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News from the Michigan Association for Justice

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MAJ Opposes Bill that would Deny and Delay Justice to Asbestos Victims

LANSING—Michigan Association for Justice (MAJ) President-Elect Debra Freid today issued the following statement in response to passage of HB 5456, the so-called “Asbestos Bankruptcy Transparency Act,” in the Michigan House of Representatives. The bill will shield corporations from being held accountable for asbestos-related diseases like mesothelioma and delay justice for victims:

“The asbestos industry is bringing to Michigan their nationwide campaign to avoid being held accountable for injuries to the workers they’ve harmed. Although framed as a bill to assure “transparency,” this bill will create barriers to recovery for asbestos victims including active and retired service members, the civil justice system, asbestos bankruptcy trusts, and taxpayers. It will force victims and their families to jump through expensive and time-consuming hoops before being allowed to move forward with their claims in state court. Asbestos victims do not have the extra time or money to spare; mesothelioma sufferers have an average of only 12 to 18 months to live and medical expenses often gut their resources. Unfortunately, the asbestos industry is seeking to take advantage of these facts. The industry’s goal is to delay and deny claims until victims die.

This is a serious problem here in Michigan. Michigan ranks 12th nationally for mesothelioma and asbestos deaths and 40 percent of Michigan asbestos victims are veterans. It is wrong to give the asbestos industry new ways to stonewall their victims, especially those who have served their country. The injustice of this legislative effort is magnified by the fact that state law already requires transparency and so this legislation is unnecessary. Asbestos victims already have to provide asbestos defendants with copies of all claim forms six months before trial and juries are already compelled to assign responsibility to bankrupt defendants based on those claim forms. Victims are also already required to disclose their complete work histories, exposure information, and any other information a judge deems relevant to court proceeding.

Asbestos victims deserve justice. It is unconscionable that Michigan lawmakers might pass legislation shielding the very corporations who hid the dangers of asbestos for decades and caused hundreds of thousands of deaths. Our elected representatives should be fighting for asbestos victims and their families—not those who harmed them.”

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*The **Michigan Association for Justice**, formerly the Michigan Trial Lawyers Association (MTLA), is a trade association of over 1,500 plaintiff’s attorneys and staff, with offices in Lansing, Michigan.*