

SEXUAL ABUSE LITIGATION & COVERAGE CONFERENCE

NEW YORK CITY BAR ASSOCIATION | OCTOBER 7, 2025

NATIONAL TRENDS AND LEGISLATIVE UPDATES



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Recent Sexual Abuse-related Bankruptcies

Organization	Filed	Current Status / Notes
USA Gymnastics	2018	Plan confirmed December 2021; \$380M settlement trust established
Archdiocese of Santa Fe (NM)	2019	Pending
Diocese of Rochester (NY)	2019	Pending
Boy Scouts of America	2020	Plan confirmed September 2022; \$2.46B settlement trust established; upheld on appeal May 2025. Litigation ongoing with dozens of insurers that did not settle, disputing allocations.
Diocese of Buffalo (NY)	2020	Pending
Archdiocese of New Orleans (LA)	2020	Pending
Diocese of Syracuse (NY)	2020	Pending
Diocese of Ogdensburg (NY)	2023	Pending
Archdiocese of San Francisco (CA)	2023	Pending
Diocese of San Diego (CA)	2024	Pending

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A recent example: The Buffalo diocese Chapter 11 reorganization plan was filed on October 1, 2025

- **Plan details:** The plan outlines the creation of a settlement trust for sex-abuse claims, which will be funded by a total of nearly \$274 million.
- **Voting and confirmation:** Creditors and abuse claimants will vote on the plan, likely in early 2026. After the vote, Judge Bucki must confirm the plan for the diocese to exit Chapter 11.
- Settlement funding:
 - Diocese and parishes: \$150 million, including contributions from parishes.
 - Insurance carriers: A combined \$123.9 million from insurers CNA, Wausau, and AIG. The diocese is negotiating with other insurers to increase this amount.
- **Voting and confirmation:** Creditors and abuse claimants will vote on the plan, likely in early 2026. After the vote, the judge must confirm the plan for the diocese to exit Chapter 11.

Unique developments in this case:

• "Test cases" ruling (November 2024): the bankruptcy judge allowed certain sexual abuse cases to move forward as "test cases" in state court to determine their potential value; any judgments being unenforceable until the bankruptcy plan is approved and confirmed.

Discovery Issues

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Survivors' Perspective

- The automatic stay pauses litigation
- Rule 2004 narrows scope of discovery, primarily focused on financial matters.
- Bankruptcy courts more likely to seal records, preventing disclosure of institutional misconduct

Institutional Perspective

- Supervision of discovery by a single court ensures consistency.
- Focus on financial matters allows debtor to concentrate on developing a plan to distribute assets fairly.

Valuation of Claims

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Survivors' Perspective

- Unsecured claims receive "leftovers" after secured claims are paid.
- The typical "matrix" or "grid" settlement, on average, undervalues claims relative to tort recoveries
- Impersonal and inflexible rules minimize individual trauma and unfairly categorize suffering

Institutional Perspective

- Formulaic settlements
 ensure equitable &
 consistent compensation
- Tort system is a "lottery", with some receiving large recoveries, others nothing.
- Survivors may receive compensation faster than in tort system (overloaded courts)

Bankruptcy Timelines

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Survivors' Perspective

- Survivors' claims are often put on hold for several years – "justice delayed is justice denied".
- Bankruptcy as a shield delays work to the advantage of the debtor.
- Exhaustion used as a lever to force settlements.

Institutional Perspective

- Hastily negotiated plans can be perceived as unfair and subject to legal challenges and further delays
- Negotiations with insurers and other contributors with their own interests take time, often must be litigated to maximize plan funding.
- Delays are often the result of challenges brought by survivors' advocates (legitimacy of the filing, 3RD party releases, etc.)

Survivors Rights vs. Institutional Protections

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Survivors' Perspective

- Bankruptcy denies survivors their 7th Amendment rights.
 - Reducing survivors' stories to entries in a spreadsheet inflicts added emotional & symbolic harm
- Bankruptcy law prioritizes the rights of the debtor over survivors' rights.

Institutional Perspective

- The orderly bankruptcy process preserves the institution's mission
 - Attempts to balance societal good with the rights of survivors.
 - Protects schools and parish programs that serve often under-served communities





2002

2003

2007

2010

2011

2012

2013

CONNECTICUT

P.A. 02-138 extended the limitation on bringing an action from 17 to 48.

CALIFORNIA

SB 1779 (2002) created a 1-year window.

DELAWARE

The Child Victims Act opened a 2-year window.

DELAWARE

HB 326 opened a 2-year window for healthcare providers.

OREGON

Revival up to age 40 codified in Or. Rev. Stat. § 12.117 (2010).

