

CATHOLIC DIOCESE OF RICHMOND
INDEPENDENT RECONCILIATION PROGRAM
FREQUENTLY ASKED QUESTIONS¹

1. What is the Catholic Diocese of Richmond Independent Reconciliation Program (the “Program”)?

The Catholic Diocese of Richmond Independent Reconciliation Program (the “Program”) is an independent settlement program established by the Catholic Diocese of Richmond and designed and administered by Lynn Crowder Greer, co-founder of BrownGreer PLC. The Program provides an opportunity for eligible victims of sexual abuse as Minors by Clergy of the Richmond Diocese to receive a monetary payment.

2. Who is eligible to participate in the Program?

An individual is eligible to participate in the Program if he or she:

- (a) Was the victim of Sexual Abuse (as defined by Code of Virginia Section 18.2-67.10) as a Minor (under the age of 18) by an ordained priest or deacon assigned by the Bishop of Richmond to a diocesan parish, church, school or institution in the Richmond Diocese; or
- (b) Before 1974, was the victim of Sexual Abuse (as defined by Code of Virginia Section 18.2-67.10) as a Minor (under the age of 18) by an ordained priest or deacon assigned by the Bishop of Richmond to a diocesan parish, church, school or institution in what was then the Richmond Diocese;

AND

- (c) Has not previously settled or litigated a civil Claim to a final conclusion on the merits with or against the Richmond Diocese.

3. May representatives of deceased victim survivors participate in the Program?

No, the Program is open only to living victim survivors. Representatives of deceased victim survivors may not participate in or receive any payment from the Program.

4. Do I have to pay any money to submit a Claim in the Program?

No, there is no fee to submit a Claim.

¹ All capitalized terms used in these Frequently Asked Questions have the meaning set forth in the Catholic Diocese of Richmond Independent Reconciliation Program Protocol.

5. When does the Program start?

The Program opens on Monday, February 17, 2020.

6. What is the deadline for submitting a Claim in the Program?

There are two required steps for submitting a Claim, each with separate deadlines. Anyone wishing to submit a Claim must first initiate a Claim on or before Friday, April 3, 2020. The Claims Administrator will then notify the Claimant whether he or she appears to be eligible to participate in the Program. All Eligible Claimants must then submit a Claim Package on or before Friday, May 15, 2020.

7. Do I have to have a lawyer to represent me in the Program?

No, there is no requirement that you have a personal lawyer to participate in the Program. The Claims Administrator may assist you in completing required forms and submitting a Claim Package but cannot give you any legal advice.

8. If I previously filed a lawsuit against the Richmond Diocese relating to my Claim, am I still eligible to participate in the Program?

If you previously filed a civil lawsuit against the Richmond Diocese that was litigated to a final conclusion on the merits, you are not eligible to participate in the Program. However, if the prior lawsuit was dismissed on the grounds that it was barred by the statute of limitations, you are still eligible to participate in the Program.

9. If I previously entered into a settlement relating to my Claim with the Richmond Diocese without filing a lawsuit, am I still eligible to participate in the Program?

No.

10. If I have received or am receiving assistance, such as counseling, from the Richmond Diocese am I still eligible to participate in the Program?

Yes.

11. Do I have to participate in the Program?

No, participation in the Program is purely voluntary

12. How do I submit a Claim?

There are two steps required for submitting a Claim.

Step 1: First, you must initiate a Claim on or before Friday, April 3, 2020. To initiate a Claim, you may either:

- (a) Go online to www.RichmondDioceseIRP.com and click “Initiate a Claim.” This will take you to a secure screen, where you will answer basic information designed to determine whether your Claim appears to meet the Program’s eligibility requirements. You will also indicate whether you have previously notified the Richmond Diocese or law enforcement of the complaint;
- (b) Call 1-888-304-0265 and request assistance with initiating a Claim; or
- (c) Go online to <https://assistance.richmonddiocese.org> and click on the link labeled Independent Reconciliation Program. This will link to the secure Program website, where you will be able to initiate a Claim.

