

July 3, 1962

The Rev. Michael T. Neuberger

Milwaukee 12, Wisconsin

Dear Father Neuberger:

This letter is to inform you that you are herewith appointed Assistant at St. Philip Neri Parish, Milwaukee, effective Thursday, July 12th. You will kindly report on that date to the pastor, Father Ahler.

Under separate cover you will receive a signed copy of the Faculties of the Archdiocese.

May I again assure you that you are always most welcome to discuss any of your problems with me.

With the warmest of personal regards and wishing you God's choicest blessings in your priestly work, I am

Sincerely yours in Christ,

Most Reverend William E. Cousins  
Archbishop of Milwaukee

COPY

ADOM018540

June 19, 1964

The Reverend Michael T. Neuberger  
St. Philip Neri Parish

Milwaukee, Wisconsin 53218

Dear Father Neuberger:

By this letter I herewith transfer you from your position as curate at St. Philip Neri Parish, Milwaukee, and appoint you curate at St. Boniface Parish, Milwaukee, effective Wednesday, July 1st. You will kindly report on that date to the pastor, Father Kasper.

With the warmest of personal regards and wishing you God's choicest blessings in your new field of endeavor, I am

Sincerely yours in Christ,

Most Reverend William E. Cousins  
Archbishop of Milwaukee

COPY

ADOM018541

September 7, 1965

The Rev. Michael T. Neuberger  
St. Boniface Parish  
[REDACTED]  
Milwaukee, Wisconsin 53206

Dear Father Neuberger:

I hereby appoint you a part-time instructor of Religion at St. John's Cathedral High School for the coming scholastic year.

Please report to Sister Mary Ignatius, O.P., principal of Cathedral High School, as soon as possible.

With warm personal regards, I am

Sincerely yours in Christ,

Most Reverend William E. Cousins  
Archbishop of Milwaukee

COPY

ADOM018542

June 7, 1968

The Reverend Michael Neuberger  
St. Boniface Parish

Milwaukee, Wisconsin 53206

Dear Father Neuberger:

I am enclosing this covering letter with my letter officially transferring you from St. Boniface Parish to Messmer High School.

For the sake of preserving a deserved image of service to the parishioners of St. Boniface Parish, it would seem better if you were to remain there in residence. You are, of course, immediately relieved from any administrative duties or financial responsibilities. It is not expected that you become involved in strictly parochial affairs of any kind. In all fairness, your work at Messmer will demand full-time attention.

In the meantime, there will be undoubtedly those with whom you are presently dealing who will continue to come to you in matters of private counsel or in other types of guidance. It is not intended that you be severed from any such relationship, since it is all for the good of the Church and will redound to the credit of the aforementioned service we are trying to give the inner city. Any such personal tasks you take upon yourself I leave to your own good judgment.

With the warmest of personal regards, I am

Fraternally yours in Christ,

Most Reverend William E. Cousins  
Archbishop of Milwaukee

COPY

ADOM018545



August 6, 1970

C  
O  
P  
Y

Reverend Michael T. Neuberger ✓  
St. Gall Parish

████████████████████  
Milwaukee, Wisconsin 53212

Dear Father Neuberger:

Following the recommendation of the Personnel Board regarding your assignment, I herewith appoint you to "In Residence" at St. Gall Parish rectory, Milwaukee, effective August 1, 1970. You will kindly report to the Pastor Father William Whelan.

With the warmest of personal regards and wishing you God's choicest blessings, I am

Faternally Yours in Christ,

Most Reverend William E. Cousins  
Archbishop of Milwaukee

ADOM018546

ARCHDIOCESE  
OF MILWAUKEE

345 N. 19th Street, Milwaukee, Wisconsin 53226 • PH: 414, 476-2101

OFFICE OF THE ARCHBISHOP

August 28, 1972

✓ The Reverend Michael T. Neuberger

[REDACTED]  
Milwaukee, Wisconsin 53212

Dear Father Neuberger:

Some time ago, you agreed with Monsignor Beres to vacate the rectory building and facilities you are now using by August 31st of this year. This decision was based upon a verbal agreement allegedly made between Father Whelan and yourself. Though the parish was not obliged to honor such an unrecorded contract and though there was no record of payment of the entire rental sum as originally agreed upon, you were permitted to retain occupancy until the end of the current month.

Financial conditions existing at St. Gall and parish need for the property at [REDACTED] prompt this letter of reminder. I take it for granted that you have made other arrangements and that you will accede to this formal request to vacate the properties as of the above-mentioned date, August 31, 1972.

This in no way involves the Personnel Board, because the Board is not called upon to furnish residence for one who is not in the immediate service of the Archdiocese. This has already been explained to you in our private conversations and I am sure of your understanding.

With warm personal regards and relying upon your cooperation in this matter, I am

Fraternally yours in Christ,

*W. E. Cousins*

Most Reverend William E. Cousins,  
Archbishop of Milwaukee

*copy to [unclear]  
[unclear]  
[unclear] Richards*

ADOM018547

August 24, 1973

C  
O  
P  
Y  
Reverend Michael T. Neuberger ✓  
St. Michael Parish  
[REDACTED]  
Milwaukee, Wisconsin 53205

Dear Father Neuberger:

Following the recommendation of the Personnel Board regarding your assignment, I herewith appoint you to the Faculty of Thomas More High School, Milwaukee, effective immediately. You will kindly report to the Principal, Brother Daniel Sharpe, SM.

With the warmest of personal regards and wishing you God's choicest blessings, I am

Fraternally Yours in Christ,

Most Reverend William E. Cousins  
Archbishop of Milwaukee

ADOM018589

December 6, 1974

C  
O  
P  
Y

His Eminence  
Terence Cardinal Cooke  
Military Ordinariate  
1011 First Avenue  
New York, New York 10022

Your Eminence:

His Excellency, the Most Reverend William E. Cousins, is pleased to give permission to the Reverend Michael Neuberger, a priest of the Archdiocese of Milwaukee in good standing, to pursue the possibility of an appointment as a Reserve Chaplain in the military service.

Father Neuberger, 37, is over-age and so will need an age-requirement waiver from the services. He has, however, been given hope of a favorable decision because of the shortage of Reserve Chaplains in the locality.

With sentiments of esteem, and may your holiday season be filled with the peace of Christ.

Faternally yours in the Lord,

(Rev.) Robert G. Sampon  
Chancellor

RGS/ef

ADOM018590

April 8, 1978

The Reverend Michael T. Neuberger ✓  
Thomas More High School

[REDACTED]  
Milwaukee, Wisconsin 53207

Dear Father Neuberger:

Following the recommendation of the Personnel Board regarding your assignment, I herewith transfer you from your present position of Faculty, Thomas More High School, Milwaukee, and appoint you to the Catholic Campus Ministry, University of Wisconsin-Parkside. This appointment is effective immediately.

With the warmest of personal regards and wishing you God's choicest blessings, I am

Faternally yours in Christ,

Most Reverend Rembert G. Weakland, O.S.B.  
Archbishop of Milwaukee

ADOM018618

ARCHDIOCESE  
OF MILWAUKEE

3501 SOUTH LAKE DRIVE • P.O. Box 07912 • MILWAUKEE, WISCONSIN 53207-0912 • PHONE 414/769-3300

OFFICE OF THE ARCHBISHOP

February 18, 1994

[REDACTED]  
Waukesha, Wisconsin 53188

Dear [REDACTED]

Thanks for your letter and for your concern about Father Michael Neuberger. We certainly want to do what is right and just, as you mention in your letter; and have been proceeding a little cautiously to make sure that that is the way it will work out for everybody.

I have to take allegations seriously, especially when they are public lawsuits. It is not easy, I know, if they turn out to be false, to do the kind of vindication that is necessary. When the allegations are old, it is even more difficult, because so often they are thrown out of court on the basis of the expiration of the statute of limitations.

I can only say that we are trying to handle all of this correctly and request some very solid prayers for everybody involved. Thank you for taking time out to write your concerns.

Sincerely yours in the Lord,

*Rembert G. Weakland*

Most Reverend Rembert G. Weakland, O.S.B.  
Archbishop of Milwaukee

ADOM018647

ARCHDIOCESE  
OF MILWAUKEE

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SEP 06 1994

OFFICE OF THE ARCHBISHOP

September 2, 1994

Reverend Daniel Ward, OSB  
St. Gregory Abbey  
1900 West MacArthur Drive  
Shawnee, Oklahoma 74801

Dear Dan,

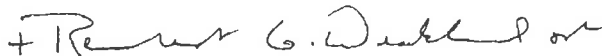
Let me take this opportunity to update you on where I believe we stand on the situation of Father Michael Neuberger. As you may be aware civil litigation is continuing against him. Mike continues to have difficulty in accepting my request that he submit his resignation as pastor of St. Catherine Parish.

I have informed him that he will not be reinstated nor considered for a ministerial assignment without long term evaluation and inpatient treatment. Mike bases his concern about resigning on his perception that his only claim to support is in his retention of the office of pastor. He will need to understand that support as canonically required will be ongoing regardless of his pastoral assignments. He will also need to recognize that his resignation has been requested to make matters easier on him. I am not averse to pursuing the process for removal of a pastor but would rather save him from that more public exposure. Perhaps as his advocate you can explain these matters to him once again.

I would request that you discuss these matters with Father Neuberger and respond to me by September 30, 1994 regarding his plans.

Thank you again for the canonical assistance you are providing our priests.

Sincerely in Christ,



Most Reverend Rembert G. Weakland, OSB  
Archbishop of Milwaukee

cc: Matthew J. Flynn  
Barbara Anne Cusack

ADOM018815

# ARCHDIOCESE OF MILWAUKEE

3501 S. Lake Drive • P.O. Box 07912 • Milwaukee, WI 53207-0912 • (414) 769-3300

Office of Auxiliary Bishop

October 29, 1993

OCT 29 1993

The Reverend Michael Neuberger

[REDACTED]  
Milwaukee, WI 53217-0416

Dear Father Neuberger:

As a result of our recent conversations, and at the suggestion of the Archbishop, I write to state more formally my request that you continue observing some discretion in the types of ministry to which you are devoting your time and energies. Pending some resolution of the legal matters currently under inquiry, I requested that you refrain from any unsupervised contact with minors and that you not accede to requests for individual counseling at this time.

I recognize that this is a very difficult moment and therefore I assure you of our desire to do everything possible to bring the matter to speedy resolution. You have obviously done much good work over the past three decades and have brought much wisdom and talent to the people of Saint Catherine's parish. You have my prayerful support during this time of discernment. May the Lord's wisdom be with us all.

Feel free to continue raising questions and concerns to the office of Father Thomas Venne as soon as he returns following his surgery. Your understanding and cooperation is deeply appreciated.

Sincerely in Christ,



Most Reverend Richard J. Sklba  
Auxiliary Bishop of Milwaukee



ADOM018841



ARCHDIOCESE  
OF MILWAUKEE

FILE COPY

NEUBERGER

3501 SOUTH LAKE DRIVE • P.O. BOX 2018 • MILWAUKEE, WISCONSIN 53201 • PHONE 414/769-3300

OFFICE OF THE AUXILIARY BISHOP

22 January, 1991

Dear Mike,

It was good to talk with you this afternoon. Enclosed please find the letter addressed to the Archbishop by Attorney Paul Reilly. My mind must be slipping because there is no indication of any written response to this letter. Len spoke with the man by phone, and it was handed over to me for further response as judged necessary. I now realize that I figured the phone call itself was adequate response and nothing further was required. Len probably said that he was only hearing one side of the story, and apologized for any misunderstanding, while affirming the good pastoral care you would normally bring to such inquiries. I never spoke with the man nor followed up with any correspondence; so whatever he said/heard came from that single telephone conversation with Len.

I look forward to talking about any other issues or common concerns later this Spring.

Sincerely,



P.S. Feel free to destroy this letter from Mr. [REDACTED] as you see fit. It certainly doesn't need to stay in any file.

P.P.S. I also recalled the conversation to which you alluded, but only after your comment. When you stop by, I can show you how I handled the matter for the records.

ADOM018845



# St. John Neumann Congregation

1 May 1982

Ch (COL) DAVID A SPEAR  
Division Chaplain  
84th DIV (TNG)  
4828 West Silver Spring Drive  
Milwaukee, WI 53218

Chaplain Spear,

I am deeply grateful for the opportunity and assistance you rendered me seven years ago in obtaining a commission in the United States Army Reserve. The years have been good, the experiences valuable. During those years my position as high school teacher, college chaplain, and associate pastor permitted me to participate fully in the program. Now, however, with my appointment as founding pastor of a new parish, these circumstances have changed. I have tried since last July to make adaptations that would facilitate my continued participation. They have not been effective. I perceive no change in the demands of my assignment in the foreseeable future, certainly not within the next decade.

I therefore, for the good of the service and the parish, respectfully request that you accept my resignation from the United States Army Reserve.

Sincerely,

  
Ch (CPT) Michael T Neuberger

Copies to:  
COMMANDER, 84TH TRAINING COMMAND 84TH DIV (TNG)  
VICAR OF PRIEST PERSONNEL, ARCHDIOCESE OF MILWAUKEE

WAUKESHA, WI 53187-0965 (TEL)

ADOM018854

642. Vicar -- Michael Neuberger

July 12, 2000 Vicar calls Paul Hartmann and urges that a letter be sent to Rome to learn of an update on the Michael Neuberger case. Nothing has been heard in more than 2 years. Paul should also notify them of the vindictive harassment perpetrated by Neuberger against one of our diocesan employees.

JFH

753. Vicar's Office - Michael Neuberger

- 1) August 30, 2000 Due to the fact that Community Health Insurance is being dropped by the diocese and that Michael Neuberger is currently covered under that policy, I tried to contact him today, but learned that his phone number in Waukesha was disconnected.
- 2) I conferred with Bishop Sklba about this on 8/31 and, after he referenced the item recently received from Mike, Bishop directed me to mail the insurance info to him at the Waukesha. address. I did so on 9/1/00.

KS

160. Mike Neuberger

February 21, 2002 Mike Neuberger phones Vicar's office to report he turns 65 on 5/15/02 and inquires about process for applying for early retirement for health reasons (he lists prostate & esophagus cancer, heart problems and spinal arthritis). He is informed that he needs a written letter from his doctor stating that early retirement is necessary for health reasons.

JFH

856. Neuberger, Michael

On November 13, 1992 Michael Neuberger called to say that a private investigator Norbert Kurczewski tried to make an appointment with him to discuss a personal matter without identifying himself. Mike knew the name because a friend of his contacted by Norbert informed him. Mike had talked to Matt Flynn, so was able to just refuse comment. He said if he hadn't talked to Matt he might have talked to Norbert. Mike was concerned that other priests be informed of the way the press and others are seeking information, especially with hidden mikes and cameras. On 11/12/92 I also received a note from Dick Sklba that he had received a phone call from a black gentleman who alleges inappropriate behavior on the part of Mike some 30 years ago. Atty. Anderson is actively seeking people to come forward. Dick informed Matt Flynn and Mike of the conversation.

RTV

✓ 717. Michael Neuberger

On November 25, 1992 I met with Michael who categorically denied any inappropriate contact with minors over the years. He described some of the incidents which had led to false allegations on the part of individuals from St. Boniface Parish in the past.

RJS

✓ 226. Michael Neuberger

On April 22, 1993 Attorney Matt Flynn called to report a lawsuit filed against Michael by [REDACTED] as a result of some activity in the 1960's with individuals who were allegedly legal adults at the time. No action will be taken until Tom Venne can become part of the conversation.

On April 23, 1993 Michael called to report the fact that he had not as yet received any information regarding the lawsuit, although someone gave him the file number for the material in the Court House. I advised him that we should retain the status quo until we have more information.

RJS

✓ 250. Michael Neuberger

On April 28, 1993 Mike called to express his willingness to seek an evaluation if this might be of assistance to the Archdiocese at this time. I shared the general response of the Archbishop to the development and also reported Mike's willingness to Tom Venne later that same day.

RJS

**REDACTED**

**Alleged victim--** [REDACTED]

On August 5, 1997, the court interviewed Father William Stanfield, a priest of the Archdiocese of Milwaukee. Father Stanfield was ordained in 1976. Under oath, Father Stanfield testified that he was assigned to St. Boniface Parish in 1988 and 1989. During his tenure at St. Boniface a man by the name of [REDACTED] who appeared to be in his mid-30s, asked to see him." Father Stanfield confirmed to the court that the conversation with [REDACTED] was not in the context of confession. The presenting issue was that [REDACTED] had listened to a broadcast talk show where there was a discussion with people who had been sexually abused. After hearing this program, he decided that "he wanted to get some peace within himself for what had happened."

Father Stanfield testified that in this conversation with [REDACTED] that he ([REDACTED]) told him that Father Neuberger had sexually abused him on a number of occasions when he was a young boy at St. Boniface. When Father Stanfield was asked about the approximate age when the sexual contact occurred, he stated that he had the distinct impression that [REDACTED] was under the age of 16 at the time of the sexual contact. Father Stanfield also stated that [REDACTED] related to him his belief that other boys were also having sexual contact with Neuberger.

With the permission of [REDACTED] Father Stanfield then contacted Bishop Richard Sklba, Auxiliary Bishop of Milwaukee and Vicar for Clergy to inform him of the allegations of sexual contact.

On August 30, 1997, Bishop Sklba sent a letter to the presiding judge to answer several questions that had been submitted to him in writing (see number 3 of the September 10, 1997 decree placing documents and testimonials into the Acts) . Bishop Sklba states in his testimonial that on Wednesday, January 18, 1989, he met with Father Neuberger to discuss an allegation of sexual misconduct. Bishop Sklba asked Father Neuberger to seek spiritual direction and possibly professional counseling.

On September 10, 1997, the Promoter of Justice, Rev. Philip Reifenberg, contacted [REDACTED] by phone. In a relatio to the court on September 10, 1997, Father Reifenberg testified that [REDACTED] stated to him that he was abused by Father Neuberger when he was an altar boy. [REDACTED] stated that the abuse would begin with confession in Father Neuberger's bedroom. After going to confession, the "discussion" would continue in the bedroom.

On September 10, 1997, Dr. Elizabeth Piasecki, Psy.D. also called [REDACTED] at the request of the Reverend Promoter of Justice (see number 5 of the November 3, 1997 decree placing documents and testimonials into the Acts). In a testimonial to the court (dated October 20, 1997), Dr. Piasecki reported that [REDACTED] stated to her that Father Neuberger had a house at St. Boniface Parish where young males lived [REDACTED] stated that he was sexually abused in the context of sacramental confession on many occasions. He recalled this happening when he was in his late teens or early 20's and would go to face to face confession in Father Neuberger's bedroom. Confession would end with Father Neuberger making sexual contact with him. This reportedly happened on "many" occasions.

Sept. 5, 1996

Fr. Michael Neuberger:

1. [REDACTED] (Court of Appeals) Complained to Bishop Sklba directly in 11/92 (?), claiming he was 13 when he had sex with Neuberger. Neuberger denies [REDACTED] was a minor. Admits to at least four incidents with [REDACTED] as an adult. [REDACTED] [REDACTED] Last contact with Neuberger was Aug. 1991.
2. [REDACTED] (Dismissed; Jeff Anderson client), first cousin to [REDACTED] [REDACTED] Lived with Neuberger at St. Boniface for a period of time in the [REDACTED] house. Sexual contact may be related to confessional practice. Neuberger last talked to him in 1989.
3. [REDACTED] (Court of Appeals)
4. [REDACTED] (also reportedly a victim of Lisienewski); from St. Joseph's Orphanage
5. [REDACTED] (met in 1962 while at St. Philip Neri; [REDACTED] and his brother [REDACTED] [REDACTED] "hung around" with Neuberger. Neuberger had oral sex with [REDACTED] following [REDACTED] confession. [REDACTED] spoke to Neuberger about sexual incident in 1986. [REDACTED] told mother and wife about sexual behavior with Neuberger in 1974. Told Neuberger he regretted telling them. Also Neuberger says [REDACTED] told him that [REDACTED] [REDACTED] [REDACTED] at St. Mary's in Waukesha.
6. [REDACTED] Unknown if sexual contact occurred: He is the one who notified Neuberger when Jeff Anderson's PI contacted him.
7. [REDACTED] also from St. Boniface. Not sure if sexual contact occurred. Friend of [REDACTED]
8. [REDACTED] (Circuit Court): Neuberger denies. Says he was not involved with anyone "white" after [REDACTED]

ADOM019023

9. [REDACTED] student at [REDACTED]; Neuberger admits to sex with him as a minor. Happened "a couple of different times." First time related to the confessional. Still friendly with Neuberger. Works at [REDACTED] Knows about lawsuits. He informed Neuberger that [REDACTED] and [REDACTED] were going to sue. [REDACTED] is heterosexual. [REDACTED]

10. [REDACTED] student at [REDACTED]

11. [REDACTED] student at [REDACTED]

12. [REDACTED] student at [REDACTED] (1970-72?) moved into St. Gall with Neuberger; [REDACTED]

13. [REDACTED] Moved in after [REDACTED] moved out; sexual contacts, 19 or 20 years old at the time according to Neuberger

\*\* = "Gang of 6" from St. Boniface; Neuberger's "family."

14. [REDACTED] called Neuberger after lawsuits filed.

15. [REDACTED] student at [REDACTED]; sexual contact allegedly initiated by [REDACTED] according to Neuberger. [REDACTED] told Bill Stanfield who told Neuberger to get in touch with [REDACTED] "because he has a lot of respect for you." Sklba got letter from his parents in 1981??

16. [REDACTED] altar boy at St. Dominic in Sheboygan (1980). [REDACTED] Parents notified.

Clarify with Bishop Sklba who spoke with him about Neuberger or wrote. Bill Stanfield reportedly also spoke with Sklba about Neuberger and Sklba called Neuberger in according to Neuberger.

Stanfield (according to Neuberger) told Sklba that a man told Stanfield had had a sexual relationship with Michael Neuberger.

10/30/93

CHRONOLOGY

Michael Neuberger  
DOB: 05/15/37

**Minor Seminary (college):** Took [redacted] and [redacted] ages 6 and 7, overnight to family home. From Martin dePorres day camp. Slept in same bed with [redacted] Denies sexual contact.

**Major Seminary: 2 incidents of minors in bed with him**  
Children from St. Joseph's Orphanage

1. [redacted] (age 12-13) climbed into upper bunk with MN on camping trip. Stayed a while, snuggled. MN : denies other sexual contact but found incident pleasant.

2. 6 months before ordination: took [redacted] <sup>uqg</sup> from orphanage to Minneapolis. Slept in same bed. Woke up to find child masturbating him. Says he removed child's hand. [ MN says another child told him that the child had seen [redacted] having sex with [redacted]

MN stayed with [redacted] for the month after ordination but prior to assignment.

[redacted]

Summer of 1963: Houseboat trip on Wolf River. Took "3 or 4" high school kids. Shared a bed "with somebody." Group "depantsed" one guy. MN painted tic-tac-toe on child's backside. Says kid was resistive.

Other overnights with kids. Slept in same bed with them. Slept in hearse with kids. Denies sexual contact.

**St. Boniface:**

Group of 6 black minors: "his family"

[redacted] -- [redacted]

--Admits to sex with [redacted] as a minor --"a couple of dozen times"

-- Admits to sex with [redacted] but as an adult. [redacted]

-- Admits to sex with [redacted] 1969-70: at least four incidents. Claims [redacted] was an adult.

-- Admits to sex with [redacted] following [redacted] confession. Claims [redacted] was an adult. [redacted] reported to Eugene Bleidorn.

CONFIDENTIAL

ADOM019025



- Admits to inviting kids out of the confessional to discuss confession if sexual issues were part of confession.
- Admits to a sex education role: conducted in his bedroom. Re: Cleanliness if uncircumcised. Having sex before dating so boys could "last longer" when having sex later in the day with girlfriends.
- Admits minor exposed self to MN to ask if minor had venereal disease
- Admits to minor showing him his "rear end". MN "found worms"
- Admits to minors staying overnight many times.

**Messmer High School:**

Asked to resign by Paul Esser. Incident of white girl having sexual contact with black boy in a closet. She told MN. He told boy to leave her alone. Girl complained of rape 3 months later. Parents called police. Esser to MN: why didn't you tell me? MN testifies in court and charges dismissed.

**In Residence: ST. Gall's**

Others of gang of 6 from Boniface move in.

**High School:**

tells wife and mother about sexual behavior with MN

Admits to incident with minor, in 1977. Drank beer and smoked pot with him.

1977: Starts frequenting Juneau Park and having sex in the bushes

**CAMPUS Ministry: Parkside**

Had five foster children living with him. All 16 or 17. Denies having sex with any of them.

**St. Francis DeSales: Lake Geneva**

tells MN that Bill Effinger molested their son  
(Fall of '79)  
Denies sex with anybody in Lake Geneva. Asked to be reassigned after difficulties with

**St. Dominic Sheboygan**

There one year

Has group of 4 minors:  
(brothers) Denies sex. Group comes to visit him in Waukesha and stays overnight for several days at a time.

Hangs out in the steam room and the sauna at the Y in Sheboygan.

Picks up hitchhikers to have sex with him.

**St. John Neumann**

[REDACTED]

Frequents gay bars with classmate.

Cruises along Water Street, 1st and 2nd Streets: picks up prostitutes (hitchhikers) for sex. Claims it stopped four months ago.

Two longterm relationships: Originally sexual, now "platonic" . Started about 1982 . Still friends. One is now age 32; the other 27. One started "about 13 years ago, the other 3 or 4 years ago."

Has cruised in other cities (e.g. New York)

**St. Catherine of Siena:**

Denies sexual contact with anyone at parish. Cruising as noted above.

Definition of Celibacy: It has nothing to do with sex. It is a commitment to service.

Definition of Sex: Has nothing to do with orgasm. Is about relationships.

# ARCHDIOCESE OF MILWAUKEE

3501 S. Lake Drive • P.O. Box 07912 • Milwaukee, WI 53207-0912 • (414) 769-3300

Department for Parishes

Liz,

I think we'll have to  
plan to do something with  
John Neuman Parish as well  
as St. Catherine's in terms  
of "listening" sessions or  
whatever!

You probably already  
thought of this —  
Maurice

Let us go  
FORWARD



CELEBRATING  
150 YEARS  
ARCHDIOCESE OF MILWAUKEE

"Let us go  
forward  
on the road  
that has  
brought us  
to where  
we are"

PHILIPPIANS 3:16

ADOM019339

## ROUTING - REQUEST

Memo

To: Liz Piasecki

From: Maureen Gallagher *MB*

Re: St. Catherine's Granville - H  
November 9, 1093 regarding F  
absence.

### SUMMARY

1. I gave a brief rendering of fact  
in April and one in September and the  
this I entertained questions.

The questions and comments fell into the  
following categories:

1)anger at not knowing about the "sexual  
misconduct before reading it in the  
paper. (misconduct as noted in  
Bishop Sklba's letter was too vague  
and this angered the people. The  
parishioners did not know the  
consultants were at the parish  
during the Masses to give more  
information.)

2)comments and anger against the  
archdiocese that fall into the "why  
us again" category.

3)questions about why the  
archdiocese did not tell us when Fr.  
Mike was appointed that there were  
legal suits pending. Fr. Jeff spoke  
to this quite effectively.

4)questions and comments about how  
to talk to children and what is  
being done for them.

5)questions about when Fr. Mike will  
be back. Support was expressed by  
some for Mike's return and no  
support was expressed by others who  
would be afraid to have their  
children near him. The first  
opinion was much more prevalent.

6)There was a plea never to have  
priests with allegations appointed  
again to active parish duty until  
the allegations are cleared up.  
(Examples were given from the police

Please

- READ
- HANDLE
- APPROVE
- and
- FORWARD
- RETURN
- KEEP OR DISCARD
- REVIEW WITH ME

To Betty

Please copy &  
send to Archbishop,  
Bishop Sklba  
Tom Schneider

Date 11/11 completed MB From \_\_\_\_\_

force where officers are given "desk duty" until allegations are cleared up.)

2. My Conclusions:

1) I found "active listening" to their feelings to be effective in calming their fears and anger, etc.

2) St. Catherine's needs to be assigned a first rate pastor or administrator as soon as possible.

3) Next time when such letters are read or distributed at Mass diocesan resource people need to be on hand to clarify the "misconduct" part of the letter after Mass to anyone who desires more information. The resource people need to be introduced at the liturgies and parishioners need to be told where they can be found after Mass. Otherwise people perceive that we are not being truthful and trust becomes a problem. (Is it financial misconduct, etc???)

4) Priests with allegations pending should not be on active assignments in parishes. This is building a great deal of mistrust between parishes and the archdiocese.

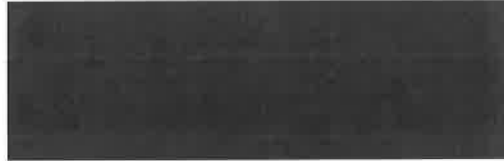
5) The people at St. Catherine's are hurt and angry but not hostile. They need to feel archdiocesan support.

copy: Noreen Welte and Eva Diaz  
John Norris and David Prothero



CATHOLIC  
CHARITIES  
of the Archdiocese  
of Milwaukee, Inc.

September 9, 1997



Dear Mr. 

I am writing on behalf of the Archdiocese of Milwaukee. I know that your lawsuit against the Archdiocese and Father Michael Neuberger has been dismissed. I am the person at the Archdiocese who helps victims of sexual abuse by priests. Even though you did not win in court, I would like to offer you an opportunity to tell us your story directly in the Church's trial against Father Neuberger so that the whole truth can come out about what happened to you. I also want to offer whatever assistance is necessary for you to put Father Neuberger in your past and achieve healing.

Archbishop Rembert Weakland is trying to remove Father Neuberger from the priesthood because of the behavior which you and others claim occurred. As you can imagine, Father Neuberger denies the claims against him. From what we know so far, we believe that you are telling the truth.

I would like to talk with you if I could. My number is 769-3436. Please call.

You are very welcome at the Archdiocese, no matter what your attorney may have told you. Please know that you are welcome to assistance through my office in order to achieve the healing and justice you deserve.

Sincerely,



Elizaabeth C. Piasecki, PsyD.  
Director  
Project Benjamin  
Archdiocese of Milwaukee

3501 S. Lake Drive  
P.O. Box 07912  
Milwaukee,  
WI 53207-0912  
414/769-3400  
FAX 414/769-3428

Member  
Catholic Charities USA

ECP:saz

bcc: Father Tom Brundage



ADOM030194

January 1, 2004

COPY

Dear M

I write to you because you have experienced, firsthand, the pain caused by sexual abuse within the Church, and you courageously reported the abuse to the Archdiocese of Milwaukee. No words can apologize sufficiently for your experience, but I will continue to try by saying again how sorry I am. Knowing that no remedies can adequately address the harm done, I still want to make you aware of a variety of services available to you and intended to assist in your healing.

Dispute resolution services to address your unique needs for recovery will become available in mid-January. Eva Soeka, a nationally known expert in dispute resolution systems, is creating a process independent of the Church that will make use of the best mediators in the area. I continue to believe that this initiative represents the best way for us to meet together about your situation and provide assistance. More details and information about how to enter into this process will be available in mid-January. At this time, I ask you to start considering if this might be the right next step for you.

Catholic Charities is also offering a new support group in Milwaukee for adult survivors of childhood sexual abuse. This group will offer a faith-based perspective, and is meant to supplement other support groups available in the area. A flyer is enclosed.

Financial assistance with psychotherapy also remains available. To access this, or for other questions about our services, please contact Dr. Barbara Reinke in our office for Sexual Abuse Prevention and Response Services (414-769-3436 or [reinkeb@archmil.org](mailto:reinkeb@archmil.org)). Also enclosed is a brochure about our policies and procedures when a report is made.

I continue to meet privately with those victim-survivors who find that helpful. Please contact me at 414-769-3496 if you would like to arrange such a meeting. We have also arranged for several priests, sisters and lay ministers, who are professionally-trained in providing spiritual direction, to be available. If you would like to speak with one of them, please contact Barbara Anne Cusack, my delegate for sexual abuse issues, at 414-769-3341.

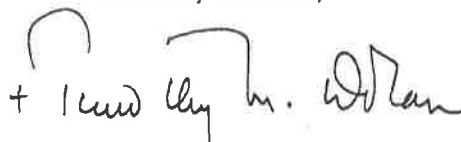
It is also important for me to communicate with you about our efforts to prevent clergy sexual abuse in the future. Our *Code of Ethics* makes it clear that no such behavior is to be tolerated within ministry. Our *Mandatory Reporting Responsibility* policy specifies that any employee or volunteer working in our parishes and schools must report any suspicion of abuse. In addition, all adult staff, and volunteers who work with children are required to participate in training to enhance awareness of childhood sexual abuse.

One final thing: if you would prefer not to have further contact from me or from any Church representative, please let us know using the enclosed return letter and pre-stamped envelope.

Much more remains to be done, and we welcome your suggestions. You can use the enclosed response letter and envelope for that purpose as well.

Please know that I am concerned about you and I pray for you. I apologize for the past misdeeds and wish to restore your wholeness as best we can.

Faithfully in Christ,

A handwritten signature in black ink, appearing to read "Timothy M. Dolan". The signature is written in a cursive style with a cross at the beginning.

Most Reverend Timothy M. Dolan  
Archbishop of Milwaukee



**SETTLEMENT AND PIERRINGER  
RELEASE AGREEMENT**

This Settlement and Pierringer Release Agreement (hereafter "Agreement") is made by and between [REDACTED] (hereafter sometimes referred to as "claimant"), St. Boniface Congregation, (hereafter "St. Boniface") and the Roman Catholic Archdiocese of Milwaukee (hereafter "Archdiocese"), and all of its affiliated entities.

WHEREAS, the claimant alleges certain claims against St. Boniface and the Archdiocese, arising from certain sexual abuse of [REDACTED] by Michael Neuberger commencing in or about 1968 and continuing for a period of time thereafter; and

WHEREAS, the claimant further alleges that the Archdiocese and St. Boniface may be liable for the actions of Michael Neuberger that give rise to the alleged claims; and

WHEREAS, St. Boniface and the Archdiocese deny the claimant's claims, and there is a dispute between the parties; and

WHEREAS, the parties to this Agreement wish to settle and compromise all claims of the claimant against St. Boniface and the Roman Catholic Archdiocese of Milwaukee, and all of the Archdiocese's and St. Boniface's employees, agents, officers, directors and assigns and affiliated and successor corporations, including, without limitation, all members of the Roman Catholic

clergy and all parishes, schools and religious orders, and any person or entity affiliated with the Roman Catholic Church in the territory of the Archdiocese of Milwaukee, arising from the sexual abuse of [REDACTED] by Michael Neuberger without the necessity of formal litigation and expense, and all parties wish to generally release one another from all liability for any claims that may exist to the date of the signing of this Settlement Agreement, consistent with the principles of Pierringer v. Hoger, 21 Wis. 2d 182, 124 N.W.2d 106 (1963) and its progeny, including, but not limited to, any claims for sexual abuse of [REDACTED] by Michael Neuberger;

NOW, THEREFORE, in consideration of the mutual promises herein provided and other valuable consideration, receipt of which is hereby acknowledged, the parties to this Agreement hereby agree as follows:

1. St. Boniface and the Archdiocese jointly agree to pay to the claimant by check the total sum of \$15,000.00 receipt of which is hereby acknowledged. All parties will bear their own costs and attorneys' fees associated with this settlement.

2. In return for the payment in paragraph 1, above, and for the mutual promises contained herein, and for other good and valuable consideration, receipt of which is hereby acknowledged,

██████████ agrees to release and forever discharge St. Boniface and the Roman Catholic Archdiocese of Milwaukee, and all of the Archdiocese's and St. Boniface's employees, agents, officers, directors and assigns, and affiliated and successor corporations, including, without limitation, all members of the Roman Catholic clergy, and all parishes and schools, and any person or entity affiliated with the Roman Catholic Church in the territory of the Archdiocese of Milwaukee from, and covenants not to sue them for, all claims, causes of action, charges, and demands, whether in tort, contract, loss of society and companionship, derivative or otherwise, of any nature that he may have had at any time up to and including the date of signing of this Settlement Agreement, including without limitation any claim of any nature arising from any assault, injury, whether physical or mental, or any other activity by Michael Neuberger or anybody else at St. Boniface.

3. It is hereby understood and agreed that this agreement is intended to constitute a full and final release by ██████████ of all his claims of any nature against St. Boniface and the Archdiocese. Pursuant to this agreement, St. Boniface and the Archdiocese are, and shall in the future be, discharged from any and all liability whatsoever, including, without limitation,

liability for contribution to and/or indemnification of any other person.

4. By this agreement, [REDACTED] hereby covenants and agrees to indemnify and hold the Archdiocese and St. Boniface harmless of and from any future or further exposure or payment with reference to the matters set forth in this agreement, including, but not limited to any litigation, claim or settlement which may hereafter be instituted, presented or effected by or on behalf of the claimant or any other person, or by any person seeking contribution, subrogation or indemnification in connection therewith. It is understood that the intent of this agreement is that [REDACTED] will protect and hold St. Boniface and the Archdiocese harmless from any future or further payments or exposure with regard to the matters addressed in this agreement, and [REDACTED] agrees to credit and if necessary to satisfy that portion or percentage of the total damages, if any, which may have been caused by St. Boniface and/or the Archdiocese, as such may be determined in any litigation, claim or settlement which may hereafter be instituted in connection with the matters addressed in this agreement. In the event that [REDACTED] fails to immediately satisfy any such judgment to such extent, [REDACTED] agrees that upon filing a copy of this release, without further notice, an

order may be entered directing the clerk thereof to satisfy said judgment to the extent recited above.

5. St. Boniface and the Archdiocese hereby release and forever discharge the claimant from all claims, demands, and causes of action of any nature that were in existence up to and including the date of the signing of this Settlement Agreement.

6. As a condition precedent to the payment of the sum set out in paragraph 1, [REDACTED] hereby agrees not to disclose to any third-party, including, without limitation, any newspaper, any electronic media, any reporters, and any other individual, or to release for publicity any of the allegations which have been made against St. Boniface and the Archdiocese of Milwaukee, or the terms of this Agreement. The terms of this agreement relating to confidentiality do not apply to any disclosures made to [REDACTED] [REDACTED] therapist, attorney, support person (as that term is used in AODA treatment) or close friends or relatives. The claimant understands and agrees that the confidentiality and secrecy required in this Agreement are material considerations for the payments to be made pursuant to this Agreement.

7. The parties agree that this agreement is not an admission of liability on the part of any party.

8. [REDACTED] DECLARES THAT HE HAS READ THE FOREGOING AGREEMENT, AND FULLY UNDERSTANDS ITS TERMS. [REDACTED] FURTHER DECLARES THAT HE HAS OBTAINED PROFESSIONAL COUNSELING FOR THE INJURIES ALLEGED AND UNDERSTANDS THEIR IMPACT ON HIM; AND [REDACTED] DECLARES THAT HE VOLUNTARILY ACCEPTS THE TERMS AND SUM OF MONEY UNDER THIS AGREEMENT FOR THE PURPOSE OF MAKING A FULL AND FINAL COMPROMISE, ADJUSTMENT AND SETTLEMENT OF ALL CLAIMS AS DESCRIBED ABOVE.

9. In witness of this Agreement, we have hereunto set our hands on the dates respectively indicated.

[REDACTED]  
Date: Oct 15<sup>th</sup> 1997

IN PRESENCE OF:

Eugene C. Pisani, Esq.

ROMAN CATHOLIC ARCHDIOCESE OF MILWAUKEE

By: Thomas F. Kerstein  
Fr. Thomas F. Kerstein

IN PRESENCE OF:

Kathleen Schweich

Date: October 27, 1997

ST. BONIFACE CONGREGATION

By: Bruce A. [Signature]  
Date: 10-22-97

IN PRESENCE OF:

Kathleen Schweich

ARCHDIOCESE  OF MILWAUKEE  
OFFICE OF THE ARCHBISHOP

July 8, 2004

PERSONAL AND CONFIDENTIAL



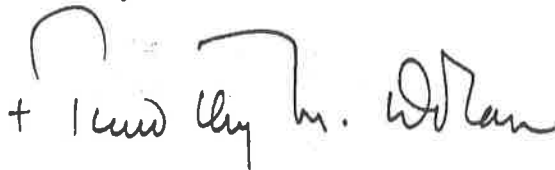
Dear Mr 

In line with the assurances given in the Charter for the Protection of Children and Young People, I have authorized the release of the names of priests who are now or would have been restricted from all priestly ministries. These men can not celebrate the sacraments publicly or represent themselves as priests in any way.

This action will bring with it additional publicity. My concern is that the publicity may bring you, personally, additional anxiety, stress or other difficulties. If you need to talk to someone, please do so. If you would like to contact our office for Sexual Abuse Prevention and Response Services, please call 414-769-3436.

What happened to you was not your fault and should never have happened. For that, I apologize in the name of the Church. I hope our actions as a Church in the Archdiocese of Milwaukee and my actions as archbishop continue to provide for healing. Please know you remain in my prayers.

Faithfully in Christ,

A handwritten signature in black ink, appearing to read "Timothy M. Dolan".

The Most Reverend Timothy M. Dolan  
Archbishop of Milwaukee




May 14, 1997



Dear 

It is with great difficulty and sadness that I write this letter to you regarding the need to speak directly with you regarding the behavior which you may have seen and experienced with Fr. Michael Neuberger. I know this request may re-open a chapter of the past which you may well have wished to never speak of again. I understand and gently apologize to you both even as I write this letter.

Archbishop Weakland has initiated a canonical process seeking the dismissal of Fr. Neuberger from the clerical state because of allegations of serious misconduct and violations of Fr. Neuberger's priestly obligations. As you can well imagine, Fr. Neuberger is fiercely fighting this discipline against him. It has become imperative that the Archdiocese confirm the experiences firsthand which Fr. Neuberger initially reported to my team of evaluators and then denied as the consequences emerged. It would be easier for all of us to quit in this process and let things be as they are. However, the Archdiocese feels a strong obligation to continue because we cannot tolerate the thought and risk of any future harm to children or adolescents by Fr. Neuberger. Justice will not be served by ignoring his past offenses.

I don't wish to elaborate any further in this letter as I know there is a strong need for respect and privacy. I am leaving on vacation tomorrow and will return to my office after Memorial Day (414-769-3436). I will be in Las Vegas, however, on June 5th and 6th and would like to meet personally with both of you on one of those days. Please know that the Archdiocese also feels an obligation to offer you and your family whatever kind of assistance is necessary to heal any wounds which may either be long-standing or re-opened. I know from your mom,  that the both of you are very generous and kind people. We ask that your generosity extend one more time in the direction of the welfare of children and the welfare of the Church.

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P.O. Box 07912  
Milwaukee,  
WI 53207-0912  
414/769-3400  
FAX 414/769-3428

Member  
Catholic Charities USA



Please know that Fr. Neuberger is restrained from contacting you and that you will never be asked to see him or speak with him directly. Also, there is nothing public about the canonical process and all parties are sworn to confidentiality and secrecy.

Please call me (collect) at your convenience so we can discuss this further. Thanks

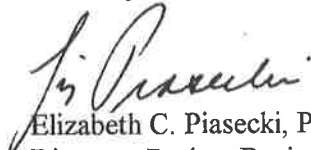
ADOM032582



so much for your help. Know that we will keep the needs of the both of you and your family in prayer.

God's peace.

Sincerely,

  
Elizabeth C. Piasecki, PsyD.  
Director, Project Benjamin  
Archdiocese of Milwaukee

**ADOM032583**



CATHOLIC  
CHARITIES  
of the Archdiocese  
of Milwaukee, Inc.

## MEETING WITH [REDACTED]

On June 5, 1997, Elizabeth Piasecki, PsyD., Coordinator of the Archdiocesan Response to Sexual Abuse, and Rev. Leonard Van Vlaenderen, Secretary to the Archbishop, met with [REDACTED] at 4:00 p.m. at Bishop Gorman High School in [REDACTED] to discuss the issues of prior sexual misconduct by Rev. Michael Neuberger involving the [REDACTED]. This was a two hour meeting. The following is what was reported to Dr. Piasecki and Fr. Van Vlaenderen by the [REDACTED].

The [REDACTED] initially met Fr. Michael Neuberger when [REDACTED] was a parishioner at St. Philip Neri Parish in Milwaukee. [REDACTED] had been an altar boy from grade school throughout high school and was involved in the youth program at St. Philip Neri. He recalled that Fr. Neuberger was "in competition" with Fr. Gerard Memmel for the attention of the youth. (Fr. Memmel is no longer an active priest, but the [REDACTED] have had some continuing contact with him in the past few years.) By "competition," [REDACTED] meant that the parish youth were naturally drawn to Fr. Memmel, whereas, Fr. Neuberger had to work at establishing acceptance and relationships with them.

[REDACTED] recalled that Fr. Neuberger used to "dip" into the parish collection funds to take some of the youth camping, fishing, and out to eat. He recalled that Fr. Ahler, the pastor at [REDACTED] used to argue with Fr. Neuberger over the money that was reportedly missing, and that on at least one occasion, Fr. Ahler withheld Fr. Neuberger's paycheck for this "dipping" behavior. [REDACTED] also recalled that on one occasion, Fr. Neuberger took him and three or four other boys on a tour of St. Francis Seminary, and then out to a steak house for dinner. This was impressive to [REDACTED] because he, like the others, was poor and was living in a housing project in Milwaukee's inner city.

[REDACTED] recalled that when Fr. Neuberger was reassigned to St. Boniface, he used to go there to see him and to assist with Fr. Neuberger's setting up of a youth program there. Both of the [REDACTED] were very involved in youth groups and the Legion of Mary, at the time. On at least one occasion, both [REDACTED] saw Fr. Neuberger serving alcohol to minors at St. Boniface. They described these minors as "real juvenile delinquents" and characterized his choice of involvement with the youth at St. Boniface as being with the most marginalized of kids.

[REDACTED] was sixteen at the time she became engaged to [REDACTED]. [REDACTED] described herself as being very religious as a child. She said that she was very opposed to pre-marital sex, and that [REDACTED] had been pushing for her to be sexually active with him. She refused. About the same time, she

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ADOM032584

██████████  
June 5, 1997

Page 2

heard from the ██████████ (a family that both she and ██████████ knew) that ██████████ was having sex with Fr. Neuberger. ██████████ had apparently told the ██████████ this, and they were blaming ██████████ that her refusal to engage in sexual relations with ██████████ was "pushing ██████████ into this." ██████████ agreed that he had spoken with these people about what was going on with Fr. Neuberger and himself. ██████████ also reported that ██████████ went "berserk and ballistic" when she heard the report from the ██████████. To this day, ██████████ reported that she feels guilty and hurt because "I thought I was the cause of it."

██████████ then left the room so ██████████ could speak alone about the sexual behaviors on the part of Fr. Neuberger. ██████████ reported the following:

██████████ recalled four incidents of sexual abuse by Fr. Neuberger. Three were characterized as "oral sex" and a fourth was characterized as attempted anal penetration by Fr. Neuberger on ██████████ person. ██████████ said he was about seventeen or eighteen at the time. ("I was naive and somewhat dumb at the time.") The incidents occurred in Fr. Neuberger's bedroom at the rectory at St. Boniface.

██████████ said, this was "not a love affair of any kind," but more like "experimentation." He cannot recall if the first occurrence was related to the confessional, as confession is no longer important to him. He did recall, however, that he had had conversations with Fr. Neuberger about ██████████ problem." On at least one occasion, the sexual contact started with Fr. Neuberger giving him ██████████ a back massage. The sexual contact finally stopped when ██████████ told Fr. Neuberger that he was not interested in it. ██████████ recalled that Fr. Neuberger did not mind stopping because he ██████████ had heard talk of Fr. Neuberger doing similar things with others at the parish. ██████████ also reported, that Fr. Neuberger himself told him that he (Fr. Neuberger) was engaged in all kinds of sexual experimentation including sex between two females and one male. This was reportedly going on in the "janitor's house." ██████████ said, "It was like Fr. Neuberger had discovered sex." "He (Neuberger) was like a kid in candy store and I was the gumdrop."

██████████ said, he ran into Fr. Neuberger when he was pumping gas and unassigned. ██████████ was under the impression that this was due to ██████████ reporting on Fr. Neuberger's behavior to the Chancery office. (██████████ had spoken to Fr. Memmel when she heard about the sexual behavior between ██████████ and Fr. Neuberger, both in the confessional and outside the confessional.

ADOM032585



  
ARCHDIOCESE OF MILWAUKEE  
OFFICE OF THE ARCHBISHOP

July 17, 1996

His Eminence, Joseph Cardinal Ratzinger  
Prefect, The Sacred Congregation for  
the Doctrine of the Faith  
00120 Vatican City State  
Europe

Your Eminence,

I am writing to inform you of two situations in which two priests of this Archdiocese have been accused of solicitation of a penitent so as to commit a sin against the sixth commandment of the Decalogue (c. 1387). The cases are completely unrelated and happened at very different points in time, but only recently have come to light. I now seek your counsel as to the procedure I should follow.

Shortly before I began my sabbatical on January 1, 1996, I directed my Vice Chancellor, the Reverend James E. Connell, J.C.D., to investigate the allegations that had been made against the two priests. Now, upon my return on July 1st, Father Connell informs me that in both cases sworn testimony has been given concerning the charges I mentioned above. Father Connell believes that the testimony has been given to the Church in good faith and must be taken seriously, and I concur.

The first case concerns the Reverend Lawrence C. Murphy, a priest whose only assignment was as Chaplain, and eventually Director, of Saint John School for the Deaf in Milwaukee from 1950 to 1974. According to the person who has given the sworn testimony concerning Father Murphy's use of the confessional to solicit sinful actions against the sixth commandment of the Decalogue, many other students were also victims of Father Murphy in this same manner, and we are now in the process of gathering additional testimony from some of these other persons. Although allegations against Father Murphy had been brought to my predecessor, allegations that resulted in a civil suit that was later dropped, this is the first that I had heard of the abuse of the confessional. I find that the deaf community tends to keep its problems and embarrassments to themselves, thus explaining the reluctance of these victims to bring forth allegations earlier.

Father Murphy was ordained a priest in May of 1950, began a leave of absence during September of 1974, and has never lived within the territory of the Archdiocese of Milwaukee during my years as Archbishop. Soon after I took office, I became aware that Father Murphy's leave of absence was due to sexual matters, but it was only less than one year ago when I learned of the possibility that solicitation in the confessional might be part of the situation. That is when I decided to have Father Connell conduct an investigation. My concern now is not simply for necessary justice, I am even more interested in a healing response from the Church to the deaf community within the Archdiocese so that their anger may be defused and their trust in ecclesiastical ministers be restored.

