



**CHRIST THE KING CHURCH**  
1 McCurdy Road, Old Lyme CT 06371  
www.christthekingchurch.net

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## **Pastoral Council Meeting**

### **February 2, 2022**

Present: Fr. Joe, Kathy Burton, Bill Clinton, Ellen Cole, Larry Ghirardi, Lauren Girasoli, Robert Grissom, Ron Paine, Bill Thomas, Sharon Torrenti, Dick Torrenti, Jean Wilczynski (Finance Chair), David Wohlmuth, Louise Young, Erica Zapatka

Others Present: Al Page, John Smith (Virtually), Bob Whitcomb, Father Ted Tumicki

### **Opening Prayer**

### **Diocesan Bankruptcy discussion**

1. How did this begin? *The New London Day* article discussing 24 cases of alleged abuse in Mount Saint John School. *The New London Day* discussed lawsuit settlements that had occurred in the past, with roughly \$1,000,000 per settlement. Then the number of cases increased to 30 and then 60. The Diocese does not have \$30 million, let alone \$60 million. The Diocese declared bankruptcy
2. When the Diocese emerges from bankruptcy, it cannot be sued for anything that happened before July 15, 2021. The problem is that the parishes **can** still be sued for anything that happened before that date. For example, a case was filed regarding alleged abuse at St. Mathias in East Lyme. The diocese and parish were sued.
3. When the Diocese emerges from bankruptcy, there will be little insurance available for parishes to address issues that arose before July 15, 2021—a gap in coverage. Parishes will contribute to a fund so the protection against claims for events that occurred before July 15, 2021 is extended to the parish. Parishes that contribute make a one-time payment for “third party release” and then do not have to be concerned about this liability any more. Note this is not the \$5000 that was already paid.
4. The diocese is in bankruptcy. The diocesan corporation is in bankruptcy. The parishes and parish corporations are NOT in bankruptcy. Parishes will make contributions to the diocesan injunction in order to gain release from the liability. All of the parishes (51) are taking part.
5. Each parish is paying \$5,000. These are legal fees. That will be between the Diocese (“Debtors”) and the claimants (“Creditors”). The \$5,000 is the initial payment for legal counsel. To estimate, they asked the attorney how many hours of work it would be. Fr. Perkins, Fr. Larry, and Fr. Ted decided the \$5,000 per parish and hope that we don’t need more. The hourly rate for the attorney is \$600 an hour. Divided by 51 parishes, this spreads the cost out to make it \$12 an hour. There will be additional money to pay, but we don’t know that amount right now. We don’t know how many claims there will be and what the final settlement will be. After March 15, 2022, the deadline for people to file a claim, each claim will be examined. Then the debtor will have a sense of what the claims are and will come up with a proposed plan for emerging from bankruptcy. There will be negotiations until an amount is agreed upon. How is every parish included in this? The goal is to get the parish contribution amount down to the lowest number possible. In the end the association of parishes will work to find how much each parish should pay: (ref. 8)
6. Legal Counsel will represent the Association of Catholic Parishes. How did we arrive at Mark Mintz and Jones Walker as legal counsel? Answer: They were suggested, and then Fr. Ted looked at additional options. A retired states attorney asked around and came back with three proposals. The other proposals—one firm (Ziesler and Ziesler) was representing the plaintiffs, so that was not an option. Another (Reid and Reige) was already representing the three Catholic High Schools. The final option, Pulman and Conley, said that we can’t keep looking in the rearview mirror and have to look forward. But it’s what’s in the rearview mirror that got us here now.
7. A plan will be negotiated and all parties (including the Association of Catholic Parishes) will have to agree.

