



OFFICE OF THE BISHOP

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November 3, 2022
Month of All Souls

My dear brothers and sisters in Christ:

I am writing to inform you that on this date, November 3, 2022, after extensive review and discussions with the major consultative bodies and upon the advice of legal counsel, the Diocese has filed a motion seeking approval by the U.S. Bankruptcy Court of Western New York of a **Restructuring Support Agreement** that would outline how survivors of sexual abuse by clergy, religious and laity would ultimately be compensated for claims brought against the Diocese and related Catholic entities.

This Agreement represents a comprehensive agreement reached with the Official Committee of Unsecured Creditors, which, if approved by the Bankruptcy Court, will pave the way for the Diocese to emerge from Chapter 11. Among other things, the plan is expected to (a) establish a trust for the benefit of survivors of sexual abuse, (b) provide for participation by the Diocese, its parishes and related Catholic entities in the amount of \$55 million to compensate survivors of sexual abuse, and (c) provide for potential additional recoveries for the benefit of survivors from insurance issued to the Diocese, its parishes and other related Catholic entities.

As I indicated in my September 12, 2019 letter to the faithful, it was my hope that our parishes and related Catholic entities would not be directly affected by the Diocese's Chapter 11 proceeding; however, this changed over the past three years. Because individual parishes and other related Catholic entities were named in individual lawsuits and bear substantial risk of direct liability to claimants in individual state court actions, the parishes and other related Catholic entities understand that they will benefit from their participation in this Agreement by obtaining a "channeling injunction" which will channel all existing and future claims to the Trust established for this purpose. Long term litigation costs and settlements or jury awards would have far exceeded the resources which the Diocese and its related Catholic entities have or could obtain to settle or litigate these claims. We believe that this Restructuring Support Agreement represents the fairest approach for the survivors and most viable path forward for the Diocese and its related Catholic entities to continue our shared mission of healing and reconciliation.

Once again, while I know my words may seem hollow, simply repeating a rehearsed apology, I renew with sincerity my deep apology to the survivors of sexual abuse. The history of sexual abuse of children in our Church has caused tremendous pain, hardship, alienation, and understandable anger. It seriously has impacted survivors, their families, our priests and others in diocesan ministries who had no part in these egregious acts. This chapter in the life of our Church has also impacted everyone who has felt their own faith shaken by those who violated a sacred trust to protect the vulnerable and live according to the teachings of Jesus Christ.

Arriving at this point of the Chapter 11 process has been a long and arduous task. The work toward resolving these claims has been highly sensitive and difficult for all concerned. All mediation and discussions were conducted in strict confidentiality as imposed by the Bankruptcy Court. These efforts were further exacerbated by other circumstances, including the Coronavirus pandemic. Nonetheless, I am extremely thankful to all of those who have worked tirelessly together to negotiate and prepare this Agreement for consideration by the Court.

I understand that you may have questions. Attached to this letter is a **Frequently Asked Questions** document that I believe provides some of those answers. As this process continues, further updates will be provided to answer questions that may arise.

I ask for your prayers that the Court will approve our Plan as we work toward the resolution of these claims with compassion and justice for the survivors, while also ensuring that the sacramental, spiritual, catechetical, pastoral, and charitable ministries of the Diocese continue for the welfare of all our diocesan family. Once again, I assure you that our Diocese continues its efforts to ensure a safe environment for all our children.

As a community united in faith, we firmly believe that Jesus Christ, as our Simon of Cyrene, will carry us over the threshold to a time of renewal and restoration, lifting the burden of bankruptcy and, most importantly, bringing consolation to the suffering of so many, especially the survivors, and transforming the darkness of Golgotha into the joy of the Risen Christ.

Asking intercession of God's Mother and our Mother Mary, and our diocesan patron, Saint John Fisher, I remain

Devotedly yours in Christ,

+ 

*The Most Reverend Salvatore R. Matano
Bishop of Rochester*

/encl: Frequently Asked Questions