

15 July 2022

Paul D. Sampson
8458 Tillicum Rd SW
Seattle, WA 98136

His Excellency
The Most Reverend Paul D. Etienne
Archbishop of Seattle
710 9th Ave
Seattle, WA 98104-2017

Your Excellency,

By way of introduction, I serve as Procurator for the Faithful who seek to preserve Saint Patrick Parish and Parish Church (Attachment 1: 171 Mandates). Saint Patrick Parish seeks recourse against its suppression; we know that we are not the only Parish who has contested the legitimacy of the decrees that have been issued to implement the reconfiguration of the South Seattle Deanery. For over a year, we have known of your intention to suppress Saint Patrick Parish.

On 10 April 2021, the Director of Strategic Planning, Bishop Daniel Mueggenborg, announced that Saint Patrick Parish would be suppressed one way or another either by extinctive union with Sacred Heart Parish, or with Saint Joseph Parish, or by division in which Saint Patrick Parish would be divided and absorbed by both Sacred Heart and Saint Joseph Parishes. On 1 March 2022, Your Excellency addressed a letter to the Saint Patrick Parishioners. You stated that the impending suppression of Saint Patrick Parish had been suspended pending the leadership transition of Saint Joseph Parish. Although you have been careful never to explicitly express the decision that had already been made, you have been consistent and implicit about the decision. All efforts of the Archdiocesan Strategic Planning Committee have been moving toward this predetermined outcome.

On Sunday, July 10, 2022 Deacon Dennis Kelly presented a Letter and Decree of Extinctive Union, both dated 8 July 2022, by which you, as diocesan bishop, will suppress Saint Patrick Parish by extinctive union with Saint Joseph Parish. The Decree will become effective 1 September 2022.

In the July 8 Decree, you cited the following causes:

1. A general downward trend exists in the reception of sacraments;
2. The community is decreasing in membership, both in registered households and total number of active parishioners;
3. Few registered and active parishioners live within the geographical boundaries of Saint Patrick Parish;
4. The Parish has been without a resident pastor for some time, with participation in pastoral care entrusted to a deacon, and previously a lay person, according to c. 517 §2;
5. There are nearby parish churches in Seattle in close proximity to Saint Patrick Parish Church; and,
6. The nearby Parish of Saint Joseph has the capacity to offer pastoral care to the people of Saint Patrick Parish, including ministry to the Deaf & Deaf/Blind Community.

And, the following procedure was recorded in the decree:

1. The necessary information and proofs were considered, having heard all those whose rights might be injured (cf. c. 50), through several meetings with parish leadership, a listening session on 10 May 2021, and a personal meeting with Your Excellency on 25 April 2022.
2. On 10 March 2022, the Presbyteral Council was consulted.

On Monday, 11 July 2022, the Archdiocese released a Press Statement regarding the issuance of the 8 July 2022 Decree. It includes the Decree, also dated 8 July 2022, issued for Saint Joseph Parish. In the Statement, you are quoted as saying: *"We want active, living parish communities that welcome young people and foster missionary disciples. Therefore, I accepted the recommendations from the Strategic Planning Committee and the Presbyteral Council to make parish changes across the South Seattle deanery."* The quote points to the exclusion of the People of God in this process as I will explain below. It also demonstrates the failure to implement the true, canonical process by which Your Excellency was obliged *ad validitatem* to seek out all information and proofs and hear those whose rights could be injured before issuing your July 8 Decree.

The recurrences believe that you failed to provide just cause, follow canonical procedure as intended by the Law of the Church, and consider alternatives to our suppression both personally and with the Presbyteral Council (per the Congregation for Clergy's *Procedural Guidelines for the Modification of Parishes and the Closure, Relegation and Alienation of Churches*, Prot. 2013 1348, n. 1-i). **Therefore, by this letter, I file remonstratio against the 8 July 2022 Decree for violations regarding the motivation of the decree (*in decernendo*) and the procedure used to enact the decree (*in procedendo*).**

OBJECT OF RECOURSE

The object of recourse is the 8 July 2022 Decree. It also includes the implicitly expressed intention enacted against Saint Patrick Parish by competent authority prior to the same Decree. The intention was expressed on 10 April 2021 by Bishop Mueggenborg. Henceforth, the Parish was prepped by the Archdiocese to accept its suppression.

