



The Republican Caucus

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February 16, 2005
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Republicans Move to Stop Lawsuit Abuse

COLUMBIA – The South Carolina House Republicans ushered through historic reforms today designed to curtail frivolous lawsuits and outlandish jury verdicts.

“Tort Reform” passed Wednesday by a 101-15 vote.

“This is a great victory for individuals and small businesses over people who would abuse the South Carolina legal system,” said Majority Leader Jim Merrill, R-Daniel Island.

Passage of the tort reform bill also partially completes the final promise in the Republican Palmetto Pledge. The second half – medical malpractice reform – is being debated by the Senate and should come to the House in the next few weeks. The bill:

- **Prohibits jury shopping** – The bill reforms “venue” by requiring lawsuits to be filed where the defendant resides or where the cause of action arises.
- **Strengthens action against frivolous lawsuits** – The bill increases sanctions against attorneys and litigants who file lawsuits deemed to be frivolous by a judge.
- **Abolishes “Joint and Several Liability”** – The bill provides that defendants are only liable for damages directly caused by that defendant, not for damages caused by another party.
- **Changes the “Statute of Repose”** – The bill reduces the number of years that someone can be sued for construction defects from 13 years to 8 years, which brings it in line with national standards.

“I’m happy all parties could agree on a bill that reforms the system but still protects the rights of citizens,” said Jim Harrison, Chairman of the House Judiciary Committee and one of the bill’s chief sponsors.

House Speaker David Wilkins praised the sponsors of the bill – Harrison and Harry Cato, Chairman of the Labor, Commerce and Industry Committee – for orchestrating the compromises that allowed 101 members to approve the bill.

“A lot of heavy lifting went into passing this bill,” Speaker David Wilkins said. “It goes a long way in better protecting South Carolina businesses and citizens from unmerited lawsuits, jury shopping, and the burgeoning costs associated with excessive jury verdicts.”

After a routine third reading Thursday, the bill will be sent to the Senate.