

Attorneys Demand Answers in Notre Dame 88 Case

Remember when 88 pro-life demonstrators were arrested on the University of Notre Dame's campus before the 2009 commencement ceremonies? The demonstrators were protesting the honoring of President Barack Obama.

The Thomas Moore Society, a Chicago-based public interest law firm that exists to restore respect for life in law, has filed a motion in St. Joseph County Criminal Court to compel answers in a pretrial deposition of a former University of Notre Dame official in the case.

Specifically, the motion compels Bill Kirk, the former associate vice president of Residence Life at the school, before Chief Judge Michael Scopelitis, who may take it under advisement or rule from the bench.

"We believe that the questions Mr. Kirk has declined to answer are pertinent to the case of the ND 88," says Thomas Brejcha, president and chief counsel of the Thomas More Society. "No lawful basis was given for Kirk's declining to answer specific questions, and no attorney-client privilege or privilege against self-incrimination was invoked."

Among the questions Kirk declined to answer concerned the nature of his employment relationship with the university, the reason why Kirk was fired from his position of associate vice president for Residence Life, whether declining to answer specific inquiries relates to a severance agreement of its terms, the nature of and participants in a security committee former prior to the 2009 commencement, the type of guidance Kirk provided to the university's president prior to Obama's visit at Notre Dame, and whether or not Notre Dame and its police officers treated other demonstrators similarly or

differently than the “ND 88.”

Says Brejcha, “If the prosecution of these courageous proliferers must continue, then we believe that the ND 88 deserve answers to these questions.”