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TESTIMONY IN SUPPORT OF

L.D. 870 – AN ACT TO STRENGTHEN FREEDOM OF SPEECH PROTECTIONS BY EXTENDING LAWS AGAINST STRATEGIC LAWSUITS AGAINST PUBLIC PARTICIPATION

BY
THE MOTION PICTURE ASSOCIATION
APRIL 3, 2023

Senator Carney, Representative Moonen, Honorable Members of the Committee on Judiciary, my name is Charlie Soltan and I appear today on behalf of the Motion Picture Association (MPA)[1] in support of L.D. 870. Since its creation in 1922, MPA has advanced the business and art of storytelling, protecting the creative and artistic freedoms of storytellers, and bringing entertainment and inspiration to audiences worldwide.

The MPA's members and their affiliates are in the business of engaging in free speech on matters of public concern, whether they tell stories through fictional films, television documentaries, or news broadcasts of national or local interest. Unfortunately, that speech sometimes results in defamation or other lawsuits by individuals and businesses unhappy with how they are portrayed. These lawsuits, even if unsuccessful, can be expensive and burdensome to defend against, and have the especially pernicious effect of chilling constitutionally protected speech on controversial topics, for fear that it will result in litigation, however meritless.

MPA supports Senator Tipping's efforts to strengthen Maine's anti-SLAPP statute. As referenced above, anti-SLAPP laws attempt to prevent an abusive type of litigation called a "SLAPP," or "strategic lawsuit against public participation." A SLAPP can be filed as a defamation, invasion of privacy, nuisance, or other type of claim, but its real function is to silence and intimidate the defendant from engaging in constitutionally protected activities, such as speech.

[1] The MPA is the trade association for the leading producers and distributors of motion pictures, television programs, and streaming productions for exhibition in theaters, on broadcast, pay, cable and satellite television, and on the internet. MPA's members are Netflix Studios, LLC, Sony Pictures Entertainment Inc., Paramount Pictures Corporation, Universal City Studios LLC, Walt Disney Studios Motion Pictures, and Warner Bros. Entertainment Inc.

Maine currently has a narrow anti-SLAPP statute that applies only to a defendant's right to petition the government. *See Schelling v. Lindell*, 2008 Me. 59 (Me. 2008). Senator Tipping's bill would expand the statute to include "any statement made in connection with an issue of public interest in a public forum or other place open to the public; any statement made in a media publication." This expansion is a good thing for encouraging public speech and debate.

However, given the breadth of new forums for speech and other 1st Amendment[2] activities, Maine's statute should be further modernized. We offer alternative amendments that would more broadly apply the statute.

The first alternative, attached, works with Maine's current statute and Senator Tipping's proposed amendment. The first alternative simply clarifies with greater specificity some of the types of "media publications" included in L.D. 870, by adding the clause "news broadcast, documentary, motion picture or television program, or similar work." We believe that greater specificity gives clearer intent to the judicial branch, and others, of the scope of free speech platforms.

In the 2nd alternative, we urge the Committee to take a hard look at the Uniform Law Commission's 2020 uniform law proposal entitled "The Uniform Public Expression Protection Act." (UPEPA) As the attached ULC summary states, the UPEPA:

1. Has a broad scope;
2. Promotes the early and efficient resolution of SLAPPs;
3. Aims to prevent litigation tourism; and
4. Includes a mandatory award provision.

We have included the Uniform Act[3] and supporting documents, for your consideration. Within these documents you will find a good history of anti-SLAPP statutes and a strong rationale for updating and modernizing the first attempts to establishing them. It is very valuable information. Also included is an open letter of support for the uniform law signed by 28 of our country's leading advocates of the 1st Amendment, including the MPA.

We urge you to support L.D. 870 and hope that you can further strengthen Maine's anti-SLAPP statute. Thank you for your time today.

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[2] "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

[3] A uniform act is one that seeks to establish the same law on a subject among the various jurisdictions. An act is designated as a "Uniform" Act if there is substantial reason to anticipate enactment in a large number of jurisdictions, and uniformity of the provisions of the act among the various jurisdictions is a principal objective.

