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Church still evades payments to abuse victims



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 Written by Peter Isley, Special to WiG
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Milwaukee Archbishop Jerome Listecki.



Making good on their verbal threat in open court to “spend down” the remaining money left in their estate to prevent 575 victims of rape, sexual assault and abuse by clergy of the Archdiocese of Milwaukee from receiving restitution, lawyers for Milwaukee Archbishop Jerome Listecki have filed an appeal to the U.S. Supreme Court. They seek to overturn a U.S. 7th Circuit decisive ruling that a fraudulent “cemetery trust” created by former Archbishop Timothy Dolan, now cardinal of New York, was not “protected” by federal religious laws or the First Amendment and

can be used to compensate survivors.

A few weeks ago, the archdiocese started carrying out its threat by randomly deposing and, of course, re-traumatizing victims, putting survivors through hours of questioning by church lawyers fishing for reasons to file yet more pointless briefs and run up expensive bills. So far, lawyers' fees and court costs are soaring near \$20 million dollars while ListECKi has begrudgingly offered \$4 million, total, for all rape victims, less than \$7,000 per survivor.

In the latest filing, ListECKi again legally howls the discredited excuses of "religious freedom" and "First Amendment rights." Clearly these rights are not enshrined in our Constitution for bishops, or anyone else, to cover up sex crimes, as if child rape is no one's business but their own.

What matters is not winning the brief (they won't). What matters is that it will be expensive, create more delays and pile up legal fees so there is no money left for survivors. You might as well move the Sunday collection plate over to the lawyers' offices or, perhaps, the country club. The later location might be easier since, as ListECKi wrote in a recent column in a Catholic paper, he will be getting in as much golf as he can this summer. In the meantime, hundreds of victims are languishing through years of bankruptcy without help, much less justice.

When filing for bankruptcy over four and a half years ago, ListECKi urged victims to come forward for "restitution, healing and resolution." Since then, however, he has claimed that none of the 575 victims, not a single one, has a legitimate case.

It is pretty clear that ListECKi filed for bankruptcy in utter bad faith and breach of promise to victims. The bankruptcy was filed to prevent restitution to victims by deploying the federal bankruptcy system and so called "religious freedom" to shield ListECKi, Dolan and dozens of child sex offenders from the consequences of their criminal conduct and cover-ups.

Dolan wrote to the Vatican when he sought permission to create his bogus cemetery trust to prevent U.S. courts from compensating victims of priest sex abuse. Since then, it has been shown the archdiocese has at least \$300 million available for victim restitution. But so far the archdiocese appears to have found a means to buy its way of justice, in plain sight, out for everyone to see. Again.

—Peter Isley is Midwest director of the Survivors Network of those Abused by Priests.

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