



ARCHDIOCESE OF HARTFORD



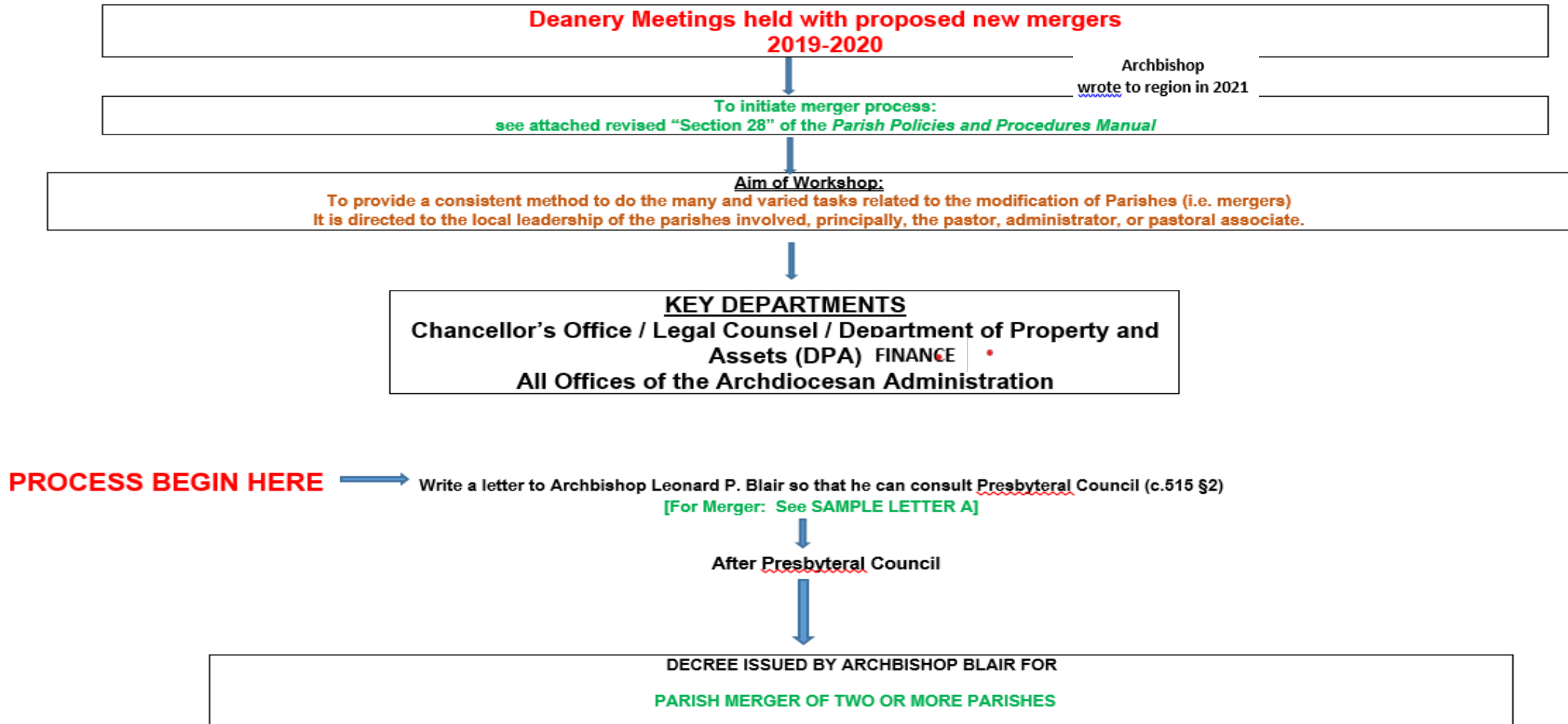
MODIFICATION OF PARISHES MARCH 22, 2023

**Archdiocese of Hartford
Office of the Chancellor:**

**Fr. Christopher M. Ford, J.C.L.,
Chancellor**

**Fr. George S. Mukuka, J.C.L.,
Vice-Chancellor**

Current Process.....



