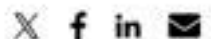




As deadline for Archdiocese of Baltimore abuse claims looms, here's what to expect next

Rachel Konieczny // May 29, 2024 // 5 Minute Read



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With Friday's deadline approaching for childhood sexual abuse survivors in the Archdiocese of Baltimore to file claims with a bankruptcy court, hundreds of survivors have come forward in a proceeding that could span years.

After the Archdiocese of Baltimore [declared bankruptcy](#) just days before the enactment of the 2023 Child Victims Act — a Maryland law designed to allow childhood abuse survivors to sue no matter how long ago they were harmed — survivors could no longer bring litigation against the archdiocese. Instead, their claims were forced into U.S. Bankruptcy Court, with Friday as the deadline and “artificial statute of limitations” for bringing claims in proceedings intended to never have a deadline.

“The Archdiocese of Baltimore went into bankruptcy in the face of (Child Victims Act),” said Jonathan Schochor, counsel for some of the childhood sexual abuse survivors in the litigation against the archdioceses of Baltimore and Washington.

In lieu of traditional litigation, survivors had opportunities to [tell their stories before the bankruptcy court](#) and Archbishop William E. Lori, who attended both hearings.

Schochor said many of his clients have been affected by their alleged abuse in a multitude of ways, including being unable to finish high school, having chronic depression and turning to alcohol and drugs as a coping mechanism. The hearings were incredibly powerful, Schochor said.

"It's one thing to read a claim ... but it's quite another to have the human being who suffered this catastrophic disaster – on a repeated basis for most of them – to have the courage to come forward and the intestinal fortitude to tell it, to say it, to put words to it," Schochor said.

As of May 10, Schochor said, 320 claims have been filed by survivors, with a "huge influx" expected before Friday's deadline. But the exact number of claimants will not be known for weeks or a month or more because the claims must first be evaluated, Schochor said.

While bankruptcy proceedings are underway, the Maryland Supreme Court has indicated it will hear challenges to the constitutionality of the Child Victims Act.

Spokespersons for the Archdiocese of Baltimore and the Archdiocese of Washington did not immediately respond to a request for comment on Wednesday.

Andrew Janet, also counsel for survivors of abuse in the Archdioceses of Baltimore and Washington, said past diocese bankruptcy proceedings have taken at least a couple years, with some lasting approximately four or five years. But the Archdiocese of Baltimore appears hopeful to resolve its proceeding quickly, Janet said.

After Friday's deadline passes, the claims will be evaluated to determine how many claims have been properly filed. Then, the Official Committee of Unsecured Creditors, composed of seven survivors who represent every survivor against the Archdiocese of Baltimore, will determine the archdiocese's assets, Schochor said.

According to Schochor, there are two repositories of funds from which claims will be paid. One is the Archdiocese of Baltimore itself, and the other is the insurance companies with whom the archdiocese has previously and currently contracted.

"For 80 years, you can imagine how many different carriers (there are), how many different years the insurance companies' proceeds supply, and there's going to be coverage questions and all kinds of questions that have to be worked through," Schochor said, noting the creditors committee will hire coverage insurance counsel to help determine which policies apply and with what limits.

The archdiocese will then provide an assets declaration and list of insurance policies, which will be assessed and evaluated to determine what money is available to pay survivors. After the assets are evaluated, Schochor said, the mediation process starts – where two mediators are expected to start working over this summer in negotiations about the archdiocese's assets and its pool of insurance funds that will be tendered.

The negotiations will culminate in an aggregate monetary amount that will be presented to the judge for final approval through a hearing. Once the money is put together, Schochor said, the claims will be divided into five tiers, ranging from the least to most severe acts.

The court then assigns monetary value for all five tiers to distribute the assets to the survivors, with a built-in internal appeals process available in the event that a survivor is not satisfied with their assigned tier.

Though the bankruptcy proceeding is complex and involves numerous entities and individuals, Janet said, the hearings occurring early in the process are a reminder that real people are affected.

"Too often, bankruptcies can – including even the dioceses' bankruptcies – pretty focused on the numbers: what are the diocese's assets, what can be sold, what are the insurance policies. But it's important to remember all of the faces and the voices behind all of this," Janet said.

Schochor urged survivors to come forward by Friday's deadline.

"If you know a survivor, if you are a survivor, if you're a relative of a survivor, get those people to come forward and get professional representation ... perfect your claim, and then you can make any decisions that you want after that," Schochor said. "But if you have no claim, you have no decision-making power ... I think it's the biggest imperative of this week."