Step 2: The second step is to submit a Claim Form and supporting documents on or before Friday, May 15, 2020. The Claims Administrator will make the Claim Form available to all Claimants whose Claims appear to meet the Program’s eligibility requirements. The Claim Form will ask you to answer questions and provide documentation, if it exists, to support the Claim. The questions will cover basic information about the Primary Claimant, such as contact information, employment and educational history, and it will also ask questions regarding the Sexual Abuse. The Claims Administrator recognizes that in many instances, there were no witnesses or documentation from the time the Sexual Abuse occurred or, if there were, such witnesses or documentation may not be available because of the passage of time. This should not discourage Claimants from filing a Claim in the Program. However, Claimants should submit any and all information and documents relevant to the Claim.

The Claim Form and any supporting documents must be submitted on or before Friday, May 15, 2020. The Claims Administrator may not accept as timely any Claims submitted after that date, absent a clear showing of excusable neglect under Fed. R. Civ. P. 60(b), made to the Claims Administrator within 30 days after the May 15, 2020 deadline.

13. What if I initiate a Claim but decide not to pursue it?

Eligible Claimants are under no obligation to submit or pursue a Claim. If you initiate a Claim and appear to meet the preliminary eligibility requirements for the Program but do not submit a Claim Package or withdraw your Claim, the Claims Administrator will check in with you two weeks before the May 15, 2020 Claim Form submission deadline as a courtesy to remind you of the deadline.

14. What if I need help filling out my Claim Form or submitting my claim?

The Claims Administrator may assist you in completing required forms and submitting a Claim Form but cannot give you any legal advice. Call 1-888-304-0265 to request assistance with submitting a Claim.

15. What happens after I submit a Claim?

As promptly as reasonably possible, the Claims Administrator will review your Claim and notify you regarding the outcome of that evaluation by using the method of communication you specified.

The Claims Administrator will designate Claims as either **complete** (meaning the Claim Form was answered fully, signed and included all available documentation) or **incomplete** (meaning a required element was missing). After reviewing the Claim, the Claims Administrator will issue one of the following types of Notices:

- (a) **Notice of Approval:** If the Claims Administrator finds that the Claim is complete and supported, it will send a Notice of Approval, letting you know that there is nothing more to submit and that the Claim is eligible for a monetary payment and will be receiving a Settlement Offer after all Claims have been reviewed.
- (b) **Notice of Incompleteness:** If the Claims Administrator finds that the Claim Form is incomplete because it is not signed or is missing any requested information, it will send this Notice of Incompleteness, will work with you to complete the Claim, and will establish a deadline for submitting all required information, which will, in no event, be shorter than 30 days. You will be given a reasonable opportunity to make the Claim complete.
- (c) **Notice of Denial:** If the Claims Administrator finds that the Claim is not supported or, through its review determines that the Claimant is not eligible, it will send a Notice of Denial, explaining the reasons. You will have one opportunity to submit more information or ask the Claims Administrator to reconsider and will have a deadline of 30 days from the date of the Notice of Denial for doing so. Click [here](#) to read the Richmond Diocese FAQs for more information on your options outside of this Program if the Claims Administrator determines you are not eligible.

16. Can I meet with someone to discuss my Claim?

Yes, Claimants whose Claims appear to meet the Program's eligibility requirements and who file a Claim with the Program may request a meeting with the Claims Administrator, to occur after the Claim is filed and before a Settlement Offer is extended. You may also request that a representative of the Richmond Diocese attend. Such meeting may take place by Skype, telephone, or in person at a location convenient to you. If the Claims Administrator has questions or needs clarification or more information about the Claim, we will contact you to request a discussion; however, your participation in that discussion is entirely voluntary.

17. Who reviews my Claim?

BrownGreer PLC is the independent Claims Administrator responsible for reviewing Claims in this Program.

18. Will the Richmond Diocese have any input in the Claims Administrator’s decision regarding the amount of monetary payment offered to me?

