



# Bulletin

Winter 2004

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## Lawsuit Abuse Awareness Week October 4-8, 2004

Elected officials throughout the state of Maryland proclaimed October 4-8, 2004 Lawsuit Abuse Awareness Week (LAAW) including: Prince George's County Executive Jack B. Johnson; Mayor James Cotton of Frostburg; and the Presidents of the Boards of County Commissioners for Allegany, Carroll, Dorchester, Fredrick, Harford, Howard, Kent, St. Mary's, Queen Anne's and Washington counties. In addition, the cities of Crisfield and Fruitland also recognized LAAW.



Washington County Commissioner Dori Nipps (L) presents MDCALA Board Member Vikki Nelson with a proclamation designating October 4-8 as Lawsuit Abuse Awareness Week in Washington County.

Lawsuit Abuse Awareness Week serves to spread the word about the cost and consequences of lawsuit abuse to our community. As the specific focus of LAAW 2004, MDCALA encouraged

Marylanders to take personal responsibility instead of blaming others and filing lawsuits. MDCALA made a series of appearances with elected officials across the state to promote Lawsuit Abuse Awareness Week. ■



MDCALA Executive Director Carrie Capuco accepting a proclamation from Fredrick County Commissioners declaring October 4-8 Lawsuit Abuse Awareness Week.

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### F.Y.I.

The 2005 Maryland Legislative Session will be opening January 12<sup>th</sup>. Be sure to contact your representatives and let them know how you feel about lawsuit abuse.

### SPEAKERS BUREAU

MDCALA provides volunteer speakers as a public service to civic, community, religious, and/or professional organizations interested in hearing about the effects of lawsuit abuse. If you are interested in having a speaker address your organization, contact Carrie Capuco at 410-280-3800 or 800-210-8222.

### FACT

**The U.S. tort system cost \$233 billion in 2002—a staggering \$809 per person.**

*-Tillinghast-Towers Perrin. U.S. Tort Costs: 2002 Update (New York, NY, 2003)*

**MDCALA**

MDCALA is a nonprofit, nonpartisan, grassroots, public education organization dedicated to watching over the legal system and those who would seek to abuse it for undeserved gain. MDCALA strives to educate the public about the costs and consequences of lawsuit abuse through a variety of education and outreach activities.

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***Executive Director's Message***

This past year has been a time of change for MDCALA. I assumed the position of Executive Director of MDCALA on July 15, 2003. My experience includes over 17 years in environmental education and organizational development working with a variety of non-profit organizations, serving as a staff member in the U.S. Environmental Protection Agency Hazardous Waste Enforcement Program, and consulting for government agencies at the federal, state, and local levels.

I am excited to lead this very important effort to bring fairness back to Maryland courts and a sense of stability back to our communities. I look forward to sharing the message of personal responsibility and promoting justice, not greed, as the core component of our civil justice system.

I have a strong belief in teamwork and hope to bring that belief to this issue. The more we collectively approach those trying to abuse our legal system, the better we will be able to thwart their path. I urge you to take time to teach your children to talk over their problems instead of pointing fingers at those around them. It is time for us to teach better social responsibility, so our future generations will facilitate the elimination of lawsuit abuse.

Please feel free to contact me—Visit our website for any further questions or comments.

Carrie Capuco  
 Executive Director of MDCALA

**FACT Maryland is Losing Doctors to Lawsuit Abuse**

“The Maryland State Medical Society (MedChi) reports 44 confirmed cases in 2004 of Maryland physicians in various specialties who have already closed their practices or stopped offering a key service like obstetrics due the dramatic increases in medical liability insurance premiums. The only thoracic surgeon in Washington County is leaving; the only neurosurgeon in Charles County has left and 4 out of 7 obstetricians there are preparing to leave.”

*-Testimony of Dr. Mark Seigel, President of MedChi before Maryland Insurance Administration, August 18, 2004.*

## Honoring Our Heroes, Answering the Call

By Carrie Capuco

As we celebrate Veterans' Day this month, we remember the sacrifices of our brave men and women who fought, and continue to fight, to protect our freedoms. But too many of us take our fundamental rights for granted, and we do not always do our part to promote democracy. To honor the sacrifices of our heroes and to show our patriotism, we must embrace our civic obligations, including jury service.

We all have a right to a trial by a "jury," but we often shirk our duty to serve. According to an American Bar Association survey, more than 87 percent of respondents who were called for jury duty found it "important but inconvenient."

Oftentimes, we drum up excuses for why we cannot serve—we are too busy; we don't have time; we cannot afford to miss work. In fact, nearly 25 percent of Marylanders summoned for jury duty never show up to court, according to the Maryland Bar Association. Baltimore particularly suffers from a limited pool of jurors because hundreds of people a week ignore their summons.

