

[Back to Article](#)

Street Talk: Lobbyist Opposes Tort Reform From the Right

By [Kate Ackley](#)

Roll Call Staff

May 4, 2011, Midnight

Andy Cochran is a tea party-supporting, religious, anti-abortion, trial-lawyer-loving conservative Republican.

Seriously. "Trial-lawyer-loving" was no typo.

The Reagan-administration-appointee-turned-lobbyist has a long list of conservative credentials. Armed with writings from the Founding Fathers and a fervor for the Constitution, Cochran is reaching out to Hill Republicans, conservative scholars and tea party activists to try to persuade them to oppose tort reform efforts making their way through Congress.

He'll reference the Magna Carta and even the Bible when arguing for the right to sue and receive damages. "Moses said, if you take your neighbor's property, you owe, essentially, punitive damages," Cochran said.

He started [7thamendmentadvocate.org](#), devoted to the Seventh Amendment, which defined the right to a jury trial for civil matters.

But Cochran's effort is about a lot more than his passion for the judicial system. His biggest client is the trial lawyers' lobby, the American Association for Justice, which last year paid him \$200,000 to help make the case with Cochran's fellow conservatives.

"We're up against corporate America spending millions and millions and millions of dollars trying to promote a message that it's wrong to seek redress," AAJ CEO Linda Lipsen said. "And the more venues that we can get our message out, the better. Andy is appealing to a group that really cares about fairness and making sure everybody gets a fair shake."

Cochran said his website isn't about ginning up business or even solely to promote his clients' interests. "I want Americans to support the civil litigation process."

But he and the trial lawyers will have an uphill battle persuading Congressional Republicans, who have long supported legal reforms, to abandon such measures as the Lawsuit Abuse Reduction Act and a bill that would cap medical liability damages, the Help Efficient, Accessible, Low-cost, Timely Healthcare Act.

Cochran, a 1982 law graduate of Notre Dame University, said he's finding supporters.

"It's resonating at the grass-roots level," he said. "It's also resonating with Republican staff and Members."

He recently recapped on his blog an interview that Rep. [John Duncan](#) (R-Tenn.), an attorney, did on Christian broadcaster Terry Lowry's "What's Up" show. Cochran quoted Duncan as saying, "I have faith in the people — I have faith in the jury system. It's one of the most important elements of our freedom, and it was so recognized in the Constitution, was felt to be so important, it was specifically put into the Constitution in the Seventh Amendment. And I'll tell you, it's a very dangerous thing to take away rights like that from the people." Duncan's office could not be reached to confirm the quotes.

On issues such as the lawsuit abuse and medical liability reform bills, Cochran has tapped his Rolodex of socially conservative groups that frequently push their causes through the court system. He wants to enlist them in the fight to preserve the Seventh Amendment on the grounds that the federal government could one day infringe on their ability to sue.

Mark Meckler, co-founder and national coordinator of the Tea Party Patriots, said the tort reform issue is not "really on the radar right now." However, Meckler, an attorney who says he does not know Cochran and does not interact much with lobbyists, speculated that his group's membership might be sympathetic to Cochran's pitch.

"Most folks in the tea party movement would say those things should be dealt with at the state level," Meckler said. "It's not for the federal government to be adjusting the legal system of individual states."

But Rosario Palmieri, vice president of infrastructure, legal and regulatory policy at the National Association of Manufacturers, said even the staunchest states' rights supporters and conservative Republicans can get behind the legal reform measures to stop frivolous lawsuits and to cap medical liability damages.

The manufacturers are lobbying for the two bills that Cochran and AAJ are fighting against.

"Legal reform is one of those critical priorities to create jobs," Palmieri said. "Sensible reforms need to be addressed in order to help us create more manufacturing jobs."

Cochran knows the jobs and economic message resonates with Republicans, but he is quick to retort that his clients don't carry the blame for the recent recession.

"Trial lawyers and civil suits did not cause the major business disasters, the Wall Street crash, Enron," he said. "It's mystifying to me how the Seventh Amendment has been forgotten. The Founding Fathers loved local juries, they loved local suits."

If you doubt Cochran's conservative bona fides, he'll tell you, for example, that he opposes the Democrats' health care reform law. How does he want to scratch it from the books? "I want to kill it through lawsuits," he said.

"I'm going to stand on the high ground of the Seventh Amendment and the Constitution and invite someone to push me off," Cochran said. "And I'm not worried."



Bill Clark/Roll Call

Lobbyist Andy Cochran hopes he can persuade tea party activists to oppose tort reform on the grounds that the government should not limit their freedom to sue for damages.

[Register Your Account](#)

To access RollCall.com away from the office, [register for a complimentary account](#).

Don't forget to select your preferred newsletters and alerts to stay on top of Capitol Hill news as it happens.

Sign In

USER NAME:

PASSWORD:

SUBMIT

[Forgot password?](#)

More Street Talk

- [Street Talk: Another Haley Barbour Hunkers Down on K Street](#)
- [Street Talk: K Street Firms Adjust to Keep Moms](#)
- [Street Talk: Lobbyist's Doctor Pals Will See You Now, Senator](#)
- [Street Talk: Bipartisanship, Rare on the Hill, Reigns on K Street](#)
- [Street Talk: House GOP Lobbyists See Change In Fortunes](#)
- [Street Talk: For One Lobbyist, Life Actually Is a Cabaret](#)
- [Street Talk: Most Members Talk 'Turkey' out of Public Eye](#)



The Staff

Contact Us

Working at Roll Call

RC Jobs

[Subscribe](#)

[Classifieds](#)

[Advertise](#)

[RSS Feeds](#)

Partner Sites:

[Congress.org](#)

[CQ.com](#)

[European Voice](#)

[About CQ Roll Call](#)

[About the Economist Group](#)

[Press Releases](#)

An Economist Group Business. Copyright 2011 CQ-Roll Call, Inc. All rights reserved. - [Privacy](#) | [Legal](#) | [Mobile Version](#)