



Branching Out

VOLUME VII

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Special Points of Interest:

- Winter Convention Preview
- Grantee Report: Connecticut Center for Patient Safety
- CFCEF Working Hard for Californians
- Membership Outreach
- 2010 Grant Recipients
- Grassroots and Champion Donor List

“An experience like no other”

Hot Coffee

On February 27, 1992, 79-year-old Stella Liebeck ordered a cup of coffee from a drive-through window at a McDonald's restaurant in Albuquerque, New Mexico. Mrs. Liebeck was seated in the passenger's seat of a parked car and, as she proceeded to add cream and sugar to her coffee, spilled the entire cup of scalding hot (180°-190°) coffee on her lap. She suffered severe third-degree burns, years of expensive medical treatment, and a lawsuit that soon had the whole country talking.



In the feature length documentary film, *Hot Coffee*, Stella Liebeck's personal legal battle over a spilled cup of coffee serves as a springboard into understanding our civil justice system. While most people think they know the “McDonald's coffee case,” they don't know that corporations have spent millions distorting the case to protect business assets while limiting access to the courts. Since Stella's fateful day, big business, with the aid of the political and media lapdogs that depend on it, has brewed a dangerous concoction of manipulation, distortions and outright lies to protect corporate interests. Americans are convinced that we have out of control juries, too many frivolous lawsuits and a judicial system that needs reforming.

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Winter Convention Preview



Raffle

DAVID AND GOLIATH

I defy the armies of Israel this day. Give me a man that we may fight together.

David accepts the challenge, launches the fatal pebble and with a single shot defeats the Philistines.

c1020 BC..

**

original painting on canvas, 2003

in the private collection of

Gilbert T. Adams

Attorney at Law

Beaumont, Texas

One-of-a-kind, hand crafted jewelry sales.

The Civil Justice Foundation would like to thank **Kim Carmel**, for her generous donation.



Silent Auction

- Tour of the Capitol with Joan Claybrook
- 2 Tickets to Yankees/ Red Sox Game
- 4 dugout tickets to a dodgers game
- One week in the home of Mike Williams and Linda Love at Sunriver, Oregon --

CJF GRANTEE: Connecticut Center for Patient Safety

Working hard to protect you.

August 2010 Report to the Civil Justice Foundation CT Center for Patient Safety

CT Center for Patient Safety is one of three conveners for this important new undertaking. This is a very long term project and we are well positioned to provide the consumer voice in the patient safety movement.

Our Vision

The people of Connecticut in need of health care will be safe and feel safe having entrusted their care to the health care system in the state. The system will enjoy the trust of the public on the strength of its competence and caring and will be a model for others to emulate.

Our Mission

We will promote the cause of patient safety and the elimination of avoidable errors throughout the health care system in Connecticut. To that end we will establish a statewide collaborative effort engaging both the public and private sectors in an ongoing and determined pursuit of patient safety.

Our Program

Owing to the concentration of health care activity within our hospitals, we will first focus on ways to ensure that Connecticut's hospitals embrace a culture of safety, maintain patient safety as a constant top priority, implement existing knowledge to protect patients from harm, and actively seek out new knowledge to do so. We will then extend our activities to other sites of health care in the state.

We will actively seek out and promote the adoption of best practices in health care, looking to other states and other industries for models of excellence, and we will actively disseminate to others the lessons gained in Connecticut through our work.

CODE JUMP START: ENERGIZING PATIENT SAFETY IN CONNECTICUT

Since the Institute of Medicine drew national attention about a decade ago to the serious issue of harm caused to hospital patients through avoidable errors, the response within the health care field has been disappointing, nowhere more so than in Connecticut. While many of our surrounding states have mobilized their resources and moved forward in significant ways to minimize avoidable harm; while hospitals across the country have responded to the Institute for Healthcare Improvement's campaigns to save patient lives; while scientific studies in other states have demonstrated both the high cost of error and the gains that can be made through disciplined process improvements within hospitals; in our own state the silence on the

"... promote the cause of patient safety and the elimination of avoidable errors throughout the health care system in Connecticut.

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issue has been deafening. National conferences on quality and safety, even those aimed specifically at leadership, while well attended by officials from other states, have seen few Connecticut faces, none from top hospital leadership. Opportunities for funding of patient safety research projects have been declined by Connecticut hospitals. Residents worried about safety issues hear no public pronouncements suggesting focused effort by our hospitals, which seem merely reactive to outside pressure rather than intrinsically motivated by a sense of duty to patients and families.

