



The Rule of Lawyers: How the New Litigation Elite Threatens America's Rule of Law

Walter K. Olson

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Big-ticket litigation is becoming a way of life in this country. But something new is afoot—something typified by the \$246 billion tobacco settlement, and by other courtroom assaults against companies producing guns, cars, breast implants, asbestos, lead paint, and more. Each massive class-action suit seeks to invent new law, to ban, tax, or regulate something that elected lawmakers had chosen to leave alone. And each time the new attack process works as intended, the new litigation elite reaps billions in fees—which they invest in fresh rounds of suits, as well as political contributions.

The Rule of Lawyers asks: Who picks these lawyers, and who can fire them? Who protects the public's interest when settlements are negotiated behind closed doors? Where are our elected lawmakers in all this? The answers may determine whether we slip from the rule of law to the rule of lawyers.

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