

Statement on Dissolving of the Unknown Claimants Fund

In 2004 the Diocese of Tucson declared bankruptcy in order to provide an equitable settlement with all the victims of sexual abuse for which the Diocese was found liable. A part of reorganization of the Diocese approved by the Bankruptcy Court in August, 2005, was the creation of a fund (titled the “Unknown Claims Reserve” and afterwards referred to by the Court and counsel as the “Unknown Claimants Fund”) of Five Million Dollars (\$5,000,000.00) which would serve as a financial reserve for payment of compensatory damages to unknown victims of past abuse who might come forward after the bankruptcy Plan of Reorganization had been approved. The Court likewise approved of the establishment of the “Tort Claimants Committee” made up of individuals who had established credible claims of having been abused in the past and who had settled their claims. This group would be in charge of determining the legality and credibility of future unknown claims for the payment of compensatory damages from the Unknown Claimants Fund. It also was determined that at a certain point in the future, to be determined by the Court, the Fund would be dissolved. At that time eighty percent of the monies remaining on deposit in the Fund would be distributed to those victims who had already received compensation, and the remaining twenty percent of the Fund would be paid to the Diocese subject to stated restrictions. The portion returning to the Diocese was restricted and must be kept in trust to pay for professional counseling for victims, funding of awareness programs, and other endeavors directly related to the prevention of sexual abuse of minors and vulnerable adults. The Diocese of Tucson supported this plan and cooperated fully.

In recent months the Tort Claimants Committee which oversaw the Unknown Claimants Fund filed motions with the Bankruptcy Court seeking the dissolution of the Fund. While Diocesan leadership had some reservations about its dissolution, due to our concern for the potential of more unknown victims from the past coming forward and seeking compensation, we cooperated with the request of the Tort Claimants Committee. The Bankruptcy Court in fact did order the dissolution of the Fund, and the Diocese recently received a disbursement of \$134,360.00 which is now held in trust as required and as outlined above.

The response of the Diocese of Tucson in the intervening years has included the establishment of a highly effective Safe Environment Program for its parishes, schools, and ministries. It is audited annually by third party professionals in accord with the National Charter established by the U.S. Bishops in response to the abuse of minors crisis. The Diocese of Tucson’s Office of Child, Adolescent, and Adult Protection is staffed with degreed professionals and continues to respond to victims who come forward seeking help. That office continues to minister to victims without any charge following the dissolution of the Unknown Claimants Fund. As always, anyone who suspects harm caused by church personnel or others is strongly encouraged to contact law enforcement as well as our Office of Child, Adolescent, and Adult Protection for assistance.

Bishop Edward J. Weisenburger