

**JOINT PLAN OF REORGANIZATION
EXHIBIT J**

CHILD PROTECTION PROTOCOLS

1. The Diocese shall not recommend any clergy for a position in active ministry (*i.e.*, those clergy with permission to exercise priestly ministry to the faithful) or a position that provides for access to minors, who has a pending credible or previously substantiated claim of sexual abuse of a minor against him¹¹ or is otherwise deemed unsuitable for ministry under circumstances that arise in whole or in part, out of accusations or risk of sexual abuse of a minor. Unsuitability determinations are made by the Bishop of Diocese of New Ulm with recommendations from the Vicar General and the Diocesan Review Board. Likewise, the Diocese shall not recommend, and shall direct clergy not to recommend, any non-clergy employee for a position that provides access to minors, who has a pending credible or previously substantiated claim of sexual abuse of a minor against him or her.
2. The Diocese shall disclose any substantiated claim of sexual abuse of a minor to any Diocese, Catholic entity or secular employer who inquires about the existence of any such claim of sexual abuse of a minor with regard to a past or present Diocesan clergy member to the extent that communication is allowed by federal and state law. This policy does not apply to ministerial assignments within the Diocese.
3. Diocesan leadership shall meet with any survivor, and his or her support person, as determined by the needs of the survivor, as reasonable, in a supervised setting with a facilitator when appropriate, with due respect for the needs of the survivor. Meetings shall be private and may be interrupted or delayed by the facilitator if the setting becomes overly difficult for the survivor.
4. The Diocese shall publish in *The Prairie Catholic* four times per year for five (5) years (2020–2024) and one time per year for an additional five (5) years (2025–2029) thereafter a statement urging those subject to the sexual abuse of a minor to contact law enforcement to make a report of the abuse.
5. Upon written request of a survivor or a survivor’s attorney, the Bishop, on behalf of the Diocese, shall send a personally signed letter of apology to the survivor with a credible claim of sexual abuse of a minor in the context of a Minnesota Rule of Civil Procedure 408 settlement communication.

¹ A “credible claim” is one that, as determined by the Diocese, is “not implausible, and there exists a reasonable suspicion or belief supported by circumstances to justify a prudent and cautious person’s belief that the allegation may be or probably is true.” A “substantiated claim” is one for which, as determined by the Diocese, sufficient credible evidence exists that a reasonable person might accept as adequate to substantiate the allegation or support the conclusion that the allegation can be substantiated.

EXHIBIT J – CHILD PROTECTION PROTOCOLS

6. The Diocese shall continue to provide information in writing to parishes and schools regarding the prevention of sexual abuse of a minor, training to identify signs of such abuse, stating that the abused are not at fault and encouraging the reporting of abuse to law enforcement.
7. The Diocese shall continue to provide VIRTUS training or equivalent safe environment training to all new Diocese employees and agree to provide updated VIRTUS training or equivalent safe environment training to all Diocese employees every five years. If significant changes are made to the Diocese's VIRTUS training materials, the Diocese shall provide updated training to all Diocese employees within a reasonable time after these changes are adopted.
8. All mandated reporters, as defined in the Minnesota Statutes, at the Diocese shall receive specific training regarding reporting obligations every five (5) years and within thirty (30) days of their retention if newly hired.
9. The Diocese shall adopt a whistleblower policy that includes protection for the reporting of sexual abuse of a minor.
10. On or before 20 days after the Effective Date, the Vicar General shall make a good faith effort to obtain, from each clergy member then having an assignment from the bishop in the Diocese, a signed and dated written statement affirming that the clergy member (1) has not sexually abused any minor at any time, and (2) has no knowledge of any sexual abuse of a minor by another priest of the Diocese or employee of the Diocese that has not been reported to law enforcement and the Diocese. The Vicar General shall also make a good faith effort to obtain from any visiting priest who is given faculties to minister in the Diocese (this does not include clergy visiting for a single event or over a time period of less than twenty one (21) days) a signed and dated statement under this paragraph no later than thirty (30) days after assignment or faculties are given. The written statements provided under this paragraph shall not require any clergy to disclose knowledge of sexual abuse of minors obtained in the course of confession or where a person seeks religious or spiritual advice, aid, or comfort pursuant to Minn. Stat. § 595.02 or Minnesota law.
11. The Diocese shall continue its current policy prohibiting its employees and volunteers from being alone (*i.e.* out of sight of at least one other adult) with any unrelated minor while serving as an employee or volunteer of the Diocese or a Parish subject to common sense exceptions, such as emergency situations, interactions with a minor that are incidental and not extended, parents transporting their children or related individuals, and employees or volunteers transporting the children of friends and neighbors. This policy does not apply to employees and volunteers providing services in or for schools or providing Catholic education. Priests are prohibited from being alone (*i.e.* out of sight of at least one other adult) with any unrelated minor except when the clergy member is hearing confession in a confessional and except for common sense exceptions, such as

