

# Boy Scouts of America Bankruptcy Information Sheet

Boy Scouts of America and Delaware BSA, LLC (“the BSA”) commenced cases under Chapter 11 of the Bankruptcy Code on February 18, 2020, partially due to multiple sexual molestation allegations and claims filed against BSA. Chapter 11 Bankruptcy allows for a business (in this case the BSA) to continue operating while it reorganizes and restructures debts to pay creditors over time. There are many instances where churches and ministries allow BSA activities to take place on their premises, whether they charter a troop or simply permit gatherings or activities to take place. **The deadline for filing a claim is November 16, 2020, at 5:00 p.m. EST.**

## What Claims Are Subject to This Notice?

The Notice applies to certain claims arising against the BSA before February 18, 2020. This includes, but is not necessarily limited to:

- Claims arising from non-sexual physical or emotional abuse, including bullying or hazing;
- Claims alleging sexual abuse of an adult where the adult’s proof of claim was not filed by May 26, 2020;
- Claims alleging acts or omissions by the BSA before February 18, 2020;
- Claims alleging a right to payment from the BSA arising before February 18, 2020; and
- Claims alleging a right to an equitable remedy from the BSA arising before February 18, 2020.

This does **NOT** apply for sexual abuse of a minor. Please see below for filing a separate **Sexual Abuse Survivor Proof of Claim** if the survivor was under 18 when they experienced sexual abuse in Scouting on or before February 18, 2020.

## The Deadline to File A Claim

- A “Notice of Deadlines Requiring Filing of Proof of Claims” was recently issued announcing **November 16, 2020 at 5:00 p.m. (EST)** as the last date and time for persons and entities to file a General Proof of Claim against the BSA. A proof of claim is a written statement setting forth a creditor’s claim. It may represent a right to payment or equitable remedy from the entity that filed for bankruptcy.
- If the BSA listed your organization on its schedule of assets and liabilities in the bankruptcy, you should directly receive a General Proof of Claim for each claim listed in your name on the schedules. Consider submitting such form(s) before **November 16, 2020 at 5:00 p.m. (EST)**.
- If the BSA did not list your organization on its schedule of assets and liabilities, you should still consider filing a General Proof of Claim before **November 16, 2020 at 5:00 p.m. (EST)**.

## How To File A General Proof of Claim

- A General Proof of Claim may be filed via the website established by the BSA Claims and Noticing Agent. Claim forms may be located and submitted [electronically](#).

## Should Our Ministry File A Claim?

- Insurance Board recommends ministries consult legal counsel for information and guidance.
- Did your ministry charter a BSA troop or permit BSA activities on your organization’s premises, and you believe your organization could be named in a sexual abuse claim or other type of claim arising from any BSA activities that took place on or before February 18, 2020? If so, you may want to consider filing a claim.
- Even if your organization has not yet received a formal claim arising out of BSA activities, you might consider filing a “contingent” or “unliquidated” General Proof of Claim to protect your organization’s rights in the event one is filed.
- Does the BSA owe your organization a debt arising before February 18, 2020?
- Has your organization received notice of a sexual abuse claim or other type of claim arising out of BSA activities on your organization’s premises or within a troop chartered by your organization?

## How To File A Sexual Abuse Survivor Proof of Claim

- Victims who experienced sexual abuse in Scouting on or before February 18, 2020, and who were under age 18 when the abuse occurred should consider filing a **Sexual Abuse Proof of Claim**.
- This is a separate claim process from the General Proof of Claim. Persons filing a Sexual Abuse Proof of Claim must also generally file this proof of claim by **November 16, 2020, at 5:00 p.m. (EST)**.
- Survivors of Scouting abuse (that occurred on or before February 18, 2020) who do not file a Sexual Abuse Proof of Claim by **November 16, 2020 at 5:00 p.m. (EST)** may lose or waive their rights to file a claim against the BSA.
- The website established by the BSA Claims and Noticing Agent includes a page for Survivors and a link to the Sexual Abuse Survivor Proof of Claim form [here](#).



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