



OHIO ALLIANCE FOR CIVIL JUSTICE



March 11, 2025

Representative Brian Lampton
Chair, Ohio House Insurance Committee
1 Capitol Square
Columbus, OH 43215

Dear Chairman Lampton,

We are writing to you today to express our support for House Bill 105 and the positive impact it will have on our civil justice system. The Ohio Alliance for Civil Justice (OACJ) supports a stable, predictable, and balanced civil justice climate. In our view, House Bill 105 has two main goals: providing an appropriate, consumer-focused system for litigation funding advancements while also ensuring the integrity of Ohio's legal climate. OACJ is focused on a few components of House Bill 105 to achieve these goals. These include reasonable registration requirements of companies that engage in non-recourse civil litigation, and important consumer protections and transparency of the parties involved in the litigation.

By way of background, the OACJ was founded in the mid-1980s to stop lawsuit abuse and promote a common-sense civil justice system in Ohio. The OACJ is comprised of representatives of dozens of Ohio trade and professional associations, small and large businesses, medical groups, farmers, non-profit organizations and local government associations — for a combined representation of more than 100,000 individuals and businesses. The OACJ's leadership team includes representatives from the following organizations: Ohio NFIB, Ohio Chamber of Commerce, Ohio Council of Retail Merchants, Ohio Hospital Association, Ohio Manufacturers' Association, Ohio Society of CPAs, and the Ohio State Medical Association. OACJ works to ensure that the civil justice system remains stable and predictable for Ohio's businesses.

House Bill 105 also provides important consumer-focused limitations on advancement loans including limiting and disclosing the fees charged on a loan. These safeguards will allow plaintiffs to have actual recovery from a favorable settlement or verdict and not be forced to turn over substantially all of their award in contingency fees to their attorney and the balance to a litigation funder.

Additionally, House Bill 105 protects consumers who obtain an advancement loan by prohibiting or curtailing the lenders from certain activities. Among these key prohibited provisions: paying an attorney or medical provider for a client referral, failing to provide contracts to consumers and their attorneys, adding additional contracts for the same claim, assigning the loan to a third-party, and entering into a contract where the consumer's legal counsel has an interest in the loan company. All these protections are aimed at ensuring plaintiffs' interest is paramount.

House Bill 105 contains language that is essential to protect Ohio courts from foreign interference. Foreign actors are prohibited from funding litigation under House Bill 105. Published reports have stated that foreign actors from China and Russia seek to influence U.S. litigation by “investing” in lawsuits. This foreign interference effectively erodes the dignity and sovereignty of Ohio courts, clogging up the courts with frivolous litigation while necessary litigation is further delayed.

Finally, OACJ strongly supports the requirement that a consumer disclose any litigation advancement to all parties. This allows all parties to a case to know who is involved and what may be potentially prolonging what otherwise may be a quick resolution. A lawsuit may be meritorious, but the outcome should be driven by the plaintiff and their attorney, not trumped by the financial motivation of lending companies or other third-parties. Transparency is crucial to a balanced civil justice system. It is fair to allow all parties to know who has an interest in the outcome of a lawsuit.

OACJ believes individuals have the right to seek remedy through the courts. However, their litigation should be led and directed by the litigant and their attorney. While House Bill 105 does not prohibit the practice of third-party non-recourse civil litigation advancement, it does require transparency of loans to all parties, provides important consumer protections, and maintains the integrity of our civil justice system by prohibiting a party with no standing in a case from effecting outcomes.

The OACJ respectfully asks for your favorable consideration of House Bill 105.

Thank you,

The Ohio Alliance for Civil Justice