give him, in his absence, strong spiritual and moral support. He is most appreciative of this. Not one of them has sent him a letter or telephone call complaining or attacking him. Although he does not admit the accusations made against him, he does accept that it would not be wise for him to return to Blessed Sacrament. He is sure that he has been a good and faithful pastor and does not want to do anything that would harm the people or the parish.

Moved by his deep and sincere love for the universal Church, and in a special way by his love for the particular Church of Milwaukee, Father Jablonowski is willing to resign as pastor of Blessed Sacrament Parish effective March 31 contingent on your accepting the following conditions:

- 1-That Father James Jablonowski remains a priest of the Archdiocese of Milwaukee, but will not function in active ministry.
- 2-That he be permitted to officiate at the funerals, weddings, and baptisms of his family and close friends.
- 3-That he be permitted to continue to live at his present place of residence.
- 4-That he continue to receive the financial compensation and benefits, i.e., insurance, of a pastor with his seniority until he reaches the age of sixty-eight.

His civil attorney has assured him that he has a basis for a civil lawsuit for damages based on the open letter to the parishioners because the letter defames him and damages his reputation in that it infers that he has admitted "serious" offenses and that he is a priest who is "guilty of this crime and sin." Moved by his love for the Church and desire to be an instrument of peace, Father Jablonowski will agree not to undertake any legal action in the civil courts.

Various officials of the Archdiocese have caused grave harm to Father Jablonowski by the "media release" of August 25, 2002, which stated that he was "asked to leave active ministry because

of his past history of sexual contact with a minor," and by the August 24, 2002 e-mail sent to "all diocesan and religious order priests; high school principals and presidents; elementary school principals; parish directors, DREs; parish secretaries, deacons; and the HR complete list."

Both the media release and the e-mail violated Father Jablonowski's right to privacy and to his reputation by publishing the accusations against him (c. 220). The gravity of such a violation is evident from the norms of the pontifical rescript *Secreta continere* of February 4, 1974 (in AAS, 66 [1974], p. 90; CLD, vol. 8, pp. 205-210), which includes under pontifical secrecy "Extrajudicial denunciations received regarding delicts against faith and against morals . . . Likewise the process and decision which pertain to those denunciations . . .," and the *Normæ processuales* issued and signed by Pope John Paul II with the *moto proprio Sacramentorum sanctitatis tutela* of April 30, 2001: "Art. 25, §1. Cases of this nature are subject to the pontifical secret; . . ."

Father Jablonowski is willing to voluntarily refrain from seeking damages in Church courts against those persons who have harmed him by these violations of canon 220 and of the abovementioned papal documents.

While Father Jablonowski may not exercise priestly ministry at this time, he is most willing to serve the Church and the Archdiocese in another capacity.

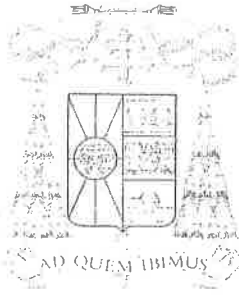
Father Jablonowski greatest wish at this time is to bring this most painful situation to an end so that he can continue to live in peace and quiet as a faithful priest.

Sincerely in Jesus and Mary Immaculate,



William H. Woestman, O.M.I.

Cc: Father James Jablonowski
Mr. Thomas E. Brown



TIMOTHY MICHAEL DOLAN

Miseratione Divina et Apostolicae Sedis Gratia
Archiepiscopus Milvauchiensis

Whereas the proposal to remove Reverend James Jablonowski from his office as pastor of Blessed Sacrament Parish was made by letter on January 16, 2003 and repeated on February 6, 2003;

Whereas the principles and norms of canon law have been diligently observed in discerning and communicating this proposal, namely:

- a) A canonical reason for removal has been determined, that is, his ministry has become ineffective (c. 1740) due to substantiated claims of sexual abuse of three individuals while they were minors. Evidence of this reason has been gathered and placed on file at the Chancery, a summary of which follows:

Three individuals have come forward with reports of sexual abuse. The incidents were reported as occurring in the mid-1970's while Father was assigned to St. Mary Czestochowa. The reports were given to the District Attorney where they were given a preliminary review. In a phone conversation with the DA's Office it was learned that, in their opinion, the descriptions of the incidents of abuse showed a pattern that would lead to some credibility. However, the incidents occurred too long ago to prosecute.

The matter was turned over to John Fiorenza, an independent adjudicator. He was unable to obtain cooperation with a statement or denial from Father Jablonowski. From his assessment of the credibility of the accusers, the reports were deemed substantiated.

- b) The required consultations with two pastors, Reverend Gerald Brittain and Reverend George Rebatzki were held on December 27, 2003 and March 7, 2003.
- c) Reverend James Jablonowski has had opportunity to inspect the acts and has done so.

d) A rebuttal has been offered in opposition to the removal, summarized as follows:

A voluntary resignation from office would be submitted provided significant financial considerations were made on his behalf by the Archdiocese. Likewise he would refrain from filing civil and/or canonical charges against the Archdiocese and its officials. No substantive arguments were made regarding his continuation as pastor of Blessed Sacrament Parish.

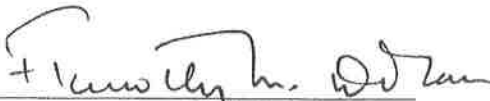
e) This rebuttal, considered by the Archbishop and his two pastor consultants, has been found insufficient to dissuade the proposal for the following reasons:

There is no substantive argument germane to the matter at hand, namely the removal from the office of pastor. The issue addressed is more relevant to a continuation in active ministry which is a separate and yet-to-be-addressed matter.

