

# Prioritizing the Legal Agenda for Montana

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# 2018 National Tort Reform Perspective

Tracking 261 bills around the country- lower volume due to election year  
77 flagged as part of trial bar agenda

## AFFIRMATIVE AGENDA

Transparency in Private Attorney Contracting (MO, KY)

Seatbelt (KS, MO)

Asbestos Trust Transparency (CO, IN, KS, LA, MI, MS, NY, NH, NC, PA)

E-Discovery Reform (WI)

Venue Reform (MO)

## DEFENSIVE BILLS

Eliminate Arbitration: Consumer contracts, Employment cases, Sexual abuse

Employment Law: Equal pay, wage per hour, employment discrimination

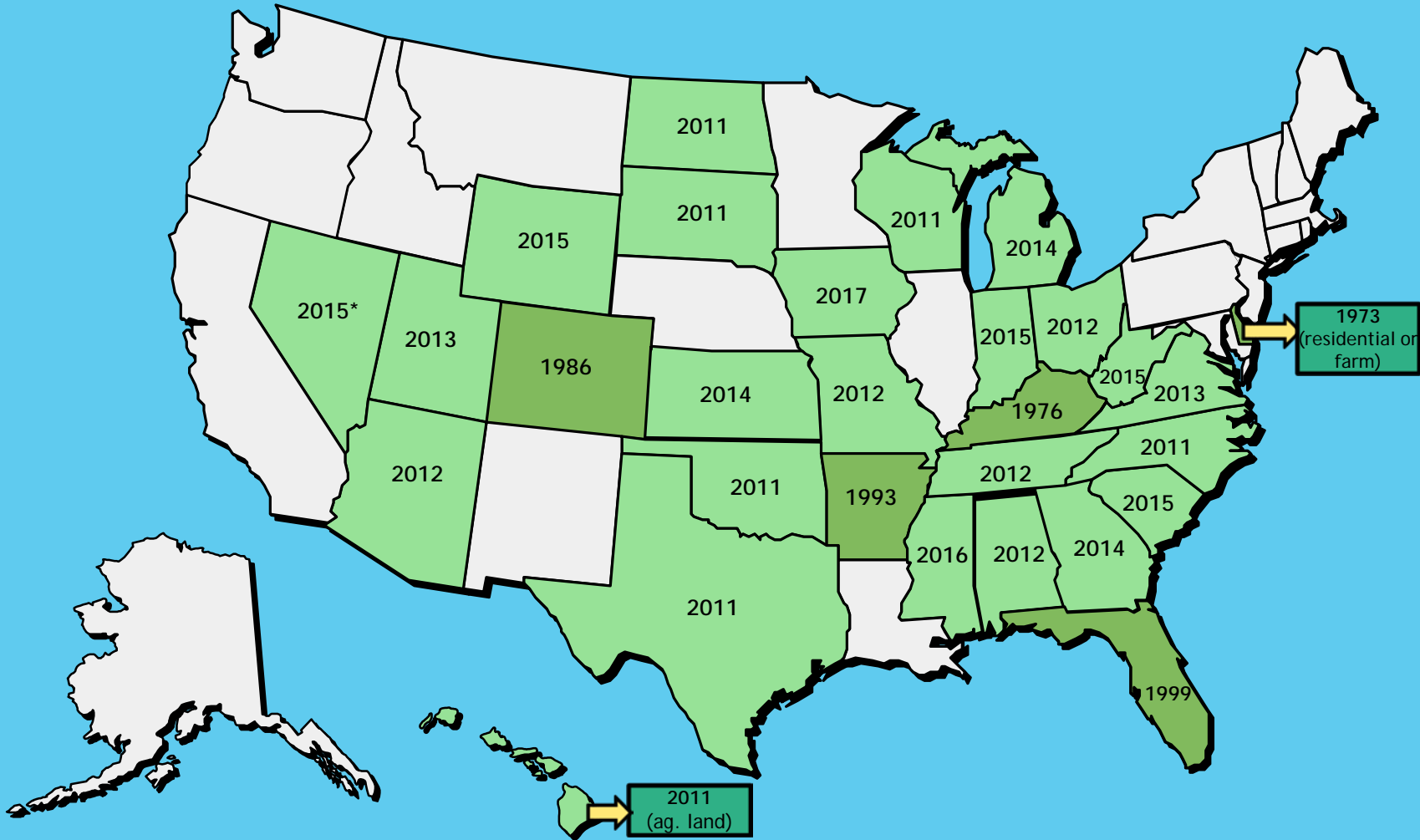
False Claims Act

Elimination/Increase of limits on noneconomic and punitive damages

