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*Woman to Watch*

## Sheila Bjorklund

**BV IVY GRACIE** | CONTRIBUTING WRITER

In 2003 Sheila Bjorklund, a partner at Lommen, Abdo, Cole, King & Stageberg, P.A., won a high-profile case against the U.S. Department of Health and Human Service, representing a boy who developed autism after childhood vaccinations. She argued against the federal government's National Vaccine Act provision that a petition for compensation must be filed within three years of the occurrence of the first symptoms. "My argument is that there is no first symptom of autism," Bjorklund said. It resonated with the judge, who ruled that the beginning stage of autism cannot be reduced to a single, identifiable symptom. That was the moment she knew she'd made the right career choices to arrive at a meaningful, successful specialty.

Sheila received a B.S. in nursing from the University of Minnesota and a certificate in Public Health Nursing in 1972. She moved from pediatric nursing into public-health nursing and in-home care, taking time off to have her children. When she returned to work in a position that required regular contact with attorneys she realized, "The legal system didn't have a solid understanding of the medical system." She recalls, "I thought, 'I have a well-rounded background in nursing — there has to be a way to blend them.'"

Bjorklund enrolled at William Mitchell College of Law. In 1993 she was admitted to the Minnesota State Bar and signed with Minneapolis-based Lommen. "I started out defending insurance companies, but we changed our practice and took on more cases from the patients' perspective," she said. When one of her partners mentioned a client whose child had developed autism subsequent to pediatric vaccinations, Bjorklund found her path.

"Autism caused by vaccines was right up my alley because of my health training," she said. "Children were being denied coverage for basic lab tests because they were autistic. We began to represent their families in controversies with insurance companies and were successful in overturning denials in coverage. Then I became involved with the vaccine court. It was a winding path but eventually it led me here."

Since 2002, Sheila has specialized in representing families of children injured by the side effects of routine pediatric immunizations. The cases are filed with the National Vaccine Injury Compensation Program, created in 1986 to provide a federal no-fault system to compensate vaccine-related injuries. The Court of Federal Claims oversees the program. Bjorklund has 31 cases filed in the program.

"What started out to be a really altruistic program that would provide an alternative to the traditional tort route, be fast, and provide gen-

erous awards has really become an adversarial system," Bjorklund said. "The government doesn't want to give these kids an opportunity to receive compensation."

Bjorklund is on the executive committee of the Petitioners' Steering Committee, a group of attorneys from across the country who have claims filed in the program. The committee pools resources to better prosecute attorneys' claims and works with medical experts to prove legal causation between vaccine components such as thimerosal, a mercury-based preservative, and autism.

"Sheila has worked to secure justice for these families against daunting odds, working with doctors, scientists and other experts to put together complex cases for the children, and then taking on a small army of government lawyers working to deny compensation," said Thomas Powers, an attorney at Williams, Love, O'Leary, Craine & Powers in Portland, Ore., who represents similar cases. "Most significant, perhaps, is Sheila's work in opening the doors to the Vaccine Court to potentially thousands of deserving children who otherwise would have been barred from the program."

"I didn't start out thinking I'd be a lawyer," Bjorklund said. "When I became a lawyer didn't have aspirations of becoming a partner. And I never thought I'd be involved in national litigation that has such an impact. You never know where life is going to lead."

With two grown sons, Sheila and her husband, a family practice physician, are expecting their first grandchild. Though she's busy knitting sweaters in anticipation of the arrival, she doesn't expect to be a sedentary grandmother.

"When I retire I'm going to become a master gardener," she said. And she and her husband are avid downhill skiers. "Our goal is to be able to continue skiing until we can get the senior discount on tickets!"



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