

DICASTERIUM
PRO CLERICIS

DECREE

Prot. N. 2023 4462

SPECIES FACTI

1. WHEREAS, on 24 May 2023, His Excellency, the Most Reverend Mitchell T. Rozanski, Archbishop of Saint Louis (hereinafter, 'the Ordinary') issued a decree joining Saint Richard Parish in Creve Coeur (hereinafter, 'the Parish') to the Parish of Saint Monica in Creve Coeur, in an extinctive union (cf. *CIC* cann. 121; 515 §2), to take effect 1 August that year, and;
2. WHEREAS, after the aforesaid Decree was published to the faithful on 28 May 2023, Ms. Karen Coughlin (hereinafter, 'the Recurrent') made *remonstratio* on 7 June 2023 against the same to the Ordinary (cf. can. 1734), who rejected it the following 5 July, and;
3. WHEREAS, on 20 July 2023, the Recurrent sought hierarchical recourse before the Dicastery for the Clergy (hereinafter, 'the Dicastery'), which was received at the curia of the Archdiocese of Saint Louis on July 31 2023 and forwarded on to the Dicastery for the Clergy according to can. 1737, §1, and;
4. WHEREAS, having received on 13 December 2023 the acts and the *votum* of the Ordinary, the Dicastery hereby accepts the petition and proceeds immediately to its decision, based on the examination of authentic documents provided by interested parties.

IN IURE

1. The Apostolic Constitution, *Praedicate Evangelium*, art. 118, 1° establishes the competence of the Dicastery for the Clergy over "general discipline governing... parishes" and thus its authority to decide the matter as the appropriate Entity of the Holy See.
2. Concerning the specific object of this recourse, the extinctive union of a parish, canon 50 requires that, before issuing a decree, the Ordinary must seek the necessary information and proofs, and consult those whose rights can be harmed. Canon 515 §2 requires that the diocesan Bishop consult the Presbyteral Council before establishing, suppressing or notably altering a parish. Further, a decree is to be issued in writing and, when it contains a decision, the reasons for that decision must be given, at least

in summary form (cf. can. 51). Canon 515 §2 makes no provision as to the gravity of the cause required. Hence it is sufficient that a just cause be present (cf. Decrees of the Supreme Tribunal of the Apostolic Signatura, Prot. N. 24048/93 CA, 6 December 1993 and Prot. N. 38159/06 CA, 18 April 2008).

3. However, the just cause must primarily be the betterment of the pastoral provision for the salvation of souls (cf. Second Vatican Ecumenical Council, Decree on the Pastoral Office of Bishops in the Church, *Christus Dominus*, 28 October 1965, n. 32) and the good of the faithful (cf. Congregation for Bishops, Directory for the Pastoral Ministry of Bishops, *Apostolorum Successores*, 22 February 2004, n. 214).
4. The Dicastery has affirmed that “the suppression of parishes by extinctive union is legitimate for causes directly related to a specific Parish,” and further, “As a condition for the legitimacy of this type of provision, the requisite motivations must be directly and organically connected to the interested parish community, and not on general considerations or theories, or based solely on principle” (Congregation for the Clergy, Instruction, *The Pastoral Conversion of the Parish Community in the service of the evangelising mission of the Church*, 20 June 2020, n. 48).
5. However, although a diocesan Bishop is required to consider the situation *ad rem* of a particular parish in the deliberation of a just cause, the law does allow him to take into account the condition of the entire Diocese. The Apostolic Signatura has stated: *Decretum suppressionis feratur, denique, saltem summarie expressis motivis (cf. can. 51). Qua in re, “Episcopus diocesanus...iuxta suam prudentem discretionem procedure potest, excluso vero arbitrariedade” (decreta Congressus diei 3 maii 2002, prot. Nn. 33219/01 CA; 32220/01 CA; 32238/01 CA). Hac in ratione perpendenda, non solum condicio paroeciae consideranda est, verum etiam totius dioecesis, ut totius dioecesis saluti animarum meliore quo fieri potest modo, provideatur. Nullum tandem “ius christifidelium agnoscitur ad determinatam paroeciam, cum illis sufficiat paroecia quaedam, quae eorundem curam pastorem expleat” (cf. v.g. decreta Congressus dierum 12 octobris 1995, prot. N. 25323/94 CA; 18 ianuarii 1996 prot. N. 25465/94 CA; 12 octobris 1995, prot. N. 25530/95 CA (cf. Decree Prot. N. 37280/05 CA, 22 May 2009). This was also reiterated in a subsequent decision, sufficit proinde iusta causa; qua in ratione perpendenda, non solum condicio paroeciae consideranda est, verum etiam totius dioecesis, ut totius dioecesis saluti animarum et quidam etiam in futuro, meliore quo fieri potest modo provideatur (cf. Decree Prot. N. 45082/11 CA, 27 April 2011). Because the faithful have a right to pastoral care in some parish, rather than a right to a specific parish, and since the diocesan Bishop can consider the condition of an area or the Diocese as a whole, even a parish whose community and finances are in good condition may be united to another. The Apostolic Signatura succinctly expressed this jurisprudence as follows: “etiam in paroecia in bona condicione legitime uniri potest cum aliis paroeciis, nam consideranda est non tantum condicio singulae paroeciae sed etiam totius loci, immo totius dioecesis (cfr. SSAT decretum diei 12 iunii 2012, Prot. N. 46039/11 CA)” (Decree, 4 December 2020, Prot. N. 55183/20 CA). Taken together, the Instruction of the Dicastery cited above and the jurisprudence of the Apostolic Signatura must be understood to require that the conditions generally affecting an area or the entire Diocese must affect the interested Parish in some way.*
6. The nature of a parish in the Church is found in canon 515 §1: *Paroecia est certa communitas christifidelium in Ecclesia particulari stabiliter constituta, cuius cura pastoralis, sub auctoritate Episcopi dioecesanis, committitur parocho, qua proprio eiusdem pastori.* A parish, from the moment of its legitimate establishment by the

