



CONSUMER ATTORNEYS OF CALIFORNIA

Seeking Justice for All

Newsom inks bill to protect dying asbestos victims

CAOC-sponsored SB 645 will end marathon depositions of terminally ill

SACRAMENTO (Aug. 30, 2019) – Gov. Gavin Newsom has signed legislation that will protect Californians dying from illnesses caused by exposure to asbestos or silica from debilitating marathon legal depositions during their final days.

Senate Bill 645, authored by Sen. Bill Monning (D-Carmel), is co-sponsored by Consumer Attorneys of California, the State Building & Construction Trades Council of California and the District Council of Iron Workers of the State of California and Vicinity.

It will limit depositions to no more than seven hours for the 100 or so cases a year that involve terminally ill patients suffering mesothelioma or silicosis, the most common illnesses caused by asbestos exposure. A court may permit an additional three hours of testimony upon the request of defense counsel in a case with more than 10 defendants or an additional seven hours with more than 20 defendants, as long as the health of the victim isn't in imminent danger.

Although state legislation in 2012 capped abusive depositions of asbestos victims, California courts dealing with the cases have used broad language in that bill permitting “judicial discretion” to ignore time limits. As a result, dying victims have continued to be subjected to grueling marathon sessions that take a toll physically and psychologically, and can sometimes hasten their death.

“This represents an important protection for those who have developed horrific illnesses caused by the century-long scourge of asbestos exposure.” said Consumer Attorneys of California president Mike Arias. “It is humane and fair. We thank Gov. Newsom for choosing to ease the suffering of patients who are dying because asbestos companies put profits before people.”

SB 645 becomes law Jan. 1, 2020.

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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