Women Leaders Spotlight:

Why Defense Lawyer Deborah Chang Switched Sides to Join Panish, Shea & Boyle

Deborah Chang spent 20 years as a defense attorney with major law firms, representing some of the biggest corporate clients in the United States including numerous Fortune 500 companies. It was an extraordinarily sophisticated practice, with fascinating cases and savvy clients, and she absolutely loved it.

There was just one problem. "Throughout my career, people would tell me that I was on the wrong side!" recalls Chang, laughing.

Although the vast majority of her practice was on the defense side, Chang also won several enormously important cases for plaintiffs, usually on a pro bono basis. When she was just a year out of law school, she brought a landmark civil rights class action on behalf of maximum security prisoners with AIDS that set model procedures for housing and medical care that resulted in better conditions in prisons throughout the country. Then in 1996, she brought the first lawsuit in the nation based on the Violence Against Women Act, arguing on behalf of the statute's constitutionality and becoming an expert on gender-motivated violence.

"Although I was extremely defense-oriented, in the sense that that is the work my firm did, I've always had this yen for representing the downtrodden or plaintiffs in certain things," she says. Still, in practice with large firms in Connecticut, she continued to enjoy the defense side and the first-rate legal work that she and her partners produced.

So why did she switch sides last April? One Man: Brian Panish.

Panish, of Los Angeles' Panish, Shea & Boyle, has more than 100 verdicts or settlements above $1 million, and a $4.9 billion verdict against General Motors in 1999, the largest personal injury verdict in American history. Chang and Panish had opposed each other in one case and knew each other from legal groups including the American Bar Association's product liability section. Panish was familiar with Chang's stellar reputation as an attorney—she only lost one case at trial—and her vibrant, energetic personality. He also believed that Chang's long experience as a defense attorney would prove a substantial asset to his plaintiffs' firm.

"Why did I switch sides when I was so happy?" asks Chang. "If it wasn't for Brian Panish, I probably would have been perfectly happy where I was." Panish, Shea & Boyle is no ordinary personal injury firm, and the cases it takes are typically on the cutting edge of the law, she says. In addition to the record-breaking Anderson v. General Motors case—in which two adults and four children were severely burned in a car accident when their Chevy Malibu caught fire after being rear-ended—the firm has had a steady series of impressive verdicts and settlements, including a $13.55 million settlement for Army officers severely injured in the crash of a helicopter in Iraq, and a $26.4 million verdict for a mother and others who witnessed a San Francisco city truck run over her daughter on a sidewalk.

When Panish offered her a partnership, Chang decided she couldn't resist.

"You get these kinds of opportunities once in a while, and you have to take them," she says. "You're not often going to see a firm that has those types of cases or has such important cases being handled in such a great manner with great trial attorneys." The past 11 months, she says, "have been great." As Panish predicted, Chang's defense experience is invaluable in her new career path. "All the skills I learned on the defense side are so beneficial. I can tear apart our cases from the defense perspective, and knowing what the defense arguments are going to be is such an advantage," she explains. Recently, she was picking a jury and Panish asked her to predict what the defense would do. "I said, 'They'll pick him and him, and strike him,' and they did," she says.

There's another important advantage, she says. "There seems to be an innate distrust of defense counsel on the plaintiffs' side," she says. "I don't have that. I understand what they need to show their clients... Instead of filing motions and objecting to everything, I know the big picture, what they want and why they want it. It doesn't mean I go along with them all the time, but for the most part, these cases aren't ones where the other side is saying, 'We can win on liability.' They truly want to settle, and it's just a question of how much.

In many instances, she even knows the people at the insurance companies to whom her opponents must report. In one of her first cases for the firm, Chang was able to settle it so efficiently that the judge commented on how well the two sides worked together to resolve the matter. Chang chalks that up to her defense experience. "That's great knowledge, that perspective," she says.

There's one enormous difference between the two phases of her career. "What you get on this side that you miss completely on the defense side is that human element, where the people you're dealing with on a daily basis depend on you so much," she says. Unlike her former clients who were all very experienced in litigation, and for whom a loss isn't personal but rather a company issue, her clients today rarely know the legal system and find it intimidating. Most are very seriously injured, and a win or lose can make or break them—providing them with an award to get the medical and other help they need, or leaving them bereft. "Everything you do has so much more importance to an individual, and that's why you love it so much," she says.

Chang chuckles at the defense side perception that plaintiffs' lawyers don't work quite as much. Currently, she and her partners—who try scores of cases each year—are working on a major personal injury case and have pulled all-nighters on more than one occasion since Christmas. But it's worth it, she says.

"I don't know if on the defense side you ever felt, 'Oh, I won!' You felt like you succeeded in not having the plaintiff prove their case. But on this side, winning or settling favorably, you've accomplished so much, you've changed peoples lives," she says. "It's a great feeling, it really is."
Deborah S. Chang

There was no question as to how Deborah S. Chang was going to fill her future days when she started working at Panish, Shea & Boyle on a Tuesday back in April 2008—within 48 hours, she was in trial, and there happily hasn’t been a spare moment since. This is how things work at the aggressive plaintiff’s law firm, where attorneys relish the opportunity to go to the courtroom.

Ms. Chang has now been practicing law for twenty-two years, having gotten her auspicious start by filing a landmark civil rights class action on behalf of prisoners with AIDS when she was just a first-year associate at Day, Berry & Howard in Hartford, Connecticut. The class action resulted in the first settlement of its kind that changed the manner in which such prisoners were housed and medically treated; and was cited with approval by the 1991 Report to the President and Senate by the National Commission on AIDS. This same unforeseen potential for landmark cases and major advances in the law is what drives Ms. Chang’s work at Panish, Shea & Boyle today. “This is a remarkable firm in the kind of cases we have—extraordinarily significant, important cases. Any one of them could trigger these huge changes,” she says.

One of the secrets to the firm’s success is the value it places on differences in perspective; the partners do not surround themselves with “yes” men, but rather, intelligent lawyers who are able to look at a case from as many viewpoints as they might find in a jury itself. Even though the unique point of view that Ms. Chang brings to the firm has been a welcome addition, it’s her individual talent as an attorney that has been most appreciated by colleagues. “This is truly one place where I can honestly say that it doesn’t even enter anyone’s mind if it’s a woman speaking or not. The line of thinking is that we’re all part of a team,” she says.

Still, if there has been any reason over the years as to why certain clients would want Ms. Chang on their side, it’s her unique ability to put people at ease. This skill comes in particularly handy for attorneys in her line of work, who often represent catastrophically injured victims against large corporations or governmental entities, and who are especially in need of comfort, care, and a lending ear. “On this side, you have families who feel like they’re victims twice. Once, because of what happened to them to bring them here, and twice, because of the whole tortuous, lengthy, intimidating legal process. It’s the worst time of their lives, so it’s even more important in a firm like this, with the kinds of cases and clients we have, for them to know that they have compassionate, patient attorneys who will fight for and protect them.”

In 1996, Ms. Chang brought the first lawsuit in the country based on the newly enacted Violence Against Women Act of 1994 (VAWA), reaching a settlement. As part of that lawsuit, Ms. Chang successfully argued for the upholding of the constitutionality of the statute in the first federal court to consider the issue.
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