MOST REVEREND DOUGLAS J. LUCIA  
BISHOP OF SYRACUSE  

DECREE  
ON THE REDUCTION OF THE  
CHURCH OF SAINT MARY OF THE ASSUMPTION, CLEVELAND, NEW YORK  
TO PROFANE BUT NOT SORDID USE  

Whereas the parish of Saint Mary of the Assumption was founded in Cleveland in 1874, became part of the Diocese of Syracuse in 1886, and built the present church in 1930;  

Whereas the parish of Saint Mary of the Assumption established the mission of Saint Bernadette in Constantia in 1959 and continued to function to the present day as one parochial entity (i.e., with shared finances, clergy, trustees, bulletin, etc.) with two worship sites;  

Whereas a steady and significant population decline in Cleveland resulted in the closing of the local elementary school (2014) and grocery store (2018);  

Whereas the same population decline necessitated a modification of the parish of Saint Mary of the Assumption – Saint Bernadette in 2015 whereby the mission of Saint Bernadette became the principal church for worship and Saint Mary of the Assumption became an auxiliary church for worship and devotion;  

Whereas both the population decline and a shortage of clergy in the Diocese of Syracuse necessitated the placement of the pastoral care of the parish under the direction of the pastor of a neighboring parish, namely, Divine Mercy in Central Square (can. 526 §1);  

Whereas correspondence in 2019 between a parishioner, the Congregation for the Clergy, and the Most Reverend Robert J. Cunningham, the Bishop Emeritus of Syracuse, established that the faithful continued to have the right of access to the church of Saint Mary of the Assumption for the celebration of Mass and other devotions;
Whereas the current pastor to whom the parish is entrusted, Reverend Christopher Seibt, reviewed with the parish trustees, finance council, and pastoral council the sacramental statistics, Mass attendance, vitality, and limited financial situation of the parish and, as a result, commissioned Teitsch, Kent, and Fay Architects to do a building condition survey of the church of Saint Mary of the Assumption to ascertain the feasibility of repairing and maintaining it, the result of which established the financial impossibility of doing so;

Whereas Reverend Christopher Seibt presented the status of the parish and its two worship sites (demographics, finances, maintenance, etc.) at a town hall meeting with parishioners, which resulted in no opposition, but rather a consensus to petition me to relegate the church of Saint Mary of the Assumption to profane but not sordid use for the purpose of alienating the property in order to ensure the existence and vitality of the parish;

Whereas Reverend Christopher Seibt petitioned me to relegate the church of Saint Mary of the Assumption to profane but not sordid use because: (1) there is a steady population decline in Cleveland, (2) there is a corresponding decline in the number of people attending Mass and celebrating the sacraments at the parish, (3) the needs of the parish for worship are being adequately met at the newer, more efficient building, Saint Bernadette, which has functioned as the principal church of the parish since 2015, (4) the church of Saint Mary of the Assumption is in need of substantial repairs and continual maintenance, (5) the financial resources of the parish are limited and diminishing and (6) the COVID-19 pandemic has adversely impacted the parish;

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 good of souls suffers no detriment hereby (canon 1222 §2);

Whereas the grave cause of relegation to profane but not sordid use may exist not in one obvious grave cause but may arise from a combination of many just causes which combined together manifest a grave cause (see Congregation for Clergy, Procedural Guidelines for the Modification of Parishes, the Closure or Relegation of Churches to Profane but not Sordid Use, and the Alienation of the Same, April 30, 2013, Prot. No. 20131348);

Whereas, having examined the facts of the present case, it has been well 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;

Whereas 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 (see Supreme Tribunal of the Apostolic Signatura, Final Decree of the College of Judges, 21 November 1988, Communicationes 20 [1988] 93);
Whereas, I convoked the Presbyteral Council on 27 October 2020 and presided over it according to the norm of law (cans. 127 §1, 166 §1, and 500 §1), placing the relegation of the church of Saint Mary of the Assumption on the agenda ahead of time, ensuring that a summary of its status was provided to the members of the Council (can. 50), proposing the relegation, seeking the informed and free counsel of the members concerning the proposed modification (can. 515 §2), listening to arguments both for and against the proposed relegation, and receiving unanimous support for the proposed relegation;

Therefore, I the undersigned Bishop of Syracuse, after prayerful consideration, having weighed all the reasons and causes, have decided as follows:

**DECREE**

1. The church of Saint Mary of the Assumption in the Parish of Saint Mary of the Assumption – Saint Bernadette is hereby reduced to profane but not sordid use according to the prescripts of canon 1222 §2) for the grave causes mentioned above.

2. The church of Saint Bernadette is hereby officially designated as the principal church of the parish.

3. The parish will continue to be placed under the pastoral care of the pastor of Divine Mercy Parish in Central Square.

4. Negotiations that may lead to the sale of the property can begin, following the proper procedures for alienation.

5. 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 (see canons 1212 and 1238).

This decree is effective immediately and hereby revokes and replaces the decree issued by my predecessor, the Most Reverend Robert J. Cunningham, in the form of a letter concerning the parish of Saint Mary of the Assumption on 22 July 2015.

I further order this decree to be made public to all the faithful through its publication on this day. This publication on the diocesan website (www.syrdio.org) and in the local diocesan newspaper (The Catholic Sun) will be the legitimate notification. A notarized copy of the decree will be sent to the pastor.

This decree may be challenged by anyone who feels aggrieved by it within the peremptory time limit of ten days from the legitimate notification of the decree, that is, on 12 November 2020, by seeking its revocation or emendation directly from me (can. 1734 §2).
Given at the Chancery of the Diocese of Syracuse on this twelfth day of November in the year of our Lord, two-thousand twenty, the Memorial of Saint Josaphat, Bishop and Martyr.

Most Reverend Douglas J. Lucia
Bishop of Syracuse

Mrs. Danielle E. Cummings
Chancellor