3501 South Lake Drive, P.O. Box 07912  
Milwaukee, WI 53207-0912 • (414)769-1497

ADOM038207

The second case concerns the Reverend Michael T. Neuberger, a priest who has had a variety of sexual and financial allegations brought against him in recent years. Dealing with Father Neuberger included a process to remove him from the office of pastor of a parish in Milwaukee. Also, suggestions came forth that Father might have used the confessional to solicit sinful actions against the sixth commandment of the Decalogue. Thus I decided to have Father Connell investigate this matter as well. As a result of Father Connell's investigation, sworn testimony has been obtained from three highly respected and credible persons that Father Neuberger admitted this crime to them, thus establishing an "extra-judicial" confession (cc. 1536, §2 and 1537). The three witnesses are a psychologist employed by the Catholic Social Services of the Archdiocese of Milwaukee and two licensed clinical social workers employed by the State of Wisconsin who specialize in the assessment and treatment of sex offenders. These witnesses proclaim under oath to Father Connell that during their discussions with Father Neuberger about the sexual allegations that had been made against him, Father in fact acknowledged a variety of crimes, including use of the confessional for the purpose of solicitation.

Furthermore, these three witnesses say that Father Neuberger made his admission (confessio) at a time when such an admission could not have been to his advantage and thus was not expected by the witnesses (tempore non suspecto). As a result, Father's admission surfaces as a confession actually made so as to tell the truth, rather than as a fabrication by Father so as to attain some advantage.

Let me also say that once I became aware of the possibility that both Father Murphy and Father Neuberger had committed the crime of solicitation (c. 1387), I discussed the particulars of the cases with my canonists and requested that they research what canonical process is appropriate, given the length of time since the crimes, or if this subject matter is reserved to the Sacred Congregation for the Doctrine of the Faith (c. 1362, §1, 1°), thus not under the norms of prescription presented in the Code of Canon Law. Now that the investigations have been conducted and the canonists have researched the issue, I have the understanding that this offense is under your jurisdiction. So I seek your counsel on how to proceed.

Finally, Your Eminence, while my comments in this letter have been very factual and legalistic in tone, please be assured that my primary concern is the spiritual well being of all the persons involved with these cases, and that includes Father Murphy and Father Neuberger.

Thank you for your assistance, and I have the honor to be, Your Eminence,

Sincerely yours in Christ,



Most Reverend Rembert G. Weakland, O.S.B.  
Archbishop of Milwaukee

ADOM038208

FINDINGS OF FACTS AND CONCLUSIONS

SEXUAL MISCONDUCT BY REVEREND MICHAEL NEUBERGER

AN ORDAINED PRIEST OF THE ARCHDIOCESE OF MILWAUKEE

At the request and direction of Archbishop Rembert G. Weakland, O.S.B., and with the consent and cooperation of Father Michael Neuberger and his personal legal counsel, a team of clinicians with expertise in sex offender issues convened a series of meetings in October, 1993, to ascertain the facts relating to the alleged sexual misconduct by Father Michael Neuberger against minors and others, the validity of claims made by three individuals in lawsuits filed in the civil courts of the State of Wisconsin, and to make recommendations regarding the risks of continuing Father Neuberger in active ministry within the Archdiocese of Milwaukee. Subsequent to the October, 1993 evaluation, a fourth individual filed a civil lawsuit in February, 1994, also alleging that he was sexually abused as a minor by Father Neuberger.

Dates of Evaluation Meetings:

Planning meeting:	October 15, 1993	3.5 hours (team only)
	October 20, 1993	4.5 hours (Father Neuberger present)
	October 28, 1993	5.5 hours (Father Neuberger present)
	October 30, 1993	8.0 hours (Father Neuberger present)

Summary and Conclusions Meeting: November 2, 1993 3.0 hours (team only)  
Total number of hours spent on the finding of facts and conclusions: 24.5 hours per team member.

EVALUATION TEAM MEMBERS:

**Elizabeth C. Piasecki, M.T.S., M.S., PsyD.:**

Dr. Piasecki is the Coordinator for the Archdiocesan Response to Sexual Abuse for the Archdiocese of Milwaukee. In that capacity, she coordinates, investigates, evaluates, and makes recommendations to Archbishop Rembert Weakland regarding all cases of sexual abuse and sexual misconduct by Church personnel (lay employees, volunteers, and clergy) which have been reported to the Archdiocese. She is a licensed clinical psychologist in the State of Wisconsin and is listed in the National Registry of Health Service Providers in Psychology. Dr. Piasecki is also a

clinical assistant professor at the University of Wisconsin Medical School where her duties include the supervision of psychiatry residents and psychology interns in psychological evaluation and psychotherapy.

Dr. Piasecki has a Masters Degree in Theological Studies from St. Francis Seminary in Milwaukee, a Masters of Science in Clinical Psychology from Marquette University in Milwaukee, and a Doctorate in Clinical Psychology from the Forest Institute of Professional Psychology in Wheeling, Illinois. Prior to assuming her duties at the Archdiocese, she was a full time practitioner of clinical psychology in private practice with expertise and experience in sexual abuse issues. She is a member of the American Psychological Association, the Wisconsin Psychological Association, and the Society of Behavioral Medicine. Dr. Piasecki is published and has presented her work at several international conferences including one at Oxford University, U.K.

██████████, M.S.W., A.C.S.W.:

██████████ is an independent clinical social worker licensed in the State of Wisconsin. He holds a Bachelor's Degree in Philosophy from Kilroe Seminary of the Sacred Heart, a Masters Degree in Social Work from the University of Wisconsin-Milwaukee and is fully credentialed by the Academy of Certified Social Workers. ██████████ has been employed by the State of Wisconsin since 1969. He has been a social services specialist with the State of Wisconsin Department of Corrections, Division of Probation and Parole since 1979. In that capacity, ██████████ was the supervisor of the sexual assault unit where he case managed, evaluated, and supervised thousands of sex offenders who came through the civil courts' justice systems. ██████████ has published a number of articles and given presentations and conducted training of others on sex offender issues. He was the editor of the Sex Offender Supervision Handbook for the Dept. of Corrections which set forth the guidelines for the supervision of all convicted sex offenders by probation and parole officers in the entire state of Wisconsin. He is a member of the American Association of Sex Educators, Counselors, and Therapists. ██████████ is also currently the chair of the Legal Defense Service for the National Association of Social Workers.

From 1988 to 1994, ██████████ was the co-chair of the statewide initiative that developed a department sex offender management program for the Department of Corrections. He currently is responsible for the purchase of services for the Department of Corrections, Division of Probation and Parole in the Milwaukee region. The services for which ██████████ is responsible include halfway houses, alcohol and other drug abuse treatment, and sex offender treatment.

██████████ is a former seminarian who was in preparation for the priesthood with the Priests of the Sacred Heart prior to his choice to leave religious community. ██████████



██████ has been a consultant for the Archdiocese of Milwaukee for the past three years on other cases of alleged sexual misconduct by clergy besides that of Father Neuberger, and is a member of the Archdiocesan Professional Review Committee which reviews the appropriateness of clinical treatment being provided to sexual abuse victims as well as perpetrators.

████████████████████, M.T.S., M.S.W., A.C.S.W., BCD:

██████ holds a Masters Degree in Theological Studies from St. Francis Seminary in Milwaukee and a Masters in Social Work Degree from the University of Wisconsin - Milwaukee. She is licensed as an independent clinical social worker by the State of Wisconsin. ████████ is a Diplomate in Clinical Social Work certified by both the American Board of Examiners in Clinical Social Work and the National Association of Social Workers' Clinical Register. ████████ is a Clinical Member of the International Association for the Treatment of Sexual Abusers (ATSA) and a member of the American Professional Society on the Abuse of Children (APSAC), the American Association of Sex Educators, Counselors, and Therapists (AASECT), the Society for the Scientific Study of Sex (Quad-S), and the Wisconsin Coalition Against Sexual Assault (WI-CASA). Ms. Walter has worked for the State of Wisconsin in the Department of Corrections, Division of Probation and Parole since 1974. She is currently the supervisor of a criminal sex offender unit for the Corrections Department where she manages, supervises, and evaluates more than a dozen state probation and parole agents whose sole task is working with individuals convicted of sex crimes. ████████ is the Corrections Department's primary trainer of agents, social workers, and clinical psychologists across the State of Wisconsin whose assignments are to work with sex offenders. In this capacity, she has trained over 200 Corrections staff statewide.

In addition, ████████ has consulted for the Archdiocese of Milwaukee on sex offender issues for the past seven years. She is a member of the Archdiocesan Professional Review Committee which reviews the appropriateness of treatment plans for victims and perpetrators. ████████ formerly served on the Board of Trustees for St. Francis Seminary and on the Archdiocesan Women's Commission. She has produced a number of publications and presentations on sex offender topics, including the topic of repentance and forgiveness of sex offenders.

Please note: All three members of this clinical team are practicing Catholics, have advanced training in Roman Catholic theological issues, and understand fully the differences between communications within the internal and external forums.

### PROCEDURES:

On October 14, 1993 following the filing of a third civil suit in the Circuit Courts of Milwaukee alleging sexual abuse of minors by Father Michael Neuberger, a

meeting was convened by Auxiliary Bishop Richard J. Sklba with the following individuals in attendance: Bishop Sklba, Dr. Elizabeth Piasecki, Matthew J. Flynn (Archdiocesan legal counsel from the law firm of Quarles and Brady), Father Michael Neuberger, and Ms. Judith Oberchuck (personal legal counsel for Father Neuberger from the firm of Atty. Gerald Boyle). Upon questioning of Father Neuberger regarding how many court cases in total might be filed against him, it became apparent that Father Neuberger by his own admission had a personal pattern over many years of his ministry in which he had any number of personal relationships of all kinds with minors, including the care of multiple foster children. It was the agreement of this group that Father Neuberger undergo a series of interviews and evaluation with a team of sex offender experts hired by the Archdiocese to further ascertain the facts of Father's involvement with children, the veracity of the claims made by the individuals who had already filed civil suits in the courts of Milwaukee alleging sexual misconduct against them as minors, and to come to an understanding of the scope of the problem which the Archdiocese might face because of Father Neuberger's sexual behavior.

Father Neuberger consented to that evaluation and requested a local process in Milwaukee, rather than being sent to a treatment facility for evaluation outside of the State of Wisconsin, because of his then current position as pastor at St. Catherine Parish in Granville and his unwillingness to leave his dog and home. Father Neuberger's personal legal counsel agreed to Father Neuberger's participation in the fact finding and evaluation process.

Subsequently, Dr. Piasecki, [REDACTED] met on October 15, 1993 to discuss the parameters of the evaluation of Father Neuberger. The nature and scope of the clinical interviewing were discussed, background information on Father Neuberger's assignment history was shared, and the information available on the civil suit cases was reviewed in preparation for meeting with Father Neuberger directly. In part, because it is a known fact within sex offender evaluation and treatment (and the common experience of the team members) that sex offenders deny, distort, omit, and lie about their behavior as the consequences emerge, the decision was made by the team that all three individuals would meet together with Father Neuberger so that there would be corroboration of his statements should there ever be the necessity for confrontation of his behavior and should Father subsequently detract what he had reported.

The procedure used was a series of clinical interviews which consisted of painstakingly detailed and concrete questions routinely asked in sex offender assessment work. While more traditional psychological assessments and evaluations are seen as discrete events, a sex offender assessment is better viewed as a process. The individual accused of sexual offending typically enters the interviewing and assessment process with strong defenses including minimization and frequently complete denial. Even the most experienced and thorough sex offender evaluators assume the initial results offer an incomplete picture of the

individual's scope of sexual behavior and events. Because of the amount of information already available to the evaluators from the number and nature of the civil suits filed against Father Neuberger, there was a very concrete place to begin the interviewing process. Father Neuberger freely offered information and answers to the questions posed of him. Despite the amount of information that was shared, it was the professional opinion of the three evaluators that what is reported in the following account is likely to be only a portion of the true scope of Father Neuberger's sexual activity over his life as a priest of the Archdiocese of Milwaukee. Had the team been able to talk directly with the alleged victims who have filed lawsuits, it is the opinion of the evaluation team that an even more complete picture of Father Neuberger's sexual activity would have emerged for this report. Victim interviews have been barred in those cases by the plaintiffs' civil attorneys. They would ordinarily be part of a sex offender evaluation and would make possible an even more precise account of relevant events.

On October 20, 1993, Dr. Piasecki, [REDACTED] met for the first time with Father Michael Neuberger. Father Neuberger was clearly informed once again that the purpose of the team's meeting with him was to ascertain the facts about Father Neuberger's sexual behavior history in as much detail as possible. It was made clear by each team member that this process was being done **for Archbishop Weakland and was in the external forum**. Further, Father Neuberger was told explicitly that any information which he provided would be attorney-client privileged as far as testimony in the civil law suits which had been filed against him in the courts of Milwaukee but would have no canonical protections. Father Neuberger was also explicitly told that the information which he provided to the team would be given to Archbishop Weakland for his information and use and that any information which Father Neuberger provided could be used canonically against him. In the presence of the three team members, Father Neuberger again gave his consent to the process and said that he understood the use of the information which he might provide.

Dr. Piasecki, [REDACTED] and Father Neuberger then met together on three separate occasions (October 20, 1993; October 28, 1993; October 30, 1993) for a total of 18 hours of interviewing and discussion. Copious notes were taken and Father Neuberger was asked to write his own sexual history in outline form for the meeting on October 28, 1993. That document is the subject of Appendix A to this report.

## FINDINGS OF FACT

Father Neuberger related the following information regarding his life, pastoral ministry, and sexual practices:

Father Neuberger was born on [REDACTED]. He has one sister. Father Neuberger's father of origin worked a factory job with frequent shift changes. Father Neuberger stated that he slept in a baby crib until he was age seven at which time he began sharing the bed with his father. Father Neuberger's mother of origin reportedly slept generally on a couch in the living room. There was no report by Father Neuberger that there was sexual abuse of any kind in his family of origin despite the relatively odd sleeping arrangements which he described. Father Neuberger could not recall that his parents touched each other or displayed any kind of marital affection.

Father Neuberger related that his first sexual experience was at age six with the girl next door who was two or three years older than himself. He reported that this girl asked him "to feel her up" on a number of occasions. Father Neuberger said that he told this girl, at one point, that he "couldn't do this anymore" because "I will be seven and it will be a sin." Father Neuberger told us that the girl's mother found out about the situation and that he experienced a "blackout" on what transpired next.

Father Neuberger then reported that he began masturbating when he was a seventh grader. He recalled one such incident in which he was reading a Donald Duck comic book as he was masturbating. As an eighth grader, Father Neuberger reported that he had one date with a girl "[REDACTED]" who was a year older than he was. That dating relationship was stopped by her father. In ninth grade, Father Neuberger had his first homosexual experience with several of his peer classmates. He recalled that at that age he was "introduced to oral sex in the middle of a public swimming pool" with further sexual activity occurring in that incident "in the bushes." Father Neuberger said that he then went to the home of "[REDACTED]" who was a year older than himself. [REDACTED] reportedly showed Father Neuberger how to perform oral sex (fellatio) on him. When asked about his reaction to [REDACTED]'s behavior and instructions, Father Neuberger reported to the evaluation team that "it wasn't unpleasant."

As an adolescent, Father Neuberger reported that he had developed a cycle of masturbation followed by confession of this behavior as sinful. When Father Neuberger was a junior at Messmer High School, he reported that he made a conscious decision to stop the cycle of masturbating and confessing his masturbation ("If I didn't stop, I was terrified that I couldn't go to the seminary.")

At the age of 17, after graduating from high school, Father Neuberger entered St. Francis Minor Seminary. He was a student at the minor seminary from 1954 to 1956. Father Neuberger said that for other seminarians, "it was common knowledge that I was naive about sex." When asked to explain that further, Father Neuberger said the others meant that he did not know that others were "coming on" to him.

Father Neuberger entered St. Francis Major Seminary in 1956, and was ordained to the priesthood in 1962. As a seminarian, Father Neuberger reported that there were two incidents in which he shared his bed with minor children. During his seminary training, Father Neuberger volunteered at St. Joseph's Orphanage which was run by Father Eldred Lisienewski, also a priest of the Archdiocese of Milwaukee (now deceased). Before Father Lisienewski's death, Father Lisienewski also was accused and the Archdiocese was civilly sued by individuals alleging that Father Lisienewski sexually abused them as minors while in his care at that orphanage. On an overnight outing with the children from the orphanage, Father Neuberger recalled that he allowed a 12 or 13 year old boy named [REDACTED] to climb into his upper bunk with him. Father Neuberger reported that the child stayed for awhile and left. Father Neuberger said that he found the incident "pleasant" although he denied becoming physically aroused or engaging in overt sexual conduct with this child.

Six months before ordination, in 1961, Father Neuberger took another 12 or 13 year old child from the orphanage, [REDACTED] on an overnight trip to Minneapolis. There they slept together in the same bed at Father Neuberger's grandfather's home. Prior to that trip to Minneapolis, Father Neuberger reported that he had been told by another youngster at the orphanage ([REDACTED]) that he saw Father Lisienewski having sex with [REDACTED]. Father Neuberger initially denied any sexual contact with [REDACTED]. Father Neuberger then did report, however, that he woke up in the middle of the night to find [REDACTED] allegedly masturbating him (Neuberger). Father Neuberger claimed that he took [REDACTED] hand off of his (Neuberger's) penis. Father Neuberger said that he was "very scared" and he "didn't know what to do." Father Neuberger said he himself was very erect, ejaculated, and experienced an orgasm after he removed [REDACTED] hand.

Father Neuberger worked summers during his major seminary years at day camps for children. He reported "I was always taking kids on trips." I gravitated to the ones who seemed to be picked on, left out." Father Neuberger met [REDACTED] who was a minor, at day camp. Father Neuberger later took [REDACTED] and another child, [REDACTED], on a trip to Chicago. He also reported that he took both of them to his family home prior to ordination and slept in the same bed with them as well ("There was only one bed in my home and my mother slept on the sofa." ) [REDACTED] were ages six or seven at the time.

[Parenthetical Note: [REDACTED] filed a lawsuit against Father Neuberger in February, 1994. He alleges that Father Neuberger engaged in "unpermitted and harmful sexual contact" with him when he was 17 years old and a parishioner of St. Boniface. Father Neuberger admitted in the October interviews, prior to the [REDACTED] lawsuit being filed, that [REDACTED] could allege that he (Neuberger) abused him "but it is not true." Fr Neuberger alleges that Catholic Social Services "forced" him to take [REDACTED] as a foster child and that [REDACTED] has been institutionalized as an adult for mental problems. There is no record or history



Father Neuberger was in the practice of letting [REDACTED] use his car for [REDACTED] social activities, but on this occasion, [REDACTED] had not borrowed the car, but had shown up at St. Boniface specifically for sacramental confession. According to Father Neuberger, [REDACTED] told him that he [REDACTED] had been "petting with his girlfriend", but she had stopped him from "going any farther." [REDACTED] reportedly, told Father Neuberger that he [REDACTED] was "horny." Father Neuberger reported that [REDACTED] went to confession to Father Neuberger. In the context of that confession, Father Neuberger reported, on that same night, "one thing led to another," resulting in Father Neuberger taking [REDACTED] up to the Father Neuberger's bedroom where they engaged in mutual fellatio side by side (6/9). In retrospect, Father Neuberger said that he could see the attraction that was building up in him for [REDACTED] and that he found the confessional conversation personally sexually arousing. Father Neuberger claimed that this incident with [REDACTED] was the first time that he (Neuberger) had had sex since June, 1953. He said that the incident was not "planned or intended by either side." Father Neuberger described himself as a "reconstituted virgin" at the time of the incident. He said the confessional incident with [REDACTED] "opened up an area in me."

Father Neuberger said there were other times after that which involved genital contact with [REDACTED] but he described them as "non-sexual." ("Every touch of a body is not sexual. You can touch the genitals non-sexually.") Father Neuberger reported to the evaluators that in December, 1965, [REDACTED] went to another priest for confession about his sexual activity with Father Neuberger and that priest told [REDACTED] to report the behavior to Father Neuberger's pastor, Father Eugene Bleidorn (no longer an active priest). Father Neuberger said that [REDACTED] reported the behavior to Father Bleidorn who confronted Father Neuberger. Father Neuberger claims that Father Bleidorn, at the time, told him that "society is not ready for this." [REDACTED]

On Father Neuberger's written sexual history outline, he listed his sexual involvement with [REDACTED] as having spanned the months of June to September, 1965. This was distinguished from his first verbalization of a time span of two months (September-December, 1965.) Father Neuberger reported that [REDACTED] later told his [REDACTED] mother and wife about the sexual behavior with Father Neuberger. Father Neuberger claimed that later, while Father Neuberger was unassigned (1970-72) and had a job pumping gas, that [REDACTED] told him that he regretted telling his wife and mother. On another occasion, in 1986, at the wake of Father Neuberger's mother, Father Neuberger reported that [REDACTED] came to the funeral parlor, and once again, discussed with Father Neuberger the sexual contact that had occurred between the two of them. Father Neuberger said that [REDACTED] [REDACTED]. He denied any current sexual contact with [REDACTED]

It was at St. Boniface Parish that Father Neuberger became involved with six African-American minor males that he called "his family." Among this group of six were [REDACTED] ([REDACTED] who filed a civil suit against Father Neuberger alleging sexual abuse by him when [REDACTED] was a minor), [REDACTED]

[REDACTED] Because there were so many minors "hanging around" the rectory which disturbed the others who lived there, Father Neuberger relocated his residence to the janitor's house which was also on the St. Boniface property. It was during his assignment at St. Boniface, and following the [REDACTED] confessional incident and sexual activity, that Father Neuberger said he began a confessional practice of inviting penitents out of the confessional to speak with him afterwards and directly about the material that had been shared under the sacramental seal. Father Neuberger said that it was his approach, if sexual issues were part of confession, to not take a "punitive approach", but rather to be more understanding and to take on a personal sexual education role for those confessing these sins. This was particularly true for young males who confessed masturbation. Father Neuberger described his "sex education" as giving advice, including hands-on instruction, for example, on how to maintain cleanliness if the individual was uncircumcised, on not engaging in sexual intercourse if the woman was not moist, and advising boys to masturbate earlier in day so they could "last longer" when having sex later in the day with their girlfriends.

Other examples of "non-sexual" behaviors which were offered by Father Neuberger, included inviting a minor male to his bedroom where Father Neuberger examined the minor's penis to check for venereal diseases. Another occasion, also involved a minor male in Father Neuberger's bedroom exposing his "rear end" where Father Neuberger reported that he found "ring worms." Father Neuberger admitted to the evaluators that "deep down I was getting excited" by hearing the confessions of those who reported sexual sins and that he didn't know how to react to his own arousal. His choice and decision was to solicit further contact from the confessional for his own personal sexual gratification and titillation with the rationalization that he was engaging in sex education.

Father Neuberger was not clear on the circumstances under which he first met [REDACTED] was a "[REDACTED]" ([REDACTED] student at North Division High School in Milwaukee. [REDACTED] was reportedly older than the rest of the group of six. Father Neuberger said he "felt special" in taking care of [REDACTED] because of his [REDACTED]. Father Neuberger said that, at one point, [REDACTED] was not attending school and he recalls that he (Neuberger) went with [REDACTED]s mother to the school to straighten the situation out. Father Neuberger admitted to sexual contact with [REDACTED] Father Neuberger stated that this sexual contact began by instructing [REDACTED] who was uncircumcised, to clean under his foreskin. Father Neuberger claimed that he first described how to do this cleaning to [REDACTED] Father Neuberger claims that [REDACTED] then told him (Neuberger): "You do it." Father Neuberger claims that he



then did cleanse [REDACTED] penis. Father Neuberger said that after several moments of this, [REDACTED] ejaculated. Father Neuberger claimed that he, himself, was startled and was told by [REDACTED] "Isn't that what you wanted?" [REDACTED] had interpreted Father Neuberger's behavior in this incident as sexual.

Later, [REDACTED] began to stay overnight at the janitor's house with Father Neuberger. Father Neuberger reported that the two of them slept together in Father Neuberger's bed, that Father Neuberger fed [REDACTED] washed his clothes, and did his hair. Father Neuberger recalled that one night, [REDACTED] placed his hand on Father Neuberger's penis and asked "Do you want to race?" Father Neuberger said that he then placed his hand on [REDACTED] penis and they engaged in mutual masturbation. According to Father Neuberger, he (Neuberger) ejaculated first. This "race" occurred, according to Father Neuberger, "six to twelve" more times over a six month period in 1965, and ended because [REDACTED] eventually lost interest in the scenario, because [REDACTED] always lost. (Father Neuberger always ejaculated first).

Sometime in 1966, after the janitor's house was remodeled, [REDACTED] moved in to live with Father Neuberger. At one point in this arrangement, [REDACTED] had his own bedroom. Father Neuberger admitted that in one instance, he went to [REDACTED] bedroom and masturbated [REDACTED] as well as himself. This instance is recalled on Father Neuberger's written sexual history as being in the fall, or winter of 1967. Father Neuberger said that [REDACTED] eventually moved back home with his mother in 1968, after he and [REDACTED] had a fight over [REDACTED] not accepting any household responsibilities. In all, Father Neuberger admitted to sexual activity with [REDACTED] over a two year period when [REDACTED] was "19 to 20 years old." This is in conflict with Father Neuberger's own admission, at one point in the interview, that the masturbation "races" occurred in 1965. Father Neuberger also reported that [REDACTED] date of birth is [REDACTED]. This would have made [REDACTED] 17 years old at the time of those incidents. [REDACTED]

[REDACTED] filed a civil lawsuit against Father Neuberger alleging that he was sexually abused as a minor from the years 1964-1966. The alleged abuse reported in the civil complaint included fondling and masturbation by Father Neuberger.

Father Neuberger admitted to having sex, over "two dozen" times over a two year period beginning in 1967, with [REDACTED] an African-American male, who was a minor at the time the relationship began. [REDACTED] eventually moved in with Father Neuberger when he became a college student. [REDACTED] and Father Neuberger shared the same bed. Father Neuberger described the sexual behavior with [REDACTED] as including fellatio and mutual masturbation. The first sexual occurrence between the two, according to Father Neuberger, was related to [REDACTED]

sacramental confession to Father Neuberger. Father Neuberger described the situation with [REDACTED] as different from that of [REDACTED] in that a "romantic relationship" developed over time following the first sexual acts. Father Neuberger said this was a "romantic relationship" because the two held hands and kissed, as well as engaging in genital sexual acts. Father Neuberger reported that he (Neuberger) almost always initiated the sexual activity. He said he "always fellated" [REDACTED]. According to Father Neuberger, [REDACTED] tried fellating him but he didn't like it. The "relationship" between Neuberger and [REDACTED] ended, according to Father Neuberger because [REDACTED] lost interest in Father Neuberger when [REDACTED] started to date girls. [REDACTED] is reported by Father Neuberger to be heterosexual as an adult. He is related to one of the individuals who has filed a suit against Father Neuberger, and knows two of the three others as well. Father Neuberger reported that he and [REDACTED] still talk on occasion and are "friendly."

[Parenthetical note: [REDACTED] in the third civil lawsuit filed against Father Neuberger, and in his civil depositions material, alleges that Father Neuberger sexually abused him as minor between the ages of 13 and 15 during the years 1964-1966 at St. Boniface Parish. The alleged abuse is reported in court documents to be "fondling and masturbation." When Father Neuberger was asked about the veracity of [REDACTED] report, Father Neuberger denied having sexual contact with him. Father Neuberger's denial was based on the fact that he did not have sexual contact with anyone who was Caucasian after [REDACTED] at St. Boniface. ("There was no one white after [REDACTED]" "I didn't do white kids.") [REDACTED] is a Caucasian male.]

Another African-American male, [REDACTED] has filed a lawsuit against Father Neuberger alleging that he was sexually abused by Father Neuberger when he was 16 and continuing until the age of 17 at St. Boniface, in 1965-1967. Father Neuberger admitted to the evaluators that he had sexual contact with [REDACTED] but dates it to the years 1969-1970. Father Neuberger described the first incident in which there was sexual contact as occurring when Father Neuberger was giving [REDACTED] a ride home. According to Father Neuberger, [REDACTED] "begged" to fellate Father Neuberger in the car ("Please, please, let me have a taste.") Father Neuberger said initially, that he was surprised at the request because he was not attracted to [REDACTED]. Later in the interviewing process, Father Neuberger said that he wasn't surprised because he knew that [REDACTED] had had "[homosexual] sex with cousins, etc." Father Neuberger denied that sexual contact happened that evening. Father Neuberger did say that on another occasion, (in the fall of 1969 or the summer of 1970), he requested a back rub from [REDACTED]. Father Neuberger said his memory of that day is clouded. He doesn't remember anything sexual happening, but "presumed something did."

Father Neuberger then went on to describe the sexual contact which occurred between the two as being "one-sided," that is, he has no recollection of [REDACTED] ever "doing anything [sexual]" to him (Neuberger). By this Father Neuberger meant that

he initiated the sexual behaviors and those behaviors were performed by Father Neuberger on [REDACTED] person and not in the reverse. Father Neuberger recalled an incident in which [REDACTED] was in Father Neuberger's bedroom at St. Gall's Parish. [REDACTED] was described as sitting on the edge of the bed. Father Neuberger said in that incident, he performed fellatio on [REDACTED] but the reverse did not occur. Father Neuberger also recalled another incident in which the two of them were sitting in [REDACTED] house on Seventh Street in Milwaukee. Father Neuberger recalled being on the phone and simultaneously masturbating [REDACTED]. Father Neuberger said, the sexual contact with [REDACTED] ended because [REDACTED] was "too pushy." When asked what "too pushy" meant, Father Neuberger said that he is uncomfortable when others initiate the sexual behavior.

[Parenthetical note: Father Neuberger, himself, reported to the evaluators that in 1992, Bishop Richard Sklba, Auxiliary Bishop of Milwaukee, received a phone call from [REDACTED] who told the Bishop (according to Neuberger), that Father Neuberger had taken him [REDACTED] to his (Neuberger's) bedroom for sacramental confession, and that he had been sexually abused by Father Neuberger, at that time. Father Neuberger told the team, further, that Bishop Sklba informed Father Neuberger of these allegations. A log item in the Vicar of Clergy's log notes that a call from an unnamed African-American male came in to Bishop Sklba on November 12, 1992. That log item also notes that Father Neuberger denied those allegations to Bishop Sklba.]

From 1968 to 1969, Father Neuberger claimed that he dated a nun ("Sister [REDACTED]"). It was with her that Father Neuberger reported, that he "fell in love." He recalled that Sister [REDACTED] was in full habit at the initiation of the relationship. Eventually, she no longer had to wear the habit and Father Neuberger reported they "went places together." She subsequently left religious life. Father Neuberger said they dated after that. However, he reported that Sister [REDACTED] told him that there was another person at the school with whom she was involved and that brought about an end to the relationship.

Also, in 1968, while Father Neuberger was assigned to Messmer High School in Milwaukee, he tried dating a woman "[REDACTED]" who was also a faculty member at the high school. Father Neuberger claimed he started dating [REDACTED] in order "to test himself for [REDACTED]." Father Neuberger invited [REDACTED] to a motel for a weekend, but she declined and subsequently became engaged to someone else.

In 1969, Father Neuberger reported, that he sexually experimented with a woman "[REDACTED]," an African-American woman, whom he met working at a day camp. He described [REDACTED] as very experienced sexually. ("I wouldn't call her a prostitute, but maybe she was.") Father Neuberger said that he could not perform sexually with her ("I couldn't do it. Nothing worked.")

In 1977, Father Neuberger was assigned to another Catholic high School, Thomas More. He lived in the school building during this assignment. One of the students there was [REDACTED]. Father Neuberger reported that [REDACTED] would occasionally come to talk with him in his personal quarters. One night, according to Father Neuberger, [REDACTED] showed up at his door carrying a six pack of beer. [REDACTED] claimed he had just been kicked out of his girlfriend's house. Father Neuberger said, he had already had his customary two alcoholic drinks before dinner. He invited [REDACTED] into his rooms. Father Neuberger reported that he (Neuberger) then drank three more beers with [REDACTED] smoked some marijuana with him also, and then they "snuggled." Father Neuberger claimed that [REDACTED] then said, "Why aren't you coming on to me?". Father Neuberger said he then told [REDACTED] to put his hand [REDACTED] on his (Father Neuberger's) crotch to see that he was not erect. Father Neuberger claimed that [REDACTED] did so. Father Neuberger denied that this was an incident of sexual contact. Later, Father Neuberger reported that [REDACTED] told another priest about the incident who told Father Neuberger to get in touch with [REDACTED] because "he has a lot of respect for you." Father Neuberger also told the evaluators that he felt this same priest to whom [REDACTED] reported the incident later wrote a reference in Father Neuberger's periodic review that something must be done about Father Neuberger's "homosexual problem."

In 1978, Father Neuberger was assigned as a Catholic campus minister at the University of Wisconsin-Parkside. There his home was the Kiro Center which had three bedrooms and a basement chapel. Father Neuberger said that five minor males lived with him while he was assigned there. All were foster children from Kenosha County. In all, thirteen young males were in and out of his home at Parkside. These continued to include the six original "family" from St. Boniface, the five minors reportedly placed from Kenosha County Department of Social Services, [REDACTED] and another former foster child, [REDACTED] reportedly placed with Father Neuberger by the Milwaukee County Department of Social Services. Father Neuberger denied that anything sexual was going on there, although of the thirteen young people who were around two [REDACTED] have been reported as prior sexual partners by Father Neuberger. Two of them [REDACTED] have reported sexual abuse by Father Neuberger.

In 1980, Father Neuberger was assigned to St. Dominic Parish in Sheboygan. There he claims "I didn't even masturbate" in Sheboygan. He did admit that he had a group of minor males there with whom he was particularly friendly ([REDACTED] last name not given), [REDACTED] was a Friday morning altar boy whom he routinely took out to breakfast at McDonalds after Mass. This Sheboygan group later visited Father Neuberger at St. John Neumann Parish in Waukesha when he was assigned there (1981-1993). They would stay a couple of days and would stay overnight at Father Neuberger's house. One night, [REDACTED] called Father Neuberger and said that he had walked from Sheboygan to Northridge Mall in Milwaukee, and asked that Father Neuberger pick him up. Father Neuberger claims, he brought [REDACTED] to the parish home where they

they slept in the same bed. Father Neuberger denied that anything sexual occurred. The next morning when Father Neuberger returned from saying Mass, [REDACTED] was gone and so was Father Neuberger's bike. Father Neuberger then called [REDACTED] parents. [REDACTED] was picked up by the police in Illinois, and [REDACTED] parents came to drop off Father Neuberger's bike.

Father Neuberger told the evaluators that in 1970, he stopped having sex with anyone who knew he was a priest. When asked why he stopped, Father Neuberger said that he "felt very uncomfortable with this. I realized the complexity of this because of the association with St. Boniface." [ Please note the following contradictions to this report: In 1989, Bishop Sklba received a letter from a parent alleging that Father Neuberger had made sexual advances against their minor son in 1981. This is noted in a log item in the Vicar for Clergy's personnel file on Father Neuberger. Also, the [REDACTED] incident occurred post 1970 according to Father Neuberger.] Father Neuberger said, that he then began having anonymous sex in the parks, frequenting gay bookstores, and viewing gay pornographic films. He recalled that the first adult bookstore he frequented was in Madison, Wisconsin. Father Neuberger recalled that his periods of increased sexual activity correlated with feelings of rejection. Increasingly, as Father Neuberger grew older, he became aware that he was less physically attractive to young gay men. He was no longer "thin and cute" by his own description. In 1977, Father Neuberger said he started frequenting Juneau Park in Milwaukee and having sex in the bushes. He claimed this behavior stopped in 1981, "three days before going to St. John Neumann", where he was the founding pastor. Father Neuberger also admitted to picking up "hitchhikers" in order to have sex with them. He said, that when he does so, "they make the first move. Sometimes they'll reach over and touch me and then I reach back. I never make the first move, that's how I know they're not cops."

Father Neuberger also admitted to frequenting gay bars with a classmate even at the time of the interviews. He said he has a regular route that he cruises along Water Street and First and Second Streets in Milwaukee in order to pick up prostitutes. Father Neuberger claimed that this behavior stopped four months prior to these October, 1993, interviews. [Note: the first lawsuit was filed six months prior to the October interviews.] Father Neuberger also reported to the interviewers that he has "cruised" for gay sex in other cities such as Los Angeles, California and New York City.

Father Neuberger further claimed that he had been involved in two long term relationships with adults which originated as sexual partnerships, but which he now described as "platonic." He claimed that one of the individuals was 32 years old in 1993 and that relationship had been in existence for 13 years as of that year. (Father Neuberger confirmed to Dr. Piasecki in a later phone conversation, that that individual is [REDACTED] who has lived with Father Neuberger and who continues to do so as of the date of this report). The other long term relationship started, according to Father Neuberger, in 1989 or 1990, and that individual in

1993, was 27 years old.

When pressed on his view of the meaning of priestly celibacy given what he has admitted, Father Neuberger offered the following definitions:

**Celibacy:** "It has nothing to do with sex." "It is a commitment to service." "It is about service to others."

**Sex:** " It has nothing to do with orgasm." " It is about relationships."

He offered the following rationalization for his promiscuous behavior up to the date of the interviews: "All priests do it." "You would have to remove everyone from parishes if you remove me."

### CONCLUSIONS

The clinical evaluation team met for three hours on November 2, 1993, to carefully evaluate Father Neuberger's self-report, and to reach some conclusions regarding the facts as presented, the veracity of the claims made in the civil lawsuits filed, and the scope and nature of Father Neuberger's sexual activity during his years as a priest in the Archdiocese of Milwaukee.

The following conclusions and opinions are offered within a reasonable degree of professional certainty. They reflect the specific expertise and experience of the team in the clinical subspecialty of sex offender evaluation, as well as their knowledge and understanding of Roman Catholic theology, including that of sacramental and scriptural theology, the commitment to chastity and celibacy vis-a-vis ordination to the Roman Catholic priesthood, and the problem of public scandal to the people of God.

1. The team concluded that, even given the amount of information which was shared by Father Neuberger, he has minimized the true scope of his sexual activity with minors, with consenting adults, and with illegal sexual behaviors, such as having sexual contact in public places and soliciting prostitutes. It is a clinical assumption within sex offender evaluations, that individuals with a history such as Father Neuberger reported, virtually never tell the whole story. It has also been the team's experience that priest sex offenders are no exceptions to this clinical assumption. It is the opinion of the team that there are likely more individuals who could come forward to make allegations against Father Neuberger. The likelihood of that happening is diminished somewhat because Father Neuberger, by his own admission, chose the marginalized members of society as the objects of his sexual preferences.

Furthermore, when the first two lawsuits were filed, alleging sexual misconduct against minors, Father Neuberger denied to Archbishop Rembert Weakland that there was any truth to them. When the third lawsuit was filed, Father Neuberger's denials came into question. A fourth lawsuit, subsequently was filed alleging the same behaviors by Father Neuberger. The number of lawsuits, in and of itself, suggests that there must be some basis for claims of inappropriate sexual behavior on Father Neuberger's part in the absence of any documented conspiracy to personally ruin him. The evaluation team rejected a conspiracy theory because Father Neuberger's own admissions validate that he has engaged in serious sexual misconduct, as well as multiple offenses against chastity and celibacy. Father Neuberger's admissions during the evaluation also stand in stark contrast to his earlier claims of complete innocence, and point further to the conclusion that Father Neuberger cannot be counted on to tell the complete truth.

2. Father Neuberger was fully oriented to person, place, and time. He displayed no evidence of any psychotic process or formal thought disorder. There was no evidence of any serious psychopathology, compulsivity, or organic process which would impair his capacity to distinguish right from wrong. Father Neuberger was raised in the Roman Catholic faith. His own statements, during the interview process, indicated that even at a young age, he was cognizant of his sexual behavior as being sinful when he turned seven years old. He was cognizant of the seriousness of his masturbatory behavior as an adolescent, and made a conscious decision to avoid that behavior in order to be acceptable for seminary admission. Father Neuberger claimed that he made the conscious decision to not engage in sexual behavior with individuals who knew him as an ordained priest, because of the complexity which that knowledge brought to sexual situations. Father Neuberger consciously chose to go to public parks for the purpose of anonymous sex. Father Neuberger, also, admitted to consciously choosing to cruise a regular route in order to solicit prostitutes, and to be "street-smart" in avoiding police posing as prostitutes to avoid arrest. Further, Father Neuberger consciously chose to enter into two long term homosexual relationships with adults, one of whom continues to live with him this day. (That individual, [REDACTED], has a history of criminal convictions for sexual crimes as well. This is known to the Archdiocese by review of Mr. [REDACTED]'s police records.)

The team concluded, from Father Neuberger's accounts to them, that Father Neuberger's sexual activity has been the result of rational and conscious choices made again, and again, for his own personal sexual and emotional gratification.

3. Father Neuberger has developed cognitive distortions and idiosyncratic definitions, (e.g. his definitions of celibacy and sex, and his use of the word "non-sexual") in order to rationalize his own behavior as right and moral

rather than wrong and immoral. These cognitive distortions and rationalizations are typical of sex offenders who are routinely adjudicated as criminals to be incarcerated. It is important to note that these skewed ways of thinking are **not** indicative of mental illness, **nor** is it standard clinical practice to view them as such. Rather, they allow the individual to continue the gratifying behavior, to ignore the pangs of conscience, and to ignore the harm which they cause to their victims.

At no time during the interviews with Father Neuberger did he exhibit remorse for his behaviors, take responsibility for any of the problems he has caused for the Archbishop, the Archdiocese of Milwaukee, the Church itself, or his brother priests. He expressed no concern that he may have harmed anyone, or created scandal by his sexual behaviors. He displayed no evidence that he could view his own behavior from a minor's (or another's) perspective. **Rather, Father Neuberger presented himself as a morally justified victim.** He rationalizes himself as a victim who was victimized by false accusations. It is the opinion of the clinical team, that Father Neuberger divulged what he did, and as much as he did, because this is his fundamental stance regarding the situation in which he found himself because of the number of lawsuits filed against him, and for which he could no longer avoid offering some explanations.

4. Father Neuberger defines "sexual" and "sexual contact" in minimizing ways that are not consonant with societal norms, conventional social sexual taboos, and the ordinary expectations of chaste behavior for celibate ordained Roman Catholic clergy. Father Neuberger's rationalization that he was engaging in "sex education", which then gave him permission to invite minor and young adult males to his bedroom to view minor and young adult males' genitalia, touch their private parts, talk about their intimate sexual lives with their girlfriends, and, to establish sexual relationships with some over time, is a classic rationalization often given by sex offenders offered as moral justification for behavior that is defined as criminal by civil society. It is also a rationalization heard before, by this team, from sex offending priests specifically. Despite the fact that Father Neuberger has no medical training or credentials of any kind, Father Neuberger defines these contacts and behaviors as "non-sexual." For Father Neuberger, genital touching is not sexual unless he (idiosyncratically and himself specifically) defines the relationship between the persons as such. The evaluation team concurs with the broader societal norms that view these behaviors referenced above in this paragraph as clearly and overtly sexual.
5. Father Neuberger, essentially, admitted that the claims made by two individuals [REDACTED] in the civil lawsuits against him and the Archdiocese are true regarding the specifics of sexual contact as reported in those civil complaints. He offered a third name ([REDACTED])



██████████ as a potential complainant, prior to that lawsuit being filed several months later. His denial of sexual contact with ██████████ is a repetition of his previous denials to the Archbishop, prior to the third civil suit being filed against him, and his denials to Bishop Sklba. Father Neuberger's defense to the ██████████ complaints is that they were older than what they claim. It is the opinion of the evaluation team that Father Neuberger is claiming these age discrepancies for his own purposes, because of a belief that allegations involving minors, rather than adults, places him at greater risk for church and civil sanctions. However, Father Neuberger displayed a lack of clarity on dates associated with events and discrepancies in those dates, as the interview process proceeded. Given the totality of Father Neuberger's admission, his pattern of being attracted to and socializing with older adolescent and young adult men throughout his assignment history, his admissions of sexual contact with minor males, including those he idiosyncratically defines as "non-sexual", and his changing of dates when events occurred, it is the professional opinion of the team, that Father Neuberger's primary sexual attraction is to adolescent and younger adult men, and that there is likely veracity to the civil complaints that have been filed by ██████████

Father Neuberger staunchly denied the claims made in the civil lawsuit by ██████████. Father Neuberger's denial is adamant. This may be a repetition of his previous denials, or, in this one case may be accurate, because Father Neuberger's recall of ██████████ appears to be minimal compared to other individuals. The team, however, finds Father Neuberger's defense of this claim to be morally bankrupt. The fact that Father Neuberger claims he had sexual contact only with African -American minors and young men ("I didn't do white kids.") is offensive, scandalous, and discounting of the personhood of his minority victims, and the harm caused to them by his behaviors. The team knows of no societal or Gospel norms, by which this defense or the admission of behavior behind that defense, can be morally justified, particularly by an individual with substantial seminary training in Roman Catholic moral theology.


6. It is the opinion of the evaluation team to a reasonable degree of professional certainty, that Father Neuberger was the sexual initiator in most of the incidents reported. The team finds his reporting of the incident in bed with ██████████ (age 12) as incomplete and likely distorted. Father Neuberger reported that he knew that the child had been sexually abused by another priest with whom Father Neuberger had lived for a period of time. The team finds it no coincidence that the same child is invited for an overnight stay in Father Neuberger's bed. Father Neuberger also told the team that he (Neuberger) discontinued relationships with others when others were the sexual initiator. Father Neuberger admitted he initiated the sexual behaviors with ██████████. Further, Father Neuberger's prowling of public

parks seeking anonymous sex and his picking up of “hitchhikers” and prostitutes further defines his sexual acting out style as the seeker of sexual contact, and not as the innocent victim of others’ sexual aggression.

7. Father Neuberger’s own admitted confessional practice of soliciting sexual contact for himself based on the content of an individual’s confession, as a pattern of behavior over time used for his own personal sexual gratification and sexual understanding, is morally reprehensible and violates the sacredness and privacy of the Sacrament of Reconciliation. The use of the Sacrament for personal gain desecrates the fundamental trust inherent by the confessional seal, and the trust placed in Roman Catholic clergy to honor the sacredness of personal disclosure of sin from those seeking forgiveness. At no time during the interviews with the evaluation team, did Father Neuberger express any concern about the appropriateness of his confessional practice or verbalize any regard for the personal or spiritual harm this practice may have caused (and may continue to cause) others.
  
8. It is the opinion of the evaluation team, that Father Neuberger has no commitment to living a life of chastity and celibacy as a Roman Catholic priest. He has admitted to sexual activity spanning most of his years in the priesthood. He continues to cohabit, to this day, with a man with whom he had, at the least, a prior sexual relationship and who has his own sexual conviction record. Father Neuberger appears to view his sexual behavior as morally justifiable, does not verbalize any willingness to change, and sees himself as behaving in the same fashion as “all” other priests do. The team finds Father Neuberger’s assertion (and rationalization) that “all priests do it” and “you would have to remove everyone from parishes if you remove me” indicative of a spirit of defiance to legitimate Church authority and indicative of a lack of personal responsibility that makes Father Neuberger a substantial risk to continue to sexually offend against others.
  
9. Finally, it is the opinion of the evaluation team that Father Neuberger’s sexual history, as reported by him over the course of the clinical interviews, presents a cumulative picture of sexual behavior which is scandalous to the Church. Father Neuberger, by his choices and his attitude, has displayed an almost complete disregard for the dignity of the office of the priesthood, the demands of chastity and celibacy, the use of power inherent in his role as pastor and priest, the fraternal and moral obligations which he owes to his Archbishop and brother priests, and his moral obligations to the people of God to set an example of decent and upright Christian living. The following are some of the factors which infuse this opinion that Father Neuberger’s sexual history and behavior is a source of scandal to the Church:
  - A. The number and types of behaviors in which Father Neuberger has

chosen to engage his sexuality while publicly presenting himself and/or functioning as a pastor and celibate priest.

- B. Father Neuberger's choice of marginalized and very vulnerable individuals as the preferences for his sexual behaviors, including foster children and the developmentally disabled.
- C. Father Neuberger's admission that he has had a routine confessional practice of using confessional material to solicit sexual gratification for himself.
- D. Father Neuberger's pattern of engaging in sexual activities that carry a high risk for public exposure, (e.g. soliciting of prostitutes and "hitchhikers", anonymous sex in the parks, etc.).
- E. Father Neuberger's demonstrated incapacity or unwillingness to live a celibate or chaste life as an ordained Roman Catholic priest.

  
\_\_\_\_\_  
Elizabeth C. Piasecki, PsyD.  
Licensed Psychologist

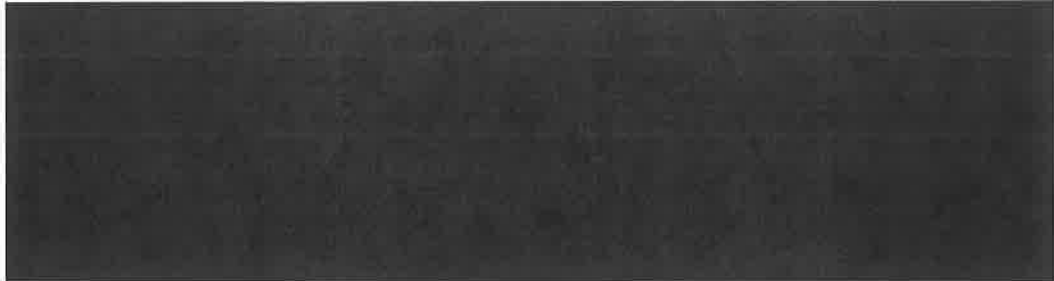


September 26, 1996

ECP:saz

PRIVILEGED INFORMATION

10/12/93 Entry for the file of Rev. Michael Neuberger  
by Liz Piasecki



The Crisis Team meeting was arranged and was scheduled for 10:00 a.m. on October 13th.

10/13/93 Crisis Team meeting regarding Father Michael Neuberger. Present at the Crisis Team meeting were Archbishop Weakland, Bishop Sklba, Father Tom Venne, Father Leonard Barbian, Tom Schneider, and myself.

At that time we discussed the filing of this third suit against Father Neuberger. It was agreed that Father Neuberger must now come in and discuss the situation more fully with his legal counsel present and the Archdiocesan legal counsel present. It was agreed that a meeting with him would be held expeditiously to ascertain if there was substance to these complaints. Previously, Father Neuberger had maintained that there was no substance to the first two complaints and that one, in fact, was a fraud perpetrated against him. In the other case he maintained that sexual contact had happened as an adult. It was also agreed that the Associate Pastor would be notified at St. Catherine's and the parish trustees after this meeting with Father Neuberger. Bishop Sklba was to call Father Neuberger and advise him of the decisions of the Crisis Team and I was to arrange a meeting within 48 hours with Matt Flynn, Gerry Boyle, Father Newberger, Bishop Sklba and myself.

