



"Too often, the courthouse doors are closed to those who have suffered serious injuries and violations of their rights. By emphasizing rigorous scholarship and thorough research, the Civil Justice Research Institute can make a real difference in access to the American justice system."

Erwin Chemerinsky
Dean, UC Irvine School of Law

University of
California, Irvine
School of Law

www.law.uci.edu



CIVIL JUSTICE RESEARCH INSTITUTE



Preserving Our Civil Justice System

University of
California, Irvine
School of Law



The Opportunity

There is an urgent need for a program designed to systematically identify and produce highly credible, unbiased research on critical issues concerning the civil justice system. The Civil Justice Research Institute is designed to conduct rigorous, interdisciplinary academic research at the highest level at the University of California, Irvine School of Law, filling an important need in the bar, in the courts and in society.

Launched by Dean Erwin Chemerinsky, the Civil Justice Research Institute parallels the many successful and innovative initiatives of UC Irvine School of Law, which opened its doors to students in 2009 and already has received numerous accolades. Those distinctions include the faculty ranked sixth in the country in scholarly impact (behind only Yale, Harvard, University of Chicago, NYU and Stanford); fourth in the country for practical training; and fifth in the country placing students in prestigious judicial clerkships.

Funding for startup needs and ongoing expenses for the Institute is critical. Members of the civil justice community have indicated a willingness to assist in the launch and maintenance of Institute activities for three years in order to ensure that it becomes a permeant and highly-regarded resource for issues impacting the civil justice system in the United States.

The Purpose

The Civil Justice Research Institute will be dedicated to research and dissemination of research about critical aspects of the civil justice system. To fully execute this purpose, the Institute will include at least one chaired professor who is a leading expert in the field, overseeing the work of the Institute. In addition, a nationally-recognized expert in the field will be hired as the Executive Director to oversee activities of the Institute, supervising the critical research and its publication and dissemination. The Institute will also sponsor conferences about aspects of the civil justice system. Proposals for reform of the civil justice system are constantly being debated in legislatures and courts. Yet, all too often, debates about topics such as limits on punitive damages or restrictions on juries occur without adequate scholarly information. The Institute will produce careful research for the justice system to rely upon during these discussions.

It's time to move beyond the rhetoric and do the research.



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Our Civil Justice system is in crisis. For most, it is no longer a viable path to address wrongs resulting in financial, property or personal injury. Based solely on rhetoric and not research, special interests and the political process have placed often insurmountable obstacles in the path of everyday people seeking redress through our civil justice system.

The Obstacles to Justice Include:

- Inadequate **funding** of the courts – resulting in long delays
- Limits on **aggregate litigation** – ending the only path to justice for some
- Growth of compulsory **arbitration** clauses – effectively denying access to our courts
- Changes in the **rules of procedure** – limiting the ability of injured individuals to be heard in court
- Increased limits on the use of **experts** – resulting in unfair dismissals
- Limits on **punitive damages** – limiting the deterrent to serious wrongdoing
- Limits on remedies – denying just compensation

The Effects are Real

We must end this crisis. Empirical research is how.

It is imperative that the civil justice community conduct independent, academically-based research focused on the growing limits on the public's access to justice.

The Support

A fully-operational Civil Justice Research Institute will require a minimum endowment of \$5 million. Although the Institute has been launched and will begin operation prior to the full funding of the endowment, once fully endowed the endowment funding will be used to pay for ongoing activities of the Institute in perpetuity. This will be an unparalleled opportunity for donors with the passion to ensure that the justice system does not fail those who need it most. In addition, an opportunity to endow a Distinguished Chair in Civil Justice will be available at a \$2.5 million endowment. As of May 2016, \$1 million in private donations and pledges have been raised.

The Governance

The Civil Justice Research Institute has a prominent national Board of Advisors composed of leading lawyers, judges and academics. The Board of Advisors helps the Law School set the priorities for the Institute and determine the content of its research and public programs.



Founding Chair, Advisory Board

Roman Silberfeld, inaugural Chair of the Advisory Board of the Civil Justice Research Institute has an impressive record of courtroom success across many of complex civil litigation's challenging disciplines. His trial and appellate experience includes business and high technology matters, product liability, professional negligence and mass tort litigation, with particular emphasis on multi-state, multi-party, and class action litigation. Along with a meticulous dedication to the demands of the courtroom, Mr. Silberfeld brings a professional and civil demeanor to his practice.

"Our democracy depends on an independent and functioning civil justice system. Access to the courts for the redress of grievances is a fundamental right and that right has been eroded over time. This Institute will ensure that leaders, legislators and courts have the factual research and data they need to set policy for generations to come, all with the goal of preserving our justice system, which has been and remains the model for the world."

Roman Silberfeld

National Trial Chair of Robins Kaplan LLP