competent authority, is a public juridic person, as clearly stated in canon 515 §3: *Paroecia legitime erecta personalitate iuridica ipso iure gaudet*. As a juridic person, a parish is perpetual by nature however, it is possible to suppress (cf. can. 120 §1) juridic persons, such as parishes, or to merge them with another parish (cf. can. 121). The suppression or merger of the juridic person of the Parish requires a singular decree of the diocesan Bishop after the necessary consultation with the Presbyteral Council of his Diocese, as found in canon 515 §2: *Paroecias erigere, supprimere aut eas innovare unius est Episcopi dioecesan, qui paroecias ne erigat aut supprimat, neve eas notabiliter innovet, nisi audito consilio presbyterali*. The motivating cause for the suppression or merger of a parish must be at least a just cause, which, in the determination of the diocesan Bishop, serves the good of souls (cf. Congregation for the Clergy, Circular Letter, *Procedural Guidelines for the Modification of Parishes and the Closure, Relegation and Alienation of Churches*, 30 April 2013, Prot. N. 2013 1348). A paucity of clergy, a declining participation in parish life, or financial difficulties can be among the reasons that meet the standard of a just cause for the extinctive union of a parish, as these concerns affect the ability of the juridic person in question to continue its mission for the good of souls.

7. As noted above, these causes may affect not only the Parish in question but also the parishes in a given area or even the entire Diocese. In the first place, the Ordinary may group parishes together in a federated form, “whereby assembled Parishes would retain their own identity (Congregation for the Clergy, instruction, *The Pastoral Conversion of the Parish Community in the service of the evangelizing mission of the Church*, n. 47).” Nevertheless, inasmuch as the extinction of a parish is an act with permanent consequences, the cause should not be based on “conditions within the community that are presumably reversible or of brief duration” (Ibid., n. 48). Along this same line, jurisprudence indicates that “an extinctive union or suppression should be the last choice when dealing with various problems affecting parochial life, insofar as other possible remedies should have been at least considered beforehand and ruled out (Congregation for the Clergy, Circular Letter, *Procedural Guidelines for the Modification of Parishes and the Closure, Relegation and Alienation of Churches*, 30 April 2013, Prot. N. 2013 1348, n. 1g).”
8. Regarding which juridic act, suppression or merger, is most apt, there are four types of modification to parishes available in the law: an Extinctive Union whereby two or more parishes unite to form a new juridic person (cf. can. 121); an Extinctive Union whereby one Parish absorbs another, so that only the receiving Parish remains (cf. can. 121); a Division, whereby one Parish is divided so that one or more additional parishes are erected (cf. can. 122) and a true Suppression, where the juridic person of a parish is extinguished entirely (cf. can. 123). The Dicastery further clarified that “territorial parishes, as a general rule, may only be united or divided. Although sometimes personal parishes are truly suppressed, they are ordinarily united or divided, either in connection to another personal parish or even to a territorial parish” (Congregation for the Clergy, *Procedural Guidelines* [Prot. N. 2013 1348] n. 1d). If the parish church and other properties of a personal parish have been given over to another parish, and the faithful are directed to that same Parish for their pastoral care, this can only be considered an extinctive union of the two, rather than a true suppression. In such cases, the financial assets and liabilities of the juridic person in question also accrue to the receiving Parish, with due regard for the intentions of donors (cf. can. 121), rather than the superior juridic person, such as the Diocese (cf. can. 123). A territorial parish may

not be truly suppressed, inasmuch as the entire territory of a diocese must be divided into these basic units of pastoral governance (cf. can. 374 §1).

