

ATLA Meeting This Week in San Diego

Trial-Lawyer Group Plans Special Emphasis on Environmental Law Issues

By WILLIAM VOGELER

SAN DIEGO — Some 2,500 attorneys and other law professionals are scheduled to descend on San Diego this week to attend the annual convention of the Association of Trial Lawyers of America.

The five-day conference began Sunday with the first of dozens of seminars and workshops on a wide variety of legal topics, which will place special emphasis on environmental law issues. A "Hooray for Hollywood" party Thursday night will bring the convention to a close.

Gerry Spence, famed Wyoming attorney recently in the news for winning an acquittal of Imelda Marcos in New York, is the final speaker on Tuesday's day-long program focusing on toxic torts. He will deliver "A Sermon for Those Who Care for Mother Earth." Mr. Spence first gained national attention several years ago when he won a \$10.5 million verdict against Kerr McGee in the Karen Silkwood case.

Consumer advocate Ralph Nader will give Tuesday's luncheon speech on "Expanding the Tort System to Combat Industrial Violence," and environmental lawyers from around the country will speak on toxic torts and environmental litigation.

Two prominent Los Angeles trial lawyers — Browne Greene and Brian Panish of Greene, Broillet, Taylor & Wheeler — are vying with five out-of-state attorneys for title

of "Trial Lawyer(s) of the Year." The award, to be presented Wednesday, recognizes the attorney or attorneys who made the greatest contribution to the public interest by trying or settling a precedent-setting case.

Messrs. Greene and Panish are finalists because of their work in exposing police misconduct coverups in Torrance, says Arthur H. Bryant, executive director of Trial Lawyers for Public Justice in Washington, D.C. — the ATLA-supported public interest law firm that sponsors the award. Mr. Bryant says the two lawyers' involvement in the case led to "widespread reforms in police policy for handling officer misconduct, and set an example for police departments across the country."

Roman M. Silberfeld, of the Los Angeles firm of Simke, Chodos, Silberfeld & Anteau, will open Tuesday's environmental law discussions with a talk on "What Are Defendants Up to Now in Toxic Litigation?" In a pre-convention interview, Mr. Silberfeld said toxic tort litigation should be *the* litigation area of the '90s — and into the next century.

"We now face what are some really formidable challenges," said Mr. Silberfeld. "The technology of our times has run way ahead of the law."

For example, he said, some commercial drugs have adverse health effects many years after they are taken. And some industries create radiation dangers that are virtually imperceptible, and traditional rules of

law may not apply to remedy such injuries, he said.

The courts also may be unable to deal with the increasing amount of toxic tort litigation, Mr. Silberfeld said. Incidents like the Bhopal, India, poisonous gas leak, which affected thousands of people, would overcome the court system if everyone who is injured in such mass disasters sued individually, he said.

"We face a tremendous challenge, both the bar and the courts, to fashion remedies where no remedies existed — and to do it in a way that does not disable or destroy the justice system for all the other litigants," said Mr. Silberfeld. "I view that as the single most important issue of the '90s in this field."

The environmental law discussions and the other daily programs are being held at San Diego's Marriott Hotel & Marina. Fifteen different ATLA law sections are sponsoring presentations that run concurrently with separate general interest sessions during the week. Organizers also have planned recreational activities, including nightly movies, a tennis tournament, a silent auction and the closing party.

Instructional sessions began Sunday with section meetings in aviation law, insurance and general litigation, military law, family law, and workers' compensation and disability.

Monday, meetings continue in admiralty law, motor vehicle accidents, and highway premises and governmental liability. The railroad

law section and the women trial lawyers caucus also are hosting panel discussions.

At the same time Roscoe Pound Foundation Fellows and ATLA guests are debating "What Price Safety?" in a panel discussion, attorneys and paralegals join for a special workshop on paralegals' role in trial preparation.

On Tuesday morning, the Third Annual Women Litigators Forum will consider "The Legal Profession: Are Women Still Paying a High Price of Admission?" and public relations professionals will teach lawyers how to deal with the media. In the afternoon, the International Law Forum will conduct a round table discussion on "Victims' Rights in a Changing World."

While the environmental law section is presenting Messrs. Spence and Nader, other sections will meet to talk about commercial litigation and products liability. A full-day program on trial advocacy is also on the schedule.

Wednesday, sections on criminal law, employment rights, professional negligence and young lawyers will provide instruction. Concurrently, ATLA and the Roscoe Pound Foundation will co-sponsor an all-day clinic on AIDS litigation.

Thursday's program will be highlighted by ATLA elections in the morning, followed by the Third Annual Minorities Forum and separate panel discussions on trial advocacy and law office technology. Convention activities will close with the "Hollywood" party, featuring a live performance by the Fifth Dimension.