



2021 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 2021.

To view the bills and methodology, visit: www.cjac.org/balance-scorecard

Senate

TOP 50%

Borgeas	100%
Brian Dahle	100%
Grove	100%
Ochoa Bogh	100%
Melendez	100%
Nielsen	100%
Wilk	100%
Jones	96%
Bates	94%
Hurtado	69%
Glazer	67%
Stern	55%
Dodd	50%
Eggman	38%
Pan	38%
Archuleta	33%
Susan Rubio	31%
Limón	29%
Hertzberg	23%
Min	23%

Assembly

Chen	100%	Frazier	67%
Choi	100%	Cooley	61%
Flora	100%	Cooper	61%
Patterson	100%	Blanca Rubio	61%
Lackey	100%	Daly	58%
Seyarto	100%	Grayson	53%
Bigelow	97%	Quirk-Silva	37%
Megan Dahle	97%	Salas	33%
Fong	97%	Aguiar-Curry	32%
Nguyen	95%	O'Donnell	32%
Smith	95%	Arambula	28%
Valladares	95%	Ramos	28%
Waldron	95%	Villapudua	28%
Voepel	94%	Cervantes	26%
Davies	93%	Petrie-Norris	26%
Kiley	88%	Maienschein	24%
Mathis	84%	Low	22%
Mayes	84%	Gipson	21%
Gray	81%	Burke	20%
Gallagher	79%	Cristina Garcia	20%
Cunningham	75%		

BOTTOM 50%

Becker	18%	Bonta	17%	Mullin	6%
Allen	17%	Irwin	17%	Reyes	6%
Atkins	17%	Rendon	17%	Stone	6%
Lena Gonzalez	17%	Weber	17%	Berman	6%
McGuire	17%	Medina	16%	Bloom	5%
Roth	17%	Rodriguez	16%	Kalra	5%
Hueso	15%	Wood	15%	Muratsuchi	5%
Leyva	15%	Eduardo Garcia	14%	Nazarian	5%
Skinner	15%	Ting	11%	Santiago	5%
Umberg	14%	Calderon	10%	Chau	4%
Wiener	14%	Chiu	10%	Jones-Sawyer	4%
Caballero	13%	Friedman	10%	Lee	4%
Cortese	13%	McCarty	10%	Ward	4%
Newman	13%	Bennett	9%	Wicks	4%
Durazo	11%	Luz Rivas	8%	Carrillo	3%
Kamlager	10%	Lorena Gonzalez	7%	Quirk	3%
Wieckowski	10%	Robert Rivas	7%	Bauer-Kahan	0%
Bradford	9%	Boerner Horvath	6%	Gabriel	0%
Laird	9%	Bryan	6%	Levine	0%
Portantino	9%	Holden	6%		



Below are the methodology and key bills CJAC used to determine favorability rankings for its 2021 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 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 Triple Threat (T3) bills or other bills containing private rights of action (PRAs).

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.
- CJAC generally opposes creation of new PRAs, 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 1218 (McCarty) OPPOSE. Imposes onerous penalties on auto makers.

AB 1371 (Friedman) OPPOSE. Creates unreasonable regulations and penalties for use of bubble wrap.

SB 447 (Laird) OPPOSE T3.* Extends pain and suffering damages to survivor actions.

AB 35 (Chau) OPPOSE. Imposes unreasonable civil liability on social media platforms.


SB 605 (Eggman) OPPOSE. Makes medical device manufacturers liable to third-party repair entities.

 AB 371 (Jones-Sawyer) OPPOSE. Makes mobility device owners liable for user negligence.

UNFAIR COMPETITION


AB 286 (Gonzalez) OPPOSE. Expands Unfair Competition Law to impose liability on food delivery platforms.


CONTRACTS


 AB 424 (Stone) OPPOSE T3. Creates lender liability for enforcing valid student loan contracts.


SB 331 (Leyva) OPPOSE. Prohibits confidential settlements for sexual discrimination or harassment claims.

LABOR AND EMPLOYMENT

 AB 95 (Low) OPPOSE T3. Mandates 10 days of employee bereavement leave and creates PRA.


 AB 701 (Gonzalez) OPPOSE T3. Imposes onerous regulations on warehouse distribution centers.

 AB 1074 (Gonzalez) OPPOSE. Creates penalties for failure to rehire janitorial workers displaced due to Covid and new basis for PAGA suit.

 SB 62 (Durazo) OPPOSE. Creates employer liability for paying garment workers per piece and expands bases to sue under PAGA.

SB 606 (Gonzalez) OPPOSE T3. Expands CalOSHA authority to issue enterprise citations and penalties.

PRIVACY

 AB 814 (Levine) OPPOSE T3. Creates unwarranted regulation, liability for contact tracing data use.

AB 1252 (Chau) OPPOSE. Deems general businesses info collected online to be confidential medical info.

AB 1262 (Cunningham) OPPOSE. Creates unreasonable regulations and liability for speaker device makers.

STATE BAR

SB 211 (Umberg) SUPPORT. Holds State Bar accountable for failure to resolve disciplinary cases.

**Later moved to no position following amendments.*