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Asbestos cases increase by 610

Class action lawsuits decline from 2011

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Posted: Wednesday, January 9, 2013 12:00 pm

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Posted on Jan 9, 2013 by Steve Horrell

The number of asbestos cases filed in Madison County last year was up by 610 from the 2011 total, according to end-of-the-year records released by the Madison County Circuit

Clerk's office. In all, 1,563 asbestos cases were filed in Madison County in 2012.

Class action lawsuits, on the other hand, took a tumble from the 11 filed in 2011 to 4 last year.

Medical malpractice cases increased from 19 in 2011 to 26 in 2012.

But in recent years it has been the rise in asbestos filings that has garnered the most publicity and angered local tort reform groups such as Illinois Lawsuit Abuse and national groups like the U.S. Chamber of Commerce.

A local group calling itself The Integrity of Madison County's Court System called such attacks partisan and pointed out that only four asbestos cases have gone to trial in the last five years, and in every case jurors returned with defense verdicts.

The last year brought a change to the asbestos docket. In March, Associate Judge Clarence Harrison entered an order that eliminated the court's asbestos advance docket for 2013.

That followed on the heels of a recommendation by attorney Robert Schultz to eliminate a reservation system for preferred plaintiffs that pro-business groups felt made Madison County a magnet for asbestos-related lawsuits.

Schultz represented 61 corporations and defense attorneys, while other attorneys represented asbestos victims. Each side argued their case before Harrison.

The arguments had to do with whether to revise a Dec. 1 preliminary order, signed by Circuit Judge Barbara Crowder, that set nearly 500 trial slots.

Harrison said that a standard jury week will be used for the asbestos docket, effective immediately. Cases will be heard on a motion-by-motion basis. The court may group cases for efficiency.

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Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
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The elderly and dying shall receive preference in trial settings, Harrison also wrote.

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