

RIGHTS OF PRIESTS TESTED; BRIEF FILED IN KEY CASE

The due process rights of priests are in a tenuous state, and this is especially true in Pennsylvania. We have been actively involved in this issue, especially following the grand jury report that was trumpeted by the state's attorney general, Josh Shapiro. What he said and did was disgraceful—a classic case of injustice—which is why we continue to pursue this matter.

On May 27, the Catholic League, represented by the Pittsburgh law firm Jones Day, filed an amicus brief with the Pennsylvania Supreme Court to support the Diocese of Altoona-Johnstown. The case involves alleged abuse to plaintiff Renee Rice that occurred in the 1970s and early 1980s by a now-deceased priest. It stands to be a landmark case.

Ms. Rice did nothing to investigate her claims for almost 40 years. Under clear legal precedent, Ms. Rice's claims have been time barred since 1983. Yet, as an outgrowth of the badly-flawed Pennsylvania grand jury report that targeted Catholic dioceses, the intermediate appellate invented a wholly-new rule to allow the claims to proceed.

The court distorted decades of settled law, stripped away the diocese's legal defenses, and ignored the Pennsylvania Constitution. This type of breathtaking judicial legislation resulted in waves of new case filings across the state by the eager plaintiffs' bar and drove the Harrisburg diocese into bankruptcy.

It is not the business of the courts to hit the reset button regarding the time allowed to file suit. It is the job of the legislature, and in this case it means the General Assembly. Moreover, as our amicus brief states, the Supreme Court of

Pennsylvania “has long recognized that once a claim becomes time-barred, any revival of that claim would violate the Pennsylvania Constitution by stripping the defendant of a vested right to assert the time bar as a defense.”

It is not surprising that this test case involves the due process rights of priests. They have been under attack for years. Unfairly maligned in the courts, and the court of public opinion (often manipulated by a hostile media), priests everywhere are being subjected to criticism that exceeds the bounds of rationality.

We hope the Pennsylvania Supreme Court will follow the overwhelming number of courts around the country who have dismissed claims like these at the very outset. Indeed, it defies law and common sense to allow a plaintiff to seek damages for alleged harm that occurred decades ago, when they have done nothing in the interim. Only the plaintiffs’ lawyers, and the shameless Pennsylvania attorney general, will benefit from bad results like these.