10/13/93 I received a call this afternoon from Father Michael Neuberger. He was concerned that there would not be any conflict because I had a distant relationship with his family. That relationship was in a professional capacity. He also asked that he be given forgiveness after having done many years of good work in the parishes. He also did not seem to have much appreciation for the difficulties in which he now finds himself. I found that he was minimizing his responsibility as well as the difficulties that he is in.

**PRIVILEGED INFORMATION**

10/20/93

This evening we began a psychological evaluation of Father Neuberger. The people involved in this evaluation are myself, [REDACTED], ACSW, and [REDACTED], ACSW, sex offender specialists. It is clear to them that their role in this evaluation is consultative to me. All reports and recommendations will be made to me personally and I will pull together the final report for the Archbishop.

**ADOM038419**

9/28/93

by Betty Kaczowski

3:30 p.m.

Received a phone call from a man who identified himself as [REDACTED] (phone number [REDACTED]) a reporter from the Milwaukee Sentinel who requested information regarding Father Michael Neuberger of St. Catherine's. He stated that a lawsuit was being filed today alleging sexual abuse of minor while Father Newberger was at St. Boniface parish.

I told him that the Coordinator, Archdiocesan Response to Sexual Abuse was on vacation, but that I would call the backup person and someone would get back to him.

3:35 p.m.

I called John Nesseth (designated backup person) at the CSS Milwaukee Office and reported the information I had received. After discussion, it was agreed that I should call Rosemary Murphy (Archdiocesan Communications Department). John also mentioned that Matt Flynn would need to be informed. He stated that I should log in the information and inform Diane Knight upon her return on 9/29/93.

3:40 p.m.

I called Rosemary Murphy with the above information. Rosemary Murphy mentioned that she had a call in to Matt Flynn and would handle.

4:15 p.m.

While I was away from my desk, a phone message was left by Barbara Cussack: "if we get a call regarding a priest for Liz, refer to the Chancery or Fr. Tom Venne." I returned Barbara's call telling her that I had been instructed to call John Nesseth of CSS in the absence of the Coordinator, Executive Director, and Director of Program Services.

She mentioned at that time that a Crisis Intervention Meeting had been scheduled for 9/29/93 at 11:15 a.m. at the Archbishop's Office and a message was left for Diane Knight, Director of Program Services.

ADOM038493

NO. \_\_\_\_\_  
KINDLY REFER TO THIS  
NUMBER IN YOUR REPLY

IN CAUSA

P1/96

Neuberger

## SENTENCE

### IN THE NAME OF GOD. AMEN

With his holiness, Pope John Paul II, reigning as our Holy Father and while His Excellency, the Most Reverend Rembert G. Weakland, O.S.B., is Archbishop of Milwaukee, the Reverend Thomas T. Brundage, J.C.L., Judicial Vicar of the Milwaukee Archdiocese, is appointed Presiding Judge, the Reverend Michael Hack, J.C.D. and Reverend Patrick Lagges, J.C.D. both priests of the Chicago Archdiocese are appointed Associate Judges by a decree of May 25, 1996. Rev. Philip Reifenberg, J.C.L., a priest of the Archdiocese of Milwaukee is appointed the Promoter of Justice by a decree of October 16, 1995. The Reverend Jack Hopka, S.F.O., J.C.L., a priest of the Dallas Diocese is appointed as Assessor to this court by a decree of October 22, 1996. The Reverend Gregory Ingels, J.C.D., a priest of the San Francisco Archdiocese is appointed Advocate and Procurator, in an authentic mandate signed on June 11, 1996, by the accused, the Reverend Michael Thomas Neuberger, a priest of the Milwaukee Archdiocese. Father Ingels resigned as Advocate and Procurator, due to health reasons, on November 11, 1997. Father Neuberger then appointed the Reverend Monsignor William Vavaro, J.C.D., a priest of the Brooklyn Diocese, as an Advocate by an authentic mandate on November 19, 1997.

#### Summary of the Facts

The accused, the Reverend Michael Neuberger, a priest of the Milwaukee Archdiocese, was born on May 15, 1937 in Milwaukee, Wisconsin. He attended St. Francis Seminary from 1954 to 1962. He was ordained a deacon on September 29, 1961 and was ordained a priest on May 26, 1962 at St. John's Cathedral in Milwaukee.

After ordination to the priesthood, Father Neuberger was assigned as an assistant priest at St. Philip Neri Parish in Milwaukee on July 12, 1962. He was then assigned as a curate at St. Boniface Parish in Milwaukee on July 1, 1964. Next, he was assigned as an instructor at Messmer High School in Milwaukee on June 7, 1968. On May 8, 1969, Father Neuberger went on a leave of absence. From August 1, 1970, until August 31, 1972, Father Neuberger was "in residence" at St. Gall Parish in Milwaukee. On August 24, 1973, Father Neuberger was assigned to the faculty of Thomas More High School in Milwaukee. On April 8, 1978, he was assigned to the Catholic Campus Ministry at the University of Wisconsin at Parkside

in Kenosha. On June 19, 1979, he was appointed associate pastor of St. Francis de Sales Parish in Lake Geneva, Wisconsin. On June 17, 1980, Father was appointed associate pastor of St. Dominic Parish in Sheboygan, Wisconsin. On July 1, 1981, he was appointed pastor of St. John Neumann Parish, where he presided over the building of a church complex. On June 22, 1993, Father Neuberger was appointed pastor of St. Catherine of Alexandria parish in Granville.

After four allegations and three civil law suits accusing Father Neuberger of sexual misconduct with young boys, Father Neuberger took a personal leave on November 5, 1993. His status was shifted to "not assigned" on November 1, 1995. Through a canonical procedure, in accordance with the norms of canons 1740-1747, Father Neuberger was removed as pastor of St. Catherine Parish on July 28, 1995.

On December 21, 1995 Archbishop Weakland issued a decree "Initiating the Investigation of Allegations of Sexual Misconduct, Solicitation in the Confessional, and the Abuse of Ecclesiastical Power by the Reverend Michael Neuberger." In accordance with canon 1717, the Reverend Thomas T. Brundage, J.C.L. was appointed by the Archbishop to investigate the facts and circumstances of the allegation and imputability of Father Neuberger. In accord with cc. 1717.2 and 220, the Archbishop instructed that care must be taken in the investigation lest anyone's good name be endangered in this investigation. On January 9, 1996, Father Neuberger responded with a letter stating that "I wish to state at the outset and for the record that I am completely innocent of any charges of a general nature indicated in the decree."

On May 24, 1996, in accord with canon 1341, in the absence of Archbishop Weakland, Auxiliary Bishop and Vicar General Richard J. Sklba, having read a May 10, 1996 "Report of Findings in the Investigation of the Reverend Michael Neuberger, as Decreed by the Most Reverend Rembert G. Weakland, O.S.B, Archbishop of Milwaukee," submitted by Father James Connell, J.C.D. a priest of the Archdiocese of Milwaukee, decreed that the Reverend Promoter of Justice was to submit to the Metropolitan Tribunal a libellus. In response, Father Reifenberg submitted two libelli, one on May 31, 1996 and the other on June 18, 1996. In accord with canon 1505, the first libellus was accepted by the presiding judge on June 5, 1996 and the second libellus was accepted by the presiding judge on June 29, 1996.

The May 31, 1996 libellus accused Father Neuberger of having violated cc.1395 and 1399. The June 5, 1996 libellus accused Father Neuberger of having violated cc. 1389.1 and 1399.

On June 3, 1996 the presiding judge issued a decree constituting the tribunal for the first libellus and a decree was issued constituting the tribunal for the second libellus on June 29, 1996. At the request of the advocate for the accused, the presiding judge issued a decree on July 6, 1996 joining both cases together as one trial.

In accord with canon 1507, the accused was cited on June 3, 1996 and June 29, 1996.

In response to the June 5, 1996 citation, Father Neuberger wrote to the presiding judge on June 11, 1996 the following statement: "I wish, for the record, to state unequivocally, that I am not guilty of any violation of canon 1395 which would suggest the imposition of a penalty dismissing me from the clerical state."



In response to the June 29, 1996 citation, the accused responded in writing to the presiding judge on July 11, 1996 with the following statement: "Please allow me to repeat, as I indicated in my letter to you, dated June 11, 1996, that I am not able to respond to any allegations concerning canon 1399 since these have not been spelled out in detail in the libellus accompanying the decree of citation. Likewise and for the same reason, I am unable to respond to any allegations concerning canon 1389.1, in as much as the allegation in the accompanying libellus is so vague and generic as to not permit me to understand the specific nature of the allegation, let alone prepare a defense. I wish to nevertheless, for the record, to state unequivocally, that I have never used my presbyteral status for 'financial enrichment.' Since I do not understand the term 'personal aggrandizement' in the context of the citation, I am at a complete loss to respond in any way."

The response of the court to Father Neuberger's response to the first citation was sent to Father Neuberger in a June 15, 1996 decree and a July 25, 1996 letter was sent relative to the second citation. In both instances, the court stated that both libelli were specific with regards to the accusations and more than sufficient to satisfy the law in this matter. These responses are to be found in the procedural acts of the case.

In the July 25, 1996 response to the citation, the court ruled as following: "In regards to your right to defense, in accord with canon 1507.1, it is this court's decision that you will appear before this court before the Joinder of Issues to answer the charges that have been made against you. At that time the pre-process investigation report will be read to you and you will have an opportunity to respond in detail to the issues and to offer an explanation to the accusations."

On September 10, 1996, a session was held at the Tribunal in Milwaukee to offer Father Neuberger the opportunity to explore the facts concerning libelli of the Promoter of Justice in the presence of his procurator-advocate (see number 15 of the April 2, 1997 decree admitting documents and testimonies into the acts of the case). This court is satisfied that Father Neuberger clearly knew what he was being accused of.

It should be noted that Father Neuberger responded during that session in a disrespectful, hostile and threatening manner towards the court and at one point was instructed to leave the session. In general, the accused denied all of the accusations that had been made against him, referring to them as "lies and distortions."

On October 8, 1996 the judges met and formulated the grounds of the case which were decreed in the October 15, 1996 Joinder of Issues. The Doubts were formulated as following:

**Whether the accused (Fr. Michael Neuberger) is guilty of the following delicts:**

**1). Those delicts found in canon 1395.1 namely that the accused remained in an external sin against the Sixth Commandment of the Decalogue which produces scandal;**

**and/or**

**2). Those delicts found in canon 1395.2, namely that the accused committed offenses against the Sixth Commandment of the Decalogue with force or threats or publicly or with a minor below the age of sixteen;**

**and/or**

**3). Those delicts found in canon 1389.1, namely that the accused seriously abused his ecclesiastical power or function as the pastor of St. John Neumann Parish, Waukesha, and at St. Catherine parish, Granville;**

**and/or**

**4). Those delicts found in canon 1387, namely, that the accused, in the act or the occasion or under the pretext of confession, solicited penitents to sin against the Sixth Commandment of the Decalogue;**

**and/or**

**5). Those delicts found in canon 1399, that the accused engaged in external violation of divine or ecclesiastical law?"**

In that same Joinder of Issues, the court also stated the following:

**If the accused is found guilty of any, or all the above, whether the accused should be dismissed from the clerical state, or in the alternative, whether some other penalty should be employed?**

## **The Facts, Doubt Number One**

Prior to a consideration of allegations (c. 1395.1) against Father Neuberger, the court notes two items that are part of the Acts of the case.

First, the Archdiocese of Milwaukee Due process Office received a letter (Number 24 of April 2, 1997 decree placing documents and testimonials into the Acts) from Reverend Paul Esser, a priest of the Archdiocese of Milwaukee on October 28, 1973. The letter was a response to an accusation that Father Esser, who was a member of the Archdiocesan Priest Personnel Board, had slandered Fr. Neuberger's name and reputation. In that letter issues of Father Neuberger's residence while assigned to Messmer High School were outlined.

Father Neuberger wished to remain living in a house on the St. Boniface Church property, where an unspecified number of African American boys lived with him. Father Neuberger had requested to stay in this house in order to maintain his contact with the black community and because of certain obligations that he felt he had towards these boys. Father Neuberger chose not to accept room and board at Messmer High School and Father Esser reluctantly agreed to this arrangement hoping that Father Neuberger would later change his mind. Reference is made in this letter to Father Neuberger's "unique living habits," and "adopted life-style."

Father Esser also wrote that he communicated orally to Father Neuberger that he (Neuberger) was not functioning properly as a teacher.

Secondly, on February 15, 1997 Father Charles R. Keefe, a priest of the Archdiocese of Milwaukee, sent a letter to the presiding judge regarding Father Michael Neuberger (Number 23 of the April 2, 1997 decree placing documents and testimonials into the Acts). Father Keefe had been assigned with Father Neuberger to St. Dominic's Parish in Sheboygan, Wisconsin from June of 1980 until August of 1981 (Father Neuberger left St. Dominic's on July 1, 1981 to become the pastor of St. John Neumann Parish).

In his letter, Father Keefe states that there were several unusual incidents between himself and Father Neuberger during their time together at St. Dominic's. On one occasion, Father Keefe found Father Neuberger taking a shower in his (Father Keefe's) bathroom. Father Neuberger was confronted on this and replied that his own shower was broken. When asked why he did not use the shower in the guestroom, Father Neuberger made no reply. Father Keefe later found out that Father Neuberger's shower was not broken.

Father Keefe also states in his letter that he would often hear "thumping" noises coming from Father Neuberger's room and discovered that he was wrestling with teenagers.

Eventually both priests were sent to a psychologist, [REDACTED] S.C.J., for counseling. The counseling failed to improve the relationship and ended with Father Neuberger stating that he wished they "could just kiss and make-up."

Thirdly, Dr. Barbara Anne Cusack, JCD, was interviewed by the court on February 21, 1997 (see Number 22 of the April 2, 1997 decree placing documents and testimonials into the Acts) concerning her contact with a woman by the name of [REDACTED] (see also the Sexual Abuse Contact Report of Catholic Social Services of the Archdiocese of Milwaukee dated 11/12/93, Number 2 of the April 2, 1997 decree placing documents and testimonials into the Acts).

Dr. Cusack recounted that in the Fall of 1993, when she was vice-chancellor of the Archdiocese of Milwaukee, Dr. Elizabeth Piasecki of Catholic Social Services of the Archdiocese of Milwaukee, contacted her and asked her and Fr. Ralph Gross, the chancellor, to be present for a meeting with [REDACTED]

When the above-mentioned person's met with [REDACTED] she ([REDACTED]) stated that as a young girl she had looked into the window of Father Neuberger's car (presumably while he was at St. Philip Neri Parish) while one or more young boys were leaving the vehicle. Ms. [REDACTED] reported that she had seen boy's underwear lying in the car. Father Neuberger then

confronted her and yelled at her. [REDACTED] stated that Father Neuberger "excommunicated" her for her actions. Since that date (approximately 1961-63), [REDACTED] has refrained from the sacraments believing that she was excommunicated. The personnel who met with [REDACTED] assured her that she had not been excommunicated.

The court would now like to review the facts concerning specific allegations against Father Neuberger relative to c. 1395.1. In the Acts, there is the following testimony regarding alleged victims, namely, [REDACTED]:

**Alleged victim-** [REDACTED]

On July 1, 1997, the court interviewed [REDACTED]. In the interview with [REDACTED] (Number 2 of the July 30, 1997 decree placing documents and testimonials into the Acts), while under oath, he stated that he met Father Neuberger while Neuberger was an assistant pastor of St. Philip Neri Parish (July 12, 1962-July 1, 1964). [REDACTED] testified that Father Neuberger had sexual contact with him as a young man. [REDACTED] stated that there were three incidents, one incident involving masturbation, and one involving oral sex. A third sexual incident is not explicitly described.

When asked how the sexual contact was initiated, [REDACTED] stated that Father Neuberger seemed to be exploring his own sexuality, that Father Neuberger did not seem to know what he was doing and that the incidents were like "two eighth grade boys exploring sex."

When asked at what age these incidents occurred, [REDACTED] was unsure but thought that he was "possibly 17, 18, (or) 19." [REDACTED] was born on [REDACTED]. If the above-described incidents occurred shortly after Neuberger was assigned to St. Philip Neri, that would place [REDACTED] age at the time of the initial sexual contact as 17 years old. Given that Father Neuberger left St. Philip Neri in July, 1964, [REDACTED] was not older than 19 at the time of the sexual contact.

When asked if [REDACTED] believed that Father Neuberger was having sexual contact with other young men, [REDACTED] stated that yes, he thought Neuberger was involved sexually with other young men. At one time, Father Neuberger related to [REDACTED] that he (Neuberger) "was doing some things with someone." [REDACTED] also alleged that Father Neuberger would have parties with prostitutes in the janitor's house at St. Boniface because "he wanted to learn about all these things."

[REDACTED], wife of [REDACTED] was also deposed by the court on July 1, 1997 (see number one of the July 30, 1997 decree placing documents and testimonials into the Acts). Under oath she testified that she met Father Neuberger in 1961 or 1962. [REDACTED] stated that she dated [REDACTED] since the age of 14, became engaged when she was 16 years old, and then married [REDACTED] when she was 18 years old. She stated that culturally the era of the early 1960s was very different from present age and that pre-marital sex was strictly forbidden. She stated that she had sexual relations with [REDACTED] but later felt guilty about having relations with him. She discovered through a friend, [REDACTED] that [REDACTED] had had sexual contact with Father Neuberger. She believes that [REDACTED] had sex with her because of his need to prove something after having had sexual contact with Father Neuberger. [REDACTED] testified that at that time that she

confronted [REDACTED] about the sexual contact with Father Neuberger, which he confirmed had occurred.

[REDACTED] also testified about having dinner with Father Neuberger at St. Boniface. There were between 8-12 children present at the dinner, ranging in age from 11 to 19. Father Neuberger had alcohol on the table. [REDACTED] stated that "I kept looking at all these kids and kept thinking there were more victims here. Somebody should be doing something."

[REDACTED] also stated that she and [REDACTED] had grave concerns about [REDACTED] [REDACTED] was one year younger than [REDACTED] and was a homosexual. For an unspecified period of time, [REDACTED] lived with Father Neuberger. [REDACTED]

On September 26, 1996, at the request of the court, a three member team of clinicians issued a report entitled "Findings of Facts and Conclusions: Sexual Misconduct by Reverend Michael Neuberger, an Ordained Priest of the Archdiocese of Milwaukee" (see number 16 of the April 2, 1997 decree admitting documents and testimonials into the Acts). Henceforth this document will be referred to as (FFC).

The evaluation team members consisted of Elizabeth C. Piasecki, M.T.S., M.S., PsyD., [REDACTED] M.S.W., A.C.S.W., and [REDACTED] M.T.S., M.S.W., A.C.S.W., B.C.D., all practicing catholics domiciled in the Archdiocese of Milwaukee.

The FFC report reported on the findings of a series of four meetings between the evaluators and Father Neuberger in October of 1993. The meetings took place at the request and direction of Archbishop Rembert G., Weakland and, according to the FFC report, with the consent and cooperation of Father Neuberger. The meetings were called to ascertain the facts relating to the alleged sexual misconduct by Father Neuberger against young men, to ascertain the validity of claims made by three individual civil lawsuits against Father Neuberger, and to make recommendations of the risks of continuing Father Neuberger in active ministry. As part of the evaluation, Father Neuberger wrote a personal sexual history which is part of the FFC report.

With regards to [REDACTED] the FFC report states that Father Neuberger reported to the evaluation team that he met [REDACTED] at St. Philip Neri Parish toward the end of his first year at the parish. The FFC report states that Father Neuberger told the evaluators that in September of 1965, approximately three or four years after meeting [REDACTED] for the first time, [REDACTED] came to Neuberger for sacramental confession. [REDACTED] told Neuberger that he had been "petting with his girl friend" but she had stopped him from "going any farther." In the context of the confession, Neuberger reported that they went to Neuberger's bedroom where they engaged in mutual fellatio.

According to the FFC report, Neuberger stated that there were other occurrences of genital contact with [REDACTED] but that he described them as "non-sexual." [REDACTED] then reported the sexual activity to another priest who reported it to the pastor of the parish who then confronted Father Neuberger.

In Father Neuberger's written sexual history outline (see number 16 of the April 2, 1997 decree placing documents and testimonies into the Acts), he listed that his sexual contact with [REDACTED] spanned the months of June through September of 1965.

On September 10, 1996, as previously noted, in order to clarify any questions that Father Neuberger might have regarding the ecclesiastical criminal charges made against him, a first session was convened by the court (see number 15 of the April 2, 1997 decree admitting documents and testimonials into the Acts). In the course of the session, Father Neuberger denied having sexual contact with [REDACTED] or with anyone else for that matter.

On May 2, 1997, Father Neuberger was deposed in front of the court (see number 6 of the June 3, 1997 decree admitting documents and testimonials into the Acts). Father Neuberger was asked during that session if he knew [REDACTED]. He indicated that he did. When asked if he had had sexual contact with [REDACTED] Father Neuberger's answer was inaudible.

It should be noted that in the May 2, 1997 deposition, Father Neuberger was asked about his definitions of terms such as celibacy, virginity, and sexual contact.

#### **Alleged victim--** [REDACTED]

On July 28, 1997, the court interviewed [REDACTED]. Under oath [REDACTED] stated that he first met Father Neuberger at the age of nine or ten at a day camp center. [REDACTED] was born on [REDACTED]. Father Neuberger would take [REDACTED] on weekend trips. For a period of a couple of years, the two lost contact with each other. [REDACTED] met Father Neuberger again at the age of 14 or 15 when Catholic Social Services placed him in Father Neuberger's custody.

When asked if there had been sexual contact with Father Neuberger, [REDACTED] replied in the affirmative stating that there had been two sexual incidents between himself and Father Neuberger. [REDACTED] stated that the first sexual contact occurred when he was 14 or 15 years old.

[REDACTED] testified that the first sexual contact occurred when Father Neuberger early one evening asked him to come to his room and give him a backrub. Father Neuberger was wearing only his underwear. Neuberger placed [REDACTED] on top of him and invited [REDACTED] to "grind off" on him. Father Neuberger then proceeded to give [REDACTED] oral sex.

[REDACTED] testified that approximately two weeks later, Father Neuberger again approached him and "he just began to give me oral sex."

[REDACTED] at the time of his interview stated that Father Neuberger would take in to his home young men and boys, give them freedom, and numerous gifts, and then expected sexual favors in return. [REDACTED] also testified that he is aware of other boys who lived with Father Neuberger and who, he believed, had sexual contact with Father Neuberger.

At the request of the respondent's advocate, on August 20, 1997 the presiding judge sent a letter to Mr. Thomas Schneider, Director of Catholic Charities for the Archdiocese of

Milwaukee. Mr. Schneider was asked to provide information on [REDACTED] placement with Father Neuberger as well as provide a copy of any relevant psychological report on [REDACTED]

On August 29, 1997, the court received portions of the placement report regarding [REDACTED] (see number two of the September 10, 1997 decree placing documents and testimonials into the Acts). The report confirms that [REDACTED] was placed in Father Neuberger's care on March 2, 1967. The report also states that Father Neuberger used the residence at St. Boniface as a meeting place for "young boys" from the parish. The report also mentions that a 19-year-old male was also living in the house at the same time.

The report details the uncontrolled setting and lack of constant supervision that led to a rift between Father Neuberger and [REDACTED] which resulted in [REDACTED] being taken out of his care on June 9, 1967.

On September 25, 1997, the court interviewed Mr. [REDACTED]. Mr. [REDACTED] has a Master in Science in Social Welfare degree from the University of Wisconsin-Milwaukee. Under oath, Mr. [REDACTED] stated that he first met [REDACTED] when [REDACTED] was 13 years of age in September of 1965. At that time, Mr. [REDACTED] had just obtained employment with Catholic Social Services of the Archdiocese of Milwaukee. [REDACTED] was one of the children assigned to him in terms of foster home supervision.

In his testimony, Mr. [REDACTED] outlined the events that led to [REDACTED] placement in Father Neuberger's care. Mr. [REDACTED] became aware of a priest (Father Neuberger) who took in young men who were homeless, troubled, or simply needed a place to live. Talks were initiated with Father Neuberger about caring for [REDACTED]

Mr. [REDACTED] testified that at the time of the placement, he saw nothing that created any concerns about placing [REDACTED] in Father Neuberger's care.

[REDACTED] also testified that [REDACTED] in subsequent years, told [REDACTED] about inappropriate sexual contact with Father Neuberger when he was a boy. [REDACTED] told [REDACTED] that Father Neuberger had engaged him in anal sex. Also, [REDACTED] stated that [REDACTED] had shared with him the details of an incident of oral sex with Father Neuberger.

Having known [REDACTED] since he was 13 years old, and still maintaining contact with him, Mr. [REDACTED] testified that [REDACTED] is "quite honest, quite direct, quite forthright... in other words, I would suggest that he is a very credible witness."

In the FFC report, Neuberger allegedly stated to the evaluation team that he first met [REDACTED] at a day camp for children where Neuberger worked during his summers while he was in the seminary, and that on trips he would sleep in the same bed with [REDACTED] who was about six or seven years of age at that time.

In Father Neuberger's deposition before the court on May 2, 1997, Father Neuberger was asked if he knew [REDACTED]. He responded that he did. When asked if he had had sexual contact with [REDACTED] Father Neuberger responded "I did not."

### Alleged victim-- [REDACTED]

On August 5, 1997, the court interviewed Father William Stanfield, a priest of the Archdiocese of Milwaukee. Father Stanfield was ordained in 1976. Under oath, Father Stanfield testified that he was assigned to St. Boniface Parish in 1988 and 1989. During his tenure at St. Boniface a man by the name of [REDACTED] who appeared to be in his mid-30s, asked to see him." Father Stanfield confirmed to the court that the conversation with [REDACTED] was not in the context of confession. The presenting issue was that [REDACTED] had listened to a broadcast talk show where there was a discussion with people who had been sexually abused. After hearing this program, he decided that "he wanted to get some peace within himself for what had happened."

Father Stanfield testified that in this conversation with [REDACTED] that he [REDACTED] told him that Father Neuberger had sexually abused him on a number of occasions when he was a young boy at St. Boniface. When Father Stanfield was asked about the approximate age when the sexual contact occurred, he stated that he had the distinct impression that [REDACTED] was under the age of 16 at the time of the sexual contact. Father Stanfield also stated that [REDACTED] related to him his belief that other boys were also having sexual contact with Neuberger.

With the permission of [REDACTED] Father Stanfield then contacted Bishop Richard Sklba, Auxiliary Bishop of Milwaukee and Vicar for Clergy to inform him of the allegations of sexual contact.

On August 30, 1997, Bishop Sklba sent a letter to the presiding judge to answer several questions that had been submitted to him in writing (see number 3 of the September 10, 1997 decree placing documents and testimonials into the Acts) . Bishop Sklba states in his testimonial that on Wednesday, January 18, 1989, he met with Father Neuberger to discuss an allegation of sexual misconduct. Bishop Sklba asked Father Neuberger to seek spiritual direction and possibly professional counseling.

On September 10, 1997, the Promoter of Justice, Rev. Philip Reifenberg, contacted [REDACTED] by phone. In a relatio to the court on September 10, 1997, Father Reifenberg testified that [REDACTED] stated to him that he was abused by Father Neuberger when he was an altar boy. [REDACTED] stated that the abuse would begin with confession in Father Neuberger's bedroom. After going to confession, the "discussion" would continue in the bedroom.

On September 10, 1997, Dr. Elizabeth Piasecki, Psy.D. also called [REDACTED] at the request of the Reverend Promoter of Justice (see number 5 of the November 3, 1997 decree placing documents and testimonials into the Acts). In a testimonial to the court (dated October 20, 1997), Dr. Piasecki reported that [REDACTED] stated to her that Father Neuberger had a house at St. Boniface Parish where young males lived. [REDACTED] stated that he was sexually abused in the context of sacramental confession on many occasions. He recalled this happening when he was in his late teens or early 20's and would go to face to face confession in Father Neuberger's bedroom. Confession would end with Father Neuberger making sexual contact with him. This reportedly happened on "many" occasions.



██████████ also stated some concern that he was living in fear that Father Neuberger may attempt to kill him for having testified in this matter.

In the FFC report, Father Neuberger allegedly admitted to the evaluation team that he had sexual contact with ██████████ in 1969 and 1970. Father Neuberger allegedly stated that the first contact occurred when Father Neuberger was giving ██████████ a ride home. According to the FFC report, ██████████ "begged" Father Neuberger to fellate himself. ██████████ Father Neuberger denied that any sexual contact occurred that evening. However, Father Neuberger admitted that on subsequent occasions, he performed fellatio on ██████████ as well as masturbated him.

At the May 2, 1997 deposition, Father Neuberger was asked if he knew ██████████. Neuberger responded "I do." He was then asked if had any sexual contact with ██████████. Neuberger's response was "I decline to answer."

### **Alleged victim--** ██████████

In Father Stanfield's testimony before the court, he also acknowledged that a friend had told him of a sexual incident between Father Neuberger and a ██████████. The friend told Father Stanfield that while Father Neuberger was the chaplain at Thomas More High School in Milwaukee, a student by the name of ██████████ approached Father Neuberger with some personal problems concerning a girlfriend. Father Neuberger advised ██████████ not to go through with the wedding and then made sexual advances towards him.

On Wednesday, June 25, 1997, the presiding judge called ██████████ at his place of employment. ██████████ was not there at the time but later returned the phone call. The presiding judge asked ██████████ if he had ever met Father Neuberger. ██████████ did not respond for approximately 20 seconds and then stated "I want to shoot that man." In that conversation, as well as in a July 16<sup>th</sup>, 1997 phone conversation, ██████████ confirmed that Father Neuberger had sexual contact with him. ██████████ refused the offer to have an interview at the Tribunal stating that he felt that he was being victimized again by the Church by even contacting him on this matter and that he wanted no further contact from the church on this issue.

In the FFC report, Neuberger reportedly told the evaluation team that ██████████ would occasionally come to talk with him in his personal quarters when he was a chaplain at Thomas More High School in Milwaukee. One night, according to the FFC report, ██████████ showed up at his door carrying a six pack of beer. ██████████ claimed that he had just been kicked out of his girlfriend's house. After drinking beer and smoking marijuana together, Neuberger claimed that ██████████ then said "Why aren't you coming on to me." Neuberger reportedly then told ██████████ to put his hand on Neuberger's genital area to see that he was not erect. ██████████ reportedly then did so.

In the May 2, 1997 deposition of Father Neuberger, he was asked if he knew ██████████. He stated that yes, he knew him. When asked if he had sexual contact with ██████████, Neuberger stated "the question is inappropriate."

### **Another anonymous victim**

On November 12, 1992, Bishop Richard Sklba received a phone call from an individual who refused to give his name but claimed to have been a student at St. Boniface Catholic School some thirty years prior (see Number 3, of the September 10, 1997 decree placing documents and testimonials into the Acts). The anonymous person said that he was currently a [REDACTED] [REDACTED] approximately forty-three years old, and that he had experienced inappropriate behavior on the part of Father Neuberger between the ages of thirteen and sixteen.

### **Facts concerning the report "Finding of Facts and Conclusions: Sexual Misconduct by Reverend Michael Neuberger, an Ordained Priest of the Archdiocese of Milwaukee" (FFC report).**

After three civil lawsuits were filed in the courts of the state of Wisconsin in October of 1993, Archbishop Weakland requested a team of clinicians with expertise in sex offender issues to convene a series of meetings to ascertain the facts relating to the alleged sexual misconduct by Father Neuberger, the validity of claims made by the persons making the lawsuits, and to make recommendations regarding the risks of continuing Father Neuberger in the active ministry (See Archbishop Weakland's testimonial in number 7 and Bishop Sklba's testimonial in number 8 of the June 3, 1997 decree placing documents and testimonials into the Acts).

(It should be noted that Father Neuberger's advocate proposes several arguments against the use of the FFC report in this trial. A reply to the advocate's arguments will be made in the argument section of this sentence).

The academic degrees held by the evaluation team members has been noted above. The other qualifications of the team members can be found in the FCC report. It should also be noted that the accused's advocate stated to the court that some facts concerning the qualifications of the team members as found in the FCC report were incorrect. Also, the advocate asked that follow-up questions, beyond the May 1, 1997 interviews with the team members, be made (see Numbers 3,4,5, of the June 3, 1997 decree placing documents and testimonials into the Acts). In the follow-up interviews it was determined that the FFC report's listing of the qualifications of the evaluation team were accurate.

Because the FCC document is extensive, this sentence will only repeat the most pertinent sections of that report.

In the FCC report, the evaluation team members met with Father Neuberger on three occasions in late October of 1993. According to the report Father Neuberger gave his consent to these meetings and cooperated fully, even to the point of supplying a hand written personal sexual history. In his May 2, 1997 deposition (Number 6 of the June 3, 1997 decree placing documents and testimonials into the Acts), Father Neuberger stated that he was not invited to these meetings but was ordered by the Archbishop of Milwaukee. Neuberger also stated that he believed that the FCC report contained "exaggerations, misinterpretations, realignments, (and) material taken out of context."

The FFC report states that Neuberger reported to the evaluation team the following:

That in his first assignment after ordination (St. Philip Neri Parish), that he engaged in play with young boys including “depantsing” them and painting a design on a youngsters bare buttocks;

That in the context of sacramental confession with [REDACTED] “one thing led to another” resulting in each supplying mutual oral sex to each other. He also reported that there were other times in which he had genital sexual contact with [REDACTED]. This sexual activity occurred from June-September, 1965. He was eventually confronted by the pastor about his sexual behavior;

That while at St. Boniface Parish, he developed a practice of inviting penitents out of the confessional and speak with them about items that were under the Seal, usually on issues of sexuality. He looked upon this as sex education for young men and included giving instructions on how to clean one’s genital area;

That he cleansed the penis of [REDACTED] in the context of education for the young man and then [REDACTED] ejaculated. At a later date Father Neuberger and [REDACTED] engaged in mutual masturbation;

That he had sex more than two dozen times over a two year period of time beginning in 1967 with [REDACTED] initially using the method of starting the process of sexual contact in sacramental confession. [REDACTED] was 17 years old at the time. This eventually became a romantic relationship;

That he had sexual encounters with [REDACTED] in 1969 and 1970. Father Neuberger would initiate the sexual behaviors and those behaviors would be performed on [REDACTED] person but not in reverse;

That from 1968 to 1969 he dated a nun, [REDACTED] (surname unknown). Also in 1968 he dated a woman named [REDACTED] (surname unknown). In 1969 he attempted sexual contact with [REDACTED] an African American woman, however, he was unable to perform sexually;

That he allowed [REDACTED] to touch his genital area;

That in 1970 he stopped having sex with anyone who knew he was a priest. He then began having anonymous sex in parks, frequenting gay bookstores and bars, and viewing pornographic films. He stopped “cruising” the gay bars in July of 1993;

That he had been involved with two long term relationships with adults. One was with [REDACTED] (the Acts manifest the fact that [REDACTED] continues to live with Father Neuberger to this day).

It should be noted that after the veracity of the report was contested by the advocate for the accused, all three evaluators were questioned by the court under oath (see numbers 3,4,5 of the May 12, 1997 decree placing documents and testimonials into the Acts).

## The Facts, Doubt Number Two

Most of the Facts in Doubt Number Two are exactly the same as the Facts in Doubt Number One, hence the court will not repeat all of the above testimony. However, the following section will concentrate upon the specific nature of the delicts listed in C. 1395.2, namely, if such acts against the Sixth Commandment of the Decalogue were attempted in this case with force or threats, or publicly, or with a minor below the age of sixteen.

### Acts against the Sixth Commandment attempted with force or threats or publicly:

The following items from the Acts are highlighted in the context of whether or not sexual contact between a priest and a young male or boy may constitute ipso facto force or a threat. These points will be argued in the argument section of this Sentence.

According to the testimony of both [REDACTED] (see number 2 of the July 30, 1997 decree placing documents and testimonials into the Acts), the sexual contact between Father Neuberger and [REDACTED] occurred when Mr. [REDACTED] was between the ages of 17 and 19. Given the fact that the sexual acts occurred shortly after Neuberger was assigned to St. Boniface, the likely age of [REDACTED] at the time of the sexual contact was 17.

[REDACTED] met Father Neuberger in the context of a CYO program at the parish. Even though Father Memmel, a priest of the Archdiocese of Milwaukee was also assigned to St. Philip Neri and coordinated the CYO, [REDACTED] came to know Father Neuberger as his parish priest.

With regards to [REDACTED] Father Neuberger met him when [REDACTED] was approximately nine or ten years old at a camp. At the time, Father Neuberger was still in the seminary. After ordination, the two met again when Father Neuberger was assigned to St. Boniface Parish. According to [REDACTED] in his deposition, the sexual contact began when he was fourteen or fifteen years old (see The Facts, Doubt Number One).

Subsequently on March 2, 1967, [REDACTED] who was fifteen years old [REDACTED], was placed into Father Neuberger's care by Catholic Social Services of the Archdiocese of Milwaukee.

With regards to [REDACTED], as noted in the fact section of Doubt Number One, the date of the initiation of the sexual contact between Father Neuberger and [REDACTED] is unclear. In his testimony (see Number 5 of the November 3, 1993 decree placing documents and testimonials into the Acts), [REDACTED] stated the sexual abuse began when he was a young boy and occurred on numerous occasions. Father Stanfield recalled that he was likely under the age of sixteen at the time of the sexual abuse.

With regards to [REDACTED] the sexual encounter occurred when Father Neuberger was the chaplain for Thomas More High School where [REDACTED] was a senior. It should also be noted that the sexual contact occurred after the consumption of alcohol.

In the FFC report, Father Neuberger allegedly reported to the Evaluation Team a pattern of hearing confessions of several young men and boys and then initiating sexual contact at later times as well as attempting sexual contact with young men and boys under the pretext of sex education.

**Acts against the Sixth Commandment with a minor below the age of sixteen:**

According to ██████ in his sworn testimony before the court, the sexual encounters with Father Neuberger began after he was placed in Father Neuberger's care (see Number 4 of the July 30, 1997 decree placing documents and testimonials into the Acts). He believes that occurred when he was fourteen or fifteen years old.

However, according to the placement report from Catholic charities report (see Number 3 of the August 25, 1997 decree placing documents and testimonials into the Acts), ██████ was in Father Neuberger's care from March 2, 1967-June 9, 1967. These facts would place the sexual abuse as having occurred when ██████ was fifteen years old.

Furthermore, it should be noted that there is circumstantial evidence in this case that would point to other minors as having had sexual contact with Father Neuberger. For instance, the testimony of ██████ indicated the presence of a number of young boys in the house with Neuberger around the same time that ██████ had been having sexual contact with Neuberger. ██████ all stated to this court their concern that Father Neuberger was sexually involved with other young men and boys.

The testimony of ██████ counselor, Mr. ██████ also corroborates the contention that Neuberger was known for offering his home to young men who were homeless, troubled, or simply in need of a place to live (see Number 4 of the September 25, 1997 decree placing documents and testimonials into the Acts).

**The Facts, Doubt Number Three**

The details of the allegations of the abuse of ecclesiastical power while Father Neuberger was pastor of St. John Neumann Parish (July 1, 1981-June 22, 1993) and St. Catherine Parish (June 22, 1993-November 1, 1995) are for the most part contained in the July 23, 1996 "Report of Findings in the Investigation of the Reverend Michael T. Neuberger, as Decreed by the Most Reverend Rembert G. Weakland, O.S.B., Archbishop of Milwaukee" (henceforth ROF report) (see Number 14 of the April 2, 1997 decree placing documents and testimonials into the Acts). It should be noted that the ROF report was updated incorporating the findings of the report provided by the Arthur Andersen certified public accounting firm.

**In the ROF report, the following contentions were made:**

Much of the testimony concerning the abuse of ecclesiastical power centered around ██████ a man who has lived in Father Neuberger's house since 1981 (There is an extensive arrest report for ██████ in the Acts, see Number 1 of the April 2, 1997 decree placing documents and testimonials into the Acts of the case). During Father Neuberger's tenure as

Sept. 5, 1996

Fr. Michael Neuberger:

1. [REDACTED] (Court of Appeals) Complained to Bishop Sklba directly in 11/92 (?), claiming he was 13 when he had sex with Neuberger. Neuberger denies [REDACTED] was a minor. Admits to at least four incidents with [REDACTED] as an adult. [REDACTED] now has [REDACTED] Last contact with Neuberger was Aug. 1991.

2.\*\* [REDACTED] (Dismissed; [REDACTED] client), [REDACTED] Lived with Neuberger at St. Boniface for a period of time in the janitor's house. Sexual contact may be related to confessional practice. Neuberger last talked to him in 1989.

3. [REDACTED] (Court of Appeals)

4. [REDACTED] (also reportedly a victim of Lisienewski); from St. Joseph's Orphanage

5. [REDACTED] (met in 1962 while at St. Philip Neri; [REDACTED] and his brother [REDACTED] "hung around" with Neuberger. Neuberger had oral sex with [REDACTED] following [REDACTED] confession. [REDACTED] spoke to Neuberger about sexual incident in 1986. Now is a [REDACTED]. [REDACTED] told mother and wife about sexual behavior with Neuberger in 1974. Told Neuberger he regretted telling them. Also Neuberger says [REDACTED] told him that [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

6. [REDACTED] Unknown if sexual contact occurred: He is the one who notified Neuberger when [REDACTED] contacted him.

7. [REDACTED] also from St. Boniface. Not sure if sexual contact occurred. Friend of [REDACTED]

8. [REDACTED] (Circuit Court): Neuberger denies. Says he was not involved with anyone "white" after [REDACTED]

ADOM038735

9. \*\* [REDACTED] student at Messmer; Neuberger admits to sex with him as a minor. Happened "a couple of different times." First time related to the confessional. Still friendly with Neuberger. Works at [REDACTED] Knows about lawsuits. He informed Neuberger that [REDACTED] were going to sue. [REDACTED] is heterosexual. Nephew of [REDACTED]

10. \*\* [REDACTED] student at Messmer

11. [REDACTED]: student at Messmer

12. \*\* [REDACTED], student at Marquette (1970-72?) moved into St. Gall with Neuberger; [REDACTED]

13.\*\* [REDACTED]: Moved in after [REDACTED] moved out; sexual contacts, 19 or 20 years old at the time according to Neuberger

\*\* = "Gang of 6" from St. Boniface; Neuberger's "family."

14. [REDACTED] (CSS foster child). Native American. Lives in [REDACTED]. [REDACTED] called Neuberger after lawsuits filed.

15. [REDACTED]: student at Thomas More; sexual contact allegedly initiated by [REDACTED] according to Neuberger. Drank and smoked pot with [REDACTED] told Bill Stanfield who told Neuberger to get in touch with [REDACTED] because he has a lot of respect for you." Sklba got letter from his parents in 1981??

16. [REDACTED] Friday morning altar boy at St. Dominic in Sheboygan (1980). [REDACTED] Parents notified.

Clarify with Bishop Sklba who spoke with him about Neuberger or wrote. Bill Stanfield reportedly also spoke with Sklba about Neuberger and Sklba called Neuberger in according to Neuberger.

Stanfield (according to Neuberger) told Sklba that a man told Stanfield had had a sexual relationship with Michael Neuberger.



# TIMOTHY MICHAEL DOLAN

Miseratione Divina et Apostolicae Sedis Gratia  
Archiepiscopus Milvauchiensis

Be it decreed,

Having received a definitive judgment from the Tribunal of the Roman Rota (Prot. No. 17.746), in accord with the application of the third section of the dispositive section, in virtue of the executive power of my office specified in canon 381 §1 and in accord with the prescriptions of canon 49 I, the Most Reverend Timothy Michael Dolan, Archbishop of Milwaukee, out of concern for the good ordering of ministry within this archdiocese, does hereby with this document and in accordance with norms of the Code of Canon Law, apply the following precepts to the Reverend Michael NEUBERGER:

1. To refrain from all contact with minors;
2. To cease all public exercise of ministry and celebrations of the sacraments, including that of penance, with due regard for the norms of canon 976;
3. To avoid all places, persons, and situations that have been the focus of, or substantively associated with, the allegations adjudicated in the aforementioned penal process.

You shall retain the right of celebrating mass privately.

The Most Reverend Timothy M. Dolan  
Archbishop of Milwaukee

Given this 24<sup>th</sup> day of January, 2008

Very Reverend Curt Frederick  
Notary

ADOM038914



  
ARCHDIOCESE OF MILWAUKEE  
OFFICE OF THE ARCHBISHOP

January 24, 2008

The Reverend Michael Neuberger

████████████████████  
Waukesha, WI 53188-6152

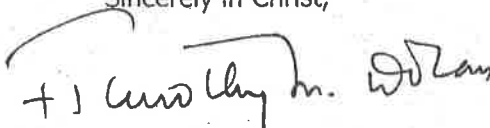
Dear Father Neuberger:

I have asked the judicial vicar of the archdiocese, Very Reverend Paul Hartmann, to inform you of a recent response from the Roman Rota regarding your case.

In accord with the third section of the judgment, I must issue the enclosed decree which continues the main elements of previous restrictions. You may only offer Mass privately.

With prayerful solidarity, I am,

Sincerely in Christ,



Most Reverend Timothy M. Dolan  
Archbishop of Milwaukee

ARCHDIOCESE  
OF MILWAUKEE

3501 SOUTH LAKE DRIVE • P.O. Box 07912 • MILWAUKEE, WISCONSIN 53207-0912 • PHONE 414/769-3300

OFFICE OF THE ARCHBISHOP

April 7, 1993

Rev. Michael T. Neuberger  
St. John Neumann Parish  
[REDACTED]  
Waukesha, WI 53187

Dear Father Neuberger,

It is with a sense of joy in our shared faith that I ask you to become the Pastor of St. Catherine of Alexandria Parish in Milwaukee. Following the recommendation of the Personnel Board, I am happy to entrust the faithful of this parish to your pastoral care beginning on June 22, 1993. This appointment is being made for a period of time up to six years after which time it will be reviewed for possible extension.

As the Pastor for that parish you are called upon to serve the needs of God's people so that they can take their rightful place as baptized Catholics in their own Faith-community and in society. Your mission, like my own, is one of teaching and sanctifying, and also of administrating the parish, together with the Parish Council and those organizations designated to work with you. Also, I trust that you will work diligently with the priests in the district and enter fully into the current Archdiocesan Parish Planning, "Walking Together: Collaborating for the Future".

It is a privilege to share my ministry with you. May God's blessings fill your life.

Sincerely yours in the Lord,

Most Reverend Rembert G. Weakland, O.S.B.  
Archbishop of Milwaukee

ADOM038923



**ARCHDIOCESE OF MILWAUKEE**  
Priests' Personnel Board

March 24, 1987

3501 S. Lake Drive  
P.O. Box 2018  
Milwaukee  
Wis. 53201  
414/769-3300  
Archbishop Cousins  
Catholic Center

The Reverend Michael T. Neuberger  
St. John Neumann Parish  
██████████  
Waukesha, Wisconsin 53187

Dear Father Neuberger,

Many thanks for the cooperation and patience you have shown the Board as it worked with you to evaluate your current term of office.

We are pleased to inform you that Archbishop Weakland concurs with our recommendation to extend your term of office as Pastor at St. John Neumann Parish, Waukesha, for a period of up to six years.

It is our prayer that the Lord will continue to guide you in your priestly ministry.

Sincerely yours,

THE PRIESTS' PERSONNEL BOARD

Reverend Eugene C. Neuman  
Executive Secretary

ADOM038945

REC'D. 12/4/84



**ARCHDIOCESE OF MILWAUKEE**  
Adult and Family Ministry

December 3, 1984

Rev. Michael Neuberger ✓  
St. John Neumann  
██████████  
Waukesha, WI 53187

3501 S. Lake Drive  
P.O. Box 2018  
Milwaukee  
Wis. 53201  
414/769-3300  
Archbishop Cousins  
Catholic Center

Dear Father:

I am writing to say that I am grateful for our conversations about Campus Ministry and your interest in it.

I would like to formally request that St. John Neumann parish consider taking on campus ministry for the city of Waukesha. Ultimately, this could involve not only Carroll College, but UW-Waukesha and WCTI. I realize that this will be a new effort and that it will begin slowly. I see it as a ministry which could include not only yourself, but parishioners interested in working with young people.

I have no preconceived notions of exactly what parish based campus ministry should look like. As it develops, I suspect it may have a liturgical-prayer-retreat dimension, a social dimension, an educational aspect and an outreach dimension. I also think it could be done as part of Young Adult Ministry.

I am available to you and your parish to help develop the parish based ministry.

I appreciate your considering this as part of your parish ministry. Please call me if I can be of further help.

Sincerely,

Maureen Gallagher  
Director

cc: Fr. Gene Neuman  
Sister Michelle Olley

ADOM038946

June 9, 1981

C  
The Reverend Michael T. Neuberger  
St. Dominic Parish  
[REDACTED]  
Sheboygan, Wisconsin 53081

Dear Father Neuberger:

O  
Following the recommendation of the Personnel Board, and with the concurrence of the Archbishop, I herewith transfer you from your present position as Associate Pastor at St. Dominic Parish, Sheboygan, and officially appoint you Pastor of St. John Neumann Parish, Waukesha, effective July 1, 1981.

P  
You are reminded that the required Profession of Faith will be made in the context of the Installation Ceremony to be scheduled at your parish in the near future.

In keeping with the Term of Office Policy inaugurated August 1, 1980, your assignment will exist for a period of up to six years from its effective date and after that will be reviewed for possible extension.

Y  
I know that you have looked forward to assuming the office of pastor, and I assure you that my prayers are joined with yours as we ask God to bless your labors in this new work.

Sincerely yours in the Lord,

Reverend Joseph A. Janicki  
Vicar for Priest Personnel

ADOM038949

# Court Gets Controversy On Rectory

*Millwaukee Sentinel 6/19/73*

One priest is illegally occupying another priest's rectory and should be evicted, an attorney argued in County Court Monday.

"We just want a man to have his rectory back," C. Michael Hausman, attorney for St. Gall Church, 2628 N. 3rd St., told Judge George A. Burns Jr.

David Walther, attorney for Father Michael T. Neuberger, said his client "will move immediately upon getting another assignment."

Neuberger is living in a residence owned by St. Gall congregation and the pastor, Father Donald Richards, wants to move in.

Referring to Neuberger, Hausman said, "He wants to hold on to what he's got (the residence) until he gets what he wants (another church assignment)."

Walther said that if Neuberger is evicted, he will have no place to go. Since he does not have an assignment, he is pumping gas at a service station.

Neuberger testified that he had asked for another assignment many times but had received no response.

Earlier this month he told a reporter that he was staying at the residence at 2610 N. 3rd St. to force the church to act on his status.

Burns said he would rule at 2 p.m. Friday whether Walther can raise a defense that the priest has an ecclesiastical relationship that makes him more than a tenant.

Father James Gropi attended the hearing. He and Neuberger worked together at St. Boniface Church during the civil rights fight here. He said he was passing through town and attended the trial because of his association with Neuberger.

