



BARACK OBAMA: SUPPORT FOR THE CIVIL JUSTICE SYSTEM

As the first African American President of the Harvard Law Review, a former civil rights attorney and lecturer who taught constitutional law at the University of Chicago for more than a decade, Barack Obama understands that the courtroom is often the last bastion for ordinary people seeking justice. He believes some of our great advances in civil rights and consumer protections have come from court cases. As president, Obama will fight to keep the civil justice system strong and keep the halls of justice open to regular Americans.

Oppose Caps on Jury Awards: Since his days as a state senator, Barack Obama has been staunchly opposed to caps on jury awards, for medical malpractice or other injuries. Obama understands that caps do not work – they do not bring relief to consumers and will not reduce insurance rates. Just as he is opposed to caps, Obama has opposed efforts in the Senate to consider medical malpractice legislation that unfairly limits the rights of patients and consumers.

Prevent State Preemption: Barack Obama opposes efforts to preempt strong state consumer protection and product liability laws. As a former state legislator, Obama understands that strong state laws often provide the greatest protections for American consumers.

Hold Asbestos Manufacturers Accountable: As a community organizer in Chicago, Barack Obama championed low-income housing residents in their fight against asbestos contamination in their homes. In the U.S. Senate, Barack Obama helped defeat an asbestos bill that would have shielded asbestos manufacturers from civil lawsuits with a multibillion dollar taxpayer-funded bailout.

Fight Against Immunity for Gun Manufacturers: Barack Obama opposed the Gun Liability Immunity bill, which provided blanket immunity for gun manufacturers and others in the gun industry. Obama joined others in efforts to improve the bill and provide real consumer protections and common sense gun safety measures. Unfortunately, those measures failed and the bill was signed into law.

Give Citizens their Day in Court: Barack Obama introduced the “STOP FRAUD Act,” a bill to protect consumers from mortgage fraud. The legislation explicitly provides a private right of action. Similarly, his “Deceptive Practices and Voter Intimidation Act” protects the right of victims of voter intimidation and deception to go to court by providing a private right of action.

Support Civil Rights in Court: Barack Obama understands that the courts remain the best avenue for Americans seeking to assert their civil rights. As a civil rights attorney in Chicago, Obama brought class action cases on behalf of victims of housing discrimination. His experience as an attorney affirmed his belief that victims deserve their day in court.

Reform Bankruptcy: Barack Obama opposed the Bankruptcy Reform Bill, which will make it more difficult for middle and low-income Americans to seek relief through the bankruptcy process. The law takes away a bankruptcy judge’s discretion to consider a family’s circumstance and instead creates a strict system to determine bankruptcy eligibility. As president, Obama would revise our bankruptcy laws to allow families to get back on their feet after a personal financial crisis.