

## Diocese hit with 99 abuse suits last year

### 145 people say they were victims of church personnel

By Greg Moran

UNION-TRIBUNE STAFF WRITER

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The Roman Catholic Diocese of San Diego was named in 99 lawsuits last year from 145 people who alleged they had been sexually abused by church personnel.

The data was compiled by plaintiffs' lawyers who brought the suits under a special law that expired Dec. 31. That law opened a one-year window for people who claim they were abused years ago – long after the legal deadline for filing suits had expired – to bring a case to court.

Plaintiffs' lawyers said the number of alleged victims suing the diocese is the second highest in the state, trailing only the massive Los Angeles archdiocese.

In all, 55 people are named in the lawsuits, plaintiffs' lawyer Irwin Zalkin said. That includes diocesan priests, members of religious orders working in the diocese, nonclergy church workers and nuns. The vast majority of those named are either deceased or no longer in the priesthood.

Rodrigo Valdivia, chancellor of the San Diego diocese, said Friday that the diocese is still compiling its own tally of litigation filed last year. The diocese has not yet been formally served with all the suits, but he said the plaintiffs' numbers are "somewhat similar to ours."

One difference, he said, is the diocese believes that it was incorrectly named in some of the lawsuits targeting members of religious orders that were operating facilities or working in the diocese. If the diocese is removed from liability in those suits, the number of lawsuits it will face would be reduced, he said.

The tally of litigation, which took several weeks to compile, surfaced at a time of several new developments in the scandal that has shrouded the church for two years. Two important reports are due this week, and both sides began meeting this month to explore possible settlements.

The San Diego diocese is expected to release a report tallying allegations of sexual abuse in the diocese from 1950 to 2003, Valdivia said. Until 1978, San Bernardino and Riverside counties were part of the San Diego diocese.

He said the report will contain statistics of sexual abuse by priests in the diocese over that time period. It will not name individual priests, he said.

The release of the local report will precede the long-anticipated release of a report Friday that will detail a nationwide survey of clergy abuse in the Roman Catholic Church. A draft of the report, reported by CNN last week, indicated about 4 percent of all clergy in service since 1950 were accused of molesting minors. National church officials refused to confirm it.

In addition to the reports, the diocese and the cadre of lawyers representing alleged victims from San Diego, San Bernardino and Orange counties have begun meeting in highly confidential, court-ordered mediation sessions in Los Angeles.

The first session was held Feb. 6. State law prohibits lawyers from discussing the progress of the mediations.

The sessions could yield a settlement of some or all of the claims, attorneys have said. Claims filed against the Diocese of Orange and the Archdiocese of Los Angeles – which faces more than 500 claims – are also ongoing.

All the clergy abuse cases from San Diego and other dioceses have been coordinated under a single judge in Los Angeles. That judge has in turn appointed another jurist as the mediator.

What happens in the sessions can't be discussed outside of mediation, and also can't be used in any future court proceedings, said Craig Higgs, a San Diego attorney and experienced mediator.

The confidentiality mandate allows each side to say things that they otherwise would not, for fear it could be used against them in court, he said.

Higgs, who has mediated sexual abuse claims against churches, schools and other institutions, said that typically in such cases a plaintiff's lawyer goes first, sketching out the outlines of their case.

In the clergy cases now under mediation, according to an attorney familiar with the process, plaintiffs' lawyers are employing a multimedia presentation. It features a videotaped statement from the alleged victim, and a DVD with pictures and other documents.

The presentation lays out the biographies of the victims, what happened to them and the impacts on their life, according to attorneys.

After the plaintiffs are finished, the defendants make their arguments, said Higgs. The mediator then begins meeting with both sides, exploring offers and shuttling back and forth.

Valdivia said the diocese is hopeful that all the litigation can be settled through mediation. He said the diocese remains open to privately settling claims with alleged victims.

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Greg Moran: (619) 542-4586; [greg.moran@uniontrib.com](mailto:greg.moran@uniontrib.com)

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