GUAM

Bill 34 opened a 2-year window.

HAWAII

2-year window with sovereign immunity codified in Hawaii Revised Statutes § 657-1.8 (2012).

MINNESOTA

The Child Victims Act (HF 681) opened a 3-year window.



2020

HB 2466: 19-month

NEW YORK

S7082/A9036: extended the previous window by 1 year.

WEST VIRGINIA

HB 4559: Revival up

to age 36

ARIZONA

2019

window and age 30 revival

CALIFORNIA

AB 218: 3-year window and revival up to age 40

MONTANA

HB 640: 1-year window and age 27 revival.

NEW JERSEY

and revival up to age

55. **NEW YORK**

Child Victims Act: 1year window

NORTH CAROLINA

SAFE Child Act: 2year window

RHODE ISLAND

S 477: 2-year window 2019-H 5171B / 2019-S 0315Aaa: Revival up to age 53

VERMONT

H 330: Permanent window.

WASHINGTON D.C.

D.C. Act 22-593: 2year window

HAWAII

2018

SB 2719 extended the previous window by 2 years.

MICHIGAN

SB 872 opened a 90 day window for Larry Nassar survivors.

GUAM

2016

Bill 326-33 enacted a permanent window.

UTAH

HB0279: 3-year window and age 53 revival (ruled unconstitutional 2020).

GEORGIA

2015

The Hidden Predator Act (HB 17) enacted a 2-year window.

HAWAII

2014

SB 2687 extended the 2012 window by 2 years with no sovereign immunity.

MASSACHUSETTS

H 4126 opened revival up to age 53.

2021

ARKANSAS

Act 1036: 2-year window

COLORADO

SB21-088: 3-year window (ruled unconstitutional 2023).

KENTUCKY

HB 472: Revived up to 5 years after SOL expired

LOUISIANA

HB 492: 3-vear window.

MAINE

LD 589: Permanent window

NEVADA

SB 203: Permanent window and revival up to age 38

NORTHERN MARIANA ISLANDS

HB 22-2: Permanent window

NEW YORK CITY

2022

Int 2372-2021: 2year window GMVA

Act 616: Extended previous window by 2 years.

