

Surge of New Sexual Abuse Claims Threatens Church Like Never Before

At the end of another long day trying to sign up new clients accusing the Roman Catholic Church of sexual abuse, lawyer Adam Slater gazes out the window of his high-rise Manhattan office at one of the great symbols of the church, St. Patrick's Cathedral.

"I wonder how much that's worth?" he muses.

Across the country, attorneys like Slater are scrambling to file a new wave of lawsuits alleging sexual abuse by clergy, thanks to rules enacted in 15 states that extend or suspend the statute of limitations to allow claims stretching back decades. Associated Press reporting found the deluge of suits could surpass anything the nation's clergy sexual abuse crisis has seen before, with potentially more than 5,000 new cases and payouts topping \$4 billion.

It's a financial reckoning playing out in such populous Catholic strongholds as New York, California and New Jersey, among the eight states that go the furthest with "lookback windows" that allow sex abuse claims no matter how old. Never before have so many states acted in near-unison to lift the restrictions that once shut people out if they didn't bring claims of childhood sex abuse by a certain age, often their early 20s.

That has lawyers fighting for clients with TV ads and billboards asking, "Were you abused by the church?" And Catholic dioceses, while worrying about the difficulty of defending such old claims, are considering bankruptcy, victim compensation funds and even tapping valuable real estate to stay afloat.

"It's like a whole new beginning for me," said 71-year-old Nancy Holling-Lonnecker of San Diego, who plans to take advantage of an upcoming three-year window for such suits in California. Her claim dates back to the 1950s, when she says a priest repeatedly raped her in a confession booth beginning when she was 7 years old.

"The survivors coming forward now have been holding on to this horrific experience all of their lives," she said. "They bottled up those emotions all of these years because there was no place to take it."

Now there is.

AP interviews with more than a dozen lawyers and clergy abuse watchdog groups offered a wide range of estimates, but many said they expected at least 5,000 new cases against the church in New York, New Jersey and California alone, resulting in potential payouts that could surpass the \$4 billion paid out since the clergy sex abuse first came to light in the 1980s.

Lawyers acknowledged the difficulty of predicting what will happen, but several believed payouts could exceed the \$350,000 national average per child sex abuse case since 2003. At the upper end, a key benchmark is the average \$1.3 million the church paid per case the last time California opened a one-year window to suits in 2003. That offers a range of total payouts in the three big Catholic states alone from \$1.8 billion to as much as \$6 billion.

Some lawyers believe payouts could be heavily influenced by the recent reawakening over sexual abuse fueled by the #MeToo movement, the public shaming of accused celebrities and the explosive Pennsylvania grand jury report last year that found 300 priests abused more than 1,000 children in that state over seven decades. Since then, attorneys general in nearly 20 states have launched investigations of their own.

"The general public is more disgusted than ever with the clergy sex abuse and the cover-up, and that will be reflected in jury verdicts," said Mitchell Garabedian, a Boston attorney who was at the center of numerous lawsuits against the church in that city and was portrayed in the movie *Spotlight*.

Said Los Angeles lawyer Paul Mones, who has won tens of millions in sex abuse cases against the church going back to the 1980s: "The zeitgeist is completely unfavorable to the Catholic Church."

For Mones, the size of lawsuit payouts under the new laws could hinge on whether most plaintiffs decide to settle their cases with dioceses or take their chances with a trial.

"The X-factor here is whether there will be trials," he said. "If anyone starts trying these cases, the numbers could become astronomical."

Since the 15 states enacted their laws at different times over the past two years, the onslaught of lawsuits is coming in waves.

This summer, when New York state opened its one-year window allowing sexual abuse suits with no statute of limitations, more than 400 cases against the church and other institutions were filed on the first day alone. That number is now up to more than 1,000, with most targeting the church.

New Jersey's two-year window opens this week and California's three-year window begins in the new year, with a provision that allows plaintiffs to collect triple damages if a cover-up can be shown. Arizona, Montana and Vermont opened ones earlier this year. Even one of the biggest holdouts, Pennsylvania, is moving closer to a window after legislators voted last month to consider amending its constitution to make it easier to pass one.

Already, longtime clergy abuse lawyer Michael Pfau in Seattle

says he's signed up about 800 clients in New York, New Jersey and California. Boston's Garabedian says he expects to file 225 in New York, plus at least 200 in a half-dozen other states. Another veteran abuse litigator, James Marsh, says he's collected more than 200 clients in New York alone.

"A trickle becomes a stream becomes a flood," Marsh said. "We're sort of at the flood stage right now."

Church leaders who lobbied statehouses for years against loosening statute-of-limitations laws say this is exactly the kind of feeding frenzy they were worried about. And some have bemoaned the difficulty of trying to counter accusations of abuse that happened so long ago that most witnesses have scattered and many of the accused priests are long dead.

"Dead people can't defend themselves," said Mark Chopko, former general counsel to the U.S. Conference of Catholic Bishops. "There is also no one there to be interviewed. If a diocese gets a claim that Father Smith abused somebody in 1947, and there is nothing in Father Smith's file and there is no one to ask whether there is merit or not, the diocese is stuck."

Slater's Manhattan offices may have views of St. Patrick's Cathedral, spiritual home of New York City's Catholic archdiocese, but ground zero for his church abuse lawsuit operation is a call center, of sorts, about an hour's drive away in suburban Long Island, in an office building overlooking a parking lot.

There, headset-wearing paralegals in a dozen cubicles answer calls in response to ads on talk radio and cable TV news channels pleading: "If you were sexually abused by a member of the clergy, even if it happened decades ago ... you may be entitled to financial compensation."

That pitch spoke to 57-year-old Ramon Mercado, who had long kept silent about the abuse he suffered in the 1970s, in part because he didn't want to upset his devout Catholic mother. Since her recent death, he's ready to talk about the New York City priest who invited him into his Plymouth sedan to warm up on a cold day and ended up molesting him hundreds of times over the next three years.

"I was sitting in my living room and someone came on TV, 'If you've been molested, act now,'" Mercado said. "After so many years, I said, 'Why not?'"

When such calls come in, the paralegals are trained to press for details but to do so gently.

"What age would you say you were?"

"Ten or 11? OK. Would you remember the face if you saw it?"

"He would take you out of your bed? What did he say when he came to get you?"

"Do you want to take a break? Are you OK? Are you sure?"

The next step is to get a lawyer on the line to see if it's a case they can take to court. Slater says that out of the more than 3,000 calls his firm has taken leading up to and since the opening of New York's one-year window, it has signed up nearly 300 clients, and expects another 200 by the middle of next year.

One recent day, lawyers talked to at least a half-dozen potential plaintiffs by lunchtime, with one saying she was raped at a first Communion party and another saying a priest sodomized him after he was told to pull down his pants so his temperature could be taken.