



Christie Vetoes Bills Promoting Regulation via Litigation

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TRENTON, N.J. – This afternoon Gov. Chris Christie conditionally vetoed three bills opposed by the New Jersey Civil Justice Institute. Each of the bills would have allowed consumers to bring a lawsuit under the state’s Consumer Fraud Act in addition to seeking administrative redress.

As the bills that were vetoed:

- A-617/S-1357 (Moriarty, Bramnick, Benson, Wimberly, Andrzejczak/Van Drew, Scutari) – Prohibits sending unsolicited advertising by text messaging, and requires companies offering text messaging services to allow customers to block all incoming and outgoing text messages.
- A-625/S-1477 (Moriarty, Vainieri Huttle/Van Drew, Scutari) –Prohibits certain unsolicited checks.
- A-1396/S-967 (Wimberly, Jasey, Benson, Moriarty/Gill, Barnes) – Enacts the “Reader Privacy Act.”

were being developed, NJCJI urged the legislature to amend the bills to remove the provisions allowing for judicial enforcement.

Putting responsibility for enforcing a regulatory mandate in the hands of the courts ensures that more time and money will be spent resolving the dispute than if an agency were tasked with enforcement. The parties have to hire lawyers, conduct discovery to gather evidence admissible in court, wait for the case to make its way through the over-burdened state court system, and have a decision made by a judge that is not specifically trained to handle such matters. The judicial system is well suited for settling disputes between parties; it is not well suited to establishing and enforcing standards for businesses. As a means of regulating the state’s businesses, it is not only a blunt instrument, it is also an extraordinarily unpredictable and expensive instrument.

“The governor’s decision to conditionally veto these three bills sends a clear signal that he is committing to finding the middle ground where consumers are protected but businesses do not have to fear unnecessary litigation in New Jersey,” said NJCJI president Marcus Rayner.

The New Jersey Civil Justice Institute (NJCJI) advocates for a civil justice system that treats all parties fairly and discourages lawsuit abuse. NJCJI and its members believe that a fair civil justice

system resolves disputes expeditiously and impartially, based solely upon application of the law to the facts of each case. Such a system fosters public trust and motivates professionals, sole proprietors, and businesses to provide safe and reliable products and services while ensuring that truly injured people are fully compensated for their losses. Please visit <http://www.civiljusticenj.org> or contact a member of the NJCJI team to learn more.

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