

**IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

IN RE:	§	
	§	
CATHOLIC DIOCESE OF EL PASO,	§	CASE NO. 26-____-CGB
	§	
DEBTOR¹	§	CHAPTER 11

**DECLARATION OF BISHOP MARK J. SEITZ
REGARDING THE DIOCESE’S HISTORY, CHARITABLE MISSION,
AND PURPOSE IN SEEKING CHAPTER 11 RELIEF**

I, Mark J. Seitz, declare under penalty of perjury under the laws of the United States of America that the following is true and correct and based on my personal knowledge:

1. I am the Most Reverend Mark J. Seitz, D.D., Bishop (the “**Bishop**”) of the Roman Catholic Diocese of El Paso (the “**Diocese**”), a non-profit religious corporation incorporated under the laws of the State of Texas. I have served as the Bishop of the Diocese since my appointment by Pope Francis in 2013.

2. The Diocese is both a Roman Catholic ecclesiastical church and a nonprofit corporation incorporated² under the laws of the State of Texas and providing Catholic Christian ministry to a geographical area comprising ten Texas counties in west Texas.

3. In my capacity as Bishop, I shepherd, with the cooperation of the presbyterium, the Diocese, including providing ecclesiastical sanctification, teaching, and governance in the Diocese and to various ministries, clergy, parishes, and other Catholic entities located in the Diocese. My responsibilities also include public representation of the Diocese; engaging with community

¹ The Diocese’s address is 499 St. Matthews Street, El Paso, TX 79907. The last four digits of the Diocese’s federal tax identification number are 0751.

² Prior to incorporation, the Diocese operated as a Texas non-profit unincorporated association.

partners; overseeing diocesan communications; and guiding the Catholic Church's mission to serve the poor, vulnerable, and migrant populations.

4. Accordingly, I am familiar with the history of the Diocese, its mission and ministries, and its purpose and goals in the captioned matter (the "**Chapter 11 Case**").

5. I respectfully submit this Declaration based on my personal knowledge of the administration and operations of the Diocese; information learned from my review of relevant documents and records maintained in the ordinary course of business; and information provided to me by members of the Diocese's advisory team, which I believe to be accurate. I am authorized to submit this Declaration on behalf of the Diocese, and, if called upon to testify, I could and would testify competently to the facts set forth herein.

PART I: PRELIMINARY STATEMENT

6. To enable the Diocese to minimize the adverse effects of its reorganization in its Chapter 11 Case and to avoid immediate and irreparable harm, the Diocese has requested various types of relief in its "first day" pleadings (each, a "**First Day Motion**"). The First Day Motions seek relief intended to allow the Diocese to effectively transition into reorganization under Chapter 11 and to minimize disruption of its operations, thereby preserving and maximizing the value of the Diocese's estate.

7. I am familiar with the contents of each First Day Motion (including the exhibits thereto), and I believe that the relief sought in each First Day Motion serves the interests of the Diocese's estate and creditors.

8. Part II of this Declaration provides a brief overview of the Diocese's history, its mission, and its ministries; Part III describes the financial position of the Diocese; Part IV identifies the purposes of the Chapter 11 Case; and Part V identifies the Diocese's goals.

PART II: THE HISTORY, MISSION, AND MINISTRIES OF THE DIOCESE

9. The Roman Catholic presence in the El Paso region dates back to the 17th century when Spanish missionaries established some of the earliest mission communities in what would become Texas. In 1680, after the Pueblo Revolt in present-day New Mexico, Spanish settlers, Indigenous communities, and Catholic missionaries fled south and established Mission Corpus Christi de la Isleta del Sur, also known as the Ysleta Mission, which is recognized as the oldest continuously functioning parish in the State of Texas.³

10. The Diocese of El Paso itself was formally established on March 3, 1914, by Pope Pius X, creating a new diocese to serve the rapidly growing Catholic population of West Texas. It originally encompassed territory in both Texas and New Mexico until the Diocese of Las Cruces was created in 1982. The Diocese is considered a Home Mission Diocese, meaning it is a diocese that cannot provide basic pastoral services to Catholics without outside help.⁴

11. Today, the Diocese of El Paso spans 26,686 square miles across 10 counties in west Texas, including El Paso, Brewster, Culberson, Hudspeth, Jeff Davis, Loving, Presidio, Reeves, Ward, and Winkler Counties. It serves a large and vibrant Catholic population estimated at 686,037 of the region's residents.

