

MITCHELL GARABEDIAN

Mitchell Garabedian is a Boston Massachusetts attorney specializing in sexual abuse cases.¹ He has become an internationally recognized advocate on the topic.² He began practicing law in 1979 as a lawyer who represented individuals including victims of injury cases.³ Attorney Garabedian became widely known for his representation of victims or survivors of Roman Catholic Church clergy sexual abuse in the 1990's and 2000's.⁴ Over his career he has so far represented more than 600 victims or survivors of clergy sexual abuse.⁵ On the A&E TV program *Sins of a Priest: The John J. Geoghan Story*, Mitchell Garabedian's efforts to expose the secrets of the Roman Catholic Archdiocese of Boston were

¹ Stern, Gary, *Salesians Settle Sex-Abuse Claim With 3 Men*, (8/9/2009), LoHud.com, <http://www.lohud.com/apps/pbcs.dll/article?AID=2009908090331>; Berfanger, Rebecca J., *Lawyer of the Year 2002 Mitchell Garabedian*. Massachusetts Lawyer's Weekly (2002); Aucoin, Don. *Victims of alleged sexual abuse by priests turn to Mitchell Garabedian*, The Boston Globe Spotlight Investigation: Abuse in the Catholic Church, 2002 Globe Newspaper Company (2/14/2002), http://www.boston.com/globe/spotlight/abuse/stories/021402_garabedian.htm.

² *How America's Catholic Church Crucified Itself*, The Sunday Times, Times Online, London, England (3/13/2005) http://www.timesonline.co.uk/tol/life_and_style/article422790.ece?print=yes&randnum=1151003209000; *Paedophile Priest Killed In Jail*, BBC News (8/24/2003) <http://news.bbc.co.uk/go/pr/fr/-/2/hi/americas/3177021.stm>; Owen, Richard, *Sex-Scandal Cardinal Set For Senior Vatican Job*, The Times, London (12/16/2002); *Boston church offers \$US55m abuse settlement*, Australian Broadcasting Corp. News (8/9/2003); *A Series of Sexual Abuse Cases, 2000 Law-Breaking Priests*, The Yomiuri Shimbun, Japan (4/24/2002); *Church in Court*, Breakfast, Australian Broadcasting Corp. (12/30/2002); *La Archidiócesis de Boston Pagará 10 Millones de Dólares a 86 Víctimas de un Cura Pederasta*, Reuters, El Mundo, Madrid, Spain (9/4/2002) <http://www.elmundo.es/elmundo/2002/09/04/sociedad/1031110794.html>.

³ Aucoin, Don. *Victims of alleged sexual abuse by priests turn to Mitchell Garabedian*, The Boston Globe Spotlight Investigation: Abuse in the Catholic Church, 2002 Globe Newspaper Co. (2/14/2002), http://www.boston.com/globe/spotlight/abuse/stories/021402_garabedian.htm.

⁴ Face the Nation (CBS 4/28/2002), <http://www.cbsnews.com/stories/2002/04/29/ftn/main507501.shtml>; Nightline: Sins of the Fathers (ABC 3/14/2002), <http://tvnews.vanderbilt.edu/siteindex/2002-Specials/special-2002-03-14-ABC-1.html>; Aucoin, Don. *Victims of alleged sexual abuse by priests turn to Mitchell Garabedian*, The Boston Globe Spotlight Investigation: Abuse in the Catholic Church, 2002 Globe Newspaper Co. (2/14/2002), http://www.boston.com/globe/spotlight/abuse/stories/021402_garabedian.htm.

⁵ Stern, Gary, *Salesians Settle Sex-Abuse Claim With 3 Men*, (8/9/2009), LoHud.com, <http://www.lohud.com/apps/pbcs.dll/article?AID=2009908090331>.

described by Boston Globe Pulitzer Prize winning journalist Walter Robinson, “Mitchell Garabedian, by going to court and filing suit, essentially pried open Pandora’s box.”⁶

