

RECAP of the 14 Holy Helpers Parish Meeting on 2-Mar-2020

The meeting began at 7:00 pm with a Prayer Service which included the group singing a song led by Patrick Barrett and the “Litany to the Fourteen Holy Helpers” led by Fr. David Bellittiere.

Fr. David then presented an overview of the current events that have taken place regarding the Diocese of Buffalo filling a request in Federal Bankruptcy Court on 28-Feb-2020 for Chapter 11 bankruptcy status. The impacts to 14 Holy Helpers and other groups from that filing were also discussed.

Key points from the presentation:

1. Diocesan overview

- a. Only the corporate entity for the Diocese of Buffalo was included in this initial filing. No other organizations which were named in any abuse suits are included in the initial bankruptcy filing
- b. In the televised Diocesan press conference on 28-Mar to review the bankruptcy filing, lawyers representing the Diocese in this matter noted their intent to follow up this filing with additional requests to the Court for stays and protection for the other organizations which have included parishes, schools, religious orders, and Catholic Charities. This would suspend action on the suits to those organizations while the plan for Diocesan Ch. 11 liability and payment is determined.
- c. Other organizations were sued along with the Diocese as part of a common legal practice to spread a wide net of accusation trying to include entities where they feel additional funds can be secured. No determination or hearings on liability in these suits has taken place so far.
- d. Bishop Scharfenberger has been criticized for organizing a private Mass for diocesan priests which included those accused of abuse. In the press conference, the Bishop noted that his ministry and responsibility is to everyone ... Catholics and non-Catholics, sinners and non-sinners. Fr. David strongly supported the Bishop as he brought together the brotherhood of priests in prayer to God. He noted that a “priest is a priest forever”. Even those priests whose faculties were removed or restricted may be temporarily called back to service in an emergency situation to hear a confession, anoint, etc.

2. Impact to 14 Holy Helpers

- a. To be clear, there have been no plans or discussions for 14 Holy Helpers to declare bankruptcy or to close our parish doors
- b. Media outlets such as the Buffalo News have suggested that as many as 7 suits may eventually be brought against our parish. To date we have received legal notice of 1 suit filed in court.
- c. Emphasis was made that our diocesan assessments have been paid in full to date. The Diocesan assessment is the funding that each parish pays to the Diocese which is used to support services which the Diocese provides to parishes. Organizations not paying their assessments are likely to have their unpaid assessments included in the list of Diocesan assets as a receivable to the Diocese.

- d. Fr. David emphasized that the assessments are used to fund Diocesan offices that provide a significant level of services to parishes ... insurance coverage and support, legal support, religious education such as Lifelong Faith Formation, human resource consulting, and Information technical support for example. They are not used to fund abuse settlements.
 - e. Diocesan lawyers are currently providing legal advice to our parish for these abuse suits. There may be a time in the future when we will have to secure our own legal representation.
3. Impact on Catholic Charities
- a. This organization was not included under the Diocesan bankruptcy filing.
 - b. Traditionally, contributions in the Catholic Charities Appeal were shared between Catholic Charities and the Bishop's Fund for the Faith. Any contributions this year can be designated solely for Catholic Charities if desired. Catholic Charities funds will not be used to settle Diocesan lawsuits.
 - c. The need for Catholic Charities work is strong so our support is needed more than ever. With over 150 families receiving aid from Catholic Charities in 2019 we see that need right in our neighborhood. Fr. David wants everyone to consider a donation to help us meet our parish goal.
4. Impact on Upon this Rock
- a. This organization was not included under the Diocesan bankruptcy filing.
 - b. The money contributed to fulfill pledges will not be used to cover abuse settlements.

After the presentation, attendees were asked for any questions or concerns that they may have regarding the bankruptcy or any parish matter. They may ask them in person or provide their questions on 3 x 5 cards. The following questions were asked.

1. Question: How is the Diocesan assessment for individual parishes calculated?
Response: A specific formula is used to determine the assessment amount for each individual parish. One key factor in the calculation is the level of regular parish collection income reported by a parish. Based on the level of income reported for the previous fiscal year, an assessment amount is determined which the parish owes to the Diocese in this current year.
2. Question: Does the Diocese ever return any portion of the assessment back to a parish?
Response: The assessment is not returned to parishes as a cash amount. The Diocese uses the parish assessments to pay for services and support provided to parishes. For example, the Diocesan Insurance Department helps parishes secure coverage for different policies needed by a parish in its normal operations. Recently, a parishioner slipped on the ice in our parking lot and fell. This accident was reported to the Diocesan Insurance Department. They then took over support for the parishioner and communications with them regarding any potential claim. Providing experienced staff to deal with this matter is a valuable service to our parish that was in part paid for by our assessments.

3. Question: Has a lawsuit been filed against 14 Holy Helpers?
Response: Yes. We have received legal notice that 14 Holy Helpers has been named in one abuse lawsuit to date.

4. Question: Was the Diocese also named in this lawsuit?
Response: No. The Diocese was not named in this lawsuit. To be clear, the Diocese was named in a separate lawsuit regarding this same abuse victim. Lawyers have used a strategy of filing multiple lawsuits naming different organizations in each suit. This provides an opportunity to find multiple sources of funds (named organization assets or insurance coverages) in order to raise the potential compensation levels to their clients and themselves.

5. Question: There is a legal concept of the corporate veil that separates the actions of an organization to the actions of the shareholder. In addition, it protects them from being liable for the company's actions. It does not necessarily mean that the protection is always in place. A court can also determine whether they hold shareholders responsible for a company's actions or not. Are these multiple lawsuits attempts to pierce that corporate veil and reach organizations like parishes?
Response: The lawyers representing the Diocese in their bankruptcy filing are currently advising other organizations, like 14 Holy Helpers, who have been named in the multiple lawsuits. They intend to file legal actions with the Bankruptcy Court to stay any direct action against us until the Diocesan liability is determined. If at some point they are no longer to represent us we may have to secure separate legal counsel.