Some fundamental issues ...

Canonical definition of “Parish”:

- **Canon 515: §1.** A **parish** is a certain community of the Christian faithful stably constituted in a particular church, whose pastoral care is entrusted to a pastor as its proper pastor under the authority of the diocesan bishop. §2. It is only for the diocesan bishop to erect, suppress, or alter parishes. He is neither to erect, suppress, nor alter notably parishes, unless he has heard the presbyteral council. §3. A legitimately erected parish possesses juridic personality by the law itself.

Canonical definition of a “Church”:

Canon 1214:

By the term **church** is understood a sacred building designated for divine worship to which the faithful have the right of entry for the exercise, especially the public exercise, of divine worship.

What is the difference between a parish and a church?

- People use the expression **parish** and **church** interchangeably, but they are very distinct realities.

Church.....

- Although the term "**church**" can have a broad meaning, such as the Church of Christ into which all the baptized are incorporated (canon 96), a **church building** is a sacred place, set aside for **divine worship** (canon 1214).

Church cont....

- It is comprised of four walls and roof, is blessed or dedicated, and is the location where the faithful from a given parish gather to worship God through the celebration the sacraments and other ways of prayer.
- It is the place where the Blessed Sacrament is reserved for veneration. It has a fixed address (at 435 N Brooksvale Rd, Cheshire, CT or at the corner of St. Mary and St. Joseph streets) and requires lawn maintenance and utility bill payments, etc. *You get the picture.....*

Parish

- A *parish* is a bit more **difficult to define**. It is an entity in canon law that is defined by a **territorial boundary**, to serve the needs of the people within that boundary, or **without a territory to serve a group of the faithful on the basis of language, ethnicity or some other shared quality (canon 518)**.
- A parish must have a **pastor (or priest administrator)** who cares for the faithful and celebrates the sacraments in the parish church.

Distinction between Parish and Church

A distinction between the two is important for many reasons:

- **For example, the building of new church is usually preceded by the creation of a new parish.** That is to say that the parish, or parishioners, who will likely help to raise the funds for the construction of a new church, are identified before their parish church building exists.
- **In the case of merging existing parishes,** the newly merged parish may have a number of churches at its disposal after the merger is completed.
- **This poses its own set of unique difficulties** because the newly merged parish will have to decide what churches to maintain and use.

Types of parish modifications:

- **Extinctive Union – Type I:** (sometimes known as merger): A and B unite to form C, only C remains (c. 121)
- **Extinctive Union – Type II:** (sometimes known as merger, or as amalgamation): A is subsumed into B, only B remains (by analogy to c.121)
- **Total Division:** A is divided into B and C, only B and C remains (c.122). B and C can either be new or old juridic persons.
- **Partial Division (or Separation):** A is divided into A and B; both A and B remain (cf. c. 122):
- **Suppression:** A is extinguished; nothing remains (c. 123).

Extinctive Union – Type II:

Sometimes known as merger, or as amalgamation:

A is subsumed into B, only B remains (by analogy to c.121)

$$A+B=B$$

A goes into B, and only B remains

Analogous to c.121

Examples of Extinctive Union – Type II in AOH

Effective June 29, 2017:

1) **Our Lady of Mount Carmel Parish – Hamden:**

- a) Saint Joan of Arc Parish, Hamden, subsumed into
- b) Our Lady of Mount Carmel Parish, Hamden

2) **Saint Bridget of Sweden Parish , Cheshire**

- a) Saint Thomas Becket & Epiphany Parishes subsumed into
- b) Saint Bridget of Sweden Parish

Canonical language to be explained to parishioners.....

