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that is morally wrong.*

MISSOURI SENATE
JEFFERSON CITY

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FOR IMMEDIATE RELEASE

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**Senate Gives First Round Approval to Legislation
Reforming Missouri's Civil Justice System**

JEFFERSON CITY – The Missouri Senate gave first round approval late Wednesday to legislation reforming the state's civil justice system including cases dealing with medical malpractice liability. Sen. Delbert Scott, R-Lowry City, handled House Bill 393 in the Senate and said the legislation is imperative in lowering the skyrocketing medical malpractice insurance rates that are forcing doctors out of Missouri.

"Many rural areas across the state are no longer offering OB/GYN services because the insurance rates are too high," Scott said. "And that's not the only field patients have less access to - 20 percent of our state's neurosurgeons have quit practicing or left the state for the same reason."

The measure, perfected in the Senate by a vote of 22 to 9, varied from the version the House passed earlier this session. The Senate version creates a compromise between a provision in current law, known as "joint and several liability", and the House version that eliminated "joint and several liability" altogether. The Senate passed an amendment that holds those found more than 51 percent at fault in a civil case to cover costs of other parties found at fault if those parties are unable to pay their portion of the damages determined by a jury.

Senate President Pro Tem Michael Gibbons, R-Kirkwood, said including the provision is important for both plaintiffs and defendants.

"This bill restores balance to Missouri's civil justice system," Gibbons said. "Now in Missouri plaintiffs and defendants will have an opportunity for a fair day in court."

The Senate also voted to increase the non-economic damages cap for medical malpractice cases set by the House by \$100,000 totaling \$350,000. Victims in any civil case would have no caps on economic damages associated with an injury such as hospital bills or loss of work.

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Scott says loose provisions dealing with court venues have allowed lawyers the ability to “shop” for a place to file their lawsuits where they are more likely to win larger awards.

“This bill puts an end to venue shopping in Missouri,” Scott said. “Now cases will be heard in the county where an injury occurs.”

The differences in the Senate and House versions will be addressed in a conference committee if the House chooses not to vote on the revisions made by the Senate. Once a conference committee version is passed in both chambers the bill will move to the governor’s desk for his approval.

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