

National tort reform advocate ranks Rio Grande Valley as second-worst 'judicial hellhole'

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A national lawsuit reform association has named the Rio Grande Valley as the second-worst "judicial hellhole" for 2007.

The Rio Grande Valley and Texas' Gulf Coast collectively made up the second-worst area in the country for "the nation's most unfair civil court jurisdictions," according to a report released Tuesday by the Washington, D.C.-based American Tort Reform Association.

"Judicial hellholes" are state courts where judges systematically apply laws and court procedures in an unfair and unbalanced manner, generally against defendants in civil lawsuits, according to the organization.

The Rio Grande Valley has ranked on the "judicial hellhole" rankings for the past six years and topped the list in 2005. Only South Florida ranked higher on the lawsuit reform association's list this year.

"Though Texas enacted important reforms in 2003 and 2005, vastly improving its civil justice climate, personal injuries lawyers are still managing to live 'high off the hog' in Jefferson, Brazoria, Cameron, Hidalgo, Nueces, Starr and Zapata counties," said Sherman "Tiger" Joyce, president of the American Tort Reform Association.

The report cited a \$32 million verdict awarded in Starr County to a widowed plaintiff who claimed the blood pressure medication Vioxx killed her husband. After the ruling, it became known that the plaintiff had loaned money to one of the jurors on the case, but state District Judge Alex Gabert did not act on drug maker Merck's request for a new trial, allowing the ruling to stand, according to the report.

Some area legal experts saw the rankings differently.

Pablo Almaguer, president of the Hidalgo County Bar Association, said he believes while the Valley may deliver larger settlements than other areas, "it's an indication that the system here works."

"Although (settlements) might be greater than in other places, it's not necessarily an indication of a failed judicial system," he said. "You are being judged by a jury of your peers and if that's what the community feels should be awarded, then that is what it is."

Bill Summers, president of Rio Grande Valley Citizens Against Lawsuit Abuse, said while lawsuit abuse is rampant throughout the Valley, not all courts and juries here always dole out large settlements.

"Some of our judges or courts have a bad name across the country, and it's a shame because we have a lot of good judges and good lawyers," said Summers, who also serves as president of the Rio Grande Valley Partnership. "It's a few lawyers that makes the rest look bad."

Rounding out the list after South Florida and the Rio Grande Valley are Cook County, Ill., West Virginia, Clark County, Nev. and Atlantic County, N.J.

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