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Prot. N. 2022 RPU-6

DECREE

IN THE NAME OF GOD. AMEN.

On January 3, 2020, following consultation with the Presbyteral Council of the Archdiocese of Chicago, I issued a decree establishing a new parish through the extinctive union of Assumption Parish, Our Lady of Tepeyac Parish, and St. Roman Parish, all in the East Little Village neighborhood of the Southside of the City of Chicago. The union forming the new parish was effective July 1, 2020, and the new parish was called, *ad interim*, Our Lady of Tepeyac, Assumption, and St. Roman Parish. By decree dated May 6, 2021, the new parish was named Mother of the Americas Parish (*Parroquia Madre de las Americas*).

On October 4, 2021, the Reverend Thomas J. Boharic, pastor of Mother of the Americas Parish, after consulting his parish pastoral council and other members of the parish, discerned the continued use of Assumption Church for worship was no longer feasible for the new Mother of the Americas Parish. Consequently, he wrote me and the Episcopal Vicar of his region of the archdiocese, asking that Assumption Church be relegated to profane but not sordid use (*CIC* c. 1222 §2).

A church may be relegated to profane but not sordid use when, after hearing the presbyteral council, the diocesan bishop determines there is a "grave cause" indicating a church should no longer be used for divine worship and that the good of souls suffers no detriment from the relegation. A Definitive Sentence of the College of the Supreme Tribunal of the Apostolic Signatura given May 4, 1996, considered what constituted the grave cause required for the relegation to profane but not sordid use of a church belonging to a parish formed from the union of parishes (*Ministerium Iustitiae: Jurisprudence of the Supreme Tribunal of the Apostolic Signatura*, Montreal: W & L (2011): Prot. N. 24388/93 CA, pp. 526-527).

As related in the Definitive Sentence, a new parish formed from the extinctive union of five parishes sought to relegate three of its five churches to profane but not sordid use. The faithful who worshipped at one of these churches took recourse against the relegation of their church. The Supreme Tribunal found that the following conditions together constituted the grave cause required for relegation: (1) preservation of all the churches would impose an intolerable burden on the new parish; (2) the church in question was no longer of service to the pastoral care of the faithful due to changed circumstances; (3) the new parish was burdened from the beginning by a huge debt; (4) sale of the church would offer ready and effective assistance, otherwise lacking, to the urgent needs of the new parish; (5) the number of faithful contributing to the support of the parish was diminishing; and (6) charity and other assistance to the poor should not be neglected to preserve a sacred building.

In this case it is established that (1) Retaining Assumption Church of Mother of the Americas Parish as a place of divine worship, imposes a financial burden on the parish from

operational and maintenance expenses associated with the church. If maintained for parish use, the Assumption Church campus will require \$1,200,000.00 in capital repairs, \$800,000.00 the church/school alone. Moreover, Mother of the Americas Parish will have the burden of unnecessary administrative costs for maintaining a church it does not need.

(2) Assumption Church is not needed for divine worship for the average of 480 Sunday worshippers regularly attending there in FY 2020 (before COVID-19). This number of worshippers is well accommodated in Our Lady of Tepeyac Church, the parish church of Mother of the Americas Parish.

(3) On July 31, 2021, the combined debt of the new Mother of the Americas Parish was \$2,183,227.00, partially offset by cash assets of \$784,432.00 on deposit.

(4) Sale or rental of Assumption Church would benefit the mission of Mother of the Americas Parish with ready cash proceeds. There will be immediate additional savings of \$70,000.00 to \$80,000.00 annually, based on maintenance expenditures in Fiscal Years 2019 and 2020, and more from the \$1,200,000.00 in unspent capital repairs.

(5) The total number of faithful regularly worshipping on Sundays at Assumption Church was 480 in October 2019 (Fiscal Year 2020), a more than 40% decrease over 15 years (from 812 in October 2004). Over 10 years, the average offertory collections decreased by more than 43% from \$163,593.00 (Fiscal Year 2010) to \$93,033.00 (Fiscal year 2020).

(6) Preserving Assumption Church for divine worship will result in continued and unnecessary operational and maintenance costs that will cripple the ability of Mother of the Americas Parish to serve the poor, enhance its evangelical mission, and remain viable.

Finally, since March 2020, the novel coronavirus pandemic of COVID-19 continues to diminish some parts of the United States economy, materially and negatively changing the financial well-being of the archdiocese, some of our parishes, and many poor and middle-class families. There is concern for the long-term economic survival of some institutions.

It is unreasonable to expect a new parish formed from the union of three parishes to maintain a church it cannot afford, does not need, and which is no longer useful for divine worship. Moreover, there are no parochial, archdiocesan, or other known sources of funds available to keep and maintain Assumption Church as a place of Catholic worship. There is no governmental assistance for building or maintaining churches in the United States of America. The reasonable and safe course is to relegate the church to profane but not sordid use, allowing it to be sold or otherwise developed for the benefit of the new parish, its ministries, and the work of charity.

THEREFORE, know that I, Cardinal Blase J. Cupich, Archbishop of Chicago, according to the norms of the Code of Canon Law, convened the Presbyteral Council of the Archdiocese of Chicago electronically *via* the internet on October 14, 2021, and again on November 9, 2021, at

St. Giles Parish, Oak Park, Illinois. Hearing the council's deliberations and the council's November 9th vote of 35 for and one against the proposal to relegate Assumption Church of Mother of the Americas Parish to profane but not sordid use; invoking the Holy Spirit; satisfying myself that the good of souls will suffer no detriment, and that Our Lady of Tepeyac Church, the parish church of Mother of the Americas Parish is sufficient for the needs of the faithful,

I decree the following:


1. Effective immediately, Assumption Church of Mother of the Americas Parish on the Southside of the City of Chicago is relegated to profane but not sordid use;
2. Officials of the Archdiocese of Chicago, cooperating with the pastor of Mother of the Americas Parish will assure the real property associated with Assumption Church is secure for the benefit of Mother of the Americas Parish;
3. If alienated, the alienation of Assumption Church is to provide Mother of the Americas Parish with the proceeds from sale of the real property or rental under lease;
4. When approved, the reports given to the Presbyteral Council on this matter, together with the minutes of the council meetings of October 14, 2021, and November 9, 2021, are to be attached to this decree and available upon request to eligible parties; and
5. Notification of this decree is to be made immediately through publication on the Archdiocesan Website. It is then to be sent to the Pastor of Mother of the Americas Parish for communication to parishioners through publication in the parish bulletin or other suitable means.

Before hierarchical recourse (appeal) may be taken against this decree, a written, signed, and dated petition to reconsider or amend the decree, must be sent or delivered to the Archbishop of Chicago within ten (10) useful days from notification of the decree (CIC cc. 1734, 1735, 1737). The address is Office of the Archbishop, Archdiocese of Chicago, 835 North Rush Street, Chicago, Illinois 60611.

Given this 11th day of January, A.D. 2022.
From Holy Name Cathedral,
Chicago, Illinois


Archbishop of Chicago




Ecclesiastical Notary

Attachments

ONCE AVAILABLE, DATA PERTAINING TO THIS DECREE AND SUBMITTED TO THE PRESBYTERAL COUNCIL OF THE ARCHDIOCESE OF CHICAGO AND MINUTES OF THE COUNCIL MEETINGS OF OCTOBER 14, 2021, AND NOVEMBER 9, 2021, MAY BE REQUESTED BY ELIGIBLE PARTIES FROM THE OFFICE FOR CANONICAL AFFAIRS