

Minnesotans Between the Covers

We look at books by Minnesota lawyers and writers.
And surprise — they're really good!

Not Everyone Loves Dillon Love

The Litigators

By Lindsay G. Arthur Jr.
Scarletta Press, \$14.95
Reviewed by Dwight Hobbes

Lindsay G. Arthur Jr. is well known to the legal community as an excellent lawyer and as managing partner of Arthur, Chapman, Kettering, Smetak & Pikala. Soon, though, he may become even more widely known as a writer.

Arthur's novel, *The Litigators*, is a reviewer's delight, that rare local novel that's actually fun to read. Set in Minneapolis with a sure hand for detail and a fine ear for dialogue, it holds you with interesting characters and a compelling story. Further, the author has something to say, making a point without preaching. You hate to put the book down, even after you've finished it.

The plot is straightforward. Engineering a safe way to clean up toxic waste, scientist Boyd Campbell's fledgling company EnviroClean may have accidentally poisoned the environment and, along with it, one suddenly debilitated Ruth Bergstrom. Ruth politely inquires as to whether the company did something it shouldn't have. Campbell is inclined to double-check. EnviroClean's luxury law firm of Darby and Witherspoon will have none of that. Senior partner and chief litigator Henry Holten stonewalls Ruth.

Enter maverick lawyer Dillon Love, who's determined to fight the fat cat first and worry about Ruth's interests second. Quickly, the situation is less about whether Boyd Campbell and Ruth Bergstrom can hash things out and more about how badly the attorneys want to square off. Conflict heightens as the stakes rise — Ruth's steadily worsening health, Campbell's dying dream and each side's mounting legal fees. At length, the author arrives at an unpredictable (and unconventional) ending that illustrates a system's cost to the humanity it's supposed to serve.

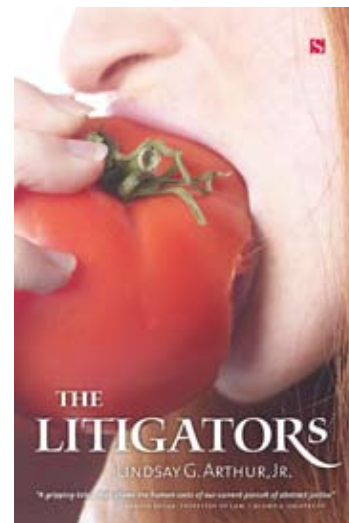
"I hope the book makes some people mad. When I wrote [it], I hoped that some of the lawyers who read it would be angry," Arthur says. "Angry enough to want to debate the issue. If you can get somebody mad, then you can get them thinking. And talking. Issues get raised. And discussed."

It isn't just lawyers' skins he wants to get under. "I also want some of the public to say, 'Y'know, this could've happened to me.'" In fact, he has met readers at book signings who say *The Litigators* reminds them of trying times they've gone through. "If the public senses that this is an issue, the public can start talking to their legislators and get things changed. [They can] get a different attitude about lawsuits."

The issue of which he speaks is whether people can find justice *in spite of* legal representation. "The thing about lawsuits" Arthur says, "is that winning is important to the lawyers. But it isn't as important to the clients as lawyers think it is. Ask any lawyer [the] definition of success and [you'll be told] about some grand courtroom victory. If you ask clients, they don't even want to be in a courtroom. What the clients will tell you about is the process. Whether they thought it was fair, whether they had a chance to be heard, whether it was reasonably priced. Those are the things that are important to clients. Nobody I ever represented was hoping for any grand victory. They were hoping to stay out of court."

As you get into *The Litigators*, the knee-jerk impulse is to root for Love as the quintessential daring and resourceful underdog. He's up against the privileged, powerful and ruthless Holten (who may not be fondly regarded by even his mother). However, as you stay with it, the book sidesteps both sentiment and melodrama, to depict unvarnished realism. Love's heroic white hat could stand some principled cleaning. Holten acts not of arbitrary spite, but to ensure, by fair means or foul, such results as he's highly paid to deliver.

At length, this is fiction as real-life indictment. "What is it about Americans, these days, that they're so anxious to start lawsuits?" Arthur asks. "An incredible number of lawsuits [are] filed. Why are we spending so much money in resolving disputes with one another? No other country in the world does that. I have seen so much hardship that has been wreaked on the lives of people, both plaintiffs and [respondents]. Enormous hardship. Financial, emotional hardship [that] interrupts their lives and is very stressful. Why is this necessary? Since I started practicing law in 1969, the popula-



tion has grown by about 29 percent. [In that time] the population of lawyers has grown by 400 percent. The legal community is growing at 10 times the rate of the public. Do we have 10 times the quality of justice today than we did then? Is it that much better?" He adds that many people simply "don't get their cases heard. The cost is too high."

Is Lindsay G. Arthur Jr. biting the hand that long has kept him well fed? After all, like Henry Holten, Arthur is a big-time, bow-tie-wearing Minnesota lawyer who heads a prestigious firm. He explains, "I write not as an [ingrate], but out of a love for the system. The [greatest] threat to the legal system is apathy. It's important to save and improve the system. The biggest strength of [our] legal system is its ability to welcome, tolerate and, indeed, thrive on criticism."

He says solving the situation calls for "alternative ways of resolving disputes. Not just alternative dispute resolution, but two people getting together and talking." This from the author of nonfiction titles *Minnesota Products Liability Law*, which has gone into 17 editions, and *Minnesota Liquor Liability Law*, which has gone into 11 editions, both from Minnesota Institute of Legal Education.

All in all, a fine first novel from a well-informed source.



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