9. Whichever of the aforementioned juridic acts is taken, the extinctive union of one or more parishes must always be carefully distinguished from the decision to reduce a church to profane but not sordid use (cf. can. 1222 §2), since the cause required for the former is merely just, while the latter requires a grave cause (cf. Congregation for the Clergy, *Procedural Guidelines*, Prot. N. 2013 1348). This distinction is not limited to the issuance of the singular administrative act itself, but also to the consultations and preparations for the same, which must maintain the “*necessaria distinctio inter ‘processum reordinationis paroeciarum et determinationem quoad statutum canonicum edificii sacrii’*” (*Sententia definitiva diei 21 maii 2011, coram Caffara*, prot. n. 41719/08 CA” (Definitive sentence, *coram Mamberti*, 25 April 2018, Prot. N. 51993/16 CA).

IN FACTO

1. In the Recurrent’s recourse, she challenges the Ordinary’s presentation of just causes in the impugned Decree. Citing the 2020 Instruction of this Dicastery noted above, the Recurrent argues that the causes listed in the Ordinary’s Decree are not *ad rem*, because the planning process that informed the Ordinary’s decision is “a preconceived plan to close or notably alter so many parishes” which has not been “discussed with the people affected.” Furthermore, the Recurrent argues that the aforementioned planning process, called “All Things New,” expressly recognizes the harm the initiative would cause, and consequently, “the Archbishop admits to causing moral and spiritual harm to the Faithful of our community.”
2. The planning process called “All Things New” began in August 2021, after the Ordinary, having studied data collected by his predecessors, determined that it was necessary to begin a process for strategic pastoral planning. The initial phase of consultation was general and solicited the opinion of the entire presbyterate, of whom 96% participated. After this, focus groups composed of priests, key members of the laity, and civil authorities were consulted. On 8 October 2021, the Ordinary presented to the entire presbyterate an overview of the planning process, which included definite plans and timelines for further consultation. Similar presentations were made to representatives of the Catholic faithful from the ten deaneries of the Archdiocese, the deacons, the Archdiocesan curia, Catholic elementary school principals, youth and young adult ministers, and members of religious institutes and societies of apostolic life. In all cases, feedback was solicited.
3. On 25 January 2022, the process was announced to the general public by means of communication, including a dedicated website, through which anyone might have access the content related to the planning process, which included data regarding parishes and diocesan regions, summaries of feedback collected during the process, planning maps and revisions of planning maps, frequently asked questions, letters, and messages to the faithful and decrees.
4. After consultation, an initial plan, called the First Draft Model, was presented to the presbyterate on 19 August 2022. Consultation ensued with the following: the entire presbyterate, pastors of the potentially affected parishes, and selected members of the lay faithful, identified by their pastors and called “Key Parish Leaders”. From that

input, a revised First Draft Model was presented to all parishioners in public sessions, two sessions being held in each parish. Data specific to the individual parish and general data about the Archdiocese were available to each parishioner. Furthermore, the entire First Draft Model was published on 22 November 2022. Feedback was collected from those present at the two parish sessions as well as through an online survey open until 31 December 2022.