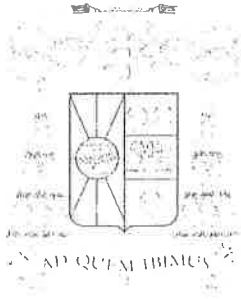
Therefore, I, the undersigned Archbishop of Milwaukee, in virtue of my pastoral office and in conformity with the Code of Canon Law, hereby decree the removal of the Reverend James Jablonowski as pastor of Blessed Sacrament Parish, effective immediately upon communication of this decree by the Very Reverend Joseph Hornacek, Vicar for Clergy, at which time his former office will be declared vacant.

Moreover, Reverend James Jablonowski is advised that if he has just cause to lodge recourse against this action, it may be proposed to me or to the Holy See within fifteen available days.

Given in Milwaukee this 28th day of March in the year of Our Lord 2003.


Most Reverend Timothy M. Dolan
Archbishop of Milwaukee


Notary



TIMOTHY MICHAEL DOLAN

Miseratione Divina et Apostolicae Sedis Gratia
Archiepiscopus Milvauchiensis

PRECEPT

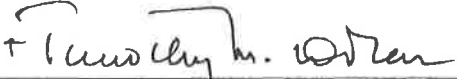
In response to the pastoral needs of this Christian community, in virtue of my authority as diocesan bishop (c. 381, §1), and in accord with the provisions of canon 49, I formally place upon Reverend James Jablonowski the following obligations:

- 1) To refrain from all contact with minors, vulnerable adults, and other persons or categories of persons who have proven to be occasions of temptation in the area of sexual morality;
- 2) To cease until further notice all public ministry including the celebration of Eucharist; Eucharist may be celebrated in a private setting alone or with only another priest or priests in attendance; the celebration of any other sacraments will require my explicit permission in each case;
- 3) To avoid all places and situations that, from past experience, have been occasions of serious temptation in the area of sexual morality;
- 4) To cease any and all activities and relationships that may be described under the broad category of pastoral counseling;
- 5) Until further notice the faculty to hear confession is revoked;
- 6) To refrain from clerical attire or identification in public.

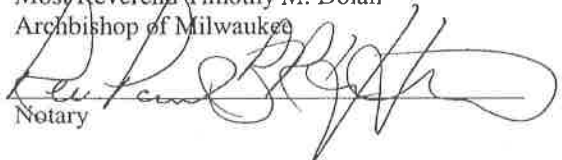
The reasons motivating this decree are the allegations of sexual activities in violation of the obligation of clerical celibacy (c. 277, §1). These restrictions are seen as necessary and prudent precautions and will remain in effect for three months from this date or until notice of their revocation. Any violations of this precept could result in penal action and this decree shall serve as canonical warning to that effect.

This decree shall be executed by means of its communication to Reverend James Jablonowski by postal delivery.

Given this 31st day of March, 2003.



Most Reverend Timothy M. Dolan
Archbishop of Milwaukee



Notary

SEAL

ADOM013367



William H. Woestman, O.M.I.

Holy Rosary Church, 612 N. Western Avenue Chicago, IL 60612

WHD
April 14, 2003

His Excellency Angelo Amato, S.D.B., Secretary
Congregation for the Doctrine of the Faith
Palazzo del S. Ufficio
Vatican City

Fax: 06.69.88.34.09

Hierarchic Recourse Archdiocese of Milwaukee
Father James Jablonowski, Removal as Pastor for
Alleged Sexual Abuse of a Minor

Your Excellency:

On Friday, March 28, 2003, Archbishop Timothy Dolan of Milwaukee signed a decree removing Father James Jablonowski from his office as pastor of Blessed Sacrament Parish. He received the decree in the mail on the following Monday, March 31. I also received from Archbishop Dolan a copy of the decree in the mail on April 1, 2003

In the same decree Archbishop Dolan informed him that he had fifteen days in which to lodge recourse against the decree.

As his duly mandated advocate and procurator, I give notice that in Father James Jablonowski's name I hereby institute recourse to the Congregation for the Doctrine of the Faith. I am in the process of preparing a dossier which I will send directly to the Congregation through the diplomatic pouch.

To insure that this arrives within the established time limit, I am sending this letter to you by fax. A paper copy will follow with the dossier to be sent through the diplomatic pouch.

Sincerely in Jesus and Mary Immaculate,

William H. Woestman, O.M.I.

office (312) 751-8362; fax (312) 751-8314; personal telephone at the rectory (773) 394-3779; rectory fax (773) 278-3770
office: wwostman@archchicago.org; rectory: woestman@juno.com

ADOM013370



William H. Woestman, O.M.I.
Holy Rosary Church, 612 N. Western Avenue Chicago, IL 60612

58108.

April 15, 2003

Petition

Congregation for the Doctrine of the Faith
Palazzo del S. Ufficio
Vatican City

As the legitimately appointed advocate and procurator of the Reverend James Jablonowski, pastor of Blessed Sacrament Parish, Archdiocese of Milwaukee, I petition the Congregation for the Doctrine of the Faith to overturn the decree of March 28, 2003 issued by Archbishop Timothy M. Dolan of Milwaukee in which he removed Father Jablonowski as pastor of Blessed Sacrament Parish.

