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Roger Williams University School of Law

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Newsroom

March 12, 2016

Logan on Kenneth Feinberg

Professor David Logan on Kenneth Feinberg, a specialist in administering compensation for victims and survivors of the nation's most spectacular disasters.

From The Observer: ["Meet Ken Feinberg, the Master of Disasters"](#) by Ross Barkan • 03/09/16

11:08am

When disaster strikes, Ken Feinberg writes the checks.



March 9, 2016: On a frigid February afternoon, Kenneth Feinberg, one of the singular figures in American legal history, pondered the concept of fate. "Lighting can strike. I mean, I don't think I plan more than two weeks ahead, I'll tell you that," said Mr. Feinberg, munching on salted nuts in the bar of the Carlyle Hotel. "I was much more a believer that I can chart my own destiny, basically have control over the future. It doesn't work that way. You think you can, but life has a way of throwing curveballs."

Mr. Feinberg would know.

Since the 1980s, but especially since September 11, 2001, there has been only one attorney in America called upon, again and again, to administer compensation for victims and survivors of the nation's most spectacular disasters. Think of a calamity during the last decade and a half, and the droopy-faced, balding and bespectacled 70-year-old with a Boston brogue right out of *The Departed* has been on the job: 9/11, Virginia Tech, the BP oil spill, Sandy Hook, Aurora, the Boston Marathon bombing. [...]

To his admirers, Mr. Feinberg is a little like the titan Atlas holding up the planet.

To his detractors, he is high-handed and patrician, a press-savvy enabler for flush corporations to dodge costly lawsuits.

Either way, he operates in a niche with no rivals. [...]

There is some resistance to Mr. Feinberg's practice. Even admirers, like **David Logan, the former dean at Roger Williams School of Law**, warn of the "privatization of justice" that such mediation represents.

"Our tradition has been to have civil disputes in an adversarial system, overseen by an impartial judge with important roles for a lay jury," **Mr. Logan wrote** by email. "Ken Feinberg tosses all of that out the window and we are supposed to conclude that it's simply better to trust him to do it all. Add to that the fact that Ken Feinberg is selected and paid by deep pocket, deeply self-interested defendants."