2023

ARKANSAS

KANSAS

S Sub for HB2127: Revival up to age 31

MARYLAND

HB 1 & SB 686: Permanent window

OHIO

HB 35: Window for Boy Scouts survivors

ALABAMA

2024

SB 18: Window for Boy Scouts survivors

INDIANA

HB 1047: Window for Boy Scouts survivors

IOWA

SF 2431: Window for Boy Scouts survivors

LOUISIANA

SB 246: extended the current window for 2 more years

A TIMELINE OF

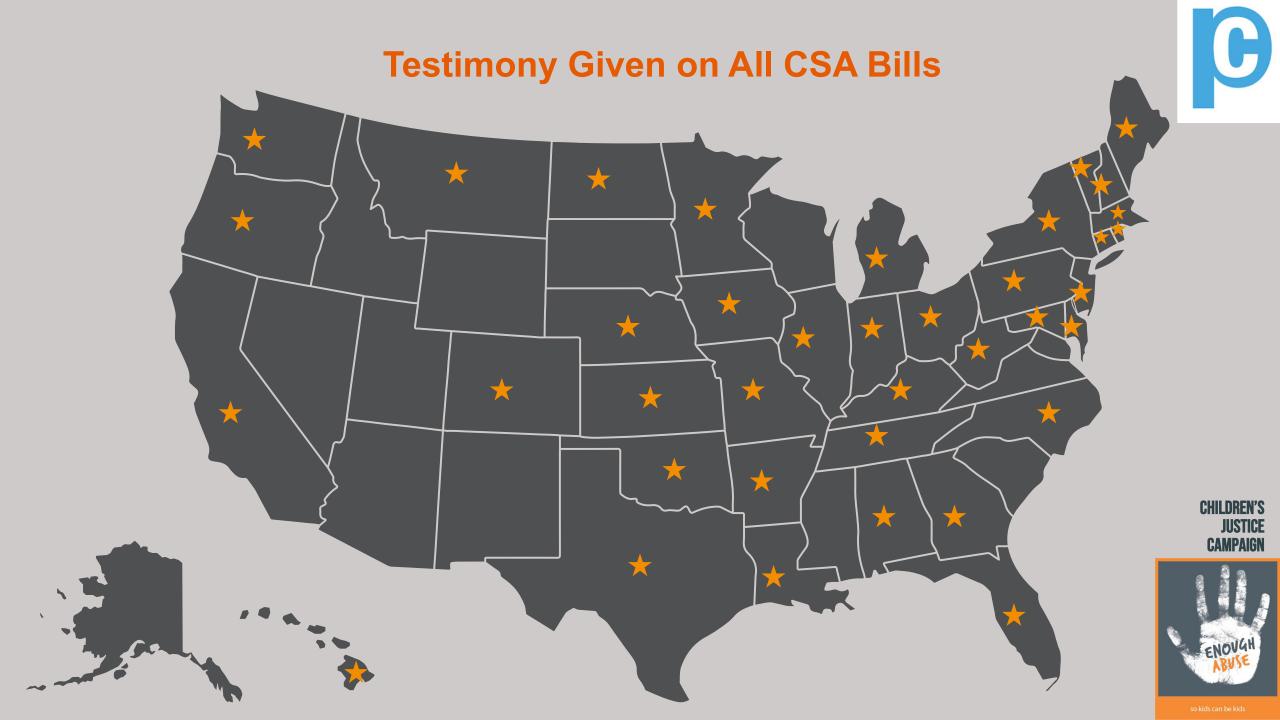
CHILD SEX ABUSE CIVIL SOL REFORM LEGISLATION

2002-2024



JUSTICE CAMPAIGN

CHILDREN'S



TYPES OF SOL BILLS FOR CSA

Age Extension	Extends the SOL for Child Sexual Abuse Claims Prospectively.
Elimination	Removes the SOL for Child Sexual Abuse Claims Prospectively
Window (Revival period)	It opens up a period of time for barred claims retroactively.
Age Extension with Revival	Extends the SOL for Child Sexual Abuse Claims to a certain age with the revival of claims for victims within that age extension.
Permanent Window	It Opens Up the Time for Victims to file a Claim Permanently
Narrow Window	Opens Up a Period of Time to file a claim but only for specific Defendants (Larry Nasser and Boy Scouts of America)
Elimination with a Permanent Window (VT, ME, MD, Guam & NMI)	The "Zero Tolerance" policy on Child Sexual Abuse Claims. Anyone who sexually abuses a child or causes a child to be sexually abused will be liable—looking Forwards and Backwards on Child Protection.



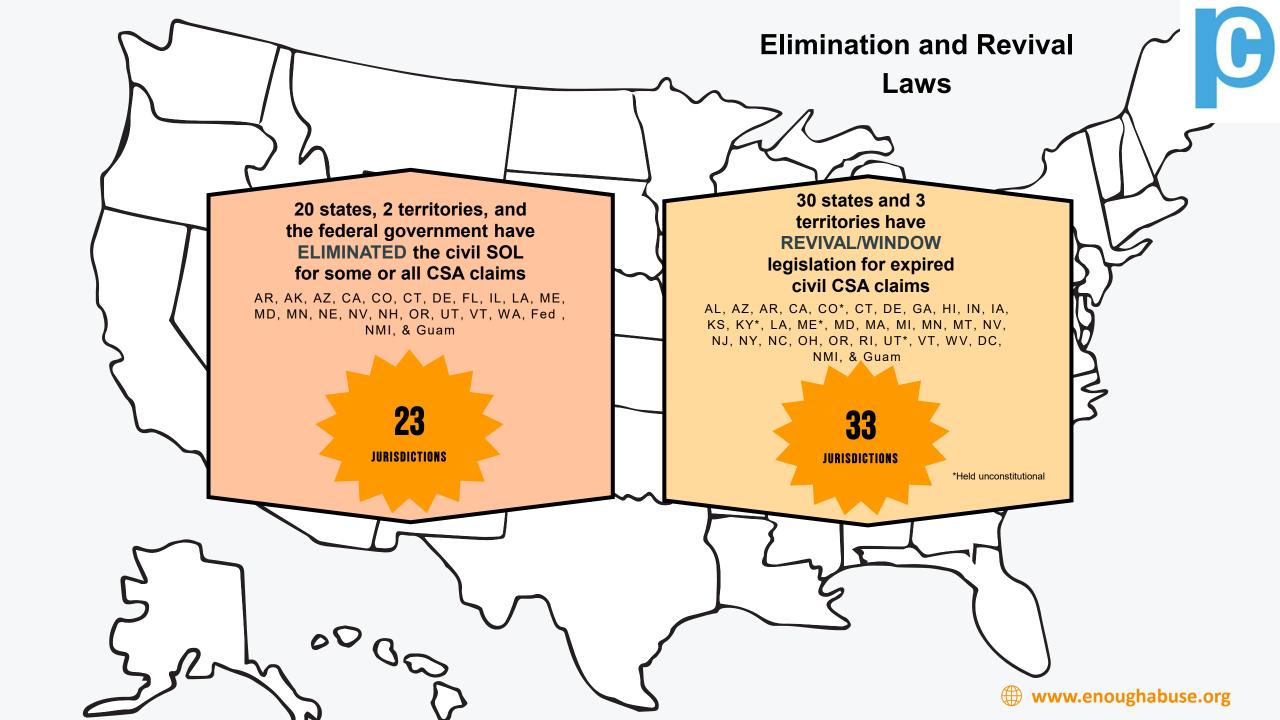
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JURISDICTIONS WITH REVIVAL LAWS FOR CHILD SEXUAL ABUSE CLAIMS