## Priest Has a Home, But No Parish Yet

Father Michael T. Neuberger now has a roof over his head but he's still pumping gasoline instead of doing usual priestly tasks.

Neuberger has moved into St. Michael's Church, but still has not been assigned work in a parish.

Instead, he is pumping gasoline at the on the 11 a.m. to 7 p.m. shift at the J.C. Penney gasoline station in the Northridge Shopping Center.

An out of court settlement was made between the priest and the Archdiocese of Milwaukee on June 26.

In the settlement Neuberger agreed to leave his home at St. Gall Church so that Father Donald Richards, the church pastor, could move into the building at 2628 N. 3rd St.

There has been no indication why the archdiocese went to court to evict Neuberger. The archdiocese says that he is a priest in good standing.

Neuberger's attorney, David Walther, said Monday that although the priest has been living at St. Michael's since last

Thursday, he still has not received a work assignment.

Walther said that there are several assignments Neuberger is considering but that a parish priest must approve Neuberger's work in parish before he can begin.

"It's not like the old times when a pastor had to accept the priest," Walther said. "Today, the pastor can refuse."



Dressed in work clothes, Father Michael T. Neuberger pumped gasoline Thursday at the J. C. Panney Auto Center at

Northridge. Neuberger, who is feuding with the Milwaukee Archdiocese, said he took the job "just to live."

—Sentinel Photo by Richard Brodzeller

## Parishless Priest Pumps Gasoline 'Just to Live'

By WILLIAM JANZ

A Catholic priest named Michael T. Neuberger offered mass early Thursday, then spent the rest of the day pumping gasoline at a service station.

He has done this for months.

Dressed in blue work clothes, with the words "pit boss" on the back of his jacket, Father Neuberger said Thursday, "I had to take a job just to live."

After he finished filling a gas tank and cleaning a windshield with a dirty pink cloth

he carried in his back pocket, the priest said, "I get up at 5:30 a.m. and say 6 o'clock mass at St. Casimir every morning. Then I go home and change uniforms and come here to work."

The strange situation involving Neuberger and the Milwaukee Archdiocese became public when St. Gall Church, 2628 N. 3rd St., backed by the archdiocese, filed suit in County Court to evict the priest from a residence the church owns.

Neuberger is not assigned to St. Gall congregation but lives there.

The reasons that archdiocesan officials are fighting the priest, and vice versa, are confusing and people have become more confused in the months the dispute has gone on.

Nearly everybody a reporter talked to, including high church officials, agreed that Neuberger was a good priest — but he was still pumping gasoline Thursday.

The gas in his residence was turned off this week and Neuberger, short of funds,



## PRIEST

## Situation Confused

*Continued From Page 1*  
said, "I seldom eat more than once a day."

Father Robert Sampon, chancellor of the archdiocese, said he was surprised when told by a reporter that Neuberger was working in a service station to support himself.

## Ability Praised

"He's a real fine priest with much ability," Sampon said. "He's a very fine speaker."

He said he would immediately look into the matter.

Sampon also said he had no idea that Neuberger was not being supported by the archdiocese, but records showed that other representatives of the church have been aware of this.

Neuberger works around the gasoline islands at the J.C. Penney Auto Center at Northridge. In a matter of minutes Thursday, the 36-year-old priest filled the tanks of one truck and three cars.

As the priest approached the door to the station, a strong gust of wind blew the door open so he could enter.

"Does that happen all the time?" a reporter asked, pointing to the heavy glass door that opened when Neuberger approached.

"That's the advantage of being a priest," he laughed.

"My life would be a lot simpler if I just got out," he said, referring to the residence at St. Gall.

"I've literally hijacked a building and that's the only reason they're talking to me," Neuberger said. "They want it back."

The pastor at St. Gall wants to move from his pres-

ent residence into the home occupied by Neuberger.

But Neuberger isn't moving because he wants to settle the issue of where he is to be assigned to live and work. The priest and his attorney, David L. Walther, said he had been trying to clarify his confusing status for years.

The priest moved into the house at 2610 N. 3rd St. in 1970. He helped out at St. Gall until the previous pastor left last year.

Formerly he was with a team of priests at St. Boniface Parish that included Father James E. Groppi. He also has worked in educational programs in recent years.

Some resentment against

him in the archdiocese may come from those turbulent days at St. Boniface, he said.

Neuberger now has no assignment from the archdiocese.

## Questions Numerous

Standing next to a sign that said, "Replace Your Shock Absorbers" the priest said, "Some of my best friends ask me, 'What did you do? Come on, you must have done something.' They say I'm married or I once ran off to Florida. But it's not true."

A spokesman for the Personnel Board of the archdiocese agreed that Neuberger was a priest in good standing. Five or six churches need pastoral help but Neuberger will have to approach the archbishop, he said.

A spokesman for the archbishop's office later said that Neuberger would have to approach the Personnel Board.

The priest claimed that he had approached both in the past but has not been offered a position. Negotiations concerning his residence have been going on for nine months.

"The archdiocese knows less about due process than the high command of the Wehrmacht," Walther said angrily.

## Move Vowed

He added, "He'll move out of that house immediately if he can have an assignment so he doesn't have to rest his head on a rock."


Whatever happens, Neuberger said he intends to remain a priest.

"We'll try working out something for him if he's willing to accept it," Sampon said.

"Three hundred and fifty college credits and the best job I can get is pumping gas," the priest said. "I'm concerned about the lack of procedure and the lack of Christianity in the church," he said softly.

Another car came into the station and Neuberger ran to a gas pump.

ARCHDIOCESE OF MILWAUKEE  
PRIESTLY OFFICE QUESTIONNAIRE

03690 

PLEASE READ THE ENTIRE FORM BEFORE MAKING ANY ENTRIES

I. GENERAL INFORMATION

Name MICHAEL T NEUBERGER

Birth Date 5-15-37

Title (Pastor, Assoc. Pastor, Etc.) RELIGION TEACHER, GUIDANCE

Present Assignment MESSMER HIGH SCHOOL - RESIDENCE ST BONIFACE  
COUNSELOR, PRIEST IN RESIDENCE

Location MILWAUKEE

Time in this Assignment MESSMER 3 (yrs.) 6 (mos.)  
STB 5 4

Home Parish at Time of Ordination ST CASIMIR MILWAUKEE

Prior Assignments:

<u>Parish</u>	<u>Location</u>	<u>Title</u>	<u>Years in Position</u>
<u>ST PHILIP NERI</u>	<u>MILWAUKEE</u>	<u>ASSISTANT</u>	<u>2</u>
<u>ST BONIFACE</u>	<u>"</u>	<u>"</u>	<u>1</u>
<u>"</u>	<u>"</u>	<u>ASSOC. PASTOR</u>	<u>2</u>
<u>"</u>	<u>"</u>	<u>TEAM PASTORATE</u>	<u>1</u>

7/3/73 RGS

June 30, 1973

The Reverend Michael T. Neuberger

[REDACTED]  
Milwaukee, Wisconsin 53212

Dear Mike,

After due consultation with the Pastoral Team of St. Michael's Parish, I am very pleased, acting on behalf of the Archdiocese, to inform you officially of an appointment "in residence" at St. Michael's rectory, [REDACTED], Milwaukee. This appointment is effective beginning July 3, 1973, and will extend until such time as you receive a full time assignment but not to go beyond the 1st of September of this year without further review.

Also, Mike, taking into consideration the present financial burdens of the parish, the Archdiocese will reimburse St. Michael's for your board and room. The Pastoral Team will work out with you other personal arrangements concerning your stay with them.

With prayerful best wishes, I am

Always in the Lord,

*Bob*

(Rev.) Robert G. Sampon  
Chancellor

RGS/mk

cc: Pastoral Team, St. Michael's Parish  
Rev. John J. Theisen, Priests' Personnel Board ✓

COPY

ADOM038966

MICHAEL T. NEUBERGER

3/29/93 - Michael Neuberger calls asking if St. Catherine will be on the agenda for the Board meeting on April 6th. In view of the added concerns of acquiring housing in parishes that no longer have rectories, he hopes that these appointments will be made sooner in order to prepare oneself for a residence.

4/7/93 - Michael Neuberger is appointed pastor of St. Catherine of Alexandria effective June 22, 1993 for a 6-year term.

6/28/93 - Michael Neuberger is given a courtesy call regarding his new assignment.

9/20/93 - Barbara Cusack calls to inform us that Mike Neuberger called to alert the Chancery that a letter-writing campaign or a phone-calling campaign questioning some of his decisions may begin soon.

9/22/93 - Michael Neuberger calls to seek names of diocesan personnel who could be of assistance to him in resolving some conflicts at St. Catherine's.

11/5/93 - Michael Neuberger has gone on a personal leave and Jeffery Prasser is appointed the T.A. to St. Catherine of Alexandria effective today, November 5, 1993. The parishes of St. Catherine and St. John Neumann have received bulletin announcements regarding Michael Neuberger to be read on Sunday, November 7th.

11/15/93 - Personnel Action Notice has Michael Neuberger currently on a personal leave.

11/16/93 - Michael Neuberger calls to express great confidence in Jeffery Prasser as an Administrator. Also, he feels that given the plethora of pastors at the parish in recent years yet another change could drive the people up the wall. Mike is not sure that St. Catherine's is a two-priest parish.

1/19/94 - Michael Neuberger has selected Daniel Ward as his canonical procurator-advocate.

2/8/94 - A courtesy call is made to Jeff Prasser at St. Catherine. He is coping quite well. He is in daily contact with Michael Neuberger and administers accordingly. He will be calling R. Sklba for his input regarding some personnel decisions.

2/14/94 - Michael Neuberger calls to inform us that a woman from St. John Neumann Parish showed up at his house this morning at 3:30. She has a history of mental problems and now seems to be into cult theology and wants to become a member of his church and is willing to submit to him in everything. He reported the incident to the sheriff.

EDUCATIONAL  
SERVICE  
PROGRAMS, INC.

INDIVIDUALIZED LEARNING MANAGEMENT

2610 NORTH THIRD ST.  
MILWAUKEE, WIS. 53212  
(414) 374-5655

August 31, 1972

Most Reverend William E. Cousins  
Archbishop of Milwaukee  
345 North 95th Street  
Milwaukee, Wisconsin 53226

Dear Archbishop,

Thank you for your letter of August 28, 1972. For the first time since last October we are able to deal with facts. I regret to inform you that your advisors have not presented the facts to you accurately, at least as I view them.

#1 "Some time ago, you agreed with Monsignor Beres to vacate the rectory building and facilities you are now using by August 31st of this year."

I never agreed to vacate by August 31, 1972. My conversation with Monsignor Beres was relative to the effective date of my agreement with Father Whelan. I shall leave an extended discussion of that agreement until an official decision is made in writing as to the legal right of Fr. Whelan to have entered into such agreement.

It is illogical furthermore to assume that I would have agreed to leave on that date when the possibility of my appointment here as administrator/pastor would have obviated that necessity. Since my dealings with Monsignor Beres preceded the actual appointment and decision by the Personnel Board, my leaving St. Gall at any specific date could hardly have been a topic of conversation.

In addition, my understanding that I could remain here in the event another priest was appointed would render such an agreement inane. You will recall when we met in your office in June of this year I asked to be considered as a candidate for administrator of St. Gall Congregation. I offered two reasons for that consideration.

ADOM039009

1. I am physically on location and by virtue of the job I have which you requested me to get in June of 1969 because as you said you could not assign me to any parish or institution of the diocese inasmuch as reaction to my background at St. Boniface would render me a "financial liability," I must remain in the immediate neighborhood notwithstanding.

2. My reputation has been slandered in word and conduct by [REDACTED] since his arrival here. I told you then that rather than go the route of suing him in civil court which would do little to rectify the situation (it is logically unfeasible to recover all the feathers shaken out of a pillow cover in the wind) I preferred to "live out" the gossip. You said at that time that you understood my feelings and that you would convey that information to the Personnel Board. I am of the sincere conviction that you also said that in the event I was not named administrator/pastor of St. Gall that I could remain with my program under a "more formal agreement" to accomplish this end.

#2 "This decision was based upon a verbal agreement allegedly made between Father Whelan and yourself."

First of all, I was directed in writing by the Personnel Board and yourself in separate communications to enter into an "agreement" with "the pastor, Father William Whelan" relative to my residency here.

Secondly, aware of the irregularities in previous dealings and of the pressure bearing on your office by the Dominican Sisters which in fact led to the physical assault of Father Whelan prior to the filing of a formal grievance and the subsequent notice of his removal from office on Christmas Eve, 1971 before the grievance committee had completed their investigation I took the precaution of legalizing all agreements with my attorney.

All parties thus far involved have been informed of these arrangements. I have not however in virtue of [REDACTED] conduct and my attorney's advice submitted them in fear of what further malicious use [REDACTED] would make of them.

#3 "Though the parish was not obliged to honor such an unrecorded contract and though there was no record of payment of the entire rental sum as originally agreed upon, you were permitted to retain occupancy until the end of the current month."

A. Contracts are based on a "quid pro quo". If there was no obligation on the part of the parish, then correlatively there was no obligation on the part of Educational Service Programs, Inc. or myself.

B. The question of record of payment is not one legitimately to be asked of me. I have one. In fact I am prepaid for an extensive period. How Father Whelan kept his books is a matter to be directed to him, not to me. If anyone wishes to challenge my word I invite them to take the time, effort and expense to do so forthrightly either according to the procedures of due process or in civil court. It is unconstitutional, to say the least, to place the burden of proof on the accused.

The accumulation of monies and services rendered Father Whelan as "pastor" of St. Gall Congregation presently exceeds \$5,000.00. If it is determined that no legal agreement was entered into I will gladly accept a refund of money paid St. Gall under false pretense and payment for services rendered presently outstanding.

C. To say I was "permitted to retain occupancy until the end of the current month" is the grossest inaccuracy at best.. From the day Father Vojtik was officially named administrator of St. Gall I have been subjected to a series of uneducated and ineffectual attempts to secure my removal, from a "maybe you'll have to leave by Feb. 1," through Monsignor Beres' declaration that the sheriff might carry me out physically, to the final ludicrous performance of Father Vojtik in attempting to present me with a notice of some kind and on my doorstep, with the aid of his recently married brother and a fourteen year old boy taken from the playground and pressured against his will to witness my refusal to sign his receipt. My October (SIC) stipend check was then withheld in retribution. Incidentally Father Richards found the undelivered check and has since rectified that situation.

Inasmuch as "undisturbed tenancy" is a "quid" I submit that these actions alone would diminish any obligation on my part to any "alleged" agreement.

#4 "Financial conditions existing at St. Gall and parish need for the property at [REDACTED] ....."

It is ironic that "financial conditions" were the reason cited for inviting me to live here in the first place and subsequently to take over use of the entire building. Last July the decision was made after a visit by Monsignor Beres and Kenneth Burgess, which I personally witnessed, to remove a stairway in the combination church/school building, install a parish office on the first floor and remodel the residence at [REDACTED] for the pastor's living quarters. A considerable portion of parish savings was spent for this project.

The reasoning I believe was sound. The 17 room 2610 building was simply too large and too expensive to maintain for one priest. The ordinary maintenance alone approximates \$200/mo. In addition, over the past years no furniture or appliances have been replaced. As they wore out they were simply disposed of. Consequently outside of a wringer washer, gas dryer, two chairs and an old love seat, the parish would be forced to completely refurnish. To ask me to believe that "financial conditions" prompt a congregation to reassume a nearly \$200 per month maintenance bill, turn down cash income and "wash out" an investment in remodeling entered into just a year ago defies plausibility.

The "financial condition" of St. Gall was the rationale for ESP, Inc assuming the cost of ordinary maintenance, thereby relieving the parish of that financial obligation. In addition I would provide actual income. The use of the facility by ESP, Inc. was consistent with the desire of the parish to see its facilities used to serve the community. In addition to that the presence of another priest would provide a ready substitute for the pastor in his absence and establish a quasi-church use of the building thereby relieving the parish of property tax. Since Father Vojtik refused my offer of service and preferred to lock the Church and deprive the people of Mass in his absence when another help-out other than myself was available, that status of the building has thereby been nullified. And since ESP, Inc. is a "profit" corporation I must assume that the use of this building for non-church use has been reported and the responsibility for property tax accepted. The logic of this tact in the name of "financial conditions" escapes me.

Incidentally, if you wish to check the insurance evaluation of this parish with your office of finance you will find a record of the change of the official residence of the pastor to another building and a record of the "unrecorded" lease of the building I presently occupy.

Now as to parish need. Since Father Richards has been here less than one month and since he yesterday confirmed that he had no "immediate plans" for the use of this building requiring my immediate departure, am I to assume that the use of this building has already been committed to some community group or federation, or am I to assume in the absence of intelligent negotiations that an income producing program in the field of remedial education for adults to enable them to secure meaningful employment is "a priori" unacceptable to this parish?

The missing pieces of this logic puzzle militate seriously against credibility, or should we really be talking about something else?



page 5

#5 "I take it for granted.....August 31, 1972."

In virtue of my response to sentence #1, point 2 I have not made other arrangements and cannot reasonably under any circumstances accede to this "formal request."

#6 "This in no way involves the Personnel Board, because the Board is not called upon to furnish residence for one who is not in the immediate service of the Archdiocese."

I agree that the Personnel Board should not be involved. I cannot follow the remainder of your sentence if it is intended to apply to me.

I have been in the immediate service of the Archdiocese for over ten years. Since you requested me to seek employment in June of 1969 I have continued to serve the Church and will match my priestly service record with any priest of the Archdiocese involved in education or agency work.

I have continually offered my services to the Personnel Board both orally and in writing and have never declined any assignment, which would have been an impossibility, since my offers were never even formally acknowledged and I have never been offered an assignment. I even, you will recall, when no other priest could be found, acceded to the reversal of the directions from your office to ~~say~~ "out of the situation" and bore the ugly brunt of the fracas at St. Gall despite the physical danger to which I was exposed. I must insist for a clarification of this point.

#7 "This has already been explained.....understanding."

I respectfully submit that you have me confused me with some other priest. At our last meeting in June 1972 we discussed my eligibility for appointment to St. Gall. I have never discussed the relationship of the Personnel Board relative to furnishing residence with you.

Furthermore, prescinding from the above, if for a moment we tentatively accept the theory involved in the above sentences, since my employment situation is unchanged since July of 1969, why was the Personnel Board involved in my appointment here in 1970? If they are not responsible, then neither does one need their or your approval to rent a room. There is no point in belaboring these recurrent inconsistencies. Either they are responsible now or they exceeded their due authority by getting involved in the first place. Neither can the Archdiocese require a priest to support himself at the same time according to the recent instruction from the Vatican it forbids him to do so.

ADOM039013

#8 "With warm personal regards and relying upon your cooperation in this matter,"

Yes, and they are mutual. "In all things charity." I do not know how this situation got so mixed up and I should be as relieved as everyone else to have it settled quickly. My only concern is that that settlement will not be at my sole personal and financial expense. And I am sympathetic to the pressures that have been placed on you by the Dominican Sisters. I spoke to the Mother General and twice to the Provincial in the midst of the turmoil. Neither had so much as the courtesy to reply as they indicated they would.

If we both understand cooperation as working "with" I pledge it to you unreservedly. Unfortunately I have not been involved in most of the action pertinent to this situation. I trust and rely upon your sense of justice in this respect.

In conclusion, I regret that I cannot accede to your request. I hope the above will serve to explain my situation. Neither can I accept the proposal "to move now and settle later." My own experiences as well as the treatment I personally witnessed of Father Whelan strain credibility to the point of non-existence. I shall now insist upon communicating only in writing for my own clarification and protection. I regret it has taken me so long to learn, "what is not in writing does not exist."

One last point. I am at St. Gall in virtue of an official appointment. I do not wish to leave. The assignment of Father Murphy, official or unofficial at this point, indicates the continued need and desire of the parish for an additional priest. If there are those who consider me unacceptable to continue in this position, let them follow the course of due process. I fully expect that they, whoever they are behind these surface affairs, will again resort to public demonstration as an alternative to due process. Perhaps in so doing they will finally expose the situations of the past year for what they really are.

Yours in the search for the peace, truth, and justice of Christ in the Milwaukee Archdiocese, I am



The Rev. Michael T. Neuberger

July 11, 1973

Dr. and Mrs. [REDACTED]  
Franklin, Wisconsin 53132

My dear Dr. and Mrs. [REDACTED]

Permit me to acknowledge your letter of July 3rd and permit me also to deny categorically the comment attributed to me in the first paragraph of that letter.

Going on from there, I agree with you completely that a priest deserves every consideration and that no Bishop in his right mind would deliberately treat a fellow priest unjustly. Your information on Father Neuberger is evidently drawn exclusively from press accounts. There is no defense against half-truths nor against interpretations based upon those half-truths. I can only say that a complete review of the facts would cause you to reconsider the conclusions you have drawn.

Choosing to overlook your failure in charity since it is quite evidently based upon misunderstanding, I am, with every blessing,

Sincerely yours in Christ,

Most Reverend William E. Cousins  
Archbishop of Milwaukee

COPY

ADOM039024

February 15, 1974

Alexander K. Romanski  
2Lt, CAP.  
Squadron Commander, Greendale Composite Squadron,  
Civil Air Patrol, Auxiliary United States Air Force  
Post Office Box 223  
Hales Corners, Wisconsin 53130

Dear Sir:

We understand that the Reverend Michael Neuberger has applied for CAP membership and Chaplaincy and for this in accordance with regulations requires Ecclesiastical Endorsement.

I am pleased to grant this endorsement on behalf of the Catholic Archdiocese of Milwaukee. Father Neuberger is an ordained priest of the Roman Catholic faith and has what approval he requires to apply for Chaplaincy in the Civil Air Patrol, Auxiliary United States Air Force. It is understood that his duties with the CAP will not infringe on his responsibilities as a member of the faculty at Thomas More High School.

Sincerely yours in Christ,

(Rev.) Robert G. Sampon  
Chancellor

RGS/pf

cc: Reverend Michael T. Neuberger

COPY

ADOM039026

May 25, 1979

The Reverend Michael T. Neuberger ✓  
Catholic Campus Ministry  
University of Wisconsin-Parkside

██████████  
Kenosha, Wisconsin 53142

Dear Father Neuberger:

Following the recommendation of the Personnel Board regarding your assignment, I herewith transfer you from your present position of Catholic Campus Ministry, University of Wisconsin-Parkside, Kenosha, and appoint you Associate Pastor at St. Francis de Sales Parish, Lake Geneva, effective June 19, 1979. You will kindly report on that date to the Pastor, Father Frank J. Yaniak.

Accept my prayers and good wishes as you move on to a new area of priestly work.

Sincerely yours in the Lord,

Most Reverend Rembert G. Weakland, O.S.B.  
Archbishop of Milwaukee

ADOM039057

May 22, 1980

C  
O  
P  
Y  
  
The Reverend Michael T. Neuberger ✓  
St. Francis de Sales Parish

██████████  
Lake Geneva, Wisconsin 53147

Dear Father Neuberger:

Following the recommendation of the Personnel Board regarding your assignment, I herewith transfer you from your present position as Associate Pastor at St. Francis de Sales Parish, Lake Geneva, and appoint you Associate Pastor at St. Dominic Parish, Sheboygan, effective June 17, 1980. You will kindly report on that date to the Pastor, Father John Theisen.

Accept my prayers and good wishes as you move on to a new area of priestly work.

Sincerely yours in the Lord,

Reverend Joseph A. Janicki  
Vicar for Priest Personnel

ADOM039059

March 13, 1981

C  
O  
P  
Y  
  
The Reverend Michael T. Neuberger  
St. Dominic's Parish  
[REDACTED]  
Sheboygan, Wisconsin 53081

Dear Father Neuberger:

Following the recommendation of the Reverend Joseph A. Janicki, Vicar for Priest Personnel, you are herewith appointed temporary administrator of St. Dominic's Parish, Sheboygan, during the illness of Father John J. Theisen. This appointment is effective March 13, 1981.

As temporary administrator, you come under the provisions of Canon 474, have the responsibility of the Pro Populo Mass on Sundays and Holy Days of obligation, enjoy the rights of a pastor in accord with Canon 465, and are authorized to sign checks on all parish accounts to cover ordinary expenditures and to meet payroll obligations. Please note that in keeping with Canon 436, pending Father Theisen's return to the parish, no changes are to be made. Urgent matters should be referred to the Archbishop.

With kind personal regards, I am

Fraternally yours in Christ,

(Rev.) Robert G. Sampon  
Chancellor

RGS/mk

cc: Rev. Joseph F. Hornacek  
Priests' Personnel Board

ADOM039060

*Neuberg*

STRATEGIES FOR EMERGENCY ACTION/INTERVENTION

I. Convening of emergency team

Upon notification from a reliable source that charges are to be filed, allegations to be published, or other public attention to be given regarding a case of misconduct by a priest the Chancery will convene a team to respond to the emergency. The Archbishop and Bishop Sklba will be notified about the meeting should they choose to attend.

Those to be convened:	Rev. Tom Venne (769-3490)	<u>Yes</u>
	Rev. Len Barbian (769-3458)	<u>Out for wk</u>
	Rosemary Murphy (769-3454)	<u>Yes</u>
	Liz Piasecki (769-3436)	<u>Yes</u>

Depending on the nature of the case other persons may also be convened in this initial meeting (e.g., parish consultant for affected area, office director, etc.)

Other persons contacted: \_\_\_\_\_

Date, place, and time of meeting communicated to each of the above at \_\_\_\_\_  
Time of contact. 11/4/93, 10:00 am, Archbp. Conf. Rm.

II. Development of strategies

A. Designate contact person(s) for additional incoming calls on same case and determine appropriate response at time of initial call.

Contact person: \_\_\_\_\_ Phone # \_\_\_\_\_

Response: \_\_\_\_\_

Decide if parish/institution intervention is needed.

Contact pastor/pastoral staff of affected parish with advance notice. Yes \_\_\_\_\_ No \_\_\_\_\_

Who is contacted? \_\_\_\_\_

By whom? \_\_\_\_\_

What is to be said? Pract

Send diocesan representative to parish for coordination of \_\_\_\_\_  
on \_\_\_\_\_ responses. Yes \_\_\_\_\_ No \_\_\_\_\_

Who is sent? \_\_\_\_\_

Role: \_\_\_\_\_

*1. Ask him to voluntarily not function*  
*2. Admin leave*  
*3. Resign*  
*Ask Mike to resign what was sent to him.*  
*to sign something*

*Letter to parish*  
*Because of public allegations & lawsuits*  
*because of misconduct*  
*prior to his last two assignments*  
*& letter to Neumann people.*

*We assigned him to St Catherine's*  
 1. *Questionable historical*  
 2. *Denied*  
 3. *Admitted that no evidence of minors in history*  
 4. *From earlier history*

155

*Project Benjamin involve*  
*St Catherine*  
*St John Neumann*  
*Trustees & Pastors on board*



Prepare announcement for communication with trustees, parish council president, full council, parish.  Yes  No

Who prepares? \_\_\_\_\_

Summary of content: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Provide intervention team for parishioners.  Yes  No

Team members:

Role:

Provide intervention team in parish school.  Yes  No

Team members:

Role:

C. Determine public response(s)

Who will act as diocesan spokesperson with the media? \_\_\_\_\_

Will a formal statement from the archdiocese/archbishop be prepared?  Yes  No

by whom? \_\_\_\_\_

Need to be checked with legal counsel?  Yes  No

by whom? \_\_\_\_\_

Contact with sheriff/district atty needed?  Yes  No

by whom? \_\_\_\_\_

Contact with social services of the area needed?  Yes  No

by whom? \_\_\_\_\_

Contact with other public agencies needed?  Yes  No

what agencies? \_\_\_\_\_

by whom? \_\_\_\_\_

II. Other Strategies

What:

By whom:

When:

NEXT MEETING OF EMERGENCY TEAM IF NEEDED:

ADOM039069

Tom Vonne spoke to Mike 9/29/93

Two alleged victims - two law suits  
One had called Archdioc. - Not a normal call

Mike wants to fight their cases.  
Mike states that one person was adult  
The other person Mike never knew except as a student.  
Facts in case are coming out, but they are so uncoordinated pieces of evidence

STRATEGIES FOR EMERGENCY ACTION/INTERVENTION

9/29/93

I. Convening of emergency team

Case never was given to us to investigate; went to civil authority.  
Will name of priest be published?

Upon notification from a reliable source that charges are to be filed, allegations to be published, or other public attention to be given regarding a case of misconduct by a priest the Chancery will convene a team to respond to the emergency. The Archbishop and Bishop Skiba will be notified about the meeting should they choose to attend.

Those to be convened: Rev. Tom Venne (769-3490) \_\_\_\_\_  
Rev. Len Barbian (769-3458) \_\_\_\_\_  
Rosemary Murphy (769-3454) \_\_\_\_\_  
Liz Piasecki \_\_\_\_\_

Rosemary get in touch with reporter & Matt & Lynn & Mike.

Depending on the nature of the case other persons may also be convened in this initial meeting (e.g., parish consultant for affected area, office director, etc.)

Other persons contacted: \_\_\_\_\_

Date, place, and time of meeting communicated to each of the above at time of contact.

All Boniface parishes & parishes have been notified by Skiba.

II. Development of strategies

A. Designate contact person(s) for additional incoming calls on same case and determine appropriate response at time of initial call.

Contact person: \_\_\_\_\_ Phone # \_\_\_\_\_

Response: \_\_\_\_\_

Protect Mike's rights & wishes

B. Decide if parish/institution intervention is needed.

Contact pastor/pastoral staff of affected parish with advance notice. \_\_\_\_\_ Yes \_\_\_\_\_ No

Who is contacted? \_\_\_\_\_  
By whom? \_\_\_\_\_  
What is to be said? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Mike has Jerry Boyle as atty.

Send diocesan representative to parish for coordination of on site responses. \_\_\_\_\_ Yes \_\_\_\_\_ No

Who is sent? \_\_\_\_\_  
Role: \_\_\_\_\_

Prepare announcement for communication with trustees, parish council president, full council, parish.  Yes  No

Who prepares? \_\_\_\_\_  
Summary of content: \_\_\_\_\_  
\_\_\_\_\_

Provide intervention team for parishioners.  Yes  No

Team members:

Role:

Provide intervention team in parish school.  Yes  No

Team members:

Role:

C. Determine public response(s)

Who will act as diocesan spokesperson with the media? \_\_\_\_\_

Will a formal statement from the archdiocese/archbishop be prepared?  Yes  No  
by whom? \_\_\_\_\_

Need to be checked with legal counsel?  Yes  No  
by whom? \_\_\_\_\_

Contact with sheriff/district atty needed?  Yes  No  
by whom? \_\_\_\_\_

Contact with social services of the area needed?  Yes  No  
by whom? \_\_\_\_\_

Contact with other public agencies needed?  Yes  No  
what agencies? \_\_\_\_\_  
by whom? \_\_\_\_\_

II. Other Strategies

What:

By whom:

When:

NEXT MEETING OF EMERGENCY TEAM:

ADOM039071

# ARCHDIOCESE OF MILWAUKEE

3501 S. Lake Drive • P.O. Box 07912 • Milwaukee, WI 53207-0912 • (414) 769-3300

Office of Auxiliary Bishop

November 5, 1993

St. Catherine Parish  
8661 North 76th Place  
Milwaukee, Wisconsin 53223

Dear Parishioners:

With great regret I write to inform you that, in view of recent lawsuits and public allegations of misconduct prior to his assignment at your Parish, Fr. Michael Neuberger has chosen to withdraw from his pastoral responsibilities at St. Catherine Parish until these issues can be resolved.

Because these are matters of great concern to all of us, we ask for your continued prayers for all persons involved. Thank you for your understanding and assistance.

Sincerely in Christ,

Most Reverend Richard J. Sklba  
Auxiliary Bishop of Milwaukee

RJS/rt

Blind Copies:

Archbishop Weakland  
Fr. Len Barbian  
Chancery Files  
Michael Neuberger  
Rosemary Murphy  
Dr. Elizabeth Piasecki  
Fr. Tom Venne

Let us go  
FORWARD



CELEBRATING  
150 YEARS  
ARCHDIOCESE OF MILWAUKEE

ADOM039072

To: "Emergency Intervention" Committee  
From: Barbara Anne Cusack  
Re: Decisions at Meeting on 11-4-93  
Date: November 4, 1993

As a result of our meeting on November 4, 1993 the following decisions were made and action steps proposed with the following time lines and designated persons responsible:

Decision/Action	Time line	Person(s) responsible
1) Meet with Fr. Neuberger to request that he take a voluntary leave of absence from parish	Thursday, 4pm	Archbishop Bishop Sklba
2) Prepare documents for meeting	Thursday	Barbara Anne
3) Contact Fr. Prasser & Fr. Demse regarding results of Thursday meeting and share the prepared message and the plan for its use (announce at Masses on Sat/Sun; distribute as handout after Mass; do not use a bulleting enclosure); advise re. info to parish staff/ leadership	Thursday	Bishop Sklba
4) Prepare a brief message to be read and distributed at all Masses-St. Catherine and St. John N. weekend of 11/6 and 11/7	Thursday (content dependent upon results of meeting w/ Fr. Neuberger)	Bishop Sklba/
5) Contact Jerry Boyle and inform him of plan and share prepared message	Thursday	Liz Piasecki
5) Review planned message and media statements with matt Flynn	Thursday/ Friday	Liz Piasecki
6) Serve as contact for incoming calls that might be generated	(Continue)	Liz Piasecki

ADOM039073

- |   |                  |                  |
|---|------------------|------------------|
| 7) Prepare media statement  | Monday, a.m.     | Rosemary Murphy  |
| 8) Act as spokesperson/<br>contact with media   | (As need arises) | Rosemary Murphy  |
| 9) Contact Maureen Gallagher<br>re. plan for parish<br>on-site assistance from:<br>Mariangela Pledl - St. John<br>Noreen Welte - St. Cath.<br>Eva Diaz - St. Boniface | Thursday         | Liz Piasecki     |
| 10) Convene Project Benjamin<br>for assistance in parish<br>intervention  | Next week        | Liz Piasecki     |
| 11) Prepare for school issues<br>that might arise   | As needed        | Diane Knight/CSS |

A follow-up meeting will be called as the need arises for further action.

STRATEGIES FOR EMERGENCY ACTION/INTERVENTION

I. Convening of emergency team

Upon notification from a reliable source that charges are to be filed, allegations to be published, or other public attention to be given regarding a case of misconduct by a priest the Chancery will convene a team to respond to the emergency. The Archbishop and Bishop Skiba will be notified about the meeting should they choose to attend.

Those to be convened: Rev. Tom Venne (769-3490) Yes
Rev. Len Barbian (769-3458) Out for wk
Rosemary Murphy (769-3454) Yes
Liz Piasecki (769-3436) Yes

Depending on the nature of the case other persons may also be convened in this initial meeting (e.g., parish consultant for affected area, office director, etc.)

Other persons contacted:

Date, place, and time of meeting communicated to each of the above at time of contact. 11/4/93, 10:00 am, Archbp. Conf. Rm.

II. Development of strategies

A. Designate contact person(s) for additional incoming calls on same case and determine appropriate response at time of initial call.

Contact person: Liz Piasecki Phone # 769-3430

Response:

B. Decide if parish/institution intervention is needed.

Contact pastor/pastoral staff of affected parish with advance notice. Yes No

Who is contacted? St. Cath / St. John N. done

By whom?

What is to be said?

Send diocesan representative to parish for coordination of on site responses. Yes No

Who is sent? M. J. ... St. Cath. ...

Role: ... St. Parif - Eva

Prepare announcement for communication with trustees, parish council president, full council, parish.  Yes  No

Who prepares? Patricia

Summary of content: public alley easements  
to St. Cath. / St. John N.  
question to permit access

Provide intervention team for parishioners.  Yes  No

Team members:

*Big call*  
*Pray, Benj.* Role:  
*to discuss role in St. Cath / St. Rita / Sheboygan*

Provide intervention team in parish school.  Yes  No

Team members:

Role:

C. Determine public response(s)

Who will act as diocesan spokesperson with the media? Rosemary

Will a formal statement from the archdiocese/archbishop be prepared?  Yes  No

by whom? Rosemary

Need to be checked with legal counsel?  Yes  No

by whom? Rosemary

Contact with sheriff/district atty needed?  Yes  No

by whom? \_\_\_\_\_

Contact with social services of the area needed?  Yes  No

by whom? \_\_\_\_\_

Contact with other public agencies needed?  Yes  No

what agencies? \_\_\_\_\_

by whom? \_\_\_\_\_

II. Other Strategies

What:

By whom:

When:

NEXT MEETING OF EMERGENCY TEAM IF NEEDED:

*- give to papers*  
*Mon. a.m.*  
*Get statement*  
*from kids*



Oct 13, 1993 - cristan ~~letter~~ convened  
to respond to 3<sup>rd</sup> lawsuit vs  
Kent. hand del. to M.F. office  
Liz - coord. spec mtg w/ leg. counsel  
RS to write Kent.  
Spk w/ trustees  
restrictions - no contact w/ child  
no ~~state~~ unsep. act yph  
no custody  
Tom Dence & St Proulx also notify

10/14/93 - mtg  
St. Cath trustees reformed

RG  
Need to contact Mike ~~name~~.  
abt. step down as pastor St  
Catherine  
RG will contact

letter to parish / <sup>bec. of ~~pastor's~~ lawsuits &</sup> public alleg. of ~~pastor's~~ <sup>unconduc</sup>  
let ~~us~~ <sup>for</sup> ~~us~~ <sup>us</sup> to ~~sign~~ - cease ~~function~~ as pastor  
↓  
give to RGW

letter to parish <sup>St Cath</sup> - RJS  
" " St John Keenan

Call Jerry Boyle to inform him - Liz

Why committed to go to St Cath?

- ① denied
- ② very old (almost 30 yrs ago)
- ③ of file. hist. ~~that wanted~~ <sup>guess that wanted</sup> further discuss  
~~the way of health~~  
~~but not see how of actions~~

in the midst of investigation - free Melie to deal w/ legal issues

↑  
include this in his letter  
attach list of advocates

Prof Benjamin <sup>St Cath</sup> ~~St John~~ <sup>St John</sup> ~~St John~~

Masses at St Catharine - Jeff Prasser

Other option - removal process


BTS - <sup>approved</sup> meeting w/ MN & RBW

OCT 10 1995

ARCHDIOCESE  OF MILWAUKEE  
OFFICE OF AUXILIARY BISHOP

COPY

August 4, 1995

  
Waukesha, Wisconsin 53188

Dear 

In view of the recent resignation of Fr. David Lichter from the responsibilities as Rector at St. Francis Seminary, I was asked to write and acknowledge your letter of July 1, 1995.

I realize that every situation has many sides and not all aspects of each story can be readily shared. At the direction of Archbishop Weakland, I write to state that he would be perfectly willing to open Fr. Michael Neuberger's personnel file to you if Fr. Neuberger would give his needed permission and release.

Meanwhile, I thank you for your expression of concern for his wellbeing and for worthy priestly ministry in the Church today. The circumstances are not always easy and the effort to be responsible to all parties concerned often a dilemma. Peace!

Sincerely,

Most Reverend Richard J. Skiba  
Auxiliary Bishop of Milwaukee

RJS/rt

FILE COPY

3501 South Lake Drive, P.O. Box 07912  
Milwaukee, WI 53207-0912 · (414)769-3486

ADOM039092

✓ 645. Michael Neuberger  
On June 12, 1996 I met with Fr. Thomas Brundage in order to develop a response to Michael's letter subsequent to receiving his formal citation (June 5, 1996). Since Thomas Brundage was in fact approached for Canonical advice by Michael for reasons not requiring the elimination of his possible appointment as Judge (and if anything, his consultation might incline him toward prejudice in Michael's favor in order to assure his full rights), and since there is a need to retain someone from our own Archdiocesan group of Canonical experts in order to monitor the entire process, I denied Michael's request to eliminate Thomas Brundage pending clear and convincing proof to the contrary.

RJS

✓ 895. Michael Neuberger  
On September 21, 1996 I received a phone call from Dr. Piasecki inquiring once more, in the context of her writing up the entire case from her perspective, about the letter I received from a parent expressing some anxiety about Michael's behavior and the unspecified Log entry stemming from that conversation.

RJS

✓ 889. Michael Neuberger  
On November 20, 1997 I received notice that Msgr. [REDACTED] of St. Margaret Church in Middle Village, New York had been selected as Michael's Canonical Advocate to replace Fr. Ingels.

RJS

✓ 204. Michael Neuberger  
On March 26, 1998 Sr. Kathleen came to my office after a phone conversation with [REDACTED] [REDACTED] expressing confusion after having been "told by a woman at the Chancery that Fr. Neuberger was awaiting assignment" and now learning of the recent Canonical development from Michael himself (...clearly without the full story), and threatening some uproar at the parish as a result of this mistreatment. I noted that Sr. Kathleen had properly distinguished between an unknown secretary's alleged response in the past and some official comment. I counseled that no further action be taken by Sr. Kathleen at this time.

RJS

✓ 244. Michael Neuberger  
On April 6, 1998 I met with Fr. Thomas Brundage in order to review a proposed letter which would invoke a penalty of reducing support stipend because of his violation of precepts which were imposed during the process of the trial.

RJS

✓ 263. Michael Neuberger  
On April 20, 1998 after a brief meeting with Fr. Brundage which underscored the value of obtaining further clarification from Fr. Neuberger before imposing the possible financial penalty, and after communication from the Chancery, I declined a personal meeting with Fr. Neuberger, unless his Canonical Advocate were present, in order to be assured that all his rights were being properly preserved.

RJS

751. Michael Neuberger  
On October 5, 1995 I shared a letter from [REDACTED] indicating a willingness to review Fr. Neuberger's personnel file in the presence of Fr. Neuberger and myself. The Archbishop recommended that the matter be discussed with Barbara Ann Cusack and Chancery officials in order to determine the parameters of such a review in order to protect the rights of all parties concerned. Obviously the written consent of Fr. Neuberger would be important.
- On October 6, 1995 I spoke with Barbara Ann and with her concurrence agreed to write an acknowledgment to [REDACTED] with the statement that the matter was in legal process and was being referred to her in order to protect the rights of all parties concerned.
- RJS
843. Michael Neuberger  
On December 4, 1995 I received some expression of concern that Michael might begin exercising public ministry at St. William Parish in Waukesha as a help-out for Fr. Dave Filut.
- RJS
237. Michael Neuberger  
On March 11, 1996 Fr. James Connell called to make an initial report of his investigation regarding possible financial mismanagement and stated that when more information was received Wayne Schneider might request a formal fraud audit by way of providing additional motivation for conversations regarding Michael's laicization petition.
- RJS
252. Michael Neuberger  
On March 15, 1996 a letter was sent to Michael on the advice of Barbara Ann Cusack extending his faculty restrictions for an additional three months, subsequent to the conclusion of the current time restriction. (Effective March 22, 1996 through June 22, 1996)
- RJS
520. Michael Neuberger  
On May 20, 1996 at the request of Fr. James Connell, who concluded his preliminary investigation of various allegations against Fr. Neuberger's ministry, I instructed that Fr. Philip Reifenberg, as Promoter of Justice, review the materials for the purpose of assessing the feasibility of presenting a formal case to the Archdiocesan Tribunal before July 2, 1996. At Fr. Connell's request, and with Wayne Schneider's endorsement, I also requested that an independent CPA be engaged to establish evidence of professional malfeasance or gross neglect on the part of Fr. Michael Neuberger during his administration at St. John Neumann parish.
- RJS
609. Michael Neuberger  
On June 5, 1996 I signed the formal decree to inaugurate a penal process in our Archdiocesan Tribunal if needed. I also signed decrees appointing Frs. Patrick Lagges and Michael Hack of the Chicago Tribunal to act as Judges in our Milwaukee Tribunal for a two year term in case impartial judges are necessary for the development of such a case.
- RJS

782. Neuberger, Michael

On July 7, 1994, Michael Neuberger came in to review his file. He had some concerns that a meeting between himself, Bishop Sklba and the attorneys was in the log recorded by Dick Sklba with certain names mentioned. It is from Oct. 13, 1993. He thought it was protected because of attorney-client privilege. I informed Dick Sklba of his concern.

RTV

871. Neuberger, Michael

On August 22, 1994, I approved therapy costs for Mike Neuberger's visits with Dr. [REDACTED] since his W.H.O. insurance doesn't cover Dr. [REDACTED]

RTV

**REDACTED**

✓146. Michael Neuberger

On March 17, 1995 I joined the Archbishop in meeting with Michael in order to assess his current status and the needs of all concerned.

RJS

✓240. Michael Neuberger

On April 6, 1995 I received notice from the Chancery staff to the effect that a recent newsletter from the Milwaukee Achiever Program listed Michael as working at the Vliet office providing helping to manage the center as it adds new services in Personal Tutoring and English as a second language.

RJS

ADOM039120

172. Neuberger, Michael

On February 9, 1994, I spoke to Michael Neuberger, who called regarding his financial needs. Mike said he needs the full allowance for housing to meet his payments and also the Retirement Supplement. He said that his letter states he is on leave of absence until the matter of the allegations is decided. He sees this as suspended with pay. I told him we would provide the retirement supplement and full housing beginning in February with an additional \$547.50 for January housing not paid. I said I could not go back further than that. He seemed to accept this decision.

RTV

247. Neuberger, Michael

On February, 23, 1994, Liz Piasecki informed me that Matt Flynn called her and said [REDACTED] had filed a lawsuit against Michael Neuberger, but Liz or Matt did not have a name. I asked her to get further information before I called Mike, in case it was one of the persons who has previously been dismissed. On 2/24/94 Liz left information that it was a person who resides in [REDACTED]. No name was given by Liz. On 2/25/94, I called Mike to inform him. He had not received any lawsuit. I told him that Matt Flynn had received the lawsuit with no name. I gave him the information I had and advised him to call Matt Flynn who has further details.

RTV

266. Neuberger, Michael

On February 25, 1994, I received a call from Michael Neuberger. He told me that he had talked to Matt Flynn regarding the recent allegation. The person bringing the allegation is [REDACTED] who was a legal foster child of Mike's through Catholic Social Services. He was 16 years old, when he started living with Mike. Mike is concerned because of the many difficulties this young man has had. He lives in [REDACTED]. Mike has not heard from him since the 1980's. On 2/26/94, Mike called again and is very concerned. He had many questions regarding who to talk to. I suggested Matt Flynn or his own attorney, Gerald Boyle, because they could best answer his questions and are protected by law from disclosure. Mike wanted Matt to know about CSS to be able to review their files.

RTV

✓90. Michael Neuberger

On February 26, 1994 Dr. Elizabeth Piasecki informed me of the fact that an additional lawsuit has been filed in behalf of [REDACTED]

RJS

387. Neuberger, Michael

On March 21, 1994, Michael Neuberger called to see if I had received any more information regarding the [REDACTED] dismissal appeal or the more recent allegation of [REDACTED]. I told him I had not. Mike has left messages for Gerald Boyle, his attorney and Matt Flynn. He would like to know from them what time frame is involved, since it all seems so uncertain and the length of time makes him look guilty. He would like them to investigate the facts. I encouraged him to meet with Gerald Boyle to express his concerns, since I was not familiar with the legal process.

RTV

1010. Neuberger, Michael  
On November 22, 1993, I received a call from Michael Neuberger regarding an article in the newspaper (Sentinel) quoting Liz Piasecki's interview with the reporter. He was named as Mark and doesn't know why his name was used. He also questioned Liz's response that only 10% are false. Mike also expressed concern that in meeting with Liz, she discussed other cases and names with him, in particular [REDACTED] because Mike helped at the orphanage. Also about [REDACTED] I told him I would discuss these matters with her.
- RTV
1029. Neuberger, Michael  
On December 3, 1993 Michael Neuberger reviewed his file. Realizing our records only go back to 1980, he needed to see Chancery files. He expressed pleasure in the accuracy and notations of the log items.
- RTV
- ✓ 776. Michael Neuberger  
On December 23, 1993 Michael called expressing a great deal of concern about the lack of privileged communication which he senses due to the fact that everything seems to wind up in one or other of the files of the Archdiocese. He also stated that he had chosen Fr. Daniel Ward, OSB as his canonical advisor and indicated the need for more financial assistance than he is currently receiving, given the fact that no stipend or help-out possibilities exist for him at this time. I recommended that he contact Tom Venne's office shortly after the holidays in order to explore that issue.
- RJS
15. Neuberger, Michael  
On January 5, 1994, we received a letter from Atty Matt Flynn reporting that Atty Jeffrey Anderson has decided to dismiss the case of [REDACTED] against Michael Neuberger.
- RTV
29. Neuberger, Michael  
On January 7, 1994 I received a call from Mike Neuberger, who said he received a call from the attorney in Minnesota who file the case of [REDACTED] saying that he is petitioning for dismissal. Mike said he hopes this is not a cruel hoax. I informed him that I had received a letter from Matt Flynn on 1/6/94 stating this to be true. He also repeated that he cannot absorb the \$1000.00 a month less he receives now. I told him I would speak to Archbishop Weakland regarding this matter when he returns.
- RTV
79. Neuberger, Michael  
On January 19, 1994, we received a copy of the Order of Dismissal by Judge Crivello in the case of [REDACTED] against Michael Neuberger.
- RTV
116. Neuberger, Michael  
On January 28, 1994, I received a call from Michael Neuberger regarding additional help for his current expenses. He said he met with Archbishop Weakland on 1/27/94, and he said I would assist in this. I told Mike to get me a copy of his monthly expenses, and we will discuss how we can help.
- RTV



✓ 652. Michael Neuberger

On October 27, 1993 I received a phone call from Michael stating that he now knows that he has been implicated through some of those who had made allegations regarding [REDACTED] and insisting that nothing inappropriate had occurred in the context of his association with the Orphanage.

RJS

✓ 670. Michael Neuberger

On November 4, 1993 as a result of a meeting of the Crisis Intervention team earlier that same day (when we concluded that a different action was required even though the allegations were denied by Mike, stated as having occurred almost 30 years earlier and described in inaccurate/contradicting terms) I joined Archbishop Weakland in meeting with Mike Neuberger later that same day. He agreed to withdraw from his pastoral responsibilities to the people of St. Catherine's Parish, effective immediately, and signed a statement to that effect. He acknowledged our need to draft a letter to be read to the parishioners at all Masses on the weekend of November 6 and 7, 1993 at St. John Neumann and St. Catherine in Granville. He was assured of receiving a salary through Tom Venne's office and a living allowance as well as Health Benefits pending the resolution of these current allegations. I spoke with Tom Demse that same evening in order to clarify our requests for the publication of the letter and our concerns about newspaper articles.

