



# 2022 Balance Scorecard

## CIVIL JUSTICE

ASSOCIATION OF CALIFORNIA

The mission of Civil Justice Association of California (CJAC) is to confront legislation and laws that create unfair litigation burdens on California businesses, employees, and communities. A balanced civil justice system benefits all Californians.

CJAC's Balance Scorecard shows how state legislators rank when it comes to promoting fairness and balance in our civil justice system. An overall favorability percentage was based upon key bills that CJAC supported or opposed in 2022.

To view the bills and methodology, visit: [www.cjac.org/balance-scorecard](http://www.cjac.org/balance-scorecard)

### Senate

Borgeas	100%
Jones	100%
Ochoa Bogh	100%
Bates	86%
Nielsen	85%
Grove	83%
Wilk	83%
Dahle, Brian	75%
Melendez	75%
Hertzberg	67%
Min	58%
Archuleta	58%
Glazer	58%
Rubio, Susan	54%
Caballero	50%
Dodd	50%
Hurtado	50%
Bradford	43%
Eggman	42%
Newman	42%

TOP 50%

### Assembly

Flora	100%	Waldron	73%
Patterson	100%	Grayson	69%
Fong, Vince	93%	O'Donnell	67%
Seyarto	89%	Gray	63%
Kiley	89%	Petrie-Norris	63%
Chen	87%	Rodriguez	60%
Cooper	87%	Salas	60%
Gallagher	87%	Villapudua	60%
Mathis	87%	Irwin	56%
Rubio, Blanca	87%	Aguiar-Curry	53%
Smith	87%	Cooley	53%
Voepel	87%	Medina	53%
Nguyen, Janet	81%	Quirk-Silva	53%
Choi	80%	Ramos	53%
Dahle, Megan	80%	Alvarez	50%
Daly	80%	Cunningham	50%
Lackey	80%	Mayes	50%
Davies	76%	Wilson	50%
Bigelow	73%	Berman	47%
Valladares	73%	Gipson	47%

BOTTOM 50%

Allen	33%
Atkins	33%
Becker	33%
Gonzalez	33%
Hueso	33%
Leyva	33%
Limón	33%
Pan	33%
Portantino	33%
Skinner	33%
Roth	31%
Stern	29%
Umberg	29%
Cortese	29%
Kamlager	29%
McGuire	27%
Laird	24%
Wiener	22%
Wieckowski	21%
Durazo	11%

Low	47%	Friedman	27%
Bonta	43%	Gabriel	27%
Bauer-Kahan	40%	Nazarian	27%
Cervantes	40%	Rendon	27%
Garcia, Eduardo	40%	Santiago	27%
McKinnor	38%	Ting	27%
Quirk	38%	Carrillo	25%
Rivas, Luz	38%	Levine	25%
Boerner Horvath	33%	Mullin	25%
Calderon	33%	Wicks	25%
Garcia, Christina	33%	Bloom	24%
Maienschein	33%	Lee	24%
Weber	33%	Jones-Sawyer	22%
Wood	33%	Ward	22%
Holden	31%	Haney	21%
Fong, Mike	31%	Stone	21%
Bryan	29%	McCarty	20%
Rivas, Robert	28%	Muratsuchi	20%
Arambula	27%	Reyes	20%
Bennett	27%	Kalra	19%



Below are the methodology and key bills Civil Justice Association of California (CJAC) used to determine favorability rankings for its 2022 Balance Scorecard.

## Methodology for Scorecard

- CJAC counted all votes taken on the floor, in policy committees, and final votes in appropriation committees for key bills for which we had a support or oppose position at the time of the vote. We divided the number of favorable votes on key CJAC bills by the number of opportunities to vote. “Favorable” is defined as a) supporting a bill CJAC supports; or b) voting against/abstaining from voting on a bill CJAC opposes.
- CJAC used the vote record at [www.leginfo.legislature.ca.gov](http://www.leginfo.legislature.ca.gov) and counted NVR or “no vote recorded” as an abstention, although in some cases it may reflect absences.
- In addition to votes, CJAC assigned extra weight to proactive favorable and unfavorable efforts by legislators (e.g., authored bill, floor speech) on priority bills or bills containing private rights of action (PRA).

## Policy Basis for Position on Key Bills

CJAC supports legislation that promotes balance in our civil justice system by providing protections against abuse and clarifications and other changes that remove unreasonable litigation burdens.

- CJAC opposes changes to our civil liability system that are unfair or create unwarranted liability expansions, promote frivolous litigation, or otherwise create imbalance or abuse the system.
- CJAC generally opposes creation of new private rights of action, which allow private lawsuits under civil laws normally enforced by government, as they incentivize profit-seeking suits that primarily benefit plaintiffs’ lawyers.

## Key Bills Used for Scorecard

### CIVIL LIABILITY

- AB 2408 (Cunningham) OPPOSE. Imposes new burdens and PRA on social media platforms.
- AB 2777 (Wicks) OPPOSE. Revives old harassment claims for 12 months.
- SB 324 (Limón) OPPOSE. Imposes huge fines for unsolicited mail ads.
- SB 975 (Min) OPPOSE. Creates PRA for alleged coerced debt.
- SB 983 (Eggman) OPPOSE. Creates new PRA against electronics manufacturers.
- SB 1149 (Leyva) OPPOSE. Prohibits confidential settlement agreements in product and environmental actions.

### ENVIRONMENT

- AB 2026 (Friedman) OPPOSE. Creates unreasonable regulations and penalties for use of plastic packaging.

### LABOR AND EMPLOYMENT

- AB 95 (Low) OPPOSE. Mandates 10 days of employee bereavement leave and creates PRA.
- AB 257 (Holden) OPPOSE. Creates new regulation and liability for the fast-food industry.
- AB 1192 (Kalra) OPPOSE. Imposes employee data publication and unreasonable litigation exposure.
- SB 1162 (Limón) OPPOSE. Requires employers to publish pay data online and creates PRA.

### INSURANCE

- AB 1681 (Daly) SUPPORT. Creates process for insurers to meet with state on fraud claims.
- SB 1155 (Caballero) SUPPORT. Establishes reasonable framework for time-limited demands against insurers.

### TAXATION

- SB 1377 (Newman) OPPOSE. Creates tax deduction for attorneys’ fees.

### PRIVACY

- AB 1262 (Cunningham) OPPOSE. Creates unreasonable regulations and liability for speaker device makers.
- AB 1651 (Kalra) OPPOSE. Creates PRA against employers for workplace data privacy violations.
- SB 1172 (Pan) OPPOSE.\* Expands existing privacy PRA to proctoring services.

### DISABILITY ACCESS

- AB 2164 (Lee) SUPPORT. Expands use of ADA education funding.
- AB 2917 (Fong, Mike) SUPPORT. Requires ADA educational materials for businesses to help limit liability.

\*Later moved to no position.