I also petition the Congregation to order Archbishop Dolan to repair the harm caused to Father Jablonowski's good name and reputation through the violation of Father's rights through the illicit publication of the accusations of sexual abuse of minors to the mass media and the faithful of the archdiocese made by various officials of the archdiocese.

I also petition that the Congregation to order an equitable financial settlement for the harm caused to Father Jablonowski and the determination of the other equitable benefits that should be allocated to him as a priest who has given many years of service to the Church in the archdiocese.

William H. Woestman, O.M.I.
Advocate and Procurator

Entry for the File of [REDACTED] Jablonowski, James Rev.
By Barbara Reinke

April 15, 2003

I received a call from [REDACTED]. His work number [REDACTED] home number, [REDACTED] [REDACTED] indicated that he has also placed a call to Father Joe Hornacek. [REDACTED] is aware that on Saturday night that [REDACTED] and a few other boys were in Father Jablonowski's home, despite the restrictions on Father Jablonowski. [REDACTED] confirmed this for himself by driving over there, and found [REDACTED]'s car outside Father Jablonowski's home. [REDACTED] decided to stop short of going up to the door. [REDACTED] came back to [REDACTED] house later that evening, with blood shot eyes and [REDACTED] suspected marijuana use. [REDACTED] acknowledged being at Father Jablonowski's house playing cards, but denied any behavior of concern. Yesterday, [REDACTED] found marijuana in [REDACTED] coat pockets. [REDACTED] is concerned about Father Jablonowski providing a haven for drug use, and is wondering about involvement of legal authorities.

BR:saz
Typed 4/21/03

ADOM031634

Entry for the File of [REDACTED] (Jablonowski, James Rev.

April 2, 2003

I returned a call to [REDACTED]. His work phone number [REDACTED]. His home number is [REDACTED]. He was very concerned about how much time his son, [REDACTED] is spending alone with Fr. Jablonowski at his home on an almost daily basis. [REDACTED] is also aware of Fr. Jablonowski hosting groups of boys. I believe Fr. Jablonowski has been restricted from spending one-on-one time with minors, and that therefore, Fr. Joe Hornacek needs to be made aware of this violation. [REDACTED] will also call Fr. Hornacek. Because [REDACTED] is suffering from [REDACTED], which Fr. Jablonowski may be taking advantage of, I offered to be part of a meeting with [REDACTED] and Fr. Hornacek. In this way, I can be perceived as the "bad guy" by Fr. Jablonowski and [REDACTED] and deflect some of this from [REDACTED]. I also left Fr. Joe a message about this matter.

BR:saz

Typed 4/21/03

ADOM031635

Entry for the File of [REDACTED]
By Barbara Reinke

September 25, 2002

I received call from an anonymous person who identified herself as a [REDACTED]. [REDACTED] left a message suggesting that we look into the situation with [REDACTED]. According to the caller [REDACTED] is constantly being seen with Fr. Jim Jablonowski. He has spent considerable private time with Fr. Jablonowski. And he has even been seen dressing as a priest. On September 26, I alerted [REDACTED] to the fact that I had received this message. He felt the part about dressing like priest was "weird." [REDACTED] seems to take this as part of the gossip surrounding the situation. I told [REDACTED] that I would pass on to him anything that I hear.

BR:saz
Typed 10/10/02

ADOM031636

NAME: James N. Jablonowski

ADDRESS: [REDACTED]
Milwaukee, WI 53208

ASSIGNMENT HISTORY: Presbyteral Orders – May 18, 1968

Associate Pastor – St. Patrick Parish (Milwaukee)	June 18, 1968
Associate Pastor – St. Mary Czestochowa Parish (Milwaukee)	July 31, 1968
Associate Pastor – Holy Assumption Parish (West Allis, WI)	October 11, 1982
Pastor – St. Hedwig Parish (Milwaukee)	February 4, 1986
Pastor – Blessed Sacrament Parish (Milwaukee)	June 16, 1998

DECREES ISSUED:

October 30, 2002 – Precept issued after reports of inappropriate presence at parish:

- 1) To refrain from all contact with minors, vulnerable adults, and other persons or categories of persons who have proven to be occasions of temptation in the area of sexual morality;
- 2) Cease public ministry;
- 3) Avoid places and situations that have been occasions of temptation;
- 4) Cease providing any pastoral counseling;
- 5) Cease contact with members and employees of Blessed Sacrament Parish and remain away from parish property and activities

March 28, 2003 – Removal from the Office of Pastor

March 31, 2003 – Precept issued with the following restrictions:

- 1) To refrain from all contact with minors, vulnerable adults, and other persons or categories of persons who have proven to be occasions of temptation in the area of sexual morality;
- 2) To cease until further notice all public ministry including the celebration of Eucharist; Eucharist may be celebrated in a private setting alone or with only another priest or priests in attendance; the celebration of any other sacraments will require explicit permission of the diocesan bishop in each case;
- 3) To avoid all places and situations that, from past experience, have been occasions of serious temptation in the area of sexual morality;
- 4) To cease any and all activities and relationships that may be described under the broad category of pastoral counseling;
- 5) Until further notice the faculty to hear confession is revoked.
- 6) To cease any public presentation as a priest by title or garb

INVESTIGATION PROCESS:

In May 2002, two separate reports were made to the Archdiocese of Milwaukee alleging sexual abuse of minors by Father Jablonowski. The reports were turned over to the Milwaukee County District Attorney. They found consistency in the reports but were barred from criminal prosecution because the statute of limitations had expired.

