

Lake Worth man's lawsuit over priest abuse settled

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WEST PALM BEACH — A civil lawsuit poised to lay bare the Catholic Church's handling of sexual abuse claims against priests has been settled on the cusp of trial.

Kevin Sidaway's 2002 claim against the Archdiocese of Miami, set for trial April 22, has been resolved for a confidential amount of money, two attorneys for the Lake Worth man confirmed Thursday.

West Palm Beach litigator Jack Scarola said he was not surprised, but was disappointed that there would be no public airing of Sidaway's experience.

Sidaway settled a sex-abuse claim with the Archdiocese of Miami in 1998 for \$900,000, then sued the church again in 2002, saying the reforms he pressed for had not been executed and that he was fraudulently induced to accept a lower amount.

"I believe there are some very, very significant lessons that rest in the facts of this case," Scarola said Thursday. "I am not surprised that the church hierarchy recognized the fact this would be an extremely dangerous case for them to allow to go to trial."

An attorney for the archdiocese, C. Brooks Ricca Jr., did not return a call seeking comment, nor did archdiocese spokeswoman Mary Ross Agosta.

Sidaway, 53, also did not return a call.

Sidaway has previously talked publicly of his sexual abuse at the hands of a priest from his Boynton Beach parish when he was 11 years old. On a trip with the Rev. Rocco D'Angelo, a family friend, Sidaway was repeatedly sodomized, Scarola said.

When Sidaway discovered that D'Angelo, who is now deceased, was still a priest in St. Petersburg in the '90s and victimizing others, Sidaway unsuccessfully sought criminal charges against him and then sued.

The upcoming trial in West Palm Beach was scheduled for three weeks and appeared to be a potential bruiser for the church, with Archbishop John Favalora himself subpoenaed to testify, as well as various church officials who brokered Sidaway's settlement with the church in 1998.

Also set to appear were lawyers who have settled priest sex-abuse claims to testify as to the true value of Sidaway's old claim, Scarola said.

The lawsuit sought the difference in what was paid to Sidaway in 1998 and what the full value was, as well as punitive damages for what Scarola characterized as "intentional misconduct" by the church. Sidaway sought \$3 million in 1998.

Scarola said that when Favalora was deposed in another lawsuit and was questioned about reforms undertaken after Sidaway's claim, Favalora said he had not heard of Kevin Sidaway.

Shelley Stevens, who represented Sidaway during the 1998 negotiations, said Thursday that the new settlement "allows Kevin Sidaway to receive the compensation he was entitled to, which he traded off hoping to change the ways of the archdiocese and to protect some other children."

Stevens said the most significant reform promised, which had not occurred when Sidaway sued, was the manner in which the archdiocese locates abuser priests and the promise that they would be dealt with externally rather than internally.

"A method which would not allow them to ... continue to hide them," she said.

Sidaway noticed when reforms called for at a national bishop's conference, made part of church policy in 2003, did not go as far as he had requested, Stevens said.

"They would have made a significant difference in saving some kids from the heartaches they went through," Stevens said.

"That trial would have permitted a look inside the archdiocese as to how they handled these cases and would have actually demonstrated ... they are more committed to saving their own."

Staff writer Eliot Kleinberg contributed to this story.

Editorial: Confession, but no change

Palm Beach Post Editorial

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Kevin Sidaway confronted his abuser at age 11. That was in 1967. He hasn't stopped.

Last week, after a seven-year legal battle, the Archdiocese of Miami settled a suit with Mr. Sidaway over, among other things, the Catholic Church's lack of transparency. It should come as no surprise that the terms of the settlement were confidential, and the church's spokeswoman and attorney would not comment.

Mr. Sidaway, a parishioner in Boynton Beach before the creation of the Diocese of Palm Beach in 1984, thought he was done suing in 1998, when the church settled his original lawsuit for a then-undisclosed sum - now reported to be \$900,000 - and some critical promises. Among them, the church would stop sending abusive priests to places where they could continue to abuse. The promise seemed hollow when Miami Archbishop John Favalora testified in another lawsuit that he had never heard of Kevin Sidaway.

For too long, the church acted as if it had never heard of any of the victims of sex abuse by priests. It put a premium on silence and shuffled bad priests from parish to parish, never telling victims that those priests would continue to serve. Mr. Sidaway was abused by Rocco D'Angelo, who ended up in the Tampa area, where four more men later said that he had molested them as children. The church sent the Palm Beach Diocese two bishops who had been abusers. Both resigned in disgrace.

Mr. Sidaway put his faith in the church when he settled the first suit for less money and plenty of promises. Now his first lawyer, Shelley Stevens, says the new settlement "allows Kevin Sidaway to receive the compensation he was entitled to, which he traded off hoping to change the ways of the archdiocese and to protect some other children." The church claims to have changed. It promised new openness to put the shadow of abuse behind it. You can't get to openness without being open.
