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Steven Phillips: Senate Bill 3287 not a 'trial lawyer bill'

A recent column written by Kevin Martin, a highly compensated lobbyist and protector for the multi-billion-dollar insurance industry, deserves an Oscar for inflammatory language but an "F" for truthfulness and candor ("[Trial lawyer bill could kill Illinois job recovery](#)," May 24).

His fabricated facts and over-the-top arguments were picked apart with logic and data by the wise legislators who previously heard them, challenged them factually and rejected them as but another insurance industry tactic to add more billions to their already bulging multi-billion-dollar profits.

Consider the facts. Senate Bill 3287 is not a "trial lawyer bill." It is a safety and responsibly bill that reaffirmed 45 years of legal precedent allowing injured workers the same right to sue negligent and dangerous maintenance companies as the owners of the company enjoyed for the damage to their property. This bill placed human rights on the same level as property rights.

If Mr. Martin and his insurance industry bosses were being truthful and legitimately concerned about business they would have supported this bill, without reservation, as it will automatically reimburse employers who pay out workers compensation benefits to workers injured on the job.

He also hid the fact that his own insurance industry rate-setting organization has strongly recommended that a 14-percent workers compensation insurance premium rate reduction be given to Illinois business owners. Of course, that rate reduction for workers compensation insurance premiums has not occurred.

Mr. Martin falls back on his rehearsed lines about business struggling in Illinois. Notably he ignores the facts — business is thriving in Illinois and corporate profits are at record highs, even though many workers are not receiving their fair share of the growth they help create.

There are 32 Fortune 500 companies that call Illinois home, including State Farm and Allstate Insurance companies with their 2013 profits of \$5.2 billion and \$2.3 billion, respectively. There are 360 automobile companies and 330 workers compensation companies competing with one another to collect premiums on insurance policies here. Indeed, Illinois is a huge profit center for insurance companies.

A Career Builder survey ranks Illinois third in the nation for net growth in private-sector businesses from 2009 to 2012. Our state accounted for 14 percent of all net new establishments in the United States, according to the survey.

Mr. Martin tries to pad his insurance company bosses' pockets with more billions in profits when he cavalierly uses his catchy phrase "flood of new lawsuits." He intentionally avoids the fact that the number of civil lawsuits filed in Illinois steadily has declined since 2007, down nearly 25 percent. Published statistics show injury lawsuits make up just 6 percent of all civil cases filed in state courts. About 70 percent of civil litigation involves businesses suing other businesses or individuals over business disputes. His big industry and insurance company supporters systematically file lawsuits when it suits their own needs.

In truth, it is often Mr. Martin's insurance company bosses that mount frivolous defenses and defend the indefensible for years, with the hope of exhausting those who have been hurt and unable to work, and forcing them to take less than fair and reasonable compensation for their injuries.

That is the real "lawsuit abuse" problem deserving of lawmakers' attention.

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