SUBMITTED BY MOTION PICTURE ASSOCIATION

L.D. 870

Date: 04/03/23

JUDICIARY

STATE OF MAINE

SENATE

131th LEGISLATURE

FIRST SPECIAL SESSION

Proposed Amendment "A" To S.P. 367, L.D. 879, Bill, "An Act to Strengthen Freedom of Speech Protections by Extending Laws Against Strategic Lawsuits Against Public Participation"

Amend the bill by adding the highlighted text to the sponsor's bill:

Sec. 1. 14 MRSA §556, last ¶, as enacted by PL 1995, c. 413, §1, is amended to read:

As used in this section, "a party's exercise of its right of petition" means any written or oral statement made before or submitted to a legislative, executive or judicial body, or any other governmental proceeding; any written or oral statement made in connection with an issue under consideration or review by a legislative, executive or judicial body, or any other governmental proceeding; any statement reasonably likely to encourage consideration or review of an issue by a legislative, executive or judicial body, or any other governmental proceeding; any statement reasonably likely to enlist public participation in an effort to effect such consideration; any statement made in connection with an issue of public interest in a public forum or other place open to the public; any statement made in a media publication, news broadcast, documentary, motion picture or television program, or similar work; or any other statement falling within constitutional protection of the right to petition government.

IN THE ALTERNATIVE, THE COMMITTEE SHOULD CONSIDER THE ADOPTION OF THE UNIFORM PUBLIC EXPRESSION PROTECTION ACT

SEE ATTACHED

Uniform Law Commission
NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS

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Chicago, IL 60602
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WHY YOUR STATE SHOULD ADOPT THE UNIFORM PUBLIC EXPRESSION PROTECTION ACT (2020)

The purpose of the Uniform Public Expression Protection Act (UPEPA) is to protect the public's right to engage in activities protected by the First Amendment without abusive, expensive legal retaliation. Specifically, the UPEPA combats the problem of strategic lawsuits against public participation, also called "SLAPPs." A SLAPP may come in the form of a defamation, invasion of privacy, nuisance, or other claim, but its real goal is to entangle the defendant in expensive litigation and stifle the ability to engage in constitutionally protected activities. Below are just a few benefits of the uniform act:

- ***The UPEPA has a broad scope.*** Unlike earlier anti-SLAPP statutes, the UPEPA has a broad scope. The act protects communication in governmental proceedings and communication about an issue under consideration in governmental proceedings. The UPEPA also specifically protects exercise of the right of freedom of speech and of the press, the right to assemble and petition, and the right of association guaranteed by the United States constitution or the state Constitution, on a matter of public concern.

- ***The UPEPA promotes the early and efficient resolution of SLAPPs.*** Section 3 of the uniform act provides for filing the anti-SLAPP motion early in the litigation. The court must expedite a hearing on the motion unless an exception applies. Section 8 likewise requires the court to rule on the motion on an expedited basis.

- ***The UPEPA aims to prevent litigation tourism.*** Though most states have adopted an anti-SLAPP law, these statutes vary greatly, leading to confusion among plaintiffs, defendants, and courts. The lack of uniformity also leads to "litigation tourism," a type of forum shopping by which a plaintiff chooses to bring a lawsuit in a state without a strong anti-SLAPP law. Adoption of the uniform act across the states will ensure comprehensive statutory protections for citizens no matter where they are located.

- ***The UPEPA includes a mandatory award provision.*** Under the act, a party that files an anti-SLAPP motion and prevails on it obtains costs, attorney's fees, and expenses. The mandatory nature of the award will help deter parties from filing SLAPPs in the first place.

For more information about the UPEPA, please contact ULC Legislative Counsel Kaitlin Wolff at (312) 450-6615 or kwolff@uniformlaws.org.

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THE UNIFORM PUBLIC EXPRESSION PROTECTION ACT (2020)

- A Summary -

The Uniform Public Expression Protection Act ("UPEPA") is designed to prevent an abusive type of litigation called a "SLAPP," or "strategic lawsuit against public participation." A SLAPP may be filed as a defamation, invasion of privacy, nuisance, or other type of claim, but its real purpose is to silence and intimidate the defendant from engaging in constitutionally protected activities, such as free speech. The uniform act contains a clear framework for the efficient review and dismissal of SLAPPs. Below is a summary of how the motion procedure operates under the uniform act.

