

Law Firm of Thomas, Thomas and Hafer Withdraws From Membership in the Pennsylvania Bar Association

HARRISBURG (May 12, 2011) -- The law firm of Thomas, Thomas & Hafer LLP today announced that 70 attorneys in the firm's Pennsylvania practice voted to resign from the Pennsylvania Bar Association (PBA) in protest of the PBA's opposition to lawsuit abuse reform legislation, House Bill 1 and Senate Bill 2, awaiting action in the Pennsylvania Senate.

In a letter to the Pennsylvania Bar Association sent yesterday, attorney James K. Thomas, II, a managing partner in firm of Thomas, Thomas and Hafer LLP, said that many defense lawyers support the Fair Share Act, and that the PBA's public fight to defeat the measure is inconsistent with his firm's interests.

"The PBA's resolution in opposition to the legislation gives the false impression that it is supported by the 'defense bar,' which of course the lawyers (from TTH) below," wrote Thomas in a letter to PBA President Matthew J. Creme. "In fact, we do not oppose the Fair Share Act but rather support it enthusiastically."

"We recognize that there may be differences of opinions on such issues. That is acceptable. This is America. But we cannot continue to support an organization that misrepresents our position and uses our dues to undermine it," wrote Thomas.

Pennsylvania is one of only handful states to operate under the doctrine of Joint and Several Liability, under which a defendant found to have contributed only one percent to an injury or accident can be held responsible nevertheless for 100 percent of the damages.

The Fair Share Act, which passed the Pennsylvania House of Representatives and is awaiting action in the state Senate, would assign liability for damages in proportion to the actual negligence. The measure has the full support of Gov. Tom Corbett.

"We believe that an undiluted Fair Share Act is not only fair and just but also would help keep Pennsylvania employers in business and attract employers to Pennsylvania benefitting the people of Pennsylvania rather than plaintiffs' lawyers who derive much of their wealth from the current joint and several law," the Thomas letter continued.

The decision by the firm was applauded by organizations representing Pennsylvania's business community, local governments and healthcare providers.

"This is a highly courageous and honorable decision for this law firm to have made," said Kevin Shivers, state director of the National Federation of Independent Business (NFIB) which represents 14,000 small-and independent-businesses in Pennsylvania.

"Thomas, Thomas and Hafer is a very influential firm, and its public resignation from the Pennsylvania Bar Association sends a powerful message to the business and clients they represent," said Shivers.

Gene Barr, vice president of Government Relations for the Pennsylvania Chamber of Business and Industry also praised the law firm for recognizing the jobs and economic impact of HB1/SB2.

"It is truly unfortunate the Pennsylvania Bar Association has failed to recognize the real adverse impact Pennsylvania's punitive system of joint and several liability has on job creation, access to affordable health care, and local governments, as well as individual consumers and families," said Barr. "On behalf of the thousands of members of the Pennsylvania Chamber, we appreciate this stand taken by the firm of Thomas, Thomas and Hafer."

Since its founding, Thomas, Thomas & Hafer LLP has grown to be one of the largest litigation firms in Pennsylvania with a growing practice in Maryland. For nearly three decades, the firm has demonstrated its ability to successfully protect the interests of clients and provide exceptional service with the highest standards of professional integrity.

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