

US Supreme Court denies Vatican petition

Dennis Coday | Jun. 28, 2010 NCR Today

Just received the following media release from Jeff Anderson & Associates, the Minnesota law firm that represents victims of clergy sex abuse:

U.S. Supreme Court denies Vatican petition to hear Oregon clergy sexual abuse case

Denial allows civil lawsuit against the Holy See to proceed despite the Vatican's claim of Foreign Sovereign Immunity

Statements of Counsel for the Plaintiff/Respondent follow:

Jeff Anderson: "Today's action by the Justices is an answer to the prayers of literally thousands of survivors of sexual abuse who finally have a real shot at obtaining justice, and the truth, about the complicity of Vatican leaders in covering up the criminal acts of Catholic priests against innocent children. On behalf the victim in this case, and all the courageous survivors who have suffered the denials of generations of Vatican leaders, we thank the Justices for their courage to let this case proceed. Finally, we have achieved a chance for justice, accountability and healing."

[Jeff Anderson, Attorney for the Plaintiff in John V. Doe Versus Holy see, is an internationally known St. Paul, Minnesota-based trial lawyer widely recognized as a pioneer in sexual abuse litigation and has earned a reputation as a tireless champion of civil rights for children and the under-privileged. One of the first trial lawyers in America to publicly and aggressively initiate suits against religious organizations and hold them responsible by utilizing the American civil justice system, Anderson has represented thousands of survivors of sexual abuse by authority figures and clergy. Contact: office/651.227.9990 Cell/612.817.8665]

Marci Hamilton: "The United States Supreme Court's denial of the Holy See's request to hear this case was both legally and morally the right thing to do. Since 2002, when the public first learned about Catholic officials' coverup of priests' sexual abuse of children, thousands of victims here in the United States and millions of citizens who are rightfully and sufficiently outraged have demanded accountability. Incredibly, even as the abuse scandal rocked our nation over the past decade, Congress and both Presidents Bush and Obama have failed to intervene or even acknowledge what has become a national and international tragedy. Thanks to the courage and persistence of the victims and their families, the judicial branch of the United States Government may finally be the venue in which secrecy gives way

to truth. This is a victory for American citizens who are harmed by foreign sovereigns.

[Marci A. Hamilton, Counsel of Record for Respondent John V. Doe on the petition for a Writ of Certiorari, is one of the United States' leading church/state legal scholars, as well as an expert on federalism and representation. Professor Hamilton holds the Paul R. Verkuil Chair in Public Law at the Benjamin N. Cardozo School of Law, Yeshiva University, and is the author of *God vs. the Gavel: Religion and the Rule of Law* (Cambridge University Press 2005), and *Justice Denied: What America Must Do to Protect Its Children* (Cambridge 2008). Contact: 215.353.8984 and hamilton02@aol.com]

FACTS AND PROCEDURAL HISTORY

John V. Doe was allegedly abused multiple times in 1965, when he was a minor, by Father Andrew Ronan, in Portland, Oregon. Before Portland, Father Ronan was caught by Catholic Church officials sexually molesting seminarians in Ireland and children in Chicago. John V. Doe brought suit against the Servites, a religious order, and the Holy See, which is the head of the Catholic Church.

The claims against the Holy See included vicarious liability for the acts of its instrumentalities and domestic corporations, respondeat superior for the actions of Ronan as an alleged employee of the Holy See, and direct liability based on the Holy See's own negligence in retention and supervision of Ronan, and its failure to warn of his harmful propensities. In response, the Holy See claimed sovereign immunity from suit under the FSIA and moved the court to dismiss the case.

The district court denied the motion to dismiss and the 9th Circuit Court of Appeals also denied the Holy See's motion. As a result, the Holy See petitioned the U.S. Supreme Court to hear the case on appeal. Today's action denies the petition and therefore allows the case to move to discovery and trial in the United States District Court for the District of Oregon.

Jeffrey Lena, the California-based attorney who represents the Vatican in American litigation, issued this statement following the announcement that the U.S. Supreme Court would not hear an appeal from the Holy See: [Vatican's US attorney responds to Supreme Court action](#) [1]

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