

1/15/88

IN RE: ABRAMS

DECEMBER 1987

Federal Tort Legislation

Is it Senate Bill 1999?

Concerns about draft 2.

OK ~~Robert~~
Mike on
effect bill
would have
on dinner.

• Is there any saving evident in
system.

• Emerson —

Costs would go up with draft 1

Draft 2 would not improve.

Do —
need to
evaluate

• General Concept — yes/may

• Business Round table against alternative
systems

Robert Willmore — U.S. Deputy Assistant

Expansion of Tort System as applies to



Torts in General

Tort Policy Working

Task forces — Toxic

Recommendation
in the

Prod. Liab

Vaccines

Government Contract

Insurance Fraud

Medical Malpractice

REF: ABRAMS
IN RE: HUSBAND AND WIFE 39439

DDC#JNIBR 1992

- Use of risk utility test - away from strict liability 1st and guessing
- Shift burden to policy to prove substantial benefit vs risk (Toxics will appear in entitlement)
- Alt Compensation is probably not a good alternative. (Future control will be difficult)
- Administrative Compensation will ~~eventually~~ ^{ultimately} be funded by Mfgs
- Danforth's test $\Rightarrow$ Increased entitlement

DDC#JNIBR 1992

- Against Americanization Organization
- Silage Tort System
- Define parameters and then work on attitudes in Country
- Federal Legislation for
 - Product Liability
 - Toxic Torts
- No Federal Legislation -
 - Medical malpractice
 - Liability of Municipal Govts (State Prob)
 - Insurance ??
- No federalization of workers comp.

What is the tort system doing to manage it?

Questionnaire ←

Draft 2

- Hearings in early February —
- Next Position Letter —

What kind of data does ESIS have on the
① claim incident numbers?

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Sylvania - Metacalide Recall