

Attorneys of the Year 2012: Richard Simons

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 Richard Simons, Furtado Jaspovice & Simons partner
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Ten years ago, Hayward attorney Richard Simons' practice got a boon from the state Legislature in the form of a one-year window to file sex abuse cases against churches even if the statute of limitations on the claims had passed. During that time, he took on a series of clients who wanted to sue the Catholic Church, and the child sex abuse niche turned into a business for him.

"I've tried more of these cases to verdict than anybody in the west," he said.

In 2012, he got one of his biggest victories — a \$28 million verdict against an East Bay Jehovah's Witnesses congregation, a church elder and the Watch Tower Tract and Bible Society, the nonprofit governing body of the faith, after a jury found they had covered up the repeated molestation of a young female congregant.

It's the largest award in a child sex abuse jury award on behalf of a single victim against a religious organization, according to Simons, and the first verdict against the

Jehovah's Witnesses, a Christian offshoot known best for its door-to-door proselytizing.

The suit was on behalf of Candace Conti, who was 9 or 10 years old when she says Jonathan Kendrick, an officer in the North Fremont Jehovah's Witnesses congregation, sexually abused her. She claimed church leadership failed to inform the congregation that Kendrick had previously abused his stepdaughter because of a policy that kept such accusations quiet under certain circumstances. A jury found the policy damaged Conti, who reported abuse to church authorities when she was 16.

Simons had asked the jury for \$21 million in punitive damages against the organization. Jurors awarded that, plus \$1. They felt the award needed an exclamation point, Simons says. (The judge cut the punitive damages to \$9 million, and the case is now on appeal.)

A child of a labor family, Simons thought he'd end up a union lawyer, fulfilling his grandparents' "fondest wish." But while at UC-Berkeley School of Law, Simons met a small group of plaintiffs lawyers, went to work for them, and never left. Forty years later, Furtado, Jaspovice & Simons has just recently shuttered its office, and Simons is planning to scale down his practice as he eyes retirement.

He said he'll take only child sex abuse cases going forward. Previously, he'd also handled wrongful death and products liability cases.

"Handling serious catastrophic injury cases, you really have the opportunity to change the life of the client," he said. "But handling child sex abuse cases against third-party institutions changes the lawyer's life, too. It makes you feel like you are changing more than an individual's life, you're changing social consciousness about what is really a hidden problem."

— Cynthia Foster

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