#	JURISDICTION	ТҮРЕ	RESTRICTIONS					
1	Alabama	Limited	Boy Scouts					
			Bankruptcy					
2	Arizona	Age Extension & Window						
3	Arkansas	Window (2)						
4	California	Window (3)						
5	Colorado	New Cause of Action with Revival	Unconstitutional					
6	Connecticut	Age Extension with Revival (age 48)						
7	Delaware	2-year window						
8	DC	2-year window						
9	Georgia	2-year window						
10	Guam	Permanent window						
11	Hawaii	Window (3)						
12	Indiana	Limited	Boy Scouts					
			Bankruptcy					
13	lowa	Limited	Boy Scouts					
			Bankruptcy					
14	Kansas	Extension (age 31)						
15	Kentucky	Limited window	Unconstitutional					
16	Louisiana	3-year window						
17	Maine	Permanent window	Unconstitutional					
18	Maryland	Permanent window						
19	Massachusetts	Extension (age 53)	Only Perpetrators					
20	Michigan	Limited	Nassar victims					
21	Minnesota	3-year window						
22	Montana	Extension & 3-year window						
23	Nevada	Permanent window	Window only for					
		Extension age 38 for others	perpetrators					
24	New York	2-year window						
25	New Jersey	Extension age 55 & 2-year window						
26	North Carolina	2-year window						
27	Northern Mariana Islands	Permanent window						
28	Ohio	Limited	Boy Scouts					
			Bankruptcy					
29	Oregon	Extension (age 40)						
30	Rhode Island	Extension (age 53)	Only Perpetrators					
31	Utah		Unconstitutional					
32	Vermont	Permanent window						
33	West Virginia	Extension (age 36)						
ote:	te: Four 4) were held unconstitutional, and five (5) were limited to the BSA Bankruptcy or Larry Nassar, And							

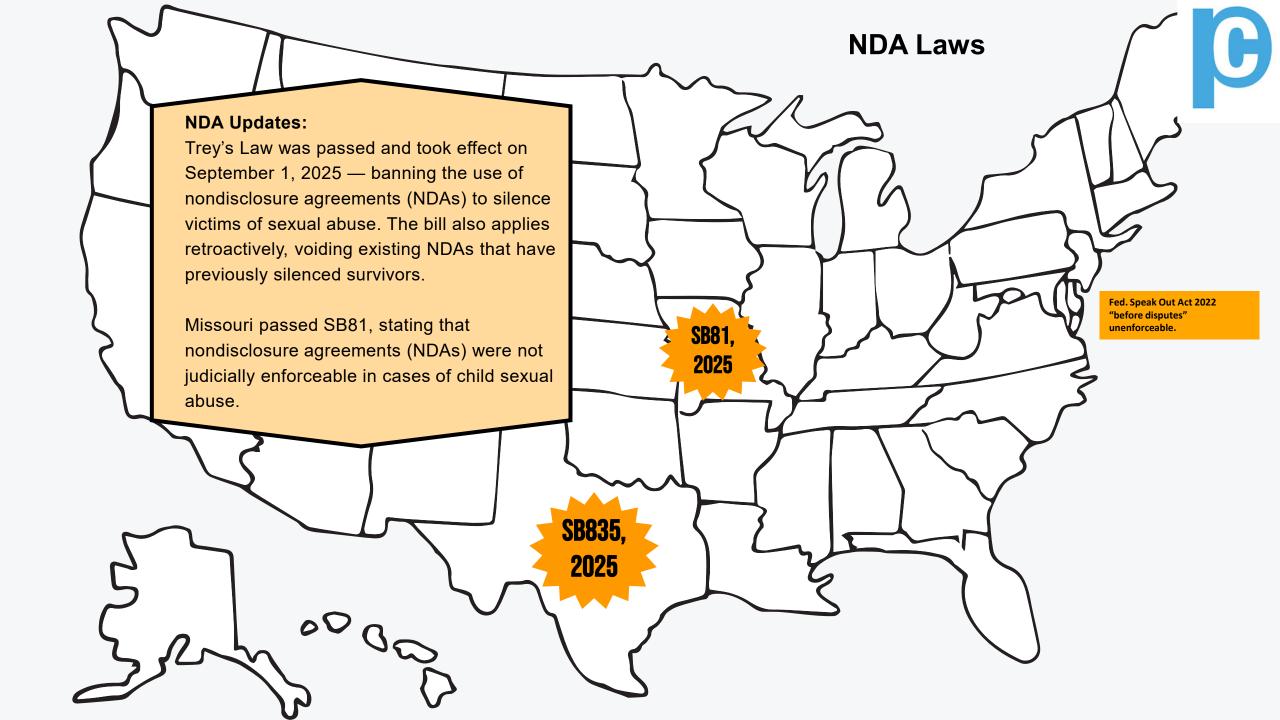
Note: Four (4) were held unconstitutional, and five (5) were limited to the BSA Bankruptcy or Larry Nassar. And the City of New York passed a revival under the Gender Motivated Violence Act – 2-year window.





