
**THE ARCHDIOCESE OF PHILADELPHIA
INDEPENDENT RECONCILIATION AND REPARATIONS PROGRAM (“IRRP”)**

FREQUENTLY ASKED QUESTIONS (“FAQs”)

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November 13, 2018

**FAQs Pertaining to the Terms and Conditions of the
Independent Reconciliation and Reparations Program (“IRRP”) for the Roman Catholic
Archdiocese of Philadelphia, Pennsylvania (the “Archdiocese”)**

1) What Is The Independent Reconciliation And Reparations Program?

The Independent Reconciliation and Reparations Program (the “Program”) is an independent settlement program administered by Kenneth R. Feinberg and Camille Biros (the “Administrators”), two nationally recognized claims administration experts. The goal of the Program is to acknowledge the wrongs endured by victims, the Archdiocese’s failure to prevent that harm and provide support for victims/survivors abused as minors by priests or deacons of the Archdiocese of Philadelphia, regardless of when that abuse occurred. The Program supplements initiatives already undertaken by the Archdiocese to address the sexual abuse of minors by clergy of the Archdiocese.

The Program is independent of the Archdiocese. The Administrators of the Program have complete autonomy to determine eligibility of individual claims and the amount of compensation for victims that come forward with a claim. The Program will be advised by an Independent Oversight Committee comprised of former United States Senate Majority Leader George Mitchell; former Chief Judge for the United States District Court for the Eastern District of Pennsylvania, Lawrence Stengel (Ret.); and former Interim District Attorney for the City and County of Philadelphia, Kelley Hodge. Senator Mitchell will serve as Chair of the Oversight Committee, which will oversee and periodically review implementation and administration of the IRRP. Neither the Oversight Committee nor the Archdiocese has authority to modify or reject any individual claim determinations governing eligibility and compensation rendered by the Independent Administrators or to act as an appeal board for any Claimant.

The Oversight Committee has also appointed Lynn Shiner, former Director of the Office for Victims’ Services at the Pennsylvania Commission on Crime and Delinquency, to serve as the Victim Support Facilitator (the “Facilitator”). The Facilitator has approved the Program and is available to support victims/survivors as detailed below.

To complement the claims process available through this Program, the Facilitator, Oversight Committee, and Archdiocese will work together to establish internal best practices for the Archdiocese to better serve the community as a whole. This will include a review of current policies to improve interactions with victims/survivors, prevent future harm, and protect public safety. The Victim Support Facilitator will also provide input for internal training programs. The Facilitator will make recommendations to the Archdiocese regarding other appropriate outreach and events that would help promote emotional and spiritual healing in the community.

2) Who May File a Claim?

Individuals eligible to participate in this Program are: a) individuals who allege they were sexually abused as a minor by clergy of the Archdiocese of Philadelphia or b) the Legal Representative (as defined below) of those Claimants. The following additional criteria apply:

- The claim of clergy sexual abuse must be directed against clergy of the Philadelphia Archdiocese only, which currently covers the City and County of Philadelphia as well as Bucks, Chester, Delaware, and Montgomery counties. Claims of sexual abuse directed against a member of a

religious order, clergy of any other archdiocese or diocese, or a lay person are not eligible under this Program.

- For new claims not previously reported to law enforcement or the Archdiocese, the individual must register on the Program's website to participate in the Program. Once the Claimant has registered, the Claimant must report the claim of abuse in writing to the appropriate District Attorney to participate in this Program (with a copy submitted to the Administrators). A finding of criminal liability by the District Attorney is not required for participating in this Program. All new allegations of abuse received through this Program will also be reported to the appropriate Office of the District Attorney by the Archdiocese as required by law.

3) Will Filing a Claim Cost Money?

No. There is no fee associated with filing a claim with the Program. You may, however, incur fees from professionals such as lawyers, should you choose to engage their services. The Program will not pay for or reimburse you for such fees. However, it will provide you an independent lawyer free of charge for the purpose of explaining the nature of the release.

4) What Proof Will I Have to Submit to Receive Compensation From The Program?

Claimants are invited to provide documentation identified in the Claim Form, and any other corroborating information sufficient to substantiate the claim, satisfy eligibility requirements, and allow the Administrators to review, process, and evaluate the claim. This information and documentation will aid the Administrators in making a fair and accurate determination. For claims reported to the Archdiocese before the initiation of this Program, the documentation that victims/survivors and their medical providers previously provided to the Archdiocese will be provided to the Administrators.

5) What Types of Supporting Documentation Will Be Required to Support My Claim?

