

## SOUTH FLORIDA LEADERS IN LAW

# WHEN JUSTICE HEALS

Led by compassion in a relentless pursuit of justice, Christian Searcy of **Searcy Denney Scarola Barnhart & Shipley** fights hard for victims and their families of wrongful death and personal injury.

**N**othing seems worse than the experience of losing a child or seeing them horribly injured. But some factors—suddenness, preventability, violence, pain, and injustice—intensify the trauma beyond belief.

Christian Searcy understands this more than most. Long before he became one of Florida's leading personal injury attorneys and headed Searcy Denney Scarola Barnhart & Shipley (SDSBS), Searcy experienced a life-altering, traumatic event—one that has returned in different forms, eventually evolving into compassion and light in the darkest circumstances.

"You can't do anything about the injury or death that's happened," says Searcy, the firm's President and CEO. "But we can remove that intensifying factor of injustice for families who experience this level of trauma."

## Two Henrys

Searcy was 12 years old when tragedy happened.

It was a Sunday in 1960. Searcy was in the front seat of the family's car with his cousin, brother, and mother, who was driving. In the back sat his sister, Inge, 14; a cousin; and his two brothers, one of whom was 6-year-old Henry. They were driving through a new development outside Jacksonville University where the developer had failed to erect the stop sign at an intersection. His mother slowed at the intersection before starting to cross. Suddenly, she hit the gas, as if trying to escape the inevitable. Another car slammed into theirs and sent it spinning, kicking up thick clouds of sand. Twelve rotations later, it stopped.

Searcy heard crying and rushed to check on his siblings. Inge and Henry were missing from the backseat. He saw Inge a few yards away, crumpled with injuries that put her in a coma for weeks. Nearby, he found Henry, his head crushed, his teeth broken. He died later that day.

Guilt and grief haunted Searcy. He



**Christian Searcy**

passed through adolescence angry but went on to graduate college and law school at the top of his class. In 1979, at the age of 29, he became the youngest lawyer in the country to achieve a verdict of \$1 million for a single personal injury lawsuit. One day, he had an epiphany. "I realized that it wasn't God's fault Henry died," Searcy says. "If He didn't let accidents happen, our choices wouldn't matter. It's the price we pay for living in this great wonderland of a world. The good news was, this was just one chapter."

But tragedy would taint another chapter of Searcy's life. During the birth of his first child, the doctor performed a high forceps delivery, damaging the baby's brain in the process. Henry—named after Searcy's brother—developed special needs and requires continuous care to this day. Though Searcy didn't sue for medical malpractice, the experience compelled him to advocate for parents who'd suffered similar experiences.

## Fighting Hard for Families

One might wonder how a verdict or settlement could ever heal a family's trauma. Searcy is philosophical on this point. "Thomas Jefferson said that the greatest protection to our democracy is the right to

trial by jury," he says. "That means people whose children have been killed or injured in preventable tragedies can go to court and receive reparations for the wrongs done to them."

SDSBS intrepidly pursues justice for these families. Rather than settle, the firm often typically deploys its well-known trial litigators on complicated, high-stakes cases. Once, Searcy helped a widow sue a major railway company for the wrongful death of her husband, who was one of eight killed and 71 others injured when their train derailed in North Carolina. The other 78 plaintiffs shared settlements collectively totaling \$13.5 million. After eight years of litigation and a six-month trial, SDSBS proved that the derailment was due to reckless disregard on the part of the railway company. They recovered, with interest, \$73 million for the wife and children.

For Searcy, cases like these are justice writ large. "It's important to go all the way and make a substantial financial recovery, because America is controlled by balance sheets," he says. "And the way you get someone's attention is by making it visible on their balance sheets." All told, SDSBS has won \$5.8 billion in verdicts and settlements for plaintiffs, and its mass tort unit has handled numerous mass tort and class action cases involving faulty products and medicines.

## Compassion Wins

The influence of Searcy's two Henrys has continued throughout his career. It was apparent in a wrongful death case in 2001 involving a mother whose six-year-old daughter was killed and whose twin three-year-old boys were catastrophically injured when a car broadsided her vehicle at an intersection—all because a construction company had messed up the traffic light at the intersection. SDSBS sued the company and the other driver, and the family received verdicts totaling \$256 million.

Another instance was a medical malpractice case in 2004, in which an obstetrician had performed an unnecessary and—by that time—illegal high forceps delivery that



resulted in a baby with brain damage. The doctor denied performing the procedure, but Searcy, an expert in obstetrical malpractice cases, caught him in a lie on the stand. “My questions were like heat-seeking missiles that day,” he recalls. The child’s family was awarded \$63 million.

Motivated by compassion and human connection, Searcy often creates lifelong bonds with his clients. Donna Berger is one. Searcy met Berger when she was in the burn unit at the University of Florida hospital. Berger’s family had been sitting in a parked car when it was struck by an impaired commercial driver. The car caught fire, killing Berger’s husband

and three young children; Berger barely survived. With Searcy as her attorney, her case was resolved without the need for a trial. Her reasons were personal: Against all odds, she had recovered and fallen in love with a family friend. They were trying to start a family, and Berger feared the stress of a drawn out trial would inhibit pregnancy. She went on to give birth to a healthy set of twins and wrote a book, *Living Through Loss*, which is co-authored by Searcy’s son, Will. The two families remain close friends today.

For people who have experienced unthinkable tragedies, the prospect of reliving them through a personal injury

lawsuit may seem daunting. Searcy says his clients tell him otherwise. “They’ll often talk with me afterward and say, ‘I thought this process would be retraumatizing, but looking back, it’s helped me more than anything else,’” he says. “When I’m doing this work, I feel like I’m finally doing something about what happened to my two Henrys. And that’s a happy feeling.”

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