

East Texans Against Lawsuit Abuse

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Texas Recognized as Positive “Point of Light” in 2011/2012 National Judicial Hellhole Report but *Eastern District of Texas* placed on ‘Watch List’

A rigorous focus on more targeted legal reform has earned the state of Texas a spot in the “Points of Light” section of the annual American Tort Reform Foundation’s *Judicial Hellholes*® report. State legislators and Governor Rick Perry are recognized in this latest report for their leadership on behalf of smart, common-sense legal reform. The 2011/2012 *Judicial Hellholes*® report was released today by the foundation in Washington, D.C.

Per the report, “Points of Light are examples of, among other things, positive legislative reforms and fair and balanced judicial decisions that adhere to the rule of law.” A number of state legislatures enacted nearly 50 civil justice reforms in 2011, representing a “boom of good news” in these states, according to the report.

“We are thrilled Texas was selected as a Point of Light in this year’s report, as it shows we are not only holding the line but also pushing the limits on eradicating needless lawsuits,” said Court Koenning with Texans Against Lawsuit Abuse (TALA). “The signing of House Bill 274 during the 2011 legislative session is just one example, as it implements several measures to streamline and lower the cost of litigation in Texas courts, such as allowing a trial court to dismiss a frivolous lawsuit immediately if there is no basis in law or fact for the lawsuit, implementing a loser pays component, and allowing plaintiffs seeking less than \$100,000 to request an expedited civil action.”

The Eastern District (ED) of Texas is on the ‘Watch List’ in the latest *Judicial Hellholes*® report. During the past several years, so-called “patent trolls” — those who buy up patents, not to incorporate them in competitive new products and services that help expand the economy, but simply for the purpose of filing nettlesome infringement lawsuits have made the ED the “center of the patent litigation universe,” according to the report. Between 2002 and 2010, the ED saw nearly a ten-fold increase in patent filings, with a 20 percent increase in new patent filings in the last year alone, the report found.

“Partly due to Texas’ legal reforms, the Eastern District of Texas has become more efficient and judges have more time to devote to complex patent cases,” said Diane Davis, Executive Director for East Texans Against Lawsuit Abuse. “This report serves as a reminder that we must remain vigilant and ensure that an efficient court does not cross the line into becoming an express lane for lawsuits that may hamstring our most promising innovators and job creators.”

The annual report identifies as “Judicial Hellholes” areas across the country that have a disproportionately harmful impact on civil litigation. Personal injury lawyers seek out these places because they expect a positive outcome – an excessive verdict or settlement, or a favorable precedent. A full copy of the report can be found at www.atra.org

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ETALA is a nonprofit, grassroots public education movement dedicated to raising awareness about the cost and consequences of lawsuit abuse.