Supporting documentation which provides evidence of the nature, frequency, location and time of the sexual abuse will assist the Administrators in confirming eligibility and evaluating your claim. Examples of the type of supporting documentation include:

- Copies of contemporaneous notification (in the form of an email, a letter or other form of communication) regarding the abuse made by the individual Claimant to friends, family, church officials, law enforcement authorities, and/or others.
- Medical or counseling records for treatment received relevant to the abuse.
- Police or other law enforcement records.

6) What Happens After a Claim Is Filed?

Once your Claim Form and supporting documentation are received, the Administrators will process your claim promptly. You will receive written notice by mail of the receipt of your claim. Claims are reviewed by the Administrators on a rolling basis. Upon completion of the review of your claim by the Administrators, you will be notified either of the determination of your claim, or of deficiencies in documentation and requests for additional documentation, if necessary.

7) How Will Reparations Amounts Be Determined?

The Independent Reconciliation and Reparations Program Administrators have final decision-making authority to determine who is eligible and the amount of any reparations. The compensation will be determined based upon the experience and judgment of Mr. Feinberg and Ms. Biros and consistent with the Protocol. In the course of administering the Program, the following steps will be taken:

- The Administrators will evaluate claims submitted with the required documentation in a prompt and fair manner.
- Any documentation previously submitted by victims or their medical providers to the Archdiocese in connection with claims of sexual abuse will be made available to the Administrators (upon submission of a claim to the Program) consistent with the Protocol.
- Consistent with the terms and conditions of the Protocol, any final decision rendered by the Administrators pertaining to an individual claim will be fully binding on the Archdiocese. The Archdiocese has no authority to reject any final decisions rendered by the Administrators.
- The Administrators will send each Claimant and the Archdiocese notification of the determination of the claim including the proposed amount of reparations.
- Acceptance of payment from the Administrators will require the Claimant to execute a Full Release of Liability.
- The Administrators of the IRRP will keep confidential all information received from all Claimants participating in the IRRP, except in connection with the processing of the claim, administering the Program, the Program-related work by the Archdiocese (including internal investigations), the prevention of fraud, and the protection of children under the Archdiocese Safe Environment Program or as required by law. As noted in the Protocol, new allegations of abuse must be reported to the appropriate District Attorney before they can be considered by the Administrators.
- There is no confidentiality requirement of any kind for Claimants participating in the IRRP, and they may share details of their experience with whomever they wish. Nothing in the Protocol or the Release the Claimant will be required to sign if they accept the awarded reparations will preclude or limit a Claimant from reporting or discussing their claim with law enforcement or anyone else.

8) When Will the Program Begin?

The Independent Reconciliation and Reparations Program is effective November 13, 2018. The Program will begin to immediately reach out to known Claimants.

9) When Will Claimants Receive Payment?

Claims will be handled in the order in which they are received, and the Administrators will make payments to eligible Claimants on a rolling basis as their Claims are processed.

10) How Will Payments Be Made?

Payments will be issued by the Program following the final processing of an eligible Claimant's Claim Form, acceptance by the Claimant of the amount of reparations, and receipt of the Claimant's signed Release. The Program will authorize the payment, by check or electronic funds transfer (as requested by the Claimant) to each Claimant. Checks will be sent by overnight courier service. If so requested by the Claimant, the Administrators will work with the Claimant to offer alternatives to lump-sum payments, such as an annuity to have the money administered by a third party.

11) What About New Claims Not Previously Submitted to The Archdiocese?

Individuals who have not previously notified the Archdiocese of claims of sexual abuse will be afforded the opportunity to register on the Program website by providing their names, contact information and a summary description of the nature of their claim, including the dates and location of the abuse and name of the perpetrator. After initial review of the information provided by the registrant, these individuals who registered with the Program will be sent information pertaining to the criteria for participation in the Program. The deadline for registering a new claim of sexual abuse is July 31, 2019.

Information provided by the Registrant will be maintained as confidential as detailed in the Protocol, and will only be used from Program-related work. This includes forwarding the new claim to the local office of the District Attorney and the Archdiocese for review of the allegations. In addition, for any cleric currently in ministry, the Archdiocese will have the matter investigated by its Office of Investigations and presented to the Archdiocesan Professional Responsibility Review Board.

12) Will the IRRP Replace the Archdiocese's Other Efforts to Address the Effects of Clergy Abuse Upon Its Victims?

The short answer is "No." The Archdiocese offers assistance through its Victim Assistance Program to address emotional, psychological, and pastoral needs when desired by victims/survivors of sexual abuse or their family members. The IRRP is an additional mechanism to support victims by providing monetary compensation. (See FAQ Nos. 26 & 27 below.)

13) What if my Claim Is Against Clergy of Another Diocese or Religious Order? May I Still Register for the Program?

If your claim involves acts of abuse committed by clergy of another diocese or religious order, your claim will be forwarded to the appropriate religious community for handling using their own policies and procedures for responding to allegations of abuse. The person bringing the claim will be informed as to where the allegation has been forwarded. You are also encouraged to report the abuse to law enforcement.

