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MEDIATION TEAM FROM BROCKTON BROKERED GEOGHAN SETTLEMENT

By Sean Flynn, Enterprise staff writer

BROCKTON -- Two local attorneys played a key role in the legal settlement between the Archdiocese of Boston and 86 people claiming they were sexually abused by defrocked priest John F. Geoghan.

Paul A. Finn and Sarah E. Worley, president and vice president, respectively, of Commonwealth Mediation and Conciliation of Brockton, brokered the deal that reportedly will give the victims \$20 to \$30 million.

"Both sides worked very hard so people abused by this priest Geoghan were given a sense of justice," said Finn, 52. "We were all working toward one goal: to begin the healing process for them."

In 1992, Finn negotiated the church's agreement with 68 people who said they were abused by James Porter when he was a priest in the Diocese of Fall River. Porter is now in prison.

Finn, a longtime Brockton resident and a member of the city's License Commission, and Worley kept the attorneys for the Geoghan victims and the archdiocese at the table during a marathon negotiating session Monday night until the settlement was reached.

Their work on the case is expected to continue until October.

"It has been the most intellectually stimulating case I've had, and the most intensive, no doubt about it," said Finn, who estimates he has handled about 3,000 mediations, mostly personal injury cases, during his career.

The Geoghan settlement calls for victims to have two-hour meetings in front of Finn and Worley, who will determine how much money each person will receive for his pain and suffering. The two mediators will each pick an amount and the person will receive the average of the two amounts, according to Mitchell Garabedian, the attorney for the Geoghan victims.

The victims sued the archdiocese, claiming they were sexually molested by Geoghan at some time during his years as a priest, from the 1960s to the 1990s. The settlement prevents the lawsuit from going to trial.

According to published reports, the archdiocese will pay \$7.5 million into an escrow fund in the next few weeks. The archdiocese will then owe up to \$22.5 million more as final settlements are worked out by Finn and Worley.

During an interview at their 130 Liberty St. offices on Wednesday, Finn and Worley declined to comment on details of the settlement or the work that lies ahead of them.

"For us as mediators, every case is exactly the same as every other case," said Worley. "It's confidential. It's a high-profile case for everyone else, but not for us. Usually, nobody knows we are involved."

After practicing as an attorney in Brockton since 1977, Finn founded Commonwealth Mediation in 1989, but did not become a full-time mediator until 1992.

The work on the Geoghan case started in March of last year, said Finn.

"They contacted me because I've done this work in the past," he said. He said he could not disclose other cases on which he has worked.

The archdiocese and Garabedian chose Finn to undertake the mediation.

"Paul Finn is a dedicated individual who is fair, reasonable and a credit to his profession," Garabedian said. "He has a reputation as a mediator that is beyond reproach."

Finn said most negotiation sessions took place with him, Worley and attorneys.

"Sometimes, I took one side out of the room and discussed the issue privately," he said. "I acted as a referee and impartial third party coming up with alternative solutions."

Garabedian has refused to disclose the size of individual settlements, but has said that amounts have already been fixed for two groups of victims among the 86 who are part of the deal -- 16 parents or guardians of victims and 20 accusers who say Geoghan exposed himself to them.

The remaining 50 clients, who say they were raped or molested by Geoghan, will receive much larger sums, many reportedly in the \$500,000 range. They will now make their cases to Finn and Worley in the two-hour sessions to be held through the end of October.

As part of the deal, the church has agreed not to contest that abuse took place and has not required confidentiality as each of the victims signs contracts agreeing not to sue in return for the settlement money.

Nothing would prevent an individual from taking the contract and giving a copy to the media.

"My sense is that it will all come out in the public domain," Finn said. "It could become public in two or three weeks."

Geoghan, defrocked in 1998, was sentenced to nine to 10 years in prison last month for groping a 10-year-old boy in a swimming pool. He is awaiting trial in a separate case charging him with two counts of indecent assault and battery.

A superior court judge threw out a third set of charges last week, saying too much time had elapsed between the alleged assaults and the 1999 indictment.

Finn is a graduate of Stonehill College and has a law degree from the New England School of Law and a master's degree in government from Harvard University's extension school.

Worley is a graduate of Dartmouth College and Georgetown University Law School.

Finn and Worley have co-authored a book called "Mediation and Arbitration," one of the 49 volumes of the Massachusetts Practice Series. The series, a reference work for attorneys, devotes 49 volumes to various aspects of the law.

"I couldn't even get my mother to read it," joked Worley about their work.

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