

Could Presidential Election Results Usher in Federal-Level Tort Reform?

Dallas lawyer **Trey Branham** of **Dean Omar Branham** says Donald Trump's election could mean Texas-style tort reform at the federal level. As an example, he expects a revival of the FAIR Act – Fairness in Asbestos Injury Resolution Act of 2006 – which was narrowly defeated in Congress.

“The essence of the bill was that it would end asbestos lawsuits on both the state and federal level and set up a federal ‘trust fund’ funded by industry to pay asbestos lawsuit claims. The idea was to set up a complex set of medical and factual criteria that a claimant would have to meet to be eligible for compensation and compensation levels were capped without regard to income, loss or facts,” Branham said in an article posted by **Androvett Legal Media & Marketing**. “Additionally, fees would be capped at 5 percent of recovery. The practical effect of this would be that asbestos victims would not be able to engage counsel and would be forced to negotiate the medical and factual criteria alone and, if they were successful, would get far less compensation than the tort system generally permits.”