

# **PRIESTS' RIGHTS SECURED; AMICUS BRIEF VICTORY**

The rights of priests took a big step forward on July 21 when the Pennsylvania Supreme Court overturned a lower court ruling that sided with an alleged victim of clergy sexual abuse. The law firm of Jones Day ably represented the Catholic League in an amicus brief that was filed in support of the Diocese of Altoona-Johnstown.

The alleged victim, Renee Rice, argued that she had been molested in the 1970s by Fr. Charles Bodziak at St. Leo's Church in Altoona, a town about 80 miles from Pittsburgh. The priest denied the accusation.

Rice's lawsuit claimed that two bishops tried to cover up his behavior, even though the diocese sent her a letter 10 years before her lawsuit encouraging her to come forward about her alleged abuse. Even more bizarre, she never did anything to pursue her claim until 2016. That was when a grand jury report on sexual abuse in the diocese was released. She said the report awakened her to what supposedly happened.

To top things off, Rice's lawyers maintained that the timeline of the statute of limitations for a civil claim seeking damages for an offense should not start when the alleged injury took place. In her case that meant at the time the grand jury report was made public.

Had Rice won, it would have meant that the established law regarding the statute of limitations would have been thrown out, thus crushing the rights of the accused.

When the Catholic League filed an amicus curiae brief with the Pennsylvania Supreme Court in 2019, Bill Donohue commented on the Superior Court ruling that sided with Rice. "We have reached a new level of creative jurisprudence when a court can

invoke a jury decision as the new clock determining when the limitations period starts to run.”

The Pennsylvania Supreme Court rejected the Superior Court’s reasoning. We won 5-2. Justice Christine Donohue (no relation to Bill Donohue) wrote for the majority, saying, “the statute of limitations expired decades ago.” In short, Rice had an obligation to pursue her case within the stated limitation period and elected not to do so.

The Catholic League’s lawyers were very happy to note that Pennsylvania’s high court prominently cited a case that their brief highlighted, *Colosimo v. Roman Catholic Bishops of Salt Lake City*. It held that the lack of due diligence on the part of the plaintiff (in this case Rice) was fatal.

This victory means that the slew of “copycat” lawsuits filed after the lower court win will die on the vine. Thanks to our friends at Jones Day, the rights of priests are in much better shape.