I HEREBY DECREE the “amalgamation” of Our Lady of Lourdes, Sacred Heart, Saint Lucy, Saint Margaret and Saint Stanislaus Koska Parishes, following from canons 121 & 515 §2 of the Code of Canon Law, by which “they” are **subsumed into Saint Anne Parish, the separate juridic (legal) personality of Our Lady of Lourdes, Sacred Heart, Saint Lucy, Saint Margaret and Saint Stanislaus Koska Parishes will cease to exist, and they will no longer be subject of obligations and rights under canon law;**

- **Since parishes are communities of the faithful, territorial parishes as a general rule can only be united or divided (c. 121 and 122).**
- **Although sometimes personal parishes are truly suppressed (c.123), they are ordinarily united or divided, either in connection to another personal parish or even to a territorial parish – **St. Anthony + Holy Rosary.****

Bishop or those equivalent to him in law (c. 381 §2, 368, and 515 §2)

- Bishop or those equivalent to him in law (c. 381 §2, 368, and 515 §2), can competently **erect, suppress or notably alter parishes** is the diocesan.
- He is competent to judge the existence of the required **just cause**, but his judgement must conform to ecclesiastical jurisprudence.

Canonical jurisprudence

According to this jurisprudence, the principal motivation for modifying a parish is a concern for souls (*Christus Dominus* no. 32) and this modification should be undertaken when the **good of the faithful requires it** (*Apostolorum Succesores*, no. 214).

Procedures for Modification

- Before rendering his decision, the Bishop must seek out the **necessary information** and, insofar as possible, **hear those whose rights could be injured** (c.50).
- **This has to be done before consulting the members of the Presbyteral Council**

Letter to Archbishop Blair.....

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SAMPLE LETTER A

Parish Name
Address
Tel: xxx-xxx-xxxx
Date:

The Most Reverend Leonard P. Blair, S.T.D.
The Chancery
134 Farmington Avenue
Hartford, CT 06105

Dear Archbishop Blair,

With the pastoral planning process in the Archdiocese of Hartford having been effected in 2017, the parishes of *[State name(s) of parish(es)]* with *[state number of church buildings, and other buildings, e.g., former convents, schools, etc., if applicable]*, have been in an on-going discussion and consultation *[state briefly the history of the parish community or communities]*, and the *[committees consulted]* the Finance Council and Parish Council with regards to the proposed modification (or merger) of the *[state number of parishes, e.g., two, three or four] parish(es)*.

Therefore, I [we] write to you to respectfully recommend that the *[name of Parish A]*, and building located at *[address]*, be merged with *[name of Parish B]*, and buildings located at *[address]*. Having considered the facts and the demographics of the area, in order to ensure a vibrant and sustainable future, characterized by spiritual vitality, organizational efficacy and accountability, and social and financial responsibility of our ministry, it is vital that the above-named parishes merge to form a one single unified parish. Additionally, with the merger the new parish will be able to *[state reasons here]*

1. _____ *(e.g., unify parishioners in a geographical area (e.g. Hamden, Windsor, etc.);*
2. _____ *(e.g., the merger will not harm the good of souls);*
3. _____ *e.g., the general plan of the archdiocese is to reduce the number of parishes);*
4. _____ *(e.g., cater for the dire need for new evangelization in our deanery)*

Having heard the parish trustees, finance council and pastoral council members, and parishioners by means of ... *(state how they were notified, e.g., by letter read to the respective parishioners by N., on (date) or by means of a letter published in the Parish Mail (Archdiocesan Weekly Newsletter), Parish Bulletins, (dates)*. All relevant parties have come to the realization, that a new merged parish will reinvigorate our liturgical, sacramental and devotional life, and provide sound opportunities and instruction for growth in the spiritual life of our parishioners.

The major donors and, or, their heirs, were heard on ... *(date)*. *Or, if applicable:* Having ascertained from the deeds, our legal counsel, and documents that there are no major donors or heirs to be heard and no restrictions. Therefore, the merger of the parishes will not be obstructed. *Or, if applicable:* An investigation into the deeds to all church real estate led to the discovery that there are no covenants, codicils, or restrictions on any of the property. A review of the history of the extinct parish revealed no indication that a single donor made a significant donation of either funds or real estate with a restriction or stipulation as to future use. This inquiry involved the records of the former parish as well as conversations with trustees and other long-time parishioners. As a result, I conclude that the church, as well as the growth of the parish, were the result of the contributions and gifts of many parishioners from the parish community.

