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An Organization for Plaintiff's Liability Attorneys

AN ORGANIZATION FOR PLAINTIFFS' LIABILITY ATTORNEYS

By ALBERT ELLIS RADINSKY
of the Denver Bar

The plaintiffs' attorney, representing the injured man, by force of circumstances and by reason of his highly experienced opposition, has always stood singularly alone. To meet this need the National Association of Claimants' Compensation Attorneys (NACCA) was founded in 1946. This Organization now consists of about 1500 lawyers specializing in workmen's compensation, railroad, admiralty and allied personal injury cases.

By the year 1946 the number of injuries in industries had reached 2,000,000 annually. Of this number 18,000 were killed, 103,000 suffered loss of arms, legs or vision. The need for a specialized legal group to handle these victims of industry was apparent.

The majority of these workers came under workmen's compensation acts. All 48 states now have such acts. Nevertheless an appreciable percentage of injured persons still come under the admiralty and maritime law, railroad law and allied personal injury law. Allied personal injury law refers to common law suits brought when the employer fails to carry insurance, to third-party suits, subrogation, the Federal Tort Claims Act, and the like.

In short, there was and is need for persons injured in the employer-employee relationship to obtain adequate representation, not only before industrial accident commissions, but before the courts. Workmen's compensation has become the largest casualty insurance in the world, with about one billion dollars changing hands from employers to private insurance companies, state funds, and to self-insurance funds. It has been estimated that over 100,000 hearings are held each year in workmen's compensation cases alone, mostly before administrative tribunals, but in about half a dozen states they still originate before the courts. In eight states jury trials are still possible even in workmen's compensation cases, notably, Texas, Ohio, Maryland, Oregon, Washington.

It is further estimated that the hundreds of private casualty insurance companies throughout the country plus the self insurers and the state funds employ about 5000 attorneys a year. Representing the employees are an estimated 2500 lawyers, of whom about half are members of NACCA.

To keep its members, and the public generally acquainted with current cases and events in workmen's compensation, railroad, admiralty and allied personal injury law, NACCA publishes a Law Journal twice yearly. NACCA has recently established Lectureships at many law schools which are usually given by teaching workmen's compensation, railroad, admiralty or allied personal injury law. The Association also assists members by preparing individual briefs on related points of law, as requested.