



Closure of archdiocese clergy abuse case still elusive

Judge rules parishes not assets. Decision to be appealed

Judge Robert Kressel has just ruled that parishes are not assets in the archdiocese's bankruptcy. He said the facts were not enough to add them to the \$65 million in assets already set aside for abuse victims.

Plaintiff attorney Jeff Anderson had accused the archdiocese of "asset hiding" and a "massive scheme" to defraud. He asked the court to classify parishes, schools, cemeteries, and other nonprofits as assets. He said financial links were enough to consider all as a single entity.

After hearing Anderson's motion, Judge Robert Kressel was unclear about why he should add parishes and other entities to the list of assets. He asked how "protecting children" would be accomplished by going after the parishes.

Robert Kugler, a plaintiff attorney, readily admitted to a punitive aspect in this renewed pursuit of assets. He described it as having a "deterrence effect." There was no explanation how "deterrence" could apply when parishes have no say about priests assigned to them.

How much of the legal maneuvering, after a 16-month march to a settlement, stems from concern for clergy abuse

victims, enhanced payout for legal fees, or a strong hostility toward the Catholic Church? Evidence can be found for each.

Judge Kressel may have been put off by Anderson's inflammatory accusations of "hiding assets." He called them "not at all helpful" and "not true." At the same time, he wanted to review issues of standing and the legality of consolidation.

In spite of Judge Kessler's ruling, Anderson continues to accuse the archdiocese of hiding assets. He equates his charge of archdiocese hiding assets as being the same as hiding "sexual offenders and their misconduct." He promised to appeal the ruling.

It is encouraging to hear Judge Kressel's unambiguous ruling against Anderson's charges. And as Mary Jo Jensen Carter, attorney for the parishes stated, "As much as we want to be fair to clergy abuse victims, we felt this had gone too far."

What is also encouraging is finding a growing awareness of agendas driving the lawsuits. Not everyone is buying the narrative that the Catholic Church owns the sex abuse problem. This could be seen in two recent "letters to the editor."



"One writer saw the merging of parish assets as piling on. Parishioners are already victims too."

One writer saw the merging of parish assets as piling on. Parishioners are already victims too. "Embarrassment, confusion, and disruption to their religious way of life have permeated the entire Catholic community through no fault of their own." Anderson's "implied sympathy" for his clients ignores money coming from "thousands of completely innocent Catholic victims." The writer saw that as "both shameful and appalling." He added, "Perhaps greed has overtaken the quest for justice." He asked Anderson to "stop pursuing this atrocious injustice."

A second writer similarly saw Anderson's "zeal for money as a balm for the injured" being "a bit over the top when it injures all Catholics of the diocese in the attempt to compensate victims, who surely deserve our compassion and support."

These are great examples of speaking up in the public square. CDL encourages all Catholics to respond by letter, comments, posts, email, or calls. Stand up in defense of the Church and religious liberty!

It's not entertainment! CDL Joins campaign to cancel

A TV sitcom called "The Real O'Neals," recently caught the attention of Bill Donohue, President of the Catholic League for Religious and Civil Rights. The Disney/ABC portrayal of an Irish-Catholic family was loosely based on the life of Dan Savage, well known for his anti-Catholic bigotry.

Donohue objected to the show's juvenile sense of humor and endless anti-Catholic stereotypes. But his main objection was with the decision to base the show on the life of Dan Savage.

Savage's writings are mostly about

celebrating homosexuality and the many by-products of "sexual liberation." He has constantly derided Catholicism for its teachings on sexuality. The Real O'Neals show (he is an executive producer) became another vehicle for his bigotry.

Donohue called on supporters to contact ABC chief Ben Sherwood and ask him to cancel the show. They also were to ask advertisers to reconsider their sponsorship.

CDL Board member Marlene Reid quickly joined the campaign, sending a thoughtful request to Ben Sherwood.

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Fortnight for Freedom

The U.S. Council of Catholic Bishops' created the "Fortnight for Freedom" campaign to strengthen Catholics' resolve to defend religious freedom. The 14 days of prayer, education, and action ran from June 21 through July 4.

The Catholic Defense League joined the campaign by sending a postcard to all priests, deacons, and bishops in the SPM Archdiocese. They were invited to take part by wearing the Roman collar or the cassock in public as often as possible during the Fortnight.

St. John Paul II promoted wearing of religious dress. He saw the external sign of clerical dress as part of the public witness required of all priests.

Pope Benedict XVI encouraged the daily use of clerical dress by priests visiting Rome. It showed respect for Vatican offices. In the same way, clerical dress draws attention to the

faith and its expression in daily life. People are inspired by this affirmation of Catholic values in the public square.

CDL also shared resources for learning about religious freedom.