- It Protects Children in the Future by forcing better practices, supervision procedures, training, and reporting.
- Shifts the Cost of Abuse away from Survivors, the State, and Taxpayers to the Bad Actors
- It Exposes Hidden Sexual Predators and hidden institutional harm.
- It Educates parents and the public on the public health crisis of CSA





Bankruptcy Reform for Child Protection

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- 1. Advocate <u>against</u> a Congressional statutory amendment for non-consensual non-debtor releases "carve out" (asbestos) in Chapter 11 filings related to child sex abuse. (June 2024 SCOTUS Harrington v. Purdue Pharma decision)
- 2. Exempt child sex abuse cases from the automatic stay and expand the scope of discovery in Chapter 11 proceedings.
- 3. Require an opportunity for public victim impact statements *before* the confirmation of a reorganization plan.
- 4. Demand changes to the rules on sealing documents. No court order shall seal any evidence of crimes against children. Simple changes to 11 U.S. Code § 107, Bankruptcy Rule 9018, and FRCP Rule 26(c) will protect children, alert the public, and make facts about prosecutable crimes against children available to the public and law enforcement.

WHAT CONGRESS INTENDED IN 1977



11 U.S.C. has evolved into a "clearinghouse" for mass tort claims, especially child sexual abuse claims against churches, schools, youth organizations, (BSA & CC Dioceses)

But that wasn't what Congress envisioned in the 1970s.

Congress described Chapter 11 as "a consolidated approach to business rehabilitation." and "a new commercial reorganization chapter." <u>H.R. Rep. No. 95-595 (1977)</u>

(Relief for honest, good-faith debtors.)

The insurance and bankruptcy industries argue that Chapter 11 creates a system that establishes uniform standards and procedures for survivors of child sexual abuse.

There are several flaws:

- Loss of access to critical evidence through the sealing of files
- Procedures can become especially lengthy as institutions work to protect their assets.
- The use of protective orders in Chapter 11 endangers children –
 11 U.S. Code § 107, Bankruptcy Rule 9018, and FRCP Rule 26(c)
 (covering up known sexual predators and crimes against children)
- Bankruptcy may save buildings and payrolls, but it **sidelines survivors**. No mission should outweigh child safety and dignity.
- Reducing trauma to line-items compounds harm. Healing requires acknowledgment, accountability, and truth.
- The automatic stay **prevents robust discovery** of dangerous practices, policies, and procedures in need of change.
- Healing does not only require a payout survivors need accountability and change for children.
- Predictable outcomes can lack nuance in their treatment of survivors. Equity *requires* nuance.