6. Question: We have read in the news that insurance companies who previously provided liability coverage to the Diocese have filed suits of their own to refuse responsibility. Will they be successful?
Response: Diocesan legal counsel is aware of the response from our insurance companies and is working to maintain our coverage. This tactic by the insurance companies was tried in bankruptcy cases for other Dioceses in the US. Recently, the Buffalo News reported that insurance was held to cover between 15% - 85% of the awards depending on the Diocese.

7. Question: Have other parishes been named in these lawsuits?
Response: Yes. While we do not have a list of all the organizations named in these suits, we are aware of other parishes that have been named. Since additional suits are expected to be received, the list is certainly not complete.

8. Question: What will happen to the diaconate training program given the news about the closing of Christ the King seminary?
Response: The Diocesan announcement concerning Christ the King was that the seminary training of men to become priests would cease at Christ the King. A final decision on the future of the other educational programs (including diaconate training) and the use and maintenance of the facilities has not been determined at this time. Fr. David noted that he heard learning approaches such as distance learning and occasional travel to other programs may be considered. In addition to the loss of programs the closing will have a significant impact on the

people working and teaching at the seminary. Their skills are very specialized and they may have a difficult time finding similar jobs in WNY.

9. Question: Are there any Diocesan programs in place to help abuse victims?

Response: Yes. The Diocese has counseled and supported abuse victims for many years. Additionally, Catholic Charities has their own services for abuse victims and acts as an information source to services provided by other organizations.

10. Question: Are there Diocesan programs to help accused priests heal?

Response: No. In the past the Diocese has helped some priests seek counseling and therapy when they became aware of abusive tendencies whether they were sexual, drug, or alcohol related. Those programs were all externally provided. Nothing is currently available in the Diocese.

11. Question: Will the lawsuits eventually effect named parishes?

Response: We certainly expect some impact to named parishes. Depending on the court decisions, the level of financial impact will be established but at this time we have no idea on the amount. Beyond the financial impact, numerous people are spending time to address the issue. Parishioners are concerned about the victims, the priests, and their parishes. The impacts are beyond financial alone.

12. Question: If the insurance companies are successful in avoiding all or some percentage of responsibility, where will the money to pay for settlements come from?

Response: Our understanding is that the Bankruptcy Court will determine the level of Diocesan assets including the level of responsibility by insurance. Assets and insurance funds will be used to pay for settlements.

13. Question: Will the suit against 14 Holy Helpers be handled by the Bankruptcy Court?

Response: 14 Holy Helpers has not filed for bankruptcy, so our suit has not been moved to Bankruptcy Court. Remember that the Diocesan lawyers plan to submit their action to stay our suit pending the results of the Diocese in bankruptcy. We will know more at that time as to the disposition of our suit.

14. Question: Is it helpful to put collections in the Monthly Maintenance to reduce our regular collections income and the assessment from the Diocese?

Response: The Diocese has already determined that Monthly Maintenance collections are considered as a regular collection and are included in the revenue income figures. Moving contributions from the regular weekly collections into the Monthly Maintenance collection will not result in a reduced Diocesan assessment.

Moreover, it was previously noted that our parish receives valuable services from the Diocese. Reduced assessments would jeopardize the ability of the Diocese to provide those services. As Catholics, we have a responsibility to support our "entire Catholic family". Reduced collections

noted by all parishes in the Diocese is already impacting assessments levels.

15. Question: Could we consider new fundraising efforts (possibly “penny doubling”) to help our parish counter reduced collections?

Response: Reduced collections at our parish have been countered by expense reductions so far. We do need additional funds to maintain the programs that people find important in our parish. Additional fundraisers would help if they are successful. Of most benefit would be the return to Church of Catholics who no longer attend Mass or support parishes.

16. Question: How can we bring back young families to the Church?

Response: We all feel that it is important to bring back young families to active Church participation. We also believe it is important to bring back Catholics of all ages. Efforts to bring back Catholics have not been consistently successful so far. We are open to any constructive suggestions as to how we can improve our approach.

17. Question: How will the actual amounts of compensation to victims be determined?

Response: Bankruptcy Court is collecting all information on Diocesan assets and insurance funds. Our understanding is that the court will allocate those funds based on its assessment of the severity of each case filed.

Conclusion

Fr. David recommended that everyone try to be as informed as possible on this issue. The Diocese is preparing informational pages which will be published on their website. Our parish website will contain additional information and links especially where they are of specific concern for 14 Holy Helpers. You will also see information published in various media outlets such as the Buffalo News and television stations. Our opinion is that some of their reporting has been sensationalized to bring attention and increase their audience. Watch for inaccuracies and bias.

To repeat, there have been no plans or discussions for 14 Holy Helpers to declare bankruptcy or to close our parish doors.

Be ambassadors for our faith and parish by:

... Being a person of prayer. Praying with other people. Start with praying the Our Father or Hail Mary with that person and trust that God will give you the words after. Praying for them is helpful but including them actively in the prayer directly can help them feel the embrace of God. Let the Lord make us His instrument.

... Listen. Be comfortable with silence. Silence allows Christ to touch our hearts and souls to give us the words needed. People need to express their concerns. Be there for them by listening to them.

... Stay Informed. Use our Catholic resources as your key source of information.

... Duck. People will be angry. Don't allow their anger to control you. Keep your focus on Christ and understand that underneath the anger is pain and hurt. There is no acceptable excuse for the abuse

of others. That includes all types of abuse. Take care not to become an abuse victim yourself by accepting the brunt of their anger.