









# CIVIL JUSTICE

ASSOCIATION OF CALIFORNIA

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# Welcome Message

Dear Legal Reform Stakeholders:

In no other state is a powerful defense and aggressive advocacy on civil justice issues more critical. California has earned the unenviable reputation as a national incubator for harmful civil justice policies.

Moreover, the well-funded trial bar continues to gain allies as the political imbalance in Sacramento grows to all-time extremes. Our Legislature is close to one party, with business-friendly legislators becoming more scarce.

National polls and studies conducted by the U.S. Chamber and American Tort Reform Association perennially rank California's legal climate at rock bottom. These are not rankings befitting of the Golden State, and we believe we can do better.

With the help of our member companies and organizations, Civil Justice Association of California (CJAC) is advancing its mission to fight excessive and abusive litigation so California businesses, employees, and communities can grow and thrive.

There is power in numbers and diversity of industries. We invite you to join us as we fight for a fair California.

Kyla Christoffersen Powell  
President & CEO

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***California has earned the unenviable reputation as national incubator for harmful civil justice policies.***

— KYLA CHRISTOFFERSEN POWELL, PRESIDENT & CEO, CJAC

# CJAC's Story

## MISSION

Founded more than 40 years ago, CJAC is the only statewide association dedicated to improving California's civil liability system. We are a nonprofit, non-partisan member-supported advocacy coalition that is active in the legislature, the regulatory arena, and the courts.

Our mission is to fight excessive, abusive litigation so that California businesses, employees, and communities can grow and thrive. A trusted source of expertise in legal reform, we provide research and guidance on policy issues that impact California's civil justice system.

## A VOICE FOR BALANCE

Throughout our history, CJAC has been at the center of landmark legal reforms in California. Some of our most notable efforts include Proposition 64, which addressed abuses of the state's Unfair Competition Law; the famed "Napkin Deal" that curbed frivolous litigation; and Proposition 51, which tied non-economic damages liability to level of fault.

Year after year, businesses of all types, sizes, and industries count on CJAC to advocate for them against litigation threats. We take pride in our track record and are passionate about being the voice for balance on behalf of businesses throughout the state.

**1979**

CJAC founded as the Association for California Tort Reform

**1986**

Proposition 51 passes, tying non-economic damages to fault

**1987**

"Napkin Deal" made, achieving major civil liability reform

**1999**

Association renames itself Civil Justice Association of California

**2004**

Proposition 64 passes, reforming Unfair Competition Law

**2008**

State Supreme Court win limiting punitives in breach of contract

**2012**

CJAC obtains passage of fix to vexatious litigant law

**2019**

CJAC turns 40

# Our Work

The work of CJAC spans legislative advocacy, appellate engagement, coalition building, and grassroots organizing. We also work to educate legal reform stakeholders, host policy and political events, and provide candidate research and forums. Here's a closer look at some of our key programs and initiatives.

- Public Policy
- Appellate Center
- FairPAC by CJAC
- California Project
- Local Action
- Communications & Events



# Public Policy

Through our public policy efforts, CJAC works to reduce excessive litigation and defend against attempts by plaintiffs' lawyers to pass laws that will drive up costs for California businesses. Our efforts span many pivotal areas, including arbitration, privacy, ADA, Song-Beverly, asbestos, labor and employment, and Prop 65.

Our legislative committee, made up of CJAC Board member companies, provides guidance on how bill proposals will impact our members and votes on which bills CJAC should sponsor, support, and oppose. Thanks to our lobbying arm, CJAC has stopped hundreds of detrimental bills from becoming laws.

CJAC continually advocates for our members in other policy spheres as well, including regulatory issues, proposed civil jury instructions, and ballot initiatives. We file frequent comments, submit letters, and provide expertise.

As a CJAC member, you also have the opportunity to participate in several policy working groups where we develop strategies for reforms around specific topics, such as ADA, asbestos, and Song-Beverly.



## CJAC POLICY AREAS

Unwarranted liability expansions and private rights of action appear in bills spanning nearly every subject area. Leave it to CJAC to root out and aggressively oppose liability expansions no matter where they appear.

