

1-1993

## In Defense of Lawyers

Henry J. Reske  
*ABA Journal*

Follow this and additional works at: <http://digitalcommons.nyls.edu/news>

 Part of the [Law and Politics Commons](#), and the [Litigation Commons](#)

---

### Recommended Citation

Reske, Henry J., "In Defense of Lawyers" (1993). *News Articles*. 4.  
<http://digitalcommons.nyls.edu/news/4>

This Article is brought to you for free and open access by the The Honorable Roger J. Miner '56 Papers at DigitalCommons@NYLS. It has been accepted for inclusion in News Articles by an authorized administrator of DigitalCommons@NYLS.



# JOURNAL



THE LAWYER'S MAGAZINE / JANUARY 1993 / \$7.00

33

# DYING FOR WORK

WORKER SAFETY IN THE 90's

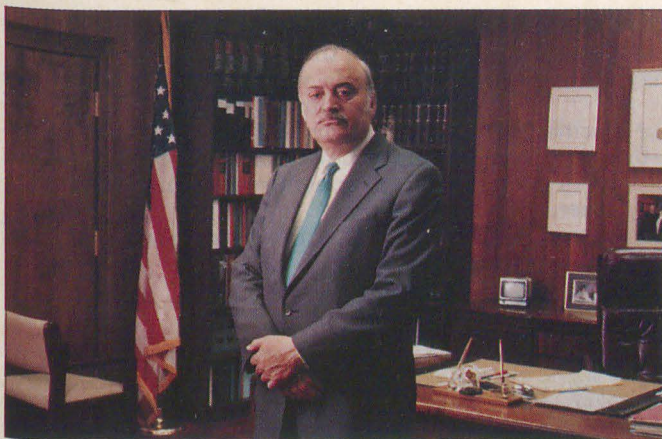
**NOTICE**  
**TO EMPLOYEES**  
**REPORT ALL ACCIDENTS AND INJURIES TO YOUR FOREMAN AT ONCE**  
**REPORT PROMPTLY ANY CONDITION LIABLE TO CAUSE AN ACCIDENT**  
**ALWAYS BE ON THE LOOKOUT TO PREVENT ACCIDENTS**





# In Defense of Lawyers

## Conservative judge challenges Quayle statistics



Roger Miner:  
"What we  
are seeing is  
scapegoating  
at its worst."

ABAJ/TOM KNIGHT

Outgoing Vice President Dan Quayle's charge that lawyers are destroying American business has been diced, sliced and challenged by so many that criticisms are ceasing to be noteworthy.

Unless, of course, the criticism comes from a conservative federal judge appointed by Ronald Reagan. That judge is Roger Miner, who sits on the U.S. Court of Appeals for the 2nd Circuit in New York.

In an October speech before the Association of the Bar of the City of New York, Miner delivered a well-focused attack on the figures used by Quayle and the President's Council on Competitiveness.

Miner said it pains him that "those in high places see fit to place the blame for society's ills unfairly upon the bar. What we are seeing is scapegoating at its worst, and the bar must fight back."

### Speculative Statistics

Miner then moved to the specifics of Quayle's assault—that America has 70 percent of the world's lawyers, that there are 18 million lawsuits filed annually and that litigation costs \$300 billion a year.

"To begin with," he said, "it seems almost certain that all his figures were wrong."

The \$300 billion figure has been "demonstrated to be a product of casual speculation and not derived in any sense from investigative or statistical analysis," he said.

He called Quayle's estimate that 18 million civil suits are filed annually "seriously skewed" because the number "includes millions of routine cases such as small claims, probate proceedings and divorce matters." He said the correct figure is about 2.5

million civil suits, "hardly enough to maintain the charge that we are the most litigious nation on earth."

Miner also said that America probably has between 25 percent and 35 percent of the world's lawyers, not 70 percent, according to research by Marc Galanter, a professor at the University of Wisconsin Law School.

Finally, Miner turned to the issue of product liability suits' effect on business. He said that such suits appear to be on the decline and "even if they were not, what do they have to do with competitiveness?"

"Foreign products manufacturers also are subject to suit in the United States. And what is wrong with this system anyway? Elimination of unsafe products, warnings to consumers of risks undertaken, and protection of the environment certainly are socially desirable goals that are advanced by current law."

Quayle's office did not respond to inquiries about the speech.

### Sympathy in an ABA Speech

In closing, Miner quoted from a speech delivered at the annual meeting of the ABA in 1981. The speech noted how "lawyers are blamed for a whole Pandora's box of social ills: for the endless proliferation of governmental rules and regulations, for national litigiousness, for a lot of things—for crime itself."

Nonetheless, the speaker said, "We ultimately are thankful for you, and look to you, because you, along with the government, are the standard-bearers of the Constitution. It is a sacred trust, and I know you view it as nothing less."

The speaker, Miner revealed, was then-Vice President George Bush.  
—Henry J. Reske

## BUY DIRECT & SAVE LEGAL CASES



Free Color Catalog Displaying  
Over 100 Different Models  
Upon Request.

**Model 72** - Top Grain Cowhide, key locks, two inside partitions. Colors: Dark Brown, Black. Sizes: 18" x 12½" x 7", 20" x 13" x 8".

**Model 16-4W** - Top Grain Cowhide, 6 hole plate and swivel for lock, 4 inside pockets. Colors: Dark Brown, Black. Oversized to 18" x 13" x 10".

**Model 1016** - Top Grain Cowhide, all around straps, steel frame support, heavy duty key lock, 2 inside partitions. Colors: Dark Brown, Black. Sizes: 18" x 12½" x 7½", 20" x 13" x 8".

#### DISCOUNT PRICES

	Retail	1-4 Cases	5-24 Cases
72-18"	\$200.00	\$140.00	\$135.00
72-20"	\$223.00	\$154.00	\$149.00
16-4W	\$222.00	\$156.00	\$151.00
1016-18"	\$212.00	\$150.00	\$144.00
1016-20"	\$238.00	\$163.00	\$157.00

Made in U.S.A.

All Prices Include Shipping Charges to locations in continental USA (Hawaii, Puerto Rico, and Alaska add \$15.00 per case for shipping).

#### Order by:

Visa, Master Card, or American Express or mail a check to:

**R.F. Young Co., Inc.**

Dept. B — P.O. Box 40005  
Indianapolis, IN 46240

800-875-1759 Ext. 200

317-848-1759

FAX: 317-843-0738

Circle 42 on Reader Service Card