

DCJ Journal: Federal Rules Changes, Insurance Coverage, and Maritime Jurisdiction Over Asbestos

The current, third quarter 2019 issue of the Defense Counsel Journal (DCJ), published by the **International Association of Defense Counsel** (IADC), features numerous articles that highlight important trends in the law, as well as an introduction by newly elected IADC President Amy Sherry Fischer.

The quarterly DCJ spotlights the IADC's defense bar leadership through its articles about legal development and reform issues, as well as the practice of law in general. DCJ articles are written by members of the IADC, which is a 2,500-member, invitation-only, worldwide organization that serves its members and their clients, as well as the civil justice system and the legal profession.

"The Defense Counsel Journal is a significant part of the contributions of the IADC during its history," said Fischer, a shareholder at Folliart, Huff, Ottaway & Bottom in Oklahoma City, Okla.

DCJ editor and former IADC board member Kenneth R. Meyer added that the current DCJ edition includes "three exciting and helpful articles." These articles cover several significant proposed changes to the Federal Rules, insurance coverage issues involving inverse condemnation and public water systems, and the impact of a recent Supreme Court decision on maritime jurisdiction over asbestos claims.

The IADC's third-quarter 2019 DCJ is available for free and without a subscription via the **IADC's website**.

Following are brief summaries of key articles included in the third-quarter 2019 issue of the DCJ:

“Federal Civil Rule Reform – An Update” by Christopher E. Appel, of counsel, and Mark A. Behrens, co-chair of the Public Policy Practice Group, both at Shook, Hardy & Bacon L.L.P. in Washington, D.C. This article outlines proposed major changes to the Federal Rules of Civil Procedure and the Federal Rules of Evidence. If implemented, these changes could prove enormously consequential for all civil defendants.

“Insurance Coverage Rules for Inverse Condemnation Actions Involving Public Water Systems” by Paul Fuller, a director of the American Association of Water Distribution & Management and an insurance professional specializing in public water systems. This article encapsulates the problems owners of public water systems face from inverse condemnation – a topic at the crossroads of insurance and land use law. The article covers the legal theory’s underlying mechanics, available protections, and emerging areas of liability. The article also examines insurer defense and indemnity obligations for those insurance policies from which such action cloaks as a potential policyholder right.

“In the Wake of Devries: Revisiting the Extension of Maritime Jurisdiction Over Asbestos Claims” by Brian J. Schneider, a shareholder at Moran Reeves Conn PC in Richmond, Va. This article explores the impact of the recent Supreme Court decision in *Air & Liquid Systems Corp. v. Devries*. The article examines admiralty law and its applicability to proof issues relating to equipment manufacturers’ liability for component parts.

About the International Association of Defense Counsel

The IADC is the preeminent invitation-only global legal organization for attorneys who represent corporate and insurance interests. Founded in 1920, the IADC’s members hail from six continents, 52 countries and territories, and all 50

U.S. states. The core purposes of the IADC are to enhance the development of skills, promote professionalism, and facilitate camaraderie among its members, their clients, as well as the broader civil justice community.