14) How Do I Apply?

Individuals who previously reported their claim of abuse to the Archdiocese will be sent, via overnight delivery, a copy of the Program Protocol, the Claim Form and a copy of these FAQs. Those who have not previously reported a claim of abuse can register on the Program website: www.PhiladelphiaArchdioceseIRRP.com. (See FAQ No. 11 above.) If an individual is not contacted within two weeks of registering on the Program website and believes he/she should have received a Claim Form for the Program, the individual should email the Administrators at ClaimantServices@PhiladelphiaArchdioceseIRRP.com, or call 1-(833)-328-3388.

Completed Claim Forms may be sent to the Administrators via US mail or overnight courier service (using the pre-paid return envelope provided in your claim packet) to the address shown on the Claim Form. The completed Claim Forms will be reviewed by the Administrators for determinations of eligibility and reparations. The Archdiocese and the Claimant will be notified of each determination made by the Administrators. The Claimant will review the offered reparations and determine whether or not to accept that amount of compensation.

If a Claimant chooses to accept a final payment pursuant to this Protocol, the Claimant will be required to sign a Full Release of all past and future claims against any party relating to such allegations of sexual abuse. Before signing such a Release, the Claimant will be required to consult with an attorney for the sole purpose of advising the Claimant concerning the binding nature, language and significance of the Release. If the Claimant does not have an attorney, the Administrators will provide an independent attorney to consult with the Claimant for this purpose free of charge.

15) Are Claim Materials Available in Languages Other Than English?

The Program documents, including the Protocol, Claim Form and these Frequently Asked Questions, will be made available in Spanish at the request of the Claimant.

16) What If I Have Questions About The Claim Submission Process or Need Help with Completing the Claim Form?

You can contact the Administrators and the Facilitator by sending your message/questions via email to: ClaimantServices@PhiladelphiaArchdioceseIRRP.com or by calling toll free 1-(833) 328-3388.

17) How Will I Know If My Claim Is Missing Information Or Documents?

You will be notified by the Administrators of any deficiency in your documentation once you have submitted your Claim Form. Please ensure that your full name, address, and other contact information appear on every communication submitted to the Program.

18) How Can I Update Or Supplement My Claim Form?

If you need to supplement your submission or correct or remedy a deficiency with your submission, you will be able to do so by sending the supplemental documentation to the Administrators at:

The Independent Reconciliation and Reparations Program
For the Archdiocese of Philadelphia
c/o Feinberg Law Offices
1455 Pennsylvania Avenue, NW – Suite 390
Washington, DC 20004

The Administrators may contact you and state that your claim is deficient and must be supplemented with additional information. You will be afforded an opportunity to do so.

19) How Long Will Victims/Survivors Be Able To Apply For Reparations?

All Claim Forms must be completed and postmarked no later than September 30, 2019.

20) Do Claimants Waive Their Right To Legal Action If They Accept Money From The Independent Reconciliation and Reparations Program?

Yes, any Claimant who chooses to accept the offered reparations pursuant to the Program must surrender any right to go to court to sue any party relating to the alleged sexual abuse. However, nothing in the Release will limit or preclude the victim from reporting and discussing their claim with law enforcement.

21) How Will the Archdiocese of Philadelphia Fund the IRRP?

Initial funding for this program will be provided by existing Archdiocesan assets. While the number of potential claims is unknown at this time, the Archdiocese expects that the resources ultimately required by the IRRP will be significantly greater than the initial funding. Additional program funding will need to come from borrowing and the sale of archdiocesan properties. Which properties will be sold has not yet been determined. The Archdiocese will not fund the Program using any money given by the faithful at the parish or local level, for example through the parish offertory or donations made to schools. Similarly, donations made for a particular purpose, including donations made to the Catholic Charities Appeal and the Seminary Appeal, will not be used to fund the Program.

22) What is the Independent Oversight Committee and What Is Its Role?

The Archdiocese has established an Independent Oversight Committee (the “Committee”) to oversee the implementation and administration of the IRRP. The Committee members are as follows: Senator George J. Mitchell (Chair), Judge Lawrence F. Stengel (Ret.), and Kelley B. Hodge.

The Committee has no authority to modify or reject any individual claim determinations governing eligibility and compensation rendered by the Independent Claims Administrators, or to act as an appeal board for any Claimant. Accordingly, the Committee will not be able to override the eligibility or compensation decisions made by Administrators, and the decision of the Administrators is final.

The IRRP will provide to the Committee periodic status reports on a regular basis to confirm that the IRRP is meeting its goals. When the Oversight Committee deems it appropriate, it will report to the Archdiocese as to the implementation and administration of the Program.