Phase 1 – Filing of the Motion and Scope of the Act

First, the party targeted by the SLAPP (the party who has been sued) files a motion for expedited relief under Section 3 of the uniform act. The filing of the motion stays, or freezes, all proceedings between the moving party and responding party (unless the court grants specific relief from the stay) until the court rules on the motion. The moving party must file the motion within 60 days after being served with a complaint, crossclaim, counterclaim, or other pleading that asserts a cause of action to which the act applies. Section 2 of UPEPA explains that the act applies if the cause of action asserted against a person is based on the person's:

1. Communication in a legislative, executive, judicial, administrative, or other governmental proceeding;
2. Communication on an issue under consideration or review in a legislative, executive, judicial, administrative, or other governmental proceeding; or
3. Exercise of the right of freedom of speech or of the press, the right to assemble or petition, or the right of association, guaranteed by the United States Constitution or the State constitution, on a matter of public concern.

Section 2(c) provides exemptions from the scope of the act; the act does *not* apply to a cause of action asserted:

1. Against a governmental unit or an employee or agent of a governmental unit acting or purporting to act in an official capacity;
2. By a governmental unit or an employee or agent of a governmental unit acting in an official capacity to enforce a law to protect against an imminent threat to public health or safety; or
3. Against a person primarily engaged in the business of selling or leasing goods or services if the cause of action arises out of a communication related to the person's sale or lease of the goods or services.

Once the motion is filed, the responding party may argue that the action does *not* fall within the scope of the act. If the court finds that the action is *not* within the scope, the moving party loses the motion and may appeal immediately. However, if the court finds the action *is* within the scope, then the parties move to the second phase of the motion process.

Phase 2 – Prima Facie Viability
In this phase, the responding party must show that the cause of action states a prima facie case as to each essential element of the claim. In short, the responding party must provide evidence sufficient as a matter of law to establish a given fact if it is not rebutted or contradicted. If the respondent cannot establish a prima facie case, then the court must grant the motion and the cause of action (or portion of the cause of action) must be dismissed. If the responding party *does* establish a prima facie case, then the court moves to phase three of the motion procedure.

Phase 3 – Legal Viability
In this phase, the burden shifts back to the moving party to either show that:

1. The responding party failed to state a cause of action upon which relief can be granted; or
2. There is no genuine issue as to any material fact and the party is entitled to judgment as a matter of law on the cause of action or part of the cause of action.

If the moving party meets this burden, then the moving party wins and the cause of action is stricken with prejudice (Section 7). The responding party may appeal at the conclusion of the case. If the moving party fails to meet its burden (the court finds the responding party's case to be viable as a matter of law), then the moving party will lose the motion and may appeal immediately (Section 9).

Costs, Attorney's Fees, and Expenses
Section 10 of UPEPA states that if the moving party wins on the motion, then the court must award it costs, reasonable attorney's fees, and reasonable litigation expenses related to the motion. If the responding party wins and the court finds that the SLAPP motion was frivolous or filed solely with intent to delay the proceeding, then the responding party will get its costs, fees, and expenses.

UPEPA offers to enacting states a comprehensive, efficient framework for the resolution of SLAPPs. The uniform act's broad scope also provides more protection to citizens than most existing anti-SLAPP statutes. States that have already adopted a SLAPP law should consider updating their existing law by adopting the uniform act.

For more information about UPEPA, please contact ULC Legislative Counsel Kaitlin Wolff at (312) 450-6615 or kwolff@uniformlaws.org.

UNIFORM PUBLIC EXPRESSION PROTECTION ACT

drafted by the

NATIONAL CONFERENCE OF COMMISSIONERS
ON UNIFORM STATE LAWS

and by it

APPROVED AND RECOMMENDED FOR ENACTMENT
IN ALL THE STATES

at its

ANNUAL CONFERENCE
MEETING IN ITS ONE-HUNDRED-AND-TWENTY-NINTH YEAR
JULY 10–15, 2020

WITHOUT PREFATORY NOTE AND COMMENTS

October 2, 2020

UNIFORM PUBLIC EXPRESSION PROTECTION ACT

SECTION 1. SHORT TITLE. This [act] may be cited as the Uniform Public Expression Protection Act.