As a Lawyer

After joining the Bar in 1979, Attorney Garabedian built a general practice around representing individuals.⁷ His practice specialized in cases involving personal injury, divorce, immigration, bankruptcies, and minor criminal matters.⁸ It was not until the mid-1990s that the clergy sexual abuse crisis became the focus of Attorney Garabedian’s practice.⁹ While records now publicly available show Catholic clergy in Boston had for decades been sexually abusing children this was a well kept secret of the Boston Archdiocese in 1995.¹⁰ In the mid 1990’s Attorney Garabedian began to meet with victims or survivors who as children had been sexually abused by Father John J. Geoghan. Father Geoghan was a Roman Catholic priest of the Boston Archdiocese who would later be accused of sexually abusing over 140 children.¹¹ In 1996 Attorney Garabedian filed suit against Father Geoghan, a foreshadowing of the massive litigation to follow naming hundreds of Catholic priests and dioceses throughout the United States and ultimately the world.¹² In preparing for the trials of the Father Geoghan cases, Attorney Garabedian pressed Father Geoghan and the Boston Archdiocese to produce documents regarding Father

⁶ *Sins of a Priest: The John Geoghan Story*, A&E (2008): see also Boston Globe Pulitzer Prize-Winning Investigative Journalist Walter V. Robinson Named Distinguished Professor of Journalism at Northeastern University (8/7/2006), <http://www.northeastern.edu/research/announcement/?id=15>.

⁷ Aucoin, Don. *Victims of alleged sexual abuse by priests turn to Mitchell Garabedian*, The Boston Globe Spotlight Investigation: Abuse in the Catholic Church, 2002 Globe Newspaper Co. (2/14/2002), http://www.boston.com/globe/spotlight/abuse/stories/021402_garabedian.htm.

⁸ Aucoin, Don. *Victims of alleged sexual abuse by priests turn to Mitchell Garabedian*, The Boston Globe Spotlight Investigation: Abuse in the Catholic Church, 2002 Globe Newspaper Co. (2/14/2002), http://www.boston.com/globe/spotlight/abuse/stories/021402_garabedian.htm.

⁹ Aucoin, Don. *Victims of alleged sexual abuse by priests turn to Mitchell Garabedian*, The Boston Globe Spotlight Investigation: Abuse in the Catholic Church, 2002 Globe Newspaper Co. (2/14/2002), http://www.boston.com/globe/spotlight/abuse/stories/021402_garabedian.htm.

¹⁰ The Investigative Staff of the Boston Globe. *Betrayal, The Crisis in the Catholic Church*. The Boston Globe, Little, Brown and Company, Boston (2002), p. 3, 19-30-36, 47-48, 53, 56-59, 61-62, 66-67, 71-73.

¹¹ Berfanger, Rebecca J., *Lawyer of the Year 2002 Mitchell Garabedian*. Massachusetts Lawyer’s Weekly (2002).

¹² Langner, Paul, *Woman Charges Priest Abused Her Three Sons*, The Boston Globe (7/11/1996); Ranalli, Ralph, *Church Increases Its Offer To \$65m, Figure Still Below Plaintiffs' Minimum*, The Boston Globe (8/22/2003).

Geoghan's conduct.¹³ The Archdiocese for years resisted complying with those subpoenas claiming the First Amendment protected the documents.¹⁴ Attorney Garabedian successfully argued he only wanted the court to order the Church to produce documents concerning Father Geoghan's misconduct with children; not Father Geoghan's religious belief or performance. The court agreed and ordered documents produced pertaining to Father Geoghan's conduct and behavior.¹⁵ The Boston Archdiocesan records produced pursuant to court orders showed senior officials of the Boston Archdiocese knew from at least 1980 that Father Geoghan had sexually abused multiple children.¹⁶ Yet, these records also showed the Boston Archdiocesan officials kept reassigning Father Geoghan to new parishes, where his predilections to abuse children were unknown.¹⁷

While Attorney Garabedian learned of this history he was precluded from revealing the information by a court order the Boston Archdiocese obtained requiring Attorney Garabedian and his clients not to reveal what they discovered prior to trial.¹⁸ The Boston Globe, with the support of Attorney Garabedian's clients, successfully petitioned the court to gain access to the secret documents Attorney Garabedian had uncovered.¹⁹ When those documents were released to the Globe in January 2002 and subsequently published, for the first time, people saw that the Boston Archdiocese was knowingly

¹³ Ribadeneira, Diego, *Stay Asked In Suits Against Priest, Lawyers Say Defense Against Abuse Charges Would Be Hurt*, The Boston Globe, (5/3/1997); Burge, Kathleen, *Cardinal Sought Secrecy In Suit*, The Boston Globe, (7/18/2001); *Leary v. Geoghan, Evidence, Document Production – Protective Order*, Massachusetts Lawyers Weekly (9/18/2000); *Leary v. Geoghan, Evidence, Discovery – Sexual Abuse Case – Supervisory Defendants*, Massachusetts Lawyers Weekly (9/18/2000).

