



## 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 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 by decree of October 3, 2011, Saint Stephen of Hungary Parish, SS. Peter and Paul Parish and Our Lady of Hungary Parish were merged and whereas the newly merged parish was given the name of Holy Apostles Parish. The church buildings retaining their names given at the time of dedication in accord with canon 1218.

Whereas by decree on March 6, 2012, Our Lady of Hungary Church was relegated to profane but not sordid use due to a decrease of population and limited financial resources.

Whereas, through proper discernment process, based upon numbers of faithful and clergy, it became clear to the community that using two church building for the weekly celebration of the Eucharist was not viable. Therefore, by decree on May 14, 2022, St. Stephen of Hungary Church was designated as a secondary worship site.

Whereas Father Joseph Rudjak, Pastor of Holy Apostles Parish, along with the pastoral and finance councils have petitioned to relegate Saint Stephen of Hungary Church, Youngstown, Ohio, to profane but not sordid use due to the limited financial resources of the parish and the Diocese of Youngstown has approached the parish for use of the building as a holdings site for the archives and patrimony of the diocese, affording the opportunity for future and lasting ministry as the parish decreases to one church building.

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 having heard the presbyteral council on May 9, 2023, 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 Saint Stephen of Hungary Church Youngstown, Ohio.

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 Saint Stephen of Hungary church in Youngstown Ohio, is hereby reduced to profane but not sordid use according to the prescripts of canon 1222, §2.

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 10th. day of May 2023.

*+ David J. Bonnar*

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Most Reverend David J. Bonnar  
Bishop of Youngstown

*Jean Lawson*

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Jean Lawson  
Chancellor

*Linda Tedde*

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Linda Tedde  
Notary