Granted, there are commendable discrete efforts underway within various hospitals. Individuals and small groups focused on quality improvement and infection prevention have taken important – but understandably small - steps. Signs, posters, and hand cleansing dispensers have appeared. But low-level leaders can do only so much without the reinforcement of their efforts from the top. What has been conspicuously missing in Connecticut has been any public evidence of a commitment by top hospital leadership to address patient safety as a vital cause. [While the issue of patient safety spreads across all sites of patient care (ambulatory surgery centers, clinics, nursing homes, etc.), the greatest concentrated impact on avoidable harm can be made when a motivated hospital leader leads an entire work force into a resolute culture of safety.]

It is not subject to serious debate that a key to the success or failure of any undertaking is the communicated attitude of leaders. Determined commitment conveyed to all employees means that they will see themselves as permitted, encouraged, even required, to make a topic a top priority. Across Connecticut there seems to be no such commitment to patient safety by top hospital leaders, despite ample evidence from other states that leadership emphasis produces beneficial results. Whether it is complacency, concern about limited resources, a lack of mastery of the subject, or a failure to appreciate the tools available and the power of directives from the top, our hospital CEOs have been seriously remiss in failing to provide the public with that reassurance of their commitment that builds and sustains public trust in our hospitals.

A forceful catalyst is needed to jump start a major increase in coordinated patient safety activity in Connecticut. It is simply unacceptable to have it said, as is frequently the case, that the Land of Steady Habits is strangely lagging behind our peers. There's no excuse for being a caboose – we have the ingenuity to be a leader among states, if only we can mobilize our hospital leaders and stimulate the creation of aggressive programs to stamp out avoidable errors and their attendant risk and harm to vulnerable patients who must entrust their well-being to our hospitals.

Code Jump Start is a movement being organized by a diverse group of Connecticut citizens dissatisfied with the unsatisfactory status quo in our health care system and with the puzzling passivity of hospital leadership. We call upon like-minded others to add their voices to ours and get Connecticut off the dime in patient safety. We can – and indeed must – do better. Now.

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Hot Coffee follows the money behind these campaigns to show our audience that many of their long-held beliefs about our civil justice system have, in effect, been paid for by corporate America.

With a generous grant from The Civil Justice Foundation, *Hot Coffee* has completed production, and is in the final phases of post-production. The film has four storylines, all character driven. In addition to the truth behind the McDonald's coffee case, and the public relations campaign that followed it, the film also tackles the issues of caps on damages, judicial elections of state Supreme Court judges, and mandatory arbitration.

At the time of this writing, *Hot Coffee* is in the fine cut stage. We are acquiring licensing for the archival footage included in the film; our composer is finishing the musical score; we are creating graphics; and we have submitted a fine cut to the Sundance Film festival. We plan to "lock" the film by mid-October, and then do color and sound correction to put the finishing touches on the film. We expect a release date in early 2011. Please follow our progress at HotCoffeethemovie.com and join our facebook fan page at facebook.com/hotcoffeethemovie.

The topic of tort reform is political, complicated and easily misunderstood. We have created a film that intelligently engages a general audience, so they're not only motivated to take action, but left with an understanding of the civil justice system and their civil rights. *Hot Coffee* is entertaining, educational and balanced, but ultimately it challenges many people's long held beliefs about the civil justice system – that our legal system is like the lottery, and that winning lawsuits is easy. Every American deserves to understand how the law works so they can be advocates for themselves and their civil rights when called upon to vote. This film will make the general public think and question their beliefs before jumping to conclusions about the effectiveness of our civil justice system.

What is the Civil Justice Foundation?

The Civil Justice Foundation is a national charitable organization dedicated to safeguarding justice for all Americans by strengthening the alliance between trial attorneys and consumer advocacy groups. The Foundation is the only national foundation devoted solely to protecting the individual rights, health, and well-being of the injured providing small but significant grants to the tireless efforts of organizations fighting for injury prevention and justice preservation across the country. The Civil Justice Foundation awards grants to progressive grass-roots consumer advocacy groups who share a common vision: consumer injury prevention, public safety protection, and constitutional right-to-trial preservation for all Americans.

Providing the Framework

Grantee: Consumer Federation of California

Consumer Federation of California Education Foundation of San Mateo, California.

Grant Recipient in 2009 in our Consumer Advocacy and Education grant category, to assist with our publication of the California Progress Report, a prominent state news and information website that offers consumer and other progressive advocacy groups a venue to reach a wide audience with information about their public policy work.

