

## COMMENTARY

## LOCAL GUEST COLUMNIST

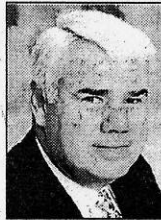
*Medical crisis wrongly pits doctors against lawyers*

As the son of a trial lawyer and grandson of a physician, I am distressed at how the public acrimony over the issue of tort reform has driven a wedge between our nation's two oldest and noblest professions.

Doctors and lawyers have shrewdly been pitted against one another sometimes unwittingly - by a pro-corporation, anti-consumer alliance that seeks to destroy the jury system that has been a foundation of American freedom since the dawn of our democracy.

It's unfortunate that many members of our esteemed medical community seem to be completely unaware that they are being used to further a much broader political agenda.

Our doctors in Northeastern Pennsylvania have been subjected to outrageous gouging at the hands of insurers. They have every right to be angry, and we, as



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a community, should be outraged at the possibility that the quality of our health care could be diminished because of insurance industry profiteering.

But there are numerous ways to solve today's malpractice crisis, including insurance regulation and effective, enforceable programs to make patients safer. Taking away people's rights and undermining our jury system should not even be on the table.

Americans must remember that our founding fathers established the jury system so that the poorest among us could go into a court-

room and stand on equal footing with the wealthiest. Despite scurrilous attacks by the medical lobby and others, Americans should also remember that trial lawyers, through their work in the courts, have played a crucial role in founding, shaping and preserving America as a nation of laws.

Throughout our country's history, trial lawyers have worked tirelessly and often without compensation to champion the rights of average citizens. Twenty-five of the 56 signers of the Declaration of Independence and the first 16 presidents of the United States were trial lawyers.

Our ranks include great Americans like John Adams and Clarence Darrow, who successfully fought for the rights of coal miners in Northeastern Pennsylvania

Because of them, unjust laws have been overturned, powerful corporations have been forced to respect workers' rights; thousands

of dangerous products have been modified or taken off the market, toxic polluters have been shut down, medical equipment and procedures have been made safer, and families of Sept. 11 victims have been compensated for the loss of their loved ones. Because of trial lawyers, David can literally take on Goliath and win.

Sadly, a relentless campaign of lawyer bashing by pro-corporation, anti-consumer forces over the past 30 years has tarnished the image of our noble profession.

Today, a negative public perception of lawyers is at the heart of a nationwide tort reform movement aimed at taking away people's Constitutional right to have a jury decide how much money they should get for their injuries.

I get asked about tort reform a lot, and I always say: If a jury can be trusted to decide whether a murderer lives or dies, why can't a

jury be trusted to decide what our injuries are worth?

President Bush wants Americans to believe jurors are "lousy." From my 30 years as a trial lawyer, I can tell you jurors are patriotic, hard-working Americans.

Today's tort reformers - a powerful coalition consisting of the medical lobby, hospitals, politicians, the insurance industry and big business - have been very shrewd in exploiting lawyers' public image problem and pitting us against doctors.

It takes the spotlight off the real culprit - insurance companies. It plays on people's fears and masks tort reform's true agenda - limiting people's access to justice for the benefit of corporate America.

Tort reformers want us to believe we can fix doctors' short-term financial problems by taking away Americans' rights forever. But that's an argument even John Adams or Clarence Darrow couldn't win.