

**COMMENTS, 5.24.06**

+*Charles J. Chaput, O.F.M. Cap.*

I'm here today to announce a mediation program to help individuals who have brought claims against the Archdiocese of Denver to heal and be compensated for their injuries. At my request, the Honorable Richard Dana has convened a panel of highly qualified professionals. Beginning immediately, this panel will meet and make decisions on how best to compensate any current plaintiff who wants to take part in this process.

Starting in July of last year, a number of people brought lawsuits against the Archdiocese of Denver. The lawsuits describe past incidents of sexual abuse, which according to the plaintiffs, occurred between 27 and 50 years ago. Each of the lawsuits names one of two former priests of the archdiocese. One of the accused former priests left Colorado 33 years ago, and died 11 years ago. The other is accused of incidents more than 25 years ago, and he left active ministry more than a decade ago. According to the lawsuits, the archdiocese -- as a practical matter this means Church decision makers in the 1960s and 1970s -- is being blamed for negligence in its decades-old decisions about these two priests.

The fact that the claims are decades old does not lessen how seriously we take these and any other allegations of abuse. We work hard to prevent this kind of tragedy in our Church environments. We've had a process in place for 15 years to stop this type of wrongdoing, and we strongly believe our efforts are working.

Still, we deeply regret the suffering of any victim of childhood sexual abuse. We offer this mediation because we assume the integrity of all of the persons bringing these lawsuits against the archdiocese. I cannot say often enough or strongly enough: We sincerely want to help any victim of clergy sexual abuse heal.

On July 26 of last year, I said publicly that, "we will respond to anyone [who] makes an allegation [of clergy sexual abuse] — as well as anyone who is accused — with a spirit of justice, prudence and healing." Last August, we wrote to plaintiffs' attorneys and offered to immediately mediate any and all of the sexual abuse lawsuits brought against the archdiocese. Since then, we have restated that offer to plaintiffs' attorneys several times with no positive response.

As I've said before, the archdiocese will take any reasonable step toward helping victims heal. Today I want to make that offer again. With the support of senior lay and clergy leadership of the archdiocese, I am offering this blue ribbon panel process to reach out and compensate the individuals who have sued the archdiocese.

Additional details about this process are available in the written materials provided today. Judge Dana has written to plaintiffs attorneys to offer them information about the process and encourage the plaintiffs to participate.

These details of the program are perhaps the most important:

- The amount of money set aside for use by the panel is significant. The archdiocese's assets are limited, but we have committed a very large sum to help victims based on the gravity of their personal experiences.
- The specific amount of the sum is not important. The critical point is that significant monies exist to help anyone who wishes to come forward in good faith to heal and to close these matters.
- Judge Dana has confirmed for me that the amount of money set aside represents a serious, good-faith effort to try to resolve these cases.
- Unlike traditional mediation, I have asked the panel not to focus on the archdiocese's litigation defenses, such as the statute of limitations that bars old claims like the claims here. As I said at the outset, our goal is to help the claimants, even if a claim may ultimately be dismissed in litigation.
- The panel will exist for the next five months to resolve current claims against the archdiocese. This offer is open to any of the current litigants who choose to pursue this alternative.
- I believe that litigation is not the best method for healing -- neither for a victim, for the archdiocese or for the community. But this is clearly a voluntary process. If any person wishes to continue to litigate, and does not want to try to settle the case, the archdiocese is obligated to defend those cases and will do so.
- If this neutral mediation process works, which is my great hope, the healing process for plaintiffs can begin now -- not years from now.

I'll turn the podium over now to Judge Richard Dana of Denver's Judicial Arbiter Group. Many of you already know Judge Dana as a respected leader of Colorado's legal community. When he names his fellow panelists, I know you will find them as highly qualified and deeply experienced in these issues as Judge Dana is himself.