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Lawyer John Aretakis Gives Voice to Those Who Claim They've Been Abused

By Andrew Tilghman
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One weekday afternoon, attorney John Aretakis sits at a table without plate or menu at a Bennigan's restaurant in Latham, meeting with clients and reporters, fielding phone calls and rummaging through paperwork.

His cellphone rings. He steps away from the table, then reappears moments later, closing the clamshell phone with a snap and announces a new client.

"Got another Kelly victim," he says, referring to the Rev. James Kelly, a priest who was removed from active ministry in February after allegations surfaced that he sexually abused a boy in the 1970s.

Aretakis is a lawyer with a niche. He represents people who say priests sexually abused them. And, for the past seven years -- starting long before a nationwide scandal erupted -- he has battled lawyers for the Roman Catholic Church throughout New York, first quietly and now very publicly.

Other Capital Region attorneys whose clients have claims against the Albany Diocese say they have stayed out of public view, hoping their strategic silence will ingratiate them with the diocese and expedite a financial settlement.

But not Aretakis, who considers himself a media-savvy New York City lawyer.

To some, he is a shameless self-promoter, shrill and insincere in his quest to exploit the church's crisis. To others, he is a courageous iconoclast who has undertaken a monumentally important task feared by others -- holding Catholic Church leaders accountable for alleged past crimes and cover-ups.

Aretakis says his job entails much more than representing individual clients in court. It is, he insists, about helping them heal after years of trauma, speaking publicly for those afraid to do so themselves, and making the community safe from those who prey on children.

"What we are trying to do is get admitted or alleged pedophiles off the street," he said earlier this year during one of his typically long courtroom soliloquies. "It is an issue of public safety."

The grandson of Greek immigrants who settled in Brooklyn, Aretakis was reared in the Greek Orthodox Church. A member of St. Basil's Church in Troy, he rarely attends Mass but loves the area's annual Greek festivals.

He was 10 when his father, a coffee distributor, moved the family to Guilderland. He and his wife, North Greenbush town Justice Nia Cholakis, have a 4-year-old son, John. is the daughter of Tom Cholakis, former president of the Capital Off-Track Betting board of directors, and the niece of the late U.S. District Judge Con. Cholakis. A Republican, Nia Cholakis announced last week her candidacy for Rensselaer County Court judge in this fall's elections.

The family lives in a new, two-story Colonial home perched on a hill facing Vermont. It's a big house without enough furniture; a well-appointed kitchen looks like it is rarely used for cooking.

Aretakis, who has wiry black hair and a sometimes scowling round face, was a high school athlete who never gave up sports. As a student at Albany Law School, he played rugby, and he boasts that he has run the New York City marathon 10 Novembers in a row.

In court, he often wears a sports watch with the suits he buys off the rack at Macy's. Other times, it's a well-worn sweater and jeans.

Aretakis was admitted to the bar in 1986 and then spent a year at Georgetown University. He worked briefly for the Albany law firm of Maynard O'Connor and Smith. 1989, he started his own practice in Manhattan, mostly taking personal injury and medical malpractice cases. It's a one-man operation: He usually leaves his Lexus sedan upstate and takes the train to the one-bedroom apartment in midtown Manhattan that doubles as his only office.

He says his biggest win to date was a \$1.3 million settlement in 1993 from a downstate doctor who botched a cesarean section.

It was not until 1996 that Aretakis -- who had been an undergraduate psychology major at Ithaca College -- received his first call from a victim of clergy sexual abuse - someone he knew from Guilderland High. The man said he suffered near-daily sexual abuse between the ages of 11 and 17 by the Rev. Mark Haight, and he said he couldn't find a lawyer willing to take his case.

"That is when all my psychology training came into play," Aretakis said. "I became a hand-holder. I became a therapist. I became the person to tell the deepest and darkest secrets to."

Aretakis bought a stack of little-known books on clergy sexual abuse. He began researching law that, for the most part, bars lawsuits involving abuse not reported by the time a victim turns 21.