VIOLATIONS *IN DECERNENDO*

It is common knowledge that the number of those who practice the Faith are on a 'downward trend'; and as those numbers decline so do priestly and religious vocations. It is also common knowledge that the acts of ecclesiastical authorities are not always motivated for the welfare of the People even after they have made known their spiritual needs and wants. Instead, many bishops are motivated by secular models and metrics foreign to the mission of the Church.

The Congregation for Clergy issued an Instruction *Pastoral Conversion of the Parish community in the Service of the Evangelizing mission of the Church*. You referred to it in the 22 October 2020 Press Release. While the entire document explores the various contours of a parish, and the lawful models possible for a parish to respond to the contemporary circumstance, the Congregation states, *"The suppression of Parishes by extinctive union is legitimate for causes directly related to a specific Parish. Some causes are not sufficient, such as, for example, the scarcity of diocesan clergy, the general financial situation of a Diocese, or other conditions within the community that are presumably reversible and of brief duration (e.g., numerical consistency, lack of financial self-sufficiency, the urban planning of the territory). As a condition for the legitimacy of this type of provision, the requisite motivations must be directly and organically connected to the interested Parish community, and not on general considerations or theories, or based solely 'on principle'"* (n. 48).

The Strategic Planning Committee produced a Strategic Planning Data Introduction (dated 8 March 2021) which included information about a "new tool to estimate the Mission Effectiveness of a Parish, the Parish Vitality Index (PVI)." It was supposed to provide a metric for decision making by review of data from five key areas: Growth, Discipleship Formation, Liturgy, Leadership, and Finance. When the recurrences asked about the PVI, we discovered no operable tool actually existed (cf. 23 April 2021 Letter to the Strategic Planning Committee). How is it that Saint Patrick Parish was measured with that which does not exist? And yet, the use of this non-existent instrument as referenced in the 8 March 2021 document

motivated the Pastoral Planning Committee to recommend that Saint Patrick Parish be suppressed. Then Bishop Mueggenborg, on your behalf, announced your decision to suppress the Parish on 10 April 2021.

Curiously, there is no mention of the PVI within the 8 July 2022 Decree. Suddenly the ‘condition of the parish, the vitality of its ministries, the efficacy of its outreach and evangelization efforts, and the pastoral needs of the people’ are reduced to the argued causes of demographic shifts, use of c. 517 §2, too many churches, and the capacity of Saint Joseph Parish. If the PVI became operable, the recurrences were never informed nor allowed the opportunity to demonstrate vitality. If the PVI fell into desuetude, the recurrences were also never informed. Either way, it calls into question the data, the recommendations and ultimately the July 8 Decrees of Extinctive Union that were supported by it.

There is also no reference to the Congregation’s 2020 Instruction within the July 8 Decree; nor is there evidence that *Pastoral Conversion* was used to inform this entire process. The recurrences are aware that you recently issued Decrees (of Extinctive Union), dated 27 May 2022, whereby Saint Mary Parish was merged with Saint Therese Parish, also of the South Seattle Deanery. The May 27 Decrees that were issued for Saint Mary and Saint Therese Parishes are relevant to this presentation. Like the May 27 Decrees, the July 8 Decree(s) that were issued for Saint Patrick Parish (and Saint Joseph Parish) lack specificity. In the July 8 Decree, no dates when the data (if any) were collected from Saint Patrick Parish; no proofs; no actual numbers; and no contextual details to substantiate the decline, decrease, and purported benefit of merging Saint Patrick Parish with a parish that has the capacity to assume it.

According to the Pastoral Conversion, n. 48, “*the requisite motivations must be directly and organically connected to the interested Parish community, and not on general considerations or theories, or based solely ‘on principle’.*” With such glaring similarities between the May 27 Decree against Saint Mary Parish and the July 8 Decree against Saint Patrick Parish; and the May 27 Decree regarding Saint Therese Parish and the July 8 Decree regarding Saint Joseph Parish, it is difficult to identify the requisite motivations that are specific to the parishes of the South Seattle Deanery affected by reconfiguration and not to understand the reconfiguration as one motivated by general considerations that could be applied to any Parish within the Archdiocese.

