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Archdiocese Settles Sex Lawsuit Involving Former Nun and Boy

By Laura Mansnerus
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A 25-year-old man who was sexually molested as a seventh grader has agreed to a settlement of his lawsuit against the Roman Catholic Archdiocese of New York and his old parish school in the Bronx, which he said had failed to investigate signs that his homeroom teacher was carrying on a sexual relationship with him.

The settlement was announced yesterday in State Supreme Court in Manhattan. In opening statements Friday, lawyers for the archdiocese and the St. Frances de Chantal School had acknowledged that Linda Baisi, the former teacher, began molesting the pupil, Brian O'Rourke, when he was 12 and she was 40.

Ms. Baisi was named as a defendant, but failed to appear in court and did not contest the civil suit.

Because of this, Justice Louise Gruner Gans told the jury that Ms. Baisi had effectively admitted the allegations of sexual assault and battery. Ms. Baisi's lawyer, Brian O'Dwyer, has declined to discuss her whereabouts but said she is not in New York and no longer teaching.

The other parties refused to disclose terms of the settlement or to comment on the case. Mr. O'Rourke, who contended that the sexual relationship was coercive and led to longstanding emotional problems, said he was satisfied with the outcome.

Unlike a public school district, the archdiocese need not disclose the settlement terms. A spokesman for the archdiocese, Joseph Zwilling, said no other civil cases involving sexual abuse in the archdiocese's schools had ever gone to trial.

Mr. O'Rourke's case would have examined the archdiocese's role in supervising and training teachers. The new archbishop of New York, Edward M. Egan, was widely criticized when, in his previous post as the bishop of Bridgeport, Conn., he refused to discuss allegations by several dozen people that they had been abused as children by priests in the diocese.

When the incidents involving Ms. Baisi began, Archbishop Egan was the vicar of education for the New York Archdiocese, with responsibility for overseeing the supervision of teachers.

Mr. O'Rourke's lawyer, Michael G. Dowd, said in his opening statement at the trial that many people in the closely knit Throgs Neck parish were aware of the relationship between teacher and student and that the school authorities were even told of it in an anonymous letter. Mr. O'Rourke had said he was molested until he was a sophomore in high school.

But lawyers for the school and the archdiocese had maintained that Ms. Baisi, a widely respected teacher, was very friendly with many of her students and that they had no reason to believe she was involved in anything untoward with Mr. O'Rourke.

A former nun, Ms. Baisi had left the convent to begin teaching at St. Frances de Chantal in 1979 and was eventually named principal. She was dismissed soon after Mr. O'Rourke filed suit in 1996.