

TORT REFORM?

Attorney Tony Tauke has been practicing civil and real estate law for over twenty-five years. He noted several court cases of civil suits in recent years where the large jury awards received a great deal of publicity. He said there seems to be a growing sentiment to limit the amount of damages the jury can declare against the defendant. The McDonalds spilled coffee case is one example where the plaintiff was awarded \$2.9 million for seemingly doing a foolish thing. However, Tony noted that there were already 700 burn cases attributed to extra hot coffee before this incident and the coffee supplier had asked that the serving temperature be lowered. Tony explained that when all the facts of what happened, how it happened, and who was responsible are presented to a jury, reasonable awards usually result. Furthermore the judge filters the jury decisions to keep the court system in balance. From his experience and observations of the court Tony does not think the movement toward tort reform is warranted.