

Defense Bar Group Backs Tort Reforms

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SACRAMENTO — California Defense Counsel, an organization of civil defense lawyers throughout the state, has announced "cautious support" for a nine-bill tort reform package which is also supported by the California Trial Lawyers Association.

In a carefully worded press release, the 3,000-member organization said the nine bills — which are primarily aimed at limiting the liability of cities and counties — "do not amount to much genuine tort reform."

"But the real significance of this package is that the contingency fee bar finally recognizes the need for reform in our civil justice system," said Counsel President Archie S. Robinson, a San Jose attorney with the firm of Robinson & Wood.

"The concern we have is that momentum toward authentic reform may be destroyed or at least drastically slowed by the erroneous belief that the system has been fixed," Robinson added. "California's defense lawyers wonder: How many cases will be impacted by expanding public entity immunity for accidents caused by suspects fleeing police or by natural conditions at the beaches? Or a periodic payments bill which kicks in only if the judgment exceeds \$500,000?"

The nine-bill package was created in the final weeks of the 1987 legislative session after months of negotiations among the trial lawyers, the County Supervisors Association of California, the League of California Cities and the attorney general's office. The bills, which have bipartisan support, are expected to win relatively easy passage in the Legislature before the Sept. 11 adjournment.

Among its many provisions, the bills would tighten civil liability for local governments by such measures as limiting liability for accidents caused by natural conditions or by police chases. The bills would also allow 10-year structured settlements in large cases, prevent double recovery of damages and provide immunity for public officials for negligent acts of public entities.

"The civil justice system needs more than a patchwork of special interest legislation," Robinson said in the prepared statement.