# Blocking the Courthouse Door

How the
Republican Party
and Its Corporate Allies
Are Taking Away
Your Right to Sue

STEPHANIE MENCIMER

# Blocking The Courthouse Door Blocking The Courthouse Door

**Barbara J. Youngberg** 

#### **Blocking The Courthouse Door Blocking The Courthouse Door:**

Blocking the Courthouse Door Stephanie Mencimer, 2006-12-05 Thanks to constant political oratory against frivolous lawsuits and jackpot justice it is widely known that there s a legal crisis in this country President Bush never misses an opportunity to call for laws that would bring more common sense to a legal system that he claims is out of control wrecking the economy driving doctors out of their practices bankrupting small businesses and costing American jobs Journalists repeat the charges without examining them As a result the lawsuit issue has moved to the political front burner and in the past three years state after state has responded by limiting citizens rights to sue Just this year alone the Republicanied Congress has passed restrictions on class action lawsuits and is steps away from enacting limits on medical malpractice lawsuits But is there really a crisis National data show that the number of civil suits is falling not rising and that the average damage award is also going down Despite intense media hype to the contrary the number of personal injury lawsuits filed every year has been tumbling for the past decade Upon closer examination the stories of ridiculous lawsuits usually turn out to be false or badly misleading The crisis in short appears to be a phantom So how do we explain the scary headlines Who s behind the tort reform movement and what are the real goals Blocking the Courthouse Door will show that the movement against so called greedy trial lawyers and irresponsible plaintiffs is the result of a concerted and successful campaign by large corporations to get this issue on the table and thus limit their own vulnerability in the civil justice system. They have spent decades and many millions of dollars on focus groups and Madison Avenue public relations research They have funded institutes sponsored academic research bankrolled politicians set up phony astroturf grassroots organizations with chamber of commerce return addresses and fed copy to all too gullible journalists For corporations the self interest involved is fairly plain Tobacco companies no longer able to dodge the bullet of liability for knowingly selling poisons are making an end run around the civil justice system If they can t win a class action suit they ll make suing itself illegal Insurance companies drowning in red ink from mismanagement and bad investments in the bond market hike insurance rates by huge sums and blame malpractice suits The doctors in turn blame greedy lawyers and their own injured patients And for Republicans the campaign provides an extra bonus defunding the Democratic Party Limits on lawsuits cut into the income of some of the Democratic Party s most generous donors the trial lawyers who are often the only source of campaign cash for Democrats in many states By exposing some of the dubious characters corporate chicanery skewed research fudged numbers and bogus journalism that have buttressed the calls for lawsuit reform Stephanie Mencimer shows who s behind the movement to close the courthouse doors and how they ve successfully persuaded millions of Americans to give up their critical legal rights without fully understanding what they re losing often until it s too late **Summary: Blocking the Courthouse Door** BusinessNews Publishing, 2017-01-30 The must read summary of Stephanie Mencimer's book Blocking the Courthouse Door How the Republican Party and Its Corporate Allies are Taking Away Your Right to Sue This complete summary of Blocking the

Courthouse Door by Stephanie Mencimer analyses her examination of all aspects of the tort reform campaign She questions the approach of Republican led Congress towards lawsuits and empowering corporations instead of individuals Added value of this summary Save time Understand the tort reform campaign in a fraction of the time Expand your knowledge of the American legal system and Republican reforms To learn more read Blocking the Courthouse Door and discover how the Republican Party imposed limits on suing and the implications this has had for American society *In Public Houses* David W. Conroy, 1995 In this study of the role of tayerns in the development of Massachusetts society David Conroy brings into focus a vital and controversial but little understood facet of public life during the colonial era Concentrating on the Boston area he reveals a popular culture at odds with Puritan social ideals one that contributed to the transformation of Massachusetts into a republican society Public houses were an integral part of colonial community life and hosted a variety of official functions including meetings of the courts They also filled a special economic niche for women and the poor many of whom turned to tavern keeping to earn a living But taverns were also the subject of much critical commentary by the clergy and increasingly restrictive regulations Conroy argues that these regulations were not only aimed at curbing the spiritual corruption associated with public houses but also at restricting the popular culture that had begun to undermine the colony's social and political hierarchy Specifically Conroy illuminates the role played by public houses as a forum for the development of a vocal republican citizenry and he highlights the connections between the vibrant oral culture of taverns and the expanding print culture of newspapers and political pamphlets in the eighteenth century The Influence Machine Alyssa Katz, 2015-06-23 An illuminating history and groundbreaking investigation tracing how a single trade organization turned itself into the most dangerous political weapon in America When Americans hear the words Chamber of Commerce many still think of the local business associations that spruce up Main Streets and sponsor Little League teams around the country But the United States Chamber of Commerce is a different animal altogether The Chamber was originally founded to give big business a voice during the long and now almost inconceivable period in American history that saw the rise of workers rights consumer protections and environmental awareness as national priorities But over time driven by an antigovernment ideology and its desire for financial and political power the Chamber metastasized into a fighting force designed to protect the worst excesses of American industry The Chamber through its veiled corporate sponsors can take credit for some of the most disturbing trends in American life the reversal of environmental protections the destruction of unions and worker protections the rise of virulent antigovernment ideology the enlarged role of money in campaigns and the creation of astroturf movements as cover for a corporate agenda Through its propaganda lobbying and campaign cash the Chamber has created a right wing monster that even it struggles to control a conservative movement that is destabilizing American democracy as never before The Influence Machine tells this history as a series of gripping narratives that take us into the backrooms of Washington where the battles over how our country is run and regulated are fought and then out into

