

## Alabama changes wrongful death and other civil suit legislation

On behalf of Johnston, Moore & Thompson

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Did you know that, according to sources, Alabama has a reputation for being a state where plaintiffs in civil suits are favored? Of course, that's just an outside perception of the situation. Even if it were true, that doesn't take away the reality that victims of personal injury and [wrongful death](#) cases deserve to be compensated for their loss, suffering and financial troubles.

Those who passionately root for such victims are somewhat worried, therefore, because the Alabama Legislature passed various bills last week putting new limits on civil cases in the state. The following are the legal changes ahead of us in civil lawsuits, according to the Insurance Journal:

- Wrongful death cases won't be able to be filed just anywhere. Plaintiffs' attorneys will be limited to filing in certain areas in order to prevent a sort of "jury shopping."
- Interest rate on plaintiffs' damages decreases from 12 to 7.5 percent, in order to limit the amount plaintiffs are awarded in case the defense appeals a prior verdict.
- Civil lawsuits against architects and builders must be filed within 7 years of an alleged incident instead of within 12 years.
- Certain witnesses will no longer be allowed to testify in civil cases, for either the plaintiff or the defense. Sources refer to such prohibited witnesses as those who tout "junk science." Exactly what that means, at least according to media sources, is uncertain.

You can see how these legislative changes will significantly affect civil suits in Alabama. Some worry that the changes violate the rights of potential personal injury, wrongful death and other victims of civil injustices. Those behind the changes, however, insist that the amendments create a more equal playing field for plaintiff and defense attorneys in the state.

### Source

Insurance Journal: "[Alabama Lawmakers Advance Bills Curbing Lawsuits](#)," 31 May 2011