



A Recipe for Balanced Tort Reform: Early Offers with Swift Settlements

Jefferey O'Connell, Christopher J. Robinette

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This book begins with detailed and evocative accounts of the workings of several actual personal injury cases with all their turbulence and tribulations. It then closely analyzes the (one-sided) tort reforms, both proposed and enacted, that leave too much of the present dysfunctional system intact, while even further undermining it. The authors provide a detailed account of a proposed reform: a device for encouraging defendants' 'Early Offers' of claimants' economic losses designed to benefit both sides as well as society generally. This system, while greatly lessening the daunting uncertainty and delay plaguing personal injury claims today, would also make far better use of the resources that are expended. The book ends with an economic analysis documenting the dramatic savings in time and money from the early offers reform, exemplified in medical malpractice and product liability cases.

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