News



Baltimore Archbishop William Lori leads a funeral Mass March 28, 2017, in Baltimore. The Baltimore Archdiocese filed for Chapter 11 reorganization Sept. 29, days before a new state law goes into effect removing the statute of limitations on child sex abuse claims and allowing victims to sue their abusers decades after the fact. (AP photo/Patrick Semansky, File)

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The Archdiocese of Baltimore on Friday filed for Chapter 11 bankruptcy reorganization days before a new state law goes into effect removing the statute of limitations on child sex abuse claims and allowing victims to sue their abusers decades after the fact.

The step will allow the oldest diocese in the United States "to equitably compensate victim-survivors of child sexual abuse" while the local Catholic church continues its mission and ministries, Archbishop William Lori said in a statement posted on the archdiocese website.

But attorneys and advocates said the church is simply trying to protect its assets and silence abuse victims by halting all civil claims against the archdiocese and shifting the process to bankruptcy court, a less transparent forum.

Michael McDonnell, interim executive director of the national group Survivors Network of those Abused by Priests, said the Baltimore archdiocese is following in the footsteps of other jurisdictions across the country that have similarly sought bankruptcy protection to offset settlement costs and avoid further scrutiny.

"Catholic bishops are employing the same deception from coast to coast," he said. "Cover up child sex offenses while maintaining the ministry of the abusers. Next, oppose any modifications to the statute of limitations that might make those offenses more visible. Finally, go to federal bankruptcy courts and act as though you have run out of money when secular laws offer a window to justice. When will church officials make true amends?"

While the archdiocese itself can't be sued now, other entities such as Catholic schools and individual parishes still can under the new state law, which goes into effect Sunday (Oct. 1).

Maryland lawmakers passed the law in April, weeks after the state attorney general released a nearly 500-page investigative report detailing the scope of child sexual

abuse and cover-up within the nation's oldest Catholic diocese. The report lists more than 150 clergy who were credibly accused of abusing over 600 victims dating back several decades. It paints a damning picture of the archdiocese.

Rob Jenner, a Baltimore attorney representing abuse victims, said the bankruptcy decision deals them yet another blow. The fact that church leaders waited until the last minute adds insult to injury because victims spent months getting their hopes up, meeting with lawyers and reliving the abuse, he said.

"It's just a further locking of the file cabinet doors to keep victims from seeing the full weight and scope of wrongdoing," he told The Associated Press. "It's so defeating."

Jenner held a press conference earlier Friday to preview some of the lawsuits he plans to file.

One of the plaintiffs, Kimberly Mills-Bonham, will see her case relegated to bankruptcy court because the school where her alleged abuse occurred has since closed. Mills-Bonham alleges abuse at the hands of Fr. Joseph Maskell, one of the most notorious abusers named in the attorney general's report, starting when she was 9. Maskell is featured in the Netflix docuseries "The Keepers" about child sexual abuse and coverup in the Baltimore Archdiocese.

Mills-Bonham was crushed when she received the bankruptcy news, Jenner said.

"She saw it as yet another form of abuse," he said. "She does not understand how they can get away with this."

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David Lorenz, Maryland state director of the Survivors Network of those Abused by Priests, said the Chapter 11 filing effectively waters down the rights afforded to victims under the new law. He said once the bankruptcy proceeding ends, the judge will divide a settlement among people who file claims, closing the window for victims to continue coming forward.

"There are a bunch of things about this that are really wrong," Lorenz said. "It shows a level of moral bankruptcy."

But Lori argued the move is the best way to compensate survivors since the archdiocese's resources would have otherwise been exhausted on litigation, perhaps after only a small number of cases had been decided.

"Staggering legal fees and large settlements or jury awards for a few victim-survivors would have depleted our financial resources, leaving the vast majority of victim-survivors without compensation, while ending ministries that families across Maryland rely on for material and spiritual support," he said.

On Sunday, Maryland will end the state's statute of limitations for when civil lawsuits for child sexual abuse can be filed against institutions, though the archdiocese will now be exempt during the bankruptcy proceedings.

Many victims are already poised to file lawsuits. Lawmakers included a provision in the law that would put claims on hold until the Supreme Court of Maryland can decide on the law's constitutionality, if it's challenged on legal grounds. So the cases will likely be delayed.

Earlier in the week, Maryland's attorney general released some previously redacted names in its investigative report, but the names of five Catholic Church leaders remained redacted amid ongoing appeals, prompting criticism of the church by victims' advocates.

Joanne Suder, another Baltimore attorney who represents victims, said she expected the archdiocese's bankruptcy filing.

"I'm not surprised," she told The Associated Press. "I think part of that is to continue trying to keep facts from coming forward in the public."

Lori said the financial reorganization is expected to take two to three years and involve several steps. He said the bankruptcy court will begin accepting claims from victims who wish to enter into negotiations "with the hope of agreeing to a plan that includes a trust fund to provide compensation." He said he hopes the process will bring victims solace.

Their attorneys, meanwhile, pledged to continue fighting the archdiocese in court.

"Little does the Archdiocese of Baltimore know the strength and resilience of the survivors who have come forward," said Jeff Anderson, an attorney specializing in child sex abuse cases whose firm has offices across the country. "We will continue to

stand by them and vigorously advocate for them in the bankruptcy process."

Denise Lavoie reported from Richmond, Virginia; Sarah Brumfield reported from Silver Spring, Maryland; Tiffany Stanley reported from Washington, D.C.; John Raby reported from Charleston, West Virginia, and Ben Filney reported from Norfolk, Virginia.