Thank you for your consideration.

Sincerely yours in Christ.

PARISH A	PARISH B	PARISH C
Rev. xxxxxx , Pastor	Rev. xxxxxx , Pastor	Rev. xxxxxx , Pastor
xxxxxxxxxxxxxxxx Parish Name, Trustee	xxxxxxxxxxxxxxxx Parish Name, Trustee	xxxxxxxxxxxxxxxx Parish Name, Trustee
xxxxxxxxxxxxxxxx Parish Name, Trustee	xxxxxxxxxxxxxxxx Parish Name, Trustee	xxxxxxxxxxxxxxxx Parish Name, Trustee
xxxxxxxxxxxxxxxx Parish	xxxxxxxxxxxxxxxx Parish	xxxxxxxxxxxxxxxx Parish

Procedure for modifying parishes.....

The Bishop must consult the Presbyteral Council (*which is required for validity*)

- i. He must lawfully **convoke** the Presbyteral Council (cc. 127, 166)
- ii. He must **provide** them with all **relevant information**.
- iii. He himself must **consult** the members regarding each individual parish modification which has been proposed
- iv. The **consultation must be genuine**, and should render **relevant arguments both for and against the proposed modifications**.

What name do we give a new parish?

Since our churches are sacred places where the faithful gather to worship God, canon law requires that churches be **solemnly dedicated or simply blessed** (canon 1217) and given a name (canon 1218) that corresponds with certain norms that are found in a liturgical book called the *Rite of Dedication of a Church and an Altar* (1989). The name must be:

1. **the name of the Trinity, or**
2. **a name for Christ, invoked in the liturgy, or a mystery of his life, or**
3. **the name of the Holy Spirit, or**
4. **a name for Mary, invoked under a title for her used in the liturgy, or**
5. **the name of a holy angel, or**
6. **the name of a canonized saint, as it appears in the Roman martyrology**
7. **the name of a blessed provided the Apostolic See has given its permission.**

Name of parish cont...

The *Code of Canon Law* does not give explicit direction to naming parishes, but clarification was provided in 1999 by the *Congregation for Divine Worship and Discipline of the Sacraments*, stating, **"The name of a parish may commonly be the same name as the title of the parish church."** The norms went on to say that if several parishes are merged into one, the names of the churches from the former parishes are retained and the newly merged parish, for pastoral reasons, can adopt a name different from the names of the churches it will inherit.

If the newly merged parish name is different from the name of the church designated as the main worship site, traditionally called the *parish church*, it is a very difficult process to change the name, and the above-cited 1999 Norms seem to favor retaining a church's original name.

Canon law leaves it to the diocesan bishop to erect, suppress, or notably alter parishes (canon 515 §2), **so it follows that he enjoys the prerogative to name them.** Nonetheless, a diocesan bishop would typically want to hear from the pastor and parishioners as to what names they prefer.

Any **decree modifying a parish** must be issued in **writing**.

- i. It must be lawfully communicated without delay, (i.e., according to the norms of law, i.e., *read at all weekend Masses*).
- ii. The ten day period of time during which hierarchical recourse may be presented begins with the lawful notification of the decree (c. 1734 §2) on the date when it is published in the parish bulletin and distributed to the parishioners.
- iii. **The decree must mention at least in summary form the just cause(s) for the decision (c. 51).**

iv. The decree must likewise provide for the **disposition of temporal goods in accord with law**, and must respect the intentions of donors (cc. 121-123).

vi. Jurisprudence has clearly established that when parishes are modified, the temporal goods are to follow the people.