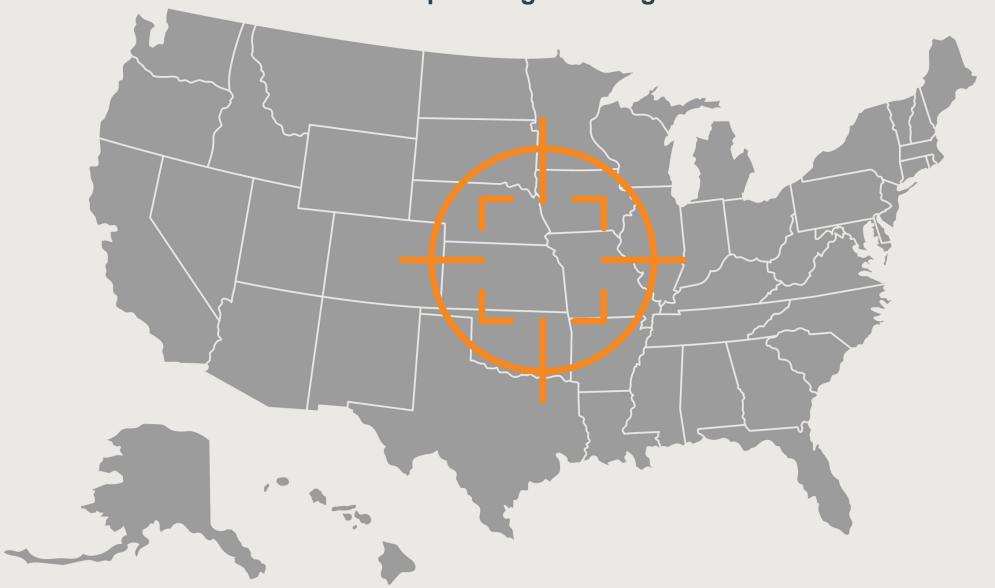
END
CHARITABLE
IMMUNITY
IN CHILD SEXUAL
ABUSE CASES

Ending charitable immunity in child sexual abuse cases is about justice for survivors, deterrence of abuse, eliminating an antiquated law, market integrity, and moral responsibility.

Over 75% of states never had it or have abolished it. A few states are living in the dark ages.

We have Several States in Our Crosshairs for the Upcoming 2026 Legislative Session







Bridging the Gaps for Collaboration Legislative Child sexual abuse **Mandates** prevention is a shared & Reform moral, legal, and for CSA financial priority. Insurance **Markets Supporting &** that Reward **Enforcing Child Safety Child Safety Mandates** Can carriers, lawmakers, survivor advocates, and policyholders come together for Children?

A BETTER PATH FOR THE INSURANCE INDUSTRY



Aligning financial prudence with child safety, prevention, justice, and dignity

- 1. <u>Draft with Purpose</u> Write policies that reward prevention and training, not avoidance. Embed clear, **auditable safety standards** into coverage. Simplify language so organizations understand their obligations and survivors understand their rights.
- 2. <u>Resolve with Compassion</u> Advocate for trauma-informed claims handling. Eliminate tactics designed to wear survivors down. Champion fast, fair resolution frameworks that balance compensation with healing.
- 3. <u>Advise with Transparency</u> Counsel carriers to publish de-identified data on abuse claims, boundary violations, and safety audits. Let's make "prevention" the cornerstone of risk management.
- 4. <u>Advocate for Child Protection Reform</u> Support legislation that strengthens child protection and ensures survivors have access to justice, while also stabilizing the insurance market. Push for balanced solutions like survivor compensation funds and prevention and training mandates tied to licensing.
- 5. <u>Lead with Ethics</u> Reject scorched-earth defense strategies in cases of child sexual abuse. Develop professional responsibility guidelines that prioritize truth, transparency, and harm reduction (to children).





Our Focus is to Remove or Reform the FOUR SHIELDS that Protect Child Sexual Predators and Negligent Institutions



SIGNIFICANCE OF REMOVING SHIELDS



By removing these shields — SOLs, bankruptcy, charitable immunity, NDAs, and governmental immunity — we are uplifting and prioritizing the **safety of children** by ensuring that child sexual abuse cannot be covered up.

This forces institutions to do better!

The focus of the Children's Justice Campaign is more than justice; by changing laws, we can remove shields that protect institutions and sexual predators and allow victims to have access to justice and accountability, thereby making the world safer for children.

Our work creates a **secondary benefit** for plaintiffs' attorneys, insurance counsel, and defense counsel. But the **primary benefit and purpose is to strengthen** laws and policies to protect our children.

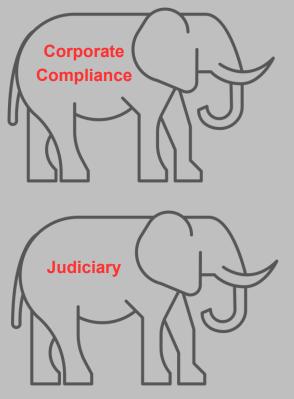




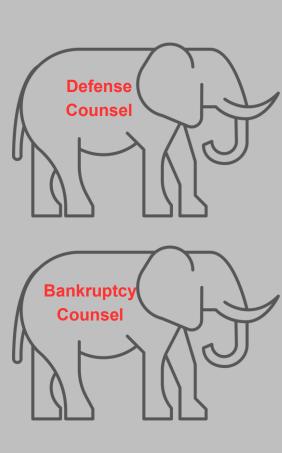




Can we, collectively, be that circle of protection for children?









