

Appeals court says victims of abusive priest can sue seminary

SEATTLE - A court of appeals in Seattle has rejected a request to dismiss two lawsuits against a former Sulpician seminary that trained a priest who sexually abused minors.

The U.S. Sulpicians argued that the seminary cannot be held responsible for the abuse committed by former priest Patrick O'Donnell following his ordination.

If successful, the lawsuits could be the first in which a seminary is found legally liable for having recommended the ordination of someone who subsequently molested children.

O'Donnell studied at Sulpician-run St. Thomas Seminary in Kenmore, a Seattle suburb, and was ordained a priest of the Spokane Diocese in 1971. He has been accused of molesting at least 65 minors between 1970 and his permanent removal from ministry in 1985.

The lawsuits contend that seminary officials knew O'Donnell had molested boys but recommended him for ordination anyway. They allege that the seminary sent him to sexual deviancy counseling while he was still in the seminary.

O'Donnell has reportedly testified in depositions that he told his seminary spiritual director of his sexual attraction to children and his struggles with his sexuality. Lawyers for the seminary said a spiritual director cannot reveal what is learned in confession, so he could not have informed the seminary faculty about such conversations.

Thirty-one other victims of O'Donnell have also filed lawsuits against the seminary and the Sulpicians.

The request for dismissal was first denied by a state trial court.

In upholding that earlier decision, the appeals court said that although the lawsuits were entering uncharted waters the trial court's ruling "is a logical extension of

existing law.”

Father Ronald D. Witherup, Sulpician provincial, and other provincial officials were out of town for several days when Catholic News Service tried to contact them at provincial headquarters in Baltimore May 23, and they could not be reached immediately for comment. CNS was told the officials would be out of town until early June.

The Society of St. Sulpice is a society of diocesan priests who are released from diocesan duties to devote full time to seminary education.

Among the seminaries the Sulpicians run in the United States are St. Mary's University and Seminary in Baltimore, the nation's oldest seminary, and Theological College in Washington, a national diocesan seminary affiliated with The Catholic University of America.

St. Thomas Seminary's four-year theological program was terminated in 1978 as it and other seminaries nationwide faced significant drops in enrollments. The seminary became a Seattle archdiocesan conference center and was renamed St. Thomas Center in 1980. The archdiocese subsequently leased and then sold the property to Bastyr University, which specializes in natural health sciences.