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Penn State scandal victim contacts Philadelphia law firm

Shanin Specter, a plaintiffs personal injury lawyer with Philadelphia's Kline & Specter, said his firm has been contacted about representation in potential civil suits by one of the eight alleged victims in the Penn State University child sexual abuse case involving former coach Jerry Sandusky.

Specter said he expects Joe Paterno to be named with all of the other men who have been cited in the grand jury presentment for failing to report the allegations against Sandusky.

Specter said more potential defendants and the level of civil liability of each will be determined during discovery — which will rely heavily on depositions and testimony from the criminal proceedings. While the university itself has deeper pockets than any individual, Specter said assigning levels of liability depend on “who did what and are they covered under an insurance policy or do they have the assets to cover the claim themselves.”

According to a grand jury presentment in the Sandusky case, then-graduate assistant and current Penn State wide receivers coach Mike McQueary witnessed Sandusky sodomizing a young boy in a campus locker room shower one night in 2002 and told Paterno, who then informed athletic director Tim Curley.

The incident was never reported to authorities. After Sandusky was arrested last weekend, Curley and Penn State vice president for finance and business Gary Schultz, who oversaw the university police department, were charged with perjury and failure to report abuse. Paterno was not charged but lost his head coach job after the groundswell of reaction upon Sandusky's arrest last weekend, which also cost university President Graham Spanier his job.

One potential problem Specter foresees for plaintiffs in these claims would be what he believes is a flaw in the Pennsylvania statute regarding statute of limitations for child sexual abuse. Minors have until they are 20 years old to file such civil claims. That can be extended to the age of 30 only in cases involving "forcible compulsion," which Specter said is defined narrowly in Pennsylvania courts.

"I'm concerned that some of these cases will not be allowed to proceed because some of them might not meet that narrow standard," Specter said. "It's ridiculous because sexual abuse is not just physical but psychological compulsion."

Specter thinks the law needs to be changed to give claimants until the age of 30 to sue because "children are often not ready emotionally until their 20s to bring claims. In the meantime, I hope the courts take a broader view of forcible compulsion."