The accusations were then thoroughly investigated by an independent investigator acting on behalf of the Archbishop. While the investigation was underway, in September 2002, a third individual came forward with another allegation of sexual abuse as a minor. Additional names of possible victims were also supplied but none of these individuals has come forth with an accusation. One father has approached the Archdiocese with his concerns about the amount of time Father Jablonowski spends with this man's teenage son and the gifts and privileges, such as driving Father's luxury car, being provided. In the course of the investigation, Father Jablonowski was confronted with all of the allegations. He would not have direct contact with the investigator but communicated through his civil attorneys. He neither confirmed nor denied the allegations.

Having found the allegations consistent and at least having some semblance of truth, it was determined that the provisions of *Sacramentorum sanctitatis tutela* and the USCCB Charter and Norms were applicable, and Father was asked to voluntarily step aside from his parish while the Archdiocese studied the application of these norms to his situation. When it became clear that Father would fall under this new policy, it was recognized that the first canonical action needed was to invoke the removal of pastor process. That process was completed and a decree of removal issued. That decree is now the subject of recourse.

CIRCUMSTANCES OF ALLEGED DELICT(S):

DATE OF ACCUSATION: May 2002

DATE OF ALLEGED ACT(S): 1972 - 1975

NAMES OF INJURED PARTY: [REDACTED]

PRESENT AGE OF ALLEGED VICTIM: [REDACTED]

GENDER OF ALLEGED VICTIM: Male

NATURE OF THE OFFENSE:

KIND: Massages; fellatio; using alleged victims foot for masturbation

NUMBER: 1-3 times a week for 3 years

SURROUNDING EVENTS: Father Jablonowski served as associate pastor; befriended the family and the parents encouraged [REDACTED] contact with Father Jablonowski so he was able to use his office to gain access to the alleged victim's and the family's trust

DATE OF ACCUSATION: May 2002
DATE OF ALLEGED ACT(S): 1973-1976
NAMES OF INJURED PARTY: [REDACTED]
PRESENT AGE OF ALLEGED VICTIM: [REDACTED]
GENDER OF ALLEGED VICTIM: Male
NATURE OF THE OFFENSE:

KIND: Genital fondling; fellatio; mutual masturbation including use of alleged victim's foot for sexual stimulation
NUMBER: Multiple times over a 3 year period
SURROUNDING EVENTS: Father Jablonowski served as associate pastor and was able to use his office to gain access to the alleged victim's trust and that of his family

DATE OF ACCUSATION: To pastor in April 2002; to Archdiocese in September 2002
DATE OF ALLEGED ACT(S): 1977-1978
NAMES OF INJURED PARTY: [REDACTED]
PRESENT AGE OF ALLEGED VICTIM: [REDACTED]
GENDER OF ALLEGED VICTIM: Male
NATURE OF THE OFFENSE:

KIND: Genital fondling
NUMBER: At least two times
SURROUNDING EVENTS: Father Jablonowski served as associate pastor and was able to use his office to gain access to the alleged victim's trust; difficulty in reporting the incidents to parents because of the elevated position Father Jablonowski had in their eyes

CIRCUMSTANCES OF ALLEGED PERPETRATOR:

CURRENT RISK: It is difficult to assess the current risk. Father Jablonowski had been placed under agreed upon restrictions in the form of a formal precept. One provision was that he have no unsupervised contact with minors. After receiving reports from the temporary administrator of the Blessed Sacrament Parish and the principal of the parish school that Father was showing up at the school's athletic events in the company of a teenage boy and was seen driving alone in his car with this boy, additional provisions were added to the precept. Since this behavior exhibits a lack of awareness of the seriousness of this situation, there are concerns about current risks.

PSYCHOLOGICAL EVALUATION: There are no records of any psychological evaluations. However, there is a record that Father Jablonowski stated to diocesan officials in 1982 that he had been seeing a psychiatrist since he had first been ordained. Father used his unspecified mental health needs to seek residence in a private apartment beginning in 1982.

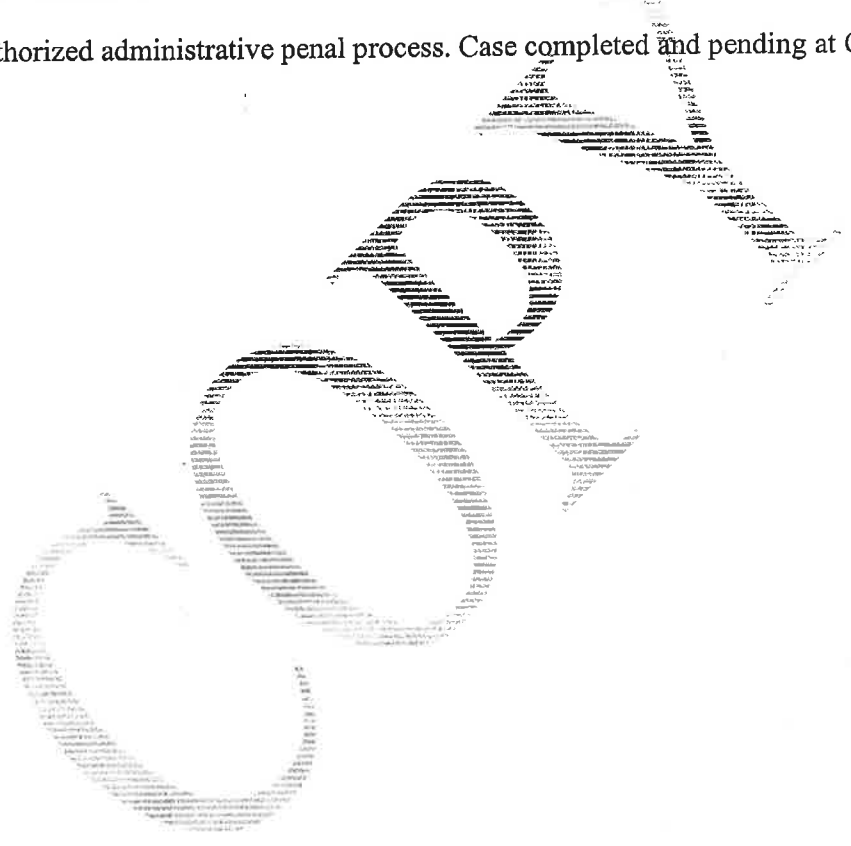
CIVIL AUTHORITY'S ACTION: The Milwaukee County District Attorney has reviewed the cases and determined that the criminal statute of limitations has expired and they are unable to prosecute.

