



PRESS RELEASE

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Fair Share Act is fair for consumers, job creators, health-care providers and local governments

HARRISBURG, PA – The **Pennsylvania Chamber of Business and Industry** today said the only thing that would be significantly eroded by enactment of the Fair Share Act is personal injury lawyers' ability to unfairly force settlements from or seek disproportionate judgments against minimally responsible or no-fault defendants in civil liability cases.

"The current legal doctrine of joint and several liability has given the green light to trial lawyers to search for deep pocket defendants, regardless of their degree of fault or legitimate attachment to a case," PA Chamber Vice President Gene Barr said. "Fair Share Act language as currently embodied in Senate Bill 1131 would bring financial responsibility more in line with actual degree of fault. The bill is fair for all parties. It will begin to restore balance and predictability to the state's notoriously bad legal climate, which impacts everything from the cost of consumer goods and services to business investment and growth."

Despite critics' claims to the contrary, Barr said S.B. 1131 includes important protections that would hold defendants determined to be more than 60 percent at fault fully liable for damages. The bill also contains exceptions for environmental and intentional torts, and DUI-related cases.

This same language received bipartisan support in the legislature in 2002 and 2006, and is backed by more than 100 business, health-care and local government organizations and associations. Two major Pennsylvania newspapers, the *Pittsburgh Post-Gazette* and the *Harrisburg Patriot-News*, have also expressed support for financial liability reform as proposed by the Fair Share Act. And according to a 2011 statewide legal reform survey conducted by Susquehanna Polling and Research, 76 percent of respondents favor the legislation as well.

The Trial Lawyers Bar, Pennsylvania Bar Association (although not all members) and the AFL-CIO are the only groups decrying the current lawsuit abuse reform effort.

Barr said more than 40 states have repealed or modified joint and several liability – and have not taken steps to return to that system – and a handful of other states have never had the rule in place.

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“None of these states have reported any problems with uncompensated or undercompensated victims or resulting strains on their budgets and taxpayers, not even during the recent recession,” he said. “Senate Bill 1131 is a reasonable proposal that modifies a legal rule that has benefited personal injury lawyers at the expense of consumers, job creators, doctors, hospitals and local communities. “It’s time to get this commonsense reform law on the books in Pennsylvania once and for all.”

Senate Bill 1131 advanced from the House Judiciary Committee and is positioned for a vote by the full House.

“The Pennsylvania Chamber urges lawmakers to look beyond the self-serving arguments of the Trial Bar and its limited number of sympathizers and vote ‘yes’ on the Fair Share Act,” Barr said.

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The Pennsylvania Chamber of Business and Industry is the state’s largest broad-based business advocacy association, with its statewide membership comprising businesses of all sizes and across all industry sectors. The PA Chamber is The Statewide Voice of Business™.