

Lawyer may file abuse suits in 2003

Rob Cullivan/Catholic Courier

Manhattan-based attorney John Aretakis says he may begin filing civil lawsuits against the Diocese of Rochester in 2003 on behalf of clients who claim that they are victims of church-employee sexual abuse.

Aretakis made his announcement during a Nov. 20 news conference at Rochester's Crowne Plaza Hotel. He said he previously had represented 75 victims around the country in sex-abuse cases involving the church.

The attorney said he has been talking with a dozen such individuals who live or previously lived in the Diocese of Rochester and claim to have been victimized here at one time or another by priests or other church employees. Aretakis said some of the victims he represents simply want apologies, while others want money to pay for counseling related to the psychological damage they suffered from abuse.

During the press conference, Aretakis charged that the diocese was not interested in settling these cases because the statutes of limitations had expired. "I call upon Bishop (Matthew H.) Clark to join in the pursuit of the victims of his employees to find justice," the attorney said.

In a statement issued following Aretakis' press conference, the Diocese of Rochester said it needed



Karin von Voigtlander/Catholic Courier

During a Nov. 20 press conference at a Rochester hotel, attorney John Aretakis announces that he may file lawsuits against the diocese next year.

more information to adequately respond to his claims, and that it had made great efforts to reach out to abuse victims.

"(C)ounter to his claims, one thing that is abundantly clear is the care and concern the diocese has shown for victims of sexual abuse," the diocesan statement said. "... As soon as any victim comes forward, regardless of whether credibility of an accusation is established, pastoral care is offered."

Michael Tedesco, diocesan spokesman, said Aretakis had mere-

ly exchanged voice-mail messages with diocesan attorneys, and had never directly spoken to any attorneys representing the diocese about the claims he was making.

In a follow-up interview Nov. 26, Aretakis confirmed that he had exchanged only voice mails with diocesan attorneys. However, he added that a diocesan attorney contacted him via voice mail after the press conference, and Aretakis said he hopes to meet with him soon.

Earlier this year, the diocese was dismissed from a civil lawsuit Are-

takis had filed on behalf of a victim of William Lum, a diocesan priest who had pleaded guilty to one count of third-degree sexual abuse in 1997. Bishop Clark asked Lum to resign from his position as a diocesan tribunal judge in May of this year. Lum also lost his faculties as a priest and cannot return to ministry. Although the diocese was dismissed from the lawsuit on behalf of Lum's victim, the diocese said it did offer to cover the costs of the victim's counseling. The victim accepted the settlement, Tedesco said.

In its statement responding to Aretakis' press conference, the diocese outlined its efforts to deal with sexual abuse. In addition to creating in 1993 a lay advisory panel to deal with abuse claims, the diocese said it this year had strengthened its efforts to help victims. The diocese has hired a professional investigator to handle investigation of all allegations, and has worked with legal authorities in all of its 12 counties to establish procedures for reporting criminal sexual abuse.

Additionally, the diocese said, any victim may participate in a victims support group, and can learn about it by contacting Peter Ragonese, CSW, at 585/263-4350. Victims of clerical sexual abuse may also contact Barbara Pedeville at 585/328-3210, ext. 215, or Father Robert Ring at 315/730-0882.

Renovation opponents want ruling annulled

Rob Cullivan/Catholic Courier

Opponents of plans to renovate Rochester's Sacred Heart Cathedral filed suit Nov. 20 against the City Planning Commission, claiming it acted in an "arbitrary, capricious and illegal manner" by rejecting an application to designate the church a landmark.

The plaintiffs asked that the vote to reject the landmark application be annulled. Oral arguments in the case are slated for Jan. 16 at the Hall of Justice in downtown Rochester. The case is being heard in New York State Supreme Court.

The landmark application had been brought to the city by renovation opponents. The planning commission voted 5 to 3 in October to deny the application, which previously had received unanimous approval from the city's seven-member preservation board. The board had voted to designate the church's exterior and much of its interior a landmark. Landmark designation

would have required the Diocese of Rochester to seek city approval for certain changes.

The lawsuit contends that the planning commission ignored or overlooked proper procedures in several areas before it rejected the application. For example, the lawsuit contends that the planning commission failed to give "due consideration" to the preservation board's findings; applied improper standards of review that ignored the cathedral's historic and architectural value; and failed to recuse two members of the commission who had spoken to City Councilman Robert J. Stevenson, a member of the cathedral renovation committee, prior to voting.

City of Rochester Municipal Attorney Jeffrey Eichner said the city would defend the commission against the lawsuit.

"We maintain that the planning commission acted within their powers, and we will be supporting the decision," he said of the vote to re-

ject landmark status.

He added that a city ethics board is currently reviewing a discussion between Stevenson and two commission members, in response to complaints filed by Mary E. Aramini, a local attorney. Aramini's complaints allege that she overheard Stevenson talking about the renovations with commission members James Ely and Kara Hartway. Aramini said the discussion took place Oct. 7 in the hallway outside City Council chambers where the commission had just concluded public discussion on the landmark decision and prior to the vote. Both Ely and Hartway voted against the landmark designation.

"We don't believe at this point that (Stevenson) acted unethically in any manner," Eichner said.

Stevenson told the *Catholic Courier* that he had not yet seen the suit filed by renovation opponents, and declined to comment at this time. He said he was not "ducking" the issue, but simply deferring to

city counsel to speak on his behalf since he may become involved in legal proceedings. He added, however, that he took issue with the lawsuit's mention of his wife, Mary, who spoke out against the landmark designation during a hearing on it. His wife was well within her rights to protest the proposed designation, he said.

"I gave eight years of my life in the army to protect First Amendment rights, including hers," Stevenson said.

The Diocese of Rochester is named in the suit, but is not its target. Michael Tedesco, diocesan spokesman, said the diocese would monitor the case as it proceeds.

The plaintiffs suing the commission are Kathy Wyand, Michael Brennan, Patrick and Kathleen Donahue, and Jan and Barbara Fredericks. All are Rochester residents who attend Sacred Heart Cathedral and belong to the Sacred Heart Preservation Committee, an anti-renovation group.