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Professor Myriam Gilles Testifies About Forced Arbitration and Consumer Products Before Senate Committee



Professor Myriam Gilles was a witness for the Senate Committee on Banking, Housing, and Urban Affairs' hearing on March 8, 2022, “Examining Mandatory Arbitration in Financial Service Products.”

She told the committee, “As we sit here, every single person in this county is subject to a forced arbitration clause in some aspect of their consumer life—if you want to seek redress for violation of privacy laws, data breaches, product liability, fraud and more—and they’re buried in the fine print of take it or leave it contracts that demand that all disputes be settled in private arbitrations. The reason so few consumers are bringing arbitrations is because they have no idea, they signed away their rights to a judge and jury, to a fair and open process.”

“Let’s let the consumer use their common sense about what they want to do after the fact— mediate, arbitrate or go to Court about their claim,” she continued.

Other witnesses included Mr. Paul Bland, Executive Director, Public Justice; Mr. Remington A. Gregg, Counsel for Civil Justice and Consumer Rights, Public Citizen; Professor Todd J. Zywicki, George Mason University Foundation Professor of Law at George Mason University Antonin Scalia School of Law; and Mr. Steven Lehotsky, Lehotsky Keller LLP, on behalf of the U.S. Chamber of Commerce.