

## **ISSUES THAT MATTER FOR 2008** **Defend, Restore and Strengthen the** **Civil Justice System**

The civil justice system is one of the last places in this country where individuals can successfully challenge insurance companies, the corporations that make dangerous consumer products, and those who injure and kill through environmental and occupational dangers.

But for the past twenty years, corporations have been in the forefront of an all out attack – they call it tort reform, we call it tort deform— on the American right to trial by jury in civil cases.

This tort deform movement has invested millions of dollars into a campaign to create hundreds of think-tanks, public relations, polling and lobbying firms – the propaganda machine of reckless companies seeking to escape the law.

These groups keep chipping away at state and federal laws designed to protect individuals from the rapacious wrongdoing of large multinational corporations.

The ultimate goal of the tort deform movement is to immunize corporations from lawsuits brought by injured citizens seeking justice against the perpetrators of harm.

The corporations pursue this goal in a myriad of ways – but primarily by lobbying legislators to deny injured citizens their full day in court by denying them a variety of long-established remedies and procedures—and by targeting for electoral defeat conscientious judges.

The corporate lobbyists are not absolutists. They will take what they can get. And they have gotten a lot – one slice at a time, year after year.

In many states, their tort deforms campaigns have capped real damages, pain and suffering damages, and punitive damages.

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## ISSUES THAT MATTER FOR 2008 Defend, Restore and Strengthen the Civil Justice System

They have also successfully limited contingency fees, and restricted joint and several liability.

The corporate tort deformeders falsely argue that the civil justice costs too much.

But they say nothing about the human destruction that results from unsafe corporate practices that are responsible for hundreds of thousands of preventable deaths, injuries, and diseases and enormous economic costs to workers, consumers and the environment.

They say nothing about how the civil justice system reduces these costs by deterring companies from engaging in the wrongdoing in the first instance and making harmful and polluting corporations pay for their "torts."

Despite corporate propaganda to the contrary, the American people want a chance to obtain justice before judge and jury.

Nader/Gonzalez would reverse the federal tort deforms of the past two decades, encourage the states to restore and strengthen the civil justice system, defend Americans' constitutional right to a jury trial, and assign the resources necessary to bring to justice those corporations that unjustly injure innocent consumers and other citizens.

For more information, see:

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