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St. Agnes Cathedral in Rockville Centre, New York, is seen Jan. 1, 2024. The Diocese of Rockv

St. Agnes Cathedral in Rockville Centre, New York, is seen Jan. 1, 2024. The Diocese of Rockville Centre, New York, has offered a settlement to survivors of sexual abuse that includes $200 million in cash to survivors. (OSV News/Gregory A. Shemitz)

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Facing hundreds of sexual abuse claims as a result of a New York state law that created a one-year "lookback" window for survivors to pursue claims against their alleged abusers, the Diocese of Rockville Centre, New York, has offered a settlement that includes $200 million in cash to survivors.

The proposed settlement, which one attorney dismissed as "chump change," would be paid out over three years and would initially provide a minimum payment of $50,000 for some plaintiffs and $100,000 to others, based on the insurance held by the diocese when the alleged abuse took place. A vote on the offer by claimants is expected to be tallied by late March.

The settlement offer made by the diocese was spelled out in a 298-page filing in U.S. District Court in Manhattan on Feb. 16 where the diocese's Chapter 11 bankruptcy case has been pending for more than three years. With more than 1.3 million Catholics residing on Long Island, the Rockville Centre Diocese is the eighth largest in the United States.

The bankruptcy litigation began in 2020, a year after the state of New York passed the Child Victims Act in 2019. That legislation not only expanded the statute of limitations for crimes of sexual abuse committed against children but also granted

survivors, regardless of their age, a one-year lookback window to file civil actions. The diocese is being represented by Jones Day, one of the largest law firms in the U.S. who reported gross revenue of more than $2.5 billion in 2022.

"These costs could've and should've gone to survivors and instead the Diocese of Rockville Centre has made an effort to fight child sexual abuse survivors," said Jordan Merson, who represents a total of 20 survivors. His clients include Richard Tollner, who played a pivotal role in the successful campaign to pass the Child Victims Act. Tollner described his work to drum up support for the legislation as "12 years of pro-bono lobbying."



Protestors, from left, Richard Tollner, Fr. Bob Hoatson, Marianne Barone Trent, and Dick Regan demonstrate amid allegations that then-Syracuse assistant basketball coach Bernie Fine molested two former ball boys for years, on Nov. 21, 2011, in Syracuse, New York (Fine was later fired). Tollner is one of many abuse survivors who are suing the Diocese of Rockville Centre. (AP photo/Kevin Rivoli)

In addition to his lawsuit against the Diocese of Rockville Centre, Tollner has a legal action pending against the Diocese of Albany in upstate New York.

"You can imagine I'm not a practicing Catholic," he told NCR, "but I haven't lost my faith. I still practice my faith, just not inside Catholicism."

The Diocese of Rockville Centre did not respond to questions from NCR about the proposed settlement.

Tollner testified before a grand jury in Suffolk County, Long Island, which released a report in 2003 that charged the diocese was protecting 58 sexually abusive priests. The report referred to one of the alleged abusers as Priest F, who was subsequently identified as Msgr. Alan Placa, who is now retired and denies the allegations.

Placa was a member of the Rockville Centre Diocese's Office of Legal Affairs, a team of three people assigned to handle allegations of sexual abuse. Tollner testified that in the 1970s during his sophomore and junior years at St. Pius X Preparatory Seminary in Uniondale he was sexually abused a total of a dozen times, including once with another boy after the two were drugged. Placa served as dean at the school.

In the grand jury testimony, Tollner said that at his father's funeral Placa tried to grope his genitals. The grand jury report described Priest F as "relentless in his pursuit of victims."

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The diocese's cost of litigating the bankruptcy is steep. For the month of December 2023, Jones Day billed the diocese more than $1.5 million, according to court filings. In contrast, the firm Pachulski Stang Ziehl & Jones submitted a bill for the claimants of $400,000. The Jones Day bill itemized time spent on the bankruptcy litigation by eight law clerks, who are not usually lawyers, at $700 an hour. According to a veteran litigator familiar with the wages paid at top law firms, the law clerks were likely paid an annual salary that actually works out to close to $50 an hour.

"These billing rates are outrageous. They're basically invitations to overstaff," said Victor Yannacone Jr., who has a case involving allegations of cyberbullying at a middle school pending against the diocese. As a result, he receives correspondence from the unsecured creditor committee in the bankruptcy litigation.

"The fees charged by the various law firms representing the diocese are outrageous," he said. "They're unconscionable and the entire work product of Jones Day has been nothing but delay and obfuscation. Millions in legal fees have been spent to conceal assets. Millions have been spent to question valuation, things like the seminary and the cemeteries and the enormous amount of real property owned by the diocese on Long Island." In terms of the settlement for the victims, Yannacone called it "chump change."

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The bankruptcy litigation forced the diocese to sell a $5.2 million office building at the Rockville Centre train station and put it in trust for the victims.

The diocese has rejected more than 200 of the 600 sexual abuse claims filed in Nassau and Suffolk county state courts, according to court filings.

In January 2023, attorneys for the survivors proposed a settlement of at least $450 million. Merson told NCR he doesn't think there will be a "global resolution given the diocese's current posture and disposition." A telephone campaign to drum up negative votes by claimants is expected, according to one lawyer involved in the bankruptcy litigation.

Yannacone said he was dubious that the money the diocese claims will be available from insurance to include in the settlement will actually be available, because the insurers will argue that the diocese was aware of the abuse.

Yannacone grew up in Patchogue, Long Island, where his mother was active in the church, and said he attended Catholic school through the eighth grade.

"As a Catholic I think it is deplorable that the Roman Catholic hierarchy in the United States has not openly acknowledged the cover-up that has existed for more than half a century and is not doing penance for it," said Yannacone. "This is an outrage that cries out to heaven for action."

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