



DICASTERIUM
DE LEGUM TEXTIBUS

Prot. N. 18289/2024

Vatican City, 25 June 2024

Dear Reverend Father,

I am writing in response to your Letter dated 1 May 2024, inquiring whether a priest who serves as a diocesan administrator is permitted to designate another priest as the Moderator of the Curia during the vacancy of the episcopal see.

In reality, it is hard to think that it will be possible for a diocesan administrator to appoint a Moderator of the Curia for that diocese during the vacancy of the episcopal see. The canonical legislator has set limits to his power that render him incapable of performing acts that could have a lasting impact on the diocese (cf. can. 428 - §1, *Apostolorum Successores*, n. 242), including appointing new officials.

However, applying an analogy, we could say that the diocesan administrator, who according to the provisions of n. 244 of the *Directory for The Pastoral Ministry of Bishops "Apostolorum Successores"*, may delegate general or particular functions until the new Bishop takes possession of the episcopal see, could also delegate the functions of Moderator of the Curia until the new Bishop takes charge of the diocese.

The formal appointment of a new Curia Moderator during the vacancy of the episcopal see does not seem to be a possibility envisaged by the canonical legislator, given the implications of this office in the running of the diocese: such appointment may be considered a breach of the rule in can. 428 § 1 "*Sede vacante nihil innovatur*".

With the hope that I have addressed your inquiry, I would like to take this opportunity to wish you well and ask God to bless you and your parish community.

Sincerely yours in Christ,


✠ FILIPPO IANNONE O.C.
Prefect


✠ JUAN IGNACIO ARRIETA
Secretary