Regarding the ‘just causes’ cited in the 8 July 2022 Decree, we submit the following counterarguments:

1. *Downward trend in sacraments.*

Over the last ten (10) years, there is absolutely no evidence of any downward trends at Saint Patrick Parish (cf. Appendix “St Patrick Parish Toolkit, Annotated June 2021” provided in presentation to Your Excellency on 25 April 2022). Since 2000, the data from the Parish sacramental registers demonstrates no trend—with the possible exception of marriages. In other words, Saint Patrick Parish is stable, which is significant.

Since 1990, the Parish has functioned without a resident Pastor (cf. Cause 4 and *IN DECERNENDO* Counterargument 4). Most Parishes without a resident Pastor are not able to maintain the demands of sacramental life for obvious reasons. The fact that the Parish has not experienced a downward trend for the past twenty years is a testament to the community and its lay leadership. And so, Cause 1 is not specific to Saint Patrick Parish; and therefore, it is not sufficient cause to its suppression.

2. *Community is decreasing in membership, both in registered households and the total number of active parishioners.*

Like Cause 1, there is no evidence to support what is asserted in Cause 2. It is simply untrue. In the Decree, Your Excellency does not provide specific data from Saint Patrick Parish to support the decrease in registered households and active parishioners. During the pandemic, the Parish

attracted new membership, with 18 households joining. And due to the evangelization initiatives that arose from our 2020 Parish Advent Synod, we expect our membership to continue to increase (cf. Appendix “St Patrick Advent Synod Report – 2020” provided in presentation to Your Excellency on 25 April 2022).

Regarding truly active parishioners, Saint Patrick Parish is exceptional in its high level of activity and participation of parishioners. This was revealed in the 2021 Community Survey Report. For example, 73% of parishioners who responded to the survey said they are involved (“very” or “somewhat”) in Worship ministries and 66% are similarly involved in Outreach ministries (e.g. Homebound, L’Arche, LGBTQ, Noel House, Nueva Trinidad, Social Justice, St. Vincent de Paul, etc.). It is clear: there is no demonstrable decrease in membership or parishioner activity that could possibly serve as a just cause for its suppression.

If Your Excellency is concerned about a decrease in membership or even the loss of souls, then I refer you again to the 2021 Community Survey Report, p. 5. Saint Patrick Parishioners were asked, *If Saint Patrick Parish was to merge with Saint Joseph Parish, how likely would you be to do the following...look for a different Catholic parish...leave the Catholic Church?* Twenty-two percent would look for a different parish and 15% would leave the Church altogether. In a follow-up survey (May 2022) the suppression of Saint Patrick Parish projects a loss of over 20 percent of the community as members of the Catholic Church.

3. *Few registered and active parishioners live within the geographic boundaries.*

“Pastoral activity needs to go beyond merely the territorial limits of the Parish, to make ecclesial communion more clearly transparent by means of the synergy between ministers and diverse charisms, structuring itself as a “pastoral care for all”, at the service of the Diocese and of its mission” (Pastoral conversion, 123). Indeed, it is the Saint Patrick Parish charism of welcome, outreach, inclusion, and the liturgy that draws people to the Parish beyond its territorial limits. You note in your July 8 letter, *“St. Patrick Parish has been dedicated to social justice, outreach to the poor and care for deaf, deaf/blind and L’Arche brothers and sisters.”* Therefore, we assume you recognize the diverse charisms that have enabled the Parish to serve fifty-one (51) zip codes throughout Western Washington. Our physical location (at the intersection of Interstate 5 and Highway 520) also facilitates this diversity. Those persons who respond to outreach are not in one location. To expect otherwise would be ludicrous. And so, it is correct: many Parishioners, many with the skills and commitment necessary to the charism of Saint Patrick Parish, live beyond the territorial limits and travel precisely because they are engaged in missionary discipleship as a member of Saint Patrick Parish. Because Your Excellency opens the July 8 Decree with a quote from *Evangelii gaudium*, it would seem that Cause 3 would be a point of parish vitality and an expression of the joy of the Gospel. It is not a cause for suppression.