SECTION 2. SCOPE.

(a) In this section:

(1) "Goods or services" does not include the creation, dissemination, exhibition, or advertisement or similar promotion of a dramatic, literary, musical, political, journalistic, or artistic work.

(2) "Governmental unit" means a public corporation or government or governmental subdivision, agency, or instrumentality.

(3) "Person" means an individual, estate, trust, partnership, business or nonprofit entity, governmental unit, or other legal entity.

(b) Except as otherwise provided in subsection (c), this [act] applies to a [cause of action] asserted in a civil action against a person based on the person's:

(1) communication in a legislative, executive, judicial, administrative, or other governmental proceeding;

(2) communication on an issue under consideration or review in a legislative, executive, judicial, administrative, or other governmental proceeding; or

(3) exercise of the right of freedom of speech or of the press, the right to assemble or petition, or the right of association, guaranteed by the United States Constitution or [cite to the state's constitution], on a matter of public concern.

(c) This [act] does not apply to a [cause of action] asserted:

(1) against a governmental unit or an employee or agent of a governmental unit

acting or purporting to act in an official capacity;

(2) by a governmental unit or an employee or agent of a governmental unit acting in an official capacity to enforce a law to protect against an imminent threat to public health or safety; or

(3) against a person primarily engaged in the business of selling or leasing goods or services if the [cause of action] arises out of a communication related to the person's sale or lease of the goods or services.

Legislative Note: *If a state does not use the term "cause of action", the state should use its comparable term, such as "claim for relief" in subsections (b) and (c). The state also should substitute its comparable term for the term "[cause of action]" in Sections 3, 4(f), 7, 13, and 14.*

SECTION 3. SPECIAL MOTION FOR EXPEDITED RELIEF. Not later than [60] days after a party is served with a [complaint] [petition], crossclaim, counterclaim, third-party claim, or other pleading that asserts a [cause of action] to which this [act] applies, or at a later time on a showing of good cause, the party may file a special motion for expedited relief to [dismiss] [strike] the [cause of action] or part of the [cause of action].

Legislative Note: *A state should use the term "complaint" or "petition", or both, to describe any procedural means by which a cause of action may be asserted.*

A state should title its motion one to "dismiss" or "strike" in accordance with its procedures and customs. The state also should substitute its term for the term "[dismiss] [strike]" in Section 7(a).

A state may need to amend its statutes or rules of civil procedure to prevent a motion under this section from being considered a first pleading or motion that waives a defense or precludes the filing of another pleading or motion.

SECTION 4. STAY.

(a) Except as otherwise provided in subsections (d) through (g), on the filing of a motion under Section 3:

(1) all other proceedings between the moving party and responding party,

including discovery and a pending hearing or motion, are stayed; and

(2) on motion by the moving party, the court may stay a hearing or motion involving another party, or discovery by another party, if the hearing or ruling on the motion would adjudicate, or the discovery would relate to, an issue material to the motion under Section 3.

(b) A stay under subsection (a) remains in effect until entry of an order ruling on the motion under Section 3 and expiration of the time under Section 9 for the moving party to appeal the order.

(c) Except as otherwise provided in subsections (e), (f), and (g), if a party appeals from an order ruling on a motion under Section 3, all proceedings between all parties in the action are stayed. The stay remains in effect until the conclusion of the appeal.

(d) During a stay under subsection (a), the court may allow limited discovery if a party shows that specific information is necessary to establish whether a party has satisfied or failed to satisfy a burden under Section 7(a) and the information is not reasonably available unless discovery is allowed.

(e) A motion under Section 10 for costs, attorney's fees, and expenses is not subject to a stay under this section.

(f) A stay under this section does not affect a party's ability voluntarily to [dismiss] [nonsuit] a [cause of action] or part of a [cause of action] or move to [sever] a [cause of action].

(g) During a stay under this section, the court for good cause may hear and rule on:

(1) a motion unrelated to the motion under Section 3; and

(2) a motion seeking a special or preliminary injunction to protect against an imminent threat to public health or safety.

