

Spaces *for* Cremated Remains *of the Body in and around* Catholic Churches



A white paper prepared by the
Committee on the Future
of the Catholic Cemetery Conference

Spaces for Cremated Remains of the Body In and Around Catholic Churches

For any number of reasons ranging from Church teaching to legality and future financial responsibilities, it is not advisable to build a columbarium in or on church property unless it is attached to a parish cemetery.

The cremation rate in the United States in 2006 was just over 20% nationwide; today, it is over 60%. This rise in the cremation rate, has raised the issue of building columbaria (burial places for cremated remains of the body) in Catholic churches or on the grounds of Catholic parishes. Columbaria (niches) are specifically designed and built for cremated remains. Increasingly, archbishops and bishops are being asked to approve building such facilities. While there are many justifications for this, the Catholic Cemetery Conference advises that this permission should only be granted when a columbarium can be attached to a parish cemetery which already has the infrastructure, legal framework, and financial plan in place for such a responsibility. The creation of a columbarium transforms a parish into a cemetery, which means the parish must take on responsibility for the care and maintenance of the columbarium, its contents and surrounding grounds indefinitely. Any short-term benefits will be outweighed by long-term financial and legal burdens.

Various provincial and state governmental agencies in the United States and Canada have enacted laws defining and regulating for-profit and non-profit cemeteries, including religious cemeteries.

These laws vary from very restrictive to almost no restrictions. For example, in some states, if a parish builds columbaria, they have, by definition, created a legal cemetery entity with the corresponding responsibilities and liabilities. Depending on the governing law, this might include a requirement to establish a permanent maintenance fund or a perpetual care fund.

Continuity, experience, and expertise by future parish management must be considered.

Many new parish programs commence with enthusiasm and energy. The individuals who initiated the concept sold it to the parish, conducted fundraising, oversaw construction, and initially helped manage the program. Subsequent parish leadership and volunteers may or may not be as knowledgeable and enthusiastic as their predecessors. This potential lack of continuity, experience, and expertise in managing columbaria could cause serious problems in meeting the parish's legal and moral responsibilities to the families they serve. Cemeterians are trained to creatively prolong profitability beyond the sale of rights to niche spaces including permissible options and requirements for record keeping. Parish teams without cemetery knowledge might forego all of these possibilities as they are not familiar with the cemetery industry.

Day-to-day management issues can consume enormous amounts of energy and time for parish leadership.

These include issues such as who can be interred in the columbarium (must be a member of the Parish), the rules and regulations regarding memorialization and included rights, pre-sale or at need, properly developing and completing contracts for sales, recording and maintaining permanent records, financial accounting procedures involved with a sale, etc. These issues are time-consuming and often result in overburdened parish staff and/or volunteers and ultimately can cause potential issues leading to unhappy parishioners.

Finally, the Code of Canon Law 1242, states: “Bodies are not to be buried in churches unless it is a question of burying in their own church the Roman Pontiff, cardinals, or diocesan bishops, including retired ones.” Within our culture, families expect their loved ones' remains to rest undisturbed. Once a columbarium is created, the expectation is for further development to serve future generations thereby restricting flexibility for parish planning and growth. Potential parish closures in the future must be recognized and acknowledged. Therefore, it is our recommendation that columbaria are treated in the same manner as legal cemeteries regarding liturgical use, providing affirmative reason to be constructed only in a cemetery.



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