12. The Diocese includes 58 parishes, 13 mission churches, and various ministries, each serving a diverse, multicultural, and bilingual community rooted in the rich Catholic heritage of the borderland.

13. Throughout its long history, the Diocese has played a central role in the development of Catholic life in Texas. The Diocese is credited with key “firsts” in Texas Catholic

³ The church is now a mission of Our Lady of Mt. Carmel Catholic Church- El Paso, TX.

⁴ See <https://www.usccb.org/committees/catholic-home-missions/what-are-home-missions>

history—including the first Catholic mission in Texas, the first Mass celebrated in what would become Texas, and the earliest missionary outreach to Indigenous peoples in the region.

14. The Diocese operates a wide range of ministries and numerous other evangelization efforts addressing poverty, education, and family support.

15. Catholic education forms an important part of the Diocese’s broader mission. In collaboration with the Diocese’s Office of Catholic Schools, nine Diocese-affiliated schools across the region provide Catholic formation for approximately 2,000 students from pre-K to high school. Catholic schools have served the El Paso community since 1879, and continue to educate students spiritually, intellectually, and morally in accordance with the Church’s mission. The Catholic schools in the Diocese of El Paso are separate entities from the Diocese and are not part of this bankruptcy.

16. As a Diocese in a low-income region, and although our resources have always been limited, the Diocese has a long history of responding to humanitarian needs. It played a major role in assisting refugees during periods of religious persecution in Mexico during the early 20th century and continues to lead efforts in serving migrants, asylum seekers, and families in crisis today.

17. With the parishes, schools, ministries, and charitable organizations located in the Diocese, the Diocese serves people of all backgrounds regardless of faith, ethnicity, immigration status, or economic circumstance. Grounded in Catholic social teaching and Christian principles, the Diocese works daily to serve its community and provide charitable assistance to build a more compassionate and just border community.

PART III: THE FINANCIAL POSITION OF THE DIOCESE

18. The Diocese of El Paso serves a large Catholic population in West Texas. As of 2025, approximately 686,037 Catholics reside within the Diocese’s ten-county territory,

representing approximately 80% of the region's population. However, the financial support of those individuals mainly goes directly to parishes in the Diocese and other affiliated Catholic entities, all of which are separate legal entities from the Diocese. There is some direct support to the Diocese through its capital campaign, but those funds are designated for specific purposes, such as seminary education and priest retirement.

19. Although the Diocese encompasses the major metropolitan area of El Paso, its ten-county territory is geographically vast, rural, and poor. Many communities within these counties experience poverty rates well above national averages, and socioeconomic challenges affect parish life throughout the region. At the same time, overall demographic shifts—including the aging of long-standing parishioners and migration patterns along the U.S.-Mexico border—affect parish registration numbers and do not offset the financial pressures experienced by many parishes and ministries.

20. Like other dioceses serving large rural or economically disadvantaged areas, the Diocese of El Paso functions as a home mission diocese, meaning it cannot sustain basic pastoral services—Mass and sacraments, religious education, formation of clergy and lay ministers, and essential parish operations—without outside assistance. As a result, the Diocese receives limited assistance in the form of grants for certain eligible activities, which amounts have ranged from \$2.5 million to \$4.5 million annually, but this support is insufficient to address our structural deficit or the unprecedented legal costs we face now.

21. In the past few years, the Diocese's operating expenses have often exceeded its gross revenue. Preliminary figures for the fiscal year ending June 30, 2025, reflect revenue of approximately \$14,962,522, and expenses of approximately \$15,364,240, for a net loss of

\$(401,718). Net income (losses) was approximately \$1,642,716 in FY 2023-2024. Finally, the Diocese had net losses of approximately \$386,621 in FY 2022-2023.

PART IV: THE PURPOSE OF THE DIOCESE FILING BANKRUPTCY

22. The Diocese now faces significant financial difficulties that undermine its capacity to maintain ministries and charitable work. These financial difficulties stem from litigation filed against it in the State of New Mexico regarding allegations of historical clergy sexual abuse that took place many decades ago. The Diocese takes these allegations seriously and is committed to addressing all claims through the bankruptcy process in a fair and equitable manner.

