

Name: _____ Period: _____ date: _____

POLITICS AND LAW: When should “public policy” support private claims?
Film Study Guide

Introduction – In “*A Civil Action*”, residents of Woburn, Mass., brought a class action lawsuit against two major corporations, W.R. Grace, Inc., and Beatrice Corp., alleging that the illnesses and deaths of their children in the 1970’s and 1980’s (by leukemia) was the direct causal result of the negligence of those companies.

1. What is a “class action” lawsuit? What was the “class” in this film?

2. What did the plaintiffs have to prove to win a judgment against the defendant companies (be specific)?

3. Why was it harder to prove the case against Beatrice (represented by the Boston law firm Hale and Dorr, as portrayed by actor Robert Duvall) than it was against W.R. Grace (represented by “Cheese Man”)?

4. Why is it generally harder to get large *compensatory* damages when children are the victims? What are compensatory damages and what kind of losses can result in compensation?

5. What would be the profile of a “good” victim from the standpoint of getting a large judgment? Why?

6. What are punitive damages and when are they allowed by a court?

7. How did the Environmental Protection Agency get involved in the case? What is the purpose of federal agencies such as the EPA?

8. How would Jan Schlichtman's pay be determined in a case as a plaintiff's attorney?

9. What do we mean by "negligence"?

10. Generally speaking, complaints by private persons against other private persons (including corporations) are handled through private litigation. However, when an important "public policy" is at stake, the government may intervene. What is *public policy*? What public policy arguably was involved in this case?

11. What are some of the arguments for and against the government getting involved in what is normally a private civil action?

12. In the Woburn case, do you think it was appropriate for the government to become involved? Why or why not?