the world where we see how the Chamber's campaigns play out in real lives In the end Alyssa Katz reveals the hidden weaknesses of this seeming juggernaut and shows how its antidemocratic agenda can be reversed Praise for The Influence Machine Important and probing a valuable and a sobering contribution to the study of power in American society Katz has assembled a work of synthesis and insight The chamber has she argues effectively countered the influence of labor unions and contributed to the widening economic divide in American society Those points are made forcefully and backed up impressively Los Angeles Times An urgent look at the political assault weapon that is transforming the country Katz does invaluable work in tracing how the U S Chamber of Commerce has been a relentless engine for pressing a business of enterprise unfettered by government An eye opening maddening read Kirkus Reviews With clarity and verve but without polemic investigative journalist Katz describes the U S Chamber of Commerce s evolution into a many armed behemoth She illustrates with several examples of how the organization has managed to influence courts strong arm Congress cripple federal agencies and sway the public with voter education ads and more recently it has exported cutthroat American business practices abroad Publishers Weekly Tort Reform, Plaintiffs' Lawyers, and Access to Justice Stephen Daniels, Joanne Martin, 2015-06-05 Tort reform is a favorite cause for many business leaders and right leaning politicians who contend that out of control lawsuits throttle growth and inflate costs particularly in healthcare Less is said about how such reforms might affect the ability of individuals to recover damages for injuries suffered through another party s negligence On that count Texas where efforts at tort reform have been energetic and successful provides an opportunity to appraise the outcome for plaintiffs and their lawyers an opportunity that Stephen Daniels and Joanne Martin take full advantage of in this timely and provocative work Because much of the action on tort reform takes place on the state level a look at the experience of Texas a large and important state with a very active plaintiff's bar is especially instructive Plaintiff's lawyers work on a contingency fee basis collecting compensation for themselves as a percentage only if they win Reduce lawyers ability to use contingency fees as compensation as tort reform inevitably does and you reduce their economic incentive to do this work Daniels and Martin's study bears this out Drawing on over 20 years of research extensive surveys and interviews the authors explore the impact the tort reform movement in Texas has had on the ability of plaintiffs to obtain judgments in short on private citizens meaningful access to the full power of the law In the course of their analysis the authors explain the history and economics behind the workings of the plaintiffs bar They explore how lawyers select cases and clients as well as the referral process that moves cases among lawyers and allows for specialization They also examine the effects of medical malpractice reforms on plaintiffs lawyers reforms that often close the courthouse doors to certain types of people tort reform s hidden victims Plaintiffs lawyers are the civil justice system's gatekeepers providing meaningful access to the rights the law provides Daniels and Martin's thorough and fair minded work offers a unique and sobering perspective on how tort reform can curtail this access and thus the legal rights of American citizens Patient Safety Handbook Barbara J. Youngberg, 2013 In the

current climate of managed care tight cost controls limited resources and the growing demand for health care services conditions for medical errors are ripe Nearly 100 000 people die each year from medical errors and tens of thousands more are injured This comprehensive handbook on patient safety reflects the goals of many in the health care industry to advance the reliability of healthcare systems worldwide With contributions from prominent thought leaders in the field this thoroughly revised Second Edition of The Patient Safety Handbook looks at all the recent changes in the industry and offers practical guidance on implementing systems and processes to improve outcomes and advance patient safety The book covers the full spectrum of patient safety and risk reduction from the fundamentals of the science of safety through a thorough discussion of operational issues and the application of the principles of research Real life case studies from renowned health care organizations and their leadership help the reader understand the practical application of the strategies presented Key Features Offers contributions from prominent thought leaders in both academia and the profession Examines the newest scientific advances in the science of safety Includes real life case studies from renowned health care organizations

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