



Prot. N. 2020 *RPU-5*

## DECREE

### IN THE NAME OF GOD. AMEN.

Over the past several decades, many things have changed in this particular church. Changing demographics have affected the size and wealth of the Archdiocese of Chicago and the vitality of her parishes. This is particularly true in the City of Chicago itself, where the total population has decreased by 20% since 1970, from 3,366,957 to an estimated 2,736,000.

Many of our parishes have received generous financial subsidies from the people of the archdiocese. Between fiscal year 2012 and fiscal year 2019 these subsidies amounted to \$160,014,332.00, including \$40,039,909.00 to 115 parishes, and \$119,974,423.00 to 93 Catholic schools. Last year alone, the archdiocese provided \$4,448,745.00 to parishes and \$13,511,371.00 to Catholic schools. Little of this money is expected to be recovered, and the generous population of the Archdiocese of Chicago cannot continue this level of financial support while the overall population decreases and the number of Catholic faithful regularly attending Mass declines. Our hope is that our parishes will be more vital, that is, active centers of Christian discipleship, evangelical mission, scholarship, and charitable outreach. To achieve this hope, the parishes must be able to support their churches and ministries when possible.

Following consultation with the Presbyteral Council of the Archdiocese of Chicago, my decree of April 3, 2020, ordered the extinction of the separate juridic persons of St. Hilary Parish, and the neighboring Transfiguration of Our Lord Parish, both in the Lincoln Square neighborhood in the City of Chicago. They will be united on July 1, 2020, as one new parish, which will take the name St. Pio of Pietrelcina (*Padre Pio*) Parish.

The parish church of St. Hilary is 1.3 miles from Transfiguration of Our Lord Church. It seats 900, and is sufficient to accommodate the approximately 1,650 to 1,700 who will regularly attend Sunday Mass in the new parish.

In holding the assets and liabilities of the united parishes, St. Pio of Pietrelcina (*Padre Pio*) Parish will be unduly burdened with buildings and costs it does not need and cannot reasonably use or afford. Notable is the ordinary maintenance and other expenses associated with the ownership and use of Transfiguration of Our Lord Church. Leaders of the two parishes forming the new parish have been planning to begin celebrating all regular parish Masses and most other liturgies at St. Hilary Church beginning with the formation of the new parish on July 1, 2020.

It is now clear that the capital repairs necessary for Transfiguration of Our Lord Church are well beyond the ability of Transfiguration of Our Lord Parish or the new St. Pio of Pietrelcina (*Padre Pio*) Parish to afford. This has been exacerbated by the economic dislocation caused by



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the Covid-19 pandemic. The large former Catholic School building now closed for 18 years that the small sanctuary of this church is in has experienced serious decay. The surrounding building raises multiple health and safety concerns, including masonry issues that make entrance and exit from the church dangerous. Measures to remedy this large unusable structure housing the room used for worship, diverts significant required resources unnecessarily from the parish's work of evangelization and charity.

It is both unrealistic and unsupportive of the work of charity for the new parish to maintain a church and other structures that are no longer functional, that it cannot use and has no use for. Simply, there are no parochial, archdiocesan, or other ecclesiastical funds available to keep and maintain Transfiguration of Our Lord Church as a place of Catholic worship. The reasonable and safe solution for the parish is to relegate the church to profane but not sordid use (*CIC*, c. 1222 §2), allowing it and the rest of the church campus to be sold or otherwise developed for the benefit of the new parish. This would result in an immediate annual savings \$60,000.00 in maintenance and operating costs.

The law requires a grave cause or causes to justify the relegation of a church to profane but not sordid use. The Supreme Tribunal of the Apostolic Signatura held a grave cause was entirely apparent when the following factors were present: (1) a financial burden in preserving a church imposed on a parish from the union of several parishes; (2) a church no longer of service to the pastoral care of the faithful due to changed circumstances; (3) a new parish burdened from the beginning by a debt; (4) ready and effective assistance available to the new parish from the sale of a church; (5) a diminishing number of faithful whose donations principally sustain the new parish; and (6) charity and other assistance to the poor being neglected to preserve a sacred building (Prot. N. 24388/93 CA in *Ministerium Iustitiae: Jurisprudence of the Supreme Tribunal of the Apostolic Signatura*, Montreal: W & L (2011), pp. 526-527). The situation of Transfiguration of Our Lord Church mirrors these factors. If the church is not relegated to profane but not sordid use and sold for the benefit of the new parish, the situation will rapidly deteriorate. Moreover, there is no governmental support for building or maintaining churches in the USA.