- ADA
- Arbitration
- Asbestos
- Civil Procedure
- Class Actions
- COVID-19 Liability
- Damages
- Evidence
- Finance & Lending
- Housing & Construction
- Independent Contractors
- Labor & Employment
- Lemon Law
- PAGA
- Premises Liability
- Privacy
- Private Rights of Action
- Prop 65



# Policy Reform Working Groups

CJAC members also have access to policy working groups focused around developing strategy and direction for reforms on specific policy topics.

## **ADA REFORM WORKING GROUP**

Focuses on addressing ADA shakedown lawsuits, while facilitating business compliance with the ADA.

## **ASBESTOS REFORM WORKING GROUP**

Addresses potential solutions to asbestos litigation abuses, including improving discovery and promoting trust transparency.

## **BALLOT INITIATIVE TASKFORCE**

Explores avenues for legal reform via the ballot initiative process.

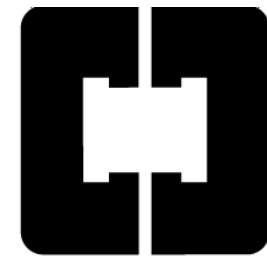
## **SONG BEVERLY REFORM WORKING GROUP**

Aims at potential fixes to abuses of California's "Lemon Law."

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*Everyone doing business in California who wants to spend less on meritless litigation, and more on priorities like research and development and job creation, needs to invest in broad efforts to make laws and regulations more sensible – and to promote a justice system that recognizes that businesses are a critical part of life of most Californians and deserve the same fair treatment under the law that consumers receive. CJAC is leading the charge on this crucial front.*

– DOUG LAMPE, COUNSEL, FORD MOTOR COMPANY



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## APPELLATE CENTER

One of CJAC's most distinct offerings is our Appellate Center program, which strategically engages with amicus — or-friend-of-the-court — briefs on key civil liability issues impacting our members and the business community. The courts are a crucial channel for advancing and protecting sound and balanced legal standards, and CJAC's systematic and robust appellate program is unparalleled.

We review and curate thousands of cases filed in the California Supreme Court and the six Courts of Appeal. Every month, our Appellate Committee, made up of a team of lawyers from our membership, meets with CJAC's General Counsel, Fred Hiestand, to decide which cases merit CJAC's amicus engagement.

CJAC's amicus briefs have influenced numerous decisions over the years and have led to significant cost savings for our business members.







**FAIRPAC**

BY CJAC

Conducting business in the state of California continues to get more difficult, and the trial attorney lobby spends millions of dollars each election cycle promoting their liability expansion agenda.

CJAC's sponsored political action committee, FairPAC, counters the trial attorney money machine by supporting Senate and Assembly candidates who value fairness and balance in our civil justice system.

It's vital that the business community does its part to elect candidates who will support legal reform and oppose abusive and excessive litigation.

Supporters of FairPAC receive the opportunity to attend fundraising events and provide input on FairPAC strategic direction and priorities.

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*If we want to succeed with advancing legal reform, the business community needs to support candidates who will make it a priority when they are elected. As a contributor to FairPAC, we partner with CJAC to elect legislators who will take a stand against frivolous litigation.*

— JEFF SAULS, HEAD OF LEGISLATIVE AFFAIRS, FARMERS®



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## CALIFORNIA PROJECT

California Project is CJAC's statewide candidate and district research program, included in CJAC's higher membership tiers or on a subscription basis to businesses and organizations.

Members of the program receive regular updates on political news and campaign data analysis. Additionally, they are invited to regular Senate and Assembly candidate forums and talks featuring the Capitol community's top political experts.

Through California Project, members have access to tools necessary for understanding the state's unique political dynamics and opportunities to forge meaningful relationships with future leaders.

As a member of the California Project, you'll have insider access to the following, and more:

- Candidate meet-and-greet forums
- Weekly political news updates
- Political expert presentations
- Independent expenditure reports
- Trial lawyer contribution tracking



***California Project provides a unique opportunity to vet and relationship-build with candidates from key Senate and Assembly districts before they are elected. Through forums held by California Project, we can hear for ourselves if candidates prioritize a balanced civil justice system and will listen to the needs of businesses in their districts.***

— DONNA KAYLOR, DIRECTOR, U.S. GOVERNMENT RELATIONS, PFIZER, INC.



