

Conciliation processes require cooperation

By Lee Strong
Staff writer

The recent disagreement between members of the parish council at Rochester's St. Anne's Parish and the pastor, Monsignor William Roche, over the closing of the parish school is nothing compared to what happened at Holy Name Parish, Auburn, in 1869.

A lengthy and heated dispute over the reassignment of the pastor by then-Bishop of Rochester Bernard J. McQuaid led the mayor of Auburn to call in two units of the National Guard one Sunday.

Although the current controversy at St. Anne's has not called for civil intervention, it has evolved into a battle of accusations waged through the broadcasts and pages of area news media. As such, it also raises questions about how the Diocese of Rochester currently resolves contentious situations.

According to Auxiliary Bishop Dennis W. Hickey, Catholics in the diocese essentially have two paths for resolving grievances among parishioners and members of parish staffs. The first is to take advantage of a due-process procedure created in the early 1970s. The second is to appeal directly to Bishop Matthew H. Clark.

The due-process procedure, initiated in 1973, consists of a Council of Conciliation and a Board of Arbitration, which were created to provide first and second levels of appeal for disputes. The already existing diocesan tribunal was intended to serve as the court of final appeal in the process. At first, Bishop Hickey noted, the due-process procedure was successful, resolving a number of disputes. "In most instances, the parties were willing to sit down and talk," Bishop Hickey said. "Most of the cases that came in were people of good will and were willing to settle them."

But soon the procedure revealed a flaw: participation in deliberations of the council and the board is strictly voluntary.

"If one of the participants refuses to work with us, we are hamstrung," explained Father Frederick Eismann, acting chairman of the Council of Conciliation. "We really don't have any teeth, and unless people are willing to work on good faith, we're hamstrung."

As a result of this limitation, in the two years Father Eismann has been on the council, he estimated that only one or two cases had been considered, and none resolved. "It seems to negate the whole purpose of the council," he said. "You say you have this council, but then if a pastor says he won't take part, there's nothing we can do."

One way for the council and the board to acquire "teeth" would be for the bishop to declare that any church employee must take part in the conciliation process if involved in a dispute, Father Eismann said. Nevertheless, he added, "I don't know if we could force a lay person to acquiesce."

On the other hand, Sister Gaye Moorhead, RSM, a member of the Council of Conciliation, strongly opposes requiring people to take part in the process, saying

that such a rule "flies against the rules of what conciliation is." She added, however, that it would be helpful for Bishop Clark to encourage church employees to consider the advantages the process can offer if entered into in good faith.

According to Father William Laird, judicial vicar of the diocese, participation is mandatory in cases brought before the diocesan tribunal, but this court can only resolve cases that involve church law. "It would have to be a matter that is, strictly speaking, of a right within the context of church law," he remarked.

Meanwhile at St. Anne's, dissenting parishioners have not even attempted the conciliation process. Ron LaMagna, vice chairman of the parish council, said he had investigated the due-process procedure, but — because he believed Monsignor Roche would be unwilling to compromise — decided there was no point in going to the council. Monsignor Roche was not available to discuss whether he would or would not have participated in due process.

The second method for resolving grievances is direct appeal to Bishop Clark. In such cases, the bishop frequently will designate someone to look into the situation, noted Father John Mulligan, vicar general of the diocese and moderator of the pas-

toral office. That person is not expected to resolve the situation, but rather to provide support and advice, and to report his or her findings to the diocesan staff, he said.

In addition, Father Mulligan said, the bishop expects diocesan administrators to keep in touch with problems in their areas of concern. The moderator noted that because staff members monitor situations in

control and becomes divisive," he said. "Ultimately, I think when we have any human-relations situation, the two conflicting parties have to work out the solution."

That's what diocesan staff members attempted to initiate in the fall of 1987, following an appeal to Bishop Clark from St. Anne's parish council concerning conflicts between council members and Monsignor

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their areas, problems are often dealt with long before they become heated. "There's a lot of informal conciliation that goes on before it goes to the conciliation process," he remarked.

Father Mulligan said that Pastoral Center staff try to help resolve such conflicts quietly at the local level. "Our hope is that the local community will resolve tensions ... before the tension gets out of

Roche. At that time, Deacon Claude Lester, director of the office of parish services, and Rebecca Gifford, then associate director of the Division of Urban Ministry, met with the parish staff and the council. Deacon Lester said he provided council members with "an education piece about what councils were expected to be about." The meetings, he said, were to provide

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Meeting disintegrates amid charges

By Rob Cullivan
Staff writer

ROCHESTER — Parishioners at St. Anne's Church are preparing to mount a campaign to remove their pastor, Monsignor William Roche, following a heated meeting with Father John Mulligan, moderator of the diocesan pastoral office, on Monday night, March 27.

Monday's public meeting between Father Mulligan and members of St. Anne's parish council in the school hall was called to discuss the procedure by which the diocese had ordered the school to close in June, 1989. The diocese ordered the school closing on Feb. 25 in response to a proposal submitted by Monsignor Roche. This angered several members of the parish council, which had voted Feb. 13 to keep the school open through June, 1990.

Monsignor Roche was not at Monday's meeting, having left for Florida that day, according to Joan Powell, parish council president.

At the meeting, Father Mulligan reiterated the diocese's reasons for closing the school, located at 151 E. Henrietta Road. Following his statements, parish

council members took turns voicing their opinions.

But it was the opinion of Tom Cantin that turned the meeting on its head. Cantin, a council member, asserted that the problem at the parish was not the school closing, but Monsignor Roche. Cantin then began to quote allegations about Monsignor Roche's administration of St. Mary's Parish in Canandaigua, where the priest was pastor prior to his appointment to St. Anne's in 1982. Cantin said that he had talked to parishioners at St. Mary's who were disgruntled with Monsignor Roche's treatment of them while he was a pastor.

At that point, Father Mulligan refused to discuss Monsignor Roche, stating that he had come to the meeting to discuss the procedure by which the school was closed. He appealed to Powell to shift the course of discussion, but she refused. He then left the meeting.

About 15 parishioners followed Father Mulligan out of the school hall, loudly protesting Cantin's allegations. The meeting then continued for another hour and a half as parish council members and about 60 parishioners who remained vented their frustration with Monsignor

Roche and Father Mulligan.

Powell complained that before the meeting, Father Mulligan had promised to discuss any issues concerning the parish, including Monsignor Roche, at the meeting.

When contacted for a response to Powell's complaint on Tuesday, March 23, Father Mulligan said that he felt Cantin's allegations about Monsignor Roche were "hearsay" and that, especially with the presence of three television news teams, the meeting was an inappropriate place to discuss the allegations.

Parish council members and parishioners plan to continue their protests during the next few weeks. Powell said that a petition bearing the signatures of 171 parishioners who have no children attending the school, yet oppose its closing, would be sent to the diocese this week.

At the meeting, several parishioners also said they planned to march on the diocesan pastoral center in mid-April to press for Monsignor Roche's removal from St. Anne's. Plans are also afoot to gather signatures for a petition to Bishop Matthew H. Clark, asking that Monsignor Roche be removed.

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