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If you know anything about the so-called “tort reform” movement in the United States, you may know that it has turned the civil jury system into an embattled and vulnerable institution. From at least the 1980s until today, this country has experienced a non-stop barrage of legislative and, in some cases, judicial attempts to significantly weaken the civil justice system and make it more difficult for everyday Americans to access the courts.

Not surprisingly, corporations and their insurers have been at the forefront of attacks on civil juries over the years, lobbying for laws that take compensation decisions away from juries, like “capping” damages for those who are injured. Some laws replace the civil jury system altogether with structures over which corporate money and influence can have more control.

The American public has remained largely silent over this systematic stripping away of their rights. Indeed, it has been virtually silent over the last 35 years as the right to jury trial in civil cases has been slowly undermined under the guise of so-called “tort reform.” A large reason for this appears to be a substantial public relations effort, funded by corporate America, designed to turn the American mind against this fundamental institution. Clearly, this is having an [impact](#). But also, there is tragically very little public education or media attention about the true impact of these “tort reform” laws on everyday people. Hopefully, that’s now about to change.

On Monday, June 27, [HBO](#) begins airing a powerful new documentary film called *Hot Coffee* by first-time director Susan Saladoff, which blows the lid off the “tort reform” movement. The name of the film comes from the infamous and widely misunderstood “McDonald’s Coffee Case,” which most people believe involved a greedy coffee drinker who spilled hot coffee on herself and won millions of dollars for essentially no reason. When you see this film, hear from the family, hear from the jurors in the case, see the disturbing images of her actual burns and discover that the verdict was significantly reduced despite McDonald’s callous behavior, you’ll learn what really happened and

wonder why you were duped. But you won't be alone. Pushing out false descriptions of anecdotal jury verdicts like this, intended to outrage the reader or listener, have been the cornerstone of the "tort reform" movement for years. In fact, you'll see in this film U.S. presidents as far back as Ronald Reagan engaging in this behavior.

Other stories in the film show how "caps" on damages can cause untold suffering and economic devastation for families like the Gourleys of Nebraska, while taxpayers are left footing the bill for victims. Families with catastrophically-injured children are among the most harmed by "caps." Another story revolves around former Mississippi Supreme Court Justice Oliver Diaz, a pro-consumer judge who became the victim of a vicious corporate campaign to oust him and when that didn't work, two bogus federal prosecutions that went nowhere. He was acquitted both times but his judicial career was ruined. The case inspired *The Appeal* by John Grisham, who also appears in the film.

Finally, the film tells the story of Jamie Leigh Jones, a young woman who, while working for KBR/Halliburton in Iraq, was drugged, raped, and then placed in a shipping container by the company until eventually rescued. Her [case led to federal legislation](#) spearheaded by Sen. Al Franken (D-MN), who has a prominent role in *Hot Coffee*. Jamie's civil trial is happening as we speak. She fought for six years just to get before a jury because the company tried to force Jamie into secretive mandatory binding arbitration instead.

Sometimes we forget how incredibly important the civil justice system is to our democracy. Juries are free from the influence of corporate lobbyists who wine and dine legislators and regulators. Often, corporations that may have otherwise blocked regulatory duties have been forced to change their practices because of lawsuits brought by everyday people. Unfortunately, due to immense corporate pressure, state legislatures across the country have been enacting tort restrictions at a furious pace, overturning state laws that for generations have afforded injured Americans the right and the means to obtain compensation and to hold wrongdoers accountable for the harm they cause.

This has to stop. It begins with watching *Hot Coffee*, and then learning [what you can do to help](#).

