NATIONAL CATHOLIC REPORTER
Published on *National Catholic Reporter* (http://ncronline.org)

Missouri diocese found in violation of contract with sex abuse victims

Nicholas Sciarappa | Jul. 1, 2014 NCR Today

The Kansas City-St. Joseph diocese has been ordered to pay 1.1 million for violating the terms of a 2008 settlement that was supposed to protect victims of sexual abuse, according to a report in the Kansas City Star [1].

A breach-of-contract lawsuit alleged that Bishop Robert Finn put children in danger by violating the settlement. Filed in the Jackson County Circuit Court, the lawsuit sought no damages, but requested the judge force arbitration upon the diocese. The ruling comes as a result of an inquiry by the 2008 plaintiffs into the handling of Fr. Shawn Ratigan?s May 2011 arrest [2] on child pornography charges.

Arbitrator Hollis Hanover ruled that the diocese breached five of the 2008 agreement terms. Hollis found the diocese in violation of its pledge to provide counseling to victims of sex abuse and their families, its pledge to not recommend the council of any priest who had been credibly accused of sexual abuse, to train its staff about sexual abuse, and to follow the law regarding the reporting of child sexual abuse. Hanover noted that the plaintiffs could have sought to declare the contract void and collect what likely would have been ?a far larger award.?

?They have instead opted to seek damages for these noted breaches and to maintain the contract in force for the protection of children in the future,? Hanover was quoted in the Star article. ?I here honor their preference and join in their hope that I am dead wrong in my opinion that this Diocese as presently constituted will not mend its ways.?

According to the Star, the diocese said that Hanover?s awarded damages of $450,000 paid to the attorneys, $650,000 to the plaintiffs, and $5,820 for unpaid counseling of sex abuse victims beyond the $10 million already paid in the 2008 settlement agreement were above the arbitrator?s authority.

On June 20, the diocese responded to the March 23 order, filing a motion to vacate the order. The diocese?s motion, along with the plaintiffs? motion to confirm the order will now go before a Jackson County district judge.

Source URL (retrieved on *09/04/2015 - 02:24*): http://ncronline.org/blogs/ncr-today/kc-diocese-found-violation-contract-sex-abuse-victims

Links:
[1] http://www.kansascity.com/news/local/article653409.html#/tabPane=tabs-4006bf0e-1
[2] http://ncronline.org/node/24797