RJS

✓ 691. Michael Neuberger

On November 11, 1993 Michael called to report that things were going reasonably well and that he now had time to clean off his desk, and tend to personal matters. He expressed a casual inquiry about the possibility of getting a job in order to make up for the fact that his income is approximately \$1,000.00 less per month as a result of the leave of absence. Even though this was not anticipated until after the Holidays, I cautioned against it for the time being. Later that same day I also spoke with Tom Demse in order to see how things were going and to encourage his own hesitation about allowing Michael to return to the Parish for meetings with committees or staff. I also reiterated the reasons for allowing the assignment to go through last Spring and Tom seemed very pleased with my own call as well as that of the Archbishop's the night before.

RJS

998. Neuberger, Michael

On November 19, 1993 I received a letter from Matt Flynn informing us that Judge McCormick dismissed the case of [REDACTED] against Michael Neuberger even prior to oral argument.

RTV

✓ 696. Michael Neuberger

On November 19, 1993 I received a phone call from Michael expressing a complaint about the things said by Liz Piasecki in the Sentinel article and also an objection to things allegedly said by Liz to [REDACTED] of the St. Catherine/Granville staff on the grounds that items mentioned in a confidential professional context were inappropriately shared with others.

RJS

ADOM039124

**REDACTED**

✓622. Michael Neuberger

On October 19, 1993 I spoke with Trustee Ed Laskowski [REDACTED] [REDACTED] to confidentially inform him of the existence of lawsuits against Michael and to indicate some of the pastoral restrictions requested pending further investigation of the complicated issues.

On October 20, 1993 I spoke with Associate Jeff Prasser in order to share that same information with him formally, to list the restrictions in pastoral work formulated by the Archdiocese and to indicate that he will function as a quasi-monitor of compliance with the restrictions. I also promised that he would be informed of any developments or decisions made by the Archdiocese.

On October 22, 1993 I related this same information to Trustee Ed Schwanke [REDACTED].

R.T.S.

ADOM039125

✓293. Michael Neuberger

On May 11, 1993 I learned from Matt Flynn that a lawsuit was served to Michael naming the Archdiocese and St. Boniface parish as co-defendants. I immediately contacted the secretary at St. Boniface to alert the parish to such a possibility and to request immediate contact if the suit is directed. As of May 14, 1993 nothing had been served either to the Archdiocese or St. Boniface Parish.

RJS

445. Neuberger, Michael

On May 13, 1993 we received copies of the lawsuits filed against Michael Neuberger on 4/12/93 and received by him on 5/11/93. These lawsuits allege inappropriate sexual behavior by Michael Neuberger during the mid-1960's while he was assigned to St. Boniface Parish in Milwaukee. The Plaintiffs are [REDACTED] (alleges he was 16 years old) and [REDACTED] (alleges he was 13 years old). The Attorney is Jeffery Anderson. Michael Neuberger also reviewed his file in our office on this date.

RTV

✓303. Michael Neuberger

On May 14, 1993 after receiving some expression of concern from Attorney Matt Flynn, I called Michael in order to intimate the existence of some prior problems at St. Catherine's in Granville. Much to my surprise, although he had erroneous information, he was aware of two legal issues from the parish's recent history. In response to my inquiry about his own desires in the matter, he clearly reported his conversation with the Archbishop and his desire to stay with the assignment even if the lawsuit became public.

RJS

✓308. Michael Neuberger

On May 16, 1993 Michael called to report that he had met with [REDACTED] that same afternoon to review the substance of the complaint and concluded that the lawsuit was based on a generic complaint without details and noted that some of the details in fact were completely erroneous. Michael is eager to pursue the matter in court in order to bring it to resolution.

RJS

✓438. Michael Neuberger

On July 7, 1993 in the context of a brief meeting with Tom Venne and at his suggestion I agreed that some type of temporary restrictions of ministry might be invoked for Mike until the matter of his lawsuit has been resolved, namely that he have no unsupervised contact with minors. We agreed that probably someone like Jeff Prasser should be informed of this matter to provide on-site supervision.

RJS

✓600. Michael Neuberger

On October 6, 1993 Mike Neuberger called to alert me to an angry letter from [REDACTED] regarding the decision to move the full choir from the Sanctuary area to the extended choir loft after consultation with staff.

RJS

ADOM039126

884. Neuberger, Michael

He is excited about the pastorate of St. John Neuman Parish. The tentative date that he would like to set is July 15. He inquired about his successor and I assured him there would be another associate to take his place.

6/6/81

316. Neuberger, Michael

He wants to resign from his position as chaplain in the Army Reserves. It requires a lot of weekend and evening meetings, travel, and summer maneuvers. He has been a chaplain for six years now. He sees that the Army is definitely preparing for war and does not like that especially from the standpoint of the glee with which they are preparing. I told him I had no problems with his resigning.

4/12/82

73. Neuberger, Michael

On Wednesday, January 18, 1989 I met with Mike in order to discuss the allegation presented to our office. I counseled spiritual direction and professional counseling if needed and concluded that no further action is possible at this time.

RJS

932. Neuberger, Michael

On Wednesday, November 21, 1990 Barbara Cusack called to express the concerns of Michael regarding a recent communication to the Archbishop from Attorney Paul Reilly. Mike alleges that the description presented by Paul is different from the exchange which occurred and also from the policy of the parish regarding membership requirements prior to accepting a baptism request.

RJS

130. Neuberger, Michael

On Tuesday, January 22, 1991 I spoke with Mike regarding the allegation of Attorney Paul Reilly and was told that an entirely different scenario had, in fact, taken place. I sent the attorney's letter to Mike with the request that he handle it as needed.

RJS

840. Neuberger, Michael

On November 11, 1992 I spoke with Michael Neuberger who informed me that someone is calling friends of his seeking information about him and names of others from his past. Mike has talked to Matt Flynn concerning this. This same date we also received a call from Phil Reifenberg that a private investigator was looking for records on altar boys at St. Boniface. Tom Trepanier informed Phil to advise the person they have no right to see records and to leave. They were looking for information on Mike. Mike said there was no involvement with minors.

RTV

✓695. Michael Neuberger

On November 12, 1992 I received a phone call from an individual who claims to have been a member of St. Boniface School some 30 years ago. He currently is a [REDACTED] approximately 43 years old, and said that at the age of 13 to 16 he experienced inappropriate behavior. He stated that Attorney Jeff Anderson from St. Paul has been calling him and asked that his own phone number not be communicated with Michael Neuberger under any circumstances. I brought the matter to the attention of Matt Flynn through a message with his secretary and asked for further direction. I also informed Tom Venne's office of this development.

RJS

ARCHDIOCESE OF MILWAUKEE  
METROPOLITAN TRIBUNAL

FILE COPY

NO. \_\_\_\_\_  
KINDLY REFER TO THIS  
NUMBER IN YOUR REPLY

INCAUSA

April 3, 1998

Mr. Wayne Schneider  
Cousins Center

Dear Mr. Schneider:

For having violated a penal precept during the course of a criminal trial, Rev. Michael Neuberger has been assessed a penalty. With the Archbishop's consent, this penalty is the total suspension of his monthly support check. This penalty took effect on March 27, 1998 when he entered the property of St. John Neumann Church in Waukesha in direct violation of a penal precept. He also subsequently entered the property of St. Catherine Parish, again in violation of a penal precept. This penalty will remain in effect until the Archbishop or the undersigned judge lifts the penalty.

Father Neuberger's health insurance coverage should be continued until further notice.

Sincerely,

*Rev. Thomas T. Brundage*  
Rev. Thomas T. Brundage  
Judicial Vicar  
Archdiocese of Milwaukee

JAN 05 1995

SETTLEMENT AGREEMENT  
AND MUTUAL RELEASE

This Settlement Agreement and Mutual Release (hereafter "Agreement") is made by and between Michael Neuberger and the Roman Catholic Archdiocese of Milwaukee (hereafter "Archdiocese"), and all of its affiliated entities.

WHEREAS, Michael Neuberger has determined to voluntarily leave the priesthood of the Roman Catholic Church under certain conditions, as more specifically set out below; and

WHEREAS, the Archdiocese of Milwaukee is willing to accept Michael Neuberger's resignation from the priesthood of the Roman Catholic Church, and in reliance on that resignation is willing to agree to the terms set out below; and

WHEREAS, Michael Neuberger and the Archdiocese wish to settle and compromise all claims that either of them may have against the other, and wish to accomplish the complete and total separation of Michael Neuberger from the priesthood of the Roman Catholic Church;

NOW, THEREFORE, in consideration of the mutual promises herein provided and other valuable consideration, receipt of which is hereby acknowledged, the parties to this agreement hereby agree as follows:

1. The Archdiocese agrees to pay to Michael Neuberger the sum of \$25,000, receipt of which is hereby acknowledged. All parties will bear their own costs and attorneys fees associated with this settlement.

2. Michael Neuberger presently is entitled to a severance reimbursement from the Archdiocese of Milwaukee priest's pension fund. This reimbursement will be paid to Michael Neuberger pursuant to a letter from Michael Neuberger directing how these funds are to be paid, so long as consistent with the rules of the plan.

3. Michael Neuberger agrees to sign a letter of resignation in the form attached as Exhibit A to this Settlement Agreement.

4. The Archdiocese agrees to pay for six months of medical insurance for Michael Neuberger commencing on the date that he signs this Settlement Agreement and letter of resignation. Following that six-month period, Michael Neuberger shall inform the Archdiocese if he elects, pursuant to law, to continue that coverage at his own expense for 18 more months. The Archdiocese shall have no obligation to pay any amounts towards medical insurance following the six month period referred to above.

5. The Archdiocese agrees to retain an insurance consultant of its choosing to get advice as to the best rate available to Michael Neuberger for health insurance that Michael Neuberger may wish to purchase at his own expense after the 6 months of insurance to be provided by the Archdiocese in paragraph 4 above. The Archdiocese will pay the fees of the insurance consultant up to a maximum of \$3,000.00. The Archdiocese will have no obligation under this paragraph to pay for any insurance consultant for

Michael Neuberger after January 1, 1996, and will have no obligation to pay the fees of any insurance consultant over \$3,000.00

6. In return for the payments set out above, and for the mutual promises contained herein, and for other good and valuable consideration, receipt of which is hereby acknowledged, Michael Neuberger agrees to release and forever discharge the Roman Catholic Archdiocese of Milwaukee, and all of the Archdiocese's employees, agents, officers, directors and assigns, including, without limitation, all members of the Roman Catholic clergy, and all parishes and schools, and any person or entity affiliated with the Roman Catholic Church in the territory of the Archdiocese of Milwaukee from, and covenants not to sue them for, all claims, causes of action, charges, and demands, whether in tort, contract, or otherwise, of any nature that he may have had at any time up to and including the date of signing of this Settlement Agreement, including without limitation any claim of any nature arising from any entitlements he could assert from having been a priest in the Roman Catholic Church. By signing this Settlement Agreement and attached letter, Michael Neuberger hereby resigns from the priesthood of the Roman Catholic Church, and as pastor of St. Catherine's, and agrees never to function in any capacity as a priest, nor to seek reinstatement to the priesthood of the Roman Catholic Church at any time. He further agrees to give up any claim or entitlement that he may have to any



benefit, compensation, support, or other attribute of the Roman Catholic priesthood, other than as specifically set out in the Settlement Agreement and Mutual Release. He further agrees not to perform any of the functions of the Roman Catholic priesthood, including without limitation, administering the sacraments and the celebration of mass, and in no respect will hold himself out to be a priest of the Roman Catholic Church in the future.

7. The Archdiocese, and all of its affiliated entities, hereby release and forever discharge Michael Neuberger from all claims, demands, and causes of action of any nature that they may have had up to and including the date of the signing of this Settlement Agreement.

8. The parties agree that this Agreement is not an admission of liability on the part of any party.

9. The parties agree not to disclose to any third party, including, without limitation, any newspaper, any electronic media, any reporters, or to release for publicity any of the provisions of this Settlement Agreement.

10. In witness of this Agreement, we have signed below on the dates indicated.

In presence of:

\_\_\_\_\_  
MICHAEL NEUBERGER

Date: \_\_\_\_\_

ROMAN CATHOLIC ARCHDIOCESE  
OF MILWAUKEE

By: \_\_\_\_\_

Date: \_\_\_\_\_

In presence of:

\_\_\_\_\_

JAN 05 1995

EXHIBIT A

\_\_\_\_\_, 1995

Most Rev. Rembert G. Weakland, O.S.B.  
Archdiocese of Milwaukee  
P.O. Box 07912  
Milwaukee, Wisconsin 53207-0912

Dear Archbishop Weakland:

I am writing to inform you that I have determined to voluntarily leave the priesthood of the Roman Catholic Church. Effective the date of this letter, I hereby resign from that office, and agree never to function in any capacity as a Roman Catholic Priest, nor to seek reinstatement to the priesthood of the Roman Catholic Church at any time. I am voluntarily giving up any claim or entitlement that I may have to any benefit other than as specifically set out in the settlement agreement and mutual release that we have signed this same day.

I agree not to perform any of the functions of the Roman Catholic priesthood, including without limitation, administering the sacraments and the celebration of mass, and in no respect will I hold myself out to be a priest of the Roman Catholic Church in the future.

Yours truly,

ADOM039248

  
ARCHDIOCESE OF MILWAUKEE  
OFFICE OF THE ARCHBISHOP

March 2, 2001

Dear [REDACTED],

Please know that you have my sincere appreciation for your presence at the recent meeting with my Judicial Vicar, [REDACTED] and my Adjutant Judicial Vicar, Fr. [REDACTED] in the delicate matter concerning Fr. Michael Neuberger (Prot. N. 17.746), the accused in a Second Instance penal trial. I am aware that the Judges in the case will be rendering a decision on March 16, 2001. I am writing this letter to share some thoughts as well as to make some requests.

It was the understanding of Frs. [REDACTED] that you were concerned that the penalty of dismissal from the clerical state was too severe in this matter. I can assure you, Msgr. [REDACTED] that the pain and damage inflicted upon several young African-American men and boys in my diocese were more severe than the penalty that was imposed upon Fr. Neuberger. Each of these young men have suffered horrendously because of the sexual abuse. Many of them have become estranged from the Church because of the scandal of what happened to them.

As you may know, Fr. Neuberger has a history not only of sexually abusing young men and boys, he has also frequently filed lawsuits against anyone he has perceived as an enemy. He sued my predecessor, Archbishop William Cousins, in the civil courts of the State of Wisconsin. He has filed a lawsuit against the psychologist employed by the Archdiocese whose job it was to assist victims of sexual abuse. Father Neuberger has promised to sue every witness in this case, the victims, as well as all the ecclesiastical court personnel as soon as this case is completed in Rome.

I am aware that last year the Signatura had a meeting involving officials of several English-speaking Conferences of Bishops. At that meeting the Signatura chastised many of the Tribunals of the English-speaking world for not pursuing penal trials and remedies in cases involving sexual abuse. I would like you to understand that we did our best in trying to pursue justice through an ecclesiastical judicial penal trial. In this case it is my firm belief that dismissal from the clerical state is indeed a just punishment for the crimes that occurred.

Should Fr. Neuberger not be dismissed from the clerical state, I fear not only that he will pursue litigation against a number of people, causing more pain, financial loss, and scandal among the faithful, but also that it would send a message that even ecclesiastical judicial penal processes cannot provide just remedies in the tragic cases involving the sexual abuse of children.

  
ARCHDIOCESE OF MILWAUKEE  
OFFICE OF THE ARCHBISHOP

March 2, 2001

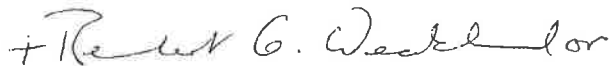
Monsignor [REDACTED]  
The Sacred Roman Rota

-2

Msgr. [REDACTED] I respectfully request that you enter this letter into the Acts of the case. Furthermore, I would request that you inform me of the outcome of the trial as soon as a decision is made and, if possible, before any other parties connected with the case.

Thank you in advance for your consideration of my concerns and requests.

Sincerely yours in the Lord,



Most Reverend Rembert G. Weakland, O.S.B.  
Archbishop of Milwaukee

Copy: Mons. Raffaello Funghini  
Dean of the Sacred Roman Rota

ARCHDIOCESE  OF MILWAUKEE  
OFFICE OF THE ARCHBISHOP

August 30, 2003

His Eminence Joseph Cardinal Ratzinger  
Prefect, Congregation for the Doctrine of the Faith  
Piazza del S. Uffizia, II  
Vatican City, EUROPE

Re: Neuberger Penal Case (Rotal # 17746)

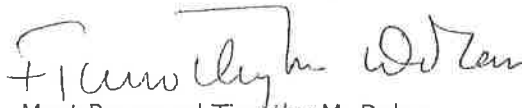
Your Eminence:

Having been apprised of the various penal cases pending from this Archdiocese, I ask your assistance that I might be brought fully up to date on the status and activity in the penal case involving Rev. Michael Neuberger. This case was begun in Milwaukee in 1996, and sent to the Sacred Roman Rota on appeal in 1998. It was transferred from the Sacred Roman Rota, to your capable dicastery in March, 2001.

I am confident that you understand how, after such a protracted length of time, and given the present climate regarding these delicts, I have serious reason to desire a quick, just, and reassuring conclusion to this sad and difficult case.

Please know of my deep appreciation for the sincerity with which you have dealt with these issues of great seriousness and gravity. It is my clear belief that your Eminence is a most effective servant of the Church in these matters. With faith and trust, I remain,

Sincerely in Christ,



Most Reverend Timothy M. Dolan  
Archbishop of Milwaukee

  
ARCHDIOCESE OF MILWAUKEE  
OFFICE OF THE ARCHBISHOP

January 14, 2004



RE: Neuberger Penal Case (Rotal # 1746)



Thank you for your timely response to my letter to the dean of the Rota. It is certainly my hope to bring this sad and complex case to a close in the most expeditious manner allowed. I am eager to reply to the questions posed in your kind letter of December 2, 2003.

I have reviewed the sentence offered in the first grade in the canonical trial of the Reverend Michael Neuberger. I find the instruction of the case to have been thorough, and the reasoning in law to have been laid out convincingly. Most importantly, I concur with the penalty that was applied at that time. In fact, as you can understand, I find myself to be rather anxious to resolve this case in a manner that reflects positively to the people of God just how effective the Church's system of penal structures functions. I realize that if some administrative resolution would be used, such would have to be addressed by the Congregation of the Doctrine of the Faith.

The sexual allegations involved in Father Neuberger's case have been reviewed by civil authorities, but could not be prosecuted because they were beyond the civil statute of limitations. In regards to the significant financial issues, it was decided at the time that the use of a civil forum would neither serve to effect proper restitution, nor properly protect the reputation and good of the Church.

At this time, Father Neuberger resides in his own private home within the territory of this Archdiocese. He is provided with compensation equivalent to that of a retired priest. He holds no office, and is under the most restrictive administrative penal precepts that can be applied relative to public ministry. With the exception of a small group of concerned classmates who still hope for his conversion of heart, Father Neuberger maintains no regular contact with other members of the local presbyterate.

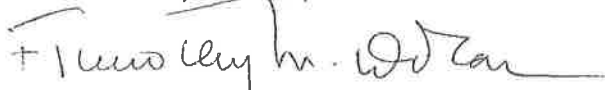
My most significant concern in this situation is that Father Neuberger continues to be a cause for scandal among the faithful. He has offered admissions to his actions, only to withdraw them later. He has chosen to take up residence in a place very proximate to the site

of some of his crimes. Most disturbingly, he is very public in his assertions that by a decision of the Roman Rota, he will be returned to active ministry.

This case was begun in Milwaukee in 1996, and sent to the Roman Rota on appeal in 1998. Due to the nature of the penalty imposed, the case was sent from the Sacred Roman Rota to the Congregation for the Doctrine of the Faith in March, 2001. I am confident that you understand how, after such a protracted length of time, and given the present climate regarding these delicts, I have serious reason to desire a quick, just, and reassuring conclusion to this sad and difficult case.

Please know of my appreciation for your handling of this case up to this point. I await your final disposition of this matter. With faith and trust, I remain,

Fraternally in Christ,

A handwritten signature in black ink, appearing to read "Timothy M. Dolan". The signature is written in a cursive style with a large initial "T" and a long horizontal stroke at the end.

Most Reverend Timothy M. Dolan  
Archbishop of Milwaukee



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**CONFIDENTIAL MEMORANDUM**

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**TO:** ARCHBISHOP DOLAN  
**FROM:** [REDACTED]  
**SUBJECT:** BAD NEWS FROM THE ROTA  
**DATE:** 8/16/2004

Your Excellency:

The expected notification from the Rota finally arrived this morning. It was bad news.

Recall that Neuberger was found guilty by this Tribunal of three delicts:

1. c. 1395, 1 – Living in concubinage.
2. c. 1395, 2 – Violation of the sixth commandment with a minor
3. c. 1399 – Any other external violation of divine or canon law

The Rota has overturned the first two: the first as not proven; the second because it did not accept the posited argument regarding a new way to compute the period of prescription. The substantive argument in the third was not really commented on, but the umbrella penalty of dismissal from the clerical state was overturned. Relative to the third allegation, it is stated that restrictions from office or public ministry could be applied, but not restricting private celebration of the Eucharist with your permission.

I believe that the determination in the third point is a mere concession to the gravity that we have repeatedly conveyed about the situation. I say this because the original decision is written in such a way that the third element is primarily proven by the findings of guilt in the first two. Thus, it is jurisprudentially specious to say that a penalty could be applied for a crime whose argumentation has been completely gutted by the overturning of the first two premises. I sense that the Rota does not agree with the original findings, but has merely enshrined in this decision your executive power to restrict ministry.

This creates about as difficult an outcome as could have happened. With this Neuberger could (as inaccurate as it might be) assert that he has been exonerated of all of the sex abuse related accusations. Furthermore, he can make an appeal of the remaining penalty to the Signatura. I find unlikely that the appeal would be taken up, but if it were the Signatura may well overturn or, at the very least, take another few months or years to handle it.

Any hope we would have lay in the fact that is the issue came up today, the process would be handled by CDF. They would likely either grant an *ex officio* removal, or direct that a trial be held, and in doing so grant the derogations from prescription that were not possible when this process began.

I recommend that we plan on submitting this case to CDF as soon as possible. With this in mind I will begin to prepare the tabella and a draft of a votum for you to review. The catch here will be the likelihood that they would not act during any period of appeal.

The worst part is that this means that we have to inform Neuberger, and when we do so, he will likely go public with his read on things. If we still want to pursue his dismissal, we will have to prepare the case for CDF and hope that we can get an *ex officio* dismissal. Needless to say, the existence of this decision with one element "not proven" is a huge bump in the road to winning our argument for *ex officio*.

I would like to recommend one, or more, of the following steps before we even inform Neuberger:

1. A personal request from you to Cardinal Ratzinger asking for guidance. Will they even accept it?
2. Your approval to discuss this with Ronny Jenkins next week when I am in Washington, DC.
3. Your approval for me to contact Msgr. [REDACTED] about this case.

I await your thoughts.

[REDACTED]

ARCHDIOCESE  OF MILWAUKEE  
OFFICE OF THE ARCHBISHOP

September 2, 2004



Re: Neuberger Penal Case (Rotal #1746)

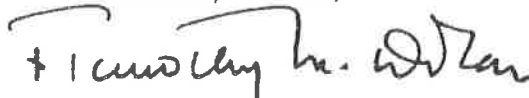
Monsignor 

Thank you for your efforts thus far regarding the above-captioned case of Father Michael Neuberger. Having received notification that the *turnus* has reached a decision in these tragic matters, I anxiously await receipt of the full decision. I ask that you be so kind as to inform me as to whether or not the decision is yet complete, or what the timeline for its completion is intended to be.

This decision is important to us as we need to better understand the nature of the doubt that remains, and the applicable jurisprudence, relative to the issue of prescription that led to the rendering of a negative in the second question. A clearer understanding of this issue will guide my decision as to the next steps to be taken. I would anticipate an appeal by our Promotor of Justice, as well as the need for some clarification about the possibility of submitting a request to the Congregation of the Doctrine of the Faith for a derogation from prescription in this most grave matter.

Due to the deadline that has been imposed by the Congregation of the Doctrine of the Faith for these types of cases, I trust that you will be able to respond to this letter with maximum expedition.

Fraternally in Christ,



Most Reverend Timothy M. Dolan  
Archbishop of Milwaukee

cc: His Excellency Antoni Stankiewicz,  
Dean of the Roman Rota

  
ARCHDIOCESE OF MILWAUKEE  
OFFICE OF THE ARCHBISHOP

July 6, 2007

His Excellency Antoni Stankiewicz  
Palazzo della Cancelleria, I  
00186 Rome  
Italy, EUROPE

RE: Neuberger Penal Case (Rotal # 1746)

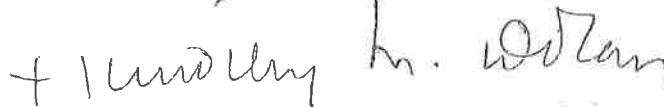
Your Excellency:

I write to ask again for some conclusion to the above captioned case, a penal trial of a priest of this archdiocese which was constituted locally in 1996. You will note from the enclosed copy of a letter dated September 2, 2004, that I have previously requested final action on this matter so that, if necessary, and can be forwarded to the Congregation of the Doctrine of Faith for handling as a *graviora delicta* under the norms of *Sacramentum sanctatis tutela*. Although we have received the dispositive of July 10, 2004 to date I have received neither the text of the full decision from the turnus.

As you can appreciate, this decision is important to us as we need to better understand the nature of the doubt that remains, and the applicable jurisprudence, relative to the issue of prescription that led to the rendering of a negative in the second question. A clearer understanding of this issue will guide my decision as to the next steps to be taken. I would anticipate an appeal by our Promotor of Justice, as well as the need for some clarification about the possibility of submitting a request to the Congregation of the Doctrine of the Faith for a derogation from prescription in this most grave matter.

With gratitude for your consideration, and prayerful best wishes, I am,

Fraternally in Christ,



Most Reverend Timothy M. Dolan  
Archbishop of Milwaukee

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CONFIDENTIAL MEMORANDUM

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TO: ARCHBISHOP DOLAN [REDACTED]  
FROM: [REDACTED]  
SUBJECT: TRANSLATION AND EXECUTION OF NEUBERGER DECISION  
DATE: 12/04/07

Your Excellency:

Attached is the locally prepared translation of the Rota's sentence in the Neuberger case. There are two elements of the dispositive section that are pertinent to decisions you need to make.

First, relative to the third question answered by the turnus (significantly, it is technically not an "affirmative" assertion) the sentence reads:

*To stand firm concerning the guilt of the respondent according to the norm and mind of canon 1399: the respondent should be deprived of any office and function according to the norm of canon 1336 § 1, n. 2, the faculty of celebrating mass privately firmly remaining with the consent of the Bishop. (emphasis added)*

This entails that you can still enforce all suspensive precepts, but will have to specifically consent to Neuberger celebrating mass in "private." It is within your executive power not to provide this consent. A decision on this matter should be made soon. Even if you decide to submit this case to the CDF, such is not an appeal of this decision. So, unless there are new allegations to act on, for which you can issue new penal precepts, you are expected to act on this decision.

The second element that needs your attention regards promulgating this decision.

*So we pronounce and sentence and commit to the Ordinary of Milwaukee and to the Administrative Tribunal to whom it pertains, that they notify this Our definitive sentence to all those*

*to whom concerning law and that they execute it to all the effects of law?*

The catch here is that no timeline is indicated either in the decision, or in the pertinent law. But, it is the case that Neuberger has the right to be informed in a timely manner, and that within that notification (or shortly thereafter) the manner of executing the decree would be specified. If no manner of execution is communicated, Neuberger can approach the Rota for relief. Please note the norms of canon 1653:

*Can. 1653 §1 Unless particular law provides otherwise, the Bishop of the diocese in which the first instance judgment was given must, either personally or through another, execute the judgment.*

*§2 If he refuses or neglects to do so, the execution of the judgment, at the request of an interested party or ex officio, belongs to the authority to which the appeal tribunal is subject in accordance with can. 1439 §3.*

The question for you then is when and how to inform Neuberger. While not precisely on point, canon 1652 indicates that related matters during the execution phase are incidental matters. The law tells us that incidental matters are to be handled *expeditissime*, that is to say, with maximum expedition. Thus, in good conscience I have to advise you to inform Neuberger as soon as possible. In know that BAC will recommend waiting (and I know you will be take her advice over mine) both on the basis of how long the Rota made us wait, and because she disagrees with the outcome. Neither argument is canonical in nature.

I have attached a draft of a cover letter I wish to send with the decision and its translation to Neuberger. Please let me know your decision with maximum expedition.



**DEFINITIVE SENTENCE**  
*(local translation)*

*In the Name of the Lord.*

With His Holiness, Pope John Paul II, in the twenty-sixth year of his Pontificate, on the ninth day of July, 2004, His Excellency [REDACTED] who is also *ponens*, serving as Auditors of the Turnum, in the penal case originating in the Archdiocese of Milwaukee, between:

- the petitioner, the Promoter of Justice; and
- the respondent, the Reverend Mr. Michael NEUBERGER, priest, on the fifteen day of May, 1937, born, having residence at [REDACTED] Road, Wisconsin 53188-6152, Waukesha, in judgment represented by advocate Francis Torre, later by advocate Reverend Father Nicholas Schoch, O.F.M.;
- following, in the second grade of jurisdiction, have pronounced definitive sentence.

**In Facto**

1. Michael NEUBERGER grew up in a family along with one sister. In the year 1954, this boy, a youth of seventeen years, entered the minor seminary and in the year 1956, the major seminary. Michael was ordained a priest in the year 1962 and exercised his priestly ministry in various parishes. For many years he was a teacher of high school students and then a campus minister at the University of Wisconsin-Parkside. After a year as assistant pastor at Saint Dominic's Parish had passed, the Reverend NEUBERGER on July 1, 1981, was named pastor of Saint John Neumann Parish. On April 7, 1993, he was transferred to Saint Catherine's Parish, Granville, whose care on June 22, 1993, was entrusted to the Reverend Mr. NEUBERGER. On November 1, 1993, a removal from office followed.

The Ordinary of Milwaukee formed a "team of experts," who inquired about the facts. In the month of October, 1993, the accused was heard.

The Archbishop, by a decree of December 21, 1995, appointed the Reverend James Connell to conduct an investigation concerning the facts, circumstances and imputability, according to the norm of law.

Enough elements having been gathered, the Auxiliary Bishop of Milwaukee, who was also the Vicar General, on May 24, 1996, determined that a judicial penalty proceeding should be initiated and the records of the investigation be handed over to the Promoter of Justice.

The Reverend Philip Reifenberg on May 31, 1996, presented the first petition in which he accused the Reverend NEUBERGER of a violation of canons 1395 § 1-2 and 1399.

The College of Judges having been formed on June 3, 1996, the judicial Vicar on June 5, 1996, summoned the accused, and invited him to appoint counsel for himself. The accused on of June 11, 1996, appointed the Reverend Gregory Engels as his counsel.

The Promoter of justice of Milwaukee on June 18, 1996, introduced another petition, in which he maintained that the Reverend NEUBERGER had violated canon 1389 § 1 and canon 1399.

The petitions having been admitted and the College of Judges having been constituted on June 29, 1996 the presiding judge summoning him again invited the accused to appoint counsel for himself within the space of fifteen usable days.

The advocate of the accused on July 6, 1996, pursued, and on July 12, obtained that all accusations be brought forth in one proceeding.

With the mandate of the advocate confirmed, in a session on October 15, 1996, the questions were defined as these:

“Whether the accused (Father Michael NEUBERGER) is guilty of the following delicts:

1) Those delicts found in canon 1395 §1, namely, that the accused remained in an external sin against the Sixth Commandment of the Decalogue which produces scandal;

and/or

2) Those delicts found in canon 1395 §2, namely, that the accused committed an offense against the Sixth Commandment of the Decalogue with force or threats or publicly or with a minor below the age of sixteen;



and/or

3) Those delicts found in canon 1389 §1, namely, that the accused seriously abused his ecclesiastical power or function as the pastor of Saint John Neumann Parish, Waukesha, and Saint Catherine Parish, Granville;

and/or

4) Those delicts found in canon 1387, namely, that the accused, in the act or the occasion or under the pretext of confession, solicited penitents to sin against the Sixth Commandment of the Decalogue;

and/or

5) Those delicts found in canon 1399, namely, that the accused engaged in an external violation of divine or ecclesiastical law?

If the accused is found guilty of any, or all, the above, whether the accused should be dismissed from the clerical state, or in the alternative, whether some other penalty should be imposed?"

The Proceeding arranged for a hearing of the victims, especially for a "Finding of Facts and Conclusions" produced a sentence responding to the questions:

to 1) Affirmative

to 2) Affirmative

to 3) Negative

to 4) To be decided in another process

to 5) Affirmative

2. From this decision the accused placed an appeal to our forum. On June 18, 1999, these questions were established under this formula.

Whether the accused is guilty of:

- a delict found in canon 1395 § or with scandal of persistence in another external sin against the sixth Commandment of the Decalogue; and/or

- a delict in canon 1395 § 2 or committed (against the sixth Commandment of the Decalogue either by force or by threats or publicly or with a minor under the age of sixteen years, and/or
- a delict found in canon 1399 or by an external violation of divine or canon law.

On March 23, 2001, the prelate auditors of the turnus in the Roman Rota gathered for defining the case for which the above-proposed questions which they approved for answering, as they answer:

“The connection of this case with *graviora delicta*, reserved to the Congregation for the Doctrine of Faith having been noted, all records should be sent over to the aforesaid Congregation.”

On August 29 2001, His Excellency Tarsicius Bertone answered: “I hasten, therefore, to return to you the enclosed documentation pertaining to the case, calling on Your Excellency to continue the examination in the second instance of the case against the priest, Michael NEUBERGER, in conformity with the above citation rescript on April 25, 1994.”

The defenses held either on the behalf of the advocate of the responding party or on the part of the Promoter of Justice it should be answered definitively in a sentence to the question rightly stated and accordingly relayed.

#### IN LAW

3. General Principles. – The fundamental law of the person noted in canon 220 establishes: “No one may unlawfully harm the good reputation which a person enjoys, or violate the right of every person to protect his or her privacy.”

It is established in canon law, although presently mitigated, the legal principle which canon 221 § 3 puts this way: “Christ’s faithful have the right that no canonical penalties be inflicted upon them except in accordance with the law.”

Concerning the interpretation of laws “which establish a penalty, restrict the free exercise of rights, or contain an exception from the law,” canon eighteen establishes that they are subject to a strict interpretation.

4. Every criminal action is limited by the cessation of the matter, by condonation of the legitimate authority, or the lapse of the usable time in which to proceed with criminal action.

Canon 1362 § 1 establishes that a criminal action is extinguished by prescription after three years, except for:

2° an action arising from any of the offences mentioned in cann. 1394, 1395, 1397, 1398, which is extinguished after five years;

§2 Prescription runs from the day the offence was committed or, if the offence was enduring or habitual, from the day it ceased.

Our Holy Father, on April 25, 1994, to the Conference of Bishops of the United States of America, conceded these revocations to a five-year period, writing back:

1) As to canon 1395 § 2:

“This norm, is applied to delicts with a minor, concerning that found in canon 97 § 1. not only with a minor under the age of sixteen years of age.”

2) As to canon 1362 § 2°:

“This norm, among those which pertain to the above-mentioned delict, is thus applied as criminal action was not being prescribed, unless the following conditions were fulfilled; and

- a) the person, who has suffered the delict, will have completed his twenty-eighth year of age; and
- b) at least one year will have passed from the accusation of the same delict, provided that the accusation was made before the person affected by the same injury will have finished twenty-eight years of his age.”

As the Congregation for the Doctrine of Faith on August 29, 2001, answered a decree of the Turnus of March 23, 2001, in the case should be applied the [*Rescriptum ex Audientia Sanctissimi*] April 25, 1994, which on November 30<sup>th</sup> was extended for ten years.

5. Penalties are able to be imposed only by means of a penal process according to the norms of canon 1717 onward. Then, when the elements sufficiently gathered are seen, the Ordinary determines “that a process for the imposition of, or the declaration of a penalty, is able to be initiated” (canon 1718 § 1. 1°.)

The proceeding is not able to be initiated if there had been an incapacity for a delict (canon 1332), if circumstances are present which remove the punishability (canon 1323), if the criminal action occurred before a lapse of time.

6. Special Principles – The canons invoked need to be interpreted, certainly canons 1395 §§ 1-2 and 1399.

Canon 1395, § 1 reads thus: Apart from the case mentioned in can. 1394, a cleric living in concubinage, and a cleric who continues in some other external sin against the sixth commandment of the Decalogue which causes scandal, is to be punished with suspension. To this, other penalties can progressively be added if after a warning he persists in the offence, until eventually he can be dismissed from the clerical state.

Herein the law understands two forms of delicts, one is the concubinage of a cleric and the other, the persistence of a cleric in an external sin against the sixth Commandment of the Decalogue with scandal.

Noting the appearance of the facts, something should be said about the latter hypothesis. It is appropriate to deal with the violation which pertains directly to the matter of the sixth Commandment of the Decalogue. The violation must be external, that is, placed in a physical manner, and in a persistent condition acted out with scandal. Thus, a sin is distinguished from a delict: a sin is present when a commandment is violated; a delict occurs when a violation has established that a cleric is in a permanent condition and at the same time creates a scandal in the community.

The canon does not punish the violation of any norm, but only the violation of a penal norm.

A cleric is punished by suspension. There are many other penalties and dismissal from the clerical state is not excluded.

For the validity of the imposition of penalties two things are required: “graduality” and a prior warning. Therefore, all the penalties are unable to be imposed at the same time and dismissal from the clerical state is only able to be imposed when scandal is insufficiently repaired by other penalties, not enough justice restored, or the accused is not efficiently reformed (cf. canon 1341).

Moreover, it is required that the accused be warned, before the “graduality” takes place. Although the warning is not required by previous law, since it deals with expiatory penalties, only in the case of canon 1395 § 1 is it imposed.

7. Canon 1395 § 2 maintains: “A cleric who has offended in other ways against the sixth commandment of the Decalogue, if the crime was committed by force, or by threats, or in public, or with a minor under the age of sixteen years, is to be punished with just penalties, not excluding dismissal from the clerical state if the case so warrants.”

Another general norm is established which then is specified in diverse manners. First, it is asserted that delicts committed against the sixth Commandment of the

Decalogue are punished only, "if either by threats or publicly or with a minor under the age of sixteen years."

Canon 1399 maintains: "Besides the cases prescribed in this or in other laws, the external violation of divine or canon law can be punished, and with a just penalty, only when the special gravity of the violation requires it and necessity demands that scandals be prevented or repaired."

As the authors hold, a just penalty which is permitted to be inflicted in this case, is not one from the serious ordinary statutes against delicts defined in the Code of Canon Law, but some lesser penalty. Evidently, a penalty which, from a precept of law, is restricted only to those cases expressly defined by law, is not able to be imposed.

Dismissal from the clerical state is a permanent (cf. canon 193), expiatory penalty (cf. canon 1336 § 1, 5<sup>o</sup>) which can be imposed only in cases determined by law (cf. canon 1317) and in a judicial proceeding (cf. canon 1342, § 2). From these cases, by force of canon 1399, a cleric is not able to be dismissed from the clerical state.

### IN FACTO

8. The case before us for judgment has not been an easy undertaking, both because of the nature of the questions which are evoked, and because of the time that has transpired since the actions which are alleged occurred.

It should be soundly admitted that the instruction of the case has been laborious and the records collected are voluminous. From these it is evident to anyone that the Tribunal of the first case has done everything so that the truth of the deeds would be uncovered.

These things, nevertheless, should be noted: in the terms of the proceedings,

- sins are not always distinguished from delicts,
- procedures for leaving parishes [are not distinguished from] the penalty process,
- delicts against the sanctity of the sacrament of penance [are not distinguished from] delicts against practices,
- determinations in the civil forum are applied in the canonical forum,
- norms for judgments in general [are not distinguished from] norms from the penalty process,
- the preliminary investigation [is not distinguished from] the judicial penal process itself.
- The advocates for the respondent in this proceeding did not bring forth, even once, criticisms or observations about the Milwaukee Tribunal's manner of acting.

It does not escape the undersigned judges that on the part of the subject, a recusal action against the presiding judge of the collegiate tribunal had been proposed. This because the accused communicated in the past with the presider his vices and therefore has verified

them, causing a situation where the presiding judge would have a prejudiced mind. An exception made on this point was rejected by the Auxiliary Bishop.

We note that in the “lawsuits against Father NEUBERGER”, the Archbishop of Milwaukee instituted a “team of clinicians with expertise in sex offender issues.” To this end, that the team would inquire into the facts of the accusation(s). Therefore, it did not concern itself with the preliminary investigation of the penal proceeding, but with the defenses prepared for the cases likely to come before the civil courts. The “experts” had many conversations with the Reverend M. NEUBERGER. He strenuously labored to confirm facts, Doctor Piasecki says: “Father NEUBERGER has very openly discussed much of his life that I suspect to be criminal in civil law, certainly immoral and sinful from the Church’s perspective” (163). These explanations were able to be suitable for defending the priest in civil judgment or for removing him from a parish.

Three “evaluators” of the conversations have each written in their reports “the pokiest notes” (487). At the Archbishop of Milwaukee requesting, all of these reports were collected two or three years later into the “Report of Facts and Conclusions.”

The undersigned Judges do not doubt that “the report was accurate” (522). Nevertheless, the judges in first instance do not ask themselves later nor do the advocates of the respondent ask, whether this should be transferred to a canonical field of penal process law. Before the introduction of the case, both the question of prescription of criminal action as well as the question of scandal raised in the community should have been resolved.

Two accusations are present, each consisting of one page, making allegations (which are) extremely generic. Facts and proofs, on which they are grounded, are indeed not generally indicated. It is not sufficient to merely call for a confession of the matter or to wait for testimony, either civil or ecclesiastical. This being the case from the beginning of the process, the right of self-defense of the accused has been greatly restricted. Something his advocate laments (38).

9. The Fathers of the Turnus have established three questions: Is culpability agreed upon for:

- I. a delict found in canon 1395 § 1, or with scandal persisting in an internal sin against the sixth Commandment of the Decalogue.

To the first question, it should be said that the appealed sentence contains sufficient proofs concerning the Reverend Michael NEUBERGER’s relations of a sexual nature, entering into the presentation of facts from the aforementioned norm. It deals particularly with external sins with “teenagers” and with “young boys” (667). The accusations against him probe into declarations of fact from those, who are affirmed to be “victims” of sexual abuse on the part of the priest. It deals with [REDACTED] and [REDACTED], and “Anonymous Victim” (669). In the acts, the language is about persistent or habitual delicts.

One, who will have read through the "sexual history" attentively, comes to the conclusion that the Reverend M. NEUBERGER has committed external sins against the sixth Commandment of the Decalogue. The accused himself "confesses" sinful acts both before the panel of three experts and also before the psychologist (630).

Although the respondent in the penal hearing was not held to confess sins imputed to himself, his admissions or extrajudicial confessions made before the panel of the three experts, nevertheless have the force of proof, to the persistence in the external sins, which it shows.

Besides the persistence in external sins, is necessary that there also be scandal to determine a delict. This scandal according to the opinion of the undersigned Auditors is lacking in a concrete case. Neither the issue, concerning which the Auxiliary Bishop speaks, nor the "lawsuits" of the faithful have been able to be converted into scandal. It proceeds from the records that the Reverend M. NEUBERGER, four accusations in no way withstanding, was appointed to the parish of Saint Catherine, because he "categorically denied," before the Archbishop "that there was any basis for them and swore that there was nothing in his past that was problematic" (557).

Where is the proof for persistence in external sins with scandal?

A greater scandal seems to have followed from the renewed judgment, than if the matter, as it was being expedited, had been carried forth through the internal guidance of the diocesan administration to the ultimate through a decree of the Bishop.

Those things which the Reverend Varvaro, advocate of the respondent, reports are worthy of a special mention: "At least one commentator states a singular precept, or at least a warning with the threat of a penalty if the person persists in a certain behavior, should have been given to Father NEUBERGER" (652). Neither the advocate nor the undersigned Fathers have discovered a "canonical warning or precept" in the records. A lack of warnings argues for the absence of scandal.

This is our conclusion: On the part of the accused there are external sins against the sixth Commandment of the Decalogue. However, the question turns about persistence with scandal, which has not been fully proven judicially.

*In the negative. That is to say, the accused delicts as to persistence have not been clearly proven.*

II. *and/or delicts found in canon 1395 § 2, or against the sixth Commandment of the Decalogue by force or threats or publicly or with a minor under the age of sixteen years.*

As has been stated above, the canon cited is applied to delicts committed with a minor under sixteen, or in our case within the age of eighteen years. A criminal act has been extinguished, when he or she, who has undergone the delict, has completed twenty-eight years. In light of the aforementioned norms, criminal prescription should be considered.

First, a mention is made of the matter pertaining to the ongoing place of the accused at the house attached "to Saint Boniface Church, where an unspecified number of African American boys lived with him." An accuser writes, "that he communicated orally to Father NEUBERGER that he (NEUBERGER) was not functioning properly as a teacher."

There is no one who could not see how uncertain this accusation is. Neither the names of the boys, nor their ages are indicated. From that account, that the violation was carried out at the time in which the accused performed work at "Messmer High School" it cannot be concluded that the delict occurred before prescription ran out. This is because the respondent was a "teacher" only for one year, from June 7, 1968.

Another deed is accused by [REDACTED] who was working in the same parish along with the accused, often heard "thumping noises coming from Father NEUBERGER's room," and thought "that he was wrestling with teenagers" and "he wished they could just kiss and make up." The accusation is not clear and expressed itself in doubtful words in which neither sin nor persistence of scandal stand.

The matters, which the "vice-chancellor" received from Mrs. [REDACTED] happened "approximately" during the years 1961-1963, that is to say, thirty years before this process began.

Let us now move to the assorted testimonies of the victims.

If someone had examined the delicts accused by Mr. [REDACTED] he/she comes to the conclusion that a criminal action could no longer have been brought forward in 1993. The same should be said of the testimonies of Mrs. [REDACTED] who has reported concerning matters from "the early sixties," and concerning those matters, which [REDACTED] born on [REDACTED] brought up.

Also, the priest prepared in canon law, who conducted the previous investigation, concludes: "I think the actions are all within the time frames prescribed within the code between the time of the actions known to us and time of the actions of the Tribunal" (281).

From the records, it emerges that the Reverend NEUBERGER, beginning from the year 1980, had begun to practice "anonymous sex in parks, frequenting gay bookstores and bars." This manner of conducting himself stopped only "in July of 1993" (670). There is not giving a distinct determination of time, of places, or of persons and companions, which is required in penal law, in order that testimony might be used



concerning the delict and penalties being imposed. What about the “force” or about the “threats” or about the “publicly” or about the point “with a minor?” Concerning all these matters, not even a trace appears in the record.

All these things having been considered, the Judges have stated:

*In the negatively. That is to say that the prescription of criminal action, which pertains to delicts recently committed, are less than doubtful and therefore a criminal action may not be brought forth.*

III. *and/or the delicts found in canon 1399, or of the external violation of divine or canon law, and insofar as affirmatively concerning the guilt of the respondent in one or in all the cited delicts committed whether the penalty of same should a dismissal from the clerical state or there some other penalty should be imposed on him.*

The priest reports during the investigation: “We have received a lot of testimony to that effect; in many ways he was exemplary in his pastoral care of people” (293). It is sufficient to bring forth this testimony that “During the fifteen years that I have known Father Michael, I have seen nothing but a man who was dedicated to his God, his Church, and his Archbishop.” A witness speaking about “the persecution of a very good man,” laments: “I feel compelled to respond to the unjust accusations that have been leveled at Father Michael NEUBERGER,” and “I am very sorry that I have to participate in these proceedings against a man I respect” (297).

These testimonies notwithstanding, it appears from the records in the proceeding that the Reverend NEUBERGER did, during his priestly life, persist in external sins against the sixth Commandment of the Decalogue. Although the sins in this category were not delicts according to the proper meaning of the words of the law, the undersigned Auditors of the Turnus plainly assent to the conclusions of the appellate Tribunal, “that NEUBERGER has also engaged in external violations of divine and ecclesiastical law” (691).

What in truth looks to the culpability of the respondent, what should be held before the eyes to be done regarding the persistence in external sins? The records make a discourse of the “continuity of action, the continuous nature of that sexual conduct” (281).

From the stipulations no circumstances emerge, which diminish imputability. The accused is seen as having deliberately violated moral principles. He hid the clerical state, he acted in obscurity, and took care lest he would enter into the intimacy of little children. Concerning the punishability of the respondent, neither the priest who conducted the preliminary investigation, nor the last Milwaukee advocate doubts. The first holds that the canon should be applied above the citation (281), the other that the punishment of dismissal from the clerical state is much too severe “especially in this, where hardly any proof has been presented other than self-incriminatory statements by Father

NEUBERGER.” The advocate of the respondent proposes another penalty, namely, “such as suspension from all priestly ministry” (653).

Also, the Rotal advocate for the respondent holds that the penalty of dismissal from the clerical state should not be imposed on the respondent, but that he should be punished “with a just penalty.”

The undersigned Fathers, after they have examined all the records of the case, determine that canon 1399 is able to be applied to this case. So, on the one hand, a principle of natural law is served: no penalty without guilt; on the other hand, the seriousness of a special violation and the necessity of serving nature and finality demand punishment of the canonical order.

These two principles held before their eyes, the Auditors of the Turnus respond to the third question:

***To stand firm concerning the guilt of the respondent according to the norm and mind of canon 1399: the respondent should be deprived of any office and function according to the norm of canon 1336 § 1, n. 2, the faculty of celebrating mass privately firmly remaining with the consent of the Bishop.***

10. By all these things, both in law and in fact, correctly presented and carefully examined, We the undersigned of the Turnus, sitting for the Tribunal and having only God before our eyes, the name of Christ invoked, we determine, declare, and definitively sentence responding to the questions placed before us:

Ad I. In the negative. That is to say, the accused delicts as to persistence have not been clearly proven.

Ad II. In the negatively. That is to say that the prescription of criminal action, which pertains to delicts recently committed, are less than doubtful and therefore a criminal action may not be brought forth.

Ad.III. To stand firm concerning the guilt of the respondent according to the norm and mind of canon 1399: the respondent should be deprived of any office and function according to the norm of canon 1336 § 1, n. 2, the faculty of celebrating mass privately firmly remaining with the consent of the Bishop.

So we pronounce and sentence and commit to the Ordinary of Milwaukee and to the Administrative Tribunal to whom it pertains, that they notify this Our definitive sentence to all those to whom concerning law and that they execute it to all the effects of law?

September 2, 2010

Reverend Michael T. Neuberger

████████████████████  
Waukesha, WI 53189

Fr. Neuberger:

In my review of the materials related to the allegations levied against you, the canonical trial which ensued, and the subsequent appeals to the Holy See, I have come to some conclusions which I feel the need to communicate to you.

