



DECREE

EFFECTING THE RELEGATION OF SAINTS JOHN AND STEPHEN CHURCH (JAMES CITY) TO PROFANE BUT NOT SORDID USE

History

For its whole existence, Saints John and Stephen church in James City has been a secondary church of Saint Callistus parish in Kane. Built in 1915, Mass was celebrated there on Sundays and Holy Days until 1989. There have been no regularly scheduled Masses at Saints John and Stephen church since 1989, except for a short period in 2011 when the parish church was undergoing renovation and Sunday Masses were temporarily moved there. The church is no longer regularly used now even for private devotion.

In 1997, eight years after the cessation of the celebration of Masses at Saints John and Stephen church, the then-Bishop of Erie after having consulted the Presbyteral Council issued a decree designating Saints John and Stephen church as a public oratory. The decree, however, produced no juridic effect, since all public oratories had become churches (cf. can. 1214) with the 1983 promulgation of the revised *Code of Canon Law*. In fact, under the revised *Code*, public oratories as a classification of sacred edifices ceased to exist. It was widely – though incorrectly – presumed that the 1997 decree had effectively closed the church, the brief 2011 interlude notwithstanding. This present decree juridically completes the relegation of Saint John and Stephen church thought to have been accomplished years ago.

Current Situation

According to the law, in order to relegate a church to profane use or even to close it permanently, it is necessary that there be some grave reason(s) suggesting that the church no longer be used for divine worship. Often the gravity of the cause becomes evident when a number of factors are considered together. Can. 1222 §2 states:

Where other grave causes suggest that a church no longer be used for divine worship, the diocesan bishop, after having heard the presbyteral council, can relegate it to profane but not sordid use, with the consent of those who legitimately claim rights for themselves in the church, and provided that the good of souls suffers no detriment thereby.



Saint Callistus parish in Kane is responsible for the financial upkeep of two churches: 1) the parish church of Saint Callistus in Kane, and 2) Saints John and Stephen church in James City. Although the maintenance of Saints John and Stephen church has historically not been overly-burdensome for the parish, the parish is finding it increasingly difficult to maintain both churches in a manner suitable for the worthy celebration of the sacraments.

While Saint Callistus has enjoyed financial stability until recently, in fiscal year 2018-2019 it showed a deficit of \$52,800. This was mostly due to replacing the roof of the religious education building, but additional significant repairs to the physical plant of the parish are due which will continue the pattern of deficit spending. Until recently, the ordinary annual cost of maintaining Saints John and Stephen church was only \$1500, but extraordinary costs for that building are rising. The building is deteriorating. In the past year two furnaces and a water line broke, as well as several windows which are currently boarded up. The roof also needs to be replaced at an estimated cost of \$33,000.

Furthermore, both the general population and the Catholic population of the Kane/James City area continues to decline, resulting in the fact that there is no longer need for multiple churches. In fact, James City has a population of only a little over two hundred residents and is only four miles from Kane, which with modern transportation is barely more than a five minute drive. Declining parish membership at Saint Callistus is resulting in decreased annual revenue. The offertory has decreased by 11% in the past two years.

Given the fact that Saints John and Stephen church is *de facto* already closed, and that even private devotions there have ceased in recent years, the parish finance council voted unanimously on April 22, 2019 to recommend to the pastor that he petition me to properly relegate Saints John and Stephen church to profane but not sordid use. Members of the pastoral council unanimously did the same on April 4, 2019.

Being the only person who can legitimately claim rights concerning the church edifice, the pastor has given his consent (cf. can. 1222 §2). He attests that relegating Saints John and Stephen church to profane use is not likely to result in any harm to the good of souls (cf. can. 1222 §2). All of the sacraments and devotions are available at the parish church. The pastor is also aware of the obligation to see to it that Saints John and Stephen church, if relegated, not be given over to sordid use. The pastor assures me that he does not believe that the relegation of Saints John and Stephen church will result in any harm to the good of souls.

This information was shared with the members of the Presbyteral Council on February 19, 2020. Having considered the matter attentively, the members of the Council unanimously recommended to me that I grant the petition of the pastor to relegate Saints John and Stephen church in James City to profane but not sordid use.

All of the requirements of canons 50, 51, 127, 166, and 1222 §2 have been fulfilled.

Therefore, having first and foremost before my eyes the best possible means to provide for the care of souls for the faithful of Saint Callistus parish in Kane, while considering that Saints John and Stephen church never served as a parish church, that regularly scheduled Masses ceased there in 1989; that no other sacraments have been celebrated there for years; that the obligation of maintaining two separate church buildings is contributing to an increasingly significant financial burden on Saint Callistus parish; that the edifice is in need of substantial capital repairs, that there is no pastoral need for the church; that the parish church is only five minutes away by car; that the pastor has petitioned for the relegation of the church with the unanimous support of the members of the pastoral council and the finance council; and that there does not appear to be any probable detriment to the good of souls, I judge that the aforementioned reasons, when considered cumulatively, constitute the grave cause required by the law (cf. can. 1222 §2) for the relegation of the church to profane but not sordid use, and I hereby decree the following:

Saints John and Stephen church in James City, being a secondary church of Saint Callistus parish in Kane, is relegated to profane but not sordid use, according to the norm of can. 1222 §2.

This decree is effective on September 13, 2020, anything to the contrary notwithstanding.

Given at the Chancery
of the Diocese of Erie
on this 3rd day of September, 2020

+Lawrence T. Persico

The Most Reverend Lawrence T. Persico, JCL
Bishop of Erie

Christopher J. Singer

The Reverend Christopher J. Singer, JCL
Chancellor