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## Civil Clergy-Abuse Lawsuits in Phila. See Renewed Activity, Lawyers Say

P.J. D'Annunzio, The Legal Intelligencer

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The plaintiff in a priest sex-abuse case is petitioning the court to compel information on the Archdiocese of Philadelphia's ownership interest, management and funding of the Villa St. John Vianney, a facility used for psychiatric treatment by clergy members.

The motion to overrule the archdiocese's objections to compel discovery in *Billy Doe v. Archdiocese of Philadelphia* comes at a time when civil suits against the archdiocese and clergy members are beginning to stir again after a period of limited activity, lawyers involved in those cases say.

"You're going to see these cases are moving along," said Slade McLaughlin of McLaughlin & Lauricella in Philadelphia.

"With the number of cases, documents and sensitive issues, it's been over a yearlong process," said Malvern, Pa.-based attorney Daniel F. Monahan. "Now they're being ruled upon and we're getting responses."

Monahan noted that he is handling roughly 18 of the civil cases in Philadelphia.

McLaughlin, who represents the plaintiff in *Billy Doe*, said the civil cases had been on hold for roughly a year because they were awaiting the conclusion of the criminal clergy-abuse trials.

Additionally, Monahan said that all parties in the cases agreed to suspend discovery efforts until the end of the Monsignor William Lynn trial.

Conrad O'Brien attorney Nicholas Centrella represents the archdiocese and declined to comment.

On top of the suspension of discovery, the parties were embattled with discovery disputes, further slowing the progress of the cases, Monahan said. He added that the courts had to deal with a host of other, "sensitive" issues, which slowed things down.

Monahan said there were "preliminary objections on certain counts, there were then some disputes over the revealing the names of plaintiffs where plaintiffs didn't want to be named in a public record; the next major dispute was that the archdiocese, in response to our discovery requests, asserted numerous objections to revealing anything whatsoever."

Since every case is different and none of them are consolidated, Monahan said, the process takes time.

However, Monahan said, "The discovery master has finally started reviewing them and making orders." He also said that the cases are divided into three groups by year: 2011, 2012 and 2013.

McLaughlin said that Philadelphia Court of Common Pleas Judge Jacqueline Allen "has indicated that she wants the 2011 cases to be tried in 2014."

The 2011 set of cases is set to go to trial in the summer, between July and September, according to Thomas Bergstrom of Buchanan Ingersoll & Rooney in Philadelphia. Bergstrom represents Lynn, who is named as a defendant in *Billy Doe*.

However, McLaughlin said, not all the cases might make it to the trial phase.

"The archdiocese claims that a lot of those cases are statute-barred," McLaughlin said. "Whether that's accurate or not, I frankly don't know. It may not be 18 or 19 cases, it may be a handful of cases."

Both Monahan and McLaughlin attributed the renewed movement in the case to the efforts of discovery master and former state Supreme Court justice, Russell M. Nigro.

"He's done a very nice job in marshalling his resources. His thrust has been to get the party's depositions done, then push ahead with defense medical exams, and the exchange of expert reports," McLaughlin said.

The *Billy Doe* motion, assigned to Allen on March 17, according to the docket, alleges a "symbiotic relationship" existed between the archdiocese and the St. John Vianney facility in referring priests accused of sexual misconduct to the facility for evaluation in order to "conceal" their alleged abuse.

"The psychiatrists at Villa St. John Vianney routinely demonstrated a curious reluctance to diagnose priests as pedophiles, even when the clerics had engaged in pedophilic acts."

McLaughlin said, "If we can prove, as we think we can, that these psychiatric examinations weren't bona fide ... I think [the archdiocese] is going have a difficult time in the court of public opinion as well as the legal courts here in Philadelphia."

Bergstrom said that even if the motion were granted, it would not have an effect on his client's case.

"I think it assumes, or it attempts to assume, that the folks at St. John Vianney are less than professional or qualified," Bergstrom said. "My experience with them in discovery and trial are that those guys are pretty crackerjack doctors and professionals."

Lynn, who was the first Catholic Church administrative official convicted of endangering the welfare of children abused by other priests, had his conviction overturned by the state Superior Court and was released from prison Jan. 7.

The Office of the District Attorney of Philadelphia has since appealed the decision to the state Supreme Court.

St. John Vianney is not listed as a defendant in *Billy Doe*. Its attorney, Kevin E. Raphael of Pietragallo Gordon Alfano Bosick & Raspanti, did not immediately return a call seeking comment.

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