



# Punitive Damages

*['pyü-nə-tiv 'da-mij-es]*

The payment that a defendant found guilty of committing a wrong or offense is ordered to pay on top of compensatory damages.

# Punitive Damages

**Linda L. Schlueter, Kenneth Robert  
Redden**



## **Punitive Damages:**

**Punitive Damages** Linda L. Schlueter, Kenneth Robert Redden, 2000      *Punitive Damages* Kenneth Robert Redden, George Albert Bates, 1980      *Punitive Damages* Cass R. Sunstein, 2002-04-15 Over the past two decades the United States has seen a dramatic increase in the number and magnitude of punitive damages verdicts rendered by juries in civil trials Probably the most extraordinary example is the July 2000 award of 144 8 billion in the Florida class action lawsuit brought against cigarette manufacturers Or consider two recent verdicts against the auto manufacturer BMW in Alabama In identical cases argued in the same court before the same judge one jury awarded 4 million in punitive damages while the other awarded no punitive damages at all In cases involving accidents civil rights and the environment multimillion dollar punitive awards have been a subject of intense controversy But how do juries actually make decisions about punitive damages To find out the authors experts in psychology economics and the law present the results of controlled experiments with more than 600 mock juries involving the responses of more than 8 000 jury eligible citizens Although juries tended to agree in their moral judgments about the defendant s conduct they rendered erratic and unpredictable dollar awards The experiments also showed that instead of moderating juror verdicts the process of jury deliberation produced a striking severity shift toward ever higher awards Jurors also tended to ignore instructions from the judges were influenced by whatever amount the plaintiff happened to request showed hindsight bias believing that what happened should have been foreseen and penalized corporations that had based their decisions on careful cost benefit analyses While judges made many of the same errors they performed better in some areas suggesting that judges or other specialists may be better equipped than juries to decide punitive damages Using a wealth of new experimental data and offering a host of provocative findings this book documents a wide range of systematic biases in jury behavior It will be indispensable for anyone interested not only in punitive damages but also jury behavior psychology and how people think about punishment      **Punitive Damages** John J. Kircher, Christine M. Wiseman, 2000      *Punitive Damages, Law and Practice* James D. Ghiardi, John J. Kircher, 1981

**Punitive Damages** American Bar Association. Special Committee on Punitive Damages, 1986      **A Practitioner's Guide to Construction Law** John G. Cameron, 2000      The Law of Payment Bonds Kevin L. Lybeck, H. Bruce Shreves, 1998 This publication has been prepared for use in conjunction with the mid winter program of the Fidelity Surety Law Committee of the Tort Insurance Practice Section of the American Bar Association held in San Francisco California on January 30 1998 P iii      How Should Punitive Damages Work? Dan Markel, 2009 What are punitive damages for In a companion article I argued that states should re conceive and restructure punitive damages to advance in part the public s interest in retributive justice I called such damages quot retributive damages quot Although that article provided the rationale and basic structure for retributive damages as an expressly quot intermediate sanction quot and explained why society should want retributive damages independent of other remedial or penal options the theoretical nature of the proposal only scratched the surface of

how they would operate in practice This Article addresses the next critical question how should punitive damages work This question is especially timely in light of the Supreme Court's recent decision in *Philip Morris v Williams* which held that juries may not consider the harms to non parties in determining the amount of punitive damages a defendant must pay To make punitive damages work we must first separate retributive damages from damages meant either to achieve optimal deterrence to the extent permitted by *Philip Morris* or to vindicate the victim's dignity interests Because these purposes are distinct a jurisdiction that conflates them risks both under and over protection of various defendants Once we correctly understand these distinct purposes our institutional design for civil damages should map these values appropriately This Article begins that important task first by explaining why and how defendants should enjoy certain procedural protections depending on which purpose the damages vindicate and second by addressing two critical implementation issues associated with this pluralistic scheme of extra compensatory damages insurance and settlement The companion article *Retributive Damages A Theory of Punitive Damages As Intermediate Sanction* can be found here <http://ssrn.com/abstract=991865>

