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by governor.state.ms.us; Tue, 08 Jan 2002 12:55:59 -0600  
Received: from mx1.its.state.ms.us (mx1.its.state.ms.us [192.42.4.253])  
by e3000b.state.ms.us (8.10.0/8.10.0) with SMTP id g08JC7408090  
for <governor@governor.state.ms.us>; Tue, 8 Jan 2002 13:12:07 -0600 (CST)  
Received: from sunlold.its.state.ms.us (sunlold.its.state.ms.us [192.42.4.37])  
by mx1.its.state.ms.us (8.10.0/8.10.0) with ESMTP id g08J8Nq03705  
for <governor@governor.state.ms.us>; Tue, 8 Jan 2002 13:08:23 -0600 (CST)  
Received: (from nobody@localhost)  
by sunlold.its.state.ms.us (8.10.0/8.10.0) id g08JC6Q09937;  
Tue, 8 Jan 2002 13:12:06 -0600 (CST)  
Date: Tue, 8 Jan 2002 13:12:06 -0600 (CST)  
Message-Id: <200201081912.g08JC6Q09937@sunlold.its.state.ms.us>  
To: governor@governor.state.ms.us  
From: cygnet@meta3.net (Nancy Swan)  
Subject: Comments to the Governor

Below is the result of your feedback form. It was submitted by  
Nancy Swan (cygnet@meta3.net) on Tuesday, January 8, 2002 at 13:12:05

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Issue: Judicial reform and tort reform  
Street\_Address: 29 Summer Place Circle  
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State: MS  
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Phone: 601 579-9910

Message: Dear Governor Musgrove: The following is a copy of letters sent to the Opinion Page of major Mississippi and national newspapers. Before any further decisions are made regarding tort reform and judicial reform, it is important for Mississippi government leaders to consider that the rights of citizens to a fair and impartial court are being neglected.

Submitted by: Nancy Swan  
29 Summer Place Circle, Hattiesburg, MS 39402  
(601) 579-9910

#### Mississippi Courts - Justice For Sale

In the name of "Judicial Reform" and "Tort Reform," the insurance industry and trial attorneys are once again competing for ownership of Mississippi courts. Our courts have become a marketplace where private deals are made, favorable judges can be bought, and judicial decisions sold. As hapless victims of a corrupt legal and judicial system, citizens must suffer the consequences.

Mississippi's class action lawsuit against tobacco companies is a prime example of one such deal. Virtually unregulated, class action lawsuits became the perfect vehicle for trial attorneys to become wealthy. Unlike other forms of litigation, class action lawyers are allowed to bargain for excessively large legal fees in exchange for minuscule payments to claimants.

Attorney General Mike Moore appointed trial lawyers, who had funded his campaign, as private attorneys to represent Mississippi in a billion dollar money making scheme. As a result, the tobacco settlement netted billions for trial attorneys and poured millions into the coffers of politicians; Mississippi citizens received anti-smoking commercials.

Trial attorneys, flush with new wealth, threw millions into judicial and political campaigns, to purchase favorable judges and secure ownership of our courts. Revision of the judicial code as a part of Judicial Reform was proposed by the Mississippi Supreme Court in response to public outcry over the \$4.7 M in campaign contributions collected in last year's high court elections. The insurance industry, eager to regain its historic control over Mississippi courts, countered with Tort Reform, to c

t off the flow of money to trial attorneys by limiting jury awards to claimants.  
To gain public support for Tort Reform, the insurance industry deceptively publicized large jury awards as actual payments made to claimants. The truth is, large jury awards are rarely paid to claimants, often reduced by judges, and always appealed. Claimants are forced to settle for a fraction of the publicized jury award, to avoid a costly and lengthy Supreme Court appeal. Confidentiality agreements insure that actual settlement amounts are not revealed.

Tort reform, which seeks to limit awards to claimants, does not limit profits to attorneys, who are allowed to take up to half of a claimant's settlement or jury award. After repayment of insurance benefits, government assistance, and medical bills, claimants are left with little, if any, compensation.

In Mississippi courts, justice is for sale. The determination of the future of our courts should not be left to those corrupted by monetary and political influence, nor to those who can afford to pay for a favorable decision. Judicial Reform and Tort Reform should be decided by the citizens of Mississippi.

Nancy Swan

Submit: Submit

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