23. The Diocese is currently named by 18 plaintiffs in twelve (12) sex abuse lawsuits (the “Lawsuits”) in New Mexico, for alleged negligence and other causes of action. Because of the age of the claims and the long time that has lapsed before bringing these suits, the Diocese’s administrators and its witnesses have been long deceased, or their identities and other important discoverable information are unknown. The Lawsuits assert allegations spanning as far back as 1956 to 1982, requiring nearly impossible investigations across long periods of time and multiple generations of diocesan and parish leadership.

24. The statute of limitations defenses applicable to the Lawsuits present significant challenges. As has occurred in many states, legislative changes in the State of New Mexico have resulted in an expansive time period during which some claimants of historical sex abuse of a minor may file lawsuits (the “**Claimants**”) without regard for the age of the claims.

25. The Diocese anticipates that litigation of the Lawsuits, particularly those proceeding toward trial, will require extraordinarily high legal costs, likely reaching more than hundreds of thousands of dollars per case. In addition, recent New Mexico jury verdicts in favor of plaintiffs making child sex abuse claims have proven financially exorbitant, with at least one

verdict exceeding four hundred million dollars against the defendant. These facts confirm the grave financial risk to the Diocese if any of the current 12 lawsuits are taken to trial in New Mexico.⁵

26. Further, the advanced age or death of many accused clergy, witnesses, and community members; the loss or deterioration of records from decades past; and the practical impossibility of meaningful discovery regarding events occurring between forty-three (43) and sixty-nine (69) years ago creates significant evidentiary, practical, and legal challenges for the Diocese. Further, based on the experience of other dioceses, the Diocese believes additional claims are likely to be made. If the number of claims expands as anticipated, the cumulative legal fees, administrative burdens, and potential liabilities will vastly exceed the Diocese's limited financial capacity. Without intervention through Chapter 11 bankruptcy protection, the Diocese would face financial collapse, threatening not only its ability to respond justly to Claimants but also jeopardizing its ministries, parishes, schools, and services to the poor, migrants, and vulnerable throughout West Texas.

27. Given these realities, the Diocese determined that it had no viable alternative but to seek the protections of Chapter 11. This process provides a structured path by which the Diocese may (i) equitably address all claims, (ii) provide fair and meaningful compensation for Claimants to the extent possible given available resources, and (iii) preserve the Church's essential ministries and charitable services for the people of the Diocese of El Paso.

PART V: THE DIOCESE'S GOALS IN BANKRUPTCY

28. **The Diocese does not seek Chapter 11 relief to avoid its responsibilities to Claimants.** Together with the United States Conference of Catholic Bishops, the Diocese of El

⁵ See <https://www.newmexicopbs.org/productions/newmexicoinfo/485m-foster-care-abuse-settlement/>; <https://www.yahoo.com/news/judge-cuts-44-million-verdict-030100165.html>.

Paso shares the “conviction that everything possible must be done to rid the Church of the scourge of the sexual abuse of minors and to open pathways to reconciliation and healing for those who were abused.” *Charter for the Protection of Children and Young People* (“Dallas Charter”) (rev. 2018).

29. Further, the Diocese is committed to uncovering the truth, promoting transparency, and assisting Claimants. Consistent with this commitment, on January 31, 2019, the Diocese released a comprehensive “List of Members of Clergy Credibly Accused of Sexual Abuse of Minors” in the Diocese of El Paso, covering allegations from 1950 through 2018. This work was the result of an extensive examination of diocesan files and investigative materials.

30. The review evaluated every clergy file for priests and religious who served in the Diocese since 1950, regardless of the Diocese’s shifting geographic boundaries before and after the 1982 creation of the Diocese of Las Cruces. The review encompassed more than 1,000 priests and religious priests and brothers who served in the Diocese during this period. Of these, 14 diocesan priests, 5 extern priests, 8 religious-order priests, and 3 religious brothers were determined to have credible allegations of childhood sex abuse against them. This means that those credibly accused represent between 2% and 3% of the priests and religious brothers who served in El Paso during the applicable time period. This percentage is less than what has been estimated in national studies involving the population as a whole. Nearly all alleged abuse allegations occurred decades ago— between 1956 and 1982—and most accused clergy are now deceased or long removed from ministry. The Diocese has not received any credible reports of clergy abuse of a minor in which the abuse is alleged to have occurred after 1998.

31. The Diocese is committed to recognizing, supporting, and helping Claimants. As reflected in the 2019 statement, the Diocese offers psychological therapy, access to the Bishop,

and personal accompaniment for Claimants. It also employs a victim assistance coordinator, Ms. Susan Martinez, who assists Claimants in making reports, securing psychological care, and obtaining support services.

