



Pennsylvania Coalition for Civil Justice Reform 2020 Candidate Questionnaire

Jill Derrain
Candidate Name (Print)

Senate District # _____ or
House District # 147

Party: Democratic

Jill Derrain
Candidate Signature

8/24/20
Date

1. Do you think Pennsylvania's legal climate encourages the establishment of businesses in Pennsylvania, and their continued presence in the state?

_____yes _____no _____undecided

Comments:

2. COVID-19 poses unique problems for health care and both small and large businesses. They now face increased exposure to civil liability as a result of stepping up to fight the pandemic.

Do you think health care providers and businesses that follow safety guidelines issued by federal or state governments should have COVID-19 liability protection?

_____yes _____no _____undecided

Comments:

3. Venue shopping is when plaintiffs' attorneys file suit in a county (such as Philadelphia) known for high verdicts, even though the case has little or no connection to the county. Verdicts are known to be so high in Philadelphia that the American Tort Reform Association named Philadelphia its No. 1 "Judicial Hellhole" for 2020!

a. Will you protect the current medical liability venue rule that allows cases to be filed only where the cause of action arose/injury occurred?

_____yes _____no _____undecided

Comments:

b. Would you support limiting venue for all civil cases in Pennsylvania to the county where the cause of action arose?

_____yes _____no _____undecided

Comments:

In general I support limiting the venue but I would need to know the details of the civil case.

4. A False Claims Act is legislation that encourages bounty hunters, known as "qui tam" plaintiffs, to sue on behalf of the government when they believe a business received government payments to which it is not entitled. A qui tam plaintiff keeps a significant portion, up to 30%, of any verdict.

Pennsylvania already recovers monies under the federal False Claims Act for any false Medicaid claims, yet plaintiffs' lawyers are trying to enact a state False Claims Act that would divert even more money to the bounty hunting qui tam plaintiff and the attorney.

Do you believe Pennsylvania should have a state False Claims Act?

_____yes _____no _____undecided

Comments:

5. From time to time, the Commonwealth of Pennsylvania contracts with outside law firms to represent the Commonwealth in civil cases. These firms charge a contingency fee, sometimes more than 30%, for their services, and keeps that percentage of any money won in the lawsuit.

Transparency in Private Attorney Contracting (TIPAC) legislation imposes reasonable limits on contingency fees, allowing the Commonwealth to keep control of the litigation and ensure that the taxpayers, as opposed to the lawyers, receive more benefit from a recovery of damages.

Will you support TIPAC legislation and limits on contingency fees in representations of the Commonwealth?

_____yes _____no _____undecided

Comments: