



IT'S THE LAW!

Shopping For Juries And Dunking For Dollars

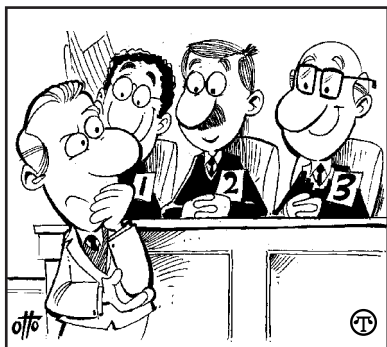
(NAPSA)—If you fear your working conditions might one day give you cancer, should you be able to sue your employer and collect damages even before you're sick?

The legal community is on the fence on this matter. Whereas there is no shortage of attorneys willing to file such lawsuits—and collect contingencies based on potentially lucrative jury awards—some lawyers, particularly those who represent terminally ill clients, say that such cases have become mockeries of justice and believe that the litigation will undermine the chances that those who are sick will be fairly compensated.

The practice of filing “nonmalignant” lawsuits is particularly rampant in the area of asbestos litigation. According to Dallas attorney Mark Iola, “A nonmalignant asbestos case is whatever a willing physician says it is, so a lawyer and physician can go out and create however many cases they want.”

For example, a jury recently awarded \$150 million to six plaintiffs who were exposed to asbestos dust but don't have cancer—they just fear that one day they might get it.

Another problem is “venue shopping,” where lawyers file lawsuits in specific states—such as Mississippi—where juries have been especially friendly to plaintiffs. Attorneys have even gone so far as to file the same suit several times in hopes of drawing a sym-



When lawyers “shop” their lawsuits around, they hope to find the friendliest judge and jury.

pathetic judge. Though unethical and subject to fines and sanctions, the practice continues.

In addition to keeping damages out of the hands of those with terminal illnesses, asbestos litigation is also having a devastating economic effect on workers unlucky enough to be employed by the more than 60 businesses already driven to bankruptcy. A study released by Columbia University says between 52,000 and 60,000 workers have already lost their jobs and more than \$8,000 each in pension funds.

Fortunately, there is legislation in the works that might curtail venue shopping. The Senate Judiciary committee is examining the possibility of establishing medical screening criteria to determine who is truly injured, as well as limiting the practice of drumming up such frivolous lawsuits.