

IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF IOWA
DAVENPORT DIVISION

IN RE)
THE DIOCESE OF DAVENPORT,) Case No 06-02229-11
)
Debtor.) Chapter 11
)
) Honorable Lee Jackwig
)

**REORGANIZED DEBTOR'S REPORT
ON NON-MONETARY UNDERTAKINGS**

COMES NOW Diocese of Davenport (the "Reorganized Debtor"), by its attorneys, Lane & Waterman LLP, and pursuant to the Court's Order Confirming Debtor's Second Amended Joint Plan of Reorganization (the "Plan") hereby reports to the Court with respect to the Non-Monetary Undertakings as provided in Article 24 of the Plan, and in support thereof, states as follows:

1. In the Plan, the Reorganized Debtor and the Catholic Entities agreed to undertake the Non-Monetary Obligations within 30 days after the Effective Date of the Plan, unless otherwise noted. The Effective Date of the Plan was June 9, 2008.

2. Pursuant to the Order Confirming Debtor's Second Amended Joint Plan of Reorganization dated May 1, 2008 ("Confirmation Order"), the Court has required that the Reorganized Debtor file this report with the Court each year for three years confirming compliance with Article 24 of the Plan.

3. The Reorganized Debtor and the Catholic Entities have take and completed the following actions in compliance with Article 24:

24.2 The Reorganized Debtor has completed all ongoing investigations concerning allegations of Abuse and the names of those additional Perpetrators credibly shown to have committed Abuse have been publicly released and published on the Reorganized Debtor's

website on July 10, 2008, November 13, 2008 and May 1, 2009. There are no further reports of Abuse which are currently being investigated. Any future reports of Abuse will be promptly submitted to law enforcement authorities.

24.3 The Reorganized Debtor has maintained a list of all known Perpetrators (admitted, proven or credibly accused), including deceased Perpetrators and those previously listed. The list is published on the Reorganized Debtor's website at: www.davenportdiocese.org/comm/commlib/listpriestabusers.pdf. In compliance with the Plan, the Reorganized Debtor will maintain and update the list as needed for at least nine (9) years.

24.4 The Bishop has undertaken to visit and conduct atonement services at each parish where Abuse occurred or where the Perpetrators served. The Bishop has visited and conducted atonement services at 47 parishes to date and is scheduled to visit and hold atonement services at the seven (7) remaining parishes between June 6 and June 14, 2009. At the atonement services the Bishop identifies the Perpetrators who served in the parish and encourages all Abuse survivors to report abuse to local law enforcement authorities, to the Diocese Victim Assistance Coordinator, to healthcare professionals or to other trusted persons. Each visit by the Bishop is scheduled at least 30 days in advance and publicized in the parish bulletin and the Catholic Messenger. In addition, the Reorganized Debtor has invited the known survivors in each particular parish to attend and provides for a time for a forum and discussion to address parishioner questions and comments. Additional materials with respect to the parish visits and atonement service are included with this filing.

24.5 The Reorganized Debtor has published and will continue to publish in parish bulletins and the Catholic Messenger contact information for the Diocese's Victim Assistance Coordinator and continues to encourage Abuse survivors to contact healthcare professionals for assistance in finding needed mental health or counseling.

24.6 The Reorganized Debtor has published the statement required in Section 24.6 in the Catholic Messenger four times in the past year. Copies are provided with this report.

24.7 The Bishop of the Diocese of Davenport publicly supports the complete elimination of all criminal statutes of limitation for child sexual abuse committed by clergy or others in a position of authority.

24.8 Any Allowed Tort Claimant (other than persons with Convenience Claims) may speak publicly in the parish where he/she was abused. No requests under Section 24.8 have been received by the Reorganized Debtor to date.

24.9 The Reorganized Debtor will continue to make space available in each issue of the Catholic Messenger for Allowed Tort Claimants (other than persons with Convenience Claims) to publish stories of their abuse upon request. To date, no such requests have been received.

24.10 The Reorganized Debtor and its representatives, including but not limited to the Bishop, the Diocese spokespersons (and all priests and pastors) have ceased referring to the Tort Claims or the Tort Claimants as “alleged claims” or “alleged victims” or “alleged survivors.”

24.11 The Bishop has personally sent two (2) letters of apology to Tort Claimants as requested. The letters of apology state that the survivor was not at fault for the abuse and that the Diocese takes full responsibility for the abuse, and are personally signed by the Bishop and all members of the Diocese’s Board of Directors. There are no requests for letters of apology pending at this time.

24.12 All prior confidentiality agreements with survivors were terminated as of the Effective Date with respect to Perpetrators’ names and church knowledge of abuse and the Reorganized Debtor has modified its policies accordingly.

24.13 The Reorganized Debtor, through the Victims Assistance Coordinator, continues to provide an outreach program for the survivors of Abuse. The Victims Assistance Coordinator reports regularly to the Review Board pursuant to the procedures established by the U.S. Catholic Conference of Bishops. Compliance is ongoing. This program is ongoing.

24.14 On a regular and continuing basis, the Reorganized Debtor provides information in writing to each parish church and school regarding the prevention of Abuse and training to identify and prevent Abuse. These materials state that the Abused are not at fault, and encourages the reporting of Abuse or potential Abuse to law enforcement, county attorney's office or the Victims Assistance Coordinator. The compliance with this section is through the Reorganized Debtor's ongoing program and training titled "Protecting God's Children." Additional information concerning this program is found in materials provided herewith.

24.15 The Reorganized Debtor has adopted policies relating to sexual abuse and personal behavior incorporating a "whistle blower" policy regarding the method by which reports concerning abuse can be made and providing that the Diocese will not take any retaliatory action against persons who report such information in good faith. Copies of the policies are provided herewith.

24.16 The Bishop and all priests working within the Diocese have been required to sign a written statement that they have not sexually abused any minor at any time and have no knowledge that any other priest or employee of the Reorganized Debtor has Abused any Person or knowledge that any Abuse has been reported to law enforcement and the county attorney and the Victims Assistance Coordinator. Each statement is signed and dated under penalty of perjury and copies of the signed and dated statements are retained in each priest's personnel file in perpetuity. A copy of the form of written statement in compliance with Section 24.16 is provided herewith. The Bishop and all such priests have signed the required written statement.

24.17 The Reorganized Debtor has prominently placed a plaque at each school. A photograph of the plaque posted prominently at each school is provided with this report.

24.18 On June 6, 2008, the Reorganized Debtor made a full written report to the Apostolic Nuncio for appropriate action with respect to Bishop Soens. In addition, five (5) prior reports were made to the Apostolic Nuncio concerning Bishop Soens.

4. The Reorganized Debtor is in full compliance with the Non-Monetary Undertakings and makes this report in conformity with the Court's docket text order dated June 26, 2008.

Respectfully submitted,
LANE & WATERMAN LLP

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