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April 9, 2021

HIS EMINENCE LEONARDO CARDINAL SANDRI

Prefect

Congregation for the Eastern Churches

Palazzo del Bramante

00193 Roma

Via della Conciliazione, 34

Your Eminence :

RE : Eparchy of Parma of the Ruthenians

Recourse regarding closure of cathedral parish of St John the Baptist

I have been retained by a group of parishioners of the Cathedral Parish of St John the Baptist of the Ruthenian Catholic Eparchy of Parma who are aggrieved by the decree of their hierarch, Most Rev. Milan Lach SJ, merging their parish and the parish of Holy Spirit by means of an extinctive union into the parish of St Mary's Dormition. The signed mandate forms designating me as procurator and advocate according to *CCEO* cc. 1003 and 1139 are appended to this letter as "Appendix I".

FACTI SPECIES

The original decree of Bishop Lach dated March 5, 2021 is appended to this letter as "Appendix II".

Revocation of this decree was sought by the undersigned on March 15, 2021. A copy of this letter as well as confirmation of delivery by courier is enclosed as "Appendix III". Suspension of the decree was also sought by the undersigned.

While no response was directed to myself or any of the individuals who have designated me as procurator, an emended decree was posted on the Eparchial Website dated March 29, 2021. This decree amended the first point in the petition for revocation but dismissed points two, three, and four. This is included as "Appendix IV" to this letter. In this revised decree, Bishop

Lach revoked his decreed transference of the temporal goods of the parish to the juridic person of the eparchy and instead directed those goods to the merged parish of the Dormition.

Consequently, and on behalf of these faithful seeking the continuation of their Cathedral Parish, hierarchical recourse is sought against this decree in line with canon 1001 of the *Code of Canons of the Eastern Churches*.

POINTS OF RECOURSE

1. Consultations Necessary in Canon Law (Points 2 and 3)

Your Eminence, the faithful are greatly aggrieved by the speed of this decision without the necessary consultations in canon law.

First, there is a question as to the validity of the consultation of the presbyteral council, required by *Code of Canons of the Eastern Churches* (cc. 280, §2; 922, §2, 5°). The issues are as follows. The presbyteral council was not called in line with the Statutes of the Eparchy. These statutes, appended as “Appendix V”, require an agenda supplied thirty days in advance of the meeting (no. 240, 2). Additionally, the members of this council clearly requested additional information to make their decision. This was dismissed not only in the setting of the presbyteral council meeting, but also in the emended decree of His Excellency himself. The minutes of the presbyteral council are appended as “Appendix VI”. At this meeting, five members of the council requested more information. Additionally, it is not clear whether this is was true consultation open to any different possibilities. The timeline provided by the parishioners, “Appendix VII”, as well as correspondence between the faithful, their former procurator, and the Bishop, “Appendix VIII”, demonstrates the clear intention of the closing of the Cathedral parish well prior to this consultation.

Second, there is the overall question of the needed consent of the interested parties for the alienation of the temporal goods of the two extinct parishes. Indeed, liturgical items have already been removed from the Cathedral Parish. The very fact of this recourse demonstrates that the “interested party” of numerous Cathedral Parish families are not in agreement and do not give their consent, a clear requirement of *CCEO* c. 1039. There is further the accusation that those faithful who were consulted are not without bias as they belong to the parish of St Mary’s Dormition who greatly benefit from this new arrangement.

2. *Question of a Just Cause*

Your Eminence, the motivation of using temporal goods from the extinct parish of St John the Baptist to fund the temporal needs of other parishes is not a licit cause for suppression. There seems to be little care for the motivation of the parish *ad rem* and the focus is entirely on the needs of other parishes and the eparchy itself.

The evangelization aspect is solely focused on the school present at St Mary's parish – however, this school could easily be attached to a different juridic person or made its own juridic person itself. This does not necessitate the closure of two parishes and, indeed, it is not clear how greater evangelization is accomplished with fewer parishes, indeed, with the demoralizing closure of the eparchial Cathedral. Closing any parish without exhausting the possible options (including investigating alternative uses of the substantial acreage, as proposed by parishioners in the correspondence in appendix vii), denies the perpetuity for which this parish was established. Indeed, the parishioners feel their numerous attempts to gain financial stability for the parish were impeded by their hierarch who prevented numerous sources of income, especially with an enforced moratorium on rentals, the termination of the building manager, and the dissolving of the cathedral building committee.

The demoralizing decision to close a cathedral has been noticed by the People of God in other territories, and indeed media have picked up the story ("Appendix IX"). There seems to be little concern a great number will simply not transfer to the new parish, preventing their continued observance of their own proper rite.

3. *Issue of Suspension*

Finally, suspension of the decree of His Excellency was sought in the original petition for revocation. No response has been made to this petition for suspension. Suspension is hereby petitioned to this esteemed dicastery for the grave reason of the closure of the Cathedral Parish by means of its extinctive union to the parish of St Mary's Dormition, leaving the faithful in the city of Parma *without a parish in this city* and necessitating travelling five kilometres, during a pandemic, to the parish of St Mary's Dormition in Cleveland. These circumstances have made the closure of this parish even more onerous and directly impacting the spiritual good of the faithful. Indeed, Bishop Lach has ceased the dispensation from Sunday obligation and has required Sunday liturgy attendance since September 21, 2020 (Prot. N. 111/2020L). The State of Ohio has had over 1,000,000 cases of COVID and over 18,740 deaths, the great majority of these since September 2020, a time when the Bishop again required attendance at

the Divine Liturgy. This is a contrast to the Roman Catholic Diocese of Cleveland has maintained the general dispensation for Sundays and Holy Days.

Your Eminence, your attention to this matter is not only appreciated but most necessary. The people of God who have contacted me recognize that difficult decisions need to be made. However, there is great concern regarding the speed of this decision, with the last service held two weeks after this decree was issued and preventing the faithful from celebrating a final Pascha at this parish. The fact of the pandemic, preventing people from attending their parishes for legitimate reasons of health, makes the timing of these decrees all the less equitable. Canonical equity allows and indeed requires a generous spirit to be shared with the People of God, and not to expect their simple obedience.

If any additional information is needed, please do not hesitate to contact me.

Know of my prayers for you in your all-important ministry of solicitude for the Eastern Churches.

Your Eminence, I have the pleasure to remain,

Yours in Christ,

A handwritten signature in black ink, appearing to read "Alex Laschuk", with a long, sweeping horizontal flourish extending to the right.

Rev. Alexander M. Laschuk JCD
Procurator/Advocate

(Enclosures)