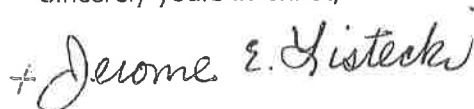
Given the grave nature of the allegations raised and the level credibility which various consultative and judicial bodies of this archdiocese attribute to them, I am bound to continue the precepts imposed by Archbishop Timothy Dolan on January 24, 2008.

Furthermore, given that the third of the three allegations considered by the Roman Rota remains without definitive resolution, and under the norms of the United States Conference of Catholic Bishops' Charter for the Protection of Children and Young People, your name will remain listed at the archdiocesan website as among those priests of the Archdiocese of Milwaukee who have been restricted from all priestly ministries.

These actions are necessary, as is the retention of the right to further pursue any allegations which have not reached final adjudication, for the good of the Church and the reassurance of the people of God of this archdiocese.

Be assured of my prayers for you as I also trust in your prayers for the archdiocese and all the suffering among God's people.

Sincerely yours in Christ,



Most Reverend Jerome E. Listecky  
Archbishop of Milwaukee

meeting of 10/15 [REDACTED]

1/93  
[REDACTED]

- complaint 1/93
- 1st cousin to [REDACTED]

[REDACTED] WM

[REDACTED] (atty) met with MN - any other names?

- [REDACTED] out there (over 18)
- [REDACTED] over 18
- ? is [REDACTED]
- hired Boyle

report given to [REDACTED]  
not removed - historical problems with complaints.

[REDACTED] complaint 9/28 (64-66)

10/13/93 meeting [REDACTED] rep

- knows

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ADOM050684

DOB 05/15/37

- one sister
- father worked ? company. 7 days 1st shift, 7 2nd, 7 3rd. Not around.
- slept with father. Never saw erection or anything.
- mother slept on couch.
- parents never touched or affectionate.
- age 6. sexual with girl next door - 2 to 3 years older. sitting on stoop to store or tavern. Touched her between legs. People were walking by while this happened. Remembers an incident when her mother told him to go in house and he has faint recollection of seeing her naked in a closet. Knew he had to stop anything sexual because soon he would be 7 (age of reason).
- 2nd grade - worked with kindergartners;
- skipped 5th grade.
- special helper to [REDACTED];
- carried books for [REDACTED] - did not date her;
- grade 7. began masturbating. Donald Duck comic. (age 11)
- grade 8. dated [REDACTED] once. movie. Her father mentioned to his father who stopped the dating. no reason. the girl later died.
- grade 9. experience with classmates. 3 in pool. touching each other in water. later went to bushes. then went home with [REDACTED] (older) who showed MN how to fellate him.
- 6/53 stopped masturbating because he wanted to be a priest. (a junior at Messmer). after going to confession.

1954-1956 St Francis Minor

- says common knowledge that MN naive about sex. Meant that he did not know that others were coming on to him.

1956-1958 St Francis Major

1958-1962 St Francis Major

late 50s Martin de Porres day camp  
(56-60)

- 5 + 6 year old boys. Weekend camping trips to Kettle Moraine. He was the only adult with them. Had to clean up one kid who soiled his pants.
- took [REDACTED] and [REDACTED] (very poor family -

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- bought him shoes) to Chicago; ages 6 or 7.
- stayed overnight in bed with [REDACTED] at some point.

early 60s St Joseph's

- 61 brought some kids home for Thanksgiving - overnight;
- 61 [REDACTED] Wis Dells and Cistercians. (poor white boys 11-12). few whites at day camp. Cottage at the Dells. Tent on lawn of Cistercians. Involved with family. [REDACTED]. Tried to set up in home. Realtor called to stop the family from getting a home. nothing happened sexually.
- 61 on outing to cottage at Nagawicka (Nabobam). [REDACTED] (5? 12-13) climbed into top bunk with him.
- trip to aunt's in Minneapolis with [REDACTED] (12-13). [REDACTED] masturbated MN while they slept together. MN moved [REDACTED] hand away. [REDACTED] says he witnessed [REDACTED] having sexual contact with [REDACTED]
- on 10/28 said he had overnight trips with nephews to Minnesota. slept in same bed with them.

03/18/61 Subdeacon

09/29/61 Deacon

- [REDACTED] started at Boniface
- MN says was 27 or 28 at time;

05/26/62 Priesthood

07/12/62 St Philip Neri

- [REDACTED] pastor (rigid);
- [REDACTED] associate;
  - had "senior" boys;
  - good at basketball;
- MN had "junior" boys (7th and 8th grade);
  - set up activities in Boys Club gym (Sherman park area?);
  - drove them to activities by bus to play basketball.
- socialized with the "senior" boys who hung around the church and school playground. Met [REDACTED] and his younger brother [REDACTED] in this group toward end of first year there.
  - they "taught" him how to smoke;
  - he bought fancy car which interested them.
- 62 took 3 or 4 of them on outings. Slept in bed with one of

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youths. Says nothing happened:

- boat trip to Wolf River. Incident of group "de-pantsing" one of the boys and MN painting tic/tac/toe with ? (not iodine).
- on 10/28 said there were other fishing trips (overnights);
- sleeping with kids in hearse.
- summer '64 to Flambeau Flowage. Rented 2 bed room and big living room cottage. (rickety)

07/01/64 St Boniface

- Episcopalian priest coming on to him.
- never said Mass during week at St. B. but at St. Casimir's; did this for 16 years.
- [redacted] at St. Boniface.
- [redacted] worked with older kids. They were demonstrating.
- [redacted] came 64-65. Also [redacted] as a parish worker. They later married. ([redacted] left 9/65).
- 65 Flambeau trip - new boat from inheritance ([redacted] kids?)

- 9/65 had sex for 1st time since 6/53;
- 65 sex with [redacted] (older than 21?):  
(from a [redacted])
  - when MN went to St. Bs, [redacted] came there also (?)
  - [redacted] used to borrow MN's auto and return it to St. Bs;
  - one night, without having auto, [redacted] showed up at St. Bs rectory;
  - [redacted] said he had been petting with girlfriend, but she stopped him. [redacted] was "horny". Went to confession. One thing led to another, resulting in them going to 3rd floor (said 2nd floor in interview of 10/28) where they had oral sex (6/9) side by side.
  - reported to [redacted]
  - [redacted] discussed with MN

- 65 moved from 1st floor of rectory to 3rd floor (remodeled attic);
- early 66. [redacted] bothered by kids around all the time in rectory, gave janitor's residence to MN. Stayed there to mid-70s.
- 66 camping at Boulder Junction (trailer tent)
- 66-70 [redacted] When kids began dating, he began dating. Nun. dated, she later left. Teacher. MN was in love with her. She asked him to leave for her. He didn't. Later he wanted to come back to her, because he always came back to her in his mind.

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- When he told her this, she "misinterpreted" this to mean she was always available to him. She later married someone else.
- MN worked with high school kids.
    - two older kids - [REDACTED] and [REDACTED] Many kids were on the streets. They had been kicked out of social centers.
    - MN set up dances. One every night of the week. His system for doing this was well received and others came to see how he did it.
  - 67 took a group of 6 fishing and camping. Became his "family".

6 (family)

- [REDACTED]
- [REDACTED] ( [REDACTED] )
- lived on [REDACTED]. Non Catholic. On trip up north. Never met parents.
- [REDACTED]
- [REDACTED] (married 2 xs; in [REDACTED] ) MN bought him an [REDACTED] (post office)
- [REDACTED] nephew. [REDACTED] brother [REDACTED]

- called original cabin place, and told owner group was black. Said no;
  - went to Red Muir (Father Luke) who let him use his cabin.
- 
- 2/66 [REDACTED] moved into janitor's residence.
  - examples of "non-sexual" behaviors:
    - youth came to MN's bedroom and asked if he (youth) had anything, opened his zipper and exposed penis, and asked MN if he had venereal disease.
    - youth took MN to MN's bedroom and showed MN his "rear end". MN found "ring" worms.
    - youth [REDACTED] t from [REDACTED] MN worked with family and youth with care. Every AM MN went to unfinished attic where youth slept and [REDACTED].
  - confessional practice: after confession invite confessee to discuss confession. If sexual issues a part of confession, do not take punitive approach, but more understanding.
  - sex education role:
    - cleanliness if uncircumcised;
    - do not engage in intercourse if woman is not moist.



	housing
<ul style="list-style-type: none"> <li>• 64-66 first met him. Unclear of circumstances. Probably in first group of 6.</li> <li>• special C student in North Division;</li> <li>• MN felt special caring for him;</li> <li>• before attic remodeled in janitor's house.</li> <li>• group of 6 always around during non-school hours. Would go home at night.</li> <li>• [redacted] didn't go to school. MN remembers going to school with [redacted] and mother to straighten out.</li> <li>• other kids made fun of [redacted]</li> <li>• (64 to late 65) 66 one night, MN remembers being in unfinished 3rd floor rectory room with [redacted] laying on bed with penis exposed. They were talking about cleanliness of uncircumcised penis. [redacted] told MN to pull back foreskin. MN complied and [redacted] ejaculated. MN doesn't remember [redacted] being erect. MN was startled. [redacted] said "isn't that what you wanted?" never discussed afterward (no big deal)</li> <li>• after janitor house bedroom remodeled, [redacted] started to stay overnight. They slept in MN's bed. MN fed him, washed his clothes, did his hair.</li> <li>• MN probably wore underwear and undershirt to sleep. He doesn't remember how [redacted] slept.</li> <li>• 66 one night, [redacted] placed hand on MN's penis and asked "do you want to race?" MN placed his hand on [redacted] and they did. MN ejaculated first. This occurred 6 to 12 more times. MN initiated (unclear how many of instances). Eventually [redacted] lost interest because MN always lost (ejaculated first). MN doesn't remember and verbal communication concerning any of this.</li> </ul>	<p>MN in rectory</p> <p>[redacted] overnights</p> <p>MN in janitor's house</p>
	<p>[redacted] moved in</p> <p>[redacted] own room</p>
<ul style="list-style-type: none"> <li>• 67 (fall/winter) when [redacted] moved into own room, one instance MN went own to [redacted]'s room and masturbated him and self. last contact - 66 or 67 (janitor's house).</li> </ul>	
<ul style="list-style-type: none"> <li>• moved back home 1968. MN and he had a fight over not accepting any responsibilities in household; [redacted]</li> </ul>	

<ul style="list-style-type: none"> <li>• moved in after [redacted]</li> <li>• they vacationed</li> </ul>	<ul style="list-style-type: none"> <li>• foster placement at CSS request;</li> <li>• [redacted]</li> <li>• could allege, not true;</li> <li>• [redacted]</li> <li>- doing well in institution;</li> <li>• pointed a knife at MN</li> </ul>	<ul style="list-style-type: none"> <li>short, round faced; no sex. Didn't touch. No one white after [redacted]</li> </ul>
--	--	---

- [redacted] moved in after [redacted]
- 67 [redacted]
  - (white station wagon);
  - @24 incidents with [redacted]
  - 1st from confession;
  - different than [redacted] - romantic relationship (held hands, kissed);
  - fellatio and mutual masturbation;
  - ended when [redacted] interest stopped - he had girl friend(s);

- MN had Wurlitzer jukebox in living room of janitor's house. Kids danced there all the time.
- kids talked freely about having sex
- Once, when [redacted] was in Madison, MN came home from Messmer to find room broken into and 2 loaded pistols missing from his room (dresser drawer). He had confiscated these from kids.

- [redacted] (originally from St. Boniface)
  - friend of [redacted]
  - social leader - [redacted]
  - commotion with [redacted] mayor. recanted.
  - refers to self as MN's #1 son

contact: \* plus

[redacted]  
father died 1966

06/07/68 - 05/08/69 Messmer High

- principal: [redacted] nun vice principal
- students: [redacted]
- asked to leave Messmer because spokesperson for black students;
- tried to organize teachers over salary structure. They were passive except coaches. Coaches also against him.
- incidents:

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- office next to [REDACTED] knocked on door. [REDACTED] angry.
- fire in bathroom; wrote [REDACTED] note;
- black student contact with white girl. Her parents ended up pressing charges. MN testified in court. Reserve judge backed up MNS evaluation of situation.
  
- 68 Xmas trip to Baton Rouge
  - (67) 30th birthday went with kids and began to drink scotch;
  - when returned to St. B's, remembers incident when kids were playing pool and was paralyzed in chair because of drinking too much scotch; kids ended up carrying him up to bed. [REDACTED] slept on top of thighs to keep him from rolling off bed. [REDACTED] called his father (?)
- 69 [REDACTED] Faculty at Messmer. Had met her at daycamp in 56. He dated her. When he was ready to make his move she had already become engaged to someone else.
  
- 69 [REDACTED] she was sexually active and available. Black, late 20s. attempted to have sex with her, but impotent. She came to his house, did laundry. They were on a date and she left him for a movie star.

1969 leave

- asked to leave Messmer:
    - WIN/DVR clients in GED preparation:
      - private corporations - 2 of them;
      - started his own ESP
  - later sued for salary
-

- [redacted] suit says 64-69
- contact with [redacted] (b 12/25/48) while living at St. Boniface (2 - 3 times). MN physical virgin. sex accidental. 2-3 times. [redacted] homosexual.
- [redacted] older than others., With [redacted]. MN knew his younger brother - [redacted]
- after demonstrations and Commandos dissipated;
- [redacted] riding home in car, initiated by asking MN "let me have a taste". MN surprised because MN felt he was not interested in having sex with [redacted] MN declined any activity.
- (1970 charger RT 440 with 6 pack)
- 12th Street. summer 70 or fall 69. Sunny day. Kids playing basketball. [redacted] wanted to do something for MN. MN said back rub (spinal condition). No recollection of anything happening, but presumes something did.
- 3rd St. (St Galls) [redacted] in MNs rectory bedroom, sitting on edge of bed and MN ;giving [redacted] oral sex.
- 7th St. (duplex). Overlooking freeway, upstairs flat. [redacted] residence. smell of oil (heat). sitting on couch masturbating [redacted] while MN talking on phone. thinks through open fly.
- [redacted] too pushy. MN uncomfortable when others take lead. [redacted] visits [redacted] says [redacted] talks to [redacted] and both are close friends of [redacted] [redacted] says [redacted] divorced

- 69 Xmas trip to Baton Rouge

08/01/70 - 08/31/72 St Gall - in residence

- [redacted] student at Marquette, moved in;
- [redacted]
- Native American;
- [redacted] with wife and kids;
- Cousins tried to evict him in 1973 [redacted] at his door);

08/72-08/73 ?

04/73 St Michael's residence

- 3 or 4/73 pumped gas at JC Penney's in Northridge

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- home at 2nd and Wright (kids worked with him to rehab)

08/24/73 Thomas More

- drinking pattern: narrow focus.
  - driving 80 mph down KK;
  - snowed in with [REDACTED] (2/3 quart vodka). taking 2 darvon, 2 tulenol, 2 valium).
- 1974 - [REDACTED] tells wife and mother about sexual behavior with MN;
- after 1974 [REDACTED] tells MN he regrets telling above; while MN was without assignment, and pumping gas at Northridge. [REDACTED] told MN that he had [REDACTED] ent. Now [REDACTED].
- 1977. [REDACTED]
  - usually 2 drinks befor dinner;
  - [REDACTED] comes to door with 6 pack. [REDACTED] ho [REDACTED] mother caught them?);
  - snuggled;
  - had 3 more beers and smoked mj with [REDACTED]
  - [REDACTED] asked "why aren't you coming on to me?" Then MN told him to put the back of hand on crotch to show not erect. [REDACTED] did this.
  - [REDACTED] told [REDACTED] who told MN to get in touch with [REDACTED] because "he has a lot of respect for you"
  - says 77 last sexual contact. (phone to [REDACTED] 10/12/93)

04/08/78 Campus Ministry (Parkside)

06/19/79 Francis de Sales (Lake Geneva)

- follows [REDACTED]
- [REDACTED] (?) pastor
  - [REDACTED] was told not to teach 6th commandment;
- when MN mentioned to some parishioners of his dissatisfaction with pastor

07/17/80 St. Dominic (Sheboygan)

- follows [REDACTED]
- [REDACTED] (originally from St. Boniface)
  - friend of [REDACTED]
  - social leader - [REDACTED] just a few years younger than MN.
  - commotion with [REDACTED] mayor. recanted. (concocted a story about [REDACTED] which he later recanted.)
  - refers to self as MN's #1 son

- MN had a group of kids here: [REDACTED]
- [REDACTED] Friday AM altar boy. To to McDonalds for breakfast after Mass.

07/01/81 [REDACTED] (Waukesha)

- Sheboygan group came to Waukesha to visit on occasion. Would stay overnight. They would stay a couple days. Go to videos.
- [REDACTED] called several times (nothing unusual). On night he called. Said he had walked from Sheboygan to Northridge. MN went and got him, they ate, talked about calling folks, took him to rectory where they went to bed (nothing happened). In AM, MN went to say Mass. When returned [REDACTED] gone and MN's bike gone. MN called parents. Next MN got call. [REDACTED] picked up in IL. Parents came by and dropped off MNS bike.
- periodic review - references to homosexual problem. MN suspects [REDACTED] wrote this.
- 2/86 mother died
  - [REDACTED] came to funeral; they spoke about sexual incident;
- in 1986 5 of 6 (not [REDACTED] came to visit
- 89 - last talked to [REDACTED] at one point, [REDACTED] asked MN if he was having sex with [REDACTED] (?when?)
- 4/90 time when [REDACTED] and [REDACTED] said they realized their damage.
- at some point [REDACTED] said [REDACTED] had made it known to [REDACTED] family that he was gay since age 7 (told this to family when [REDACTED] was coming out) and that [REDACTED] had a sexual experience with MN. Family didn't believe him.
- 8/90 [REDACTED] called MN. Had read in Jn Neumann newsletter that MN had a group for [REDACTED] Wanted to come to meetings, to stay overnight at MNS place. MN said no place to stay. They discussed ways for [REDACTED] to get to groups. MN discouraged this because nothing seemed possible. Maybe [REDACTED] upset over this?
- at one point, MN heard through gay bars that [REDACTED] was interested in getting together with MN (per [REDACTED])
- says [REDACTED] asked to stay overnight in 91-92 (phone to [REDACTED] 10/12/93)
- [REDACTED] told [REDACTED] that [REDACTED] and [REDACTED] were filing law suit and asked how [REDACTED] would feel
- 10/92 [REDACTED]
  - called MN and cried all night. Said [REDACTED] ([REDACTED])
  - [REDACTED] told [REDACTED] that MN would be arrested the next day; said [REDACTED] had a list of various names - [REDACTED] and [REDACTED]
  - MN gives [REDACTED] \$200 a year;
  - sends MN cards and affectionate notes.
  - now has no money or job.
- 11/92 [REDACTED] complained to [REDACTED] about MN. Said [REDACTED] was 13 when had sex with MN. MN denies.

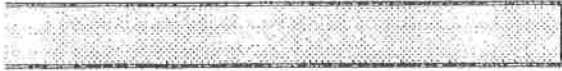
- 12/92 ██████ told MN that ██████ and ██████ going to sue
- ██████ called ██████ in Dec 92 saying he didn't want any more calls from attys, archdiocese, etc. on this. Told ██████ MN had taken ██████ to MN's room for confession. ██████ has been calling MN over the years.
- 1/93 ██████ and ██████ suits - discussed with ██████
- said ██████ and ██████ but over 18
- ██████
- hired atty GB
- ██████ called MN. Into Native American spirituality. In ██████. In this process ██████ stayed several days in Milwaukee area. Said he loved MN. Later returned to ██████
- 81 parents claim made advances to son (letter to ██████ in 1989)

06/22/93 St Catherine (Grantosa)

- 9/28/93 ██████ suit filed
- ██████
- 10/13/93 met with ██████/atty

DOB 05/15/37
1954-1956 St Francis Minor
1956-1958 St Francis Major
1958-1962 St Francis Major
03/18/61 Subdeacon
09/29/61 Deacon
05/26/62 Priesthood
07/12/62 St Philip Neri
07/01/64 St Boniface
06/07/68 - 05/08/69 Messmer High
1969 leave
08/01/70 - 08/31/72 St Gall (in residence)
08/72-08/73 ?
08/24/73 Thomas More
04/08/78 Campus Ministry (Parkside)
06/19/79 Francis de Sales (Lake Geneva) (follows Effinger)
07/17/80 St. Dominic (Sheboygan) (follows Effinger)
07/01/81 John Neumann (Waukesha)
06/22/93 St Catherine (Grantosa)





?

- how choose the 6?
- not good in sports, but forming teams?
- no money, but buying cars?
- interest in cars - get history.
- moving out of St. Bs rectory - [REDACTED] tired of kids? set up?
- moving kids into rectory?
- when sleeping in bed with kids and "nothing happened", fantasies?
- significance of stay at St. B's rectory (66-mid 70s)?
- definition of celibacy: commitment (I always put the Church ahead of my personal life. e.g., when going to see relatives once, on being told that someone needed me for a funeral or something like that, I unpacked my car and took care of them). Celibacy before - priest and house keeper with sexual relationships; Italy, Latin America.
- it was a mistake to voluntarily leave Messmer. Took monkey off archdiocese back.
- definition of sexual attraction:
  - adult men in 3 piece suits unattractive;
  - men (boys) excited about life;
  - people who care about me;
  - uncomfortable (unresponsive?) (used word "naive" about recognizing the approach) responding to those approaching him;
  - I was "thin and cute";
  - sex is not orgasm - it is a relationship;
  - Juneau Park; hitchhikers; people "I can talk to"; the conversation is the important matter.
  - gay bars are not about pickup, they're about relating.
- being held to celibacy is unfair - it's a higher standard than is expected of others. Not the norm (in practice). There are people in the archdiocesan offices I've met in the bushes at Juneau Park.

health issues:

- reglin: 6 years. caused depression.
  - hiatal hernia.
  - valium for years.
  - hyper acidity.
  - deviated septum.
  - spinal arthritis. had to be in hospital about every other year.  
[REDACTED] went to Selma because MN came out of hospital to cover his work.
  - allergic to changes in barometric pressure.
  - [REDACTED] gave him name of therapist. Now in AZ. Told MN he would give him another list. Hasn't for 2 weeks.
- mode: others prescribe, he reacts when things go badly.

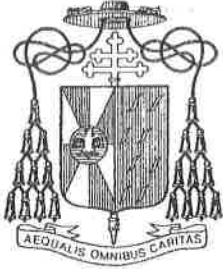
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ADOM050699



# REMBERTUS GEORGIUS

Miseratione Divina et Apostolicae Sedis Gratia

Archiepiscopus Milvauchiensis

## DECREE OF REMOVAL

Whereas the proposal to remove Reverend Michael R. Neuberger from his office as pastor of St. Catherine of Alexandria Parish (Granville), was made by letter on May 11, 1995 and repeated on July 28, 1995;

Whereas the principles and norms of canon law have been diligently observed in discerning and communicating this proposal, namely:

a) canonical reason for removal has been determined, that is, sexual misconduct and ongoing behavior inconsistent with clerical celibacy. Evidence of this has been gathered and placed on file at the Chancery, a summary of which follows:

interviews with knowledgeable and reliable persons who testify under oath to the statements made by Father Neuberger regarding his lifestyle and pattern of past and ongoing behavior.

b) The required consultations with two pastors, [REDACTED] were held on May 5, 1995 and October 13, 1995.

c) The pastor to be removed has had opportunity to review the acts.

d) A rebuttal has been offered in opposition to the removal, summarized as follows:

that civil lawsuits should not be the basis for his removal and that information shared with agents of the Archbishop should not be used as evidence.

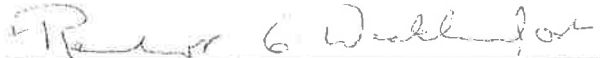
e) This rebuttal, considered by the Archbishop and his two pastor consultants, has been found insufficient to dissuade the proposal for the following reasons:

the rebuttal in no way contests the accuracy of the facts in the case and presents only specious arguments regarding civil suits and admissibility of evidence.

Therefore, I, the undersigned diocesan bishop of the Archdiocese of Milwaukee, in virtue of my pastoral office and in conformity with the Code of Canon Law, hereby decree the removal of the Reverend Michael R. Neuberger as pastor of St. Catherine of Alexandria Parish (Granville), effective immediately upon his written notification of this decree, at which time his former office will be declared vacant.

Moreover, Reverend Michael R. Neuberger is advised that if he has just cause to lodge recourse against this action, it may be proposed to me or to the Holy See within fifteen available days.

Given in Milwaukee on this nineteenth day of October, 1995.



Most Reverend Rembert G. Weakland, O.S.B.

SEAL



  
ARCHDIOCESE OF MILWAUKEE  
CHANCERY

May 20, 1996

The Most Reverend Rembert G. Weakland, O.S.B.  
Archbishop  
Archdiocese of Milwaukee

COPY

AND

The Most Reverend Richard J. Sklba  
Auxiliary Bishop and Vicar General  
Archdiocese of Milwaukee

Dear Archbishop Weakland and Bishop Sklba,

In compliance with Archbishop Weakland's decree dated December 21, 1995, I have completed my investigation of allegations of sexual misconduct, solicitation in the confessional, and the abuse of ecclesiastical power by the Reverend Michael T. Neuberger.

Father Neuberger has indicated that he would meet with me to discuss the findings of this investigation, provided that the Archdiocese of Milwaukee arrange for his canonical advocate and procurator, the Reverend Gregory Ingels, J.C.D., also to be present. Yet, since no penal process concerning Father Neuberger exists but rather only a preliminary investigation, Father Ingels' presence is not required. So Father Neuberger has not met with me. Hence, even though some of the concerns I raise in this report perhaps could be resolved if I could speak with him, I now present my findings and conclusions without input from Father Neuberger.

On a positive note concerning Father Neuberger, I should mention that during my investigation people have mentioned that Father is a very good and inspirational homilist, and that his charity and concern for others are well known and appreciated. Hence, although I do not know Father personally and thus based only on the content of this report, I gather that his personal life differs, at least somewhat, from his public persona.

In any event, as a result of my study I conclude that throughout the years of his priesthood Father Neuberger has violated the position of prestige and governance entrusted to him by the Church, abused persons for whom he was to have been their spiritual leader, and transgressed archdiocesan financial policies and conceivably misused Church funds. My report is now presented in three sections: allegations of sexual misconduct and solicitation in the confessional; allegations of abuse of ecclesiastical power; and recommended future action.

ALLEGATIONS OF SEXUAL MISCONDUCT AND SOLICITATION IN THE CONFESSIONAL

It is my understanding that relatively soon after Father Neuberger took office as pastor of Saint Catherine of Alexandria Parish in Milwaukee (Granville) on June 22, 1993, four allegations of sexual misconduct with minor boys, allegedly performed by Father many years earlier, were made by four persons who filed civil law suits against Father. Eventually, three of

these civil law suits were dismissed by the civil courts because the statute of limitations under Wisconsin law prevents further action. Obviously this legal technicality in no way determines guilt or innocence, it simply prevents any action in the civil courts. To the best of my knowledge the fourth suit remains in the civil court and its outcome cannot be determined.

Soon after these allegations became known, Archbishop Weakland met with Father Neuberger and Father's civil lawyer. After this meeting and in order to evaluate the substance of these allegations, the Archbishop asked a team of experts, highly experienced with sexual abuse cases, to interview Father Neuberger on the Archbishop's behalf, and they did so during October of 1993. This team of experts was headed by Dr. [REDACTED] Psy. D., a licensed psychologist employed by the Catholic Social Services of the Archdiocese of Milwaukee. Joining [REDACTED] on the team were [REDACTED] and [REDACTED] two licensed clinical social workers employed by the State of Wisconsin who specialize in the assessment and treatment of sex offenders. Each member of the team is a Roman Catholic who resides within the Archdiocese of Milwaukee.

In a written report to the Archbishop, Dr. [REDACTED] says that Father Neuberger admitted to the team that:

- 1) he has engaged in sexual contact with minors on multiple occasions (in fact, [REDACTED] report indicates chronological details provided by Father Neuberger);
- 2) this behavior with minors began during his time at the major seminary and has continued for most of his priestly career;
- 3) he has picked up adult hitchhikers for sex and solicited prostitutes;
- 4) he has "cruised" in other cities (e.g. New York);
- 5) he has had two long term relationships which began as sexual relationships and which are now platonic;
- 6) he frequents gay bars;
- 7) he is an active homosexual priest whose definition of celibacy is: "it has nothing to do with sex, it is about service to others"; and
- 8) he engaged in a confessional practice in which he used information given to him in the confessional to solicit sex for himself.

Furthermore, after carefully reviewing the data gathered in its meeting with Father Neuberger, the team reached the following clinical conclusions concerning Father:

- 1) that he does not understand the issues of sexual exploitation and power differentials;

- 2) that he does not demonstrate a capacity or willingness to live a celibate and chaste life;
- 3) that he is attracted to young men from the ages of 12 to the mid-20's;
- 4) that he accepts no responsibility for his behavior but instead may very well act out in a vindictive manner;
- 5) that he has a hostility toward the heterosexual world;
- 6) that he is not in touch with how his specific behaviors lead to sex with minors and others;
- 7) that he does not understand the effects of his sexual behavior on others;
- 8) that he has demonstrated a pattern of engaging in behaviors with a high risk for public exposure;
- 9) that for him high levels of personal rejection and loneliness lead to a greater risk of acting out sexually; and
- 10) that his cognitive distortions (e.g., "everyone's doing it") increase the risk for his continuation of sexual acting out.

As part of my investigation, I met individually with Dr. [REDACTED] [REDACTED] I placed each person under oath before taking his or her deposition. The following summarizes their testimony to me.

1) Father Neuberger was introduced to each member of the team and told about the person's expertise in sexual abuse matters. Furthermore, the team explained to Father that the team was conducting the interview on behalf of Archbishop Weakland, who would be informed about Father's comments. In other words, according to the team members, Father Neuberger was aware that what he would say to the team would be in the external forum and could be used by the Archbishop in an ecclesiastical process. Also, the team members say that Father Neuberger was cooperative with the interview.

2) According to the team members, Father Neuberger freely admitted to them that:

a) he has committed many acts of immoral and criminal contact with boys and men for many years, including picking up male prostitutes and adult hitchhikers for sex;

b) he has lived a life of promiscuity and sexual contact with boys and men from the time he was in the major seminary until only a few months prior to his interview with the team (October 1993), therefore extending for almost his entire priesthood;

c) he used information provided by penitents during the celebration of the Sacrament of Reconciliation to solicit sex for himself. Father told the team that he would encourage the penitent to meet with him

afterwards for a more pastoral kind of discussion which often would lead to sexual contact. Father also told the team that he considered this activity an appropriate pastoral response and a reasonable form of sex education for the penitents; and

d) he considers celibacy to concern a priest's relationship with God and service to the community, while not in any way concerned with sexual activity. Hence, Father justifies his sexually active life style as being in accord with his understanding of priestly celibacy in the Church.

3) Also, in the opinion of the team members, Father Neuberger does not suffer from any form of mental illness or psychic defect, nor is he compulsive. Rather Father is intelligent, able to reason and understand, able to distinguish right from wrong, and freely chooses his actions.

Frankly, I was surprised to learn that Father Neuberger would freely provide so much incriminating testimony, acknowledging violations of divine, canonical, and civil law, so I pursued this matter with each team member. Dr. [REDACTED] was the first team member whose sworn testimony I took and I asked her to explain why Father would give such testimony. She said that Father considers his behavior to be in no way inappropriate, immoral, or criminal. Moreover, she said that Father claims that many other priests also live this way, seeing such behavior as normal for priests and not truly sinful or illicit. She says that Father's claim to know what many other priests do is an example of his cognitive distortions which are his attempts to mislead and justify himself. Such an attitude is not an illness, Dr. [REDACTED] says. When I inquired of the other two team members why they thought Father Neuberger responded as he did, they replied with the essence of the explanation provided by Dr. [REDACTED]. In addition, however, one of the other team members believes that Father Neuberger is energized, at least in part, by highly confrontational situations and that Father found making a seemingly full revelation of his own sexual life style to be a way to challenge Church authorities to respond.

Beyond the testimony of Dr. [REDACTED] and her team members, other testimony was given to me indicating that Father Neuberger has publicly proclaimed and endorsed matters of moral conduct that are contrary to Church teaching. For example, [REDACTED] Archdiocese of Milwaukee, claims that at a dinner party in 1992, Father Neuberger proclaimed his belief in a "pro choice" position that women are free to choose to have an abortion. Another example comes from [REDACTED]. They say that Father Neuberger freely endorsed a homosexual life style as a morally appropriate way of life.

My conclusions. Having reflected on the findings in this part of my investigation, I offer the following conclusions.

To begin, although Father Neuberger's confession to Dr. [REDACTED] and her team does not constitute a "judicial confession" (c. 1535) because the confession is not part of a trial or judicial process, the confession does constitute an "extra-judicial" confession (c. 1537) and could be accepted as a true admission of guilt, if a judge in a trial evaluated the confession as



worthy of such consideration. Indeed, while we recognize that an "extra-judicial" confession always stands as an alleged reality needing to be substantiated (probatio probando), Father's self-revelations of criminal activity to three persons of outstanding reputation certainly seems to pass the test of corroborating proofs. The three team members, testifying to me under oath, say that they received Father's confession at a time when such a confession could not have been to his advantage and thus was not expected by the team (tempore non suspecto). As a result, the confession surfaces as a confession actually made so as to tell the truth, rather than as a fabrication by Father so as to attain some advantage. Moreover, disproving the testimony of the team members, again I say made under oath, requires establishing that [REDACTED] perjured themselves. I do not believe they did commit perjury. Rather, I believe the three team members that Father Neuberger did in fact confess to them the crimes the team members described.

Next, even though Father Neuberger cannot be prosecuted for most of his confessed crimes because the statute of limitations in ecclesiastical law has expired (extinguished by prescription according to c. 1362, §1), perhaps violations of some canons with crimes of a sexual nature, especially when joined with crimes of a financial nature that are discussed later in this report, still might be able to be prosecuted. First, it is quite possible that Father Neuberger continues to violate cc. 277, §2 and 1395, §1 by continuing to live in a relationship with [REDACTED] that violates the sixth commandment of the Decalogue and stands as a crime against c. 1395, §1. Apparently they have lived together since 1981. A memo from Father Neuberger to [REDACTED] dated June 23, 1993, indicates that [REDACTED] worked as Father Neuberger's aide and housekeeper for the entire twelve years of Father Neuberger's assignment at St. John Neumann Parish. Also, the addresses on the W-2 forms (required for income tax purposes) of both Father Neuberger and Mr. [REDACTED] for the years 1985 (the earliest year of W-2's readily available; still earlier forms might exist) through 1993, are the same, and this address is the same as the address a State of Wisconsin, Department of Transportation record dated March 12, 1996 indicates for [REDACTED] drivers license registration, and this address also is the street address Father Neuberger used for a return address both on a letter that Father sent to Archbishop Weakland dated January 9, 1996 and on a letter that Father mailed to me dated May 14, 1996. Therefore, I can only conclude that they have lived together all these years and most probably continue to live together. Moreover, Dr. [REDACTED] told me that Father Neuberger admitted having had a sexual relationship with Mr. [REDACTED] at one time.

Some further information about [REDACTED] might be helpful at this point. [REDACTED] has been convicted in civil court of at least two crimes and I have reviewed some of the related court documents. First, in 1980 he was convicted of one count of indecent exposure (the criminal complaint actually lists nine counts) for which he was sentenced to six months in the Waukesha County Jail, yet the sentence was stayed and he was placed on probation for two years. Then, in 1981 and probably soon before he would have begun living with Father Neuberger, [REDACTED] was convicted of disorderly conduct for which he served ten days in the Waukesha County Jail.

Now let me continue to discuss possible criminal action against Father Neuberger in a Church court. Since Father confessed to illicit sexual conduct up to a few months immediately prior to his meeting with the team in October of 1993, c. 1399, which says in part that violations of a divine law can be punished by a just penalty, still could be applied. This is because the statute of limitations for the crime of this confession will not prevent prosecution until a few months prior to October of 1996. Therefore, I strongly suggest that the Promoter of Justice begin immediately to determine if a criminal judicial action should be taken in the ecclesiastical court.

Also, in the event that a judicial process and/or an administrative action is taken against Father Neuberger, he should be considered seriously imputable by reason of malice and culpability (c. 1321, §1) and, therefore, completely responsible for his actions. Indeed, since at no time in any of his civil proceedings or meetings with [REDACTED] and her team did Father Neuberger suggest or contend that he suffers from any mental illness or psychic defect, or from any other mitigating consideration, he may not be excused from his actions. On the contrary, since Church law holds that imputability is presumed whenever an external violation of the law has occurred (c. 1321, §3), he must be seen as thoroughly responsible for his actions. The burden of proof to the contrary rests with Father Neuberger.

Finally, I feel compelled to raise a question which, while being very awkward and difficult to envision from a pastoral perspective, still might provide an avenue for justice and necessary discipline. Given that Father Neuberger has provided an "extra-judicial" confession concerning use of the confessional to solicit penitents for Father's sexual purposes (c. 1387), might he also have absolved an accomplice in a sin against the sixth commandment of the Decalogue (c. 1378, §1)? This crime contains the penalty of an automatic (*latae sententiae*) excommunication, simply needing only to be declared, and most probably is not subject to the Church's statute of limitations (prescription) because this offense seems to be reserved to the Congregation for the Doctrine of the Faith (CDF). In other words, we have here an exemption from the general rule of prescription, provided in c. 1362, §1, 1°, especially when taken in light of art. 52 of Pastor bonus which grants to that congregation competence concerning offenses against the celebration of the sacraments and the declaration or imposition of related canonical sanctions. As a support to this theory, while there is no official list of crimes reserved to the CDF, both the Canon Law Society of Great Britain and Ireland commentary and the Chiappetta commentary list c. 1378, §1 as a crime reserved to the CDF. So, depending on the rules of the CDF for such cases, if this crime occurred, perhaps is still can be prosecuted. At the same time, however, while I raise this matter as a topic for discussion and consideration, I am reluctant to recommend this action at the present time for two reasons. First because to my knowledge there is no evidence to indicate that this additional crime ever occurred. Second, even though Dr. [REDACTED] has names of victims who perhaps could be interviewed, wisdom and pastoral concern for the victims might dictate abandoning this idea lest more harm be done to the victims than good to the larger Church community. Yet, perhaps we should remain open to considering this approach.

#### ALLEGATIONS OF ABUSE OF ECCLESIASTICAL POWER

[REDACTED] also contacted the Archdiocese with concerns about certain financial matters at the parish, especially concerning [REDACTED] who lived in the rectory with Father Neuberger and who also, according to them, received a full-time salary for very little work. I interviewed each of these persons under oath and, even though they knew little specifics to explain more fully their claims, they provided sufficient insight to facilitate my reviewing cancelled checks and other financial records for the period from July 1, 1987 (the earliest data available) thru June 30, 1993 (the time when Father Neuberger was transferred to Saint Catherine of Alexandria Parish).

To say the least, I found a sea of data to warrant not only concern but perhaps also to establish crime under both ecclesiastical and civil law. I must qualify my conclusion in this regard, however, because, since I have been unable to discuss these documents with Father Neuberger, I must leave open the possibility that he is able to explain each item. Yet, based on the data I have reviewed, I feel there are at least some reasons to raise the possibility that Father Neuberger is responsible for the misappropriation of Church funds and/or other financial irregularities.

While most of the questions concern [REDACTED], one item is easier to present, so let me start with it. Apparently during 1991 a bank account was opened at the Waukesha State Bank (# [REDACTED]) under the name "St. John Neumann Congregation, Waukesha Catholic School System". According to a bank statement, the balance in the account on October 31, 1991 was \$3,804.04. On November 22, 1991, Father Neuberger signed a check payable to "cash" for this amount, thus closing the account. The endorsement on the back of the check simply reads: "deposited to the credit of the payee named, Waukesha State Bank, Waukesha, Wisconsin". The payee, of course, simply is "cash". There is no indication as to who received the money: no indication that the money went to the parish or to the school system. Where did the money go? The only name associated with the transaction, other than the bank itself, is that of Father Neuberger. Photocopies of the bank statement and the cancelled check are attached to this report (Exhibit A).

Now on to the [REDACTED] situation. Actually the stage is best set by turning to the memo Father Neuberger wrote to [REDACTED] on June 23, 1993, as Father Neuberger was leaving the parish. The memo reads, in part, [REDACTED] is St. John's first full-time employee. He began full time in October of 1981. During these past twelve years [REDACTED] has served as my assistant and aide. He covered a variety of duties from counting the collection every Monday morning for the first six years, processing the mailing of the bulletin which started with approximately 600 copies and is presently 1492. He has served as my housekeeper and custodian for extraordinary situations." A photocopy of this memo is attached to this report (Exhibit B).

The two staff members who spoke to me described [REDACTED] duties similarly to what Father Neuberger says in the memo, yet with quite a different slant. They told me that [REDACTED] was virtually never seen by anyone in the parish, not even the staff members. In addition, [REDACTED] who has been associated with the parish almost since its inception, corroborates

this point. So does the outside accountant who seems to have always done the parish's accounting work (later in this report I describe some hostility this accountant had toward me and this investigation but, given this hostility, I feel confident that the accountant told me truth when he said that [REDACTED] was not known or seen around the parish). Apparently, [REDACTED] was rarely seen and most people who are close to the parish would not know [REDACTED] if he walked in to their presence. Also according to the staff members, whatever work [REDACTED] did do, he did at night. The two staff members say that [REDACTED] did mail the bulletins, yet that took only a few hours per week. He did clean some wash rooms (custodian work), but again this could not take much time. The rest of the work was in the rectory where he lived with Father Neuberger, and the staff members do not know exactly what work [REDACTED] did there. If [REDACTED] living in the rectory with Father Neuberger was simply [REDACTED] occupation, some questions arise. Why has [REDACTED] continued to live with Father after [REDACTED] employment terminated? Did [REDACTED] pay rent or board? If yes, to whom? If room and board were part of his compensation, was this cost noted on his W-2 each year or in any other way reported as taxable income?

I have seen the employer copy of [REDACTED]'s W-2's for the years 1985 thru 1993. They seem to show only the salary paid to [REDACTED] and the salary for each of those years would seem to indicate full-time employment, just as Father Neuberger acknowledged in his memo to Father [REDACTED]. For example, for the six months of 1993 (January thru June when Father Neuberger departed from the parish) [REDACTED] was paid \$11,594.97 (therefore, approximately \$23,000 on an annual basis); and in 1992 he was paid \$18,810.58. So another question arises, did [REDACTED] actually work full-time, thus earning full-time pay? Or were the payments to [REDACTED] for other purposes, such as to provide him with health insurance (which he did receive) and other fringe benefits as a full-time employee (e.g., vacation and paid days off)?

Further and more substantial concerns surfaced when [REDACTED] and I visited Saint John Neumann Parish and looked at the cancelled checks paid to [REDACTED] between July 1, 1987 and June 30, 1993. To our surprise, we found many checks not only endorsed by [REDACTED] they were also endorsed by Father Neuberger. While there are a variety of possible explanations for this happening, it appears as though [REDACTED] simply signed over his check to Father Neuberger. Certainly, if Father was depositing the check in the bank for [REDACTED], the second endorsement would not be necessary since the payee's endorsement with a deposit slip is all that is necessary. Perhaps Father was only cashing the check for [REDACTED]? Maybe, but some of the amounts are rather high and more money than I would expect a priest to have available, especially in that the last check to be double endorsed is the final check [REDACTED] received from parish, dated July 2, 1993, in the amount of \$1,774.59 (the accountant's bookkeeper said that this was for accrued yet unpaid vacation). Also, some years there were more checks with double endorsements than in other years, and it did not happen every month as though it might have been [REDACTED] way of paying rent and board. For the sake of illustration, a photocopy of the \$1,774.59 check is attached to this report (Exhibit C).

The following chart demonstrates the magnitude of the concern about double endorsements.

FY Year	No. of checks	Amount
1987/88	36	\$6,891.04
1988/89	14	2,965.19
1989/90	10	2,083.63
1990/91	6	1,335.83
1991/92	14	2,775.30
1992/93	18	5,471.95

The 1992/93 amount includes the one check for \$1,774.59.

I have some further thoughts about these checks. If [redacted] considered this rent payment, why did the money not go to the parish (Father Neuberger did not purchase the house until after leaving this parish assignment), and why is the timing of the payments so irregular? I doubt that it was rent. From a different point of view, if [redacted] actually worked less than full-time, perhaps he felt free to sign over some checks to Father Neuberger, at Father's request. But, then, why would Father have been entitled to these monies? As of now, I do not know what the double endorsements are about, but it certainly strikes me as a serious and curious situation.

In addition to the matter of the double endorsements other financial irregularities were noticed. On August 12, 1990, a check in the amount of \$465.00 was drawn on the "household and travel" account payable to First Federal Savings Bank with a notation for the account of [redacted] (# [redacted]). Then on October 24, 1990, another check was drawn on this "household and travel" account payable to All Nations Insurance Company for a policy for [redacted] (# [redacted]). Finally, during 1991 two additional checks were drawn on this account payable to the same insurance company for [redacted] benefit, one for \$292.00 and the other for \$293.00. To the best of my knowledge, the money going into the "household and travel" account came only from parish funds, so [redacted] use of this money seems to be beyond his salary. What actually happened here? Did [redacted] return the money, if this was a loan? Unfortunately, I was unable to locate more records on this account during my visits to the parish, but the records might exist and perhaps there is an explanation. Yet it seems strange.

Two additional strange situations concern the accounting system and the trustees. First I will address the accounting system issue. [redacted] is a public accountant (not a C.P.A.) who has provided the parish with accounting services, apparently since the inception of the parish. Mr. [redacted] is a parishioner who also served as a trustee for at least the first two years of the parish's existence (the annual reports for the third and fourth years of the parish either were not submitted or they are misfiled in the Chancery Office, so I do not know the trustees for these two years). However, by May 1985 [redacted] was no longer a trustee and he does not become a trustee again until 1995. So, he is now serving as a trustee. The point, however, is that during the years whose financial records I reviewed (July 1, 1987 thru June 30, 1993) [redacted] did not serve as a trustee. Yet during those years (and perhaps before and after) [redacted] and one of his employees were authorized signatures for the primary bank account of St. John Neumann Parish. In other words, [redacted] an outside accountant for whom St. John Neumann Parish is a client, was able to prepare and sign checks, receive and hold the cancelled checks from the bank, control all

entries to the general ledger and other financial records of the parish, and prepare the parish's financial statements. I would expect that members of the accounting profession would consider this an accounting system without internal controls because the system lacks a segregation of duties intended to protect Church assets. Furthermore, since [REDACTED] had already served as a trustee of the parish, he should have realized that an accounting system without adequate internal controls was in violation of the policies of the Archdiocese of Milwaukee. Actually, the parish finance manual calls for the trustee/treasurer and the pastor/parish director to sign checks, certainly not the outside accountant and one of his employees. And what did Father Neuberger think of this? I must assume that he approved.

I have visited with [REDACTED] in his office on three occasions, the first with [REDACTED] and the other two by myself. I have not discussed with him my concerns about the lack of internal controls in the accounting system because I sensed some hostility on his part, and I wanted to not jeopardize my need for access to financial records. The anticipated hostility materialized on my second visit. [REDACTED] wanted to know what my investigation was all about. I responded that Archbishop Weakland had directed me to look into some matters and that I was about that effort. He then asked for more details, to which I responded that he would have to get that information from the Archbishop. He then said that he and some unspecified other persons who know about my task are very concerned about the persecution being waged by the Archbishop and myself against a very good spiritual leader whom they respect greatly. He went on to say that he and these others are considering leaving the Catholic Church as a result of this persecution. He sensed my agitation at this accusation and asked if I was angry. I said yes and that I wonder why he is attacking the integrity of Archbishop Weakland and myself. I also said that I wonder what his real intention was to be speaking this way, that maybe I should think this all through more carefully, meaning that I recognized that [REDACTED] was trying to intimidate me and that I was questioning his motivation.

With that conversation completed, Mr. [REDACTED] instructed one of his employees to get me the cancelled checks I want to review. However, after carefully looking for them, his employee indicated that the checks could not be found. Upon further reflection, Mr. [REDACTED] suggested that perhaps the checks were in a box in the basement of his residence, and that he would telephone me the next day to set an appointment for a third meeting. He called the next day, saying that he had found the checks in his basement, and I later returned to his office to review that data. The critical question, beyond his attitude towards Archbishop Weakland and myself, is why does he retain Church records in the basement of his residence or even in his office for a long period of time? The more that I reflect on his gross lack of a professional conduct and attitude, the more I wonder that perhaps I have found only the tip of the iceberg.

To only add to my concerns, let me turn to the matter of the trustees. According to the annual parish reports on file in the Chancery Office, from May of 1985 through June of 1994, thus in and surrounding the years of my study, no one person ever served as trustee of St. John Neumann Parish for more than one year, even though the Archdiocesan policy and state law expect a two-year term of office. In fact, these annual reports indicate that the parish intended only one-year terms. In and of itself, I would not consider

the one-year term as a very major problem, although the Archdiocesan policy and state law are important and any time we discover this situation in a parish an immediate correction is necessary. Yet, in light of the apparent lack of internal controls in the financial systems of the parish and the attitude of the accountant, this situation with the trustees becomes critical because the ability of the trustees, two persons required by state law and elected by the parishioners, is greatly diluted. As soon as the trustees begin to become familiar with the activities of the parish, their term of office ends. I can think of no better way to reduce the office of trustee to that of a functionary than by forcing a quick turnover. As a result, the control aspect of a trustee has been virtually nonexistent in this parish, thus allowing irregularities to happen more easily. What else might Father Neuberger have done?

Also in the course of my investigation, I wondered if any financial irregularities would be found in the records at Saint Catherine Parish, even though Father Neuberger was there only a few months. So I visited there and reviewed the financial records for that brief period of time. Two significant developments did arise. Between August 1 and October 31, 1993, Father Neuberger withdrew \$2,500.00 from the "stipend account" as an advance on Father's business expenses. Of course, it was during October 1993 that the investigation in to the sexual allegations got under way and Father left the parish. Apparently at the insistence of [REDACTED] who became the administrator of the parish, all these funds were returned to the parish. In addition, according to [REDACTED] during October of 1993 Father Neuberger sold a statue to the parish for \$2,500.00. This money was also paid from the "stipend account" and, also according to [REDACTED] once the parish members realized what had happened, at least some were not happy and wanted the money returned. But the money was never returned, so the parish now has the statue.

Perhaps the work of my investigation has seen the total scope of Father Neuberger's financial irregularities, but I doubt it, primarily because my review was cursory and not a real audit. Certainly, evidence exists to ask many questions of Father Neuberger and, depending on the truth of the each apparent irregularity, perhaps the evidence demonstrates crime.

