

# Archdiocese of the Twin Cities asks court to reduce window for victims to file claims

By [Elizabeth Mohr, St. Paul Pioneer Press](#) on Apr 13, 2015 at 8:49 p.m.

**S**T. PAUL -- The Roman Catholic Archdiocese of St. Paul and Minneapolis, which has filed for bankruptcy protection in the face of clergy abuse claims, is asking the court to sidestep a state law and reduce the window for victims' claims by about nine months.

Minnesota lawmakers decided that victims of past child sexual abuse should have more time to file lawsuits and hold their abusers accountable, no matter how long ago the abuse occurred. The Legislature suspended the statute of limitations and created a three-year window, ending in May 2016.

The archdiocese argued in its motion that, since whistleblower efforts gained momentum in 2013, followed by the Legislature's passage of the Child Victims Act, church officials have reviewed personnel files to identify accused priests and possible victims; the church has disclosed names of "credibly accused" clergy; and the issue of clergy abuse has been covered by media.

In short, publicity has alerted victims who might wish to file a claim.

The archdiocese is seeking an Aug. 3 deadline for victims to file claims with the court. The legislative window, set by the Child Victim Act, ends May 25, 2016.

In a statement regarding the deadline request, Archbishop John Nienstedt said the deadline would "add certainty" and would speed up the reorganization process.

"We recognize the proposed claim filing deadline is sooner than the end of the

lifting of the statute of limitations for sexual abuse, so we will be extensively publicizing the approved date locally and nationally so all claimants will have a fair opportunity to participate in the process,” Nienstedt’s statement said. “We continue to pray for all those hurt by sexual abuse.”

Attorneys representing abuse victims have objected to the church’s request.

The church’s “negligent conduct” caused the abuse, attorneys for victims argued. Then, when lawsuits were filed, the archdiocese “fought survivors in court and used the statute of limitations defense to get the vast majority of abuse cases dismissed,” according to the papers submitted by the firm of Jeff Anderson, who represents many victims.

Because of the archdiocese’s actions, the Legislature passed the law extending the statute of limitations, the Anderson objection said. “Given the Archdiocese’s negligent conduct, it should not be allowed to cut short survivors’ rights under the Child Victims Act.”

The Anderson attorneys argued that, even if the window for claims was reduced for the archdiocese, victims are still allowed the legislative deadline to file claims against parishes. And, based on similar bankruptcy cases, the existing claims likely won’t be resolved until that May 25, 2016, deadline anyway, their objection said.

The creditors committee, comprised primarily of clergy abuse victims, also objected to the church’s request.

Asking the court to set an earlier deadline is asking the court to disregard “a deliberate legislative process” and “clear legislative intent,” the creditors committee argued. “The Archdiocese’s request is unnecessary, unprecedented, violates public policy, and should be denied.”

The issue will be heard Thursday at the federal courthouse in Minneapolis.

Other issues to be discussed at the hearing include: a request by local parishes to create a formal parish committee, making them an official player in the bankruptcy proceedings; the format for sexual abuse claims form to be used by victims; and approval of confidentiality procedures for victims' claims, which is being challenged by the Star Tribune.

The archdiocese filed for Chapter 11 reorganization in January, making it the 14th Catholic organization to file bankruptcy. Church officials called it the best option to address pending and future claims of clergy sexual abuse "fairly and with finality."

Almost immediately after the bankruptcy filing, U.S. Bankruptcy Judge Robert Kressel ordered the archdiocese into mediation with the creditors, primarily victims of sexual abuse, and the archdiocese's insurance companies.

The judge last week granted the archdiocese an extension to file its Chapter 11 reorganization plan by Nov. 30.

*The Pioneer Press is a media partner of Forum News Service.*

---

ADVERTISEMENT