The following programs were held by CFCEF to educate consumers about the key issues dealing with consumer protection around them:

California Progress Report Quarterly Report – August 30, 2010

Aug. 29

Floor Vote on Brownley Bag Ban Expected Monday

Dan Aiello, California Progress Report

Categories: Consumer Protection, Environment, Toxics

Aug. 28

American Chemistry Council V. Public Health and our Environment

Traci Sheeha, Planning and Conservation League

Categories: Consumer Protection, Environment, Toxics

Aug. 26

500 Million Sensitive Records Breached Since 2005

Rainey Reitman, Privacy Rights Clearinghouse

Categories: Consumer Protection, Fraud, Privacy

Aug. 24

Key Health Consumer Protections Head to Final Floor Votes

Anthony Wright, Health Access

Categories: Health Care, Consumer Protection

Aug. 20

New Study Asks: Is your Home Trying to Kill You?

Noc Nguyen

Categories: Consumer Protection, Toxins

Aug. 19

The Empire Strikes Back

Anthony Wright, Health Access

Categories: Consumer Protection, Health Care, Insurance

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Aug. 18

[Forget the Lemon – I Want Some Lead in My Water](#)

Wilma Chan

Categories: Consumer Protection, Toxins

Aug. 17

[Safer Alternatives to Toxic Chemicals Needed to Protect Workers and Communities](#)

Holly Brown-Williams

Categories: Consumer Protection, Toxins

[A Report from “The Battle in Seattle”](#)

Elizabeth Abbot, Health Access

Categories: Health Care, Consumer Protection, Insurance

Aug. 16

[Where is the Evidence that Insurers’ Costs have Increased?](#)

Adam Dombchik, California Applicants’ Attorneys Association

Categories: Health Care, Insurance, Consumer Protection

Aug. 11

[California Workers’ Compensation – The Scam of the Century](#)

Sam Gold, National Organization of Injured Workers

Categories: Health Care, Injured Workers, Insurance

Aug. 10

[AstraZeneca Pays \\$198 Million to Settle Claims – But Documents Stay Secret](#)

Scott Martelle, Protect Consumer Justice

Categories: Civil Justice, Consumer Protection, Health Care, Legal, Prescription Drugs

[National Health Care Reform only Works if California Doctors Treat Medi-Cal Patients](#)

Willie Pelote, American Federation of State, County and Municipal Employees

Categories: Health Care, Insurance

Aug. 9

[Federal Reserve Hears Homeowners’ Woes](#)

Aaron Glantz, New America Media

Categories: Consumer Protection

Aug. 4

[Dead Vets Families Accuse Insurer of \\$100 Million Scam](#)

Aaron Glantz, New America Media

Categories: Health Care, Insurance

[Big Developments on the Budget](#)

Anthony Wright, Health Access

Categories: Health Care, Insurance, CA Budget

[Federal Court Finds Malibu Violated Clean Water Act by Discharging to Marine Preserve](#)

Liz Crosson, Baykeeper

Categories: Consumer Protection, Environment, Clean Water

Membership Outreach

In today's ever-changing, globalized world it is becoming increasingly popular for businesses to utilize recent technological and networking tools in order to effectively reach out to markets and clientele bases. As social networking sites increase in popularity, so does the potential for groups to use these methods in order to fundraise, organize and market. In addition, specialized e-mail marketing sites, allow organizations to reach massive numbers of contacts at once – with personalized, custom designed layouts. Many organizations are already reporting that being able to network through popular sites has helped with organization, communications, and raising funds. The Civil Justice Foundation has realized the potential of such technology and has recently established accounts on iContact, Facebook, and Twitter in order to increase communication, create more organized and effective marketing, and establish effective ways to reach potential and current donors.

The availability of this technology and the potential that it generates for the Civil Justice Foundation has been facilitated through the help of Wise Law Groups who developed our new and improved website at www.civiljusticefoundation.org. The user-friendly design features instant access to CJF and updated information as well as video feed and a PayPal donation link. The site also has direct links to recently created Facebook and Twitter accounts.