#### RECOMMENDED FUTURE ACTION

I wish to present two specific recommendations, followed by some comments about support ("sustenance") that might or might not be due Father Neuberger, regardless what future action takes place.

To say the least, time is of the essence because the statute of limitations in church law might expire on July 2, 1996 or soon thereafter, both concerning crimes of a sexual nature as well as those of a financial nature. Therefore, my first recommendation is that this report and all my supporting documentation be given immediately to the Promoter of Justice so that, if the Promoter of Justice agrees, a cause can be presented to the Tribunal before July 2, 1996. Of course, if a new case can be developed that Father Neuberger is currently living in violation of c. 1395, §1, or has only recently ceased that crime, the time consideration for that offense would be different.

Why this July date? Let us first consider this date in light of the sexual matters. I would suggest this date, or a date close to the beginning of July 1996, for the crimes of a sexual nature because Father Neuberger confessed to [REDACTED] and her team illicit and criminal sexual conduct up to a few months immediately prior to Father's meeting with the team in October of 1993, and this could mean that some time in July of 1993 Father Neuberger ceased such activity, depending on the meaning of the word "few". Hence, the penalty would be extinguished by the law itself in early July of 1996. Moreover, now concerning the financial matters, I sight this date of July 2, 1996 because it is three years after the date of the last check paid by St. John Neumann Parish to [REDACTED] and to Father Neuberger. Hence, even though some canonists might want to argue that since the last check paid to [REDACTED] was for unpaid vacation that any crime related to this payment continues through the number of weeks of vacation time being paid in that check, I am uncertain that the crime did not cease on July 2, 1993 thus, according to c. 1362, §§ 1 and 2, extinguishment by prescription would occur on July 2, 1996. In any event let's not run an unnecessary risk.

My second recommendation concerns the financial problems. I sincerely believe that I have seen only a small portion of the trouble; at least further questions of possible concern quickly come to mind. Consider, for example, with an accounting system so completely lacking appropriate internal controls, what happened when the new church building was constructed? What about the cash disbursements for the routine operating expenses? What about payments to Father Neuberger (my review of checks only concerned payments to [REDACTED])? Since I documented some problems with the "household and travel" account, what else happened in that account? Did Father Neuberger take any "advances" from St. John Neumann Parish as he did at St. Catherine Parish? Why was there no stipends account at St. John Neumann Parish and how were Mass intentions controlled? Thus, I recommend that the Archdiocese engage an independent certified public accountant, experienced in audits that seek to establish the presence of evidence, if evidence exists, to indicate malfeasance and/or gross negligence, to determine if Father Neuberger, [REDACTED] who should have provided better financial controls, and/or any other person(s) connected with this situation is/are actually responsible for such matters. The use of an independent C.P.A., along with input from our legal counsel, will remove this judgment from the exclusive domain of archdiocesan personnel. Furthermore, this audit could begin either before a cause is accepted by the Tribunal or the audit could be as part of the Tribunal process, if the judge would so direct. Lastly, I have already discussed this recommendation for an audit with [REDACTED] and he concurs.

Now let me comment on what support, if any, might be due to Father Neuberger, whether or not an ecclesiastical penalty is eventually imposed on him. In the event that such a penalty is placed upon him and depending on the terms of that penalty, perhaps no compensation of any sort will be due to Father, and the minimum level of financial support ("sustenance") would be due only if true need is proven. Indeed, c. 1350, §1 stipulates that unless it is a question of dismissal from the clerical state, when penalties are imposed upon a cleric provision must be made that he does not lack those things which are necessary for his decent support. I use the term "sustenance" to mean this sense of decent support.



Certainly not all clerics under a penalty should receive "sustenance" because some might still be working for the Church, although in a more limited fashion, and still drawing some salary. Hence, "sustenance" is not triggered simply by the fact that a cleric is under a penalty. In fact, c. 1350, §1 does not say that every cleric under a penalty must receive some special provision, but rather the law wants to assure that no cleric under a penalty becomes destitute or in need of necessity. Moreover, the cleric would have to demonstrate the need, perhaps by providing copies of his federal and state income tax returns.

Actually, it is interesting to note that a basis for the canon that establishes the right of clerics to appropriate remuneration (c. 281, §1) is found in Vatican Council II: "... insofar as provision is not made from some other source for the just remuneration of priests, the faithful are bound by a real obligation of seeing to it that the necessary provision for a decent and fitting livelihood for the priest is available" (PO 20). It would appear, therefore, that the responsibility of the faithful to provide for the priests' necessities arise only after other sources of support are exhausted.

As a result, in my opinion, if Father Neuberger eventually comes under a canonical penalty and is not lacking the necessities of decent support, because they are provided by himself or by another for him by means of a salary, pension, investment income, gifts, and/or any other source of revenue, no obligation exists for further support under the terms of c. 1350, §1. Rather, since the Church authorities are to see that Church funds are well managed within the context of the Church's entire mission, these authorities may not provide support to Father Neuberger, or to any other penalized cleric, unnecessarily.

Now let me speak to any responsibility to provide compensation or support in the event that no ecclesiastical penalty is placed upon Father Neuberger. Since the time of the promulgation of the revised Code of Canon Law in 1983, the Church has been driven to recognize the presence of a category of cleric not specifically identified in the Code, clerics who have freely chosen behavior in the past, and most probably continue to choose this behavior at the present time, which threatens the physical, psychological, and/or spiritual well-being of other persons, and yet cannot be subjected to an ecclesiastical penalty because of time restriction prescribed by the Code. However, this illegal and immoral conduct, unless the cleric has completely altered his behavior pattern, establishes the cleric as a person unsuited to serve as the spiritual leader of the Church community. In fact, a general norm for Church law found in c. 149 stipulates that in order for a person to be promoted to an ecclesiastical office, that person must be in the communion of the Church as well as suitable, namely endowed with those qualities which are required for the office in question. Thus, lacking the moral and spiritual qualities necessary for an office prevents a person from being appointed to that office. Also, any claim of mitigating conditions or circumstances must be proven because personal responsibility is presumed in Church law (c. 1321, §3). Consequently, the diocesan bishop, even if criminal action cannot be taken because of the expiration of prescribed time limits, can decide as an administrative action that the cleric is unassignable, as long as the cleric's propensity for such immoral and illegal behavior continues. To do otherwise, that is to assign

such a cleric to active ministry, possibly would not only endanger other persons, it might also create serious scandal among the faithful.

Since this category of cleric was not directly anticipated in the Code, we cannot refer to the Code as an exclusive source for guidance concerning compensation or support. Yet, the Code does provide necessary insight. First, while c. 1350, §1 speaks to the potential need to provide for the decent support of clerics who are under a penalty, neither this canon nor any other canon stipulates that only clerics under a penalty might be provided "sustenance". In other words, nowhere does the Code prevent the application of "sustenance" to clerics who are not under a penalty.

Next, the canons that address a cleric's right to remuneration (e.g., c. 281, §1 and 384), as well as the canons that address a cleric's rights and obligations (cc. 273-289), presume that the cleric is thoroughly available to the Church, not simply physically capable but also personally willing to serve according to the mind of the Church. In other words, the cleric has to have the proper attitude, disposition, and the commitment to the life-style that is expected by the Church. Hence, in the face of evidence that the cleric is not properly disposed to being a cleric as the Church expects, he forfeits at least some, and perhaps all, of the rights that other clerics in good standing possess, including financial remuneration or support. So a cleric, while not necessarily under a penalty, yet unavailable to serve the Church as a result of his freely chosen actions and not due to Church initiative, holds no claim to an assignment and its related compensation, until clear evidence demonstrates a fundamental change in his attitude and behavior.

Still, might some financial support be due such a cleric? Possibly, if he can prove that he truly lacks those things that are necessary for his decent support. In other words, such a cleric would be given the same consideration as a penalized cleric. So, in the event that Father Neuberger cannot be placed under a penalty due to the Church's canonical statute of limitations, if the Archbishop determines that Father fits the description of a cleric who is unassignable because of his freely chosen behavior and attitudes and not at the initiative of the Church, the Archbishop may, in my opinion, cease all forms of compensation and support to Father Neuberger, unless Father establishes, perhaps by means of his income tax returns, that he really lacks a decent support.

What is "sustenance" (decent support)? To the best of my knowledge, no Church authority has identified the elements of "sustenance", so I now render my personal opinion. In our Archdiocese "sustenance" should consist of four components: housing, food, health insurance, and a limited amount of money for incidental expenses. While the specifics of these components would need to be formalized by the Archbishop in a policy, I believe that the Archbishop could simply tell the cleric who is to receive "sustenance" to reside in a specific rectory and eat whatever food is provided for the other priest(s) living there. Also, the Archbishop may appoint the cleric to a specific health insurance program (e.g., a HMO or an insurance company) without allowing the cleric to specify a program. Finally, the Archbishop may set the amount of money for incidental purposes.

Also in my opinion, if the Archbishop would like to simply pay a certain sum of money in lieu of having the cleric live in a rectory, etc., especially if the cleric would probably be troublesome in the rectory setting, he may do so. How much should this be? At the present time I would recommend a payment to the cleric of \$500 per month, plus the insurance premium paid directly by the Archdiocese. Here is my logic for the \$500. We have residing in various parish rectories in the Milwaukee area student priests from foreign countries. Each of these parishes expects \$400 per month for room and board, and the priest pays this either from help-out fees he earns or from his annual mission appeals within the Archdiocese. These payment terms are agreed to by the bishop/superior of the student priest before he takes up residency. Therefore, it seems reasonable to say that \$400 per month represents the value of housing and food in a rectory. I would further suggest that \$100 per month for incidental expenses is sufficient. Finally, I would subtract from the \$500 the amount of stipends paid to the priest, if he is allowed to say Mass privately and receives stipends.

\* \* \* \* \*

Let me now briefly summarize and conclude. First, I recommend that this report and all my supporting documentation be submitted immediately to the Promoter of Justice and, if he concurs that grounds exist for criminal action in the Church Tribunal, that he prepare a libellus and present it to the Tribunal to initiate a cause.

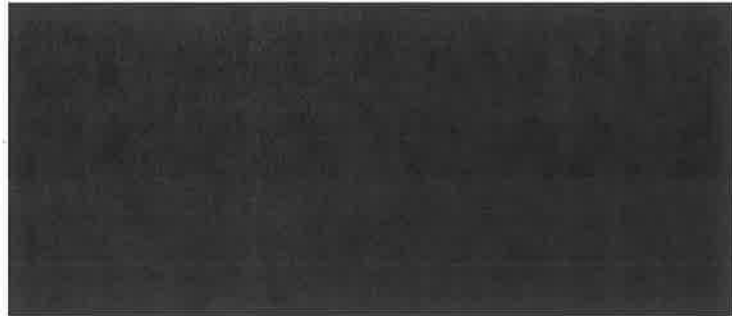
If Father Neuberger is found guilty of any crime, what penalty might he receive? If he is guilty of using the confessional to solicit a penitent to sin against the sixth commandment of the Decalogue, according to c. 1387 the penalty could be suspension, prohibitions and deprivations, and possibly dismissal from the clerical state. If Father is guilty of the crime of a sexual nature against c. 1395, §1, and if he persists in that state, according to c. 1395, §1, he also could be dismissed from the clerical state. Also, if Father Neuberger is guilty of an abuse of ecclesiastical power because of some financial irregularity, c. 1389, §§ 1&2 allows for a just penalty. Then, if Father Neuberger is guilty of other crimes against divine or ecclesiastical law, c. 1399 also provides that a just penalty may be imposed. Finally, c. 1326, §1, 2° provides for a judge to punish more severely than a law or a precept has stated if the guilty party has abused authority or office in order to commit the offense. I believe this could apply to Father Neuberger.

My second recommendation is that the Archdiocese engage an independent certified public accountant, experienced in audits that seek to determine whether or not malfeasance, gross negligence, and/or fraud has taken place. The results of this audit should then be reviewed by our legal counsel for their professional opinion and recommendation. I believe this audit should begin as soon as possible.

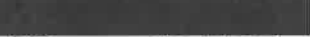
In a sense we sail uncharted waters because very little ecclesiastical precedence exists to serve as our navigator. In many ways, the phenomenon of sexual misconduct by a cleric has established the penal law of the Church as a topic of growing importance. So, while pursuit of justice concerning

Father Neuberger at times might prove uncomfortable and awkward, I strongly encourage you to persevere in this endeavor. Whatever the outcome, working together we will contribute to the Church's capacity to render justice and to effect healing, while protecting the rights of all the persons who are involved in the case.

Thus concludes my report. Please let me know if I can assist you further.



Dear Msgr. Punderson:

 Judicial Vicar of the Archdiocese of Milwaukee. You may know me as the moderator of the canon law group on the internet. The Archbishop gave me permission to speak with the Bishop of La Crosse, who in turn suggested that I be in touch with you to get your advice on how to handle a particularly delicate situation here in the Archdiocese. I will use some canon references and other methods of coding just in case e-mail is not yet fully secure.

In the late 1960's and early 1970's, we had a presbyter who was the principal of a grade school for deaf children in our Archdiocese. There is not much of a paper trail on him in our archives, including our secret archives. In the records there are remote references to his being exiled to the Diocese of Superior, Wisconsin, but not that much more is known about him from the records.

Approximately two years ago, the Archbishop began receiving letters from alleged victims and their attorneys about incidents concerning C. 1395.2. The Archbishop acted promptly and began an investigation into the matter. The results of the investigation was that there are between 100-150 possible victims.

Even more disturbing, as part of the investigation, it was learned that incidents concerning c. 1387 had occurred in almost every single case. We now have the sworn testimony of three persons to this effect.

In July of 1996, the Archbishop wrote to the CDF asking for direction on how to proceed with this case. No answer was received. In December, 1996, the Archbishop again wrote to the CDF.

After having heard nothing from the CDF, on March 3, 1997 the Archbishop wrote to the Signatura about these incidents and also included much of the testimony in that correspondence. In that correspondence, the Archbishop specifically asked for a waiver of the peremptory time period in effect that would have made prosecution of these cases impossible (most of the cases happened 25 years ago). The Archbishop also pleaded on behalf of the deaf community of the Archdiocese, that if there was a case where someone was physically prohibited from reporting such incidents, it was this case. In a sense their handicap prohibited the administration of justice. So far we have not heard from the Signatura.

Meanwhile on April 2, we received a response from CDF! That response enclosed the 1962 document and requested the Archbishop to proceed instructing the case using the 1962 document with the changes necessary from the 1983 Code, with special attention to nn. 5 and 55.

I have a couple of questions that I need direction on. First, is this the final answer that we will get or should we wait for another answer from the Signatura? Secondly, when we were asked to instruct the case, does that mean that the CDF is willing to consider the case even though the legal peremptory time periods have expired? Should we write back to the Signatura and simply state that the CDF answered our question?

Any light that you can shed on this would be greatly appreciated.

Sincerely,



# CONFIDENTIAL

Testimony of [REDACTED] and [REDACTED], depositions taken July 1, 1997

## DEPOSITIONS CONCERNING THE FR. MICHAEL NEUBERGER CASE

Testimony of [REDACTED]

[REDACTED] We are here with [REDACTED] [REDACTED] first of all, I would like to ask you to state that you will tell the truth as best as you know the truth in this matter.

[REDACTED] I'll tell you the truth as well as I remember and know it.

(B) Okay, thank you, [REDACTED] first of all for being here in Milwaukee. I realize you came in from [REDACTED] for this meeting, and I appreciate the amount of trouble that that must be for you as well as the difficulty of this issue. [REDACTED] were you born here in Milwaukee?

(L) I was born in Milwaukee and we lived here for 34 years before we moved.

(B) Then you grew up at which parish in Milwaukee?

(L) I went to elementary school at St. Thomas Aquinas and then we moved to St. Philip Neri.

(B) About what year did you go to St. Philip Neri?

(L) It was my freshman year, so it must have been about 1961-62. I went to Dominican High School my freshman year. Actually, we moved there when I was in eighth grade, about [REDACTED].

(B) Did you go to school at St. Philip Neri or were you in a public school?

(L) No, I didn't. I went to John Moore.

(B) When you moved to St. Philip Neri, was that where you met Father Michael Neuberger?

(L) I don't think he was there when we got there, but I think he came after that.

(B) I realize this is quite a while ago. Do you have an approximate year when you would have met Father Neuberger?

(L) Probably about 1961.

(B) Can you tell us the context of your meeting with Father Neuberger? Was he your parish priest?

(L) Well, the first I remember is [REDACTED] being really in contact with us. [REDACTED] and I were both in the CYO. I was in the junior CYO. [REDACTED] and I both were involved. I was [REDACTED] throughout several years. The first time I probably remember Mike Neuberger is when we were dealing with Junior Legion of Mary because [REDACTED] brother, [REDACTED], and I were both into Legion of Mary.

(B) Would that have been in 1961-62, someplace in that range?

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(L) I would say that's when I was either in eighth grade or my freshman year. I graduated in 1966, so probably about 1962. I [REDACTED]

[REDACTED] I will hesitate because I have to think things I haven't thought about. I have to think it through because it's in memory but I have to pull it out. It was a [REDACTED], it's there, I just have to put it back.

(B) I haven't had a [REDACTED] and I can't remember what I did this morning, so I can understand.

(L) It's the speech and memory. It's all there.

(B) You understand what this trial is about. It concerns two areas regarding Father Neuberger; one is sexual misconduct and the other area is financial misconduct. Let's look at the first area. First of all, is there anything that you know relative to Father Neuberger's sexual behavior when he was at St. Philip Neri?

(L) I had some feelings but I had nothing to base it on at St. Philip Neri. The issue that arose for me was later on when he was at St. Boniface.

(B) Could you explain what happened then at St. Boniface?

(L) Well, I explained it to Liz and the two priests who came to I [REDACTED]. For a long time I thought it was like my fault and through the confessional I dealt with Jerry Memmel. He was an advisor at that time. What happened was that acquaintances of ours.. [REDACTED]

[REDACTED]. In this very, very strict times of that era everything was sexual abstinence. [REDACTED] was [REDACTED] years older than I was so it was very difficult for him. We became engaged when I was [REDACTED]. I intended to marry [REDACTED] and I had been raising my [REDACTED] young brothers and sisters. I was very aware of responsibility. I wanted to marry and have my own children. What happened was things had more and more of an impact between [REDACTED] and I as far as the sex issue. I found out from a best friend that we both had that based on the fact that there was sexual promiscuity, on my part [REDACTED] was actually forced into it. Emotionally he had become so involved in being turned away by me and he knows an incident where he had become involved with Mike. I talked to Jerry Memmel in the confessional trying to find out where I fit into it, what I can do to help [REDACTED] because I knew he was in love with me. In fact, he was very confused and frustrated.

(B) This first information came from a friend of yours?

(L) I friend of [REDACTED] and I. There was a couple that we were standing up for their wedding who were two years older than us. Actually the girl's name as [REDACTED]

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(B) Do you know how old [REDACTED] was at the time that this occurred?

(L) I think was [REDACTED] at the time and he would have been 19. He might have been 18.

(B) Any other information that pertains to you with regards to [REDACTED] relationship with Father Neuberger? Did [REDACTED] ever talk to you about this?

(L) When I talked and confronted him about it, it was something...I can't remember everything that was said about it. Like I said, [REDACTED] the things you remember are things I think are more suppressed. I know [REDACTED] and I

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talked about it and we tried to find some sense of it. Obviously, I had a lot of guilt because of that. I even talked to Jerry and I said well maybe I'm reading this wrong. Maybe it's just not fair and maybe I'm just too stubborn. I know we're going to be married and it just doesn't seem fair that the stress of the situation is just putting everything out of proportion.

(B) With regards to the financial misconduct, does any information come to you?

(L) That's mostly things that [REDACTED] and I had just talked about. Mike always had money. Mike always had new cars and poor Jerry, he loaned us his car constantly and it was an old VW bug, things like that. Mike always seemed to have a lot of ready cash. Especially the guys, they would go someplace. Mike would always have money. The girls were never involved.

(B) The priests pay at that particular time was very, very small. Do you have any ideas where all that cash came from?

(L) Well, the thing is that he and another couple at the parish basically handled the collections. I know it's not coming from my memory, but it's something my mom had said. He went to a Sierra breakfast they were having and he bragged about taking money from the collection. When Father Wahler withheld his pay, he bragged about he had been sick or something and he hadn't worked for two weeks out of the month, and he bragged about well, I just took it from the collection.

(B) He said that publicly and you personally heard it, your mother heard it?

(L) He bragged about it at the Sierra luncheon or something she went to. We were aware like I said that he had a lot of...he had more money than Jerry ever had. I was under the impression his parents were very wealthy as we were going through CCD and we were going through Legion and going through CYO. I just had the impression his parents were very wealthy because he always had cash.

(B) Father Reifenberg, our Promotor of Justice, do you have any questions you wish to ask?

(Fr. Reifenberg) Father Jerry was the associate at St. Philip?

(L) Right. He was the senior assistant. I think Mike was newly ordained or it was like his first or second assignment. He was new to the process it seemed. Jerry Memmel was probably in his late twenties at the time. That's why I went to Jerry in the confessional. I was at a Seneca. I went down once a month to meetings down there. Jerry just happened to have the Benediction that month and then he heard confessions. I just wanted to know what he could do to help [REDACTED] or if I was wrong, or if there was just somebody who could be made aware so nobody else got hurt. I just felt that [REDACTED] was being put in a position that was my fault. I wanted somebody to put a stop to it. We went down to St. Boniface and when we went there, he was like...when we walked in the house there were like a half a dozen or probably eight kids and they were in ages from 11 to 12 to 18, 19 years old. He said stay for dinner and showed us around the house. There was wine on the table. The kids had alcohol on the table and I kept looking at all these kids and kept thinking there are more victims here. Somebody should be doing something.

(R) This was in the rectory?

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(L) It was a separate house.



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(B) In what context did you meet Father Neuberger?

(T) He was an assistant pastor there.

(B) Were you and he involved in any kind of activity such as CYO or anything like that together?

(T) I can't remember what he was in charge of. Jerry Memmel was in charge CYO, Jerry Memmel was in charge of Legion of Mary, Jerry Memmel was in charge of basically everything. Mike just happened to be there.

(B) As you may know, this case involves basically two areas of allegations against Father Neuberger. The first area concerns sexual misconduct, and the second area is financial misconduct. I'd like to concentrate upon the first area for a couple of minutes. At any point, was there sexual contact between yourself and Father Neuberger?

(T) Yes.

(B) Would you know how old you were at the time that occurred?

(T) Possibly 17, 18 or 19.

(B) Was this a single incident or was it a series of incidents?

(T) There were about three with masturbation, oral sex, one was (inaudible).

(B) In these four incidents, just approximately did they happen over four years or four months?

(T) No, it wouldn't be four months. It was after he went to St. Boniface.

(B) I realize the sensitivity of of these issues, but we need to kind of get to the bottom of this. In the first incident, was he manipulative in the sense that he invited you to do this, or could you describe a little bit of the series of events that led to that?

(T) He was more like exploration. He didn't know what was going. I didn't know what was going on. It was like two eighth grade boys exploring sex. This is the only way I can think of it. Was he experienced? I haven't a clue.

(B) Okay, but it was your impression that it was fairly new to him.

(T) It was fairly new to him was the impression I got.

(B) Was there ever a connection between these four incidents and confession in the sense that perhaps you would confess something to him and he abused that information?

(T) I have to say no because I don't remember. It could be, it's possible, but I don't remember.

(B) I'll move on then to the financial area. In the financial area there is allegations of financial abuse and misconduct. Is there any information that would assist this Tribunal in this area that you would have?

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DEPOSITION CONCERNING THE FR. MICHAEL NEUBERGER CASE

Testimony of [REDACTED]

[REDACTED] First of all, [REDACTED] thank you for being here. I need to ask you a question with regards to what's going to occur today. I need you to state that you will tell the truth as best as you know the truth.

[REDACTED] Yes, I will.

(B) [REDACTED] were you born in Milwaukee?

(J) Yes.

(B) How many years have you lived in Milwaukee?

(J) Basically, all my life.

(B) Are you a Catholic?

(J) Yes.

(B) So you were baptized a Catholic as an infant and raised as a Catholic?

(J) Yes.

(B) At some point in your life, a certain Father Michael Neuberger came into your life. Can you describe the circumstances under which you met Father Neuberger?

(J) I first met Father Neuberger when I was living on [REDACTED]. My father was the [REDACTED], right around I guess you would say. During the summers, they had [REDACTED] there and that's where I met Father Neuberger. He wasn't a priest yet. Everybody called him Mr. Mike, you know?

(B) How old were you at that time would you guess?

(J) Maybe nine, ten.

(B) How did you get to know Father Mike very well? Did he befriend you or what occurred?

(J) Well, yeah, actually he used to take me away on the weekends and that's how I got to know him. My parents let me go with him.

(B) Where would you go? Would you go on trips to someplace?

(J) You know, I've been really trying to remember about that since I was a little boy what would he do with me. I think it was at his parents' house. I know we went to Chicago once. It could have been in Chicago, I don't know.

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(B) One of the most serious allegations that have been made relative to Father Neuberger is that he had sexual contact with people who were minors. I regret having to ask this question. It's a very sensitive question, but at some point in your relationship with Father Neuberger, did he attempt to have sexual contact with you?

(J) Yes.

(B) At about what age did that begin?

(J) I met him again when I was either 14 or 15. Catholic Social Services placed me with him. I [REDACTED] and I was having some problems so he was trying to find a place for me to stay.

(B) So the sexual contact began around the age of 14 or 15. That is correct?

(J) Yes.

(B) How long did this sexual contact occur? Was it a matter of days or weeks or months? Was it a single event or a multiple event?

(J) Well, it happened twice. Early one evening he asked me to come in his room and he asked me to give him a backrub. He was in his underwear and got in a position where I was over him and he showed me what to do. Then he said that I could grind off him. I knew what that meant. I guess I wasn't performing well or something, I don't know, but he began to give me oral sex. I do remember getting erected. My penis was in his, I'm in a total blur. I don't remember any feelings or anything like that, but I know it was over quickly.

(B) Was there a second incident of this at a later date?

(J) Yes, it was about two weeks later where he just approached me upstairs. He had a room of his own and I slept like in an attic. He approached me and he just began to give me oral sex.

(B) Another sensitive question is at anytime that you recall, did you go to confession to Father Neuberger? Do you have any memory of that at all?

(J) No.

(B) Did your relationship with Father Neuberger end suddenly or...

(J) Suddenly.

(B) What happened to end the relationship?

(J) Well, I got real rebellious because see the house had a lot of other boys in it and I knew what was going on then. There a few of the boys that used to sleep with Father regularly. I say this because now I'm an adult and I can look back at this whole thing and I know what's happening. At that time, I got real rebellious because I didn't want Father doing it to me, so I started to [REDACTED]. I would stay out all night drinking. I was drinking and the drinking was out of control. Then the next thing, my [REDACTED].

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ARCHDIOCESE  
OF MILWAUKEE

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OFFICE OF THE ARCHBISHOP

April 27, 1994

Churches should be instruments of healing. For that reason sexual abuse, or abuse of any sort, in a Church context is so very harmful. Such abuse affects, first of all, the person and their faith. It can also affect families, parishes, and a whole area of the diocese.

Knowing that seriousness, the Archdiocese of Milwaukee is trying to address the issue of the consequences of any kind of sexual abuse in its midst. Project Benjamin was the first response, a way of engaging the broader community to help us. With their help and that of other professionals, the enclosed procedural guidelines, entitled, "The Archdiocesan Response to Sexual Abuse," were drawn up. By placing this response under the department of Catholic Social Services, I hope that we will be able to draw on their resources and experience in taking effective means to deal with this issue.

We want our response to be compassionate, fair, and just to all.

Sincerely yours in the Lord,

+ Rembert G. Weakland, O.S.B.

Most Reverend Rembert G. Weakland, O.S.B.  
Archbishop of Milwaukee

ADOM053587

**ARCHDIOCESE OF MILWAUKEE, INC.  
COORDINATION OF ARCHDIOCESAN RESPONSE TO SEXUAL ABUSE  
INTERNAL PROTOCOL**

**ALLEGATIONS INVOLVING SEXUAL MISCONDUCT WITH A MINOR/  
SEXUAL MISCONDUCT IN A COUNSELING RELATIONSHIP  
(LEGALLY CONSIDERED SEXUAL ASSAULT)  
(Past Allegations)**

**INTRODUCTION**

There is a sacred relationship which exists between the Church and its members, whether they be adult or child. Sexual abuse, sexual misconduct, sexual assault, and/or sexual exploitation, when it occurs within the context of the Church, creates a tragic reality which misrepresents the Good News to those who have been victimized. Each and every instance of sexual violation of those who are the most vulnerable amongst us is a matter of the gravest concern. Knowledge of these instances calls for an organized Archdiocesan response so that healing may occur and the safety of the community is assured.

It is the Archbishop's desire that there be improved coordination of the Archdiocesan response to allegations of sexual abuse by Church personnel. He has created the Coordinator position at Catholic Social Services (CSS) with the intent of facilitating a centralized source for the gathering of information, assessment, and recommendations for action which are critical to the optimal handling of these tragic situations. Within this context, the following protocol will be observed by all persons involved in the Archdiocesan response.

For the purposes of this document, references to the Archbishop assume that in his absence, the Auxiliary Bishop has the authority to act in the Archbishop's place. In the absence of the Archbishop and the Auxiliary Bishop, the Chancellor has the subsequent necessary authority.

Allegations which are covered under this protocol for Archdiocesan Response to Sexual Abuse include allegations of sexual abuse against a minor child and allegations of sexual exploitation/sexual assault.

**"PAST ALLEGATIONS" DEFINED**

Past allegations are defined for the purposes of this document as allegations for which:

- there is no need for reporting to civil authorities under the criminal statutes because the statute of limitations has been exceeded, and
- there is no need for mandatory reporting to child protective services because the alleged victim is no longer a minor, or
- the alleged perpetrator is deceased.

Should the need to report, mandatorily or permissively, become evident in the processing of any allegation labelled or defined initially as a "past allegation," the procedure shifts immediately to that developed for "current allegations."

### **COORDINATION PROCESS**

1. All initial reports of information gathered from such reports will be forwarded with appropriate permission to the Coordinator at CSS. These include:
  - direct calls to Project Benjamin number (769-3428);
  - calls to Archdiocesan switchboard;
  - calls from other Archdiocesan offices;
  - calls from parishes: includes calls made to Vicar for Clergy, Director of the Office for Religious (Director), Archbishop, and Bishop's offices (See Note 1);
  - calls from Project Benjamin Contact Persons;
  - letters received detailing allegations.

Information and/or person(s) are to be referred in a timely manner. Primary and backup professional secretaries have been trained to receive intake calls.

2. The intake person, if other than the Coordinator, gathers essential information (name, telephone number or address, sense of urgency, e.g., any signs of suicidal talk) and refers to the Coordinator as soon as possible. In the absence of the Coordinator, the CSS Executive Director (ED) or the Director of Program Services (DPS) will serve as backup coordinators. (See Note 2)
3. The Coordinator reviews intake information, returns the call, gathers additional information, provides crisis response as needed, and arranges for in-person meeting with complainant. The complainant is notified that they may bring a support person with them such as a therapist, a friend, a Project Benjamin contact person, etc. If the complainant indicates that he/she wishes to bring an attorney, the in-person meeting plan is suspended until the Coordinator has received advice from Archdiocesan legal counsel.
4. Before in-person contact occurs:
  - a. The Coordinator notifies the Executive Director/Director of Program Services that an allegation has been made.

- b. The Coordinator notifies the Vicar for Clergy if allegation is against a diocesan priest or deacon. If the allegation is against lay pastoral personnel, the Coordinator notifies the Archdiocesan Human Resources representative. If the allegation is against a member of a Religious Congregation, the Coordinator notifies the Director of the Office for Religious. (See separate procedure for allegations involving Religious.)

In the Director's absence, the Coordinator, in consultation with the Chancery, will make the initial contact with the Major Superior of the Religious Congregation. Each of those individuals notified above (with the exception of the Director) are then asked to provide all relevant background information regarding the alleged perpetrator to the Coordinator including assignment history, employment history, and demographic information.

5. The Coordinator determines who will be present at the in-person interview with complainant. It is anticipated that a victim specialist (Coordinator) and, if deemed appropriate and necessary, another mental health professional or Archdiocesan Human Resource professional comprise the interview team for the complainant.
6. Normally, the interview time is agreed upon with the complainant within 48 hours or at the preference of the complainant's schedule and sense of urgency. Appropriate releases of information are obtained during this initial interview.
7. If more than the Coordinator meets with a complainant, the interview team consults with each other regarding clinical impressions, facts, internal consistency of complaint, etc. and makes an initial determination if allegation has any merit. If the determination of the interview team is that the allegation is **totally** without merit, a review of the material is conducted by the Coordinator with the Executive Director and/or Director of Program Services (CSS). If there is, once again, clinical consensus that an allegation is totally without foundation, an informal brief telephone review of the allegation is conducted with Archdiocesan legal counsel by the Coordinator.

Barring overt legal problems, each appropriate individual is notified by Contact Report of the clinical findings with a recommendation that the alleged perpetrator be informed by the Vicar for Clergy, if this has not occurred, (in the case of clerics) or the appropriate individual (in the case of lay personnel) of the situation. The necessary information will be shared with the designated Archdiocesan offices to assure complete and correct sharing of the significant factors with the accused.

The alleged perpetrator is notified of the possibility of future legal complications, and the availability of support services through the Coordinator's office. The contact report is prepared and shared with both bishops, Vicar/Human Resource Representative, and legal counsel if appropriate. The Coordinator then notifies the complainant or the complainant's therapist (with appropriate consent for release of information) of the problems associated with the complainant's report (e.g., inaccuracies) and remains appropriately available to those individuals until the situation can be resolved.

8. The Coordinator will document the above steps, clinical information and findings, and disposition of the allegation through logs and case files. Documentation is confidential, privileged, and secured and will reside only in the files of the Coordinator.
9. If the determination of the interview team is that the complaint appears to have merit, or if there is any doubt as to the merits of the allegation, the coordinator will notify the Vicar for Clergy or the Human Resources representative within 24 hours or as soon as possible thereafter. The Vicar or Human Resources representative will then notify the alleged perpetrator as soon as feasible that a complaint has been made if this has not yet occurred. Arrangements will be made for an interview team consisting of the Coordinator and other persons designated by the Archbishop, Vicar, or Coordinator. (This could include a perpetrator specialist.) Normally, a meeting with the alleged perpetrator will occur within 48 hours of contact with him/her or at the preference of the Coordinator's/Vicar's schedules and the sense of urgency. (See Note 3)

If clergy, the Vicar will advise him of his rights and responsibilities, including his right to personal representation by a civil and/or canon lawyer (see Attachment B) and is instructed not to have any contact with the complainant.

10. The interview team then meets with the alleged perpetrator. If the alleged perpetrator indicates that he/she will be accompanied by legal counsel, Archdiocesan legal counsel will be notified. A determination will then be made by Archdiocesan legal counsel whether to be present.

If the alleged perpetrator is a cleric, he may request that the Vicar for Clergy be present at this interview in his role as an advocate for the integrity of the ministry, as well as for the priests and deacons as persons. Each cleric will be informed by the Coordinator that all information which is given to the Coordinator or other persons involved in the evaluation and investigation process may be used canonically against him if that necessity should arise.



If the alleged perpetrator chooses not to cooperate with the evaluation or investigative process, he will be informed that the Archbishop will be notified of his lack of cooperation and the investigation will proceed without the alleged perpetrator's response to the allegations. The alleged perpetrator in the case of noncooperation will also be informed that the first priority of the Archdiocese will be to assure the safety of the community and decisions will be made regarding the alleged perpetrator's ministry and ministerial status without his/her input.

11. Following this interview, case consultation is conducted by the interview teams. The complainant's allegations and the alleged perpetrator's response will be taken into consideration, as will all clinical impressions, case history, and pertinent background information. All information regarding clinical judgements of the merits of the allegation will be communicated to the Coordinator by the interviewers.

12. The Coordinator then:

- a. Consults with Archdiocesan legal counsel.
- b. In the allegations involving a cleric: Gives a report to the Archbishop or in his absence to the Auxiliary Bishop suggesting a course of action. This could include a referral to the Professional Mental Health Review Committee for appropriate authorizations for financial victim assistance for therapy.

The Coordinator's report may include recommendations for further investigation, supervision, counseling or treatment, future assignments/employment restrictions by church personnel, or any other recommendations as might be appropriate or necessary.

An extensive assessment of an alleged perpetrator may be done locally, using expert sex offender specialists, or could be done at another center in the country.

- c. In allegations involving a lay person: Shares the report with the Archbishop and gives it to the Human Resources representative or to the appropriate authority.
- d. Assesses with the Archbishop the need for an Archdiocesan Emergency Intervention Committee Meeting. At the Archbishop's request, the Chancellor convenes a meeting.
- e. In allegations where recommendations or plans appear to be ignored or not implemented by a designated individual, the Coordinator will bring the situation to the attention of the Archbishop.

- f. The Coordinator will maintain contact with the complainant until the allegation is appropriately resolved.
- g. The Coordinator will follow up and assure that all decisions made by the Archbishop, legal counsel, etc. are complied with until the allegation is resolved. The status of every allegation will be reviewed annually with the Archbishop until he seeks no further review.

### **PAST ALLEGATIONS WITH CONCERNS ABOUT PRESENT RISKS**

In allegations where the report involves past allegations (beyond reporting requirements), but where there is concern about the potential or the possibility of current abuse of minors or sexual exploitation of a counselee as defined in the Wisconsin statutes:

1. The Archbishop, Legal Counsel, and Vicar for Clergy or Human Resources Representative are notified by the Coordinator of the situation.
2. The alleged perpetrator is interviewed as in procedures for "Past Allegations" #10.
3. Following the alleged perpetrator interview, the interview team will consult with each other to determine initial findings and recommendations to the Archbishop. After this consultation, if there is no clinical evidence or other information which warrants continued treatment as a current allegation, the procedure will revert to that of past allegations.
4. If there is serious concern about the potential for current allegations, but none have been reported or found upon further internal investigation, the following will occur:
  - a. The Archbishop will be fully briefed by the Coordinator on the situation and the nature of the allegations, with recommendations given regarding the immediate next steps.
  - b. Legal counsel will be given a full briefing.
  - c. The Emergency Intervention Committee may be convened by the Chancery if the situation warrants it, and the Archbishop requests it.
  - d. The Coordinator will consult with the Vicar for Clergy, in his role as the advocate (in case of cleric) or the Human Resources Representative (in case of lay personnel) and legal counsel to determine what steps (e.g., treatment, etc.) are to happen next regarding the alleged perpetrator and whether further investigation and/or evaluation will occur.

**FINAL NOTE**

The Archbishop retains the right at all times to modify this protocol on a case-by-case basis in order to respond to specific situations and issues which may require an alternative response.

**NOTES**

1. Rationale for including calls made to the Director of the Office for Religious, Vicar for Clergy, Archbishop's and Bishop's Offices: The Archbishop wanted a central reporting authority who would have access to all information necessary to make appropriate determinations for assessments, recommendations, and case management functions. After one responds professionally to a complainant, it should be reported to the coordinator.
2. Because the Coordinator will be unavailable at times (e.g. vacation, illness, schedule conflicts, etc.), backup is necessary to assure that immediate attention and appropriate professional response is available at all times. Clinical experience with these allegations bears witness to the fact that there can be an urgency to complainant's needs. Furthermore, it takes considerable courage for many complainants to make the initial reporting call. The complainant's decision to report and the importance of timing in the Archdiocese's response must be respected if complainants are to be well served. Delay in responding can be very detrimental to both the complainant's psychological well being and the Archdiocese's interests. Backup is a standard procedure in mental health settings. It is an essential component of professional practice as well as ethical and legal requirements for provision of an adequate and acceptable standard of care.
3. Clinical assessment of these difficult situations is improved when specialized perpetrator expertise is included. In addition, experience has proved that "two sets of ears" are better (and legally and physically safer) than one when it becomes important to verify what was represented to and by the complainant and/or the perpetrator in this initial interview and assessment process.

DEPOSITIONS CONCERNING THE FR. MICHAEL NEUBERGER CASE

Testimony of Father [REDACTED]

[REDACTED] First of all [REDACTED] I would like you to state for the record that you are going to tell the truth as best as you know the truth in this matter.

[REDACTED] Yes, I will tell the truth.

(B) [REDACTED] what is your birthdate?

(S) [REDACTED]

(B) What year were you ordained?

(S) 1976.

(B) What have been your assignments through to the present and the years of those assignments?

(S) I started at Our Lady of Lourdes for five years, and then was at St. Joe's in Waukesha for six and a half years, then took a half year sabbatical in Sierra Leone in Africa. I was at St. Boniface for two years.

(B) What years were you at St. Boniface approximately?

(S) The years would have been...I entered Maryknoll in 1990, so it would have been 1988 and 1989.

(B) According to some information that we have received regarding a case involving Father Michael Neuberger, your name surfaced as somebody who received some information regarding an alleged ecclesiastical crime. Can you recount to us the course of events that occurred, and I think you're aware of the situation that I'm referring to. First of all, could you tell me how you met the individual who came to talk to you?

(S) The person who saw me was [REDACTED] He was a parishioner at St. Boniface, fairly active in the Church in different ways. So I knew him fairly well from being a parishioner.

(B) How old was he when you met him approximately? Was he a teenager or an adult?

(S) I would have guessed he was in his mid-30's when he came, maybe a little older.

(B) Are you aware of anything from [REDACTED] past such as drug addiction or alcoholism or anything that would indicate some problems from his own background?

(S) No, I'm not aware of any of those problems that he had. The only problem was some illness. I'm not sure if it was Parkinson's Disease or something like

(Fr. Reifenberg) Several, but are you going to get into this area at all?  
(Unrecorded)

(B) Okay, Father Reifenberg would you like to continue with the questions?

(R) Yes. Do you know [REDACTED] ever heard of [REDACTED]

(S) The name does not ring a bell.

(R) Do you know [REDACTED]

(S) I can't identify somebody with that name.

(R) Do you know [REDACTED]

(S) Doesn't sound familiar.

(B) Do you know a person by the name of [REDACTED]

(S) Yes, I do.

(B) How did you get to know [REDACTED]

(S) When I was associate pastor at Our Lady of Lourdes, he was a young student, young adult in those years that I was there.

(B) Are you aware of any connection between [REDACTED] and Michael Neuberger?

(S) I had heard from a [REDACTED] whose daughter and [REDACTED] were involved with each other, at one point had considered getting married, and was told by [REDACTED] that [REDACTED] had gone to see Father Neuberger who I believe was chaplain at Thomas More High School where [REDACTED] went to school. [REDACTED] had gone to see him to get counseling from him about this and that in the process, Father Neuberger had apparently advised [REDACTED] not to go ahead with the marriage, but then made, as I heard it, sexual advances towards him.

(B) Are you aware if whether it was more than sexual advances, that actual sexual contact occurred between Father Neuberger and [REDACTED]

(S) I'm not sure. Again, I was hearing this secondhand from [REDACTED] as to what he was talking with me...because again, I was the priest at the parish involved with the kids and their relationship too with their families.

(B) Father Reifenberg, do you have anything else?

(R) So, you never had any discussion with Father Neuberger about [REDACTED]

(S) No.

(B) Did you follow up on this information in terms of reporting it to the Archdiocese?

(S) No, I didn't because at that point, I was getting it again secondhand, not from Mike himself. I don't recall ever even discussing it with Mike, so I don't even know that he knows that I know this. Because [REDACTED] was a deacon involved with the Church, I think I probably suggested to him that he knows what

30 August, 1997

The Reverend [REDACTED]  
Judicial Vicar, Metropolitan Tribunal

Dear [REDACTED]

After receiving your letter of May 6, 1997 I attempted to sharpen my personal recollections of dealings with Father Michael Neuberger during my early years as Vicar for Clergy in the Archdiocese. In an attempt to respond to the additional questions posed by officials of your Tribunal, I consulted all records still available to me, and now, with apologies for the delay, submit the following responses:

1. PRIOR TO 1993, HAD YOU EVER REBUKED OR ADMONISHED FR. NEUBERGER RELATIVE TO ALLEGED INAPPROPRIATE SEXUAL BEHAVIOR? IF SO, DO YOU HAVE THE DATES THAT SUCH OCCURRED AND WHAT WAS THE CONTENT OF THE DISCUSSIONS OR WARNINGS?

On Wednesday, January 18, 1989 I met with Father Neuberger in my office to discuss an allegation of sexual misconduct which had come to my attention. I can no longer recall if the issue was presented to me by telephone or written communication. Had there been any name of an alleged victim, I would have made personal contact immediately. Having to the best of my recollection only a generic issue at that time, I discussed the matter with Father Neuberger. In view of his response, and the limited information available to me I requested that he seek spiritual direction and possibly professional counseling, but concluded that no further action was possible at the time. Even at that date I would have restricted faculties or taken further action if I thought that there was any danger to himself or others.

On November 12, 1992 I received a phone call from an individual who refused to give his name, but claimed to have been a student at St. Boniface Catholic School some thirty years prior. He said that he was currently a [REDACTED], approximately 43 years of age, and that he had experienced inappropriate behavior on the part of Father Neuberger between the ages of 13 and 16. He forbade me to share any of the information with Father Neuberger personally. Immediately afterwards, however, I brought the matter to the attention of Attorney Matthew Flynn and Father Thomas Venne who was then Vicar for Clergy.

On November 25, 1992 I met with Father Neuberger who categorically denied any inappropriate contact with minors over the years, and described some of the incidents which had led to false allegations on the part of individuals from St. Boniface in the past. Since I had never heard of any such allegations myself, and since the former Ordinary, Archbishop Cousins, had already died in September of 1988, I was not able to do any further investigation of the matter. Our conversation clearly revolved around the total

unacceptability of such conduct on the part of a priest or leader in the Church or society. Warnings were implicit in our meeting's conversation.

2. HAVE YOU EVER PERSONALLY TALKED TO ANY ALLEGED VICTIMS OF FR. NEUBERGER? IF SO, WHO DID YOU SPEAK WITH AND WHAT WAS THE CONTENT OF THEIR ALLEGATIONS?

To the best of my knowledge I have only spoken with one alleged victim of Father Neuberger, and that was by telephone as described above, and under the insistence of anonymity. As I recall them, the details were vague and generic, and seemed to reflect enough incongruence to make me wonder if the phone call were not in fact motivated by revenge of some sort. Nevertheless, I made record of the call, and contacted Father Neuberger for a meeting as soon as schedules permitted. The matter was very puzzling to me. If there had been any reasonable suspicion of actual impropriety on the part of Father Neuberger, I would have acted immediately. I certainly followed all direction received from Attorney Flynn at that time.

3. IN YOUR ESTIMATION, ARE THE CIVIL LAWS CONCERNING PARISH TRUSTEES FOLLOWED IN THE ARCHDIOCESE OF MILWAUKEE?

Yes, and I make every effort to do so when proxy requests are presented for my review and approval.

4. FR. [REDACTED] WAS IN CONTACT WITH YOU CONCERNING AN ALLEGED VICTIM. DO YOU RECALL THE ALLEGATIONS THAT WERE MADE? WHAT WERE THE CIRCUMSTANCES SURROUNDING THIS CONTACT WITH YOU? DO YOU HAVE LOG ITEMS CONCERNING THIS THAT YOU COULD SUBMIT TO THE TRIBUNAL?

I recall receiving a telephone call from Father [REDACTED] regarding an experience related to his sacramental ministry in the confessional. I believe that it was after the anonymous phone call of November 12, 1992, and in some way sounded as if it might be related to that call. Although I do not recall any specifics of that conversation with [REDACTED] I do have a recollection of personal wonder whether the anonymous individual was mentally stable because of the tone and disjointed character of his inquiry. Because the matter was related to confessional practice, I did not make any notation in my office log, and left the discussion with [REDACTED] on the assumption that he intended to pursue the matter further himself. I have no clear evidence regarding whether the Telephone call from [REDACTED] was between the anonymous phone call and my meeting with Father Neuberger, or at some other time, since I have no written notation in my log regarding the incident. Given my practice to log any item which contains significant information, gives permission, makes a request or promises further action on my part, I can only conclude that none of the above seemed indicated by the conversation.

I hope that these responses will be of assistance to your inquiry in this matter. If I can be of further assistance, please contact me immediately.

  
Richard J. Sklba



# ARCHDIOCESE OF MILWAUKEE

3501 SOUTH LAKE DRIVE • P.O. Box 07912 • MILWAUKEE, WISCONSIN 53207-0912 • PHONE 414/769-3300

OFFICE OF THE ARCHBISHOP

November 4, 1993

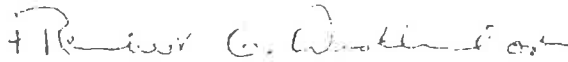
Reverend Michael T. Neuberger  
St. Catherine Parish  
[REDACTED]  
Milwaukee, WI 53223

Dear Michael,

The civil lawsuits and public allegations that have surfaced about past actions on your part are very serious. You have cooperated in the preliminary investigation undertaken at my request. It is my considered judgement that the interests of all concerned, yourself, the parish, and the diocese, would be best served if you were voluntarily to remove yourself from pastoral ministry at the parish at least until these legal issues are resolved.

Therefore, as diocesan bishop I am requesting that, effective immediately, you take a leave of absence from your assignment as pastor of St. Catherine Parish. This leave would not entail a resignation from your office. It would free you from your ministerial and pastoral responsibilities allowing you more adequate time to deal with the legal issues which are confronting you. Matters of salary, housing, etc. will be determined based upon your response to this request.

You have already retained the services of a civil attorney. You will want to consider engaging a canon lawyer as well. For your assistance a list of canonical advocates is attached. Thank you for your respectful consideration of your bishop's request.



Most Reverend Rembert G. Weakland  
Archbishop of Milwaukee



Ecclesiastical Notary

ADOM053734

Given the public allegations and civil lawsuits which have been filed, it is my request that I be permitted to take a leave of absence from the office of pastor at St. Catherine Parish. This leave of absence is not intended as a resignation from office. Termination of the leave of absence will be decided upon mutually between the Archbishop and myself. I will continue to observe the restrictions placed upon my actions until all legal and canonical issues have been resolved.

Given this 4 day of November, 1993

  
Reverend Michael T. Neuberger

Witnessed:


May 5, 1995

MINUTES OF A MEETING CONCERNING THE REMOVAL OF THE REVEREND MICHAEL R. NEUBERGER AS PASTOR OF SAINT CATHERINE OF ALEXANDRIA PARISH (GRANVILLE)

Present: The Most Reverend Rembert G. Weakland, O.S.B., Archbishop of Milwaukee  
The Reverend Edward Wieland and the Reverend Kenneth Derfus, both pastors of a parish in the Archdiocese of Milwaukee who are among the group of pastors who serve as consultors to the Archbishop in the process for removal of pastors in accord with the norm of Canons 1742, §1 and 1745, 2°.  
The Reverend James E. Connell, Vice Chancellor of the Archdiocese of Milwaukee and, therefore, an Ecclesiastical Notary.