CURRENT STATUS:

RESIDENCE: Father Jablonowski lives in a diocese-owned apartment building where he has rented living space for the last 11 years.

SUSTENANCE: While this matter is the subject of recourse, Father Jablonowski's support is being provided by the Archdiocese in the same amount he would have received in the office of pastor. He has been maintained on the archdiocesan health, medical and dental insurance as well. Since contributions to the priests' pension fund have continued, he will be eligible for pension funding when he turns 68.

CDF authorized administrative penal process. Case completed and pending at CDF.



CONGREGATION FOR THE DOCTRINE OF THE FAITH
(Dismissal from the clerical state)

Prot. N. 137/03

Milwaukee, U.S.A.

Reverend James N. Jablonowski

On June 30, 2006

The Congregation for the Doctrine of the Faith

The particulars of the case having been heard with reference to the grievous conduct of the abovementioned priest of the Archdiocese of Milwaukee (Milwaukee, U.S.A.), by the faculties convened by the Supreme Pontiff John Paul II, and confirmed by the Supreme Pontiff Benedict XVI:

The Congregation has decreed that that the penalty of dismissal is to be inflicted on the aforesaid priest in accord with the following terms:

1. The dismissal will take effect from the moment of notification of the priest.
2. The decree of dismissal is to be made known by the competent local Ordinary to the priest.
3. Notation of the dismissal is to be made at the baptismal record of the aforesaid priest in the baptismal register of the parish of his baptism.
4. The ecclesiastical authority who has the obligation of notifying the aforementioned priest of the decree should earnestly urge him to take part in the life of the People of God in a manner keeping with his new status, to give good example and thereby show that he is a good son of the Church. At the same time, the ecclesiastical authority should make known to him what follows:
 - a) *a dismissed priest automatically loses the rights belonging to the clerical state, ecclesiastical honors and offices; he is no longer bound by the other obligations connected with the clerical state;*
 - b) *he is excluded from the exercise of the sacred ministry, except in the instances covered by canons 976 and 986 § 2 of the Code of Canon Law and therefore he can not give a homily, can not have any directive function in the area of pastoral work or perform any administrative parochial task;*

- c) *also, he can not have any role in seminaries and equivalent institutions. In other institutions of higher studies that are in any way subject to ecclesiastical authority, he cannot have any directive function or teaching position;*
- d) *in institutions of higher studies not subject to ecclesiastical authority, he cannot teach any theological subject;*
- e) *in lower schools subject to ecclesiastical authority, he cannot have any directive function or teaching position. A dismissed priest is bound by this same rule as far as teaching religion in lower schools not subject to ecclesiastical authority is concerned.*

5. The Ordinary should take care that the dismissed priest not give scandal to the faithful through a lack of prudence. This pastoral solicitude weighs even more heavily on the Ordinary, if there is any danger, however remote, of the abuse of minors.

6. Notification of the dismissal can be made personally by a notary or an ecclesiastical actuary or by registered mail. The dismissed priest must return a properly signed copy as proof of the reception and acceptance of the dismissal as well as of the precepts. If he does not do this, the full force of the decree stands, and likewise its conditions, the right of the dismissed priest for appealing against the decree to the Ordinary Session (Feria IV) of this Congregation within a period of thirty useful days from the notification.

7. At an opportune time, the competent Ordinary should briefly report to the Congregation that the notification has been made, and if there is any wonderment on the part of the faithful, he should give a prudent explanation.

From the offices of the Congregation, June 30, 2006

/s/ +William Cardinal LEVADA
Prefect

/s/ +Joseph Augustine DI NOIA, OP
Sub-Secretary

Date of notification _____

 Signature of the priest as proof of receipt

 Signature of the Ordinary

January 27, 2006

His Excellency
The Most Reverend Angelo Amato, SDB
Congregation for the Doctrine of the Faith
00120 Citta del Vaticano
Palazzo del S. Uffizio

Your Excellency,

In accord with the instructions provided in your letter of August 1, 2005, I have proceeded with an administrative penal process in the case of the Reverend James Jablonowski. I first gave him another opportunity to seek voluntary laicization but, again, he refused that option. The schedule of his canonical advocate, Reverend William Woestman, and the Christmas holidays, delayed the completion of this process until now.