**Punitive Damages** Robert G. Schloerb, 1988

**Wrongs and Remedies in the Twenty-first Century** Society of Public Teachers of Law (London, England), 1996 When potential litigants first approach a lawyer they are generally interested in finding out one thing only are they likely to be able to win damages or any other kind of remedy and what kind of quantum of damages are they likely to receive It becomes the lawyer's main task to try to argue for a remedy and to persuade the court that the plaintiff has a good cause of action Textbooks about contract and tort frequently treat damages and other remedies as an after thought when in fact it is the issue of remedies which is a constant and ever present consideration for the plaintiff and his or her lawyer This new book containing contributions from many of the UK's leading specialists brings to the fore a range of issues which are of topical interest to litigators and to teachers of law In some instances the issues are currently the subject of reform proposals and these essays usefully highlight the principal issues facing the reformers and the objections which have been raised by those opposed to reform In addition four of the essays tackle a strand of tort law which is of rapidly growing importance the area of professional negligence The contributors are among the best known writers in this field and their essays combine practical and academic perspectives which usefully highlight contemporary trends in professional negligence litigation The first chapter in the book also offers a unique and controversial overview of tort law in the UK by Professor Patrick Atiyah who argues for a complete rethink of the system of personal injuries litigation in the UK starting with its abolition Not for the first time Professor Atiyah thinks the unthinkable

**Fairness in Punitive Damages Awards Act** United States. Congress. Senate. Committee on the Judiciary, 1999

**Successfully Challenging Punitive Damage Awards** Theodore J. Boutrous, 2003

**Punitive Damages** Wisconsin. Legislature. Legislative Council, Don Dyke, 1978

*Help Efficient, Accessible, Low Cost, Timely Healthcare (HEALTH) Act of 2003* United States. Congress. House. Committee on the Judiciary, 2003

**The Protection of Community Interests in the International Law of State**

**Responsibility** Julia Lemke, 2025-04-29 This book redefines the traditional understanding of state responsibility. It presents a compelling argument that international law's effectiveness hinges on its ability to protect not only state interests but also those of the global community. Drawing from principles established in the Articles on the Responsibility of States for Internationally Wrongful Acts (ARSIWA), the book examines how states conceptualised as rational actors navigate collective action challenges. Through a law and economics lens, it sheds light on the role of international state responsibility in providing global public goods and safeguarding common pool resources. This interdisciplinary book offers valuable insights and normative suggestions for enhancing the ARSIWA's efficacy in promoting community interests. It will appeal to scholars and practitioners in public international law, law and economics, and international relations interested in a better understanding of international law's role in tackling pressing global issues.

**Litigation Services Handbook** Roman L. Weil, 2002-02  
 Litigation Services Handbook Fourth Edition is referred to as the litigation bible. Its nearly 50 chapters read like a who's who in law and accounting. The handbook includes all aspects of litigation services including current environments, the process itself, a wealth of cases, how to prove damages, and practical considerations of court appearances. The new edition has a heavy focus on fraud investigations and complying with Sarbanes Oxley requirements. ABA Journal, 1984-12. The ABA Journal serves the legal profession. Qualified recipients are lawyers and judges, law students, law librarians, and associate members of the American Bar Association.

**Maimonides and Contemporary Tort Theory** Yuval Sinai, Benjamin Shmueli, 2020-08-06  
 Maimonides lived in Spain and Egypt in the twelfth century and is perhaps the most widely studied figure in Jewish history. This book presents for the first time Maimonides' complete tort theory and how it compares with other tort theories both in the Jewish world and beyond. Drawing on sources old and new, as well as religious and secular, Maimonides and Contemporary Tort Theory offers fresh interdisciplinary perspectives on important moral, consequentialist, economic, and religious issues that will be of interest to both religious and secular scholars. The authors mention several surprising points of similarity between certain elements of theories recently formulated by North American scholars and the Maimonidean theory. Alongside these similarities, significant differences are also highlighted, some of them deriving from conceptual jurisprudential differences and some from the difference between religious law and secular liberal law.

*Description of Revenue Provisions Contained in the President's Fiscal Year ... Budget Proposal*, 2012

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