



CONSUMER ATTORNEYS OF CALIFORNIA

Seeking Justice for All

Court funding, patient safety effort among 2014 goals

CAOC will also support seniors' legislation and protect consumer rights

SACRAMENTO (Feb. 25, 2014) – Restoration of adequate funding to California's courts and efforts to address the state's patient safety problem are among Consumer Attorneys of California's goals for the 2014 legislative session.

“Our primary objective is to make it possible for consumers to be able to take their disputes to judges and juries when they've been harmed,” said CAOC president John M. Feder. “The significant cuts to the judicial branch over the past six years have created obstacles for consumers to resolve their complaints. We also have joined with other consumer protection organizations on several fronts to push for better patient safety and health care accountability.”

In addition, CAOC is sponsoring three bills in 2014:

- **AB 2059** (Muratsuchi) will give attorneys the right to obtain a patient's electronic medical records. It will update Evidence Code Section 1158, which allows patients to request copies of their medical records. That was enacted in 1968, before electronic records were in use. CAOC is meeting with medical providers and others in an effort to amend the statute so it reflects the use of paperless records.
- **SB 1188** (Jackson), co-sponsored by Consumer Federation of California, will ensure the Consumer Legal Remedies Act (CLRA) will continue to protect California consumers. One of California's most important consumer-protection statutes since it was passed in 1970, the CLRA has provided a remedy against merchants who employ unfair or deceptive business practices. This bill will preserve the original intent of the CLRA by clarifying that the existence of a safety risk or hazard is not required to prove “materiality” under the act.
- **AB 1659** (Chau) is a placeholder for discussions between CAOC and the California Defense Counsel on a wide variety of civil procedure issues.

Aside from its sponsored bills, CAOC is also strongly supporting a package of bills to improve the rights of residents of Residential Care Facilities for the Elderly (RCFE). Among those bills is **AB 2171** (Wieckowski) which would create a RCFE Residents' Bill of Rights with protections similar to those already enjoyed by nursing home residents. “CAOC has a long history of supporting legislation aimed at assisting seniors and the disabled,” Feder said, “and we strongly believe these vulnerable populations need the full protection of the civil justice system.”

Meanwhile, CAOC is heartened that Senate President Pro Tem Darrell Steinberg (D-Sacramento) is working to find consensus on a legislative solution for the patient safety issue. Steinberg has introduced a bill, SB 1429, that would address part of the problem by developing a legislative solution “to issues surrounding medical malpractice injury compensation.” If that

legislative effort fails to make progress, CAOC and a coalition of patient safety advocates have agreed to take the issue to the voters.

Among the most important actions the Legislature can take this year is to restore the \$1.1 billion in cuts that have been made to the justice system's budget over the past six years.

“The courts play a crucial role in the lives of all Californians and that role cannot be carried out without adequate financial support,” Feder said. “Businesses and individual consumers alike suffer when closed courthouses create travel nightmares, staffing cuts reduce service hours and a shortage of courtrooms leads to long waits to bring a dispute before a judge and jury. Access to justice is a fundamental right of all Californians. We must make it possible to exercise that right.”

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.

For more information:

**J.G. Preston, CAOC Press Secretary, 916-669-7126, jgpreston@caoc.org
Eric Bailey, CAOC Communications Director, 916-669-7122, ebailey@caoc.org**