EXHIBIT J – CHILD PROTECTION PROTOCOLS

- emergency situations and circumstances where interaction with a minor is incidental and not extended.
12. The Diocese shall continue its current policy prohibiting clergy from traveling or taking any overnight trips alone with any unrelated minor. If a clergy member travels with any unrelated minor(s), then there must be at least one other adult present and actively supervising the minor(s) at all times. The clergy members are strictly prohibited from sleeping in the same space (*e.g.*, room, bedroom, hotel room, tent, bed, etc.) with any unrelated minor.
 13. The Diocese shall continue its policy that prohibits priests from having an unrelated child or children in their automobile unless supervised by at least one other adult.
 14. Public disclosure of credible claims of sexual abuse of minors by clergy shall be ongoing. When a claim is determined to be substantiated, whether from the review of clergy files, by outside experts or otherwise, the Diocese will add the name of the clergy member to the disclosure section of its website. Public disclosures under this paragraph shall be made as soon as reasonably practicable but, in any event, no later than forty-five (45) days after the relevant determination.
 15. With regard to a substantiated claim of sexual abuse of a minor, at the conclusion of the canonical process for determination of clerical status, or with regard to a credible claim of sexual abuse of a minor that has not been deemed by the Diocese to be substantiated, documents pertaining to the substantiated claim of sexual abuse of a minor and documents pertaining to a credible claim of sexual abuse of a minor that has not been deemed by the Diocese to be substantiated may be made accessible by the public in the manner set out in Appendix A attached hereto.
 16. The Diocese shall remove photos and any visible honors (such as a plaque honoring that cleric individually or naming of a building or hall in that cleric's honor) from public display for each priest with a substantiated claim of sexual abuse of a minor. This does not prevent the Diocese from displaying photos of priests with a substantiated claim of abuse if that photo or the words accompanying it clearly indicate that the priest had a substantiated claim of sexual abuse of a minor asserted against him.
 17. When the Diocese receives a report of child sexual abuse and makes a mandated report to law enforcement pursuant to Minnesota statutes, the Diocese shall not conduct an internal investigation and will not interfere in any way with law enforcement until law enforcement concludes its investigation, closes its file without an investigation, or authorizes the Diocese to proceed with its investigation.

APPENDIX A

CHILD PROTECTION PROTOCOLS

With regard to paragraph 15 of the CHILD PROTECTION PROTOCOLS:

1. The term “documents” referred to in paragraph 15 of the CHILD PROTECTION PROTOCOLS with regard to a substantiated claim of sexual abuse of a minor by a member of the clergy who is listed on the Diocese’s website shall, to the extent not previously produced to Jeff Anderson & Associates (“JAA”), be submitted to JAA within 30 days of a final order confirming the Chapter 11 Plan, subject to paragraph 2. JAA may in its sole discretion then make documents relating to a substantiated claim of sexual abuse of a minor by a member of the clergy public after taking appropriate actions to protect the names and identities of sexual abuse survivors and their families.
2. The Diocese shall make available to JAA copies of documents maintained by the Diocese regarding credible claims of sexual abuse of a minor that have not been deemed by the Diocese to be substantiated. If JAA believes good cause exists that any of these documents should be made public, it shall so notify the Diocese in writing. If an agreement cannot be reached between the Diocese and JAA regarding release of such documents, JAA shall have 30 days to submit its written position to Judge Bernard Bohland (Ret.), with the written response to Judge Bohland by the Diocese to be due within 20 days of the written position from JAA. Judge Bohland shall determine whether good cause exists to publicly release the disputed documents. The determination by Judge Bohland shall be binding and final.