On January 3, 2006, I met with two appointed assessors, both of whom are respected priests of the Archdiocese, noted for their prudence, and both of whom have received canonical training. They had previously studied the *Acta* assembled in the case. Because the Promoter of Justice had previously, at your request, prepared a brief while the matter was pending at your Congregation, I asked him to file an additional brief after reviewing the defense proposed by Father Woestman. Both of these briefs were also reviewed by the two assessors and are included in the enclosed *Acta*.

In the serious and prolonged discussion of the matter, there was complete harmony in arriving at the unanimous agreement that the delicts had indeed occurred. In fact, the defense brief did not offer any argument that the acts had not been committed. Therefore, it is my finding that the delicts are proven with certainty.

The discussion with the assessors on the penalty to be imposed was also thorough. Various options were studied. The options considered included the following:

- Removal from any public ministry or public presentation as a priest but retention of the clerical state and accompanying permission for private celebration of Mass
- Allow early retirement with limited and monitored ministry
- Impose a life of prayer and penance
- Dismissal from the clerical state.

Concerns about the various options were discussed. One major concern shared by all is the fact that we have no assurance that there will not be ongoing liability for the Church if Father Jablonowski is permitted to continue in any kind of ministry or remain in the clerical state. He has not been cooperative in the restrictions that have already been placed upon him and there is concern that he would not be obedient in the future. He

Prot. No. 137/03 - 19050

P. 2

His Excellency, The Most Reverend Angelo Amato, SDB

continues to make statements to various people that he will be vindicated and returned to ministry.

More frightening is the fact that his successor at the parish has reported that he still keeps company with minors. If he is permitted any form of ministry or not removed from the clerical state, I fear he will declare that he has been found innocent of the allegations even though he does not deny them. This would have devastating effects on our efforts and commitment not to return men to ministry if the abuse of a minor has been substantiated. Early retirement would not be an option because the Archdiocese of Milwaukee would then be bound to continue paying his support for five years until he reaches the age allowed by the pension plan. Civil law governs the plan and it does not allow exceptions for early retirement except for serious health conditions. This high expense would be difficult to justify at a time we are cutting back pastoral services and laying people off because of financial constraints. Father Jablonowski continues to minimize what he has done which does not bode well for any reform of life and the accompanying humility required for a life of prayer and penance. The only defense offered by the canonical advocate dealt with minor procedural issues and a challenge to the whole *Charter and Essential Norms*.

I have pondered this matter long and hard over these many months, weighing in the balance, first, my deep respect and love for the priesthood which informs my understanding of why an individual would want to cling to his clerical state and, secondly, arising from that same respect and love, an awareness that there is no place in ministry for someone who has abused a child. The abuse perpetrated by Father Jablonowski was not a single act of misjudgment. It was repeated numerous times on at least three young boys and has had devastating effects. It is true that no additional victims have come forward but the three who have are credible and convincing.

Therefore, I have arrived at the conclusion that Father James Jablonowski should be dismissed from the clerical state. I am requesting that the Congregation for the Doctrine of the Faith issue a decree to that effect. Because this matter has been protracted over such a long time, I am hoping that its conclusion will be forthcoming soon.

With gratitude for your consideration, sentiments of esteem, and prayerful best wishes, I am,

Sincerely yours in Christ,



Most Reverend Timothy M. Dolan
Archbishop of Milwaukee

ADOM041066

JUN 10 2003

June 3, 2003

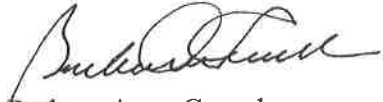


Dear

I am pleased to report that the Archdiocese of Milwaukee's finance council approved the additional payment of \$15,000 to you as identified in paragraph 3 of the Settlement Agreement we signed in April, 2003. Enclosed is a check for this additional payment, which satisfies the Archdiocese's obligations under the Settlement Agreement.

I hope resolution of this matter may bring you peace.

Sincerely yours in Christ,


Barbara Anne Cusack

SETTLEMENT AGREEMENT AND MUTUAL RELEASE

This Settlement Agreement and Mutual Release (hereafter "Agreement") is made by and between [REDACTED] whose address is [REDACTED] [REDACTED] and the Roman Catholic Archdiocese of Milwaukee (hereafter "Archdiocese"), and all of its affiliated entities and parishes, including, without limitation, St. Mary of Czestochowa Parish.

[REDACTED] has brought to the attention of the Archdiocese allegations that he was sexually abused by Fr. James Jablonowski during approximately 1973-76 when [REDACTED] [REDACTED] was a minor.

[REDACTED] and the Archdiocese of Milwaukee entered into pastoral mediation on April 3, 2003 to achieve reconciliation and restoration, and to otherwise resolve all disputes between them.

Accordingly, the parties to this Agreement wish to resolve and satisfy all claims of any nature that [REDACTED] has against the Roman Catholic Archdiocese of Milwaukee, and all of the Archdiocese's employees, agents, officers, directors and assigns, including, without limitation, all members of the Roman Catholic clergy and all parishes, schools, and religious orders, and any person or entity affiliated with the Roman Catholic Church in the territory of the Archdiocese of Milwaukee, arising from the sexual abuse of [REDACTED] by Fr. James Jablonowski without the necessity of further proceedings or expense of any nature, and all parties wish to generally release one another from all liability for any claims that may exist to the date of the signing of this Agreement, including, but not limited to, any claims for sexual abuse of [REDACTED] by Fr. James Jablonowski.

