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May 20, 2016

Senator Stewart J. Greenleaf
Pennsylvania State Senate
Senate Box 203012
Harrisburg, PA 17120-3012

Dear Senator Greenleaf:

I have had the opportunity to read and study the Report to the Judiciary Committee on the constitutionality of House Bill 1947 of 2015 submitted by Professor Bruce Antkowiak. I concur with the Report's conclusion that the Bill's attempted revival of civil claims arising from child sexual abuse that are currently time-barred by the existing statute of limitations would violate established Pennsylvania constitutional caselaw interpreting, among other provisions, Art. I, Section 11 of the Pennsylvania Constitution. To be clear, since this proposed extension and revival would probably not violate federal constitutional law, there is always the chance that the Pennsylvania Supreme Court would overrule this line of precedent and interpretation and find the proposed extension constitutional after all. That possibility cannot be ruled out, but there is no recent suggestion of any change in the Court's view.

Let me add the following in the interests of candor. I have known Professor Antkowiak for a long time and admire him. In addition, I had an opportunity to read this Report and comment on its contents before it was submitted to the Committee. Nevertheless, the Report has not really had any impact on my views. I am on the public record for some time expressing the view that any attempted revival of civil claims already time barred violates existing Pennsylvania Constitutional law and interpretation.

I also note that I am employed by Duquesne University, a Roman Catholic educational institution and that some may suspect bias on my part since many of these civil claims have involved actions performed by members of that denomination's hierarchy. My reputation for speaking my mind is pretty well established by now. But, even aside from that, I can say that

Senator Stewart J. Greenleaf

May 20, 2016

Page 2

Duquesne University has never evinced the slightest interest in whatever opinions faculty members at the Law School have on purely legal questions. I have received plenty of criticism here at the University over comments I have made in the media involving people in public life. But never once in 36 years has anyone here even mentioned legal opinions I have given over the years. Duquesne University does not work that way.

Sincerely,



Bruce Ledewitz
Associate Dean of Academic Affairs
And Professor of Law
Duquesne University School of Law
900 Locust Street
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BL/kk