Attorney: Scientific cases need new approach

By D. Eric Kircher

An explosion of science and technology-related information created a need for change in the law profession and courtroom practices, a New York attorney said.

Milton Wessel, an author who also teaches at Columbia and Duke universities, told students at the UNL College of Law's Cline-Williams Lectureship he was here to recruit them into a new branch of law.

Technological cases requires a new approach to law, Wessel said.

In complex technological cases after World War II, juries haven't understood the evidence, he said. They tend to reach verdicts using collateral evidence damaging evidence that isn't related to the case.

"I'm convinced that this is the next generation's opportunity to debate the issues," Wessel said, "There are some exciting, rewarding and important things to be done."

"We need to avoid the production of collateral evidence," Wessel said. He cited the Ford Pinto trial, the Kodak-Berkey trial and the Corvair-Nader case as times when outside evidence swayed people's opinion. In some cases, lawyers perjured themselves, and the jury seized the perjury as evidence of guilt, he said.

General Motors stopped producing the Corvair because of adverse public opinion "when it was the safest compact

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car," Wessel said.

The "sporting or game" approach to law encourages lawyers to use any method to win cases, including using or producing unrelated but damaging evidence, he said.

Large firms employ outside lawyers to defend them, he said, and although many aren't familiar with the business' technology, they are expected to win the

"We need a change in the techniques employed by lawyers on behalf of clients," Wessel said.

Wessel, who has been involved in the Agent Orange case involving deadly deFolaint used in Vietnam, and several nuclear power trials, said law must be developed to allow safe use of new technologies.

"It is a simplistic approach to just say 'stop it' or argue for no growth," Wessel said.

Cases are beginning to be argued on a risk-benefit basis, which will allow society to weigh safety against risks of new technology, he said.

"It seems to me it's the only sensible way to solve the problems," Wessel said.

Legislatures should decide the amount of risk to accept, he said, but the courts now decide. Until legislators act, courts must, he said.

Wessel was the fifth lecturer sponsored by a Lincoln law firm to speak at the UNL College of Law.

Chemical fire forces evacuation

A small chemical fire that created toxic fumes and forced the temporary closing of Manter Hall Life Sciences building and Hamilton Hall was apparently a freak accident, according to a UNL chemistry professor.

Henry Baumgarten said a piece of equipment broke, allowing two toxic chemicals to come in contact with either the air outside the container, or the heating element under the glass vessel, causing the fire.

Students in the room put the fire out immediately Hamilton and Manter Halls, forcing an evacuation.

Interim Chancellor Robert Rutford said he had not seen official reports of the fire, but would investigate.

Baumgarten said authorities were notified promptly, but acknowledged that some students didn't evacuate with a fire extinguisher. "Some had experiments going and didn't even hear the fire alarm," he said.

However, Lt. Joe Wehner of the UNL police department said some students were reluctant to evacuate when fire and police officials searched the building.

"We have a difficult time getting people to leave," he said. However, he added that it was "not a majority, but a minority" that were uncooperative.

Two students in the room when the fire broke out, Jamshid Mohebalian, 2222 Vine St., and Ren J. Ko, 923 S. 12th St., were sent to the student health center for observation, but Baumgarten said they were uninjured.

KRNU may expand transmission power

Because of a Federal Communications Commission consideration to make maximum use of all frequency, UNL's student radio station has made a proposal to expand its signal.

KRNU, which currently operates out of Avery Hall with 10 watts, may expand to a 3,000 wat service, similar to KVNO at UNO.

Larry Walklin, chairman of broadcasting for the UNL School of Journalism, said the change will not affect any part of the existing station, but it will involve replacing parts in the transmitter.

"As long as I have been involved in radio," Walklin said, "there has always been talk of expanding or improving transmission. But this situation has never been discussed for KRNU before."

The 3,000 watt change will allow the station to be heard throughout Lincoln. As it is now, the station can be picked up only on the City Campus.

"The height of the tower and the line of sight will be a factor in exactly how far it will go," Walklin said. "But what we are trying for is a strong signal in the city."

In a comparison of watt frequency, Walklin said the 3,000 watt signal is not to be considered a change to high power when other stations have 100,000 watt frequency.

No one is certain when the change will occur, Walklin

"The FCC is very understaffed, and this would have to meet their approval," Walklin said. "Once we had a transmission replacement through them that should have taken a short time to start, but we waited a year for them to get back to us. It would take a series of decisions by several



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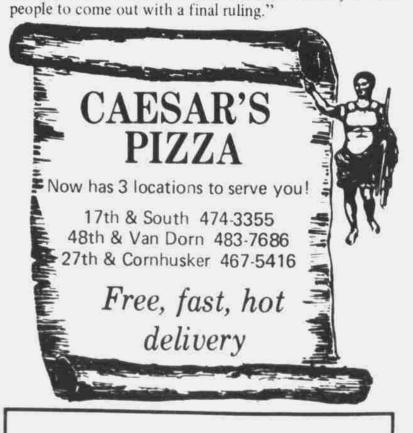
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