23) What is the Role of the Victim Support Facilitator?

Claimants may, at their sole discretion, choose to work with a Victim Support Facilitator appointed by the Oversight Committee to assist in the submission of their claims. The Facilitator is trained and experienced in social work and victim advocacy.

At the Claimant's option, the Facilitator or a member of her team, will be available to meet with Claimants in person, by telephone, or by video conference. The Facilitator will be a resource to discuss the Program, hear stories of victims/survivors, assist Claimants in answering the questions on the Claim Form, and help them to articulate how the abuse has impacted their lives. If requested by the Claimant, the Facilitator may also offer recommendations for future support services, such as therapy or counseling (individual, group, relationship, marital, family, substance abuse, and career), alternative therapies, outpatient addiction treatment services, or spiritual counseling of any denomination. This assessment will be confidentially provided by the Facilitator to the Administrators for consideration in determining the claim.

The services of the Facilitator are completely optional and not required for the processing and final determination of the claim.

After the Independent Claims Administrators' determination, the Facilitator will be available upon request by the Claimant to help connect Claimants with resources in their area for future emotional and spiritual care. Such services will include those offered through the OCYP's Victim Assistance Program and other secular options not affiliated with the Archdiocese or the Catholic Church.

24) Will I Be Able to Meet in Person with a Program Representative?

Yes. Claimants may request to meet (in-person, telephonically, or by video conference) with the Administrators, officials of the Archdiocese, professionals from the Archdiocese's Victim Assistance Program, or the Facilitator as described in FAQ No. 23 above. Such meetings are not required, but are available at the Claimant's request. Requests to meet with the Administrators should be sent by email and will be scheduled at a mutually convenient time and location. If there is a particular individual within the Archdiocese the Claimant wishes to meet with to further the healing and reconciliation process, the Archdiocese will make every reasonable effort to accommodate that request. Further, if a Claimant would find it helpful to meet with officials from the Archdiocese or Victim Assistance Program with other Claimants, rather than individually, the Program will seek to provide that opportunity.

25) If I Submit a Claim, Will My Information Be Kept Confidential?

This Program is a confidential mediation program under Pennsylvania law. All of the information submitted by a Claimant and the Archdiocese pursuant to this Program will be used and disclosed only for purposes of this Program. This may include disclosure to the Independent Claims Administrators, Victim Support Facilitator, Oversight Committee, Archdiocese and its designees (including for internal

investigations), law enforcement, and/or for the protection of children under the Safe Environment Program.

To protect the privacy of Claimants that participate in the Program, one year after the conclusion of the Program all personal information provided by the Claimant during this process will be destroyed, except to the extent otherwise required by law.

Claimants may always, if they choose, share information in their possession regarding their claim, reparations, and their experience with the Program.

26) What About Victims/Survivors Who Do Not Want to Be Involved in the Church Anymore?

The IRRP is independent of the Archdiocese. Individuals are eligible to participate in the Program regardless of their affiliation with the Church. The Archdiocese, through this Program, desires to help all victims/survivors to find support and healing wherever they can. The Archdiocese supports individuals' efforts to find faith and hope from any denomination or source, even if not related to the Church. If a Claimant would like to receive religious or spiritual counseling services of any kind, the Victim Support Facilitator is available to connect such individuals to appropriate resources in their area.

27) Other than Monetary Reparations, What is the Archdiocese Doing to Assist Victims of Clergy Sexual Abuse?

In 2003, the Archdiocese of Philadelphia established the Office for Child and Youth Protection ("OCYP") based on its deep concern for victims/survivors sexually abused as minors by clergy. Since its establishment, the OCYP has served hundreds of people and paid for therapy and care in an amount of nearly \$18 million. The OCYP operates a Victim Assistance Program, which assists individuals who were sexually abused as minors in accessing mental health services. The Victim Assistance Program pays for licensed therapeutic expenses and costs related to psychiatric services and psychotropic medications. The Victim Assistance Program also offers assistance eliminating barriers to treatment, such as transportation and childcare, and provides help to families seeking spiritual guidance or a meeting with the Archbishop.

In addition to the Archdiocese's outreach efforts through the OCYP, the Independent Reconciliation and Reparations Program is designed to facilitate the Archdiocese's efforts to better serve the community as a whole. The Victim Support Facilitator, Oversight Committee, and Archdiocese will work together to establish internal best practices for the Archdiocese, including reviewing current policies to improve interactions with victims/survivors, prevent future harm, and protect public safety. The Victim Support Facilitator will provide input for internal training programs. Based on her work with individuals participating in the Program, the Facilitator will also make recommendations to the Archdiocese regarding other appropriate outreach and events that would help promote emotional and spiritual healing in the community.

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