



DIocese OF YOUNGSTOWN

David J. Bonnar

By the Grace of God and the Apostolic See

BISHOP OF YOUNGSTOWN

DECREE

Whereas "individual bishops who have been entrusted with the care of a particular church - under the authority of the supreme pontiff - feed their sheep in the name of the Lord as their own, ordinary, and immediate pastors, performing for them the office of teaching, sanctifying, and governing" (cf. Vatican II, Decree on the pastoral office of Bishops in the Church *Christus Dominus*, October 28, 1965, n. 11);

Whereas, for ninety-six years, the Catholic Faithful of Holy Name of Jesus (Slovak) Parish in the Diocese of Youngstown have been served by Holy Name of Jesus (Slovak) Parish, 613 North Lakeview Avenue, Youngstown, Ohio. During that time many people have heard the Word of God, have worshipped and received the Sacraments of the Church in the parish. In an effort to reorganize the People of God in this portion of God's Kingdom, it was necessary to make new provisions for the spiritual care of the parishioners of Holy Name of Jesus (Slovak) Parish, Youngstown, Ohio.

Whereas, on May 31, 2012, SS, Cyril and Methodius (Slovak) Parish, Saint. Matthias (Slovak) Parish and Holy Name of Jesus (Slovak) Parish were merged by canonical decree into Our Lady of Sorrows Parish, Youngstown, Ohio. The merged parish is established as a personal parish in ministry to the faithful of Slovak descent.

Whereas where 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 goods of souls suffers no detriment hereby (c. 1222, §2);

Whereas the diocesan bishop has the duty to exercise careful vigilance over the administration of all the goods which belong to public juridic persons subject to him (c. 1276, §1), and whereas the diocesan bishop, in the administration of goods, concerns himself first of all with providing for divine worship, charity, the apostolate and the support of the clergy, these ends always being given precedence over all others (Congregation for Bishops, *Directory for the Pastoral Ministry of Bishops "Apostolorum Successores"*, February 22, 2004, n. 188);

Whereas Father John Jerek, pastor of the merged parish, has requested to relegate Holy Name of Jesus church to profane but not sordid use for the following grave reasons. Decreasing attendance at worship resulting from the faithful joining territorial parishes, a lack of new growth in parish membership, a decline in parish offertory limiting development of new programs, a decline in baptisms and weddings of parishioners, the burden of supporting three church facilities and the questionable vibrancy of parish life now and in the future.

Whereas, having heard the presbyteral council on January 4, 2022, and after having exposed the motives for the relegation of the church, the presbyteral council gave a favorable advice for the relegation of the church of Holy Name of Jesus in the parish of Our Lady of Sorrows Parish, Youngstown, Ohio.

Whereas the gravity of the reason results from the sum of the circumstances which show that the reason is of great importance in the concrete case (cf. Nicholas Schöch, "Relegation of Churches to Profane Use (c. 1222, §2): Reasons and Procedure," *The Jurist* 67 [2007] 491).

Whereas we have abundantly established that grave reasons required by canon 1222, §2 are present, even if some of the reasons invoked may not by themselves constitute a grave cause, they do so when taken together;

After a careful examination, it was established that nobody could legitimately claim rights for themselves in the church, understood primarily as patrimonial rights or rights associated with patrimonial rights (cf. Supreme Tribunal of the Apostolic Signatura, Final Decree of the College of Judges, 21 November 1988, *Communicationes* 20 [1988] 93: "Iura de quibus sermo fit in canone sunt praesertim iura patrimonialia vel eis assimilata, quae magna ex parte e fundatione vel aedificatione ecclesiae exsurgunt."), rights that are not presumed, but must be proven (Supreme Tribunal of the Apostolic Signatura, Decree of the Congresso, 5 May 1995: "Iura, de quibus sermo, non praesumuntur, sed de eorum concessione vel admissione ex parte competentis auctoritatis ecclesiasticae legitime constare debet." and "Non demonstratur haberi personas quae vera iura in ecclesia e. sibi legitime vindicant.");

Therefore, I, the undersigned Bishop of Youngstown, Ohio, after prayerful consideration, have decided as follows:

DECREE

The Holy Name of Jesus church, is hereby reduced to profane but not sordid use according to the prescripts of canon 1222, §2.

The church of Saint Matthias, 915 Cornell Street, Youngstown, Ohio is herewith designated as the parish church of Our Lady of Sorrows Parish, Youngstown, Ohio.

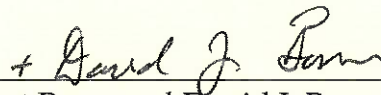
The pastor is herewith authorized to start any negotiations that may lead to the sale of the property, notwithstanding the need to follow the proper procedures when it comes to effectively alienate the property.

Prior to alienation, all sacred objects, relics, sacred furnishings, stained-glass windows, bells, confessionals, altars, etc. are to be removed for use in other sacred edifices or to be stored in ecclesiastical custody. In case the altars cannot be removed, they must be destroyed (cf. cc. 1212 and 1238).

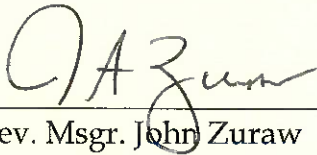
This decree will become effective on the date of the alienation of the property.

All those who claim to have been aggrieved by this decree are herewith notified that, if they desire to file recourse against our decree, they are required, *ad validitatem*, to submit a petition in the sense of canon 1734, §1 to us within ten useful days from the legitimate notification of this decree.

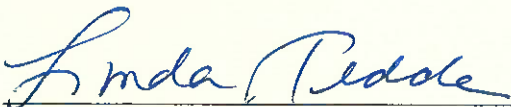
Given at Youngstown, Ohio, this 3rd day of February, 2022



Most Reverend David J. Bonnar
Bishop of Youngstown



Rev. Msgr. John Zuraw
Chancellor



Linda Tedde
Notary