So, in consideration of the mutual promises made here, and other valuable consideration, receipt of which is hereby acknowledged, the parties to this Agreement agree as follows:

1. The Archdiocese agrees to pay to [REDACTED] the sum of \$40,000 by check within seven days of the signing of this Agreement.

2. The Archdiocese of Milwaukee will subsidize in full the education of [REDACTED] through the 8th grade at [REDACTED]
[REDACTED]

3. [REDACTED] seeks an additional \$15,000 in addition to the sums set out in paragraphs 1 and 2 above. The Archdiocese of Milwaukee will seek approval from its finance council to pay [REDACTED] an additional \$15,000 in the addition to the amounts set out in the two paragraphs above. Nothing in this Agreement constitutes a requirement that the Archdiocese of Milwaukee finance council approve this amount, nor that the Archdiocese of Milwaukee will pay this amount if the finance council does not approve it. Payment of such an amount is in the sole discretion of the Archdiocese of Milwaukee finance council.

4. If the Archdiocese of Milwaukee finance council does not approve the payment of an additional \$15,000, the parties to this Agreement will reconvene six months from the date of the mediation (on or about October 3, 2003) to negotiate and discuss an additional payment, if any, to [REDACTED] from the Archdiocese not to exceed an additional \$30,000. This additional payment is in the sole discretion of the Archdiocese of Milwaukee.

5. At the request of [REDACTED] the parties agree to keep this Agreement confidential. Either party may discuss this Agreement with their officers, directors, employees, agents, accountants, attorneys, and insurers, and as required by law or to enforce the terms of this Agreement.

6. The Archdiocese will not put James Jablonowski in any position where he has access to minors or any facility where he has access to minors so long as he is a priest.

7. [REDACTED] and the Archdiocese will each bear their own costs and attorney fees associated with this settlement, and there will be no payment to [REDACTED] other than that specifically enumerated in these paragraphs.

8. In return for the payments set out above, and for the mutual promises contained herein, [REDACTED] agrees to release and forever discharge the Roman Catholic Archdiocese of Milwaukee, and all of the Archdiocese's employees, agents, officers, directors and assigns, including, without limitation, all members of the Roman Catholic clergy, and all parishes, schools, and religious orders, including, without limitation, St. Mary Czestochowa Parish and any person or entity affiliated with the Roman Catholic Church in the territory of the Archdiocese of Milwaukee from, and covenants not to sue them for, all claims, causes of action, charges, and demands, whether in tort, contract, or otherwise, of any nature that he may have had at any time up to and including the date of signing of this Settlement Agreement, including, without limitation, any claim of any nature arising from the assault, injury, whether physical or mental, or any other activity by Fr. James Jablonowski.

9. The Archdiocese hereby releases and forever discharges [REDACTED] from all claims, demands, and causes of action of any nature that were in existence up to and including the date of the signing of this Settlement Agreement.

10. This Agreement supersedes all prior understandings and agreements between the parties. No change to this Agreement shall be enforced against any party unless it is in writing signed by both parties.

11. [REDACTED] declares that he has read the foregoing Agreement; had an opportunity to discuss it with a lawyer; and fully understands its terms. [REDACTED] further declares that he has obtained professional counseling for the injuries alleged and understands their impact on him. He declares that he voluntarily accepts the terms and sum of money under this Agreement for the purpose of making a full and final compromise, adjustment and settlement of all claims as described above.

Date

[REDACTED]

Date

Archdiocese of Milwaukee
by: Dr. Barbara Anne Cusack

DIOCESE	Milwaukee
NAME OF ORDINARY	Timothy M. Dolan
CDF PROT. N. (if available)	137/03 – 19050
NAME OF CLERIC	James N. Jablonowski

PERSONAL DETAILS OF THE CLERIC	Date of Birth	February 3, 1942	Age	63
	Ordination	May 18, 1968	Years of ministry	34
ORIGINAL DIOCESE OF INCARDINATION		Milwaukee		
MINISTRY IN/TRANSFER TO OTHER DIOCESE		No		
CONTACT ADDRESS OF THE CLERIC		[REDACTED] Wauwatosa, WI 53208		
PROCURATOR (include original signed mandate)		Reverend William Woestman, OMI		
CONTACT ADDRESS OF THE PROCURATOR		Archdiocese of Chicago P.O. Box 1979 Chicago, IL 60690		

ASSIGNMENTS

Year	Parish	Location	Appointment
1968	St. Patrick	Milwaukee	Assistant Pastor (Temporary)
1968	St. Mary Czestochowa	Milwaukee	Assistant Pastor
1982	Holy Assumption	West Allis	Associate Pastor
1986	St. Hedwig	Milwaukee	Pastor
1998	Blessed Sacrament	Milwaukee	Pastor

ACCUSATIONS AGAINST THE CLERIC

Year	Victim	Age	Imputable Acts	Denunciation
1972-1975	[REDACTED]	11-14	Once a week to three times a week; at rectory, cottage in Fredonia; genital fondling, use of victim's foot for masturbation	2002
1973-1976	[REDACTED]	11-15	At the parish, at Father's aunt's house, and at a cottage; mutual fondling and masturbation, oral sex on victim and use of victim's foot to massage to ejaculation	2002

