



**Misconduct Litigation**

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Litigation*

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## OVERVIEW

For nonprofit and religious clients, getting sued because of the alleged sexual misconduct of an employee, volunteer or leader – sometimes decades after the alleged misconduct – is truly devastating. In addition to concerns regarding liability exposure and damages, the revelation of a claim creates stress and concern, starting fundamentally with concern for the alleged victim. The team of lawyers at Stradley Ronon understands these issues well. We have counseled and represented a wide array of nonprofit entities and religious institutions – congregations, national and regional supervisory bodies, schools, colleges, and youth-serving and other community groups – that have faced these claims. Our experienced team has successfully defended clients in sexual abuse claims across the country, including in California, Connecticut, Delaware, Florida, Georgia, Hawaii, Iowa, Massachusetts, Minnesota, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, South Dakota, Texas and the District of Columbia.



We know how difficult this type of litigation is for clients, their advisors and other stakeholders. Emotions run particularly high in cases involving allegations of sexual misconduct against minors and vulnerable adults by persons in positions of trust and leadership, and these cases are often the subjects of headlines around the country and the globe. We go beyond legal defenses to assist clients in managing the crisis – internally and externally – with staff, shareholders, law enforcement and the media.

Where viable defenses exist and where warranted according to our client's interests, we aggressively pursue factual and legal defenses. In doing so, we work closely with our clients, their advisors and other stakeholders to protect and preserve their reputational interests, especially in a toxic media environment. Our attorneys work with established and respected expert witnesses across the country, both on issues of liability and damages and on dealing with crisis communications. We have

## OUR EXPERIENCE

- Serving as counsel of record for a **religious organization that was named in 39 separate cases in Delaware** following the enactment of the Child's Victim Act in 2007 (removed the statute of limitations for a two-year period); **the cases were ultimately resolved through a global mediation process.**
- Assisting collaboratively in the **creation of mass settlement case assessment measures for use in abuse cases**, including those used by nonprofit organizations to resolve several hundred claims.
- Evaluating hundreds of claims presented in the context of mass victim litigation for settlement purposes and **servicing as counsel both to insurance carriers and to their nonprofit insureds.**
- Working with religious communities dealing with **abuse in immigrant communities**, where language, customs and traditions create special problems in managing and defending litigation.

a demonstrated track record of success, including:

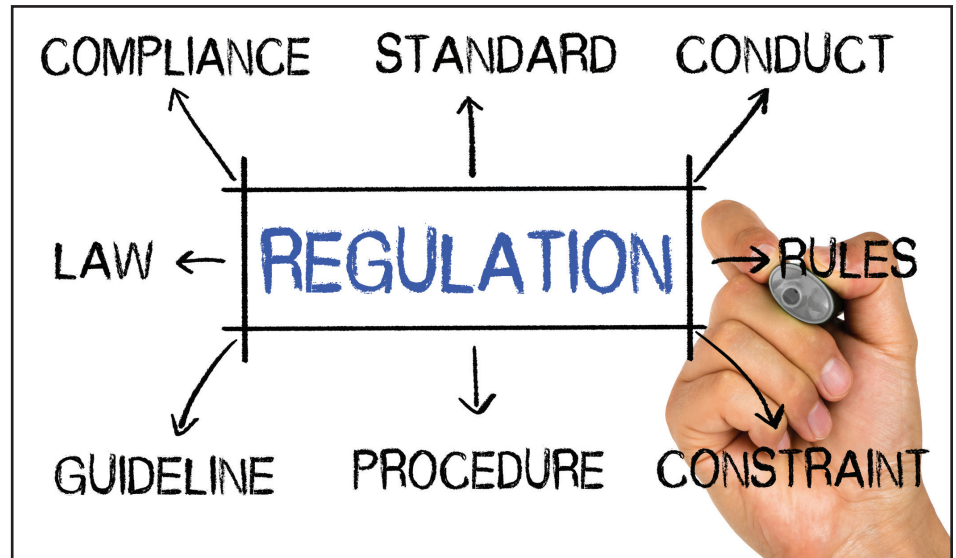
- Securing the dismissal of more than 100 alleged abuse cases brought against nonprofit institutions in Arizona, Delaware, Iowa, Louisiana, Minnesota, Mississippi, New Mexico, North Carolina, Pennsylvania, Rhode Island and South Dakota.
- Advancing First Amendment rights of religious institutions where liability claims threaten to twist denominational rules and doctrine into a liability claim.
- Defeating numerous attempts by plaintiffs to forum shop in states with more lenient jurisdictions by forcefully advancing choice-of-law defenses.
- Securing the dismissal of a class action asserting sexual abuse claims under the Racketeer Influenced and Corrupt Organization (RICO) Act.

When clients' interests direct us to seek resolution regardless of the strength and availability of defenses, we vigorously pursue a just resolution that is based on

realistic, fact-driven valuations backed up by strong advocacy of available defenses. Stradley Ronon attorneys have evaluated, litigated and, ultimately, settled scores of abuse claims, even if they are ripe for dismissal based on statute of limitations, personal jurisdiction, lack of notice or other defenses. Where appropriate, we have participated in mass mediation processes, and we are skilled in using that process to obtain settlements on favorable terms. In addition, we can help you understand the unique coverage issues attendant to sexual abuse cases and the

role of insurance coverage in the resolution of such cases.

As part of our advocacy, we regularly assist our nonprofit clients in a periodic review and update of policies and procedures, consult with them on checking the backgrounds of applicants and volunteers, and provide training and consultation to educate children and their parents about ways to detect abuse and prevent it from occurring. When an incident occurs, we work closely with our clients to implement reasonable measures to prevent a recurrence.



- Assisting the **Diocese of Honolulu** in ongoing efforts to manage and resolve more than **90 cases filed against the Diocese** in the past six years.
- Advising religious institutions in the evaluation, management and ultimate settlement of **hundreds of claims arising through bankruptcy proceedings in the U.S.**
- Counseling a **religious institution in New Mexico** regarding the resolution of 241 abuse claims presented within a seven-month period, requiring the **balancing of insurance coverage issues, threats of bankruptcy and public relations concerns.**
- Advising and defending **educational institutions** accused of poor supervision of teachers and volunteers, and community organizations accused of having poor policies and procedures.

For more information on our Misconduct Litigation Practice, visit [www.stradley.com/misconductlit](http://www.stradley.com/misconductlit).



## CONTACTS

**Michael D. O'Mara**  
Partner  
215.564.8121  
[momara@stradley.com](mailto:momara@stradley.com)

**Mark E. Chopko**  
Chair Emeritus, Nonprofit & Religious Organizations  
202.419.8410  
[mchopko@stradley.com](mailto:mchopko@stradley.com)

## ABOUT STRADLEY RONON

For more than 95 years, Stradley Ronon has helped private and public companies – from small businesses to Fortune 500 corporations – achieve their goals. With eight offices and more than 200 attorneys, Stradley Ronon is proud to help companies manage their legal challenges and grow their businesses.

[www.stradley.com](http://www.stradley.com)

## LOCATIONS

Pennsylvania  
Washington, D.C.  
New York  
New Jersey  
Illinois  
Delaware

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