



Upper New York Conference

The United Methodist Church

To live the Gospel of Jesus Christ and to be God's love with our neighbors in all places.

TO: ALL LOCAL CHURCHES IN THE
UPPER NEW YORK ANNUAL CONFERENCE
FROM: CONFERENCE CHANCELLOR
DATE: OCTOBER 28, 2020

URGENT AND IMPORTANT: IF YOUR CHURCH HAS EVER CHARTERED OR OTHERWISE SPONSORED A BOY SCOUT TROOP, CUB SCOUT PACK OR VENTURING CREW, YOU NEED TO IMMEDIATELY READ THE FOLLOWING INFORMATION, WHICH INCLUDES A FILING DEADLINE OF NOVEMBER 16, 2020.

Earlier this year, the Boy Scouts of America (“BSA”) filed for Chapter 11 bankruptcy to protect itself against a growing number of sexual abuse claims made against it. This bankruptcy process is intended to allow the BSA to deal with these claims – through the creation of and payment from a victim’s compensation trust fund – and still continue its operations. As is typical in bankruptcy proceedings, the court has established a “Bar Date,” which is the deadline for potential creditors to file claims against the BSA (the debtor). The Bar Date in this case is **November 16, 2020, at 5:00 p.m. eastern time**. Instructions on how and where to file a proof of claim are set forth below.

This deadline applies to claims of potential victims, but it also applies to any other individual or entity that may have a claim - even a contingent claim - against the BSA, **including chartered organizations** that have, or potentially could have, claims for indemnification, contribution, and/or insurance coverage against the BSA. This is a critical piece of information for our denomination, as United Methodist local churches make up the largest collection of BSA chartered organizations in the country. And given that the BSA has provided some level of insurance coverage to chartered organizations for approximately 35 years, the rights/interests of a United Methodist local church that is currently, or was previously, a chartered organization may be impacted by this bankruptcy process, even if it has not yet been threatened with a lawsuit related to its current or former Boy Scout troop.

If your church knows of a specific claim that may be, or already has been, filed against it relating to an allegation of sexual abuse associated with the Boy Scouts, we strongly recommend that your church consult with a licensed attorney, if it has not already done so. Otherwise, if your church has ever chartered or otherwise sponsored a Boy Scout troop, Cub Scout Pack, Venturing Crew, Sea Scouts ship, STEM Scouts lab, or an Exploring post in the past, or if it does so now, it should file a “Proof of Claim” with the court by the November 16, 2020 Bar Date to ensure its rights to indemnification, contribution and/or applicable insurance coverage are preserved. Again, even if you do not know today of any potential claim against your church, your church should still file a Proof of Claim. If your church does not file a Proof of Claim **so that it is received by the Bar Date of November 16, 2020, at 5:00 p.m. eastern time**, and a claim is later filed against your church relating to sexual abuse that occurred before February 18, 2020, the BSA and its insurance companies are likely to refuse to participate in the resolution of the sexual abuse claim. This would leave the local church as the primary and likely sole defendant in the sexual abuse lawsuit.

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Filing a Proof of Claim does not guarantee payment should a claim exist or a future claim arise. **However, failure to file a Proof of Claim now will forever bar any recourse against BSA should a claim exist or a future claim arise relating to sexual abuse that occurred before February 18, 2020.**

IMPORTANTLY, The Upper New York Conference cannot file Proofs of Claim in its name on behalf of local churches. Instead, **your local church must file its own Proof of Claim with the Bankruptcy Court.**

HOW TO FILE YOUR PROOF OF CLAIM:

There are two ways to file a Proof of Claim – online or U.S. mail. Remember that your Proof of Claim must be **received on or before the Bar Date of November 16, 2020 at 5:00 p.m. Eastern Time.**

ONLINE:

- Use [this link](#) to create an account for the online POC submission portal.
- The email address used to create the account will receive an activation request. Click on the link in the activation email **within 48 hours** in order to finalize the account creation.
- Once the account has been created and activated, use [this link](#) to log into the account.
- After logging in, click on the green “Create New Claim” button. This brings you to the “Claim Editor” section of the site.
 - After naming your claim at the bottom of the “Start Claim” tab (which can simply be the name of your church), click the blue “Accept and Continue” box. This will take you to next tab.
 - Use the attached line-by-line instructions to help you fill out the information required in each tab. Before moving to the next tab, be sure to click on the green “Save Changes” box.
 - After filling out all of the information, click on the “Review Claim” tab and ensure all information has been entered correctly.
 - Then select the “Sign & File” tab, select “I am the creditor,” and fill in the information for the church representative who will sign the Proof of Claim.
 - After ensuring all information is correct, and after filling in the signature information, click on the green “Save Changes” box, then the blue “File Your Claim” box.

U.S. MAIL:

- Use [this link](#) to download the Proof of Claim form. The form is a PDF, which may open within your web browser. If that happens, take the necessary steps to download/open

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the PDF so that you can access it outside of the web browser. If that doesn't work, print the form and complete it by hand, using the attached instructions.

- Use the attached line-by-line instructions to help you complete the form.
- Once the form is completed, print it out and have it signed by the appropriate local church representative.
- Mail the completed and signed form to (we recommend by expedited/overnight delivery):

Boy Scouts of America Claims Processing
c/o Omni Agent Solutions
5955 De Soto Ave., Suite 100
Woodland Hills, CA 91367

If you need additional information (not including legal advice) about the Bar Date, Proof of Claim form, filing the Proof of Claim form or other information about the Debtors' bankruptcy cases, you can contact the Claims and Noticing Agent by:

Calling (toll-free): 866-907-BSA1
Emailing: BSAInquiries@omniagnt.com
Visiting: <http://omniagentsolutions.com/bsaclaims>

Once your church has completed and submitted its Proof of Claim, **please let the conference know it has done so by advising the Episcopal Office at bishopsoffice@unyumc.org**. Having a complete list of churches that have filed Proofs of Claim will be important as the bankruptcy proceeding moves forward.

Thank you for attending to this important matter.

Sincerely,
Peter H. Abdella
Chancellor

This communication is intended solely to provide information to local churches about an important issue. By sharing this information, The Upper New York Conference is not engaged in providing legal advice, and no attorney-client relationship has been created. If your local church determines it needs legal advice on this issue, it should seek the services of a licensed attorney.

In order to provide more information to you about the process of filing the claim and answer any questions that you may have, we will host two Zoom informational sessions next week - the first on Wednesday, November 4, 2020 at noon and the second on Wednesday, November 4, 2020 at 6:00 pm. We will send out the Zoom information for these two sessions.

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