

American Board of Trial Advocates



Trial by jury — a precious right

The American Board of Trial Advocates membership consists of more than 6,700 trial lawyers representing equally the plaintiff and defense bars, as well as judges, spread among 95 chapters in all 50 states, the District of Columbia and Puerto Rico. Since its inception in 1958, ABOTA's primary mission has been the preservation of the civil jury trial right guaranteed by the 7th Amendment to the U.S. Constitution.

Taking a stand

Members of ABOTA have taken positions on a variety of issues that impact the practice of law and the right to civil trial by jury. In 1986, the cumulative resolutions were distilled and listed. Since that time, ABOTA has continued to speak with a unified voice on key issues. ABOTA's National Board of Directors passed the following resolutions on Jan. 14, 2012:

Expedited Trials Resolution

Whereas, ABOTA recognizes that the number of civil cases in the United States actually tried to a jury is rapidly decreasing and that litigation costs and delays are a major contributor to the reduction in the number of civil juries trials, and

Whereas, ABOTA recognizes that several states have adopted expedited jury trial programs which provide for streamlined pretrial procedures and abbreviated jury trials in many civil cases in an effort to thereby reduce the cost and time involved, yet preserving the civil jury system in this Country,

It is therefore, RESOLVED, that ABOTA supports the concept of streamlined pretrial procedures and expedited jury trials and that ABOTA, through its leaders and members, should support existing expedited jury trial programs and encourage the adoption of similar programs throughout all jurisdictions.

— Jan. 14, 2012

Preservation of an Independent Judiciary Resolution

WHEREAS the 7th Amendment to the United States Constitution guarantees the right to trial by jury in civil cases as an integral and essential component of the justice system; and

WHEREAS an efficient and effective judicial branch of government is fundamental to the success and perpetuation of the American form of government; and

WHEREAS the judiciary, as an equal and independent branch of government, must have adequate and sufficient resources to ensure the proper operation of the courts at all levels; and

WHEREAS liberty, justice and public security require a judiciary that meets its responsibilities in a system of governance that depends on checks and balances; and

WHEREAS the Constitutions prohibit withholding the funds necessary for the courts to protect the people and their rights through the rule of law; and

WHEREAS constitutional rights do not vary with the rise and fall of budgets, and the protections afforded the rights of the people through the judicial branch are not contingent on transitory political judgments regarding the popularity of raising or lowering taxes or on tactical decisions about periodic budget deficits; now, therefore, be it

RESOLVED that the Congress and the legislatures of the respective states must adequately and fully fund the federal and state judicial branches of government so that the rights and access to justice guaranteed by the Constitutions are preserved, and be it further

RESOLVED that the officers and representatives of the American Board of Trial Advocates be and they are hereby authorized and directed to take any and all necessary action to effectuate the purposes of this resolution.

— Jan. 14, 2012

To read all of ABOTA's resolutions, go
to: <http://www.abota.org/index.cfm?pg=Resolutions>

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