

Study and Discussion Questions - Erin Brockovich

1. What is a “pro bono” case? What is a “contingency fee” agreement? What were the terms of the agreement featured in this film? Did this case cost money to bring to trial (besides what would have been the cost of the attorney’s fees)? If so, where did that money come from? Why did Ed Masry take this case? Be prepared to discuss the economics of a legal case like this.
2. Donna Jensen doesn’t want to move. But she and her husband have both been sick. Why does PG&E pay for the medical bills? Why was PG&E seeking to purchase residential properties near its plant?
3. Think about “causation.” This is an important legal concept. Figure out what “causation” means, and be prepared to discuss how the difficulty of proving causation might have influenced what happened in this case.
4. What do you think of the Fumento critique of Erin Brockovich? (This questions assumes that you’ve read the critical material posted on my faculty website).
5. Records have a habit of disappearing when it looks like there will be trouble. Do you think that’s true? *If* that is true, what can a plaintiff or petitioner do about that?
6. Find a map of the Lahontan District, overseen by the Regional Water Quality Control Board that is featured in this film. What legal responsibilities does a Regional Water Quality Control Board have? What Regional Water Quality Control Board has jurisdiction in Cupertino?
7. Do you think corporations still do things like pay doctors to provide misleading medical diagnoses to people they’ve harmed?
8. Be prepared to discuss how the statute of limitations played a role in this case.
9. What is binding arbitration? Why did almost everyone have to agree on the ultimate settlement of this case?
10. Do you think Erin got paid too much? Or not enough?