

Legislators say e-mail demonstrates need for tort reform

From Journal Reports

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An Oklahoma City law firm is urging plaintiffs to file lawsuits prior to tort reform legislation becoming law in November, which serves as proof trial attorneys fear that the change will be effective in limiting frivolous lawsuits, House and Senate leaders said this week.

The email, sent from an attorney with the Merritt & Associates law firm last week, says "Danger! Tort reform legislation effective November 1. File your lawsuits now!"

House Speaker Chris Bengtson said the email proves the new law is a significant step toward cutting down on frivolous lawsuits while

clearing the way for legitimate claims.

"This email, while very concerning, should serve as an example of why we passed tort reform," said Bengtson, R-Tulsa. "We believe the law passed last session will have the effect of attracting businesses and creating jobs in our state."

For over a decade, House and Senate Republicans have sought reforms to Oklahoma's justice system, where frivolous lawsuits have increased health care costs, driven talented doctors out of our state because of high malpractice insurance rates and told companies to look to more business-friendly states when considering relocation or jobs creation.

"My top priority when first elected to the State Senate eleven years ago was to enact real and

meaningful lawsuit reform in Oklahoma," said Senate President Pro Tem Glenn Coffee, R-Oklahoma City. "The activists in the Trial Bar fought this reform tooth and nail, and some of them still can't accept the new reality."

"Throughout the process of passing lawsuit reform, this particular law firm was Oklahoma's Chicken Little, and now they are proclaiming that the sky will fall in November," Coffee continued. "In fact, the skies will open, and Oklahoma will open for business when HB 1603 goes into effect."

Rep. Dan Sullivan, House author of this year's lawsuit reform legislation, House Bill 1603, said the email also falsely claims joint and several liability is abolished by the bill. The legislation limits its joint and several liability to instances where a tortfeasor is

more than 50 percent liable.

"The attorney who sent this email expressed deep opposition to change and tried to rally his colleagues to try to stop reform. Now that he was unsuccessful in defending the status quo, he is trying to encourage people to file lawsuits prior to the law taking effect whether they have merit or not," said Sullivan, R-Tulsa. "This email is nothing but an opportunistic attempt to get lawsuits on the books, regardless of their merit, by lawyers who will go to any lengths to prey on vulnerable Oklahomans."

This week Sullivan, Coffee, and the State Chamber of Oklahoma were also recognized with the American Tort Reform Association's first annual "Gold Medal for the Best State Civil Justice Legislation."

"This is positive news for Oklahoma because it shows that those who watch legislation around the country recognize that Oklahoma is moving in the right direction and working to attract business to our state," said Sullivan. "I hope this recognition shows companies across the country that Oklahoma is open for business."

"I thank ATRA for recognizing the work we have done here in Oklahoma, and spreading the good news across the nation," said Coffee. "In a challenging economy, this recognition is a bright light shining on our state that is will be seen nationwide."

"Many people and groups share in the success of this legislation, and I'm proud to stand with Representative Sullivan and the State Chamber on their behalf," Coffee concluded.