4. *The parish has been without a resident pastor for some time, with participation in the pastoral care entrusted to a deacon, and previously a lay person.*

The citation of Cause 4 suggests that the true concern is a shortage of clergy. The alternatives in these circumstances, sanctioned by c. 517 §2, have been highly successful at Saint Patrick Parish. Again, as stated in *IN DECERNENDO* Counterargument 1, the stability and vitality of the Parish without a resident Pastor is a testament in and of itself. It indicates that Saint Patrick Parish is well-positioned to contribute to Your Excellency’s “Partners in the Gospel” initiative, which emphasizes the development of more lay ecclesial ministers. Either your initiative is disingenuous, or it contradicts your July 8 Decree. Nevertheless, a lack of priests or even deacons is not sufficient cause for a parish suppression (cf. *Pastoral Conversion*, n. 48). Further, there has been

no evidence presented by the Archdiocese or the Strategic Planning Committee that overcomes our thirty-year history of vitality without a resident Pastor.

5. *There are nearby parish churches in Seattle in close proximity to Saint Patrick Parish Church.*

The fact that there are nearby parish churches in proximity to Saint Patrick Parish Church is irrelevant. Having too many churches is not sufficient to motivate a suppression by extinctive union. The assuming parish, Saint Joseph Parish, would still have to care for and to use Saint Patrick Church in accord with law. In much of the Archdiocesan literature about the Pastoral Planning efforts, you speak of the increase of the general population in Seattle yet a purported decrease in the Catholic population. However, according to catholic-hierarchy.org/diocese/dseat.html, the Catholics per priest ratio has tripled over the last thirty (30) years. In 1990, it was 850:1. In 2020, it was 3095:1. Reducing the number of parishes and churches does not change the demands on the Archdiocesan priests (and religious). If anything, it reduces the instruments of pastoral care and evangelization that are available to the increasing Catholic population. It also restricts the ability to parcel out the work of priests that can be delegated to deacons and qualified laypersons. In essence Cause 5 acts contrary to the evangelical dynamic and is a preparation for failure in the mission of the Church.

6. *The nearby Parish of Saint Joseph has the capacity to offer pastoral care to the people of St. Patrick Parish, including ministry to the Deaf & Deaf/Blind Community.*

Cause 6 logically cannot be cited as cause for a parish suppression. The capacity of Saint Joseph Parish to be able to offer pastoral care to the people of Saint Patrick Parish is not just cause to suppress it. Your Excellency is citing as just cause an effect that you would hope to achieve by virtue of the suppression. The effect of the suppression cannot also be the cause of the suppression. This is illogical. The same can be said about Saint Patrick Parish. It has the capacity to offer pastoral care to people and does, so how is the assertion 'the People of Saint Patrick Parish can be cared by another parish' be a just cause to suppress it?

In the July 8 Decree, Your Excellency has not proven that Saint Patrick Parish is not an *active, living parish community that welcomes young people and fosters missionary disciples*. If one sought the necessary information and proofs, then the opposite is proven. We are an active and living parish that welcomes and evangelizes.

Regarding the July 8 Decree for Saint Joseph Parish: Your Excellency cites its proximity, capacity to receive Saint Patrick Parishioners, and the ability to benefit all. Not one of these causes to modify Saint Joseph Parish has been proven. The motivation to merge with Saint Mary Parish is identical in the May 27 Decree for Saint Therese Parish. This only points to the fact that these modifications are not specific to the particular parishes affected and contrived to satisfy the demands of law *pro forma*.

VIOLATIONS *IN PROCEDENDO*

The violations *in decernendo* preclude any procedure by which to suppress a parish despite the procedural elements recorded in the 8 July 2022 Decree.

Regarding the procedural elements recorded in the 8 July 2022 Decree:

1. Based on the review of just causes cited in the July 8 Decree, I argue that Your Excellency did not seek the necessary information, nor did you hear or listen to those whose rights could be injured by the same decree before its issuance (c. 50).
 - The Archdiocese or the Strategic Planning Committee never explained the PVI, viz. if and how the PVI was used to 'measure' the vitality of Saint Patrick Parish (cf. 23 April 2021

Letter to the Archdiocesan Planning Committee). Yet the PVI report presented on 8 March 2021 was the basis of the suppression (cf. 10 April 2021 Letter and 8 July 2022 Decree).

