

Comments on the Decree from Bishop Fisher received 11/22/24

- Decree signed date 11/19/24
- Decree delivered date 11/22/24 after 5PM to Fr. Walt from Fr. Tom
- Paragraph 2
 - First 8 years no Pastor for OLP
- Paragraph 4
 - **OLP could benefit from joining its sister community in Harris Hill**
 - In what ways? The ways are not mentioned and in fact could be debated to the contrary.
 - **“Due to our need to amass a substantial sum of money...”**
 - This sets the agenda of selling OLP property to fund the DOB bankruptcy. This is clearly stated that it is not approved by the Vatican via Instruction "The pastoral conversion of the Parish community in the service of the evangelising mission of the Church", of the Congregation for the Clergy, 20.07.2020”
 - VII. a. How to proceed with the establishment of Parish groupings
 - 51. Related to the topic of Parish groupings and their possible suppression, is the necessity that sometimes occurs, of the reduction of Churches to profane but not sordid use, which belongs to the diocesan Bishop, after having first heard from the Presbyteral Council, whom he is obliged to consult. Ordinarily, also in this case, the legitimate causes for decreeing such a reduction ***do not include reasons like the lack of clergy, demographic decline or the grave financial state of the Diocese.*** However, if the building is in such a state as to be unable to be used for divine worship in any way, and there is no possibility of repairing it, then the Bishop can proceed, according to the norm of law, to reduce it to profane but not sordid use.
 - **“.. the possibility of alienating this property has also been suggested.”**
 - Thus possibly selling OLP
- Paragraph 5
 - Bishop must hear the presbyteral council.
- Paragraph 6
 - Just cause is required
 - **...focus of augmentation is primarily concerned with pastoral care of group of people and secondarily interested in specific worship sites.**
 - Again Pastoral Care is primary in the decision process
- Paragraph 9 – Reasons?
 - **Goal of Road to Renewal is reduce strain on limited number of priests**
 - **Process requires merging of parishes, reduction of physical worship sites**
 - **OLP would be better served by joining it resources to Nativity in a merge**
- Paragraph 10
 - Refers to 27 August 2024 Presbyteral Council consultation about OLP Merge

- Reason from RTR – only 2 priests “likely” in 2030
- Motion to merge – no action in August
- Refers to 8 October 2024 Presbyteral Council meet to discuss to merge
 - Counter proposal mentioned –
 - Merge OLP to St. Teresa
 - OLP Remain a parish
 - **Council voted to oppose the merge – 6 in favor, 11 against, 4 abstain**
- Paragraph 11
 - “Having heard the Presbyteral Council on the issue, I have chosen to merge OLP into Nativity....”
 - Bishop not required to follow the vote of Presbyteral Council. He chose to ignore his closest advisors.
 - **Canon 495.** §1 In each diocese there is to be established a council of priests, that is, a group of priests who represent the presbyterium and who are to be, as it were, the Bishop’s senate. The council’s role is to assist the Bishop, in accordance with the law, in the governance of the diocese, so that the **pastoral welfare of that portion of the people of God entrusted to the Bishop may be most effectively promoted.**
 - **Canon 500.** §1 It is the prerogative of the diocesan Bishop to convene the council of priests, to preside over it, and to determine the matters to be discussed in it or to accept items proposed by the members.

§2 The council of priests has only a consultative vote. The diocesan Bishop is to consult it in matters of more serious moment, **but he requires its consent only in the cases expressly defined in the law.**

§3 The council of priests can never act without the diocesan Bishop. He alone can make public those things which have been decided in accordance with §2.
- Paragraph 12
 - **“Thus having done the required consultations, and having gained the required consents, I the undersigned....”**
 - It appears he consulted but did not gain the required consents he mentions.
- Paragraph 14
 - We should research the founders and donors regarding rights. Canon 1212 and 122
- Paragraph 16
 - Effective date 8 June 2025
- Paragraph 17
 - Decree sent to Fr. Tom
 - Rights to appeal within 10 useful days of legitimate notification
 - Canon 1734-1739
- Paragraph 18
 - Signature date – 19 November 2024