

**STATEMENT REGARDING THE MAY 5, 2005
DECISION OF THE MISSISSIPPI SUPREME COURT
IN KENNETH MORRISON, ET AL. VS.
THE CATHOLIC DIOCESE OF JACKSON, ET AL.**

The Morrisons' lawsuit stems from actions occurring over thirty years ago. In their lawsuit, they seek over \$48 million in damages.

The Mississippi Supreme Court issued a ruling today allowing the Morrisons' lawsuit to go forward. The ruling does not address the merits or validity of the Morrisons' claims; instead, it addresses constitutional issues arising from the nature of their causes of action and from information sought by the Morrisons during the discovery phase of the lawsuit. The Court has ruled only that the First Amendment does not bar the Morrisons' claims. However, the Court confirmed that the Catholic Diocese of Jackson does not have to produce a broad range of documents requested by the Morrisons. The Diocese is contemplating appealing this decision with respect to the Court's ruling on jurisdiction.

Currently, the Supreme Court has on appeal another factually similar case, *Angie Phillips v. Catholic Diocese of Jackson*, involving the Diocese as a defendant. In that case the trial court ruled that Ms. Phillips' lawsuit was not filed timely and therefore is barred by the statute of limitations. The issue of timely filing of lawsuits was not before the Court in the Morrison appeal. When given the opportunity, the Diocese believes that the Hinds County Circuit Court will adopt Chief Justice Smith's observation on the statute of limitations issue: **"The three Morrison brothers allege [that they were abused] from 1970 to 1974. When their father learned of the abuse he promptly confronted [the abuser] and reported the abuse to [the Catholic Diocese of Jackson]. Dr. Morrison had actual notice in 1973 of the abuse, so therefore, [the Morrison brothers] claims are barred by the statute of limitations."** Opinion at page 62.

Some have described the appeal as an attempt by the Diocese and the Roman Catholic Church to thwart the public disclosure of information about abuse or to prevent the victims from learning "the truth" about their alleged abuse. After being sued in the Mississippi court system, the Diocese was obligated to defend the lawsuits and thereby avail itself of all available constitutional rights, statutory privileges, and other defenses available to any other civil litigants. Such constitutional rights, privileges and defenses are especially relevant when the underlying acts occurred over three decades ago. The Diocese has availed itself of viable defenses to these multi-million dollar lawsuits brought by trial attorneys and plaintiffs. In the lawsuits presently pending in the Mississippi Courts and those that might be filed in the future, the Diocese will continue to

defend its rights and its assets. The Church has a duty to its parishioners to protect the assets of the Diocese while at the same time offer pastoral care to all victims of abuse.

Sexual misconduct by church personnel violates human dignity and the mission of the Church. On a national level, in 2001, the Catholic Church in the United States addressed the misconduct issues by adopting the Charter for the Protection of Children and the procedures for implementing the Charter, the “Norms.” In addition to requiring mandatory safeguards, the Charter and Norms provided for an audit of each diocese to ensure that the adequate policies and procedures to protect the children of the Church. Audits of all of the dioceses were conducted in 2003 and 2004.

In November of 2004, the United States Conference of Catholic Bishops voted to authorize a third round of audits of every diocese in the United States to determine whether they established and are maintaining mandatory safeguards for children and discipline plans for guilty church personnel. The Bishops’ Conference also approved collecting data on new abuse claims, litigation and related costs. In order to deter and prevent future abuse, the John Jay College of Criminal Justice has been hired to provide follow-up research and to manage another study to analyze the reasons for abuse by church personnel. The Bishops’ Conference expects to release the results of the study next October. In addition, the Bishops confirmed that they intend upon continuing the ban on Church work for abusive priests.

Beginning in 1985, the Diocese of Jackson implemented a written policy and procedure regarding reporting and handling of sexual misconduct claims for lay and church personnel. The Diocese of Jackson passed the 2003 and 2004 audits and received commendations for its programs established to prevent abuse and to investigate claims of abuse by church personnel. Some of the Diocesan programs receiving commendation were implemented in 1985.

The Diocese is committed to ensuring that children being served by the Church are not at risk of sexual abuse by church personnel. The spiritual well-being of all victims, their families, and others in the community is of particular concern to the Church. For more information about these policies and procedures, we encourage you to visit the diocesan website at www.jacksondiocese.org and click on “Protecting God’s Children.” Additional information regarding SNAP’s tactics and statements commenting on the pending litigation against Catholic Diocese can be found by clicking under “Diocesan Statements.”