In late 1996, he contacted the Albany Diocese and found himself up against Michael Costello, the diocese's longtime attorney from the Albany firm of Tobin and Dempf. Aretakis says he demanded \$1 million, telling the church his client was ready to go public with a lawsuit. The church agreed to settle for nearly \$1 million, even though the statute of limitations had expired and any lawsuit could have been dismissed, he says. The legal agreement included a financial penalty if the victim spoke to the news media. Haight, who was working at a Glens Falls hospital, left the priesthood in 1997.

The victim received more than \$600,000; Aretakis \$300,000. His standard contingency agreement is that he gets at least one-third if his clients' win, nothing if they lose.

It was the largest confidential settlement the Albany Diocese has ever agreed to, church officials have said. Others usually ranged between \$50,000 and \$150,000.

During his preparation for the first case, Aretakis linked up with a nascent network of attorneys around the country who were suing the church. He became involved with several nationwide support groups, he says.

In the late 1990s, several other alleged clergy abuse victims found their way to Aretakis. One case involved a high-profile lawsuit against the Diocese of Rochester.

Aretakis says he has dozens of clients statewide who have claims involving abuse that occurred decades ago. He says he has spent most of the past year on these cases and has invested \$1 million of his own time and money, though he's not received any money -- yet. Aretakis has been by far the single biggest thorn in the side of the Albany Diocese. In an effort to get around the statute of limitations, he has targeted the way church officials handled complaints of abuse rather than the abuse itself. He has four pending cases against the Albany Diocese, each alleging that church officials tried to intimidate or manipulate victims to prevent them from lodging complaints or hiring an attorney - something the diocese denies.

The Albany Diocese is mounting formidable -- and costly -- opposition to Aretakis' suits. At a conference in April before acting state Supreme Court Justice Christian Hummell, Aretakis stood alone against a defense team of three attorneys from three of the Capital Region's most prominent firms. Another lawyer for the defense sat in the back of the courtroom. That means Aretakis, who does not even have a secretary, was facing a legal team that costs an estimated \$1,000 an hour.

Yet Aretakis scored an early victory when Justice Joseph Teresi removed himself from the cases in March after Aretakis accused him of being biased in favor of the church. Teresi says he stepped down only because he had become the center of attention.

Aretakis' clients say he serves as more than a lawyer. "He's a hero to us, to the victims," says Curtis Oathout, who hired Aretakis last year after many dealings with the diocese on his own. "This man has taken up a cause that could probably hurt him but he has done it for the right reasons -- to help victims get their lives together," Oathout says.

The Albany Diocese has paid Oathout, 40, more than \$300,000 since 1993. Oathout says he was sexually abused by several priests when he lived at the Albany Home for Children in the 1970s. He hired Aretakis after the diocese refused to help him identify all of his abusers, he says.

Church officials declined comment for this article. In December, after Aretakis filed one of his lawsuits, the Rev. Kenneth Doyle, the diocesan chancellor, issued a terse statement: "We have learned from our experience with Mr. Aretakis in the past that the only reasonable way to deal with him is in writing, through our attorney."

One Albany attorney suggests Aretakis' high-profile criticism of the diocese and Bishop Howard Hubbard will come back to hurt his clients. "I don't know what he's thinking," says the attorney. "These are the guys that he is asking for money. How does he think this is going to help?"

To be sure, Aretakis has cultivated the local and national media. On several occasions, he has successfully summoned more than a dozen reporters and cameramen to the Crowne Plaza hotel in downtown Albany, where he facilitates interviews with his clients or passes out copies of his latest court filing. For a recent bout of television interviews, Aretakis wore a Regis-style dark suit with a bright red shirt and matching red tie.

When he's not working, he plays golf with friends from high school or goes out to dinner with his wife and friends locally or in Manhattan. In July and August, he often hooks up with his "summer friends" at the track in Saratoga Springs, which he described as "the social scene of the whole East Coast."

But lately, he says he has been working 60-hour weeks representing victims of sexual abuse. The church's scandal came at a time when he was looking to jump start his career, he said.

"I had actually slowed down a bit in my late 30s, taking on fewer cases," he said. "Then the Nasdaq went down like 80 percent and I had to go back to work."