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James A. Serritella, J.D., Leader in Religion and Not-for-Profit Law Dies at 78
Serritella defended Cardinal Joseph Bernardin and was an architect of modern child sexual abuse policies

Chicago, (April 26, 2021) - Burke, Warren, MacKay & Serritella today announced the April 23 death of James A. Serritella, J.D., a named partner in the firm and an internationally recognized authority on religion and not-for-profit law. Serritella was in his 50th year as principal outside counsel for the Archdiocese of Chicago, a tenure notable for his successful defense of Cardinal Joseph Bernardin against a false allegation of child sexual abuse, his contributions to the church's victory in *NLRB v. Catholic Bishop* and his work on the archdiocese's groundbreaking 1992 child sexual abuse policies. These policies formed the basis of the Charter for the Protection of Children and Young People, adopted by the United States Conference of Catholic Bishops in 2002. He consulted internationally on constitutional and other legal issues relating to not-for-profit and religious organizations.

"Jim Serritella joined our firm in 1997 as a partner, founder, and leader of our religious organization practice group," said Richard Burke, founding partner of Burke, Warren, MacKay and Serritella. "He and we believed the civil law needs of religious organizations required a broad base of legal expertise. Through his diligent work ethic and insistence that only the best advice be provided, he met the needs of his clients. He was a major contributor to the work of the firm and had the respect of all who worked with him."

Serritella represented not-for-profit entities including associations, churches, dioceses, synods, religious orders and congregations, hospitals and other health care entities, colleges, elementary and secondary schools, seminaries, social services agencies and institutions, and cemeteries. Some of these entities were secular in nature, while many were affiliated with or sponsored by a religious organization. The religious organizations represent a variety of traditions including Catholic, Orthodox, Lutheran, Evangelical and Protestant churches, as well as Jewish and Hindu entities and other religious groups.

He represented the prevailing party in constitutional and public policy litigation including the landmark U.S. Supreme Court case of *NLRB v. the Catholic Bishop of Chicago*, the Illinois Appellate Court cases of *Grace Lutheran Church v. Lutheran Church-Missouri Synod*, *Galich v. the Catholic Bishop* and *Catholic Bishop v. the Village of Justice*, and the Circuit Court of Cook County case of *Catholic Charities v. Leahy*.

He was lead counsel for Cardinal Joseph Bernardin in *Cook v. Bernardin*. He filed *amicus curiae* briefs on many public policy and constitutional issues in the United States Supreme Court, the Illinois Supreme Court and other courts. These briefs addressed issues such as terminating treatment for the seriously ill, education finance, taxation of exempt organizations and religious liberty. Serritella negotiated the affiliation of a women's college with a major university as well as the affiliation of a religiously sponsored hospital with a secular health care network.

Serritella was the moderator of the Cook County State's Attorney's Task Force on the Forgoing of Life Sustaining Treatment which produced the Illinois Health Surrogate Act. He also served on: the Illinois Secretary of State's Ad Hoc Committee to Revise the Illinois Not-For-Profit Corporation Act; the Department of Children and Family Services, Statewide Citizens Committee on Child Abuse and Neglect; the Illinois Attorney General's Charitable Trust Division's Advisory Council; the National Catholic

Cemetery Conference Ad Hoc Committee on Law and Legislation; and the National Conference of Christians and Jews Advisory Committee on Church, State and Taxation.

Serritella served on the boards of the Illinois State Bar Association, Mundelein College, St. Xavier College, St. Mary of the Lake Seminary, the North American College in Rome, Loretto Hospital, the Illinois State Historical Society, the Illinois Child Care Association, WTTW-TV/PBS, the Music of the Baroque and the Lyric Opera Guild.

He wrote and lectured extensively on religious freedom and on legal issues affecting exempt organizations. He was the editor-in-chief of "Religious Organizations in the United States, A Study of Identity, Liberty, and the Law," an 834-page book published by Carolina Press. The book is a collection of essays designed to develop a new jurisprudence for organized religion. He was a founder of the DePaul University College of Law Center for Church/State Studies and served as chair of its Advisory Board. He was also a founder of the Center for Migration Studies in New York, and an associate editor of the International Migration Digest (now called the International Migration Review).

Serritella received his J.D. from the University of Chicago Law School in 1971. He earned an M.A. from the Committee for the Analysis of Ideas and Study of Methods at the University of Chicago. He held a B.A. from St. Charles Seminary College of Liberal Arts (State University of New York) and a second bachelor's degree from the Pontifical Gregorian University in Rome. He received mediation training from the National Health Lawyers Association; he also received advanced mediation training from the CPR International Institute for Conflict Prevention and Resolution and the Program on Negotiation at Harvard University.

He was a member of numerous professional and civic organizations including the Chicago, Illinois State, and American Bar Associations as well as the Canon Law Society of America and the Diocesan Attorneys Association. He was also a Charter Fellow of the Illinois Bar Foundation and a Fellow of the American Bar Foundation. He authored numerous publications and delivered many lectures throughout his distinguished career.

Serritella was awarded an honorary Doctor of Laws degree from North Park University, the John Courtney Murray Award from the DePaul University College of Law, the Rerum Novarum Award from St. Joseph Seminary, the Caritas Christi Urget Nos award from Catholic Charities of the Archdiocese of Chicago, the Pax et Bonum Award from the Franciscan Friars and the Outstanding Leaders Award from the Carmelite Order. In addition, he was awarded the Pontifical Order of St. Gregory the Great, presented by the Holy See, the Extraordinary Knight Award, presented by Rev. Ryan Council, Knights of Columbus, the Bishop Quarter Award, presented by the Archdiocese of Chicago and the Catholic Lawyer of the Year Award, presented by the Catholic Lawyers Guild of Chicago.

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