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Torts conference looks at the push for reforms

Civil cases seeking compensation for torts – whether individual or en masse – often are accompanied by large sums of money and intense emotion. On Oct. 6, a SUNY Buffalo Law School conference will examine recent developments in tort law, affording students, faculty and practitioners a rare inside look at this high-stakes field of law.

The conference, called “Recent Developments in Tort Law and Practice,” will be held at the Hyatt Regency Buffalo, at Pearl and West Huron streets. Conference attendees are eligible to earn 4.5 non-transitional New York State CLE credits.

“This is an opportunity to host something at the cutting edge of what’s going on in this area of law,” says Associate Professor S. Todd Brown, lead organizer of the conference. In addition to practitioners, business owners, students and law professors, faculty from other UB units with an interest in environmental issues or public health and safety issues will benefit, Brown says.

The conference is co-sponsored by the Law School and the Coalition for Litigation Justice, a business group whose agenda includes legislative proposals for tort law reform.

The event’s keynote speaker will be **Kenneth R. Feinberg**, an attorney who has overseen the administration of compensation funds established on behalf of the victims of the 9/11 World Trade Center attack, the Deepwater Horizon oil spill, the Boston Marathon bombing, and several other high-profile mass disasters and mass torts. Feinberg, founder of the Feinberg Rozen law firm and currently a lecturer at Harvard Law School, will speak on “Settlements and Compensation Funds.” His 8:30 a.m. address will also serve as the annual Gerald S. Lippes Lecture, with co-sponsorship by the University at Buf-



Photo by Matthew Worden/Washingtonian

Kenneth R. Feinberg, the Gerald S. Lippes lecturer, will speak on “Settlements and Compensation Funds.”

falo’s School of Management.

The Lippes Lecture is free of charge and open to all with prior registration. The cost of the conference is \$125 (\$100 for paid members of the Law Alumni Association). Cost includes CLE, Continental breakfast, lunch and cocktail reception.

Detailed information and registration for the conference and the Lippes Lecture is available on the Law School’s website, www.law.buffalo.edu/torts-law14.

“Feinberg is an amazing speaker, very engaging,” Brown says. “He makes sure that his presentations are accessible to a very broad audience. Even when he’s speaking to experts in the field, he speaks in a way that is easy and approachable.”

Topics to be covered by panelists at the conference include:

- Are mass tort actions best handled entirely in aggregate, or – as has been done recently – should pre-trial issues be handled for claimants as a group, with individual cases then returned to state courts for trial or settlement? “It has worked brilliantly in the asbestos arena,” Brown says. “It has

been much more efficient than trying to push everyone into one big settlement. And it gives the individual and the lawyer the ability to exercise greater control over what happens with their individual claims.”

- A practitioner panel on asbestos litigation, including information about leg-

islative reforms at the state and federal levels.

- A speaker from the RAND Institute for Civil Justice discussing the early findings from its study on how the bankruptcy of a potentially liable company affects whether plaintiffs remember being exposed to the company’s products. One expectation, Brown says, is that claimants often forget such contact after a company goes bankrupt, leaving the other companies being sued with greater financial exposure.

- A look at New York State’s scaffolding law, which, Brown says, has “become much more of an issue as the law has been interpreted as applying to a broader range of issues.” The law, which requires employers on building sites to ensure the safety of laborers working above the ground, has been under attack as antiquated and as provoking sky-high insurance premiums.

- A panel of judges telling of their experiences with asbestos litigation.