NATIONAL CHILDREN'S JUSTICE CAMPAIGN



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Sexual Abuse Litigation

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In Massachusetts

Case	Amount	Age	Description
Doe v Apostle, Mass. Super. Suffolk County (June 4, 2025)	\$40,000 Verdict	21	College student alleged sexual harassment and battery perpetrated by class lecturer
Jane Doe v Tina Doe et al (January 24, 2025)	\$1.2 Million Settlement	10	Jane Doe brought a case alleging negligent supervision against her mother (Tina Doe) and father (John Doe II), asserting that, due to various incidents throughout her childhood, her parents knew or should have known she was being sexually abused by her older brother
Doe v. Gonpo, 103 Mass. App. Ct. 246, 218 N.E.3d 100 (2023)	\$10 Million Verdict	10	Jane Doe brought her claim as an adult against defendant male J.G. alleging she was sexually assaulted and raped multipletimes when she was 10-12 years old and suffered emotional distress requiring psychological treatment as a result
Doe v. Martin, No. 1981CV00942, 2021 Mass. Super. LEXIS 452 (Aug. 2, 2021)	\$7 Million Verdict	5	Survivor of child sexual abuse who sued her father 12 years after his criminal convictions
EEOC v Tegra Medical, LLC (November 23, 2020)	2020	18+	Two former employees were subjected to sexual harassment and then retaliated against after filing complaints

Sexual Abuse Litigation

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In Connecticut

Case	Amount	Age	Description
Roman Catholic Archdiocese of Hartford	\$2.4 Million Settlement	10	A man alleged he was abused by a priest in the 1980s while an alter boy
Cassidy v Connecticut Family Chiropractic Corp (July 21, 2022)	\$194,010 Verdict reduced to \$64,670	18+	Chiropractor asserted she was sexually harassed by the owner of the clinics where she worked, resulting in a hostile work environment and causing her to be constructively discharged from her employment
N.M. v Stiegler Jr. (June 2, 2022)	\$6.8 Million Verdict	5	Plaintiff claimed to suffer severe emotional distress and physical and mental pain and suffering after she was allegedly sexually abused, exploited, and assaulted as a minor for a period of years by her step-father
Joseph Jean-Charles v Douglas Perlitz et al (July 2013)	\$12 Million Verdict (\$500,000 per victim)	6-17	24 victims accused the defendants of not properly supervising the activities of Perlitz in his running of a school for underprivileged boys in Haiti from the late 1990s until around 2010, during which time Perlitz raped and otherwise sexually abused dozens of victims

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Sexual Abuse Litigation In Rhode Island

Case	Amount	Age	Description
Roman Catholic Diocese of Providence (2002)	\$13.5 Million Settlement (\$375,000 per victim)	Minors	Lawsuit brought by 36 survivors of sexual abuse. Individuals allege that they were abused as children by 11 priests over several decades
Diocese of Providence	\$1.3 Million Settlement (\$325,000 per victim)	Minors	4 victims were sexually abused by various priests within the church when they were children

Sexual Abuse Litigation

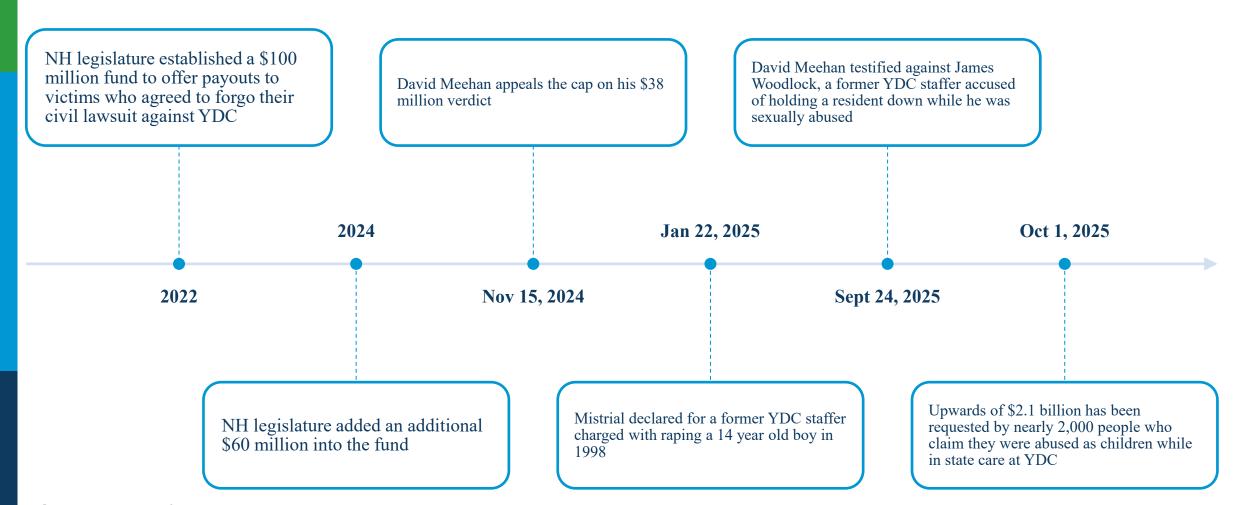
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In New Hampshire

