



CONSUMER ATTORNEYS OF CALIFORNIA

Seeking Justice for All

Two CAOC-sponsored bills win legislative approval

AB 644, SB 658 address issues in the civil justice system

SACRAMENTO (Aug. 31, 2017) – Two bills sponsored by Consumer Attorneys of California to improve the civil justice system were passed by the California Legislature today.

[Assembly Bill 644](#), by Asm. Marc Berman (D-Palo Alto), won Senate approval and now goes to Gov. Jerry Brown. The bill, co-sponsored by the California Defense Counsel, and the California Judges Association, is a court efficiencies measure that requires attorneys for parties in civil litigation to meet and confer before a motion to strike all or part of a pleading or a motion for judgment on the pleadings. A similar meet-and-confer requirement before demurrers that was enacted in 2015 led to a reduction in demurrers that has reduced the burden on the courts.

[Senate Bill 658](#), by Sen. Scott Weiner (D-San Francisco), passed the Assembly without opposition and now goes back to the Senate for concurrence on amendments. The bill will ensure the selection of unbiased juries in civil trials, to the benefit of both plaintiffs and defendants, by ending unreasonable and arbitrary restrictions on attorney examinations of potential members of a jury during the process known as voir dire. Such examinations are crucial in revealing potential prejudice among potential jurors, but some courts have imposed arbitrary limits of as little as 30 minutes for juror questioning, contradicting the original intent of California statute.

SB 658 retains judicial discretion but spells out mandatory factors that must be considered when evaluating the time and extent of voir dire, so that there will be adequate time for questioning without inflexible time limits. The bill also takes into account unforeseen issues that can arise once jury selection has begun by specifically requiring judges to reevaluate how much time is needed and allow for additional time if warranted.

Consumer Attorneys of California is the sponsor of seven pieces of legislation this year. Two have already been signed into law ([Assembly Bill 1690](#) and [Senate Bill 755](#)), and the other five are at various stages of the lawmaking process.

Consumer Attorneys of California is a professional organization of plaintiffs' attorneys representing consumers seeking accountability against wrongdoers in cases involving personal injury, product liability, environmental degradation and other causes.

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