



Update from Washington

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Protecting your clients' interests by shaping policy in Washington

DATA PRIVACY, THE REGULATION OF AUTONOMOUS VEHICLES AND STATE INSURANCE MINIMUMS ARE AMONG POLICY ISSUES

WASHINGTON UPDATE

We are very pleased that Senator Warnock will be returning to the Senate for another six years. He is a true champion for civil justice.

This 51st seat will end the joint power-sharing agreement between the Senate Democrats and the Republicans and allow a slate of professionally diverse judges to proceed without unnecessary delay. With over 100 vacancies still to be filled and more coming down the pike, this real majority will change the face of the federal judiciary for years to come.

I am so proud of our AAJ community. Our trial lawyers rolled up their sleeves and did what they always do – provide support and counsel.

In the new Congress, AAJ will continue to educate members from both sides of the aisle on issues of importance to trial lawyers and their clients. The close election outcome means that AAJ's continued bipartisan outreach remains crucial. We know that bipartisanship outreach works and has led to much success for our lawyers and their clients.

State affairs

Every state legislature will convene in 2023, and the state trial lawyer associations will be hard at work educating legislators on issues that affect your clients' cases. AAJ State Affairs closely monitors legislation at the state level and assists your TLAs with talking points, state-by-state comparisons, and other resources. We anticipate that many issues we've confronted in recent years will continue to be active in the new year.

Public nuisance doctrine has been used in litigation over the opioid crisis, environmental harms, vaping, and firearms. Its use has prompted industry to make an aggressive push for legislative restrictions on when it can be applied. But not all our work is coming from a defensive position. AAJ and the TLAs are actively working to protect your clients' interests in shaping policy around emerging issues, such as data privacy and the regulation of autonomous vehicles. And some states are making proactive pushes to raise auto insurance minimums. With inflation, especially medical inflation, far outpacing current minimums,

there is potential for other states to do the same to avoid an indirect tax on tort victims.

There are also newer topics we anticipate will be active in 2023. In response to large jury verdicts meant to deter egregious corporate misconduct, tort reform organizations are pushing legislation to limit juries' decision-making abilities and restrict the relevant information they have access to (for example, the Anchors Away Act or legislation to block so-called "nuclear verdicts"). We are also watching for legislation to prohibit or restrict litigation financing or to limit claims related to harmful PFAS chemicals, as these issues have been receiving increased public attention.

If state TLAs have any questions, please contact AAJ State Affairs for support and assistance.

AAJ 2023 Winter Convention

I encourage you to register for the AAJ 2023 Winter Convention, which will be held February 4-7, 2023, at the JW Marriott Desert Ridge Resort and Spa in Phoenix, Arizona. The event is open only to AAJ members. To join AAJ, nonmembers can visit [justice.org/join](https://www.justice.org/join). If you are an AAJ member, register now at www.justicewinterconvention.org.

We've restructured the schedule to maximize organic networking opportunities. In addition to the trial advocacy skills CLE and specialized litigation programs, we've built in plenty of time for networking via receptions, wellness sessions, and activity-based networking opportunities. This will be a wonderful event, and I really hope to see many of you there.

Fighting for you and your clients

Thank you for your continued support. AAJ remains committed to fighting for access to justice for your clients. We will keep you informed about important developments and welcome your input. You can reach me at advocacy@justice.org.

