News & Insights

NW Arkansas Attorney Grace Johnson for FleetOwner - Supreme Court affirms broker liability nationwide

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FleetOwner

https://www.fleetowner.com/news/news/55377910/supreme-court-rules-freight-brokers-can-be-liable-for-negligent-hiring

However, the ruling may not have a large impact on interstate broker operations, as Grace Keegan Johnson, attorney with regional law firm Hall Estill, explains:

“For brokers who operate across the country, this opinion does not impact them much, because they already had the risk of liability in some of the circuits. In addition, the broker would not be the one to choose the forum of a lawsuit against them, so brokers processes and procedures should already be in place to limit liability risk ... Unless a freight broker only operated in limited circuits, they were already at risk of liability. The Carmack Amendment says a carrier (or broker) can be sued in any state in which it operates. So, a split circuit does not really help them. This would be different if it was a brick-and-mortar store or a company with limited jurisdiction," she stated.

Attorneys

- Grace Keegan Johnson