Case	Amount	Age	Description
YDC case April 2025	\$4.5 Million Settlement	15	Another youth center abuse case
March 2025	\$10 Million Settlement	14	The State of New Hampshire settled a separate YDC abuse case
Meehan v. HHS, 2024 N.H. Super. LEXIS 19; 2024 LX 109974	\$38 Million Verdict *However a state law could cap that number at \$475,000	14	Meehan alleges staff at the former Youth Development Center physically, sexually, and psychologically abused him over a period of months

David Meehan and YDC





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Sexual Abuse Litigation



In Vermont

Case	Amount	Description
2014	\$25 Million Verdict	College student alleged sexual harassment and battery perpetrated by class lecturer
Roman Catholic Diocese of Burlington	\$1.2 Million Settlement	Jane Doe brought a case alleging negligent supervision against her mother (Tina Doe) and father (John Doe II), asserting that, due to various incidents throughout her childhood, her parents knew or should have known she was being sexually abused byher older brother
Plaintiffs against Woodside Juvenile Rehabilitation Center in Essex (2023)	\$4.5 Million Verdict (\$643,000 per victim)	Jane Doe brought her claim as an adult against defendant male J.G. alleging she was sexually assaulted and raped multipletimes when she was 10-12 years old and suffered emotional distress requiring psychological treatment as a result

Sexual Abuse Litigation



In Maine

Case	Amount	Age	Description
United States v. Methuselah Tree, LLC., Robert Ross, RLR Enterprises, Brian Bennett, and Henry Irvin Investments, LLC (August 2025)	\$39,500 Settlement	18+	Lawsuit against a Lewiston property manager and others who subjected a female tenant to sexual harassment
Russell v. Chenevert (January 2023)	\$4.5 Million Settlement	6	Woman who was sexually abused as a child by a family friend in Biddeford Pool

Trends in New England



Massachusetts

• In June 2024, MA passed new legislation to address the rising trend of "revenge porn"

Connecticut

• Despite a decrease in overall violent crime in 2023, the number of sexual assault crimes increased by 11%

Rhode Island

- 23% of children who were sexually abused were first contacted between the ages of 0-6
- 51% of alleged offenders were related to the child

Maine

• In January 2025, the Maine Supreme Judicial Court ruled a state law eliminating the SOL on civil child sexual abuse lawsuits was unconstitutional

New Hampshire

• State government faced major political and discal controversy over its handling of abuse settlement claims (the YDC cases especially)

Vermont

- Attention is increasingly being drawn to abuse and neglect occurring in residential treatment facilities, including:
 - Woodside Juvenile Rehabilitation Center
 - o Brattleboro Retreat
 - o BAYADA Home Health Care

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Trends in Institutional Abuse

Clergy Abuse

- Clergy abuse cases increased significantly in the mid 20th century, most committed between 1950 and 1985
- Boys are disproportionately affected by clergy sexual abuse
 - Reverses the typical pattern seen in overall child sexual abuse cases
- Societal and institutional changes:
 - Declining religious observance
 - Decreased clerical status

Private Institutions

- The Boston Globe's 2016 report on abuses in New England schools, has brought to light decades-long patterns of sexual abuse, harassment, and cover ups at prestigious institutions
- Barriers for reporting for victims:
 - The close-knit, high-status nature of many elite private school communities can increase the social pressure to stay silent
 - Some institutions transfer offending employees to new locations without disclosing their past actions, allowing the abuse to continue elsewhere

Youth Groups

- Abusers in youth groups often use their positions of trust to groom and isolate victims
 - They have a strong heirarchy that focuses on teaching children to respect authority
- Many institutions have historically prioritized protecting their own reputation over protecting children
- Lack of screening, training, and supervision of staff create conditions where abuse can occur undetected and allow individuals with a history of abusive behavior to gain access to vulnerable children
- Example: NH YDC cases

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