¹⁴ *Leary v. Geoghan, Evidence, Document Production – Protective Order*, Massachusetts Lawyers Weekly (9/18/2000); *Leary v. Geoghan, Evidence, Discovery – Sexual Abuse Case – Supervisory Defendants*, Massachusetts Lawyers Weekly (9/18/2000); Liptak, Adam, *Boston Archdiocese Asks for Dismissal of All Suits*, The New York Times (12/24/2002), <http://www.nytimes.com/2002/12/24/us/boston-archdiocese-asks-for-dismissal-of-all-suits.html>

¹⁵ *Leary v. Geoghan, Evidence - Document Production - Protective Order*, Massachusetts Lawyers Weekly (9/18/2000); *Leary v. Geoghan, Evidence - Sexual Abuse Case - Supervisory Defendants*, Massachusetts Lawyers Weekly (9/18/2000); *Leary v. Geoghan*, 2000, WL, 1473579. (Mass.Super.2000)

¹⁶ The Investigative Staff of the Boston Globe. *Betrayal, The Crisis in the Catholic Church*. The Boston Globe, Little, Brown and Company, Boston (2002), pp. 23-26.

¹⁷ The Investigative Staff of the Boston Globe. *Betrayal, The Crisis in the Catholic Church*. The Boston Globe, Little, Brown and Company, Boston (2002), p. 35.

¹⁸ *Leary vs. Geoghan*, 2001, WL, 1902393. (Mass. Super.2001)

¹⁹ *Leary vs. Geoghan*, 2001, WL, 1902393 & n.8. (Mass. Super.2001).

reassigning an admitted pedophile priest to unknowing parishes.²⁰ This was a watershed event as it showed the Catholic hierarchy was knowingly reassigning a priest who admitted to being a pedophile.²¹

Litigation that followed revealed this was too often a common practice.²² In a February 2003 article about a Suffolk County, New York, Grand Jury report concerning pedophile priests within the Diocese of Rockville Centre, New York, the New York Times reported, :

The report was one of the most comprehensive accountings of abuse by priests in a diocese since the pedophile scandal engulfed the Roman Catholic Church 13 months ago with disclosures that a Boston priest had attacked 130 boys over 30 years. Since then, hundreds of civil suits have been filed with claims totaling more than \$100 million, and prosecutors across the nation have taken their investigations of clerical sexual abuse before dozens of grand juries.²³

The 2002 news coverage of the Father Geoghan cases was the beginning of the intense media period for the Roman Catholic Clergy sexual abuse crisis.²⁴ Attorney Garabedian continued to pressure the church.²⁵ The book *Betrayal: The Crisis in the Catholic Church*, written by the Boston Globe Investigative Staff, puts in perspective the secrecy of the abuse scandal and Attorney Garabedian's efforts

²⁰ The Investigative Staff of the Boston Globe. *Betrayal, The Crisis in the Catholic Church*. The Boston Globe, Little, Brown and Company, Boston (2002), pp. 23-26, 48.

²¹ The Investigative Staff of the Boston Globe. *Betrayal, The Crisis in the Catholic Church*. The Boston Globe, Little, Brown and Company, Boston (2002), pp. 48-49.