32. The Diocese has implemented the Dallas Charter⁶. Since 1993, a Pastoral Response Committee—and, since 2002, the Diocesan Review Board—have investigated allegations. The Diocese mandates safe-environment training for clergy, employees, volunteers, and all children in Catholic Schools and religious-education programs. Beginning in 2014, the Diocese instituted the VIRTUS Safe Environment Program and hired a full-time Safe Environment Coordinator.

33. The Diocese remains unwavering in ensuring that sexual abusers of minors are held accountable. When an allegation is made, the Diocese reports all accusations as required by Texas law. The Diocese also cooperates fully with law enforcement in every case they investigate. After civil authorities make a charging decision, if he has not already been removed, the cleric is removed from ministry pending an independent ecclesiastical investigation paid for by the Diocese. Upon the Bishop's determination that the allegation is credible, the cleric is permanently removed from ministry and barred from returning to any form of ministry, and a further canonical process may ensue.

34. The Diocese has adopted a zero-tolerance policy for sexual abuse of a minor. All clergy, employees, and commissioned volunteers must complete VIRTUS training and a background check. Also, children in Catholic schools and parish programs receive age-appropriate instruction to help them recognize and report sexual abuse. Furthermore, background checks and

⁶ <https://www.usccb.org/resources/Charter-for-the-Protection-of-Children-and-Young-People-2018-final%281%29.pdf>

psychological screening are conducted for all candidates for priestly or diaconate formation and ordination.

35. In the period leading to this Chapter 11 filing, I instructed counsel for the Diocese to begin a dialogue with counsel for known potential claimants (the “**Ad Hoc Group**”) and other interested parties. My hope was that we could reach an agreement pre-Petition to resolve the issues that typically arise in diocesan bankruptcies. It has also been my hope that these discussions would assist abuse survivors in having better control over the process, less anxiety about the process, and a much quicker resolution of issues.

36. These discussions have been characterized by transparency and candor. The Diocese has voluntarily produced over eleven thousand pages of financial and abuse-related documents. In addition, the Diocese has agreed to compensate counsel for the Ad Hoc Group (“AHG”) of abuse survivors as well as a financial analyst retained by this counsel. I understand that these professional fees would have been owed under Chapter 11 rules and the Diocese has agreed to pay these fees as it works toward a final Plan of Reorganization.

37. The Diocese has explored several avenues for compensating Claimants. It has shared multiple years of financial audits, provided asset information, and conducted a comprehensive inventory of diocesan real property, procuring ownership reports where necessary.

38. All known insurance policies have been provided to the AHG. Based on available information and after conducting a comprehensive search, some policy years relevant to alleged abuse periods appear to be uninsured, or the relevant insurance policies have not yet been located despite diligent efforts.

39. The Diocese’s ongoing discussions with the AHG have led to agreement on many issues that will serve all parties well as this case commences. The parties have been further assisted

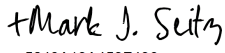
through mediation efforts by a retired U.S. bankruptcy judge for the Western District of Texas (Judge H. Christopher Mott, Retired).

40. From a practical perspective, the passage of time significantly complicates the Diocese's ability to investigate and respond to claims. Yet this same passage of time weighs heavily on today's clergy. Many priests grew up in the very era in which these abuses occurred and served as altar boys or were otherwise deeply involved in parish life as children. They have also had to provide ministry to sexual abuse victims in the general population (some studies show nationally 1 in 4 girls and 1 in 6 boys have been sexually abused by perpetrators outside the church). It is possible that some clergy now serving the Diocese are themselves survivors of childhood sexual abuse or have close family members or friends who were harmed during that period. As a result, current clergy must confront, as leaders, the consequences of abuse that they experienced during their formative years. Their commitment to transparency and healing is informed by personal understanding of the widespread harm caused by sexual abuse of minors in society.

41. Against this backdrop, on March 6, 2026, the Diocese filed for Chapter 11 protection. I made this decision with profound sorrow and remorse for the past and a firm conviction that bankruptcy is the only path to a just and equitable resolution. The Chapter 11 process will allow the Diocese to ensure fair compensation for Claimants, stabilize its financial condition, and preserve the Diocese's ongoing ministry to the people of West Texas and the border region, a ministry that it has been providing since 1914 and before.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: 3/6/2026
El Paso, Texas

Signed by:

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MOST REV. MARK J. SEITZ