

Contributing to Class Notes (and malpractice plaintiffs)

2005-11

I practice in a 3-partner firm -- we've been together for almost 30 years. For a good while we had a general practice, then did general P.I., but gradually started to concentrate on medical negligence cases (only plaintiffs), and have limited ourselves to that for about twenty years. I win a few and lose a lot, but that's about par for medical cases. We're facing an initiative on the ballot in November that, if it passes, will probably put us out of business. My wife (Peggy) and I (celebrating our 35th wedding anniversary last October) have five children and two grandchildren. We adopted twins from Korea first, then a private adoption (black and Native American girl), then a black-Korean boy, and then had our only birth child (our "token blonde"). We had a rainbow coalition before Jesse Jackson came up with the name. Kids have mixed success in life. My oldest daughter is an attorney, and my youngest is a junior at the U.W. My oldest son has cerebral palsy and lives with us. He works, but will never be self-sufficient. My middle daughter lives in Hawaii where she tries to find enough day work to allow her to sing at night. My youngest son has had a tough course with drugs and gangs and has been in and out of prison, but we have never given up hope. Still struggling. I have spent a lot of time in jail and prison visiting rooms and waiting in lines to get there. Don't get me started on the waste and futility of our prison system in this country. No educational programs, no job training, and no efforts at rehabilitation any longer. I have no hobbies or activities apart from work, reading, and listening to music (jazz/blues). No plans to retire, ever. I'll die in the courtroom with my tasseled loafers on.

2009-03

Gene Moen's multi-racial family now has five children and five grandchildren. His oldest daughter is an attorney, and his youngest is a first year student at Northwestern. Gene, a plaintiff's trial attorney in Seattle, limits his practice to medical negligence cases on a contingency fee basis. He writes, "I love the risks, and the highs and lows, of trial practice and they will probably haul me out of the courtroom on a gurney."

Winter 2018-2019

Sorry I was not able to attend the reunion. Had a trial I was preparing for. I am still working at my three-member firm (one lawyer is a daughter), handling only medical malpractice cases on behalf of plaintiffs. Always a fascinating, albeit challenging, endeavor. However, I am one of those lucky people who can say I have not had a boring day in the past 40 years. When I get old (I am only 78 now), I will think about retirement.

Summer 2020

My firm is celebrating our 40th year in practice, and I still work full-time. We have two partners and three associate attorneys (one of which is my oldest daughter, Catherine Mee Moen) and still limit our practice to plaintiff medical malpractice cases. I intend to continue active trial work as long as I can (I will be 80 in July). I have a very low boredom threshold, and this kind of practice is never boring. In fact, I don't think I've had a boring day in the 50 years I've been a trial attorney. My wife and I will have our 50th wedding anniversary this year. She wants to celebrate that, but I encouraged her to wait for our 75th. Now, that would be worth celebrating!"

Summer 2021

The pandemic lockdown has had a rather dramatic impact on those of us who litigate civil cases. All of our trials set for after March, 2020, were canceled and/or shifted into 2021, where the trial calendar is now very crowded. But starting in November, our local trial court started experimenting with all-zoom trials, and my firm is now preparing for our first, a 3-week trial scheduled for May 3, 2021. In the all-zoom format, everyone is in a different location, just as in zoom meetings. Jurors are in their homes, the trial judge is in the courtroom, the court reporter is at yet another location, and the attorneys are scattered around their various offices. We have turned our conference room into a studio, with high-tech microphones, lighting, video cameras, etc.

About a dozen such trials have occurred in our county so far, and everyone agrees they seem to work quite well, although the defense attorneys complain that the verdicts for plaintiffs seem to be larger. Certainly, the cost of putting on a trial is much reduced, since we no longer have \$1,000 an hour experts flying in to testify. For plaintiffs' medical malpractice attorneys, the costs of experts can be a huge burden.

Some judges think that, even when the pandemic is over, jurors should be allowed to continue participating from their homes. During the trials, we hear dogs barking, babies crying, and doorbells ringing; the real world intervenes in the courtroom sanctuary. Maybe we can just close down the courthouse. For someone who is old enough to really miss the rotary phone, the technological advances seem to be coming at us faster and faster. But it does make life interesting. Please continue being healthy and safe. I get my second shot in a couple of days."