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## Preparing for parish closures and mergers in New York City

by Jamie Manson

Grace on the Margins

Even though Cardinal Timothy Dolan does not plan to announce which parishes in the archdiocese of New York will be closed or merged until September, members of the New York Metro chapter of Call to Action believe it isn't too early to start preparing for the worst.

In an open meeting this weekend, CTA Metro NY leaders invited Sr. Kate Kuentler, an independent canon lawyer, and Sr. Christine Schenk, founder of FutureChurch and one of *NCR*'s newest columnists, to educate New York City Catholics about their rights and responsibilities when facing a parish merger or closure.

It's a workshop that Kuentler and Schenk have spent more than a decade offering in dioceses around the United States that are facing the loss of parishes often because of the priest shortage, declining church attendance, and increasing debt, sometimes from settlements and legal fees incurred from sex abuse cases. Kuentler, who has decades of experience in parish and tribunal work, now runs a private practice that helps the laity process appeals to parish closures.

In 2011, the archdiocese announced the creation of "Making All Things New," a "pastoral planning initiative" that, according to its website, "seeks to address how the archdiocese can best meet the religious, spiritual, and pastoral needs of the people of God now and into the future."

The core of the initiative will determine the fate of the archdiocese's 368 parishes. Dolan has promised a wide-reaching, transparent conversation about these decisions, but since 2010, he has also been clear that he "may have to merge, consolidate and even close some of the ones we have."

Dolan admits that one of the principal reasons to reassess the number of parishes in the archdiocese is an increasing lack of priests for its 2.6 million Catholics. In a pastoral letter published in October, he wrote that while the archdiocese has "not *yet* reached a crisis in the number of priests ... we still do need to get ready for that day, not too far away, when such a shortage will indeed face us."

Schenk, a Sister of St. Joseph, says it is regrettable that the hierarchy continues to close parishes rather than consider opening ordination to married men and women. "We don't have shortage of vocations, but a shortage of vision," she told the CTA audience.

In June, Dolan announced that the archdiocese had contracted with The Reid Group, a company he said specializes "in assisting dioceses in their pastoral planning process." The archdiocese has hired 12 of its consultants to work on the project.

According to Kuenstler's research, The Reid Group has been contracted by more than a dozen dioceses to consult in parish closures and mergers, including Syracuse, N.Y.; Reno, Nev.; Green Bay, Wis.; and Orlando, Fla.

In the New York archdiocese, every pastor has been asked to create a core team of parishioners dedicated to assessing its community's strengths and needs. Team members from five parishes were then joined together to form 75 clusters. The cluster teams will spend the next month and a half learning about one another's parishes. On March 1, they will send their recommendations to the Archdiocesan Advisory Group, a 40-person committee selected by Dolan.

In a letter to the faithful, Dolan said the group would consist of "respected clergy, religious, and lay leaders from diverse backgrounds and geographic areas within the archdiocese." (As of this writing, the archdiocese had not yet finalized its list of advisory group members.)

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While the system was ostensibly set up to include lay voices in the "Making All Things New" process, some at the CTA Metro NY meeting expressed concern that members of the core group were selected by pastors and that those in the advisory group, which is responsible for both the preliminary and final recommendations, were hand-picked by Dolan himself.

In her presentation, Kuenstler, a member of the Poor Handmaids of Jesus Christ, made it clear there is little action concerned parishioners can take until the archbishop submits a decree to close or merge a parish. And once the decree arrives, they have to act fast.

"Parishioners have 10 useful days from the date of the decree to write a letter to the bishop asking for recourse," she told the audience. ("Useful days" is ecclesial-speak for days the diocesan chancery is open.)

Kuenstler explained that the bishop must have a just reason for closing the parish. Therefore, parishioners must scrutinize the decree for false information and ensure that it demonstrates due diligence. Parishioners, not pastors, are the ones who should seek recourse.

If the archbishop or bishop responds by denying recourse or refusing to address the issue, parishioners then have 15 useful days to file for recourse with the Vatican's Congregation for Clergy and the Apostolic Signatura, the highest judicial authority in the Roman Catholic church, currently led by Cardinal Raymond Burke.