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## LOCAL ACTION

Separately funded through additional member sponsorship, CJAC's Local Action program uses digital media tools and localized events to spur grassroots engagement among stakeholders.

To lobby effectively in today's challenging political environment, local voices are critical. Through social media outreach on civil justice bills and events like webinars on ADA website accessibility, CJAC connects with local stakeholders like small businesses to establish to their legislators the importance of legal reform.

Another Local Action effort, CJAC's Civil Justice Gavel award, recognizes legislators within their districts and statewide for their positive role in supporting businesses and reforming California's justice system.

### LOCAL ACTION OUTREACH

Local Action drives engagement at the district level through a variety of events and platforms

- Compliance and lawsuit prevention webinars on ADA, Prop 65 and more
- In-person small business forums co-hosted by CJAC and legislators
- Civil Justice Gavel award recognition digital campaigns
- Social media "thank you" campaigns for votes on priority civil justice bills

# Communications & Events

CJAC members have access to a variety of communications and events throughout the year, keeping them apprised of the latest news, trends, and expertise in the California civil justice reform space.

Members receive regular communications from CJAC, including alerts on Capitol developments, weekly legislative news, and monthly appellate updates. CJAC also frequently engages in the media and social media with op-eds and ads advocating our bill and policy positions and providing commentary on legislative and court developments. Our social media updates deliver timely information for our members, the Capitol community, and statewide.

Each year, CJAC hosts multiple events to benefit our members, from candidate luncheons and continuing legal education webinars to annual member meetings and conferences. We also hold forums and webinars to assist small businesses with lawsuit prevention, such as on ADA website and Prop 65 compliance.

CJAC members have access to information on the latest in California legal reform developments and more

## **WEEKLY WRAP-UP**

Updates on priority civil liability bills and inside Capitol news

## **APPELLATE WRAP-UP**

Monthly activity on appeals impacting key civil liability issues

## **REGULATORY ROUND-UP**

Semi-monthly regulatory developments on civil liability

## **IN CASE YOU MISSED IT**

Weekly political and campaign news by California Project

# Meet the Team

The CJAC team includes seasoned lawyers, lobbyists, and political professionals. Each member of the team puts their expertise to work to deliver the best possible results for our members.



**Kyla Christoffersen Powell**  
President and CEO



**Susan Kilcrease**  
Director, Finance and Operations



**Jaime Huff**  
Vice President and Counsel, Public Policy



**Natalie Bruton-Yenovkian**  
Consultant, Political Affairs



**Lucy Chinkezian**  
Counsel



# Why Join CJAC

When you join CJAC, you're investing in the critical fight to reform the hostile legal climate in California, which is harmful for businesses everywhere. No other organization in California is focused on civil liability reform like CJAC. We are tireless in our efforts to fight excessive and unwarranted litigation, and our robust appellate advocacy program is unmatched.

CJAC saves businesses money every year by stopping numerous proposals that would result in more runaway litigation and excessive liability. With the strength of our members behind us, CJAC can take on the powerful trial lawyer lobby.



## EXCESSIVE TORT COST IMPACT ON THE CALIFORNIA ECONOMY

SOURCE: US CHAMBER OF COMMERCE INSTITUTE FOR LEGAL REFORM, NOVEMBER 2022

**\$60 billion** in total tort costs  
**2%** of state GDP  
**\$4599** per household

# Membership

CJAC offers several different annual membership tiers at board, associate, and small business levels.

**Each membership tier includes a set of core benefits including:**

- Legislative and appellate advocacy
- Weekly legislative updates
- Invitation to annual conference
- Access to webinars
- Policy working groups

**At the higher tiers, additional benefits may include:**

- Eligibility for Board of Directors
- Eligibility for Executive Committee
- Legislative Committee membership
- Appellate Committee membership
- Public Affairs Committee membership
- Prominent placement on materials and signage
- California Project membership

We look forward to having you join the cause.

To learn more about membership, contact Kyla Christoffersen Powell at [cjac@cjac.org](mailto:cjac@cjac.org) or **916-443-4900**.

# Connect With Us

If you're interested in learning more about CJAC or have any questions, please reach out any time.

Kyla Christoffersen Powell  
President & CEO  
cjac@cjac.org  
916-443-4900



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