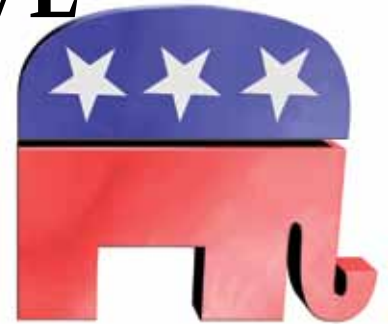




By Michael J. Warshauer

# Civil Justice is a CONSERVATIVE Value



Over the past couple of weeks, I have been to several events in my official capacity as the president of GTLA. When I attend such events, I usually wear one of those engraved name tags; you know, the kind with the magnets that holds it to my lapel. So, I'm wearing my name tag that says "Georgia Trial Lawyers Association, Michael Warshauer, President" when this man walks up, leans in to read my name tag, and says "I don't like you, or what you stand for." Taken aback I say, "Well sir, I'm sorry to hear that. What's your name and why don't you like me? After all, you don't even know me."

He gives me his name and says, "I see that you're the president of the trial lawyers, and I'm a very far to the right Republican and therefore I don't like you because you're a trial lawyer." As this wasn't the first time a man with a drink has told me he didn't like me because I was a trial lawyer, I figured I would talk with him for a minute and see if he didn't like me because I am a trial lawyer or because of some other, unspoken reason.

So I say, "Mister, I bet you will agree with me on just about everything trial lawyers stand for." He says, "Try me." So I do. Sparring with drunks, as long as they don't punch you, is such fun. Let me share with you the conversation as it then progressed:

**Me:** You believe in the Constitution, don't you? I bet you're a die-hard Second Amendment supporter, aren't you.

**Him:** Damn right I am. The Constitution is what this country was founded on.

**Me:** You can't pick and choose with the Constitution, can you?

**Him:** Hell no. You've got to take it as it was written.

**Me:** So, we agree that the Seventh Amendment's promise of a right to trial by jury for civil cases is a fundamental American right, just like bearing arms.

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**Him:** I guess we agree on that, but nothing else.

**Me:** I bet you believe in limited government and that citizens, not the government, should resolve disputes and such.

**Him:** Damn government ought to stay out of our lives. Citizens should make important decisions.

**Me:** You mean citizens, not government, should decide things like the value of life and decide who wins in disputes between people?

**Him:** Absolutely. Government has no business telling us citizens how to measure the value of human life or who should win an argument. That should be left to regular folks like you and me.

**Me:** You sound like a man

who really believes in the idea of personal responsibility too.

**Him:** Nothing could be more true. If a man makes a mistake, he needs to own up to it and take responsibility.

**Me:** Tell me, should corporations have to be just as responsible for their mistakes too?

**Him:** Now Michael, that is your name right? You know that's a stupid question. Of course corporations ought to have to be responsible just like men.

**Me:** Well I hate to disappoint you, but seems to me that you and I agree on the entire concept of what GTLA stands for: People and corporations who make mistakes ought to be held fully accountable, without governmental interference, by the Seventh

Amendment's promise of a jury trial.

**Him:** Well, I guess you got me on that. But I still don't like you because you are probably a Democrat.

I didn't bother wasting my breath to describe how GTLA is single-issue non-partisan organization, or how GTLA's Directed Giving Program and the Civil Justice PAC support both Republicans and Democrats if they believe in the promise of the Seventh Amendment. But maybe, just maybe, when he woke up the next day and shook off his headache, he wondered how it is that he wants to hug a trial lawyer to thank them for protecting what he loves — the Constitutional right to a trial by jury, made up of Citizens free from governmental limitations on their duty to hold wrongdoers personally accountable. **V**



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