The USCCB fact sheet on religious liberty is very well done. It answers many frequently asked questions about religious liberty. Access online using bit.ly/29Edddf

CDL also provided links to identify and connect with all members of Congress. Sample letters calling on Congress to support religious freedom bills were also provided. The bills are: Conscience Protection Act; Russell Amendment; and First Amendment Defense Act.

(See Let Congress know! page 4)



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Thank you for your generous support for the Catholic Defense League! Please keep CDL in your prayers for our continued success.

Defend the Faith AND Leave a Legacy!

Remember the Catholic Defense League in your will, trust, or planned giving. Your bequest will help protect the religious and civil rights of your children and grandchildren—and serve as a fitting memorial to your defense of our Faith and the Church.

Call **Catholic United Financial Foundation** for no-obligation review the benefits of estate planning and all the options for planned charitable giving. Call **800-568-6670**.

Supreme Court Little Sisters non-decision bolsters California ‘mandate’

Obama administration reverses itself, green lights abortion policy

In August of 2014, the California Dept. of Managed Health Care forced health plans in the state—including employer plans of churches and other religious organizations—to cover elective abortions, including late-term abortions.

Their new policy reflects the Health and Human Services contraception mandate. Its assault on religious freedom is much the same. The ensuing fight for religious freedom is a replay of the issues before the Supreme Court in the Little Sisters of the Poor case.

Unfortunately, the Supreme Court’s “ruling” instead of a decision on Little Sisters left things in limbo. The stakes in Little Sisters’ case were high: a crisis for religious freedom in America, or bulwark against its ongoing erosion. That’s why the Catholic Defense League submitted an Amicus Brief to the Supreme Court in support of Little Sisters. (See sidebar.)

Unforeseen was how the lack of legal direction may be helping California enshrine a version of the HHS mandate on a State level.

California’s new mandatory abortion coverage policy should have been shut down by the Weldon Amendment. Weldon prohibits all levels of government receiving HHS funds from discriminating against health plans and health care entities that don’t cover abortions.

But California’s policy on insurance plans used a new, erroneous, interpretation of Weldon, neutralizing the statute. The new policy, applies only to health care plans without abortion coverage. Now those plans must conform to be exactly like the pro-abortion plans. That’s blatant discrimination of Weldon-protected plans.

The Weldon Amendment has been part of HHS appropriations since 2004, including every year under President Obama. He always assured Congress and pro-life Americans of his support for the law and its enforcement through HHS’s Office for Civil Rights (OCR). No longer!

Despite many complaints, the HHS’s OCR failed to act against a California policy that directly violates the Weldon amendment. Then, on June 21, the Obama Administration reversed its support for

Weldon. It was effectively overturned by HHS’s Office for Civil Rights own re-interpretations of Weldon.

“lack of legal direction may be helping California enshrine a version of the HHS mandate on a State level.”

The Obama administration is taking advantage of the uncertainty from the lack of a decision in the Little Sisters’ case. Backing California may be their way of incrementally restoring the HHS mandate to its original status.

The The Obama administration concocted its own loophole by arguing that it doesn’t matter if religious organizations may be opposed to paying for abortion coverage since they are not “health care entities.” So they cannot file a valid complaint about the loss of abortion-free plans. Only health care entities can complain about discrimination.

Will California’s tactics be replicated in other states? That’s a real concern.

The Conscience Protection Act passed the House July 13 could help. The Act closes loopholes and redefinitions “found” in the Weldon amendment. And it provides legal remedy for those adversely affected.

(See CDL Amicus Brief below.)

CDL Amicus Curiae brief for Little Sisters of the Poor

The Catholic Defense League filed an Amicus brief in the case of Little Sisters of the Poor Home for the Aged. Andy Schlafly, General Counsel for the Association of Physicians and Surgeons, drafted the brief.

The brief supported the Little Sisters’ lawsuit over the Health and Human Services’ contraception (and abortifacient) insurance mandate for employers under the Affordable Care Act. Despite a previous Supreme Court ruling on the mandate, religious nonprofits are not exempt for religious reasons if they are not houses of worship or their auxiliaries.

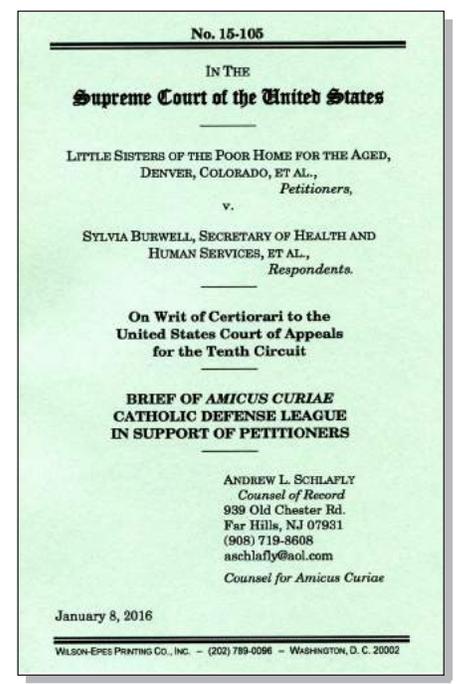
An “accommodation” by HHS merely shifted responsibility for its implementation. The nonprofit is still complicit in carrying out the mandate.