²² The Investigative Staff of the Boston Globe. *Betrayal, The Crisis in the Catholic Church*. The Boston Globe, Little, Brown and Company, Boston (2002), p. 54-59, 64, 66-67, 72, 74; McFadden, Robert D., *L.I. Diocese Deceived Victims of Abuse, A Grand Jury Says*, The New York Times (2/11/2003), <http://www.nytimes.com/2003/02/11/nyregion/li-diocese-deceived-victims-of-abuse-a-grand-jury-says.html?pagewanted=all> (Long Island Grand Jury report on Diocese of Rockville Center, New York) ; Goodstein, Laurie, *Dioceses Resist Releasing Names Of Accused Priests*, The New York Times (2/28/2003), <http://www.nytimes.com/2003/02/28/us/diocese-resists-releasing-names-of-accused-priests.html> (Grand Jury investigation of Diocese of Cleveland, Ohio); Butterfield, Fox, *Report Details Sex Abuse By Priests And Inaction By A Diocese*, The New York Times (3/4/2003), <http://www.nytimes.com/2003/03/04/us/report-details-sex-abuse-by-priests-and-inaction-by-a-diocese.html> (New Hampshire Attorney General Report on Diocese of Manchester, New Hampshire);The Irish Report, <http://www.childabusecommission.com/rpt/ExecSummary.php>; .

²³ McFadden, Robert D., *L.I. Diocese Deceived Victims of Abuse, A Grand Jury Says*, The New York Times (2/11/2003), <http://www.nytimes.com/2003/02/11/nyregion/li-diocese-deceived-victims-of-abuse-a-grand-jury-says.html?pagewanted=all> (emphasis supplied).

²⁴ The Investigative Staff of the Boston Globe. *Betrayal, The Crisis in the Catholic Church*. The Boston Globe, Little, Brown and Company, Boston (2002), p. 98-101; see also Face the Nation (CBS 4/28/2002), <http://www.cbsnews.com/stories/2002/04/29/ftn/main507501.shtml>; Nightline: Sins of the Fathers (ABC 3/14/2002), <http://tvnews.vanderbilt.edu/siteindex/2002-Specials/special-2002-03-14-ABC-1.html>.

²⁵ *See, e.g.*, Carroll, Matt. *Victims Ponder Accord, Anguish*, The Boston Globe (3/13/2002), http://www.boston.com/globe/spotlight/abuse/stories/031302_victims.htm

to expose it:

But by late 2001, Garabedian had spent five years interviewing alleged victims of John Geoghan's sexual abuse, filing lawsuits, requesting Church records through the legal discovery process, and deposing Church officials under oath. Through it all, he compiled a body of evidence showing that cardinals, bishops, and other Church officials had been covering up for Geoghan for more than three decades.²⁶

Such formerly secret evidence paved the way for Attorney Garabedian and his clients to reach a highly emotional settlement with the Archdiocese of Boston. In March of 2002 Attorney Garabedian and his 86 clients in the Father Geoghan cases settled with the Boston Archdiocese.²⁷ Unlike victims or survivors in previous cases, the 86 victims or survivors refused to sign confidentiality agreements and the church ultimately conceded that confidentiality agreements did not have to be signed.²⁸ Three months later the United States Conference of Catholic Bishops adopted a policy that said that confidentiality agreements would no longer be used in settlements of clergy sexual abuse cases.²⁹ In The Boston Globe's book, *Betrayal The Crisis In the Catholic Church*, Garabedian is quoted as saying "Obviously, confidentiality agreements are good for the perpetrator and his or her enablers, since the secrecy allows for further wrongful acts to continue."³⁰

The settlement was reported publicly and to the court.³¹ In fact, the then Archbishop of Boston, Cardinal Bernard F. Law, said in a press release that he hoped "the resolution of these cases will continue the healing process. This settlement is an important closure for these victims who have long endured the

²⁶ The Investigative Staff of the Boston Globe. *Betrayal, The Crisis in the Catholic Church*. The Boston Globe, Little, Brown and Company, Boston (2002), pg. 48.

²⁷ Robinson, Walter V., *Diocese, Plaintiffs Settle Suit*. The Boston Globe (3/12/2002).

²⁸ Carroll, Matt, *Victims Ponder Accord, Anguish*, The Boston Globe (3/13/2002), http://www.boston.com/globe/spotlight/abuse/stories/031302_victims.htm

²⁹ *Sexual abuse policy adopted by U.S. Bishops, Charter for the Protection of Children and Young People*, Article 3, USA Today (6/14/2002); Wakin, Daniel J., *Scandals In The Church: The Policy; Bishops To Enforce Rules, With Power Of Church Law*, The New York Times (6/15/2002) 2005 *Charter for the Protection of Children and Young People Essential Norms Statement of Episcopal Commitment*, Article 3, United States Conference of Catholic Bishops, Washington D.C.

