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Court Watch issues annual report on appellate and supreme courts

Report analyzes activity on “new injury” exception, tort reform and other significant consumer issues.

ATLANTA – Court Watch today released its second annual report analyzing consumer-related decisions issued by the Supreme Court of Georgia and the Georgia Court of Appeals. Court Watch is a project of Georgia Watch, a nonprofit and nonpartisan group committed to strengthening the rights of consumers in Georgia.

The “2008 Annual Report” identifies and profiles the most noteworthy consumer-related decisions released by the appellate courts throughout the year, and identifies emerging trends.

“Many of the decisions reached by the state Supreme Court and Court of Appeals significantly impact the rights that consumers have under law,” said Georgia Watch Executive Director Angela Speir Phelps. **“Georgia Watch launched this project to provide ongoing, thoughtful, fact-based analysis.”**

Notable consumer cases discussed include:

- *Ferrari v. American Home Products*
Federal vaccine law does not preempt state law, will not bar a claim brought by a consumer in state court.
- *Amu v. Barnes*
“New injury” exception is still valid and applies to plaintiff’s case
- *Mason v. The Home Depot, Inc.*
Georgia’s 2005 Tort Reform Act validly requires a civil litigant to meet a higher threshold to introduce expert testimony than the previous standard, which is still applied to criminal cases

“Generally speaking, Georgia laws are not consumer-friendly,” Court Watch Fellow Mike Rodgers said. **“As this report demonstrates, our courts generally follow those laws unless they clearly run afoul of the state or federal constitution.”**

The Court Watch Fellowship is a collaborative effort of the 2008 Court Watch Fellowship recipient and primary researcher, Mike Rodgers, and the Court Watch Advisory Committee, which includes two members of the Executive Committee of the State Bar of Georgia Board of Governors.

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Court Watch is an ongoing project of Georgia Watch. The Court Watch “2008 Annual Report” can be found at www.GeorgiaWatch.org.

Founded in 2002, Georgia Watch is a nonprofit, nonpartisan 501-(c)(3) watchdog group focusing on consumer education and research in the areas of health care, insurance, identity theft, personal finance and energy issues. Visit www.GeorgiaWatch.org for more information.