- Saint Patrick Parish was never afforded the opportunity to demonstrate its vitality in accord with whatever metric was to be utilized by the Archdiocese.
- Beyond confirmations Your Excellency never visited Saint Patrick Parish, nor celebrated a Mass for the Catholics with special needs. In this way, you have not consulted those persons whose rights can be injured by the July 8 Decree.
- Your Excellency did not engage the parish leadership before the 10 April 2021 announcement by Bishop Mueggenborg was made or before the 10 March 2022 Presbyteral Council Meeting that determined the suppression of Saint Patrick Parish (cf. *IN PROCEDENDO* Counterargument 2).
- Although you refer to meetings with parish leadership, it is not clear when and with whom those occurred. The 25 April 2022 Meeting is the only one to which I can attest. Unfortunately it cannot be understood as a consultation, because it occurred after and independent of your decision to suppress Saint Patrick Parish.
- At the April 25 meeting, a group of recurrences presented a packet of documentation to support arguments against the suppression of Saint Patrick Parish. If the 10 March 2021 Presbyteral Council Meeting was in fact your satisfaction of c. 515 §2, then it is not possible to accept that the Presbyteral Council was presented *relevant arguments both for and against the proposed modifications* on March 10 if they were unable to review the material presented on April 25 (*contra* Congregation for Clergy, Prot. 2013 1348, n. 1-I; cf. *IN PROCEDENDO* Counterargument 2).
- On 10 May 2021, the Strategic Planning Committee did conduct a listening session with Saint Patrick Parishioners. During this meeting, parishioners stated that they were ‘*disheartened, feeling dismissed, angry, and unheard.*’ This was recorded in a report, dated 13 June 2022.
- The July 8, 2022, Decree lacks specific and factual data from Saint Patrick Parish records and/or registers.
- In the July 11, 2022, Press Statement, Your Excellency states “*I accepted the recommendations from the Strategic Planning Committee and the Presbyteral Council to make parish changes across the South Seattle deanery.*” The Strategic Planning Committee has no juridic role in the administration of Saint Patrick Parish. Your Press Statement makes no mention of the Saint Patrick Parish Councils or the Parishioners. So whom did you hear, the diocesan officials with no interest or juridic role in the Parish, or the People of the Parish with every interest and various roles within the life of the Parish?

Whenever we try to supplant, silence, look down on, ignore or reduce into small elites the People of God in their totality and differences, we construct communities, pastoral plans, theological accentuations, spiritualities, structures without roots, without history, without faces, without memory, without a body, in the end, without lives. To remove ourselves from the life of the People of God hastens us to the desolation and to a perversion of ecclesial nature,” (Pastoral conversion, 37). A decision was made, and our participation in the ‘current process’ was merely to be told how it would be imposed upon us from above (Pastoral conversion, 37). Therefore, those whose rights could be injured were excluded from this procedure.

2. If the diocesan bishop has cause to erect, suppress or notably alter a parish, “*The essential elements established by the universal law regarding the Parish as a juridic person must be observed and*

from which the Bishop cannot dispense” (*Pastoral conversion*, 47). In addition to his seeking the necessary information and proofs, and consult those whose rights can be harmed, the diocesan bishop must hear the Presbyteral Council. Canon 515 §2 requires that the Bishop hear the presbyteral council *before* a decision is made. This is required *ad validitatem*. This did not occur. A decision was made as of 10 April 2021 and then confirmed by you (and the Strategic Planning Committee) henceforth. Because a decision to suppress Saint Patrick Parish occurred before the Presbyteral Council Meeting on 10 March 2022, I argue the 8 July 2022 Decree is invalid.

Moreover, the consultation with the Presbyteral Council “*must be genuine, and [it] should consider relevant arguments both for and against the proposed modifications*” (Congregation for Clergy, Prot. 2013 1348, n. 1-i). There is no evidence that the Presbyteral Council was presented with all the arguments both for and against the suppression of Saint Patrick Parish including those that did not involve its suppression. In fact, I refer to two proofs which support that the Presbyteral Council was not presented with relevant arguments *against* the proposed modifications:

