



CONSUMER ATTORNEYS OF CALIFORNIA

Seeking Justice for All

Fair compensation bill passes California Assembly

CAOC-sponsored AB 2159 ensures justice regardless of immigration status

SACRAMENTO (April 7, 2016) – A Consumer Attorneys of California-sponsored bill that will provide fair and just compensation for all Californians regardless of their immigration status who are injured through no fault of their own was passed by the California Assembly today, 53-20, with bipartisan support.

AB 2159, authored by Assembly Member Lorena Gonzalez (D-San Diego) and co-sponsored by CAOC and the Mexican American Legal Defense and Educational Fund (MALDEF), will allow for equal treatment of all injured Californians by preventing an injured person's immigration status from being considered in personal injury and wrongful death suits. Enactment of the bill would continue the progress California has made in providing equal legal treatment to all Californians. State law already holds that immigration status is irrelevant to the issue of liability, and undocumented workers are protected by California's labor laws.

The bill corrects an injustice introduced by a California appellate court in *Rodriguez v. Kline* (1986) that drastically undervalues the compensation for catastrophically-injured undocumented persons strictly because of their immigration status, even though they have not been subject to deportation, have lived and paid taxes in California and will continue to do so after the injury. In *Rodriguez* the court ruled that an undocumented person may recover only the future lost wages that he or she could expect to earn in their country of origin. Some defendants also now claim that compensation for medical expenses in these cases should be based on what it would cost in the country of origin. These provisions lead to undocumented persons receiving just pennies on the dollar, if anything, when they are injured through the negligence of others.

AB 2159 now moves to the state Senate, where its first hearing will likely be in the Judiciary Committee.

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**