³⁰ The Investigative Staff of the Boston Globe. *Betrayal, The Crisis in the Catholic Church*. The Boston Globe, Little, Brown and Company, Boston (2002), p. 48.

³¹ Carroll, Matt, *Victims Ponder Accord, Anguish*, The Boston Globe (3/13/2002); Burge, Kathleen, *Chancellor Details Money Crunch*, The Boston Globe (8/6/2002); Burge, Kathleen, *Testimony Turns To Public Statements*, The Boston Globe (8/7/2002).

damage done to them by John Geoghan.”³² However, in May of 2002 Cardinal Law reversed himself and announced that the archdiocese would not honor the settlement with the 86 victims or survivors.³³ Attorney Garabedian argued that this was a breach of a settlement agreement reported to the court.³⁴ The court scheduled hearings and allowed depositions to determine if the Archdiocese had in fact entered into an agreement that the Archdiocese could now not breach.³⁵ At the request of Attorney Garabedian on behalf of his 86 clients, the court immediately ordered Cardinal Law to be deposed and allowed other Church officials to be deposed.³⁶ Attorney Garabedian and his senior associate, Attorney William H. Gordon, deposed Cardinal Bernard Law for several days and in the summer of 2002 a trial was held on the enforceability of the reported settlement agreement.³⁷ Before the verdict issued, Attorney Garabedian’s 86 clients and the Archdiocese entered into a 10 million dollar settlement.³⁸ This large sum was one of the larger settled cases in the clergy sexual abuse crisis to that point and became a model for other settlements.³⁹

After this landmark case victims or survivors continued to emerge from the secrecy of the clergy sexual abuse cases. In the fall of 2003 Attorney Garabedian was then representing another 120 clients

³² Carroll, Matt, *Victims Ponder Accord, Anguish*, The Boston Globe (3/13/2002).

³³ Kurkjian, Stephen and Robinson, Walter V., *Archdiocese Abandons Deal In Geoghan Case*, (5/5/2002); Kurkjian, Stephen and Rezendes, Michael, *Church Weighs Borrowing to Settle Claim*. The Boston Globe, (5/5/2002).

³⁴ Rosenwald, Michael S., *Judge Orders Questioning Of Law*, The Boston Globe (5/7/2002); Rezendes, Michael, *Verbal Ok Could Bind Church, Law Professor Says*, The Boston Globe (5/8/2002); McNamara, Eileen. *We’ve Heard this Before*, The Boston Globe (8/4/2002).

³⁵ Rosenwald, Michael S., *Judge Orders Questioning Of Law*, The Boston Globe (5/7/2002); Belluck, Pam, *Cardinal Law Is Told to Give Deposition on Wednesday*, The New York Times (5/7/2002); Rezendes, Michael, *Verbal Ok Could Bind Church, Law Professor Says*, The Boston Globe (5/8/2002); Burge, Kathleen, *Power Of Archdiocese With Law, Judge Says*, The Boston Globe (7/13/2002);

³⁶ Rosenwald, Michael S., *Judge Orders Questioning Of Law*, The Boston Globe (5/7/2002); Belluck, Pam, *Cardinal Law Is Told to Give Deposition on Wednesday*, The New York Times (5/7/2002); Arnold, David and Rezendes, Michael, *Law Deposition Ends, For Now*, The Boston Globe (5/14/2002).

³⁷ Burge, Kathleen, *Judge Weighs Church Lawsuit*, The Boston Globe (8/8/2002); Belluck, Pam, *Boston’s Cardinal Defends Abandoning Abuse Accord*, The New York Times (8/3/2002); Arnold, David and Rezendes, Michael, *Law Deposition Ends, For Now*, The Boston Globe (5/14/2002);

³⁸ Robinson, Walter V. and Rezendes, Michael, *Goeghan Victims Agree to \$10m Settlement*, The Boston Globe (9/19/2002).

