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S.D. CATHOLICS ASK JUDGE TO INTERVENE

Last Updated: 07/26/07 at 7:42PM

SAN DIEGO -- A group claiming to represent more than 1 million Roman Catholics asked a bankruptcy judge Thursday to prevent the San Diego diocese from closing or selling churches, schools and charities to settle sex-abuse cases.

The group, Parishioners for Churches and Schools, wants to join a trial set for this fall in federal bankruptcy court that will determine whether parish properties can be seized or liquidated through the Catholic Diocese of San Diego in any settlement.

Patrick Hazel, the group's president, said it would be unjust if a settlement in the cases reduced the church's ability to educate its children or perform charitable work.

"The parishioners who provided donations had no knowledge of the abuse, didn't condone it, didn't authorize it. They are innocent," Hazel said.

If the motion for intervention by the parishioners' group is granted, it would be the first such legal claim by parishioners in a bankruptcy proceeding for a U.S. diocese, according to Thomas Califano, a lawyer for the parishioners' group.

More than 140 plaintiffs who claim they were abused are seeking a settlement of about \$200 million from the diocese. Their attorneys have sued the diocese in the bankruptcy court for allegedly shielding land and other holdings worth millions through transfers to parishes and schools.

Church officials deny they have hidden or illegally transferred resources.



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The diocese filed for Chapter 11 bankruptcy protection Feb. 27. It initially reported about \$95 million in assets but now estimates that its assets may be worth close to \$150 million. An independent audit of the diocese's accounts is being prepared under court order.

The San Diego diocese is the largest of five Catholic dioceses around the country to seek bankruptcy protection.

Irwin Zalkin, an attorney representing 54 alleged abuse victims, said his clients did not want to force churches and schools to close. He said the diocese has claimed a broad range of assets belong to its parishes.

"It includes vacant lots, it includes condos, it includes gas stations, the revenues of which flow directly to the diocese," he said.

An attorney for the diocese, Micheal Webb, welcomed the intervention of parishioners in the bankruptcy proceedings.

"They're a separate organization, but we're glad to see them here," Webb said.

A hearing has been set for Sept. 6 before Bankruptcy Judge Louise DeCarl Adler.

The parishioners' group also asked to be recognized by the federal trustee overseeing the case, Califano said. A call to U.S. trustee Steven Katzman was not immediately returned.

Earlier this month, the Archdiocese of Los Angeles agreed to pay \$660 million to settle abuse claims in the largest payout yet. Cardinal Roger Mahony has said the settlement will not have an impact on local ministries and that no parish properties or schools will be sold to cover the \$250 million the archdiocese will pay outright.

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