Relegation of Transfiguration of Our Lord Church to profane but not sordid use, according to canon 1222 §2 of the Code of Canon Law, enhances the possibility that the church and other real property assets of Transfiguration Parish will be a source of income for the new St. Pio of Pietrelcina (*Padre Pio*) Parish, its parishioners, and its missions.

The Reverend Fernando Zuleta, administrator of Transfiguration of Our Lord Parish, and the Reverend Aloysius Funtila, pastor of St. Hilary Parish, who have been assigned as a team of priests *in solidum* to serve the new St. Pio of Pietrelcina (*Padre Pio*) Parish, support the need





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to relegate Transfiguration of Our Lord Church to profane but not sordid use and, with the major et sanior pars of the parish, desire to see the parish community move forward without the financial and other burdens of owning and caring for this second church.

THEREFORE, know that I, Cardinal Blase J. Cupich, Archbishop of Chicago, according to the norms of canons 50 & 51, 127 §§1 & 3, 166, and 1222 §2 of the Code of Canon Law, convened the Presbyteral Council of the Archdiocese of Chicago on May 5, 2020, *via video* conference, and on May 19, 2020, also *via video* conference. Hearing the Council's deliberations and a vote of 36 for and 0 against the proposal to relegate Transfiguration of Our Lord Church, 2609 West Carmen Avenue, Chicago, Illinois 60625, to profane but not sordid use, and after invoking the Holy Spirit and satisfying myself that the good of souls will suffer no detriment, I now

***decree the following:***

1. Effective July 1, 2020, Transfiguration of Our Lord Church, in the Lincoln Square area of the City of Chicago, what would then have become a church of St. Pio of Pietrelcina (*Padre Pio*) Parish, is relegated to profane but not sordid use;

2. Officials of the Archdiocese of Chicago, cooperating with the Priest Moderator of St. Pio of Pietrelcina (*Padre Pio*) Parish, will make certain the assets of the former Transfiguration of Our Lord Parish, including Transfiguration of Our Lord Church are secure for the benefit of St. Pio of Pietrelcina (*Padre Pio*) Parish;

3. The real property assets of the former Transfiguration of Our Lord Parish are to provide St. Pio of Pietrelcina (*Padre Pio*) Parish with proceeds from the alienation of the property or income from rental under lease;

4. The reports given to the Presbyteral Council on this matter, together with the minutes of the meetings of May 5, 2020, and May 19, 2020, are to be attached to this decree; and

5. Notification of this decree is to be made immediately to the administrator of Transfiguration of Our Lord Parish and to the pastor of St. Hilary Parish, both in the Lincoln Square neighborhood of the City of Chicago, and to the parishioners of the same parishes through publication on the website of the Archdiocese of Chicago and in the parish bulletins.

*Before hierarchical recourse (appeal) may be taken against this decree, a written, signed, and dated petition to reconsider or amend the decree must be delivered to me within ten (10) useful days from notification of the decree (CIC cc. 1734, 1735, and 1737).*

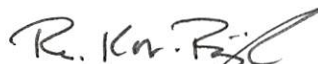


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Given this 22<sup>nd</sup> day of May, A.D. 2020,  
From Holy Name Cathedral,  
Chicago, Illinois

  
Archbishop of Chicago



  
Ecclesiastical Notary

Attachments



WHEN AVAILABLE, DATA SUBMITTED TO THE PRESBYTERAL COUNCIL OF THE  
ARCHDIOCESE OF CHICAGO AND MINUTES OF THE MAY 5, 2020,  
AND MAY 19, 2020, PRESBYTERAL COUNCIL MEETINGS MAY BE  
REQUESTED FROM THE OFFICE FOR CANONICAL AFFAIRS