

Foreword

Paul Figley had a decades-long career litigating and managing Federal Tort Claims Act (FTCA) issues at the Department of Justice, much of the time serving as the Deputy Director of the office responsible for most governmental tort claims and litigation. His depth of knowledge of the FTCA is well-known. Paul's clarity of presentation and straightforward analysis is legendary. He has outdone himself in this gem of a guide.

Acts or omissions on the part of federal government officers and employees regularly result in injuries to others due to carelessness or wrongful conduct under circumstances where the usual remedy is a claim for monetary damages to compensate the injured person—a tort claim. Tort claims against the federal government must begin and proceed in accordance with the FTCA. This book is an invaluable guide to understanding whether and how to pursue an FTCA remedy. Similarly, government attorneys will find this book to be of substantial assistance whenever they consider FTCA issues.

The FTCA was carefully drafted to balance special federal interests with the need for a fair tort remedy. Several substantial sets of amendments expanded the rights initially enacted and, in other respects, narrowed the rights available. The Act must be examined with care to gain an appreciation of its metes and bounds, which are sometimes remarkably different from the usual tort claimant's expectations. This is not to say that the FTCA is a trap for the unwary; rather, it is to say that a lawyer well-versed in tort law needs to understand pertinent provisions of the FTCA in order to represent his or her client effectively. This guide is exactly what any attorney needs to provide counsel on torts arising from the federal government's enormous range of activities.

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