



DECREE

Twinning

Saint Mary Parish in Rochester, New Hampshire

and

Saint Peter Parish in Farmington, New Hampshire

The Catholic faithful of Rochester have been served well by Saint Mary Parish since 1872, and the Catholic faithful of Farmington have been served well by Saint Peter Parish since 1920. During that time, many people have heard the Word of God, have worshiped and received the sacraments of the Church in these parishes. Now, in an effort to strengthen the preaching of the Gospel and to ensure the vitality of parish life, with concern for the best stewardship of resources and the right of the People of God to receive assistance from the Church, especially the Word of God, spiritual sustenance, the sacraments, and the continuation of important parochial ministries to the poor, elderly, families, children, and the community at large, it is necessary to make new provisions for the spiritual care of the parishioners of these parishes.

To that end, having asked parishioners to make known their needs and desires, having received the recommendations of Cluster Task Force number twenty-three, the Dean of the Seacoast Deanery and the Long Range Planning Commission, and after consultation with the Presbyteral Council of the Diocese of Manchester, and in accord with canons 515 and 526 §1 of the 1983 *Code of Canon Law*, I hereby entrust Saint Peter Parish in Farmington, New Hampshire to the pastoral care of the pastor of Saint Mary Parish in Rochester, New Hampshire. This twinning shall take effect at midnight at the end of Sunday, June 22, 2008.

This decision is based upon a number of components, including the spiritual welfare of the People of God in Rochester and Farmington, the proximity of the worshipping communities and the church edifices, the current number of parishioners of both parishes, the enhancement of collaborative ministry, and the best use of available priest personnel.

The twinning of Saint Mary Parish and Saint Peter Parish will not affect the juridic personality of either parish, which they now possess by law. Therefore, Saint Mary Parish and Saint Peter Parish shall remain separate and distinct parishes, and shall continue to be the subjects in canon law of obligations and rights corresponding to their natures as juridic persons. Each parish shall retain its own territory, subjects and activities.

All assets, whether movable or immovable, and all liabilities of Saint Mary Parish and Saint Peter Parish, upon this twinning, will remain attached to each particular parish, with no change in or sharing of ownership between the two parishes. Saint Mary Parish and Saint Peter Parish shall retain distinct parish finance councils and parish pastoral councils, and may retain their own parish personnel and staff. Each parish shall continue to maintain independent sacramental, financial and historical records and books.

I direct that this Decree be given to the current pastor of Saint Peter Parish in Farmington, New Hampshire and Saint Mary Parish in Rochester, New Hampshire, and that this Decree, as well as the "Manner of Initiating Hierarchical Recourse" against this Decree, be communicated at all Masses of obligation in both parishes on the weekend of Saturday, June 21, 2008, and Sunday, June 22, 2008.

Given at Manchester this 10th day of June, 2008.


Bishop of Manchester


Chancellor

THE MANNER OF INITIATING RECOURSE AGAINST AN ADMINISTRATIVE DECREE

Book VII, Part V, Section I of the 1983 *Code of Canon Law* provides for recourse against administrative decrees. The first desire expressed by the Code itself is that there be no contention between one who feels injured and the author of the decree [cf. canon 1732]. Nonetheless, should it seem necessary to propose recourse against a decree issued by the bishop or by authorities subject to him, the following guidelines may be of assistance.

1. The Pastor alone represents the parish in all juridic affairs [cf. canon 532]. Only the Pastor may propose recourse in the name of the parish. Individuals may not claim to represent the parish, nor can groups of individuals claim to represent the parish in proposing recourse. An individual may propose recourse in his or her own name. Similarly, a group of individuals may propose recourse collectively, but representing themselves and no others. They may not claim to represent a larger group, or the entire parish.
2. According to canon 1734, before proposing hierarchic recourse (petition for examination of a decree by the proper Dicastery of the Holy See), one must seek revocation or emendation of the decree. This must be done in writing, to the author of the decree, within a peremptory period of ten working days from legal notice of the decree. Accordingly, prior to the close of business on the tenth working day after legal notice of the decree, a written request for Bishop McCormack to revoke or emend the decree must be sent or delivered to:

Most Reverend John B. McCormack, D.D.
Diocese of Manchester
153 Ash Street
PO Box 310
Manchester, NH 03105-0310

- a. The request must state exactly what is being petitioned, and the reasons why.
 - b. Requests that are not specific as to what is being sought or why, will not be accepted and will not be considered as delaying the initial ten-day time limit.
 - c. Requests for an extension of time will not be honored.
 - d. Requests sent by facsimile telecopier will not be accepted.
3. If a valid request for revocation or emendation of the decree is received within the ten-day time limit, Bishop McCormack has thirty days from receipt of the petition to decide his response. If no response is given in thirty days, a negative response is to be assumed [cf. canon 1735].
 4. If, after legitimate petition, Bishop McCormack does not emend or revoke the initial decree, hierarchic recourse may be proposed to the Holy See. This must be done within a peremptory time limit of fifteen working days. This recourse cannot validly be proposed unless one has first written to Bishop McCormack to ask him to revoke or emend the decree, as in Number 2 above. This recourse is to be made in writing, along with the reasons for seeking recourse, to the proper Dicastery of the Holy See.