DECREE FOR PARISH MERGER WITH TWO OR MORE PARISHES

SETS IN MOTION

- Notification to Parish, Legal Counsel, DPA, AOHCT- public notices website, and relevant AOHCT departments
- Parish to review attached section 28 from the manual
- Priests identify and separate their personal sacred/secular goods
- Formal Inventory of parish sacred /religious goods by designated religious goods company.
- Compile list with supporting documentation of all donor restricted gifts and assets
- Schedule appointments with relevant AOHCT departments
- Conduct inventory of secular goods above \$1,000 (all working appliances remain in place)
- If appropriate, Pastor disposes goods less than \$1,000 (clean house)
- Schedule Merging Ceremony
- New Merged Parish civilly incorporated



OFFICIAL MERGER

Official merger occurs when the new juridic entity has been civilly incorporated by our legal counsel

Nota bene.....

- When two or more parishes are joined and they form one parish, the temporal goods (i.e. assets), liabilities, and patrimonial rights proper to the original parishes are acquired by the new parish.
- If the parish is divided then an equitable and just division is made concerning the original parish's common and divisible patrimonial goods and rights, taking together its debts and obligations into account.
- If a parish is suppressed, the norms for mergers are applicable; the temporal goods follow the assignment of the Christian faithful.

***“In Solidum”*, i.e., “Jointly”**

This canon was new to the 1983 code. It permitted the diocesan bishop, when circumstances require it, to entrust the pastoral care of one or more parishes to several priests in solidum (that is , jointly) , one of whom is the moderator of the group in the exercise of the pastoral care.

The moderator being *primus inter pares* (first among equals) and the legal representative of the grouping.

“The Moderator”

This moderator **directs the joint action of the several priests** and answers for it to the bishop, although all the priests together are responsible for their pastoral activity (As the Instruction states, they are all parish priests).

Only one priest may be the moderator (c. 526, §2; see c. 520, § 1), and he alone takes possession of the parish (canon 527, §2).

For the other priests, the profession of faith replaces taking possession (c. 542, 3°).

The moderator alone represents the parish in juridic affairs (c.543 , §2, 3°).

The “Other Pastors”

In everything else, however, **all the priests** to whom the parish is entrusted in solidum have the same rights and duties:

Each must be endowed with the qualities required to become a pastor (c.542, 1° ; see c. 521).

Each must possess stability in office and be appointed for a definite period of time, or for a specific period, as is the case for every pastor (c. 542, 2°; see c. 522).

Each must be considered suited to exercise pastoral care in the parish, according to the judgment of the diocesan bishop who is to make his determination as he does for ordinary pastors (c. 542, 2°; see c. 524) .

Each obtains pastoral care from the moment of taking possession (c. 542" 3°). Each is bound by the obligation of residence (c. 543 , §2, 1°).

Each is obliged to perform the functions of a pastor mentioned in canons 528-530, according to an arrangement the priests in solidum establish (c.543 , § 1).

Exceptions.....

Only one of them, however, offers the Mass for the people, according to the arrangement they establish by common counsel (c. 543 , §2, 2°; see c. 534).

Further, **each has the faculty** to assist at marriages and **all the dispensing powers of a pastor**;

these powers, however, are to be exercised under the **direction of the moderator** (c. 543 , § 1) .

If one resigns, retires, etc., then what?

If one of the priests, even the moderator, ceases from office or becomes incapable of exercising his pastoral function, the parish(es) entrusted to the priests *in solidum* does not **become vacant**.

If the priest involved is the moderator, the diocesan bishop must appoint another moderator. Until that appointment is made, the priest in the group who is senior in appointment fulfills the moderator's function (c. 544).

The pastoral care rests with all of them simultaneously, but one of them directs the common or joint action and is the person responsible for it.

The team of priests under the direction of the moderator should develop internal rules so that each priest can better carry out the tasks and functions to which he is assigned.

Certainly, the Archbishop could review and approve those internal rules.

When to implement "*In Solidum*"?

The arrangement is "**truly exceptional**" and is to be implemented only "when circumstances require it."

The moderator cannot be placed on the same level as an ordinary pastor.

The fact that the moderator "is to direct the joint action" signifies that this action is to be collegial; all the priests in solidum have the juridic faculties proper to a pastor.

The moderator cannot be understood as the only one "endowed with the power of a pastor."

...the end...