³⁹ Robinson, Walter V. and Rezendes, Michael, *Goeghan Victims Agree to \$10m Settlement*, The Boston Globe (9/19/2002); see Ranalli, Ralph, *Church Increases Its Offer To \$65m, Figure Still Below Plaintiffs’ Minimum*, The Boston Globe (8/22/2003).

who claimed they had been sexually abused by priests who had worked in the Archdiocese of Boston. Unlike the earlier 86 victims or survivors of Father Geoghan who identified one priest abuser, that is, Father Geoghan; altogether, the 120 victims or survivors in 2003 stated claims identifying as their sexual abusers over 40 different priests who had worked in the Archdiocese of Boston. Attorney Garabedian along with lawyers representing 431 other victims or survivors of abuse reached an 85 million dollar settlement with the Boston Archdiocese.⁴⁰

Attorney Garabedian's practice is not limited to victims or survivors of clergy sexual abuse.⁴¹ He has and continues to represent victims or survivors of sexual abuse of all ages, including, but not limited to, children, who were sexually abused by sexual abusers of all walks of life, including, but not limited to, teachers, coaches, priests, scout leaders, and others in authority.⁴²

Media

In 2002 Attorney Garabedian was named the Lawyer's Weekly Massachusetts Lawyer of the Year.⁴³ He has received mention in books such as the Boston Globes' *Betrayal: The Crisis in the Catholic Church*⁴⁴, Jimmy Breslin's *The Church That Forgot Christ*⁴⁵, and Timothy D. Lytton's *Holding Bishops Accountable*.⁴⁶ Attorney Garabedian has been interviewed by the print, electronic, and video media internationally and nationally hundreds of times throughout his career. Attorney Garabedian was

⁴⁰ Russell, Jenna, *Abuse Victims Receive Settlement Amount*. The Boston Globe (12/21/2003).

⁴¹ Moskowitz, Eric, *BB&N Issues Apology For Abuse, Mishandled reports of molestation in '80s*, The Boston Globe (10/14/2008) http://www.boston.com/news/local/articles/2008/10/14/bbn_issues_apology_for_abuse?mode=PF Menard, Ryan, *Big-Name Lawyer Hired In Sex-Abuse Case Whitman Man Says He Was Molested By A Big Brother Mentor*, The Patriot Ledger Quincy, MA (5/18/2007); Weber, David, *Man sues ex-Scout leader, supervisor over molestation*, Boston Herald (12/5/2001).

⁴² Stern, Gary, *Salesians Settle Sex-Abuse Claim With 3 Men*, (8/9/2009), LoHud.com, <http://www.lohud.com/apps/pbcs.dll/article?AID=2009908090331>; Weber, David, *Man sues ex-Scout leader, supervisor over molestation*. The Boston Herald (12/5/2001); Menard, Ryan, *Big-name lawyer hired in sex-abuse case Whitman man says he was molested by a Big Brother mentor*. The Patriot Ledger, Quincy, MA (5/18/2007); Fennimore, Jillian, *Man seeks \$1M from Cambridge private school after alleged sexual abuse*. Patriot Ledger, (5/11/2009).

⁴³ Berfanger, Rebecca J., *Lawyer of the Year 2002 Mitchell Garabedian*. Massachusetts Lawyer's Weekly (2002)

⁴⁴ The Investigative Staff of the Boston Globe. *Betrayal, The Crisis in the Catholic Church*. The Boston Globe, Little, Brown and Company, Boston (2002).

⁴⁵ Breslin, Jimmy. *The Church That Forgot Christ*. Free Press, New York (2004).

⁴⁶ Lytton, timothy D. *Holding Bishops Accountable*. Harvard University Press, Cambridge Massachusetts (2008).

also portrayed by the actor Ted Danson in the movie *Our Fathers*, which highlighted Attorney Garabedian's historic struggle with Cardinal Law and the Catholic Church.⁴⁷

In his book *The Church that Forgot Christ*, Jimmy Breslin described Attorney Garabedian as a "fighter."⁴⁸ Attorney Garabedian continues to zealously advocate for the victims or survivors of sexual abuse who were sexually abused by sexual abusers of all walks of life, such as teachers, coaches, priests, scout leaders, and others who have taken advantage.

⁴⁷ *Our Fathers*, Alliance Atlantis, Showtime Entertainment (2004).

⁴⁸ Breslin, Jimmy. *The Church That Forgot Christ*. Free Press, New York (2004).