

## Lending skill to survivors

### ■ Local law firm helps 35W bridge collapse victims

By Kelly Grinsteiner  
Assistant Editor

Hibbing – A local attorney – and the law firm of professionals behind him – has been recognized for demonstrating the best efforts of the legal profession during a time of struggle for the entire state of Minnesota.

Darrold Persson, of the Matonich and Persson Law Firm in Hibbing, was among roughly 20 attorneys that formed a pro bono consortium that represented victims of the 35W bridge collapse.

The Interstate 35W bridge unexpectedly collapsed into the Mississippi River at 6:05 p.m. on Aug. 1, 2007 – during rush hour while the bridge was full of vehicles. Thirteen people were killed and 145 injured in the collapse.

In a final report last fall,

federal investigators blamed the collapse on poorly designed connector plates that held together the span's steel beams. They also cited the weight of construction materials on the bridge as a factor.

In June, the Minnesota State Bar Association (MSBA) recognized the selected group of lawyers to receive its Professional Excellence Award for their pro bono participation in the special compensation process for survivors of the 35W bridge collapse.

Persson was one of those attorneys recognized for having represented several of the victims of this disaster and guiding them through the hearings and compensation process. He represented four victims from northern Minnesota and two from the Twin Cities area.



**Attorney Darrold Persson**

“It could have been any one of us on that bridge that August evening,” said Persson. “You could have been going over that bridge. I could have been going over that bridge. It could have been any one of us.”

In a bill passed by the state legislature, \$1 million was appropriated to be given to the victims – all of whom had varying degrees of claims

– and an allocation process determined.

Also at that time, a number of attorneys were asked to represent the bridge victims at no charge, to work with the victims and then prove up their claims in front of a Special Master's panel.

The Matonich & Persson Law Firm was asked to participate. The matter was discussed, and they decided to lend their expertise.

"We thought this would be a good opportunity to help people at a time when they most needed it," said Persson. "We weren't sure how the compensation process would unfold. But we indicated a willingness to work toward that end. We were happy to get involved."

Persson said their years of experience and knowledge in dealing with personal injury accidents was a good fit for the aim. So over roughly 1.5 years, he and the firm put in somewhere between 100 to 130 hours of work into representing the six victims.

"We were lending a skill," he said. "We were happy to be able to offer our expertise for the benefit of the process and the victims."

The process and remedy in this case were very unique, said Persson. Instead of going through a lawsuit, three people were appointed as Special Masters to hear each individual case. They then used a weighted system to help determine compensation based on seriousness of the injuries and then made the award.

"I was impressed with how streamlined the process was and how sensitive the Special Masters were to the victims. Granted it was litigation, it was a process filled with compassion. There wasn't the extra paper work or contentious opponents," said Persson.

"It was the attitude that these people are victims. We wanted to make it right. We had a limited amount of money. We wanted to be our best for them, and do it quickly. I was very impressed with the end result."

The most common injury among the victims was post-traumatic stress disorder, said Persson. While some victims did not have physical signs of injury, he said that many battle with fears such as heights, bridges and recurring

nightmares. Helping the victims through the process gave Persson a lot of satisfaction because the people being represented were so deserving, he said. In some cases multiple members of the family were injured.

"It was gratifying to be able to assist because so many were at a time of need and really trying to heal as well," said Persson. "The financial realities were such that a lot of them were not able to work and they needed this money."

"Nobody was set up for life," he added. "They were all very conservatively compensated, but it gave them something."

Although the firm didn't gain anything financially and have expenses that they will have to cover, Persson said the work was worth it and that they were flattered to be chosen to help.

"It was a really sad and interesting chapter in what we do," he said. "But we won't dwell on it. We'll move on to the next set of cases."