Your Name

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Reflection Paper

In any country, a legal system is a vital element to successfully operate a country’s matters. From an average blue-collar to an average Wall Street broker, the legal system is utilized every day by every person. Thus, it is undeniably true that a country can only progress if the legal system is strong and every citizen is following rules and regulations defined in the legal system properly. In 1998 a film named A Civil Action was released that also highlighted the loopholes present in the legal system (Zaillian). This film was written and directed by Steven Zaillian and the lead cast include John Travolta, Robert Duvall, and James Gandolfini. The film revolves around a court case regarding the contamination of local aquifer by an industrial solvent named trichloroethylene. The film depicts power of class-action lawsuits in the context of the civil justice system.

A class action is a type of lawsuit in which one party consists of a group of people represented by a member that they select unanimously. In short, a plaintiff sues a defendant on behalf of a group of people. Another important aspect of a class-action lawsuit is that it provides restitution to the plaintiffs as well. This facilitates the plaintiff who cannot afford an attorney. Furthermore, action lawsuits also reduce the number of suits as in spite of several small lawsuits, once a suit is filed.

In the film, Civil Action, attorney Jan Schlichtmann and his small law firm were asked by the residents of Woburn to take legal action against the people responsible for contaminating the area’s water. It is very common in many areas that there is no proper way to dispose of industrial wastage. Most of the time industrial waste is directly disposed into the drinking water. In the film also the residents of Woburn were facing the same issue. The consumption of contaminated water caused fatal cases of cancer and leukemia due to which many people especially children died. So Anne one of the residents persuaded Jan to take the case and file a lawsuit. Initially, Jan was a bit reluctant as according to him the case was unprofitable. However, after learning about the environmental issue and the hazards that contaminated water pose on the citizens of Woburn he decided to take a case.

Jan decided to be a representative of families and therefore brought an action lawsuit in the federal court. The case was brought against two giant corporations that were W.R Grace and company and Beatrice Foods. The first trial consists of arguments over categorizing a trial into separate damage phases and liability. However, Beatrice Foods were found not liable while W.R. Grace and the company were found liable. Thus, the Judge of the case granted a motion for mistrial and therefore the court of appeals ordered a new trial regarding the case. The aim of Jan and the residents of Woburn wanted an apology from both the corporations and a clean-up of the contaminated areas especially contaminated water. As both the corporations were strong their lawyers were also not easy to intimidate. The judge made a ruling against the plaintiff that put Jan and his partner in a position where their professional and financial status was on stake.

After a series of trails, the attorneys of the two corporations offered a settlement which was denied by Jan as he was fully aware of the environmental hazards caused by the corporations. However, at some point in the movie, it was shown that Jan became extremely stubborn and wanted to win the case at any cost so he declined every offer made by the opposing parties. So, in the end, the case was dismissed in the favor of Beatrice Foods and plaintiffs were forced to accept the settlement offer made by Grace and company which did not even cover the case expenses. The residents of the Woburn were extremely disappointed. Jan's partner also decided to finish the partnership and Jan had to end up alone. At the end of the movie, it was revealed that Jan was able to find key witness but due to lack of resources he was unable to appeal the judgment. Due to the huge loss Jan files for bankruptcy. As the film was based on the real-life court case the postscript revealed that despite winning the case W.R. Grace and the company were found guilty of lying to the environment protection agency (EPA) regarding the use of toxic material and disposal methods. Thus, eventually, they had to face the consequences of lying.

The film highlighted several important aspects of the judicial system. The film emphasized the importance of action lawsuits and how it is convenient for the people who are unable to afford the attorney. However, the film also depicted several flaws in the arguments done by Jan. The residents and of Woburn and Jan wanted an apology from the two well-known corporations. For them, an apology means that companies verbally apologize to the citizens. It was the responsibility of Jan to guide the residents that a corporation will not apologize as an apology means that corporations are guilty and they would lose their reputation in the market. Additionally, the residents were looking for someone to clean the contaminated area. Jan must have told them that the corporation will not clean the mess yet the court will order someone to clean the contaminated area. Moreover, Jan must have told the residents that the best way to make the corporation realize that they are guilty of contaminating was to seek money from them. Also, in real-life the best option is to agree upon a settlement in cases like this as corporations will make sure to win the case at any cost and they can also buy fake witnesses and experts even the Jury members to make a judgment in their favor.

# **Works Cited**

*A Civil Action*. By Steven Zaillian. Dir. Steven Zaillian. Touchstone Pictures, Paramount Pictures. Buena Vista Pictures, 1998.