

RTR Fact Sheet

Canon Law on any church modification (merging, closure, sale) **requires adherence to specific preparatory and procedural steps**, for the preservation of respect due to a consecrated building and the protection of the rights of the faithful. (See <https://pathway.catholicaoc.org/modification-of-parishes/closure/>). Adhering to Canon Law is the surest way to avoid the following:

- 1) alienation, confusion, in-fighting, etc. of both clergy and laity;
- 2) the reported 20-60% drop in church participation/Mass attendance that extinctive mergers and closures cause. (Canon Lawyer Philip Gray)

In both researching RTR data, and working with St. Joseph Canon Law, it's become evident that:

- 1) the scale of merger/closures (~50% of churches/worship sites) is completely unnecessary;
- 2) *multiple aspects* of RTR are likely violations of Canon Law (illicit).

RTR Closures are Unnecessary:

*With regard to not-for-profit religious entities, Bankruptcy can be satisfied with a) assets in liquidity and b) property deemed 'non-essential'. Rich Suchan stated in Nov. that he was confident the \$100 million could be supplied by 'what's in reserve' and from 'pre-identified, underutilized' property. When did ~50% of our diocese become 'non-essential'? (See: <https://www.wivb.com/news/investigates/cost-to-settle-sex-abuse-claims-will-be-painful-for-diocesan-community/>)

*In the same interview, Mr. Suchan stated that a 160-location franchise (our churches) cannot be maintained, and there was need to reduce the footprint of the diocese. The 'footprint' reduction and the settlement are 2 separate issues.

*Philip Gray, St. Joseph Canon Law, has stated he is confident a diocese as old as Buffalo has enough money in unpublished assets to easily pay the settlement.

*Dept. head and leadership salaries have recently been confirmed to be excessive for a situation as dire as the Diocese of Buffalo's has seemingly become under RTR:

Bp. Malone: \$197,919
Vicar General Fr. Peter Karalus: \$180,973
Chief Operating Officer Richard Suchan: \$458,789
Chancellor Melissa Potzler: \$206,059

See the full Specht Pt. 2 investigation: <https://www.wgrz.com/article/news/investigations/2-investigates/faith-fallout-despite-bankruptcy-buffalo-diocese-spends-millions-executive-pay-legal-fees/71-ad393e99-c117-4993-bbe0-96e44264b5b8>

*Many parishes (St. Benedict, St. Bernadette, St. Mark, etc.) are fully solvent, in the black, and have active parish life and sacramental participation, but are being extintively merged.

*Even though the settlement is not the reason for closures - How many lawsuits are frivolous? How much of the settlement and monies paid by the diocese already are for exorbitant legal fees that have nothing to do with the majority of parishioners?

RTR Closures are Likely Illicit:

*A church is not 'just a building'! Once a church is consecrated, "the intent is that it go into perpetuity. It's not to be willy-nilly deconsecrated. There has to be grave reason. The bar is very high" states Canon Lawyer Sr. Kate Kuentler.

*Canon Law provides bishops with the authority to merge, close or sell a church. However, "a parish cannot be extinguished or even notably altered without just cause" (Canon 515). Grave cause is the bar that must be met to justify each closure.

*Feedback from clergy and laity must be extensively solicited, including exhaustive parish visits by the bishop, BEFORE any decisions to modify even 1 single parish can be determined.

*Closures cannot be pre-determined. It is clear from Fr. Bryan's directives to pastors that while closures by name are not necessarily fixed, number of closures most certainly are. The requirement to select a church or churches that will close sets up 'hunger games' among the faithful.

*Each church's situation must be considered separately - not as a wholesale program- and each act of merging, closing or selling must be distinguished: "the specific reasons that allow for these actions, and the specific processes to pursue these three decisions must be distinct."- *Christifidelis*, Nov. 2020. This is not happening under RTR.

*Each pastor has authority to refuse a closure, in agreement with a parish's board of trustees. Each board of trustees comprises the Bishop, Vicar General, Pastor (in this case, of the bishop's choosing), and lay trustees. With 2/3 vote required to carry any motion, the make-up of trustee boards is weighed in favor of the Bishop and his subordinates. Some parishes are being denied a voice about closures by their pastor. This is a violation of Canon Law.

*Giving the clergy/laity less than a month to process and properly respond to ~50% merger/closure initiative is shockingly inadequate and puts out of order the proper steps for soliciting feedback. This also triggers 'hunger game' competition instead of unity, anger, distrust, etc.

*Canon Law on the subject was written to protect a diocese from this kind of upheaval.

*90 priests signed a petition against RTR (years before merger/closure recommendations), which was clearly ignored by leadership. This feedback should've stopped RTR closures. This has led to the completely avoidable resignation of multiple priests, demoralization among many priests, stress-based illness, etc.

*St. Mary's Batavia was 'quiet closed' July 28, in that an announcement of a closure and 8/14 final Mass was made- even in violation of the diocese' own timeline for closure announcements.

*If your parish is not slated for closing and you think you're 'safe,' please think again. A diocese that will do THIS, without objection, can be counted on to do whatever it wants in the future.

There is a Path Forward:

Canonical appeal to the Vatican to 1) quash the entire RTR program as illicit and harmful, and/ or 2) stop the closure of any number of particular parish extinctive mergers/closures.

St. Joseph Canon Law (SJCL) is the only entity that provides counsel/guidance/resources to laity to fight closure schemes, **pro bono**. SJCL has developed a time-tested, successful formula for opposing closures, which is run by a diocesan core group and participating parish-level groups.

Buffalo has a diocesan core group (DCG) assembled, headed by a procurator and a coordinator. We are currently circulating 'procurator mandates' as step 1 of this process. **Procurator mandates** are the ecclesial version of a POA, where signers assent to having the designated procurator act in their name and on their behalf, fulfilling the canonically required steps of appeal (petitions, gathering of evidence of canonical violations, etc.).

A procurator mandate does away with the time-consuming undertaking of gathering thousands of signatures for every step of appeal, which will make all the difference in this time-is-of-the-essence scenario the RTR has forced upon us. After signatures are gathered, all documentation will be sent either through the Papal Nuncio or directly to the Vatican where our case will be considered.

The current procurator mandate in circulation is for quashing the entire RTR program on the grounds that it is illicit and harmful. It is the DCG's hope that RTR will be quashed, thereby eliminating the need for particular parishes to appeal their closures, in addition to triggering many necessary investigations of likely canonical and possibly civil law violations.

There are separate procurator mandates that will be made available to formed parish groups for the appeal of their parish's closure. Parishes must connect with the DGC and follow all SJCL procedure to participate (this does not guarantee saving a church from closure, but following a tried and true method is critical for best chances in these circumstances.)

The DCG Procurator Mandate can be signed by a Catholic or the non-Catholic spouse of a baptized Catholic, and they must be 14 or older. Each signature must be witnessed by 2 witnesses.

Because PMs are a controlled document, they must not be photographed or taken off site. This is to protect the integrity of those copies made by the procurator, ensuring no alteration of the document, to keep track of numbers of circulating PMs, and to prevent forwarding of the document to any who might be antagonistic to the effort.

Any signee has rights to receive updates on the entire process of canonical appeal. Anyone desiring more information in general, or who wants to get involved can contact saletluxbuffalo@gmail.com. Anyone desiring more information about a parish-level group can contact roxanne_casey@yahoo.com.