The Life and Career of Thomas M. Dempsey, The Law Offices of Thomas M. Dempsey and President of the Trial Lawyers for Public Justice Foundation, Los Angeles, CA

<<When Dempsey enrolled in the University of Oregon School of Law, he envisioned his future as a country lawyer in a small town somewhere outside Eugene, OR. It was the late 1960s, and Dempsey was an idealist. He saw the law as a way he could “change the world.”

Then he took a class in trial law and was hooked on the process. He never did become a country lawyer, but he’s still an idealist.

"In my last year of law school, we had a trial practice class, which was fairly rare at that time,” he said. “We went through an entire semester of preparation for trial and conducted a trial, and I got bitten by that bug.”

Dempsey moved back to his hometown of Los Angeles and worked as a prosecutor before transitioning to personal injury defense work and eventually plaintiff’s law. Dempsey now specializes in professional negligence, products liability, and premises liability, with an emphasis on traumatic brain and spinal cord injuries. He’s also Of Counsel with Mazursky, Schwartz, Daniels & Bradley, but intends to work through another firm soon, mainly because of geography (Los Angeles' traffic is so bad that he wants to work with a firm closer to his home in Santa Monica).

He has been active with the Trial Lawyers for Public Justice for several years and has been on the foundation's executive committee since 2000. Dempsey said he became involved with Trial Lawyers for Public Justice when he was president of the Consumer Attorneys Association of Los Angeles in the early ’90s.

The TLPJ Foundation is the nonprofit parent of Trial Lawyers for Public Justice (TLPJ), the national public interest law firm dedicated to using trial lawyers' skills and resources to advance the public good. Dempsey said the public interest firm takes cases that otherwise might slip through the cracks, where people would have a difficult time attracting a trial lawyer in private practice.

"We represent people in the kind of cases that attorneys who do normal tort or injury work can't either afford to handle because there’s not the margin of profit there, or they don't have the manpower or personal power to prosecute the case," he said. “And we deal with everything from clean air, clean water, due process, sexual and racial discrimination, disability rights—a variety of things.”

Dempsey, who worked as an adjunct professor of law at Whittier College of Law from 1979 to 1985 and as a professor at Southwestern University School of Law from 1975 to 1979, said caps on jury rewards in California and limits on damages in medical malpractice cases benefit insurance companies and hurt the severely injured.

Many states cap damages in medical malpractice cases. California passed the Medical Injury Compensation Reform Act in 1975, one of the first and most well known state reforms.

"You can be a quadriplegic, a paraplegic, have severe burns, have lost all limbs; and the value of that is $250,000 in California. That doesn't include any loss of earnings or medical bills or medical care that needs to be done," he said. “So losing four limbs at $250,000, that's less than $75,000 a limb.”

It's actually $62,500 a limb. And Dempsey says the caps harm the most severely injured and can bankrupt families.

"What's happened is the insurance industry has just reaped the benefits of this, especially in the medical negligence area, in that rates for doctors have not gone down in states where they have regulations," he said, adding that California's Proposition 103, passed in 1988, helped to curtail insurance rates for doctors because it made insurance companies justify any premium increases.

"But putting caps on damages has not reduced premiums for insurance anywhere," he said. "What
happens is that people who justifiably deserve compensation from someone who has done wrong—not just an injury, but someone who has done wrong in causing that injury—are being denied. The insurance companies are clearly the ones that are benefiting. Not that they shouldn’t make a profit, but it should be a reasonable profit, and it should be somehow related to what is going on in the real world.”

Trial Lawyers for Public Justice has been battling for people’s access to justice and fighting court secrecy, Dempsey said. In one recent victory, the public interest firm helped unseal documents exposing an automotive industry expert who had been convicted of tampering with evidence—in this case, a seatbelt—to try to influence a case against a carmaker.

The public interest firm has between 3,000 and 3,500 attorneys and offers numerous opportunities for other attorneys to get involved, Dempsey said. It has special litigation projects that secure access to justice by fighting secrecy in courts, mandatory arbitration abuse, federal preemption of injury victims’ claims, and class-action abuse.

For attorneys interested in plaintiff’s work, Dempsey urges people to get involved and to go watch trials, as many as possible.

"Go down to court, watch some trials, and see what happens in real life,” he said. "Good trial skills, good communicating skills, good lawyering skills are always going to be necessary to represent people; and regardless of what happens in the technology field… there will always be a need for people to think on their feet, to be able to present concisely and clearly a complete argument.”

Dempsey said he still gets a thrill trying cases and that he never regrets not becoming a country lawyer in Oregon.

"Great closing arguments, or even when you have a voir dire that you feel was very successful in selecting the jury—there’s a feeling that you don’t get by drawing up a will or a trust or some municipal bond. I just don’t think you have the same exuberance and the same feeling of satisfaction and self-gratification that you get from trial work,” he said.

Looking for attorney jobs near Los Angeles location, please click here.