



Richard Warren Mithoff, in his Houston office, is counsel to such celebrities as Willie Nelson and the Doobie Brothers.

## Lawyer fights for newborns — in court and with endowment

Houston lawyer Richard Warren Mithoff is as comfortable in hospital halls and music halls as he is in the halls of justice.

His peers put the former El Pasoan at the top of the list of personal injury lawyers in the United States, and he also counts among his clients such entertainers as Willie Nelson, Buck Owens and the Doobie Brothers.

Earning his daily bread-and-butter involves the glamorous — handling contracts and business litigation for the stars — and the tragic — taking cases of personal injury, medical malpractice and product liability.

Mithoff has handled several hundred personal injury and death cases, recovering millions of dollars.

He gained national attention in 1982, when he reached a \$26.5



good company

by Mary Margaret Davis

million settlement with a trucking company in a personal injury case, and again in 1983, when he won \$119 million for a family whose child was retarded because of a doctor's neglect at her birth.

A recent release from the University of Texas Health Science Center at Houston reported that, because so many of his cases have involved birth deliveries, Mithoff has donated \$100,000 to establish an endowed professorship in neonatal/perinatal medicine at the medical school of the Houston science center. (Perina-

tal care is that taken around the time of birth, while neonatal care relates to the newborn during the first month after birth.)

Mithoff said he believes providing doctors and nurses with the best possible training is vital to preventing the injuries that lead to malpractice suits in the first place.

The lawyer said he decided to make the donation to the UT medical school after reaching a \$50 million settlement with a north Texas hospital that he had sued on behalf of a child who suffered brain damage at birth because, he contended, the doctors failed to deliver the infant in sufficient time.

Because most brain injuries to

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children occur during the birthing process, Mithoff said, he wants to help underwrite the cost of training nurses and doctors about improved delivery techniques.

"If educators can provide a community outreach program and instruct health professionals about perinatal and neonatal care, tragedies can be avoided," he said.

"In a malpractice suit, it is not just proving that a mistake was made, but that a standard of care has been violated.

"I would like to do something to prevent those injuries that I'm so closely associated with in litigation every day, as well as help those who have been injured.

"One way to do this is to provide excellent training to health professionals and, in so doing, protect the health of consumers."

Out of every 20 personal injury cases offered to him, he usually elects to take only one.

A recent Houston Business Journal article said that Mithoff has high praise for those in the medical profession who demand excellence from their contemporaries.

Until a few years ago, the article continued, it almost was impossible to find a doctor who would testify against another doctor. But today the situation is different.

"They are interested in education and want to help, want justice and have enough courage to come forward," he said.

Mithoff's parents are Sun City advertising man Richard Mithoff and his wife, Frances, 1985 Beta Sigma Phi Sorority's First Lady of El Paso.

The younger Mithoff got his bachelor's and law degrees from

the University of Texas at Austin. Earlier, he worked with consumer activist Ralph Nader.

He and his wife, Ginni, have a son, Michael, and a daughter, Caroline

He is in private practice and was listed in Town and Country magazine in May as one of the top 90 lawyers in the country in the fields of personal injury, malpractice and product liability. Three other Texans made that list — another Houston lawyer, one from Marshall and one from Austin.

Mithoff is a member of the Houston, Texas and American bar associations, the Texas Trial Lawyer Association, and the Association of Trial Lawyers of America. He is a frequent speaker at various seminars of the American Hospital Association and other medically related organizations.

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