1. Archbishop Weakland convened the meeting and explained that he wished to discuss with these two pastors the possibility of removing Father Michael Neuberger from his office as pastor of St. Catherine of Alexandria Parish (Granville). Father Neuberger has been the object of four allegations of sexual misconduct with minor boys and the situation has adversely impacted the people of the parish. Even though they have a parish administrator during this period, the Archbishop believes that, for the good of the people, the time has come either for Father Neuberger to resign or for the Archbishop to remove him from office.

2. Although Fathers Derfus and Wieland previously have been instructed in the canonical process of cc. 1740-1747, Archbishop Weakland read cc. 1740, 1741, and 1742 to assure that all persons attending the meeting understood the canonical requirement for this meeting.

3. Archbishop Weakland explained the facts concerning Father Neuberger. Four public allegations of sexual abuse with minor boys have been made against him and, although one allegation might be unfounded, the three other charges seem to be well established. Thus, even though civil law technicalities (statute of limitation) might prevail in the court cases, in at least three cases innocence cannot be declared. Moreover, the issues raised in these cases have raised larger questions concerning Father Neuberger's consistent lifestyle through the years that could have involved minors.

Because of the publicity generated by these cases, both in the civil community and more importantly in the parish community, Father Neuberger's reputation has been lost. In addition, some matters have been brought to light concerning Father's fiscal management of a parish. While these concerns are currently under investigation and might be proven to be without merit, they further reflect negatively on Father Neuberger's reputation.

Therefore, Archbishop Weakland concludes that, for the good of the people of the parish, Father Neuberger should no longer serve as pastor of St. Catherine of Alexandria Parish. Hence he should leave office either by

means of his personal resignation or as a result of removal from office by the diocesan bishop.

3. Next, the two pastors discussed the situation with the Archbishop, primarily by means of asking questions, thus better understanding the seriousness of the case.

a) Is Father Neuberger open to resignation? Ans: only in exchange for a \$300,000 settlement, which is not possible. Father has also offered to resign in exchange for full salary and benefits for ten years, an amount somewhat greater than the \$300,000 but would be paid over time. Likewise, this approach is impossible.

b) Is loss of office the only action being considered? Ans: no, given the gravity of the allegations, if Father does not seek laicization, a judicial process is possible.

c) Is Father receiving any compensation now? Ans: yes, full salary. Furthermore, we have paid for counseling and fees for both civil and canonical lawyers. We have strongly encouraged that he have good counsel concerning both Church and civil law, and he has chosen those who represent him in both areas.

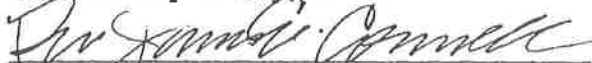
d) Is Father's case very well known at the parish? Ans: yes, because of the public press and general conversation around the parish, many people not only know of the allegations, they keep up on what is happening in the courts, etc.

e) Could other restrictions be placed on Father? Ans: yes, but the Archbishop doubts that Father would respect them.

f) If Father would seek from the Holy Father a dispensation from the obligations of priesthood, would the Archdiocese of Milwaukee cease to be responsible for his future actions? Ans: yes, and we would further enforce that by means of a civil contract.

4. Then, both pastors indicated that they already had some awareness of Father Neuberger's case, simply from the publicity he has received. Moreover, these pastors told the Archbishop that they supported him in the desire to remove Father Neuberger if Father will not resign, because the people of the parish have suffered too long and are in need of a pastor.

Given at the Curia of the  
Archdiocese of Milwaukee on  
this 5th day of May, 1995.



Reverend James E. Connell  
Vice Chancellor and Ecclesiastical Notary

ARCHDIOCESE  OF MILWAUKEE

OFFICE OF THE ARCHBISHOP

May 11, 1995

Reverend Michael Neuberger

████████████████████  
Waukesha, Wisconsin 53188-6152

Dear Father Neuberger,

In virtue of my pastoral duty to provide for the care of souls, it is my responsibility to inform you that I am seriously considering your removal from the office of pastor of St. Catherine Parish.

I have good reason to believe that there is canonical cause for your removal which can be demonstrated. We have previously discussed the impact of the charges brought against you in the civil forum and the pattern of activity inconsistent with the commitment of priestly celibacy which seriously compromises your position of pastoral leadership.

After my preliminary investigation and consultation with two of my pastor consultants, by means of this letter I, as your Bishop and also as your brother priest, am asking you to submit your resignation to me within fifteen working days, that is, by June 2, 1995.


If you do not submit your resignation from the office of pastor immediately, you are required to supply your reasons to me within the same fifteen day period.

It is to your best interests and the good of the parish that I look in making this request. I ask you to consider the advantages of voluntary resignation over this removal process.

Thank you for your respectful consideration of this request.



Most Reverend Rembert G. Weakland, O.S.B.  
Archbishop of Milwaukee



Ecclesiastical Notary

  
ARCHDIOCESE OF MILWAUKEE  
CHANCERY

May 15, 1995

Reverend Gregory Ingels  
Archdiocese of San Francisco  
445 Church Street  
San Francisco, California 94114

Dear Father Ingels,

I am writing on behalf and at the request of Archbishop Weakland. In response to your previous communication we have determined that we will present an alternate proposal for the benefit of Father Michael Neuberger. Since the major concern raised by Father Neuberger continues to be his ability to provide for health insurance if he resigns from active ministry and his current employment does not appear to include such a benefit, we would propose a plan that would care for this need. If Father is willing to resign his position as pastor and sign a settlement document (draft copy attached) in which he would resign from active ministry and agree not to exercise ministry in the future, the Archdiocese would provide the following:

1) 18 months of continued coverage in the health insurance plan in which he is presently enrolled with the premiums to be paid by the Archdiocese of Milwaukee (approximate value based on current WPS premiums: \$4600);

AND

2) provision of EITHER a lump sum payment of \$25,000 to assist him in payment of insurance premiums in a plan of his own choosing upon expiration of the 18 month coverage OR if he is unable to obtain coverage due to preexisting health conditions and provides proof of such denial of coverage the establishment of a fund to pay premiums for his coverage in the State of Wisconsin Health Insurance Risk Sharing Plan (HIRSP) until he reaches the age of 65 (approximate value based on current HIRSP premiums: \$30,000).

Please discuss this proposal with Father Neuberger and determine his willingness to accept these provisions.

You may be aware that the process for removal of pastor has begun. Certain time limits are determined in that process. We would also like to set a time limit for the consideration of this current offer. Please let us know, by contacting me at the Chancery Office, within two calendar weeks of the date of this letter, that is, by May 30, 1995, whether or not this proposal is acceptable. After that date, this offer is no longer available and we will continue with the removal of pastor process and prepare for our option of pursuing the canonical penal process of dismissal from the clerical state.

Fr. Greg Ingels  
May 15, 1995

p. 2

We hope that we can resolve this matter in a manner which will care for the needs of all involved.

Sincerely yours in Christ,

  
Barbara Anne Cusack  
Chancellor

cc: Father Michael Neuberger  
[REDACTED]  
Waukesha, Wisconsin 53188-6152

ADOM053748

Most Reverend Rembert G. Weakland, O.S.B.  
Archbishop of Milwaukee  
P.O. Box 07912  
Milwaukee, WI 53207-0912

Dear Archbishop Weakland,

I am writing in response to your letter of May 11, 1995, in which you request my resignation from the office of Pastor of St. Catherine Parish. I wish to inform you that I am not prepared to tender my resignation at this time.

My reasons for refusing to submit a resignation are based on the personal conviction that I am not guilty of any offense of a public nature which would necessitate my freely removing myself from this office. Should you have additional reasons or motives which might suggest my reconsideration of my decision not to resign as pastor, I am prepared to give this information careful consideration.

At the same time, I wish to inform you that I am not prepared to accept the provisions presented in Barbara Anne Cusack's letter of May 15, 1995, to Reverend Gregory Ingels, J.C.D., and resign from the active ministry. My reason for not accepting this offer is due to the fact that this "resignation" would imply that I am no longer dedicated to the ministry of the priesthood which is simply not true. In addition, the settlement package which has been offered will not provide for my basic or medical needs; and I am not prepared to sign any document which might be construed as absolving you as my diocesan bishop from your obligation to provide for my right of remuneration.

Respectfully,

 5/30/95  
Rev. Michael T. Neuberger

ADOM053749





July 26, 1995

The Most Reverend Rembert G. Weakland, O.S.B.  
Archbishop of Milwaukee

Dear Archbishop Weakland,

The purpose of this memo is to summarize the actions that have taken place in the matter of the removal of the Reverend Michael T. Neuberger from the office of pastor of Saint Catherine of Alexandria Parish (Granville).

Relatively soon after Father Neuberger took office as pastor of Saint Catherine's Parish on June 22, 1993, four allegations of sexual misconduct with minor boys, allegedly performed by Father many years earlier, were made by four persons who filed civil law suits against Father, and the news of these charges became very public as a result of media coverage in the Milwaukee area.

Soon after the allegations became known in 1993 you met with Father Neuberger and his civil lawyer. After this meeting you asked a team of experts, highly experienced with sexual abuse cases and headed by Dr. Elizabeth Piasecki, Psy.D., a licensed psychologist employed by Catholic Social Services of the Archdiocese of Milwaukee, to interview Father Neuberger on your behalf and to report to you their findings and recommendations. The team did as you requested.

Shortly thereafter and in order to allow Father Neuberger time to deal with this matter, you granted him a personal leave of absence on November 4, 1993, and this status remains in effect. Immediately thereafter, on November 5, 1993, the Reverend Jeffery Prasser was appointed parish administrator, in accord with canons 539-540 of the Code of Canon Law.

On December 10, 1993 Father Neuberger appointed the Reverend Daniel J. Ward, O.S.B., J.C.D., of Saint John's Abbey in Collegeville, Minnesota, to serve as his canonical procurator and advocate.

Three of the four civil law suits have been dismissed by the civil courts because the statute of limitation under Wisconsin law prevents further action. Obviously this legal technicality in no way determines guilt or innocence, it simply prevents any action in the civil court. The fourth suit remains in the civil courts and its outcome cannot be determined.

Based on the information you obtained from the team of experts and also on your personal knowledge of Father Neuberger, you judged that you could not reinstate Father and requested his resignation. Father refused your request. Then, on September 2, 1994, you wrote to Father Ward formally informing him, as Father Neuberger's canonical procurator and advocate, of your decision not to reinstate Father Neuberger and your request that Father resign from office. Father Neuberger continued to refuse your request.

For many more months you attempted to obtain Father Neuberger's voluntary resignation without success so, on May 5, 1995, you met with two pastors who are among the group of pastors who serve as consultants to you in the process for removal of pastors in accord with the norms of canons 1742, §1 and 1745, 2°. You revealed to them the facts of the situation and you sought and obtained their advice.

On May 11, 1995 you wrote to Father Neuberger informing him that for the good of the people of Saint Catherine's Parish you were considering removing him from his office as pastor of that parish, and the Reverend Gregory Ingels, J.C.D., Father's Neuberger's new canonical procurator and advocate, was informed. On May 30, 1995 Father Neuberger wrote to you saying that he would not resign his office. Hence, during the first week of June 1995 you indicated that I should review and document the information in this case, especially in light of canon 1741 and the related canons that concern the process to remove a pastor from office.

I have met individually with each member of the Dr. Piasecki's team, each of whom is a Roman Catholic and residing within the Archdiocese of Milwaukee. I placed each person under oath before taking his or her deposition. The following summarizes their testimony.

1. Father Neuberger was introduced to each team member and told about the person's expertise in sexual abuse matters. Furthermore, the team explained to Father that the team was conducting the interview on your behalf and that you would be informed about Father's comments. In other words, according to the team members, Father Neuberger was aware that what he would say to the team would be in the external forum and could be used by you in any ecclesiastical process. Also, the team members say that Father was cooperative with the interview.

2. According to the testimony of the team members, Father Neuberger freely admitted to them that:

a) he has committed many acts of immoral and criminal sexual behavior with boys and men over many years, including picking up male prostitutes and adult hitchhikers for sex;

b) he has lived a life of promiscuity and sexual contact with boys and men from his early priesthood until only a few months prior to his interview with the team, therefore extending for almost his entire priesthood; and

c) he considers celibacy to concern a priest's relationship with God and service to the community, while not in any way concerned with sexual activity. Hence Father justifies his sexually active life style as being in accord with his commitment to priestly celibacy in the Church.

It has also come to your attention as the Archbishop that Father had a young man living with him in the parish house while Father was the pastor of St. John Neumann Parish, his assignment immediately prior to his appointment to St. Catherine Parish. This young man was [REDACTED] and that the man also did [REDACTED]. Father Neuberger has acknowledged that this young man had been a sex partner of

Father's but that the relationship was now only one of friendship. The Finance Office of the Archdiocese confirms that records show that this person was employed by the parish for almost twelve years, and during the same twelve years that Father Neuberger was assigned to St. John Neumann parish, and that at least for the last two years he was paid approximately \$18,000 per year.

On the basis of this information it seems evident that Father Neuberger's reputation has been very much damaged and that he could not effectively function as pastor of the parish. The scandal already created has been too damaging.

\* \* \* \* \*

Thus concludes my report yet, if I can assist you further, please let me know.

Sincerely yours in Christ,



Reverend James E. Connell  
Vice Chancellor

  
ARCHDIOCESE OF MILWAUKEE  
OFFICE OF THE ARCHBISHOP

July 28, 1995

Father Michael Neuberger  
[REDACTED]  
Waukesha, Wisconsin 53188-6152

Dear Father Neuberger,

In the matter of your removal as pastor of St. Catherine Parish, I am proceeding with the removal according to the prescribed canonical norms found in cc. 1740-1747. I have received your response to my letter of May 11, 1995 in which I requested your resignation. You indicate that you are opposed to this action.

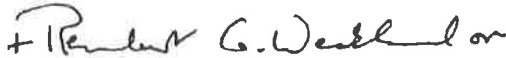
While I remain hopeful that you will reconsider and submit your resignation even now, I must continue with the process nonetheless. You have the right to present your own perspective and I invite you to submit a written rebuttal to the reasons for your removal. You may review the file in this removal process which contains the following documentation:

- 1) The results of my preliminary investigation;
- 2) The summary of my discussion with the two pastor consultants;
- 3) The summary of evidence and reasons for removal.

You will have fifteen available days within which to review this material, that is, the review is to be completed by August 18, 1995. In order to conduct this review please contact the Chancery in advance to make an appointment. You may wish to continue seeking canonical advice but the use of an advocate is not called for in this process. Your rebuttal, whether or not you review the file, is to be submitted to me within twenty available days, that is, by August 28, 1995.

I had hoped that we could resolve this matter more expeditiously but I acknowledge your right to a more thorough examination of the situation.

Sincerely yours in Christ,



Most Reverend Rembert G. Weakland  
Archbishop of Milwaukee

  
Chancellor/Notary

July 23, 1996

REPORT OF FINDINGS IN THE INVESTIGATION OF  
 THE REVEREND MICHAEL T. NEUBERGER, AS DECREED BY  
 THE MOST REVEREND REMBERT G. WEAKLAND, O.S.B., ARCHBISHOP OF MILWAUKEE  
 (Revised to incorporate information provided by Arthur Andersen, LLP)

The investigation was conducted in two parts:

- 1) allegations of sexual misconduct and solicitation in the confessional; and
- 2) allegations of abuse of ecclesiastical power.

ALLEGATIONS OF SEXUAL MISCONDUCT AND SOLICITATION IN THE CONFESSIONAL

Soon after allegations of sexual misconduct became known in the late summer of 1993, Archbishop Weakland met with Father Michael Neuberger and Father's civil lawyer. After this meeting and in order to evaluate the substance of these allegations, the Archbishop asked a team of experts, highly experienced with sexual abuse cases, to interview Father Neuberger on the Archbishop's behalf, and they did so during October of 1993. The team of experts was headed by Dr. Elizabeth Piasecki, Psy. D., a licensed psychologist employed by the Catholic Social Services of the Archdiocese of Milwaukee. Joining Dr. Piasecki on the team were Ms. Kathy Lynn Walter and Mr James Wake, two licensed clinical social workers employed by the State of Wisconsin who specialize in the assessment and treatment of sex offenders. Each member of the team is a Roman Catholic who resides within the Archdiocese of Milwaukee.

I met individually with each member of the team, and I placed each person under oath before taking his or her statement. The following summarizes their sworn testimony to me.

1) Father Neuberger was introduced to each team member and told about the person's expertise in sexual abuse matters. Furthermore, the team explained to Father that the team was conducting the interview on behalf of Archbishop Weakland, who would be informed about Father's comments. In other words, according to the team members, Father Neuberger was aware that what he would say to the team would be in the external forum and could be used by the Archbishop in an ecclesiastical process. Also, the team members say that Father Neuberger was cooperative with the interview.

2) According to the team members, Father Neuberger freely admitted to them that:

a) he has committed many sexual acts with boys and men over many years, including picking up male prostitutes and adult hitchhikers for sex;

b) he has lived a sexually active life style with boys and men from the time he was in the major seminary until only a few months prior to his interview with the team (October 1993), therefore, extending for almost his entire priesthood;

c) he used information provided by penitents during the celebration of the Sacrament of Reconciliation to solicit sex for himself. They say that Father told them that he would encourage the penitent to meet with him afterwards for a more pastoral kind of discussion which often would lead to sexual contact. Father also told the team that he considered this activity to be an appropriate pastoral response and a reasonable form of sex education for the penitents; and

d) he considers celibacy to concern a priest's relationship with God and service to the community, while not in any way concerned with sexual activity. Hence, they say, Father implied justification of his active sexual life style as being in accord with priestly celibacy in the Church.

3) Also, in the opinion of the team members, Father Neuberger does not suffer from any form of mental illness or psychic defect, nor is he compulsive. Rather Father Neuberger is intelligent, able to reason and understand, able to distinguish right from wrong, and freely chooses his actions.

My opinion. Having reflected on the testimony of Dr. Piasecki and her team, I offer the following appraisal of their contribution.

To begin, although Father Neuberger's confession to the team does not constitute a "judicial" confession (c. 1535) because the confession was not part of a trial or judicial process, the confession does constitute an "extra judicial" confession (cc. 1536, §2 and 1537) and could be accepted as a true admission of guilt, if a judge in a trial evaluated the confession as worthy of such consideration. Indeed, while we recognize that an "extra-judicial" confession always stands as an alleged reality needing to be substantiated (probatio probando), Father's self-revelations of criminal activity to three persons of outstanding reputation certainly seems to pass the test of corroborating proofs. The three team members, testifying to me under oath, say that they received Father's confession at a time when such a confession could not have been to his advantage and thus not expected by the team (tempore non suspecto). As a result, the confession surfaces as a confession actually made so as to tell the truth, rather than as a fabrication by Father so as to attain some advantage. Moreover, disproving the testimony of the team members, again I say made under oath, requires establishing that Dr. Piasecki, Ms. Walter, and Mr. Wade perjured themselves. I do not believe they did commit perjury.

Next, although the Holy See has provided no definitive list of offenses reserved to the Sacred Congregation for the Doctrine of the Faith (c. 1362, §1, 1°), the crime of solicitation of a penitent to sin against the sixth commandment of the Decalogue (c. 1387) probably stands as such a reserved offense. Hence the norms of prescription presented in the Code of Canon Law might not apply.

Furthermore, based on the team's sworn testimony to me, apparently Father Neuberger continuously (in the sense of c. 1362, §2) has lived in violation of divine and ecclesiastical law (c. 1399). Also, Father Neuberger should be considered seriously imputable by reason of malice and culpability (c. 1321, §1) and, therefore, completely responsible for his actions. As a result, since church law holds that imputability is presumed whenever an

external violation of the law has occurred (c. 1321, §3), Father must be seen as thoroughly responsible for his actions. The burden of proof to the contrary rests with Father Neuberger.

ALLEGATIONS OF ABUSE OF ECCLESIASTICAL POWER

Archbishop Weakland became aware that some persons familiar with the operations of Saint John Neumann Parish in Waukesha were concerned that there might have been some financial mismanagement by Father Neuberger, primarily regarding Mr. [REDACTED] who lived with Father in the parish rectory, received a full-time salary, yet apparently did little work for the parish. Please note that Saint John Neumann Parish was founded in 1981, with Father Neuberger as its founding pastor.

According to documents that I was able to review, [REDACTED] and Father Neuberger have lived together at least since 1981 and continue to do so at the present time. In a memo written by Father as he was ready to leave his assignment at Saint John Neumann Parish he describes [REDACTED]'s role. "[REDACTED] is St. John's first full-time employee. He began full time in October of 1981. During these past twelve years [REDACTED] has served as my assistant and aide. He covered a variety of duties from counting the collection every Monday morning for the first six years, processing the mailing of the bulletin which started at approximately 600 copies and is presently 1492. He has served as my housekeeper and custodian for extraordinary situations."

Two persons on the parish staff at Saint John Neumann Parish during the years of this investigation, in sworn testimony to me, describe [REDACTED]'s duties similarly to what Father Neuberger indicates in the memo, yet with quite a different slant. These staff members told me that [REDACTED] was virtually never seen by anyone in the parish, not even the staff members. Their testimony creates a rather curious situation because, as was later identified from a review of the W-2 forms required for income tax purposes as well as other financial records, not only had [REDACTED] been compensated as a full-time employee, he regularly received additional pay for maintenance work, usually about forty hours per month.

In any event, I conducted the investigation that Archbishop had requested. After reviewing many cancelled checks and various accounting records, and noting what appear to be many irregularities, I suggested that the Archdiocese of Milwaukee engage the services of Arthur Andersen, LLP, the firm of certified public accountants that conducts the annual audit for the Archdiocese, to study this matter and to report their findings. On July 22, 1996, Arthur Andersen presented their initial or preliminary report, although indicating that some additional work remains.

However, based on Arthur Andersen's findings to date, along with my observations, the following irregularities can be mentioned. I should also say that on two occasions after I began to identify some questions, I invited Father Neuberger to meet with me to discuss or explain these matters. He responded that he would do so provided that the Archdiocese of Milwaukee would cover the costs of bringing his canon lawyer in from San Francisco to attend the meeting. No such meeting has yet been held. So, although at some time in the future Father Neuberger might provide the

information that resolves these irregularities, at the present time these numerous and puzzling matters continue.

First, between July 1 1987 and June 30, 1993, sixty-six checks in the aggregate amount of \$18,866.38 were issued to Father Neuberger without any documentation (invoices, receipts, etc.) to support the expenditure. This includes a mileage reimbursement for 18,500 miles, paid to Father in 1993 soon before he was transferred to Saint Catherine Parish in Milwaukee. So, while in general the parish maintained good control over cash disbursements, this does not seem to be true concerning payments to Father Neuberger.

Second, during this same period of time ninety-eight pay checks in the aggregate amount of \$21,522.94, checks that had been issued to [REDACTED], not only had been endorsed by [REDACTED], they also were endorsed by Father Neuberger. While a variety of explanations might exist, first appearance would seem to say that [REDACTED] simply signed over his check to Father Neuberger. Certainly, if Father was depositing the check in the bank for [REDACTED], the second endorsement would not be necessary since the payee's endorsement with a deposit slip is all that is necessary to make a deposit. Perhaps Father was only cashing the checks for [REDACTED]? Maybe, but some of the amounts are rather high and for more money than I would expect a priest to have available, especially in that the last check to be double endorsed is the final check [REDACTED] received from the parish, dated July 2, 1993, in the amount of \$1,774.59 (apparently for 320 hours - or 8 weeks - of accrued yet untaken vacation). Also, some years there were more checks with double endorsements than in other years, and it did not happen every month as though it might be [REDACTED]'s way of paying rent and board. Obviously, the critical question is, in to whose bank account were these funds ultimately deposited, or who actually received the money? Yet, since no marking on a cancelled check provides this information, we are unable to answer this question unless we obtain a court order directing the bank to provide the information or unless Father Neuberger demonstrates with proofs what this is all about.

Third, the parish had a "household and travel" account for Father's living expenses in the rectory, and each month the parish paid to Father Neuberger the appropriate amount which he deposited. Twice in 1990 and also twice in 1991, checks were drawn on this "household and travel" account to the specific benefit of [REDACTED], once in 1990 for a deposit in [REDACTED] personal savings account, and the other three as payments to the All Nations Insurance Company to pay premiums for [REDACTED].

Fourth, in May of 1993, soon before Father Neuberger completed his assignment at the parish, Father was paid a \$12,000 bonus, not only in violation of Archdiocesan policy but also lacking indication of who authorized this payment.

Fifth, on March 12, 1993 the rectory (a house that is not on the property where the parish church is located, but rather some blocks away) was appraised for \$89,500. On June 7, 1993 the Archdiocese of Milwaukee approved the request from Father Neuberger on behalf of the parish to sell this house, yet without any indication that Father Neuberger wanted to purchase the property. On June 17, 1993, the parish accepted a formal offer from Father Neuberger to purchase the house for \$85,000. However, the



actually selling price at closing on January 4, 1994 was \$75,000, apparently lowered because of repairs needed to the septic system. Although the Archdiocese did approve this lower selling price before the closing, the question remains, why did Father Neuberger, who had lived in the house for twelve years and presumably knew the condition of the septic system, originally offer \$85,000?

Sixth, Wisconsin law (Wisconsin Statutes 187.12) requires that two parishioners be elected by the parish congregation to the office of trustee, serving a two-year term of office with a right to reelection. Yet from 1984 through 1994, no one person ever served as trustee of Saint John Neumann Parish for more than one year. In light of the financial irregularities or questions, this situation deserves note because the ability of the trustees to serve an oversight function for the well being of the parish had been greatly diluted. As soon as the trustees began to become familiar with the activities of the parish, their term of office ended.

Seventh, this final item concerns Father Neuberger's activity at Saint Catherine Parish in Milwaukee where he served as pastor for a few months after leaving Saint John Neumann parish and before sexual allegations were made against him. During this short period of time, two significant developments did arise. Between August 1 and October 31, 1993, Father Neuberger withdrew \$2,500.00 from the stipend account as an advance on his business expenses. Apparently at the insistence of Father Jeffery Prasser, who became the administrator of the parish when Father Neuberger had to step down because of the allegations, all of these funds were returned to the parish. However, according to Father Prasser, during October of 1993 Father Neuberger sold a statue to Saint Catherine Parish for \$2,500.00. This money was also paid from the stipend account and, also according to Father Prasser, once some of the parish members realized what had happened, at least some of them were not happy and wanted the money returned. But the money was never returned and the parish still has the statue.

Hopefully, Father Neuberger will eventually provide answers and explanations about these irregularities. But in the absence of answers and explanations, I conclude that Father Neuberger abused his ecclesiastical power (cc. 1389, §§ 1&2 and 1399). Furthermore, his behavior in this regard has been continuous (in the sense of c. 1362, §2).

\* \* \* \* \*

Finally, I would like to point out that c. 1326, §1, 1° provides for a judge to punish more severely than a law or precept has stated if the guilty party has abused authority or office in order to commit the offense. Thus, if Father Neuberger is judged to be guilty of any crime based on these or related findings, then I believe this could apply to him.

Thus concludes my comments.



Reverend James E. Connell, J.C.D.  
Vice Chancellor

1. What was the specific purpose in having Doctor Piasecki's team interview Father Neuberger?

Allegations of sexual misconduct on Father Neuberger's part had been brought to my attention. Part of our diocesan protocol in matters of such allegations is to conduct a thorough investigation into the matter through the use of professional consultants. They work as a team with Dr. Piasecki to help me ascertain if there is any substance to the allegations that have come forth or if there are additional allegations that could come forth, if there is any grave danger to the one accused, if a ministry assignment might place persons at risk. My purpose in having this team interview Father Neuberger was consistent with this stated protocol.

2. Were Doctor Piasecki and her team given a specific mandate or directions concerning the nature of the information they were to seek? If so, what were these directions?

They acted on their usual mandate which is to conduct as thorough an investigation and evaluation as is necessary to achieve the above stated purposes. These persons are all professionals in their respective fields and I do not micro manage the way in which they conduct their professional activities in this regard. They are highly respected individuals in their fields and in the community and have never given me any reason to suspect that they are proceeding in a manner contrary to my stated purposes.

3. Was it part of this team's responsibility to conduct psychological testing and to prepare a psychological report or assessment of Father Neuberger? If so, did the Archdiocese receive this report?

Formal psychological testing is not always part of the interview process. They use various means to conduct their assessment. I do not recall which of the various means were used in this instance. They provide me, through Dr. Piasecki, with a summary assessment of their findings but not specific test data in any case.

4. Was Father Neuberger invited to participate in this process freely or was his participation required? What were the exact directions given to Father Neuberger regarding his participation in this process?

Father was told that such an investigative interview or assessment at a treatment facility was part of the protocol to determine the substance or weight to be given to allegations of sexual misconduct. It was Father himself who requested that a local evaluation be conducted and thus I arranged for these experts to conduct the process. I cannot coerce cooperation or force appearance at the stated interview times. When Father attended and continued to appear at the subsequent sessions, he did so of his own accord. A statement of his rights was provided to him prior to the investigative interview as is our standard.

5. Were any conditions, such as loss of office or remuneration, associated with Father Neuberger's refusal to participate in this interviewing process?

There were no such threats presented to Father. He knew that there was the possibility that canonical action could be taken regardless of whether he participated or not. While Father puts a great deal of stock in the issue of financial considerations, I have always been more than just and generous in the financial support of priests even those who are laboring under serious allegations.

6. Was Father Neuberger informed by you personally or by anyone in your presence that the results of this interview would be "privileged," that is, protected from release for reasons of civil litigation? Were similar conditions stated or suggested relative to any action in the ecclesiastical forum?

The results of any of our investigative inquiries are protected from civil intrusion according to the opinion of our legal counsel. Whether Father was advised of that fact in the interview process I do not know as I was not present for the interviews. He would have been advised in the canonical rights information provided that materials could be used in canonical proceedings.

7. Please explain the process of consultation that took place in response to Father Neuberger's desire to purchase the rectory at St. John Neumann parish.

In Wisconsin state law, each parish is a separate corporation with a five-member board of directors. I am the president of the corporation, the pastor is the vice-president, the vicar general is a director along with two elected lay trustees from the parish. Civil law requires that acts of extraordinary administration, such as sale or lease of property, be executed by unanimous vote of the five directors. We further require, from an ecclesiastical perspective, that the parish council be consulted on such matters. The pastor requests that a waiver and proxy be granted for such acts so that a formal meeting of the directors is waived and he is given the proxy vote of myself and the vicar general if we approve of the action. I utilize the services of my staff to investigate the act requested and advise me prior to the issuance of any such waiver and proxy document. In the case in point, in May 1993 Father Neuberger requested permission to "sell the property on Genesee Road in which I [Father Neuberger] have been living." Father Neuberger did not indicate in this initial request for proxy that he was the anticipated purchaser, merely that the parish wanted to sell the home. Since there was no indication of appraisal or selling price at that time, the proxy document authorized him only to place the property on the market. Furthermore, a clause was added that required that notification be made of any anticipated selling price. It was only in the Fall of 1993 when a new pastor had been appointed that it came to light that Father Neuberger was the intended purchaser. The new pastor was advised by the Chancery Office to proceed cautiously lest there be any question of the appropriateness of such a transaction.

8. Were professional estimates of the property's value sought? Were these estimates provided in writing?

While it is required that an appraisal of the property's value be obtained, it is not required that

such appraisals be submitted to me in writing. Father Neuberger's successor indicated, upon inquiry, that an appraisal had been made and stated what that value was. While I do not recall all of the specifics on how this transpired, the signature of the director of the Parish Finance Office is an indication that proper inquiries from my advisors were made at the time. An explanation was sought from both the Chancery and Finance Officer of why the property was being sold at less than appraised value and cautions were issued.

9. Was the consultation of the Archdiocesan finance council or College of Consultors sought relative to Father Neuberger's purchase of this property? Were any other individuals or bodies consulted relative to this sale? If so, please specify who these persons or bodies were.

Given the value of the property in question there was no obligation to approach my finance council or college of consultors. I do not approach them on every parish transaction, only those that are of major import or which exceed the minimum level of \$500,000. The normal consultation on the issuance of a proxy document as indicated above was followed. Consultation usually involves the Office for Parish Finance, the Chancellor (who consults with the Diocesan Finance Officer when it is a matter of real estate) and the Vicar General (who reviews the documentation prior to signing the proxy document). Their signatures or initials on a request indicate that this consultation has taken place.

10. Were any "on-site" inspections conducted prior to settling on the price that Father Neuberger was to pay for the property?

Again, the sale was by the parish as a canonical juridic person and as a civil corporation holding title to the property, not the diocese, so our intervention in such a manner would not have taken place. Only if the expertise of diocesan officials is sought for such assistance would this action take place; in this case, such assistance was not sought.

11. Who gave final approval for the sale of the property to Father Neuberger?

This question is answered above in the explanation of the proxy process.

12. With regard to Father Neuberger's resignation as Pastor of St. Catherine parish, was this freely offered by Father Neuberger or requested by the Archdiocese? If requested, what were the reasons given to Father Neuberger for making such a request?

This response needs to be put in its very lengthy context. In April 1993 Father Neuberger had just been informed that he was being appointed pastor of St. Catherine Parish effective in June. At the same time that this announcement was made public in our diocesan newspaper there was also a lawsuit filed against Father Neuberger alleging sexual abuse. Apparently Father had been notified by an attorney in Minnesota that such an action was pending and, in fact, Father had sought preliminary advice from our legal counsel for litigation matters. When I first questioned Father about these allegations, he categorically denied that there was any basis for them and swore that there was nothing in his past that was problematic. He also assured me that there were no additional cases that could come forth in the future. When papers were served on Father, he

again contacted legal counsel who advised us of the situation. Father was denying the factual basis of the lawsuit, and the allegations arose from situations long in the past with some historical details that warranted further study. Given these three factors, I did not withdraw the appointment at that time.

However, by the Fall of 1993, the third such lawsuit had been filed and I felt I needed to look at the situation more carefully and conduct my own investigation into the matter. The first thing I needed to do was prepare a strategy that would help the people of St. Catherine Parish who had previously had to deal with a pastor accused of sexual misconduct while, at the same time, not prematurely arriving at any decisions regarding Father Neuberger that might impinge on his rights or his reputation. On October 13, 1993 I met with some advisors who could assist me in developing such a strategy. While I knew I could have asked for Father's resignation from office at that time, I determined that such an action might be premature and misconstrued. Therefore, I determined instead to conduct my investigation, restrict Father's ministry in the interim, and request that he take a leave of absence from his parish responsibilities. I informed Father of my request in a letter on November 4, 1993. Father did take that leave of absence.

At around that same time I advised that, in addition to the civil counsel he had retained, that he also seek the services of a canonical advisor. A list of priest canonists from the area, but outside the diocese, was offered and from that list Father engaged the services of Father Daniel Ward and mandated him to serve as his advocate. When Father Ward was being brought into Milwaukee at diocesan expense to meet with other clients, Father Neuberger also met with him. By this time, I knew from my investigations that there were serious problems with some of Father's activities. I knew it was unlikely that I could, with confidence and the good of the people in mind, continue to assign Father to ministry. These facts were discussed with Father Ward. Through Father Ward, Father Neuberger indicated that he would seek departure from active ministry in order to avoid any canonical processes.

For a considerable period of time thereafter, the only matter that seemed to be on the table was the monetary assistance that would be offered to Father Neuberger to assist in his transition to a new life style outside of ministry. These negotiations went on for many months before there was finally a rejection of his canonical advisor's advice and a refusal to proceed on Father Neuberger's part in January 1995. Father Neuberger knew all along that the canonical processes were being postponed in favor of these voluntary actions on his part. All of these negotiations were supposedly confidential but I was later to find that he had been speaking of them with others, including the administrator at St. Catherine Parish. On January 16, 1995 I was notified that Father Neuberger was threatening to return to the parish and simply take it over. The administrator was advised by the Chancery and Finance Office not to allow that action and to secure the bank accounts.

On January 20, 1995, we were informed that Father Neuberger was seeking new canonical advice. The first report received indicated that Father Neuberger wished to resign from ministry provided financial assistance was given for transition. A request was made that salary be continued at its then current level until a proposal could be presented. Then there proceeded yet another series of proposals and requests that were not financially reasonable. Throughout this

lengthy history of starts and delays there were Father's continued indications that he wished to relinquish active ministry and the only thing that was impeding this was insufficient financial security. Periodically during this whole time, Father had indicated through his canonical spokespersons that he challenged the diocese to proceed with any canonical action against him. With all of this history in place, I simply determined not to delay further in undertaking a removal of pastor process. It was my considered opinion that the people of St. Catherine Parish deserved some more stability than continuing the situation further would allow.

My preliminary investigations had indicated that there was sufficient cause; the delays had come at Father's and his advisor's requests to avoid the more trying process of removal. All canonical steps in pursuing the removal process were assiduously followed and Father's rights were protected throughout. It was in the course of the removal process that Father's resignation was requested as is required by law as preliminary to removal. Since Father refused resignation, it is clear that it was not freely offered and thus the removal process proceeded. Reasons were provided for Father in my initial letter in the removal process and is part of the Acts of that process which have been reviewed already.

Submitted to Reverend Thomas Brundage, Judicial Vicar,  
this 2nd day of May, 1997

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Most Reverend Rembert G. Weakland, O.S.B.  
Archbishop of Milwaukee

**1. What was the specific purpose in having Doctor Piasecki's team interview Father Neuberger?**

Several years ago it became obvious that special competence and expertise were both needed and available for assisting in the assessment of individuals accused of sexual misconduct. Since members of that team had worked with civil authorities, and were respected throughout the State of Wisconsin, they were used regularly by the Archdiocese in order to protect the rights of all parties concerned. When the allegations of misconduct were brought to the attention of the Archdiocese, an appointment was made by Dr Piasecki with the team according to normal protocol for such cases. After many years of work with the Department of Corrections, the team members are skilled at separating false allegations from those which might have substance, and they are familiar with patterns of conduct in such cases.

**2. Were Doctor Piasecki and her team given a specific mandate or directions concerning the nature of the information they were to seek?**

To my knowledge they were not given any instructions other than the usual mandate to meet with the accused, determine the existence and/or extent of any misconduct, and assess any risks which might be present for the accused or others. Over the years I have never had any intimation or suggestion that their interviews followed anything but the highest professional standards. I know a large number of elected and appointed officials in the criminal justice field in Milwaukee, and these team members are held in high esteem by all.

**3. Was it part of this team's responsibility to conduct psychological testing and to prepare a psychological report or assessment of Father Neuberger? If so, did the Archdiocese receive this report?**

Depending on the specific case, a variety of professional assessment tools are utilized by the team. I do not know which were selected for Father Neuberger. Dr Piasecki provided a summary of their assessment to the Archdiocese, but I do not believe that any specific test data were obtained or provided. I certainly did not see any evidence of such data.

**4. Was Father Neuberger invited to participate in this process freely or was his participation required? What were the exact directions given to Father Neuberger regarding his participation in this process?**

Normal Archdiocesan protocol would include either this type of investigative interview or some professional assessment at a treatment facility, and sometimes both. I am under the impression that Father Neuberger himself desired a more local evaluation, and therefore Dr. Piasecki was asked to schedule an appointment with the team members. It is standard practice to provide a statement of civil and canonical rights prior to any such interview; so I can only conclude that Father Neuberger's continuing participation, though probably reluctant in those concrete circumstances, was freely chosen and without coercion. He must have proceeded of his own accord.

**5. Were any conditions, such as loss of office or remuneration, associated with Father Neuberger's refusal to participate in this interviewing process?**

The seriousness of the allegations was such that Father Neuberger knew of the possibility of canonical action quite independent of his participation in this investigative interview or not. In the minds of all parties concerned, including Father Neuberger himself, the entire situation had serious consequences vis-a-vis his office and any remuneration connected to it. Nevertheless, the practice of the Archdiocese has been very generous in these cases, and I cannot imagine that such specific conditions could have been attached to participation in this particular investigative interview.

**6. Was Father Neuberger informed by you personally or by anyone in your presence that the results of this interview would be "privileged," that is, protected from release for reasons of civil litigation? Were similar conditions stated or suggested relative to any action in the ecclesiastical forum?**

We have made every effort to protect our investigative inquiries from subpoena or civil scrutiny and subsequent usage in civil court. Our purpose is to protect the personal rights of all parties concerned, and our legal counsel has concluded that this interview process is immune from citation in civil litigation. He would have been informed that the information could be used in further action of a canonical nature. Not having been present, I do not know if further conversation regarding this matter occurred. As I stated before, I do know that a prior statement of canonical rights is always provided at the beginning of such an interview.

**7. Please explain the process of consultation that took place in response to Father Neuberger's desire to purchase the rectory at Saint John Neumann parish.**

Normal procedures require that any act of extraordinary administration be approved by the parish council and then by a written vote of all five corporate officers of the congregation. Although I signed the proxy request as per usual, I do not recall any indication that Father Neuberger himself was the intended purchaser. Had I known that was envisioned, I would have written an additional note suggesting to the staff that proper appraisals be obtained in order to protect the interests of the parish, and to assure that Father's reputation was not damaged by any appearance of self-interested or self-benefiting administration.

**8. Were professional estimates of the property's value sought? Were these estimates provided in writing?**

I do not recall any further specifics regarding this particular transaction.

**9. Was the consultation of the Archdiocesan finance council or College of Consultors sought relative to Father Neuberger's purchase of this property? Were any other individuals or bodies consulted relative to this sale? If so, please specify who these persons or bodies were.**

Neither the Archdiocesan Finance Council nor the College of Consultors would have been either involved or approached unless the monetary value would have been significantly higher. Normally the initials of the Finance Officer and Chancellor



indicate that all steps and procedures required by Archdiocesan policy had been properly followed.

**10. Were any "on site" inspections conducted prior to settling on the price that Father Neuberger was to pay for the property?**

Such Archdiocesan inspections would not normally occur because the administration at the parish level is presumed responsible for these matters. Only if directly requested would the counsel or assistance of the Archdiocesan Office of Finance be involved.

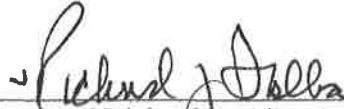
**11. Who gave final approval for the sale of the property to Father Neuberger?**

Final approval was given by the completion of the proxy request process, with all five signatures as required by Wisconsin State law and pertinent canonical stipulations.

**12. With regard to Father Neuberger's resignation as Pastor of Saint Catherine parish, was this freely offered by Father Neuberger or requested by the Archdiocese? If requested, what were the reasons given to Father Neuberger for making such a request?**

In preparing my answer to this question, I had the opportunity to review the complex history of this case. Having seen the summary provided by the Archbishop's response, I testify that it is correct from my experience and in my judgment, and I would direct any further inquiry to the document which contains his testimony in this matter.

Submitted to the Reverend Thomas T. Brundage, Judicial Vicar  
this 5th day of May, 1997



Most Reverend Richard J. Sklba, S.S.L.  
Auxiliary Bishop of Milwaukee

  
ARCHDIOCESE OF MILWAUKEE  
OFFICE OF THE ARCHBISHOP

May 16, 1997

The Reverend Thomas T. Brundage  
Judicial Vicar  
Metropolitan Tribunal  
Archdiocese of Milwaukee

Dear Tom,

1. No allegations had been brought to my attention before 1993, so no admonitions to Father Neuberger before that date were given by me.

I knew that he had been for some time without an assignment during the time of my predecessor and that this fact had ended in a suit (legal or canonical -- I am not sure) against my predecessor. The nature of this incident was never clear to me and no explanation by my predecessor was given me.

2. I have never talked personally with any of the alleged victims.

3. The civil laws concerning trustees of each parish are followed in the Archdiocese. These are promulgated to all the pastors and adhered to in all matters regarding financial and property transactions.

Sincerely yours in the Lord,



Most Reverend Rembert G. Weakland, O.S.B.  
Archbishop of Milwaukee

December 22, 1995

3

Father Michael Neuberger  
[REDACTED]  
Waukesha, Wisconsin 53188-6152

COPY

Dear Father Neuberger,

In response to the pastoral needs of the people of God entrusted to my care, in virtue of the authority specified in canon 381, §1, and in accord with the prescriptions of canon 49, I hereby bind you with the following specific obligations:

- 1) To refrain from all contact with minors;
- 2) To cease until further notice all public exercise of ministry including celebrations of sacraments; you may continue to celebrate Eucharist in a private setting alone or in private with another priest or priests in attendance;
- 3) To avoid all places and situations that, from past experience, have been occasions of serious temptation in the area of sexual morality.

Until further notice faculties for the sacrament of penance are withdrawn.

As you are aware I have reason to be concerned about some of your actions which may have been in violation of the obligations of clerical celibacy. My preliminary inquiry leads me to believe that there may be a factual basis to these claims. Given the serious nature of the obligation of celibacy as well as the seriousness of the supposed violations, this letter constitutes a precept and its provisions are deemed as necessary and prudent precautions pending a fuller investigation and resolution of the matter. This precept is in no way a final judgement but is a temporary pastoral measure to protect the rights and reputations of all involved.

This precept is executed by its reception and is effective immediately. This precept will remain in force for three months from this date or until specifically rescinded or extended.

I will expect your full obedience to this precept and must warn you that failure to comply could result in the application of canonical penalties.

Sincerely yours in Christ,

*+ Rembert G. Weakland, O.S.B.*

Most Reverend Rembert G. Weakland, O.S.B.  
Archbishop of Milwaukee

*Rev. John D. Ailla*  
Notary



OFFICE OF THE ARCHBISHOP

July 19, 1996

30

Father Michael Neuberger

██████████  
Waukesha, Wisconsin 53188-6152

Dear Father Neuberger,

Previous precepts issued regarding your exercise of ministry having expired, I have examined your situation once again. Given the fact that there are penal processes underway and out of concern for the good ordering of ministry within the diocese, I have determined that certain restrictions on ministry be placed.

In response to the pastoral needs of the people of God entrusted to my care, in virtue of the authority specified in canon 381, §1, and in accord with the prescriptions of canon 49, I hereby bind you with the following specific obligations:

- 1) To refrain from all contact with minors;
- 2) To cease until further notice all public exercise of ministry including celebrations of sacraments; you may continue to celebrate Eucharist in a private setting alone or in private with another priest or priests in attendance;
- 3) To avoid all places and situations that, from past experience, have been occasions of serious temptation in the area of sexual morality.

Until further notice faculties for the sacrament of penance are withdrawn.

Preliminary inquiries have led me to believe that there may be a factual basis to claims of sexual misconduct on your part. Given the serious nature of the obligation of celibacy as well as the seriousness of the supposed violations, this letter constitutes a precept and its provisions are deemed as necessary and prudent precautions pending a resolution of the matter through the penal processes underway. This precept is in no way a final judgement but is a temporary pastoral measure to protect the rights and reputations of all involved.

This precept is executed by its reception and is effective immediately. This precept will remain in force for the duration of the penal processes or until specifically rescinded or extended. I will expect your full obedience to this precept and must warn you that failure to comply could result in the application of canonical penalties.

Sincerely yours in Christ,

Most Reverend Rembert G. Weakland, O.S.B.  
Archbishop of Milwaukee

Notary

3501 South Lake Drive, P.O. Box 07912  
Milwaukee, WI 53207-0912 • (414)769-3497

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Pro. no. P1/96

NO. \_\_\_\_\_  
KINDLY REFER TO THIS  
NUMBER IN YOUR REPLY

IN CAUSA

DECREE OF CONFIDENTIALITY

Canon 1455§1 binds tribunals and their personnel to absolute secrecy in the processing of a penal trial, a secrecy referred to as "the secret of the office". Canon 1455§3 likewise permits the judge to impose absolute secrecy on the parties, their advocates and procurators, and all witnesses. This is done in order to avoid endangering the reputations of persons and in order to avoid any possibility of discord or scandal. For this reason, a tribunal cannot and will not release information associated with a penal case for any reasons whatsoever, including purposes of civil or criminal litigation. Only when a case is legitimately appealed to another competent tribunal can such a release of information take place.

Therefore, as presiding judge of this action, I hereby bind all persons associated with this case to the absolute and complete confidentiality called "the secret of the office". The Promotor of Justice, the Respondent, his Advocate, all other officers of the court and all witnesses who may be associated with this action are prohibited from discussing with any persons, apart from the officials of the tribunal, any of the documentation or testimony contained in the acts of this case. Nor are they permitted to seek the release of such documentation and testimony for any reason other than legitimate ecclesiastical appeal.

Given at the Metropolitan Tribunal  
of the Archdiocese of Milwaukee  
this date, 4-30-97

  
Presiding Judge



Rev. John D. Aiello  
Reverend John Aiello  
Notary

Given the public allegations and civil lawsuits which have been filed, it is my request that I be permitted to take a leave of absence from the office of pastor at St. Catherine Parish. This leave of absence is not intended as a resignation from office. Termination of the leave of absence will be decided upon mutually between the Archbishop and myself. I will continue to observe the restrictions placed upon my actions until all legal and canonical issues have been resolved.

Given this 4 day of November, 1993

  
Reverend Michael T. Neuberger

Witnessed:

To: Archbishop Weakland  
From: Barbara Anne Cusack  
Re: Fr. Michael Neuberger  
Date: March 10, 1995

On Thursday morning, March 9, 1995, Father Greg Ingels, current canonical advisor to Father Mike Neuberger telephoned my office. I had previously contacted Greg to advise him that Mike had submitted some medical reports but that we had yet to receive the promised settlement offer from Mike. Greg was also concerned at that time about extending matters indefinitely and was to contact Mike to motivate action.

Greg's contact yesterday was to inform us that he had just received something from Mike but that it was not the proposal we had been awaiting. Greg indicated that what he has from Mike is in the form of a "defense" against any action being taken against him and was drafted in preparation for your meeting with him. The substance of Mike's argument is that since no formal process has been initiated against him there must be no substance to any allegations. Greg and I discussed this perspective and are both of the mind that Mike has missed the point of all that Dan Ward had been doing on his behalf. He apparently does not understand that the whole purpose behind a negotiated settlement was to help him avoid having to go through a formal process with the more public disclosures that a process would entail.

Greg will try to explain all of this to Mike one more time. He said he may put it in terms of "if you want a process, one will be undertaken but be prepared for the more severe consequences."

Perhaps your meeting with Mike with the presentation of all the facts in his case will also bring this message home more clearly. Regardless of the outcome of your upcoming meeting, it would seem advisable that we not delay any longer in undertaking the simple process of having him removed as pastor. Any penal processes could follow afterward if he refuses to proceed with a settlement. It will be important for us to establish and observe some clearer deadlines with consequences for noncompliance than has been our practice so far in dealing with him.

If there is anything further you want or need please let me know.