No. The Claims Administrator will decide the amount of monetary payment for each Claimant independently, and the Richmond Diocese has no authority to reject or alter in any way the Claims Administrator’s decision.

19. Will my Personally Identifiable Information be shared with anyone?

Personally Identifiable Information submitted to the Program through the Claims Administrator in connection with the Claim, including but not limited to the name of the Claimant will be kept confidential, except in the following circumstances:

1. To process and pay the Claim;
2. To report to the Richmond Diocese, so it may follow its Church processes and notify appropriate Church officials/entities; and
3. To comply with any and all requirements of state or federal law, including those of the Office of the Attorney General of Virginia.

Any Church or civil processes referenced above will not affect the timing and adjudication of the merits of your Claim under this Program. The Claims Administrator has sole and independent authority to continue forward with adjudication of Claims under the Program.

20. How will I know if my Claim is missing anything?

If the Claim Form is not signed or any requested information has not been submitted, the Claims Administrator will send a Notice of Incompleteness and will work with you to complete the Claim and will establish a deadline for submitting all required information, which will, in no event, be shorter than 30 days. You will be given a reasonable opportunity to make the Claim complete.

21. What if I do not have any supporting documents?

Because the Claims Administrator recognizes that in many instances, there were no witnesses or documentation from the time the Sexual Abuse occurred or, if there were, such witnesses or documentation may not be available because of the passage of time, the lack of documentation will not disqualify a Claim and should not discourage you from filing a Claim in the Program. However, you should submit any and all information and documents relevant to the Claim. Records showing that the Primary Claimant received medical care, counseling, or prescription drugs because of the sexual abuse may enhance the overall credibility of the Claim and will assist the Claims Administrator in its determination.

22. Can I appeal the Claims Administrator’s determination on my claim in this Program?

After you initiate a Claim, if the Claims Administrator determines that you do not appear to be eligible to participate in the Program, you will have one opportunity to correct information if there was an error. After you submit a Claim Form, if the Claims Administrator reviews your Claim and determines that the Claim is not supported or that you are not eligible, you will have one opportunity to submit more information or ask the Claims Administrator to reconsider that determination.

The Claims Administrator’s determination regarding the amount of monetary payment for each Claimant is final, and the Claims Administrator will not engage in negotiation over the amount.

23. What if I do not want to accept my Settlement Offer?

You will have 60 days from the date of the Settlement Offer to decide whether to accept it and sign the Release. Acceptance of the Settlement Offer is purely voluntary. If you have not accepted the Settlement Offer as of the 60-day deadline, the offer will be rescinded and will no longer be valid, and you will retain all rights under the law as if there had been no Program.

24. What am I giving up to receive a monetary payment from the Program?

If you decide to accept the Settlement Offer and sign the Release, you will give up the right to sue or receive any financial assistance from the Richmond Diocese and the Claims Administrator for any reason related to your Claim with the Program.

25. What is a Release?

A Release is a legal contract between two parties, where the party signing gives up rights against the other. In this Program, you must sign a Release to receive a monetary payment. By signing the Release, you will waive any future civil legal claim relating to Sexual Abuse as a Minor against the Richmond Diocese. Such waiver will apply to you, your heirs, descendants, and beneficiaries. This waiver of future legal claims does not apply to any criminal investigation or prosecution related to the Claim.

If your Claim is approved, you will receive a Release with your Settlement Offer, and if you are not represented by an attorney, the Program will make one available, free of charge, to explain the meaning and effect of signing the Release.

26. When will I be paid?

We anticipate payments will be issued by the Richmond Diocese in October 2020, but it could be later than that if Claimants request extensions of deadlines to comply with the requirements of the Program.

27. Do I need to report any payments that I receive from the Program on my taxes?

The Program cannot provide any tax advice. You must consult your own tax advisors regarding the tax consequences of any payments and any tax reporting obligations you may have. To the extent required by law, the Program will report to the appropriate authorities payments made.