



May 18, 2010

Dear Colleagues:

Last February, when the Illinois Supreme Court delivered its disappointing decision to overturn medical liability reform, ISMIE Mutual and the Illinois State Medical Society promised that the Court's ruling would not be the final chapter on medical lawsuit reform. We are writing with an update on our next steps and latest efforts to restore fairness in our courts and *keep doctors in Illinois*.

As was expected in the wake of the decision, the trial attorneys activated their "spin machine" and once again distorted the facts about Illinois' medical lawsuit crisis. Through allies in the General Assembly, they sought to re-enact only the provisions of the 2005 reform law that did nothing to curb lawsuits. They wrote letters in local papers stating that the lawsuit crisis here was a myth and that access to medical care in Illinois is not in harm's way. They had their say, and as has been the case all along, our patients and other opinion leaders resoundingly sided with us, recognizing the need to protect medical care in Illinois. Numerous editorial boards criticized the Illinois Supreme Court decision as misguided and on weak legal footing. While this type of support does not repair our broken system, it does provide momentum to keep our effort going.

We realize that with the current composition of the court and political climate in Illinois, caps on non-economic damages are likely off the table for now. ISMIE Mutual and ISMS are looking at other avenues to address the lawsuit crisis, and are exploring our options for November's legislative and judicial elections along with like-minded civil justice reform partners. You'll hear more on this front very soon.

In the meantime, we would like to hear from Illinois doctors and provide a progress report on our new direction for medical liability reform. *Therefore, ISMS and ISMIE Mutual are collaborating on a joint outreach initiative and are available to present to local medical staffs, doctor groups, medical societies and other physician audiences.* Our physician leaders and staff experts are being made available for one-hour in-person updates, in which we will review the past, present and future of medical lawsuit reform in Illinois. ISMS and ISMIE Mutual also want to use these meetings as an opportunity to receive input from you, our members and policyholders.

If you would like to arrange for a presentation, please contact John Maszinski at 312/580-6440 or [johnmaszinski@isms.org](mailto:johnmaszinski@isms.org). If you can't host a meeting but would like more information on liability reform, please visit [www.realitymedicine.com](http://www.realitymedicine.com).

Sincerely,

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