- 1) The Presbyteral Council Meeting occurred on March 10; and Your Excellency did not meet with the Saint Patrick Parish Advocates until April 25. During the April 25 meeting, we presented a packet of documentation that supported arguments against the merger. Therefore, the chronology shows that the Presbyteral Council did not have had this information on March 10.
- 2) The recurrences were unaware that the Presbyteral Council had a meeting on March 10 to determine our fate. Following the April 25 meeting, the recurrences believed that there was an opportunity to present the packet to the Presbyteral Council in accord with c. 515 §2 and jurisprudence. To ensure the packet presented to you on April 25 was also presented to the Presbyteral Council, I emailed this packet to all the members of the Council (except for a small number without available email addresses). The Vice-Chair of the Council, in a letter, dated 1 July 2022, responded. “*I am writing to you to confirm receipt of the presentation material from St. Patrick Parish ... I will be in contact with the members of the Presbyteral Council regarding next possible steps in the consultation process.*” His statement implies that the Presbyteral Council, or at least one member, a significant member as Vice-Chair, was unaware that a decision to suppress Saint Patrick Parish was achieved on March 10. Further his statement suggests that the consultation about Saint Patrick Parish would be forthcoming (as did the recurrences). Yet, in your July 8 Decree, you record the March 10 Presbyteral Council Meeting as fulfillment of c. 515 §2. There is no other meeting with the Presbyteral Council subsequent to March 10 that is indicated within the decree.

Therefore, based on these two proofs, the March 10 Presbyteral Council Meeting does not appear valid or genuine.

3. Lastly, a point of procedure that was not recorded in the July 8 Decree is a consultation with the diocesan Finance Council and the College of Consultors. Reducing the number of parishes in the Archdiocese reduces the number of parishes that can be taxed. Consequently each Decree of Extinctive Union is a “transaction” that worsens the patrimonial condition of the Archdiocese. Therefore Your Excellency would have been required to consult the diocesan Finance Council and the College of Consultors per cc. 1292 §1 and 1295 prior to the issuance of the July 8 Decree.

The Faithful have the right to expect that the diocesan bishop will observe the norms of law. If not, the principles of law afford them the discipline by which to vindicate their rights and seek repair of the harm done by a wrong act or a wrongfully placed act (cf. c. 221 §1 and 128).

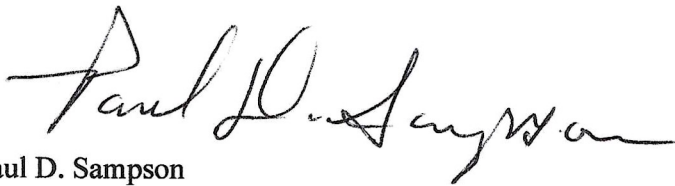
With that said, I ask Your Excellency to:

1. Reconsider your decision as communicated first on 10 April 2021;
2. Reconsider and revoke the 8 July 2022 Decree of Extinctive Union, as communicated on 10 July 2022;
3. As requested at the 25 April 2022 meeting, allow a genuine opportunity to discuss creative alternatives, which might include:
 - a. A structure where the pastoral leadership is a shared appointed pastoral coordinator and parish priest, similar to our pairing with Christ Our Hope these past three years.
 - b. A Pastoral Unit grouping with another parish (*Pastoral Conversion*, VII.c. "Pastoral Units"), which would foster collaboration and possible shared pastoral services while St Patrick retains its juridic personality, Parish Finance Council, and Pastoral Council; in other words, a "cluster" relationship under a Pastor as is the case with 4 parishes in South Seattle.
4. Come meet the Faithful of Saint Patrick Parish separate from the Strategic Planning Committee, celebrate Mass with us, and consider the alternatives to our suppression. With the proper structures, and a reasonable timetable, Saint Patrick Parish can meet standards of parish vitality, once defined.

If Your Excellency chooses to reject this *remonstratio*, then I ask that you provide the following:

1. Suspend the effects of the 8 July 2022 Decree pending the definitive outcome of hierarchical recourse;
2. Sequester all patrimonial assets of Saint Patrick Parish pending the definitive outcome of hierarchical recourse; and,
3. Ensure the care and use of Saint Patrick Church in accord with the norms of law and jurisprudence of the Holy See.

Sincerely in Christ,

A handwritten signature in black ink, appearing to read "Paul D. Sampson". The signature is fluid and cursive, with the first name "Paul" being the most prominent.

Paul D. Sampson
Procurator

Copy: Mandators