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New Report Is a Manual for Implementing Short, Summary, and Expedited Civil Action Programs

Denver, Colo. – Recognizing that there is widespread concern that the civil justice system is too complex, costs too much, and takes too long, a new report provides recommendations for designing short, summary, and expedited (“SSE”) programs and calls for implementation of such programs on a national scale. The report, *A Return to Trials: Implementing Effective Short, Summary, and Expedited Civil Action Programs*, is co-authored by IAALS, the Institute for the Advancement of the American Legal System; the American Board of Trial Advocates (ABOTA); and the National Center for State Courts (NCSC).

A Return to Trials builds on the work of the NCSC, which recently detailed existing SSE programs around the country, and goes further by making recommendations for implementing, conducting, and measuring effective programs.

The NCSC studied SSE programs that had been implemented in six state courts. “The most surprising thing about those programs,” explained Paula Hannaford-Agor, who directed the research project, “was how creatively they were designed to address very different local conditions that were obstructing access to trial. Although they all shared the same basic objectives, the programmatic details differed considerably. It was those details, which derived from negotiations among key stakeholders in each program, that really contributed to their success.”

A Return to Trials would not have been possible without jurisdictions, like California, that have already begun to implement SSE programs, but it was written for jurisdictions that have not yet taken that step. Many lawyers and judges in those jurisdictions have been eager to use the report to make SSE programs a reality in their courts.

“Short, summary and expedited jury trials benefit lawyers, courts, jurors, and—most importantly—litigants,” said Michael Maguire, House Counsel for State Farm in Orange County, California, and member of ABOTA’s National Board of Directors. “These programs improve access to justice by cutting down the expense and delay of litigation. Significantly, trial results are the same. In New York, South Carolina, Nevada and California, the ratio of plaintiff to defense verdicts is the same as in longer, more expensive traditional trials.”

“We need solutions to the backlogs and delays that are dominating the civil justice system,” said Thomas Fain, a partner at the law firm of Fain Anderson VanDerhoef in Seattle, Washington. “Because the work of these three organizations transcends state lines, this report is positioned to guide our consideration of a short, summary, and expedited program here in Washington.”

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IAALS, the Institute for the Advancement of the American Legal System, is a national independent research center at the University of Denver dedicated to continuous improvement of the process and culture of the civil justice system. By leveraging a unique blend of empirical and legal research, innovative solutions, broad-based collaboration, communications, and ongoing measurement in strategically selected, high-impact areas, IAALS is empowering others with the knowledge, models, and will to advance a more accessible, efficient, and accountable civil justice system. *Rule One* is an initiative of IAALS dedicated to advancing empirically informed models to promote greater accessibility, efficiency, and accountability in the civil justice system.

ABOTA, founded in 1958, is an organization dedicated to defending the American civil justice system. With a membership of 7,000 experienced attorneys representing both plaintiffs and defendants in civil cases, ABOTA is uniquely qualified to speak for the value of the constitutionally mandated jury system as the protector of the rights of persons and property. ABOTA publishes *Voir Dire* magazine, which features in-depth articles on current and historical issues related to constitutional rights, in particular the Seventh Amendment right to trial by jury.

NCSC is a nonprofit organization dedicated to improving the administration of justice by providing leadership and service to the state courts and courts around the world. Founded in 1971, the NCSC provides education, training, technology, management, and research services to the nation's state courts. The NCSC Center for Jury Studies engages in cutting-edge research to identify practices that promote broad community participation in the justice system, that enhances juror confidence and satisfaction with jury service, that provides jurors with decision-making tools necessary to make informed and fair judgments in the cases submitted to them, and that respects jurors contributions to the justice system by using their time effectively and making reasonable accommodations for their comfort and privacy.