1977-1978		12-13	At the rectory; genital fondling	2002
CIVIL PROCEEDINGS AGAINST THE CLERIC				
Year	Type/Case	Conviction	Sentence (include copies of civil documents)	
2002	Cases reviewed by District Attorney	Found to be credible reports but cases all beyond statute of limitations		
MEASURES ADOPTED BY THE DIOCESE				
Year				
2002	Preliminary investigation conducted; Father asked to step aside from position of pastor; penal precept issued			
2003	Removal of pastor process; decree of removal issued; hierarchical recourse sought; effects of decree suspended; penal precept reinforced			
2003	Case referred to CDF for further action			
2005	Authorization for administrative penal process			
SUSTENANCE PROVIDED BY THE DIOCESE TO THE CLERIC				
During the pending recourse Father continued to receive the full salary and benefits of a pastor. With the rejection of the recourse, his right to this salary ceased. He has been provided with the sustenance required by canon law. The monthly amount is the equivalent to that of a retired priest.				
RESPONSE/RECOURSE MADE BY THE CLERIC				
Year				
2002	Refused to be interviewed by investigator; written statement provided through civil attorney			
2003	Refused to resign as pastor			
2003	Sought hierarchical recourse against removal			

June 13, 2002 James Jablonowski arrives with his brother-in-law, Tom Nichols, an attorney, to receive report of 2 allegations of sexual abuse dating from the mid-70's while he was assigned to St. Mary Czestochowa. He denies both allegations. Vicar and Dr. Reinke explain that the next step, an internal adjudicator investigation, still needs to be put in place. He may be asked to leave the parish during the review period; he asks to have input in the crafting of any statement to the parish.

JFH

535. Jim Jablonowski

June 14, 2002 Jim Jablonowski retains services of attorneys Thomas Brown and Ray Dall'Osto. Brown in a fax asks Vicar to direct all questions or inquiries of any sort relative to matters under investigation by the Archdiocese to either attorney. Vicar acknowledges receipt of the above by voicemail on 6/15.

JFH

601. Jim Jablonowski

July 2, 2002 Jim Jablonowski communicates to Vicar through his attorney, Tom Brown. Tom reports Jim is very emotionally distraught and seeing a psychiatrist. Tom is told that Bishop Sklba will get back to him after the July 5th meeting with the College of Consultors as to whether Jim needs to take a personal leave while the internal adjudicator reviews his case. Bishop Sklba is informed.

JFH

485. James Jablonowski

On July 5, 2002 after the meeting of Consultors which recommended that James not return to Blessed Sacrament Parish pending completion of the review by Judge Fiorenza I called Attorney Thomas Brown at his lake home [REDACTED] to share that information and request.

RJS

638. Jim Jablonowski

July 12, 2002 Barb Cusack, Jerry Topczewski and I worked with Matt Flynn to create a statement Bob Turner could read that at Blessed Sacrament Parish on the weekend. [REDACTED]

[REDACTED] The statement was shared with Tom Brown. A copy was given to Bob Turner. Bob was advised to say nothing except what was in the text to the press.

BK

624. James Jablonowski

On August 21, 2002 I received the report of special adjudicator Judge John Fiorenza regarding the accusation brought against Father Jablonowski. It was recommended that the Archdiocese consider removing Father Jablonowski from all parish duties and terminating his position as a priest. I directed that Barbara Anne prepare a letter of acknowledgment and gratitude to Judge Fiorenza and initiated the discussion with the Vicar's office regarding the proper procedure for the Archdiocesan response and further action.

On August 22, 2002 I requested Barbara Anne Cusack to convene the Crisis Team (B.Cusack, M.Gallagher, W.Kohler, B.Reinke, J.Topczewski) B.Cusack) in order to respond to the Fiorenza recommendation, prepare a notice for the parish and make the appropriate contacts as needed. There was the conviction that James should be relieved of his parish responsibilities immediately.

On August 23, 2002 I spoke with Fr. Jablonowski and his lawyer who was most understanding and cooperative regarding the necessity of making some statement at the parish. I again assured Fr. Jablonowski that the statement would be shared with him as soon as it became available, probably mid-day on Friday.

RJS

ARCHDIOCESE  OF MILWAUKEE
OFFICE OF THE ARCHBISHOP

Vicar
APR 08 2003

TO: BARBARA ANNE CUSACK
FROM: ARCHBISHOP TIMOTHY M. DOLAN

+ T.M.D.

DATE: April 7, 2003

Last Friday, April 4, Father Bob Turner came to see me.

He reported that his predecessor, James Jablonowski, was again at the parish to watch an athletic event.

Would you draft a stern letter for me to send Jablonowski reaffirming the past restrictions, and being more explicit that we do not want him at the parish or with the people at all.

Select Jablonowski Sexual Abuse Intake Reports

- 5/21/02 Sex abuse intake report- A man reports that Jablonowski abused him at St. Mary's Czechstochowa from 1973-1976 when he was 11-15 years old. Jablonowski fondled the survivor and masturbated him until he ejaculated. Jablonowski also forced the survivor to masturbate him. Handwritten notes state that if the DA does not open investigation, Archdiocese will confront and presumably remove Jablonowski since there have been two reports.
- 9/19/02 Sex abuse intake report of survivor of Jablonowski at St. Mary Czestochowa in 1977-78 when the survivor was 12-13 years old. Jablonowski rubbed between the survivor's legs and his crotch and once he unzipped the survivor's pants. The survivor previously reported in April or May of 2002 to his pastor who recommended contacting Project Benjamin.