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UNFINISHED LEGISLATIVE BUSINESS FOR CONSUMERS IN 2012

On January 3, 2012, the Daily Journal published an article by Brian Kabateck, a consumer rights attorney in Los Angeles with Kabateck Brown Kellner, on legislation left over from 2011 that California's legislature is expected to consider in 2012. The first bill, AB 1063, proposes stacking rather than subtracting liability limits for motorists so consumer are fully compensated for their injuries in automobile accidents. The second bill, SB 558, would add protections to seniors and dependent adults by lowering the standard of proof in abuse and neglect cases to the commonly accepted preponderance of evidence standard. The third bill, AB 1062, would limit a party's right to automatic appeal a trial court's decision to dismiss or deny the enforcement of an arbitration agreement. As the law currently standards, the automatic appeal results in long delay and those are especially harmful to seniors.