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Prot. N. 2023 RPU-5

## DECREE

### IN THE NAME OF GOD. AMEN.

On March 7, 2022, following consultation with the Presbyteral Council of the Archdiocese of Chicago, I issued a decree establishing a new parish through the extinctive union of two neighboring parishes on the Southside of the City of Chicago: St. Margaret of Scotland Parish and St. Kilian Parish. The union of the two parishes was called, *ad interim*, St. Margaret of Scotland and St. Kilian Parish. The effective date of the extinctive union was July 1, 2022. By my decree of October 13, 2022, the union of the two parishes was given the permanent new name of Saints Martha, Mary, and Lazarus Parish.

On September 22, 2022, after consulting with parish leadership, the Reverend Donald O. Ruuga, MSP, pastor of the then St. Margaret of Scotland and St. Kilian Parish, who had been pastor of both parishes before the union, discerned that continued use of St. Kilian Church for divine worship in his parish was not feasible. Consequently, he wrote to me and the Episcopal Vicar of his region of the archdiocese, asking that St. Kilian Church of the now Saints Martha, Mary, and Lazarus Parish 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 a 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 St. Kilian Church as a place of divine worship, imposes a financial burden on the new Saints Martha, Mary, and Lazarus Parish due to operational and maintenance expenses associated with the church. If maintained for parish use, the St. Kilian Church campus will also require \$534,900.00 in capital repairs, \$309,350.00 for the church alone. As of August 31, 2022, the total debt of the new Saints Martha, Mary, and Lazarus Parish was \$3,982,922.00, alongside combined savings of \$783,401.00.

(2) St. Kilian Church is not needed for divine worship for the average 122 Sunday worshippers regularly attending there in FY 2020 (before COVID-19). The church has not been used for regular Sunday worship since June 12, 2022. Moreover, the worshippers then attending are well accommodated in the 1,200-seat parish church of St. Margaret of Scotland.

(3) The most recent pre-COVID-19 annual collections at the former St. Kilian Parish yielded \$113,900.00 (Fiscal Year 2020). An average annual income of approximately \$130,000.00 has been maintained over the last decade; however, such income has been insufficient for the maintenance of St. Kilian Church and leaves nothing for the regular support of the new Saints Martha, Mary, and Lazarus Parish.

(4) Sale or rental of St. Kilian Church will benefit the mission of the new parish with ready cash proceeds. There will be immediate annual savings of at least \$100,000.00 from unspent regular maintenance expenses, and more from the \$534,900.00 in unspent capital repairs when the church campus is sold.

(5) The total number of faithful regularly worshipping on Sundays at the former St. Kilian Parish was 122 in October 2019 (pre-COVID-19 Fiscal Year 2020). This figure is a 42% decline over 15 years from an attendance of 210 in October 2005.

(6) Preserving St. Kilian Church for worship will result in continued and unnecessary operational and maintenance costs that will cripple the ability of new Saints Martha, Mary, and Lazarus Parish to serve the poor, enhance its evangelical mission, and remain viable.

Since March 2020, the arrival of the novel coronavirus pandemic of COVID-19 diminished some segments of the United States economy, materially and negatively impacting the financial well-being of the archdiocese, the new parish, and many poor and middle-class families. There is concern for the long-term economic survival of many institutions.

It is unreasonable to expect a parish formed from the extinctive union of two parishes to maintain a church it cannot afford and that is no longer needed for the divine worship of the new parish. Furthermore, there are no parochial, archdiocesan, or other known sources of funds available to keep and maintain St. Kilian Church as a place of Catholic worship. There is no governmental assistance for building or maintaining churches in the United States of America. The prudent course is to relegate St. Kilian Church of Saints Martha, Mary, and

Lazarus Parish to profane but not sordid use, selling or developing the property for the benefit of the new parish, its ministries, and 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 at the St. Giles Church campus of St. Catherine of Siena-St. Lucy and St. Giles Parish, Oak Park, Illinois, on September 27, 2022, and again on November 4, 2022. Hearing the council's deliberations and the council's November 4<sup>th</sup> vote of 31 yes and one against the proposal to relegate St. Kilian Church of Saints Martha, Mary, and Lazarus Parish to profane but not sordid use; invoking the Holy Spirit; satisfying myself that the good of souls will suffer no detriment; and that the parish church of St. Margaret of Scotland is sufficient for the needs of the parish,


***I decree the following:***

1. Effective immediately, St. Kilian Church, 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 the new Saints Martha, Mary, and Lazarus Parish will assure the real property associated with the St. Kilian Church campus is secure for the benefit of Saints Martha, Mary, and Lazarus Parish;
3. If alienated, St. Kilian Church is to provide Saints Martha, Mary, and Lazarus Parish with proceeds from sale of the property or rental under lease;
4. The reports given to the Presbyteral Council on this matter, together with the minutes of the council meetings on September 27, 2022, and November 4, 2022, are confidential documents and will be appended to this decree upon approval and made available upon the request of 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 Saints Martha, Mary, and Lazarus Parish for communication to parishioners through the parish bulletin or other suitable means.

Given this 19<sup>th</sup> day of January, A.D. 2023.  
From Holy Name Cathedral,  
Chicago, Illinois

  
Archbishop of Chicago



  
Ecclesiastical Notary

Attachments

*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 by mail 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.*

ONCE APPROVED, CONFIDENTIAL DOCUMENTS PERTAINING TO THIS DECREE AND SUBMITTED TO THE PRESBYTERAL COUNCIL OF THE ARCHDIOCESE OF CHICAGO AND THE CONFIDENTIAL MINUTES OF THE COUNCIL MEETINGS OF SEPTEMBER 27, 2022, and NOVEMBER 4, 2022, WILL BE MADE AVAILABLE UPON THE REQUEST OF ELIGIBLE PARTIES TO THE OFFICE FOR CANONICAL AFFAIRS