

Interviewer: Up next, we'll examine the critical role that tort law plays in protecting society. Joseph Klest, founder of the Law Offices of Joseph Klest in Chicago says tort law is critical in addressing and solving our nation's worst social problems. It allows the individual to go up against powerful organizations and expose wrongs that need to be corrected. Joe has been practicing for over 23 years and has recovered millions of dollars in judgments and settlements for his clients, and he joins us now. Hi, Joe.

Joe: Well, thanks for having me, Carol.

Interviewer: I know this is a subject dear to your heart. How does tort law help society as a whole?

Joe: Tort law is one of the cornerstones, in my opinion, of any free and fair society. I think it ranks right up there with freedom of speech and the right to vote. It gives every citizen a way to remedy a wrong, it acts as a deterrent to wrongdoers, and it serves the very important function of shedding light on areas where we, as a society, could use improvement. An important recent example of this is the flood of abuse claims involving not just priests and other clergy, but teachers, coaches, day care facilitators and family members. Fifteen years ago – if you remember – there was very little public awareness of the extent of these abuse issues because it was not discussed in the press. The reason the abuse was not discussed in the press is because victims had no real access to the Courts due to the statute of limitations, and if a lawsuit or criminal case could not be filed, the press would not report about it. Ironically, the reason the press would not report about it is because they were afraid of being sued by the alleged perpetrator.

Interviewer: Now, I know that you believe that tort law specifically helps children, especially in these cases. How so?

Joe: Well, as I've said, it wasn't until some very aggressive Plaintiffs' attorneys began to find ways around the statute of limitations and began to file lawsuits that the press would discuss this issue, and thus bringing the very real problem of abuse of children to the public eye. Until the light was turned on this issue by the tort system, the criminal system did not, could not and would not do the job.

Interviewer: Now, I know your practice focuses specifically on these cases. Of all of them, what are you most proud of?

Joe: I actually started out practice in a firm that was one of the major tort firms in the Chicago area, and I've handled a wide range of tort cases and still continue to handle a wide range of tort cases including various types of personal injury cases and product liability cases and medical malpractice

cases but the abuse cases have become a particular interest for me because when I started out practicing, there weren't any of these cases. This was an issue that was swept under the rug, and beginning in the early nineties, a handful of lawyers figured out how to bring public light to this and I think that we have done a very good job of doing that, and I believe as a result of the work that trial lawyers have done in bringing this important issue to public light that many children have been spared the horror of abuse. Secondary to the tort claims, the criminal system is looked at, and they've also expanded the criminal statute of limitations realizing that the old system just didn't work at all. And, also the public has become aware of this problem and so children who are more vulnerable have a better chance of being protected by their parents – because their parents will monitor *where* they're going, *who* they're going with – because the public is talking about it. Without the public talking about it, the people didn't know that this was such a prevalent problem.

Interviewer: Joe, thank you so much.

Joe: Thank you.

Interviewer: Joseph Klest. He's the founder of the Law Offices of Joseph Klest and we reached him in their Chicago, IL offices.