CDL’s argument in the brief made a compelling link between Catholic doctrine and the extent of the HHS mandate’s burden on religious freedom. The brief has a sizable discussion of Catholic doctrine near the end, which serves to educate the Court, and the public, about how strong Catholic principles really are.

The argument about automatic excommunication is the strongest point

of all. It was emphasized in the brief. Excommunication is an insurmountable barrier to religious freedom. How can a person be a practicing Catholic if the Church itself says “you are not one of us”? We must consider the fact that the Church takes the abortion link so seriously that excommunication is also automatic.

What could be more burdensome?



Let Congress know: Protect religious freedom!

Call the Capitol switchboard at 202-224-3121. Or type “bitly” links in your browser to identify your reps and email them your request. Urge support for the following:

First Amendment Defense Act

The First Amendment Defense Act (H.R. 2802 / S. 1598) responds to the Supreme Court’s *Obergefell v. Hodges* ruling last year, validating marriage licenses between same-sex couples.

Obergefell is a major concern for many individuals, small businesses, and faith-based organizations. They face loss of their tax-exempt status, licenses, federal funding, or their job for upholding beliefs on traditional marriage.

FADA would protect them from being penalized for their views on marriage. It counters the LGBT agenda to add “discrimination against sexual orientation” to the 1964 Civil Rights Act. Adding a lifestyle to attributes such as race and sex would allow the use of “affirmative action” to bludgeon any views contrary to the LGBT agenda. Call 202-224-3121, or go to bit.ly/29DifZ8

Russell Amendment

An executive order by President Obama in 2014 prohibited contractors doing more than \$10,000 a year in business with the U.S. government from engaging in “anti-LGBT” discrimination against employees. The order had no religious exemptions.

The Russell Amendment to the National Defense Authorization Act for 2017 (H.R.

4909) applies the religious exemption of the Civil Rights Act of 1964 to all federal contractors. It overturns the executive order’s attack on religious freedom. Call 202-224-3121, or go to bit.ly/29pwzAp

Conscience Protection Act

Two years ago, California ordered all health care providers to cover elective and even late-term abortions in their health care plans. There were no exemptions for moral or religious objections. A mandate to perform abortions may be

next. Washington and New York are now imposing the same policies.

The Conscience Protection Act (H.R. 4828 / S. 2927) protects health care providers from being forced to pay for or participate in abortions. It allows legal remedies to defend these rights in court.

The House just passed the Act on July 13. Urge your Senators to co-sponsor and enact S. 2927 to defend the conscience rights of those who do not accept abortion. Call 202-224-3121, or go to bit.ly/29xtsdP

Save the date! Monday, September 26 Catholic Defense League ANNUAL DINNER

St John the Baptist Church



Catholic Defender(s) of the Year — Jeremy and Sarah Stanbary

As co-founders of Open Window Theatre in Minneapolis, they view art as a “window to the Divine.” A core principle of their theater is that “religious faith is something to celebrate, not denigrate, through art.” They exemplify a defense of religious faith, exercise of religious freedom, and a steadfast presence in the public square



Keynote Speaker — Katherine Kersten *Inspiration and Courage in a Time of Trial for the Church*

Kersten is a Senior Fellow and founding director at Center of the American Experiment. She is an attorney and has written on topics such as sexual abuse and the Church, same sex marriage, anti-bullying laws, and sex education. A role model of courage, she has long stood up to political correctness in the public square.

Invitations are being mailed to those who get the newsletter!

Campaign from page 1

She also contacted advertisers with personalized requests to withdraw their sponsorship.

As Reid pointed out, “Hollywood has long been known for ‘pushing the envelope,’ using ever more explicit material as entertainment to promote secular, sexually unbridled “lifestyles.”

Sometimes a small group can make a difference. Donohue, Reid, and others were not willing to cede the field to major corporations. As a result, scripts were dumbed-down and content less blatantly anti-Catholic, which Donohue attributed to the campaign.

Will you help?

“In reality, a ‘cultural’ effect can be accomplished through work done not so much by an individual alone but ... as a member of a group, of a community, of an association or of a movement.” St John Paul II

That means you are a vital part of our mission. Will you help CDL’s outreach? We must expand beyond mailing and email. Today social media is the medium with the potential to reach thousands and more. But we need to retain the expertise to bring our social media presence up to date. Will you help by using the enclosed envelope or visit cdlmm.org and make a gift to Catholic Defense League?

And whether or not you contribute, please pray for the Catholic Defense League and for success in its mission. Thank you for your support!

Kelly Rowe, President