

September 10, 2024

Committee on Rules of Practice and Procedure
Administrative Office of the United States Courts
One Columbus Circle, NE
Washington, DC 20544
RulesCommittee_Secretary@ao.uscourts.gov

Re: ABA Rules Suggestion 24-CV-A to Substitute the Use of “Court Appointed Neutral” for “Court Appointed Master”

Dear Committee on Rules of Practice and Procedure:

The American Association for Justice (AAJ) submits this comment to express general support for the ABA Rules Suggestion 24-CV-A, which was briefly discussed by the Committee on Rules of Practice and Procedure (Standing Committee) at its June 6, 2024 meeting. With members in the United States, Canada, and abroad, AAJ is the world’s largest plaintiff trial bar. AAJ members primarily represent plaintiffs in personal injury actions, employment rights cases, civil rights cases, consumer cases, class actions, and other civil actions, and regularly use the Federal Rules of Civil Procedure in their practice. While not opining on textual drafting options at this time, AAJ supports eliminating the terms “court appointed master,” “special master” and related phrases using the term “master” from the Federal Rules of Civil Procedure and in the federal courts more generally.

As you may know, AAJ has over 100 designated litigation groups which provide plaintiff-side practitioners a forum to share knowledge about specialized practices and dangerous products. After the most recent Standing Committee meeting, AAJ asked the chairs of the litigation groups that focus on practices and products targeting communities of color for their views on the ABA proposal. The chairs of these litigation groups hold police departments accountable when officers kill and injure unarmed black and brown people and hold corporations accountable for cancers and other harms caused by hair relaxer, talcum powder, and other products marketed and sold to women of color. There was strong agreement that the term “master” is negative, hurtful, and triggering, and that a more neutral term would be beneficial to the practice of law.

It is imperative to ensure that those most impacted by historical harm have been consulted. Having sought the opinions of AAJ members most likely impacted, AAJ strongly urges the Advisory Committee to update the rules, just as other industries have done, to reflect the thoughtfulness, decency, and decorum that is so important to civil society and where federal courts can provide leadership.

AAJ supports rule changes that would replace the term “court appointed master” and related use of “special master” in civil cases with more neutral terminology. Please direct any questions regarding these comments to Susan Steinman, Senior Director of Policy & Senior Counsel, at susan.steinman@justice.org.

Respectfully submitted,



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Christopher H. Fitzgerald
Chair, Minority Caucus
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