While Kuenstler was clear that she did not know the plan in the archdiocese of New York, she did caution that in every diocese in which she has fought for appeals, she has seen successful parishes closed and merged with failing parishes.

"Even if your parish is solid, your building is in good shape, and you have money in the bank, do not assume you will survive," she told the group. In some cases, the bishop realizes the diocese can benefit financially "by shuttering the moneyed parish and getting funds through [the] indebted parish."

"When the bishop begins to make those adjustments, he's looking at money," Kuenstler said. The capital earned from the sale of a good building will be greater than one in disrepair. Though the money from the sale must go into the new, merged parish (and not directly to bishop), the funds will be used to pay down debts, and in many cases, these debts are to the bishop.

According to the "Making All Things New" foundational material available on the archdiocese's website, the norm will be to merge parishes on Staten Island, where it is easier to anticipate the faithful gravitating to a newly formed parish, and to close parishes in Manhattan and the Bronx.

In his October letter, Dolan explained that the 84 parishes currently operating in Manhattan serve only 10 to 12 percent of Catholics in the archdiocese. The 29 parishes south of 14th Street in Manhattan have proven especially burdensome.

"We can no longer spend \$40 million a year ... to keep on life support parishes, buildings and schools that are serving only a relative handful of parishioners," he explained, also noting that in the suburbs north of New York City, some parishes are eager to expand.

At the CTA Metro NY meeting, there was little doubt that the land under these archdiocesan properties is a gold mine for any developer. The area below 14th Street, which includes neighborhoods like Greenwich Village, the East Village, SoHo and Tribeca, is home to apartments that sell for well over \$1,400 per square foot.

According to The Real Deal, an online real estate publication, the average price per buildable square foot in most of Manhattan is \$400 and can swell to \$800 per square foot if the land is suitable for prime luxury residential development.

Since canon law does not allow a bishop direct access to money gained from the sale of churches, Dolan said in his October letter that the proceeds from any sale will fund endowments for Catholic schools and religious education as well as new projects, like the Gianna Center for Women's Health and FOCUS, a university-based apostolate.

Kuenstler said the latest guidelines from the Congregation for Clergy and the Apostolic Signatura have clarified the distinction between the legitimate reasons to merge parishes and legitimate reasons to close a church.

"It is no longer legitimate to close a parish because of the shortage of priests or because the church is in close proximity to another church," she said. "A parish also cannot be closed if the church is no longer

considered necessary for worship when a parish is suppressed or merged, or if the maintenance for a building no longer needed for worship is a financial burden to the parish."

Kuenstler also indicated that Canon 1222 attempts to prevent a church relegated to secular use from being used in an "unbecoming" way. "The sacred character of a place for Divine worship requires that it remain a holy place, and not sold to the highest bidder," the canon stipulates.

"Sometimes parishes need to close if they are not a vibrant community or not financially solvent," Schenk noted. "FutureChurch never presumes to make a decision for a parish. We feel the discernment belongs with the parish, so we offer resources designed to help with discernment."

So far, those resources have proven successful in several cases. As of December 2012, FutureChurch's Save Our Parish Community initiative helped Catholics from 28 U.S. parishes in six dioceses win their appeals. Crisis kits and other resources written by Kuenstler are made available, some as a free download, on the FutureChurch website.

For his part, Dolan has repeatedly insisted no decisions about mergers and closures have already been made. "Those decisions will only be reached after much consultation with our laity, our religious, and our clergy," he reiterated on his blog in June.

Judging by the 35 people who attended Sunday's meeting, most New York City Catholics are taking a wait-and-see approach for now. The session became especially spirited during the question-and-answer period, when members of Brooklyn parishes under threat of closure peppered Kuenstler with inquiries about canon law and strategy.

Their passion for saving their parishes suggests that once Dolan announces his decisions eight months from now, meetings like this may get far more animated and crowded in the near future.

[Jamie L. Manson is *NCR* books editor. She received her Master of Divinity degree from Yale Divinity School, where she studied Catholic theology and sexual ethics. Her *NCR* columns have won numerous awards, most recently second prize for Commentary of the Year from Religion Newswriters (RNA). Her email address is [jmanson@ncronline.org](mailto:jmanson@ncronline.org).]

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