But, we need people to serve on a jury—it's the pillar of our judicial system. Today, frivolous lawsuits and out-of-control jury awards plague our courts. The truly injured often wait months or years for their cases to be heard because our court dockets are clogged with meritless lawsuits.

To ensure our courts are used for justice, we need people like you to sit in the jury box to ensure those who are injured receive fair compensation, and frivolous lawsuits are thrown out. Without qualified jurors dedicated to promoting fairness and balance, our legal system will continue to be abused. Serving on a jury is the best way to fight lawsuit abuse.

Not only do we need to do our part and serve when summoned to help ensure fairness in our courts, but we also need to encourage others to answer the call.

Many states across the country are trying to make it easier for people to serve and to improve the jury service experience. Some of America's courts have adopted the "One Day, One Trial" system. Under this plan, if a potential juror is not seated on a jury on the day they report, they are dismissed.

We also need our employers to recognize the importance of jury duty and to encourage their employees to serve when called. Many companies already do pay their employees while they are performing jury duty.

And Baltimore's sponsorship of Juror Appreciation Week is another step in the right direction. Other Maryland counties should follow in Baltimore's footsteps. It's important to recognize those who serve and to thank them for answering the very important call.

As we honor our valiant heroes this month—those who sacrificed their lives for our democracy—we too must do our part to protect our fundamental freedoms. Serving on a jury is the best way to demonstrate our patriotism and pride. ■

## Annual High School Senior Essay Contest

This spring, MDCALA sponsored an essay contest, "How I Can Stop Lawsuit Abuse," for high school seniors across the state. In April, a committee of three read all submitted essays and the top 15 finalists were then sent on to our judges. The judges included: Nancy Hill, former MDCALA Executive Director; Paul Goetszky; then Counsel for the Mayor of Annapolis; Bonnie Schmeltz, school principal; Gary Prince, MDCALA Board Member; and Dyer Bell, a member of the Governor's staff. On June 3, 2004, MDCALA announced the three essay winners at an awards presentation. The three winners were:

- 1<sup>st</sup> Place** - Reena Mittelman of Baltimore County (\$1,000)
- 2<sup>nd</sup> Place** - Sara Pender of Dorchester County (\$500)
- 3<sup>rd</sup> Place** - Sarah Pfeifer of Howard County (\$250)

An evening reception was held at Mt. Airy Mansion in Prince George's County with Paul Goetsky as the featured speaker. Contestants, judges and supporters attended the event. *The 2004 winning essays are posted on the MDCALA Web site.*

The **2005 High School Senior Essay Contest** kicked off in October 2004, with prizes to be awarded in February 2005. The topic of the 2005 essay contest is "How Personal Responsibility Affects Courts in Maryland." For complete guidelines and deadlines, visit [www.mdcala.org](http://www.mdcala.org).

### **NEW!** Fourth Grade Essay Contest

MDCALA is pleased to announce the addition of an essay contest for Maryland fourth graders. The 2005 topic is "Why It is Important to Be Responsible." Cash prizes of \$25 will be awarded to the top three entries in each county. For full details, visit [www.mdcala.org](http://www.mdcala.org)

## We at MDCALA want to extend a hearty *THANK YOU* to all of our donors, but...

Please accept my contribution of \$ \_\_\_\_\_ to Maryland Citizens Against Lawsuit Abuse.

- I am a current supporter of MDCALA and wish to update my information.  
 Please send me civil justice reform news updates.

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MDCALA is a recognized nonprofit organization under Section 501(c)(6) of the Internal Revenue Code. Contributors should consult with their tax advisor about the deductibility of contributions or gifts. Less than 12% of your gift will be used for lobbying purposes.

## WE STILL NEED YOUR SUPPORT!

MDCALA educates the public on the costs and consequences of lawsuit abuse through outreach activities and public education campaigns.

Please make a donation today. The amount of your contribution doesn't matter—but your commitment to fighting lawsuit abuse does.

Please take the time to fill out the form at the right. Mail to the MDCALA office at: 214 Duke of Gloucester Street, Annapolis, MD 21401.

## Please help us update our database

If your contact information is older than a year, please take a minute to complete the above form and fax it to us at 410-280-3802 or email us your information at [mdcala2@erols.com](mailto:mdcala2@erols.com). We do not have email addresses for most of our supporters. If you would like to provide that information to us, please email it to us.

### MDCALA

Maryland  
Citizens Against  
Lawsuit Abuse



214 Duke of Gloucester Street  
Annapolis, Maryland 21401

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