

session with a call for serious debate on civil justice reform, and a promise to sign a bill that would accomplish meaningful reforms. Today, I'm proud to stay true to that promise.

And here's the Chamber of Commerce's take:

The Mississippi tort reform bill contains many important improvements, including:

Caps punitive damages for small businesses worth less than \$50 million at a maximum of 4% of net worth; big businesses are subject to a graduated scale, with a cap of \$20 million.

Protects "innocent retailers" who are sued for selling defective products they did not design or manufacture.

Limits venue to where the cause of action occurred or the plaintiff's home county.

Allows proportionate liability for non-economic damages and improves joint and several liability for economic damages.

Who knows whether all of this action and optimism will in fact shut down the judicial laboratories in Mississippi, or whether this approach will upset fewer people than the previous one. And will it, or should it, have any influence in other states? Let's just hope the conflict doesn't end like Shelley's novel.

New State Ice Co. v. Liebmann, 285 U.S. 262, 311 (1932) (Brandeis, J., dissenting); Affidavit of Jeffrey P. Hubbard, *Cosey v. E.D. Bullard Co.*, Civ. No. 95-0069 (Miss. Cir. Ct. Jefferson County 1998); Mary Shelley, FRANKENSTEIN (1818); www.litigationfairness.org; www.governor.state.ms.us; www.uschamber.com.

SUPREME CREDIT

THE GREEN BAG MAY THINK that Stern & Gressman is the only authoritative treatment of Supreme Court practice (see *Old-and-Improved*, 6 GREEN BAG 2D 5 (2002)), but the authors of Stern & Gressman disagree. In footnote 8 of the Preface to their

eighth edition they

acknowledge our long and continuing exchange of information with Bennett Boskey about the rules and practices of the Court. Mr. Boskey, a former Supreme Court law clerk and now a practicing lawyer in Washington, D.C., is the author of *B. Boskey, WEST'S FEDERAL FORMS, SUPREME COURT*, Vols. 1, 1A, and 1AA (5th ed. 1998, with annual pocket supplements). These volumes contain forms and samples of all types of petitions, motions, and briefs used in Supreme Court litigation, accompanied by comprehensive treatment of the Court's rules and practices. In addition, Mr. Boskey has co-authored with Professor Gressman a series of articles describing various Supreme Court rule revisions and jurisdictional changes.

The admiration is mutual. Boskey writes, in the Introduction to his 2002 pocket part for each of his three *Federal Forms* volumes:

It would be a disservice to the profession not to mention that the 8th edition of Stern and Gressman et al.'s *Supreme Court Practice* is just becoming available for consultation. This excellent work is an indispensable tool. It explains what the Court has done, what it now does, and which former precedents can no longer be relied on. The lawyer who fails to partake of the book's knowledge and wisdom acts at his or her peril.

All of which leaves the *Green Bag* in the old "everything I say is false" quandary: if the *Green Bag* says that Stern & Gressman is the one-and-only last word on Supreme Court practice, and Stern & Gressman says that it shares the last word with Boskey, then Stern & Gressman is not the one-and-only. On this issue we will defer to Stern & Gressman.

Robert L. Stern, Eugene Gressman, Stephen M. Shapiro & Kenneth S. Geller, *SUPREME COURT PRACTICE* xi (BNA 8th ed. 2002); Bennett Boskey, *WEST'S FEDERAL FORMS, SUPREME COURT Vol. 1* (2002 Pocket Part).