

PRESIDENT'S PAGE

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For years, we have defended the tort system against an unrelenting effort to deny justice to people who have been injured by the wrongful conduct of others—whether those injuries were caused by defective products that kill and maim, substandard medical care, reckless transportation and conveyance of passengers, consumer fraud, discrimination and other wrongs in the workplace, or other countless instances of foreseeable harm inflicted by wrongdoers.

It is time that we turn from defending the tort system and begin promoting it for what it is—a vehicle for effecting change and enhancing safety while holding wrongdoers accountable.

This is an opportune time to take the offensive and recast the debate. As the saga of defects in Toyota motor vehicles has unfolded—a drama that has featured runaway speeding cars, apologies tempered by denials and claims of innocence, and an unpersuasive effort to blame floor mats for an obviously more insidious problem—it has become clear that federal regulatory efforts cannot provide the level of protection and safety demanded by modern technology and the 21st-century marketplace.

Whether it's the National Highway Traffic Safety Administration regulating automobiles, the FDA regulating drugs, the Federal Aviation Administration regulating aircraft, the Securities and Exchange Commission regulating securities, or the Consumer Product Safety Commission regulating a wide range of consumer products, the tort system is an important adjunct to regulatory agencies, which—with their limited resources—can be counted on only to mandate minimum safety standards and enforce them weakly.

As Rep. Paul Kanjorski (D-Pa.) so aptly put it while questioning Toyota's president dur-

ing a House Oversight and Government Reform Committee hearing on the auto company's recalls: "We have a little bit of a contest . . . going on in the United States. We call it tort reform. And it is an argument that my friends on the other side very often use in the medical . . . field. . . . I think you are making the best argument in the world I have ever heard of why we should have the present tort system."

Advance team

Here at AAJ, we are taking this message to the public, promoting the importance of the tort system, not just defending it.

Our "98,000 Reasons" campaign on health care—focusing on the multitude of Americans killed annually by medical negligence—was a robust start. Then, in January, AAJ held a press briefing announcing a new decade of corporate accountability, serving notice that it's time to close the books on corporate immunity and end the assault on the rights of workers and consumers. In the coming months and years, AAJ's legislative agenda and other efforts will focus not only on corporate responsibility but also on promoting a strong and vibrant civil justice system to hold wrongdoers accountable.

Most recently, during the president's health care summit, a team of AAJ professionals used Twitter to provide minute-by-minute commentary to correct misstatements and distortions with real data and facts that prove beyond any doubt that taking away the rights of injured patients will not reduce the cost of health care or provide insurance for the uninsured. This effort culminated in AAJ being part of the after-coverage on the CNN program *AC360°*, hosted by Anderson Cooper, enabling us to give voice to injured patients and their families.

We will continue to educate lawmakers and the American people about the importance of the civil justice system in protecting families and workers. We are working on a new campaign that will ask, for example, "What would your child's nursery be like without the civil justice system?" Where would that list begin? With lead paint, which poisons children and causes nerve damage and cognitive deficits? Maybe with defective cribs, which continue to kill children? How about blinds that can strangle a toddler? Or a vaporizer that can cause disfiguring thermal injuries, forever scarring the face and limbs of a young child? Or flammable pajamas that can erupt in a horrific engulfing inferno?

Of course, this same question could be asked about automobiles, the toy box, the medicine cabinet, nursing homes, hospitals, and on and on.

We have a responsibility to educate the public and lawmakers alike that the tort system is a vehicle for positive change and safety. Who will speak for children and families to protect them against overreaching corporations that put profits ahead of safety and fairness? Trial lawyers!