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Book Review

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Book Review

Erratum

The citation for this review is *4 RISK 263 (1993)* in most commercial databases.

STUART M. SPEISER, LAWYERS AND THE AMERICAN DREAM. (Evans 1993) [430 pp.] Endnotes with full citations, index, lexicon (lay definitions of legal terms). LC 93-35272; ISBN 0-87131-724-9. [\$16.95 paper. 216 E. 49th Street, New York NY 10017.]

Speiser's title, aptly printed in gold, instantly reminded me of a local television advertisement I despise — showing a man waxing his new Mercedes convertible, as he spouts his admiration for his personal injury (PI) attorney. This is the image that Speiser, a prominent retired plaintiffs' PI litigator, tries to counteract in his surprisingly informational, if not entirely balanced, look at the role of such lawyers in the American system of justice (and commerce).

Speiser paints a picture of the personal injury attorney as champion, stabbing away at the greedy or stupid establishment in the name of individual rights. In his last chapter, he admits his bias but tries for a balanced discussion of the pro's and con's of tort litigation through the device of transcribing a mock debate. The style of this chapter is unique and provides references for readers to consult for differing views.

Throughout, Speiser uses television and film characters to persuade readers. At times, his approach is heavy handed and boring, but LA Law groupies will appreciate the overview of its storyline. In that vein, the basic theme is that decent PI attorneys "do good" for society and their clients, while "doing well" for themselves. Thus they both serve and live the American Dream. Individuals, as "underdogs," must fight the establishment, including courts, insurance companies and businesses. The attorneys representing these "underdogs" are dubbed, the "Equalizers."

Speiser is neither subtle nor timid in praise or criticism. Gagging observations like "I could feel the power of the American tort system lifting the bereaved Aberdeen families from the poverty that would have been their lot under Scottish law..."¹ often remind readers of Speiser's intent — as do references to, e.g., the "well-known proclivity of business to trample on individual rights."² Yet, even those in business

¹ At 360.

² At 378.

should ignore weaknesses of this kind and keep an open mind. Speiser's ample experience often supports his thesis.

LAWYERS AND THE AMERICAN DREAM is an easy read. Its discussion of the history and evolution of PI litigation is comprehensive and helpful. Anyone interested in the airline industry or flying will appreciate Speiser's extensive discussion of his experiences. History and political buffs should also appreciate his analysis of, e.g., the Titanic, Korean Air Lines and other, well-known mass disasters.

Speiser gives the facts, legal theories and litigation strategies for several of his prominent cases. The human side of litigation is revealed, and readers come to better know, such people as Melvin Belli, Harry Gair, Ralph Nader, Paolo Gucci and, unfortunately too many, others he has worked with. By far, the high points of his book, for both lawyers and non-lawyers, are the "war stories."

On balance, Speiser's book, aside from occasional editing and spelling mistakes, is well-written, interesting and informational. Litigators on both sides of the PI fence should read it. Also, those in the court system and insurance and business industries with the foresight to use criticism constructively will find it helpful. Still others may find it useful in providing a view of PI litigation unlikely to be encountered in, e.g., editorial cartoons, scream headlines of megadollar verdicts and, unfortunately often, ads generated by PI lawyers themselves.

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