



Who Pays for Car Accidents?: The Fault versus No-Fault Insurance Debate (Controversies in Public Policy)

Estate of Jerry J. Phillips, Stephen Chippendale

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In this new volume, two lawyers debate which kind of automobile insurance is the best, no-fault or tort liability. This book presents in one place all the legal, political, historical, and financial arguments about the two types of auto insurance.

Under the fault system currently used by thirty-seven states, tort law provides that the party at fault in the accident pays the full damages of accident victims. Jerry J. Phillips favors this system, arguing that it allows for fair compensation to the injured and deters drivers from dangerous behavior on the road.

Stephen Chippendale counters this claim with the argument that tort-law based insurance combines high cost and low benefits, and that those who truly profit from it are the lawyers representing injured clients, while their claims clog up the court system. A better solution, he proposes, would be "Auto Choice," a plan under which consumers would choose whether or not they wished to be eligible for damages from pain and suffering.

With civility and respect, these two legal scholars present thoughtful and thorough arguments on both sides of the debate, giving readers a balanced view of an issue that affects nearly every American. It will be of particular value to those in the fields of law, policy, and insurance.

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