

Section is on a mission to uphold the rule of law

ABA SECTION REPORTS

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THE TORT TRIAL & Insurance Practice Section (TIPS), with more than 36,000 members, includes lawyers, judges, law school professors and law students. TIPS serves as the balanced voice of the profession on issues related to the civil justice system and insurance/liability law. TIPS' unique perspective exists because it serves as the meeting point for the plaintiffs' bar, the defense bar, the insurance industry and corporate lawyers. The TIPS franchise is commonly referred to as the "three-legged stool," which aptly describes the section's role in supporting a balanced and responsible development of the law.

TIPS' initiative for the coming bar year is "Defending the Rule of Law in America: Countering Attacks on Our Judicial Institutions." The framers of our Constitution created an independent judiciary to serve as a check and balance between the other two branches of our tripartite system of government. For the system to function as envisioned, judges must be able to be fair and impartial, remaining true to their oath of office. Given our adversarial system of justice, judges make decisions daily that are bound to be unpopular.

Unfortunately, increasing attacks on the judiciary through the media, violence, political initiatives, legislation and other means are hindering the judiciary's ability to function fairly and independently. TIPS—in partnership with the Standing Committee on Judicial Independence and Justice At Stake, a nonprofit organization dedicated to the same core principles as this project—will seek to teach the public about the role of a fair and impartial judiciary.

Another major project of the section is the Task Force on Insurance Disaster Relief, which will study insurance and liability

issues that confront the nation when disaster strikes. We were motivated by the 2005 hurricanes and issues that arose in dealing with their aftermaths, and the need for a more principled and predictable method for dealing with future disasters. The task force represents the diverse interests within and outside the insurance industry; its goal is to develop recommendations for the policymaking House of Delegates on how the law and insurance ought to be structured to ensure more certainty in dealing with liability when disaster occurs.

This year will see the second TIPS Leadership Academy, which will provide young lawyers with the skills necessary to lead within the profession and in the community. The goals are to increase diversity; promote ethical, professional and community service values in rising leaders; build relationships among young lawyer leaders across the country; and elevate awareness of the broad range of issues facing the profession.

TIPS continues its leadership in continuing legal education programs and publications, offering traditional "bricks and mortar" live programming but also emphasizing other forms of delivery such as teleconferences and Web seminars. The section has done so while recognizing that the vast majority of members do not travel to attend its meetings.

Peter Bennett is incoming chair of the Tort Trial & Insurance Practice Section. He is president of The Bennett Law Firm in Portland, Maine, where he practices labor and employment law on behalf of management. For more information about the section, see www.abanet.org/tips.