5. A special listening session was held at Saint Richard Parish on 24 October 2022, in order to accommodate the Archdiocesan Deaf Community.
6. From the summaries of feedback from the consultation sessions, a Second Draft Model was created and completed on 31 January 2023, which was used to “identify natural parish groups, with a view toward ensuring an equitable distribution of priests throughout the Archdiocese.” This Second Draft Model was presented to the College of Consultors, the Presbyteral Council, the entire Presbyterate, and key members of the Archdiocesan Curia. On 10 February, the Second Draft Model was made available to the general public, and feedback was solicited from pastors and key parish leaders.
7. On 24 to 27 April 2023, the Presbyteral Council examined the Second Draft Model, having received four weeks prior a dossier for each parish or mission that had been identified as part of a grouping.
8. The Presbyteral Council discussed the Parish in question on Wednesday, 26 April 2023, and voted as follows:
 1. “Should this parish share a pastor with another parish(es)?”
 1. 16-Yes; 1-Abstain
 2. “Is the proposed grouping for sharing a pastor optimal?”
 1. 15-Yes; 2-Abstain
 3. “Does parish viability data warrant discernment for a merger?”
 1. 6-Yes; 9-No; 2-Abstain
9. The Ordinary argues that, despite the vote of the majority of the Presbyteral Council against an extinctive union of the Parish with the nearby Saint Monica Parish, they “agreed broadly that it would not be practical to maintain Saint Richard as a ‘standalone’ parish going forward.”
10. The Ordinary asserts that the current demographic of the Parish skews primarily older, with statistics provided demonstrating that, of the 998 parishioners registered in the parish in 2022, 624 are older than 50 years of age. This, the Ordinary believes, demonstrates that the Parish is not viable in its present form. He states that older parishioners, “while very much the recipients of the Church’s pastoral solicitude, struggle to fulfill many functions necessary for maintaining a vibrant parish. For this reason, it seemed better to entrust this community to the care of the pastor of a larger parish with a younger overall demographic.” Furthermore, the Ordinary asserts, “a number of voices had argued that fewer and larger parishes were more advantageous for evangelizing. According to this way of thinking, the gathering of resources would permit new initiatives and the professionalization of the parish staff. According to this way of thinking, evangelization, so far from urging the preservation of existing parishes, was a just cause for the amalgamation of parishes into each other.”
11. However, the data presented shows that the overall neighborhood of the parish is becoming younger, and although the majority of the persons moving into the region are presently not Catholic, the parish averages 11 baptisms a year with 374 registered parishioners being under 49 years of age, of whom 145 of those are 20 and under. Furthermore, the parish is financially stable, with the Ordinary reporting the parish has

- \$617,500 in reserves and a positive balance each year, apart from the extraordinary circumstance of fiscal year 2021, during the worst of the COVID-19 pandemic.
12. Furthermore, the Ordinary recounts, “Additionally, the relatively small size of Saint Richard Parish, combined with the number of priests likely to be available for pastoral ministry in the future, would make it impractical to assign the parish its own pastor.” However, it was noted during the discussion held by the Presbyteral Council that the new parish would have two or three priests available for ministry. The financial resources of the parish, combined with the large number of parishioners in their prime earning years and a large number of potential volunteers available in those of retirement age, again seem to contradict the Ordinary’s argument that the Parish is not capable of “new initiatives and the professionalization of the parish staff”.
 13. Although the Parish is relatively smaller than its neighbors, it is large enough to be a viable community, as is evidenced by its financial stability, the services provided for parishioners, and its willingness to collaborate with other parishes for those things which it is not capable of doing on its own or is better suited for collaboration.
 14. The statistics provided by the Ordinary demonstrate a gradual decline in the number of parishioners and a corresponding decline in Mass attendance in comparison with other nearby parishes, although it is evident that the decline in both parishioners and Mass attendance is common to the entire zone studied in “All Things New”. Furthermore, the Ordinary appears to be convinced that those presently not Catholic will never become parishioners of Saint Richard Parish: “There is no humanly-foreseeable possibility that such large numbers of non-Christians will become Catholic and members of St. Richard Parish over the next decade to such an extent that the decline of the parish will be reversed.”
 15. The Ordinary, explaining his decision to go against the advice of the Presbyteral Council, believes that the demographic trends of Saint Richard Parish “were by nature stable and constant” and that “the demographic changes in the territory of Saint Richard Parish are not humanly reversible”. However, these are future projections and not the present condition of Saint Richard Parish.
 16. In consideration of the process described and documented by the Ordinary, this Dicastery rejects the Recurrent’s argument that the “All Things New” process *in procedendo* was “a preconceived plan to close or notably alter so many parishes” which has not been “discussed with the people affected.”
 17. However, given the financial stability of Saint Richard Parish, the presently stable demographics, determined by the statistics provided by the Ordinary, this Dicastery rejects the Ordinary’s argument that a just cause is present for the extinctive merger of Saint Richard Parish with Saint Monica Parish, since the sharing of a pastor and staff between the parishes (cf. can. 526, §1) could address the same needs while preserving the juridic person of the Parish.

THEREFORE,

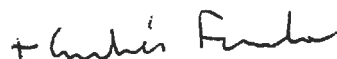
In accord with CIC can. 1739, this Dicastery hereby REVOKES the 24 May 2023 decree of the Archbishop of Saint Louis, which joined Saint Richard Parish in Creve Coeur to that of Saint Monica in Creve Coeur in an extinctive union, since the petition for hierarchical recourse as presented has merit *in decernendo*.

Recourse against this Decree may be made before the Supreme Tribunal of the Apostolic Signatura within the peremptory time limit established by the Apostolic Letter *Motu Proprio, Antiqua Ordinatione* 34 §1.

Given at the Dicastery for the Clergy
19 January 2024



Lazzaro Cardinal You Heung sik
Prefect



✠ Andrés G. Ferrada Moreira
Titular Archbishop of Tiburnia
Secretary