As a threatened species, the trial lawyer is likely to become endangered — perhaps extinct — unless the circumstances threatening its survival improve. The greatest threat to the survival of the American trial lawyer is, of course, the loss and destruction of its critical habitat: The civil jury system.

It is not news that the civil jury system is under attack. It has been under attack for decades. Attorney Stanley Sacks in 1965 (yes, 1965) led off his “Preservation of the Civil Jury System” article by stating, “The civil jury, one of our most cherished democratic institutions, is being threatened with extinction.” While it hasn’t happened yet, the threat is still palpable; legal scholars, attorneys, and civil jury advocates continue to address the issue in books, articles, commentary, and speeches, spotlighting the ongoing — and increasingly successful — efforts by those who seek to diminish or completely do away with civil juries. Indeed, one need only search Google for “death of the civil jury” or “civil jury attack” or other similar terms to locate many websites, blogs, and editorials devoted to educating the public about the importance of, the threats to, and the preservation of, America’s civil jury system.

No greater threat exists to the protection of the public and to placing individuals on equal footing with corporations than the destruction of the civil jury system. In his 1878 book, History of Trial by Jury, William Forsyth recognized jury trials as a critical weapon in “democracy’s arsenal to combat tyranny.” Of course back in Forsyth’s day, the tyranny was principally the government. But over the years, not only have trial lawyers continued fighting a tyrannical government (where local, state, and federal lawmakers pass laws and ordinances that take away the rights of ordinary people), but they now face Big Money spent by Big Pharma, Big Insurance, Big Banking, and Big Corporations, all while being represented by Big Law.

But is the civil jury trial preservationists’ message being heard? And if it is heard, does the public even care? Is the message of preserving the right to a civil jury lost in the face of a media spectacle concerning the debate over the Second Amendment? Or the debate over free speech? Or privacy? Or abortion? Or health care? Or gay marriage? Among these issues, preserving the civil jury — as important a right as any — is but a blip on society’s radar.

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It doesn't help that to this day we still must contend with the public perception of trial lawyers as “ambulance chasers” or “greedy” or “money hungry,” or “slimy,” or “sharks,” or worse. If you have never read the comment sections of news articles involving trial lawyers who bring lawsuits to protect the rights of their clients, you should do so. But prepare yourself: There is a whole world of folks out there — a vocal, acerbic bunch — who believe trial lawyers are a scourge and do not hesitate to provide angry commentary and vile language of their opinion. These folks attack — with a lawyer. Perhaps cheesy lawyer advertisements shaped their view of trial lawyers. Most likely, however, they are among the masses influenced by corporate America. The same machine that sold Stella Liebeck coffee. The same machine that convinced America that tort and medical malpractice reform was necessary, which had the effect of taking away the right of Americans to be fully compensated for injuries caused by the negligence of others.

To be sure, trial lawyers and their habitat are threatened. The news fills the airwaves and Internet with evidence of their continual, slow decline. Judicial budget cuts continue to make obtaining justice more difficult. A cynical public continues to perpetuate lawyer stereotypes with offensive jokes. Special interests and lawmakers continue to follow the money, taking away rights, imposing damage caps, and limiting the rights of citizens to bring claims. The apathetic and uninformed give away the civil rights of citizens to bring claims. The news fills the airwaves and Internet with evidence of their continual, slow decline. Judicial budget cuts continue to make obtaining justice more difficult. A cynical public continues to perpetuate lawyer stereotypes with offensive jokes. Special interests and lawmakers continue to follow the money, taking away rights, imposing damage caps, and limiting the rights of citizens to bring claims. The apathetic and uninformed give away the right of injured persons to full compensation? Are you attempting to find a seat on a state's judicial nominating commission? Are you working to fight special interest groups whose goal is to bring down the civil jury system? Are you supporting consumer advocacy groups whose goal is to protect the civil justice system, like the Center for Justice & Democracy? Are you writing articles for journals or law reviews? Are you supporting consumer advocacy groups whose goal is to protect the civil justice system, like the Center for Justice & Democracy? Are you writing articles for journals or law reviews? Are you supporting consumer advocacy groups whose goal is to protect the civil justice system, like the Center for Justice & Democracy? Are you writing articles for journals or law reviews? Are you supporting consumer advocacy groups whose goal is to protect the civil justice system, like the Center for Justice & Democracy? Are you writing articles for journals or law reviews? Are you supporting consumer advocacy groups whose goal is to protect the civil justice system, like the Center for Justice & Democracy? Are you writing articles for journals or law reviews? Are you supporting consumer advocacy groups whose goal is to protect the civil justice system, like the Center for Justice & Democracy? Are you writing articles for journals or law reviews?