



# 2020 Balance Scorecard

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 favorably state legislators rank when it comes to promoting fairness and balance in our civil justice system. Rankings are based upon legislators' votes and efforts on key bills impacting civil justice.

To view the methodology and bills used for the 2020 Balance Scorecard, visit: [www.cjac.org/balance-scorecard](http://www.cjac.org/balance-scorecard)

## Senate

TOP 50%

Bates	100%
Borgeas	100%
Chang	100%
Dahle B.	100%
Grove	100%
Melendez	100%
Moorlach	100%
Morrell	100%
Nielsen	100%
Wilk	100%
Jones	94%
Glazer	43%
Hurtado	38%
Umberg	36%
Dodd	29%
McGuire	29%
Caballero	25%
Rubio S.	25%
Stern	21%
Allen	14%

## Assembly

Bigelow	100%	Cooley	80%
Chen	100%	Cunningham	80%
Choi	100%	Daly	80%
Flora	100%	Gray	80%
Fong	100%	Cooper	70%
Kiley	100%	Salas	70%
Lackey	100%	Arambula	60%
Mathis	100%	O'Donnell	60%
Obernolte	100%	Quirk-Silva	60%
Patterson	100%	Ramos	58%
Waldron	100%	Petrie-Norris	53%
Dahle M.	94%	Burke	50%
Gallagher	92%	Maienschein	50%
Mayes	92%	Quirk	50%
Frazier	90%	Smith	50%
Rubio B.	90%	Aguiar-Curry	45%
Brough	90%	Gipson	40%
Voepel	82%	Rodriguez	36%
Diep	82%	Boerner Horvath	30%
Grayson	82%	Irwin	30%

BOTTOM 50%

Archuleta	14%
Atkins	14%
Beall	14%
Galgiani	14%
Hertzberg	14%
Hueso	14%
Roth	14%
Skinner	14%
Wiener	14%
Wieckowski	14%
Bradford	13%
Durazo	13%
Gonzalez Lena	13%
Monning	13%
Portantino	13%
Leyva	13%
Jackson	12%
Hill	11%
Mitchell	9%
Pan	9%

Eggman	29%	Levine	10%
Cervantes	27%	Mullin	10%
Garcia E.	20%	Rendon	10%
Kamlager	20%	Ting	10%
Low	20%	Santiago	9%
Medina	20%	Weber	9%
Muratsuchi	20%	Wood	9%
Nazarian	18%	Chiu	8%
Wicks	18%	Holden	8%
Bauer-Kahan	18%	Reyes	8%
Limon	17%	Stone	8%
Jones-Sawyer	13%	Rivas L.	7%
Bloom	13%	McCarty	6%
Calderon	12%	Kalra	6%
Garcia C.	12%	Rivas R.	6%
Gabriel	11%	Bonta	6%
Berman	10%	Chau	5%
Chu	10%	Carrillo	4%
Friedman	10%	Gonzalez Lorena	4%
Gloria	10%	Vacant	N/A



# CJAC 2020 Balance Scorecard Methodology and Key Bills

Below are the methodology and key bills Civil Justice Association of California (CJAC) used for its 2020 Balance Scorecard.

## Methodology for Scorecard


- CJAC counted all votes taken on the floor, in policy committees, and final votes in appropriation committees. We divided the number of favorable votes on CJAC support or oppose bills by the number of opportunities to vote. “Favorable” and “unfavorable” are defined as follows:
  - Favorable: Voted in support of a support bill or voted against/abstained from voting on an oppose bill.
  - Unfavorable: Voted against/abstained from voting on a support bill or voted in support of an oppose bill.
- 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 (signified with asterisk) and 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.
- 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 2020 Bills Used for Scorecard

### TAXATION

 AB 2570\* (Stone) OPPOSE.  
Extends bounty-hunter lawsuits under False Claims Act to tax disputes.

### CIVIL LIABILITY AND PROCEDURE


AB 1035\* (Ramos, Mayes) CO-SPONSOR. Protects small businesses from frivolous COVID lawsuits.


AB 1286 (Muratsuchi) OPPOSE. Arbitrarily prohibits e-scooter/e-bike companies from using liability waivers.


AB 3262\* (Stone) OPPOSE. Arbitrarily expands strict product liability to electronic marketplaces.

SB 977 (Monning) OPPOSE. Imposes excessive civil fines and liability on health care systems.

### BANKING AND LENDING

 AB 376\* (Stone) OPPOSE.  
Creates new mandates and liability for student lending.

 AB 1436\* (Chiu) OPPOSE.  
Imposes onerous new mandates and liability on landlords and lenders.

 AB 2501\* (Limón) OPPOSE.  
Imposes onerous new mandates and liability on landlords and lenders.


### ATTORNEYS’ FEES

AB 1947 (Kalra) OPPOSE. Expands filing time for Labor Code complaints and creates one-sided attorneys’ fees.

### EVIDENCE

AB 418 (Kalra) OPPOSE. Creates unreasonable union agent-employee evidentiary privilege.

### LABOR AND EMPLOYMENT


 AB 3056\* (Gonzalez) OPPOSE.  
Creates new wage and rest period mandates and liability.

SB 973 (Jackson) OPPOSE. Requires employer reporting to DFEH pay and job info according to gender, race, etc.

### PRIVACY

AB 685 (Reyes) OPPOSE. Imposes burdensome workplace COVID-19 notice obligations.

AB 1281 (Chau) SUPPORT. Extends employment data exemption under CCPA.

 AB 1782\* (Chau) OPPOSE.  
Imposes unreasonable mandates and liability for contact tracing.