# Suggested Legislative Priorities for Montana

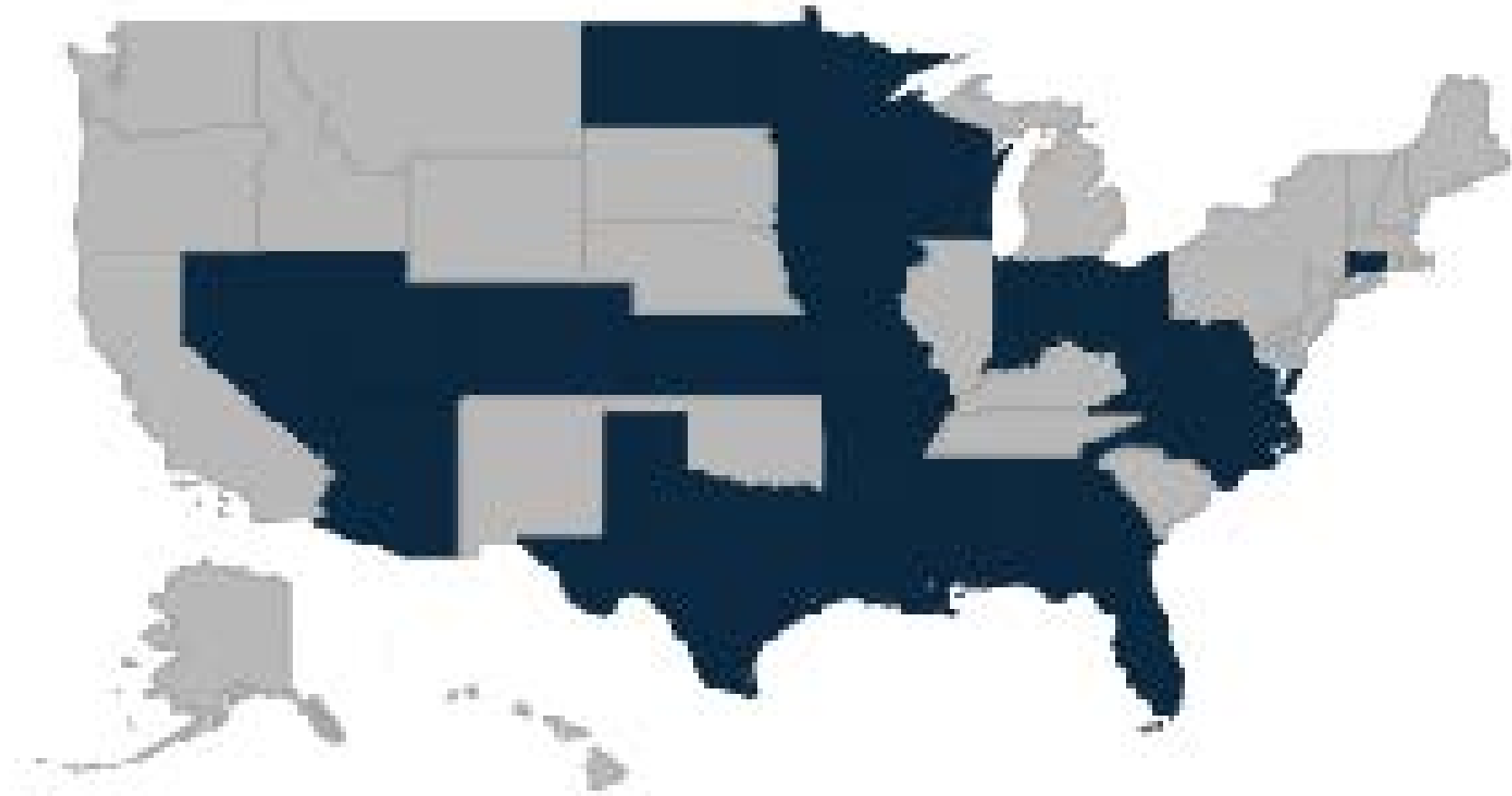
- 1) Admissibility of evidence of nonuse of seatbelts
- 2) Trespass liability reform
- 3) Transparency in Private Attorney Contracting

# States Codifying Traditional Common Law Land Possessor Duties to Trespassers



- Light Green: Trespasser Responsibility Law Enacted
- Dark Green: Similar Law Already in Effect

# States that Have Enacted Transparency in Private Attorney Contracting (TIPAC) Legislation



# Important National Issues That Could Impact Montana's Legislative Agenda

- 1) Opioid Litigation
- 2) Climate Control Litigation
- 3) Trial Lawyer Advertising
- 4) Trial Lawyers Infiltrating Republican Party