8. One large amount will be given to the association of parishes and then the association will determine what each of the 51 parishes' contributions will be.
  - i. We could look at the total ordinary income of the parish
  - ii. We could look at the weekly collections
  - iii. We could look at some other criteria that the parishes come up with.
  - iv. Everyone has to agree on what is fair and what is not. There will be some negotiations and give and take over the course of several meetings.
  - v. When there is a proposed amount for the parishes to contribute, we need all 51 to agree on the final amount.
  - vi. There are some smaller negotiations to make. For example, should there be a minimum amount that each parish contributes? Should other diocesan ministries that aren't parishes contribute, like St. Vincent de Paul, Catholic Charities, etc.? Another is if there's one parish holding out for a certain amount, at what point is that unreasonable?
  - vii. Negotiations will also address concerns if a given parish cannot pay the amount. Parishes can loan each other money and then it will be paid back over a longer span of time. Some parishes with more can give an outright gift. Some parishes have money on loan to the diocese and they want their money back. That parish might take a smaller amount back from the diocese as a settlement.
  - viii. We're not sure if each parish would have to pay at once or over a period of time. It's left up to each parish to decide how to pay the amount. In an ideal world they want parishes to take it out of savings, stocks, take out a loan, etc. But will some parishes ask parishioners to contribute? Could be. We should not rush out and fundraise yet.
9. For a timeline, we don't have a straight answer.
  - i. March 15, 2022 is only set deadline
  - ii. Debtor proposes a plan (we don't know how long this will take : best guess a couple of months)
  - iii. Negotiations (we don't know how long this will take: best guess is a few more months)
  - iv. Approving the final amount. The diocese contributes, the insurance contributes, etc. and then the parishes are expected to contribute. When it comes to voting, each parish gets a say.
10. What happens when there's a parish merger? All the assets and liabilities of all the parishes are merged. For example, there was a known case in Pomfret and that parish merged with St. Stephens. Is it fair that a parish take on that debt? A few at Presbyteral Council were concerned about these questions before merging.
11. The Association of Catholic Parishes is not a new diocese. The association is just for the bankruptcy. It's a loose organization, not a corporation. It's not an LLC. The Association protects each parish because each parish corporation will have the protection as part of the settlement ( ref 2.). Each parish is already a separate corporation.
12. Catholic Mutual provides insurance to the diocese. What happens if Catholic Mutual goes bankrupt? They have a cap of how much they pay to the diocese / parishes per year. Catholic Mutual insures us against other liabilities (like slip and fall). If there are ANY claims from before that date, we would be exempt. For claims happening after July 15, 2022, we would proceed with more normalcy. The diocese does NOT have the funds they used to. We WOULD still have the insurance coverage. The parish may have to pay more of the deductible. Additionally the parish will have to pay legal fees and other amounts that the diocese usually paid in the past.
13. Question: What is the liability of the individual abuser? Answer: They can be held criminally liable and can be sued in a civil case. They can be sued as individuals, but often the suit is against the corporation / employer because it brings more money. The statute of limitations varies depending on the school (private schools can be held liable until the victim is 51, but it's 24 for public schools)
14. When it comes to abuse, there are the cases you know about, the cases you think you know about, and the cases that you don't know about because they haven't come forward yet. Are there parishes in the diocese that as near as we can tell, didn't have any of the credibly accused clergy?



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15. Are we aware of any parish claims to date? One was St. Mary's in Putnam and the other St. Mathias in East Lyme. Both lawsuits filed against diocese and parish. They dropped the parishes from the lawsuits on July 14, 2021. Is it possible they are waiting for the outcome of the settlement and then will decide to go after the parish? Possible. This is why we want the protection.
16. If someone makes a claim after the bar date ( ref. 2)., it depends on if they knew about the bar date or not. If they knew, they are out of luck. If they couldn't possibly have known to make the claim, they could get a settlement from a trust fund.
17. Question: What will happen to the victims? Answer: When you only have so much money, how do you give each victim some semblance of justice?
18. Question: How will this be presented to the parishioners? Answer: Up to the pastor. There will be a letter to pastors / a unified statement that each parish can give out.
19. Question: Does each plaintiff have its own representation? Answer: The largest group of alleged victims from Mt. St. John in Deep River have a lawyer, the Catholic schools have a lawyer, the diocese, as well as the parishes is paying their own lawyers (to not take money from victims), etc. ( Ref 2)

### Old Business

1. Final invoices for Advent Mission costs
2. Preliminary discussion on use of Google / Microsoft for Non-Profits
3. Communications Update—Newsletters

### New Business

1. Reception for Afghan family
  - a. It's moving to the spring. The family is taking English lessons and improving steadily. Our giving tree supplied Christmas gifts for their family.
2. Food Pantry proposal—Shoreline Meal Centers would like to use our kitchen to run a carry out breakfast service in conjunction with their grocery pickup. They cannot manage both 'curb services' at their location.
  - a. John Smith will put an email together and send it out to everyone.
3. Planning for presentation of Financial Reports and Parish Appreciation reception
  - a. John Smith and Father Joe are reviewing the letter. It will be posted on the website and in the bulletin.
4. Meeting schedule for April and May

**Future Meetings:** Monday, March 7