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District 4

Committees:
Administration, Chair
Finance
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International Relations & Trade

Senator Tommy Williams speaks at Texans for Lawsuit Reform Awards Luncheon

Note: Senator Williams frequently departs from prepared comments.

November 2, 2009

Thank you Dick, (Trabulsi, Texans for Lawsuit Reform - President) for such kind words. It's very heartwarming to see so many of you here today.

TLR was founded in 1993 with a commitment to a fair and balance civil justice system in Texas. The organization has grown into the largest state based civil justice advocacy group in the nation. When I arrived in the Capitol in 1997, TLR was coming off their first successful session in 1995 where they won key victories in the legislature and turned the tide against the lawsuit abuse that had been going on in Texas for decades. Many of my colleagues in the Legislature said, ". . .they've had their session --- tort reform measures are done." This was a serious underestimation of the sleeping giant awakened by TLR's initial success.

If 1995 marked the beginning of the tort reform movement in Texas, the 2003 and 2005 sessions were the zenith with comprehensive tort reform, medical malpractice reform and asbestos litigation reform. *The Wall Street Journal* referred to our successes as "Ten Gallon Tort Reform".

The past two sessions, especially the 2009 session just concluded, was really about playing defense, hanging on to the gains we've all fought for over the past decade.

What then are the tangible benefits of these reforms?

- *The New York Times* noted in 2007 that Texas lawsuit reform had predictably resulted in doctors "arriving from all parts of the country to swell the ranks of specialists at Texas hospitals." That's healthcare reform for you; Texas- style.

- Texans suffering from exposure to asbestos and silica no longer find our courts clogged with frivolous class action lawsuits-and as a result have access to swift and certain judgment in a Texas court.
- Texas is faring better than the rest of the nation in terms of unemployment and property values. In 2008, Ray Perryman wrote in "The Impact of Lawsuit Reform on Business Activity in the Lone Star State" that "approximately 8.5 percent of economic growth over the past decade is the result of lawsuit reform."
- Lawsuit reforms had resulted in a \$112.5 billion increase in spending in Texas, a \$2.6 billion increase in annual tax revenues, and 499,000 new, permanent jobs according to a 2008 report by the Perryman Group.
- A prime illustration was Toyota's decision to locate its full-size truck assembly plant in San Antonio based directly on the business-friendly legal climate in Texas.
- Literally thousands of jobs in Southeast Texas have been saved by lawsuit reform.

Lawsuit reform is a key to Texas' economic stability-*Star Telegram, November 1, 2009*...I quote loosely from the article. . .

Dick the Butcher in Shakespeare's play *Henry VI* voiced the famous line, "*The first thing we do, let's kill all the lawyers.*"

It has been repeated, usually out of context, since the play was first performed.

Most believe that Dick was suggesting doing away with the legal profession as a means of improving society. That isn't the case.

Dick's intent was to rid himself and his fellow anarchists of the impediments which laws and lawyers posed to the free exercise of their criminal pursuits. Shakespeare's point was that lawyers are necessary for a peaceful society to exist because there's never been a shortage of individuals, like Dick, who try to take advantage of loopholes in the system.

We don't need to kill all the lawyers, but lawsuit reform is good for Texans and Texas business.

I'm proud to have played a small part in fending off the backlash against lawsuit reform by those who would have us turn back the clock to the days when Southeast Texas was known as a "judicial hell hole" and Texas was the "lawsuit capitol" of the nation.

Thank you for this honor. I truly am humbled.

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