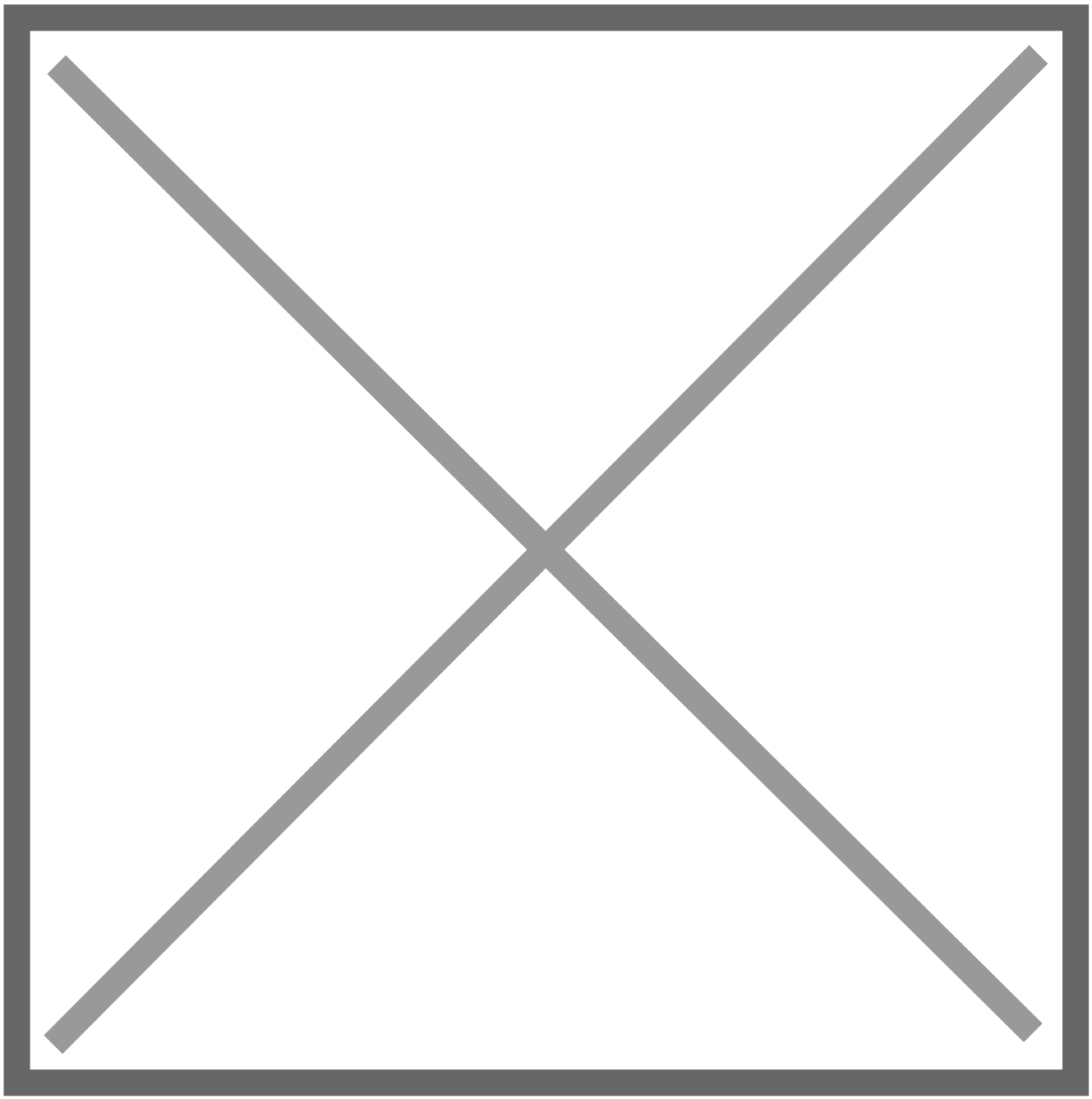
News



Seattle's St. James Cathedral is pictured in an undated photo. A court ruled March 2, 2026, that Washington's state attorney general can subpoena religious organizations, including the Archdiocese of Seattle, for records relating to sexual abuse claims. (OSV News/Mike Penney)

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A Washington state appeals court has ruled that the state's attorney general can subpoena religious organizations — including the Archdiocese of Seattle — for records related to alleged sexual abuse, as part of determining whether charitable funds were used to cover up such actions.

The state's Court of Appeals, Division I, issued its decision March 2, with the three-judge panel reversing a 2024 ruling that held the attorney general could not compel the Archdiocese of Seattle to produce such documentation.

But Judge Ian Birk said in the appeals court opinion that the subpoena "may and should be enforced" under Washington's Charitable Trust Act — but only to the extent the attorney general "seeks evidence relevant to determining the existence of an act that was criminal, tortious, or both, including sexual abuse by clergy."

At the same time, the opinion stressed that the subpoena can't be enforced to determine if "any given act or expenditure" by the archdiocese was part of its general use and purpose, since such actions would infringe on religious freedom.

Birk and his fellow judges noted that a superior court, with the aid of both parties, would have to address the "dividing line" between the "two zones in which the subpoena is and is not enforceable."

The case stemmed from a July 2023 subpoena issued by then-Attorney General Bob Ferguson against the Archdiocese of Seattle, the Diocese of Spokane and the Diocese of Yakima.

The investigation sought to determine if the dioceses — each registered as a "corporation sole" under state law, holding assets in trust for both religious and charitable purposes — had diverted charitable funds to conceal abuse.

The three dioceses had responded with publicly available information, prompting a second round of subpoenas in April 2024 that included accounting and financial records.

The attorney general filed suit against the Archdiocese of Seattle in May 2024, claiming it had refused to respond.

Ferguson — who is now the state's governor — said in a press release at the time that "as a Catholic" he was "disappointed."

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But the archdiocese countered that the scope of the request was unfeasibly broad, with the subpoena seeking several types of documents dating back to 1940.

In 2024, a King County Superior Court judge ruled in favor of the archdiocese, with the attorney general's office filing an appeal.

The appeals court said it had opted to examine the Charitable Trust Act anew in order to "determine the legislature's intent."

In a March 3 letter to archdiocesan faithful following the latest ruling, Archbishop Paul Etienne reiterated that he and the archdiocese "share the same goals as the Attorney General: to prevent abuse and pursue healing for victims."

"As a way to continue healing for our Church and for victim survivors, we want to give a transparent accounting of the history without jeopardizing the privacy of victim survivors," said Etienne.

He said that he was "pleased to see that the court agrees that the subpoena from the Attorney General is indeed overly broad," noting it entailed a request for "every

receipt from all our parishes and schools from January 1, 1940, to the present."

The archbishop added, "We believe this broad request would take months of effort to produce irrelevant documents and waste millions of dollars for us and for taxpayers."

And, said Etienne, "The court also appropriately recognized that the Attorney General's subpoena as written 'would unconstitutionally infringe the Archdiocese's religious protections.'"

"We remain, as we have from the beginning, open to working with the Attorney General's team to find a more balanced set of records to share — along with a guarantee for the privacy of victim survivors as we do not want the state's investigation to re-traumatize them in any way," said the archbishop.

Ferguson hailed the latest ruling as "an important win for transparency" in a March statement.

"I am asking church leaders to reflect and pray about this unanimous court decision and stop fighting this investigation," said Ferguson.

For his part, Etienne said in his March 3 statement, "As I did with the former Attorney General, I invite our new Attorney General to meet and discuss how we can best partner to achieve our shared goals."