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SYMPOSIUM ON THIRD PARTY ACTIONS AND SAFE PLACE DOCTRINES: A NEEDED STUDY

INTRODUCTION

It has been the feeling among various attorneys that many practicing lawyers are not aware of some of the more uncommon rights available to their clients in personal injury cases. This situation prompted the NACCA Bar Association of Wisconsin, in conjunction with the Law School of Marquette University, to sponsor a symposium at which some of the generally unrecognized Third Party and Safe Place Doctrine cases were explained and discussed. Attorney Ted Warshafsky, who was a prime mover in the organization of the program, acted as Moderator.

The object of the symposium was an attempt to make members of the practicing bar aware of the effects of non-use of these generally unrecognized practices. Some of these regrettable effects are: claimants legitimately entitled to recovery under the law lose substantial rights by the failure of their counsel to recognize uncommon theory personal injuries; claims that exceed policy limits are denied the benefit of additional coverage that could be obtained by the joinder of legitimate multiple defendants; cases that could be settled if the economic burden were divided among multiple defendants are litigated unnecessarily, creating undue burdens on the courts; obvious defendants are denied the right of contribution and subrogation when defense counsel lack sensitivity in this field. The following articles contain solutions to these unfavorable effects as determined by four eminently qualified practicing attorneys who participated in the symposium.