One of the primary goals of CJF in the near future is to expand our outreach to firms that are outside of the AAJ network. With our new website and taking advantage of the rise in use of online networking, the Civil Justice Foundation can keep frequent contact with trustees, donors, and various grassroots foundations that have been supporters and/or recipients of grant awards. Realizing the growing popularity and effectiveness of newly developed online programs, the Civil Justice Foundation has utilized such methods and one of the most prominent ways is through the use of iContact. iContact is an e-mail marketing service that allows companies and organizations to create, track and send e-mail newsletters, survey and other devices over the web. In addition, iContact allows users to store hundreds of addresses and send mass e-mails with ease. Users can also customize each e-mail in order to give a personalized feel.

2010 Grantees

Champaign County Health Care Consumers

Overview: CCHCC is a non-profit grassroots citizen-action organization dedicated to quality, affordable health care for all. We believe that access to health care is a fundamental human right and a social and economic justice issue. CCHCC engages in advocacy, education, and grassroots organizing to bring consumers' voices, needs, and priorities to the health care system, while also working one-on-one with consumers having problems with any part of the health care system. CCHCC is founded on the premise of participatory democracy and the belief that meaningful reforms in the health care system and other systems that affect people's lives will come only through the active involvement of consumers.

Funding Purpose: Civil Justice Foundation funds would be used to support our intensive and urgent community organizing campaign to protect the residents' rights in this unfolding situation. Specifically, the funds would be used to cover staff time needed to continue the community organizing and information gathering/research efforts that are part of this campaign, as well as to cover other expenses associated with the campaign, such as printing and postage, meeting costs, and costs for other materials associated with campaign actions.

Northwest Health Law Advocates

Overview: NoHLA, an IRS 501(c)(3) nonprofit, is the leading consumer health advocacy organization in Washington State. Our mission is to achieve a seamless and equitable health care system, in which individuals are assured of basic rights and protections, and continuity of care..

Funding Purpose: NoHLA is very hopeful that federal health reform will become a reality in the near future. We are poised to play a central role in implementing that reform in Washington and dedicated to making sure consumers have the information to make the best choices. Through this work, we can assist other advocates in reaching out to consumers in their states to ensure that consumers take full advantage of their rights and options under health reform.

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South Carolina Fair Share Education Fund

Overview: Enabling a powerful role for the public in public life, developing leaders, promoting inclusiveness and demanding fairness. We operate statewide. For twenty years, we have been building the infrastructure for a social change movement that will shift the balance of social and economic policy in the state. We have done that through policy analysis and advocacy on issues affecting everyday South Carolinians, direct advocacy and by building the strength of other organizations and individuals to carry out their policy work by providing training and tools.

Funding Purpose: We will use campaign organizing on specific issues affecting everyday South Carolinians -- issues like health care reform, predatory lending and tax policies such as a state EITC -- to bring average folks into the policy making process. They will become the agenda setters in their local communities, as well as statewide, and build the leadership of all South Carolinians, particularly youth, women, people of color and low-wealth workers.

Safe Tables Our Priority

Overview: Safe Tables Our Priority is a non-profit, 501 (c)3 volunteer health organization dedicated to preventing suffering, illness and death due to food borne illness by advocating sound public policy, increasing awareness and education, and providing victim assistance. We are a national grassroots organization representing all consumers who want a safer food supply. We are the only national organization that supports victims of food borne disease which gives LIS a unique and strong voice.

Funding Purpose: This funding would be put to use by S.T.O.P. to facilitate and advance advocacy for better medical and public health attention, treatments, and outcomes for those suffering from food borne ReA as well as advocacy to prevent others from getting sick. Ultimately then, the benefits of this grant would be both individual and societal. While there are support groups and tools for peer communications for victims of many diseases and health conditions, such services don't exist for victims of ReA for specific reasons.

Honor Roll of Champions & Consumers That Care

The Trustees of CJF would like to acknowledge the steadfast generosity of the current Champions of the Foundation

Sol Weiss Anapol, Schwartz, Weiss, Cohan, Feldman and Smalley	Richard Bieder Koskoff, Koskoff & Bieder	Jonathan Koles Joel Klienberg Bradley Prochaska	Anne Golden The Abraham Fuchsberg Family Foundation Inc.
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**CIVIL JUSTICE
FOUNDATION**

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Grant Information

Grants are up to two years in duration and are provided for general operating expenses and specific projects. To be eligible for a foundation grant an organization must have, or have applied for 501(c)(3) status from the IRS, and must have a current annual operating budget under \$500,000. The Foundation does not provide grants to support direct social, medical or legal sources; the writing or production of books; or litigation. Please feel free to call the Foundation office at 202-944-2858 to determine whether your organization or project meets our funding criteria.

E X T R A S

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