



July 2012

YOU SHOULD KNOW

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Americans**

**Conservative Opposes
Tort Reform**



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THE DOCKET /

Protect Your Seventh Amendment Rights

Our Constitutional Liberties Are Threatened by “Tort Reform”

“In suits at common law, trial by jury in civil cases is as essential to secure the liberty of the people as any one of the pre-existent rights of nature.” – James Madison

Beyond the barbecues and fireworks, recent Independence Day celebrations also remind us of the liberties our Constitution sought to protect, preserve and uphold. These fundamental rights are the glue that holds our nation together. Yet, many Americans aren't aware that the Seventh Amendment, which guarantees our right to a trial by jury in civil cases, is currently under attack. Advocates of “tort reform” are pushing for an overhaul of our civil justice system, which would change centuries-old common law and is in stark opposition to the vision of our Founding Fathers. **You Should Know** what's at stake.



The Seventh Amendment Guarantee:
In suits at common law, where the value at controversy shall exceed twenty dollars, the right of trial by jury, shall be preserved ...
[Learn more.](#)

BY THE NUMBERS /

**79
Percent**

Between 1985 and 2003, the number of personal injury trials in U.S. District Courts declined by 79 percent, from 3,604 in 1985 to fewer than 800 in 2003.

Source: Federal Tort Trials and Verdicts, 2002–2003, Bureau of Justice Statistics

**0
Difference**

There was no change in health care costs after a 2003 Texas constitutional amendment put a cap on medical malpractice lawsuit payouts. Proponents argued that capping damage awards would curb malpractice lawsuits and insurance costs while

> [RECENT VICTORY - 2.5 MILLION DOLLARS CAR VS. TRUCK COLLISION ON L.I.E. \(QUEENS\)](#)

> [RECENT VICTORY - 450,000 DOLLARS FALL ON DEFECTIVE APARTMENT STAIRWAY \(BROOKLYN\)](#)

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Read Our

[Article:Frequently Asked Questions about Personal Injury](#)

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lowering the cost of health care.

Source: *New Study: Tort Reform Has Not Reduced Health Care Costs in Texas*, *The Statesman*

50,000 More Deaths

Fifty thousand more people could die over 10 years (beyond the 44,000 to 98,000 already estimated to die annually from medical errors) if Congress limits the legal rights of patients.

Source: *Letter to the Simpson-Bowles Commission, 2010 (download)*, *Various Consumer and Patient Safety Organizations*

BOOKMARK FAVORITES /

Lawyers, Clients Protect the Seventh Amendment

The [American Association for Justice](#) (AAJ) is dedicated to protecting the Seventh Amendment by working with lawyers and their clients to increase public awareness. People Over Profits is AAJ's grassroots network to protect the civil justice system. Visit the [action center](#).

Public Citizen Represents People in Halls of Power

For more than 40 years, [Public Citizen](#) has challenged the abusive practices of the pharmaceutical, nuclear and automobile industries, and many others. Read what they say about [access to justice](#).

Pop Tort Blog Provides Candid Viewpoint

The [Center for Justice & Democracy](#) has created the [Pop Tort Blog](#) for promoting civil justice in a humorous, sarcastic and candid way. [Subscribe](#) to their updates and view an extensive list of the [issues](#) they cover.



What Do You Think?

Were you aware that the Seventh Amendment is under attack? Share your thoughts and you could score a free iPod shuffle! Also see comments from last month's motorcycle safety survey.

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Conservative Opposes “Tort Reform” Movement

Andrew Cochran, editor of the [7th Amendment Advocate](#), calls “tort reform” the 30-year war on individual rights and urges conservative opposition.

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