

August 24, 2011

For more information, contact:

Ashley Wilson at (404) 525-1085, ext. 13

Court Watch Issues Review of 2010 Supreme Court Decisions

Court Watch today released its fourth annual report analyzing consumer-related decisions issued by the Supreme Court of Georgia. Court Watch is a project of Georgia Watch, a nonprofit and nonpartisan group committed to strengthening the rights of consumers. The 2010 Court Watch Report identifies and profiles the most noteworthy consumer-related appellate decisions released by the Supreme Court of Georgia throughout the previous calendar year, and identifies notable consumer wins and losses.

“The opinions from Georgia’s highest court last year had a considerable impact on the rights that consumers have under the law, particularly those regarding the access injured parties have to civil justice,” **said Ashley Wilson, Georgia Watch staff attorney.** “The Court Watch report is a necessary resource for consumers and legal professionals alike, as many of these cases would simply not be reported otherwise.”

Notable consumer cases discussed include:

- *Atlanta Oculoplastic Surgery v. Nestlehutt*: A controversial law capping the amount of money an injured patient could recover from a negligent medical provider for non-economic damages was deemed unconstitutional.
- *Gliemmo v. Cousineau*: The negligence standard for emergency room doctors has been raised, creating a disadvantage and higher bar for plaintiffs to overcome in order to recover damages.
- *Smith v. Baptiste*: Plaintiffs must now estimate the amount of a potential final judgment of their claims within a range of accuracy and, if they’re wrong, they could face paying the attorney’s fees of the opposing party.
- *State ex rel. Doyle v. Frederick J. Hanna & Assocs.*: The Court held that debt collection attorneys, who often also operate debt collection outfits out of the same office space or own debt collection outfits, are not subject to the Georgia Fair Business Practices Act.

“Georgia has many procedural hurdles that limit the consumer’s access to civil justice for fear that such access will hamper economic activity and increase the cost of consumer goods and services,” **said 2010 Court Watch Fellow Simeon Niles.** “Georgia must do more to protect consumers’ access to civil justice, because access to the court system is often the only means to redress for individual consumers harmed by their interactions with the marketplace.”

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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, consumer energy issues and personal finance. For more information, call Georgia Watch at 404-525-1085, or visit us at www.georgiawatch.org.