



# Legal Gridlock: A Critique of the American Legal System

*Thomas C. Fischer*

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Americans have always placed great faith in the rule of law. Today it may be too much. As the volume and complexity of legislation grows, as more behavior is criminalized and jails overfill, as the cost of litigation mounts and jury verdicts skyrocket, legal gridlock becomes a real prospect.

Public interest in the law is clearly growing. But the highly selective, frequently aberrant snapshots the public gets via the media often obscure what is really happening. *Legal Gridlock* examines the American legal system from top to bottom and suggests what is wrong and what might be changed to prevent cost and delay from strangling social and commercial progress. It critiques our system from a variety of perspectives, including: the form and function of government (originally designed in reaction to a remote and insensitive monarch); the proper role of courts and alternatives thereto; and the problems of law enforcement, legal training, and the legal profession.

Incessantly resorting to law to resolve all uncertainty and right every conceivable wrong is a recipe for gridlock. Too much law is as bad as too little. Other civilized nations get by with far less law than we do, and yet they are safe and secure. Are we worshipping a false god? Our expectations simply exceed reality. There is a limit to the rule of law.

*Legal Gridlock* is balanced and non-technical. It is meant for the average reader who is concerned about the direction in which our legal and political system is headed. It warns of a serious crisis facing America.

“The book is quite easy to read, makes complex subjects simple, and raises a lot of important issues. This book deals in realities, not myths, about the limits of our government, the rule of law and the legal profession and addresses how the law works and how it doesn't always work very well. Expect to learn something new, or at least a new nuance, from every chapter in this book.” — *Theodore Collins, Of Counsel, Perkins Coie; former General Counsel, The Boeing Company; Fellow, American Bar Foundation.*

“Professor Fischer's diverse American and international legal experiences form the basis of *Legal Gridlock: A Critique of the American Legal System*. In it he describes, from the perspective of one who has seen other solutions, the shortcomings of the American legal system and its failure to address adequately problems of a more global and complex society. His non-legal writing style and a minimum of footnotes keep the reader's attention on the author's core thoughts.” — *Juergen R. Ostertag, Partner, Pryor Cashman LLP, New York City*

“In *Legal Gridlock*, Fischer's passion is palpable. He wants change to happen and he offers tangible, easy-to-understand ways to make it happen. Not only does he promote a reformation of our legal system, he inspires his readers to seek change too.” — *Maura Beth Pagano, Seattle University Magazine*

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