Legislative Note: *In subsection (f), a state should use the term "dismiss" or "nonsuit" in accordance with its procedures and customs. The state also should substitute its term for the term "[dismiss] [nonsuit]" in Section 7(b) and (c).*

If a state does not use the term "sever" to describe a motion to sever, the state should use its comparable term in subsection (f).

SECTION 5. HEARING.

(a) The court shall hear a motion under Section 3 not later than [60] days after filing of the motion, unless the court orders a later hearing:

(1) to allow discovery under Section 4(d); or

(2) for other good cause.

(b) If the court orders a later hearing under subsection (a)(1), the court shall hear the motion under Section 3 not later than [60] days after the court order allowing the discovery, unless the court orders a later hearing under subsection (a)(2).

SECTION 6. PROOF. In ruling on a motion under Section 3, the court shall consider the pleadings, the motion, any reply or response to the motion, and any evidence that could be considered in ruling on a motion for summary judgment under [cite to the state's statute or rule governing summary judgment].

SECTION 7. [DISMISSAL OF] [STRIKING] CAUSE OF ACTION IN WHOLE OR PART.

(a) In ruling on a motion under Section 3, the court shall [dismiss] [strike] with prejudice a [cause of action], or part of a [cause of action], if:

(1) the moving party establishes under Section 2(b) that this [act] applies;

(2) the responding party fails to establish under Section 2(c) that this [act] does not apply; and

(3) either:

(A) the responding party fails to establish a prima facie case as to each essential element of the [cause of action]; or

(B) the moving party establishes that:

(i) the responding party failed to state a [cause of action] upon which relief can be granted; or

(ii) there is no genuine issue as to any material fact and the moving party is entitled to judgment as a matter of law on the [cause of action] or part of the [cause of action].

(b) A voluntary [dismissal] [nonsuit] without prejudice of a responding party's [cause of action], or part of a [cause of action], that is the subject of a motion under Section 3 does not affect a moving party's right to obtain a ruling on the motion and seek costs, attorney's fees, and expenses under Section 10.

(c) A voluntary [dismissal] [nonsuit] with prejudice of a responding party's [cause of action], or part of a [cause of action], that is the subject of a motion under Section 3 establishes for the purpose of Section 10 that the moving party prevailed on the motion.

SECTION 8. RULING. The court shall rule on a motion under Section 3 not later than [60] days after a hearing under Section 5.

SECTION 9. APPEAL. A moving party may appeal as a matter of right from an order denying, in whole or in part, a motion under Section 3. The appeal must be filed not later than [21] days after entry of the order.

Legislative Note: *A state should insert a time to appeal consistent with other interlocutory appeals.*

This section may require amendment of a state's interlocutory appeal statute or court rule.

SECTION 10. COSTS, ATTORNEY'S FEES, AND EXPENSES. On a motion under Section 3, the court shall award court costs, reasonable attorney's fees, and reasonable litigation expenses related to the motion:

(1) to the moving party if the moving party prevails on the motion; or

(2) to the responding party if the responding party prevails on the motion and the court finds that the motion was frivolous or filed solely with intent to delay the proceeding.

SECTION 11. CONSTRUCTION. This [act] must be broadly construed and applied to protect the exercise of the right of freedom of speech and of the press, the right to assemble and petition, and the right of association, guaranteed by the United States Constitution or [cite to the state's constitution].

SECTION 12. UNIFORMITY OF APPLICATION AND CONSTRUCTION. In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

SECTION 13. TRANSITIONAL PROVISION. This [act] applies to a civil action filed or [cause of action] asserted in a civil action on or after [the effective date of this [act]].

[SECTION 14. SAVINGS CLAUSE. This [act] does not affect a [cause of action] asserted before [the effective date of this [act]] in a civil action or a motion under [cite to the state's current anti-SLAPP law] regarding the [cause of action].]

Legislative Note: A state should include this section if the state has an existing procedure for a special motion for expedited relief that is being repealed because this act replaces it.

[SECTION 15. SEVERABILITY. If any provision of this [act] or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this [act] which can be given effect without the invalid provision or application, and to this end the provisions of this [act] are severable.]

Legislative Note: *Include this section only if this state lacks a general severability statute or a decision by the highest court of this state stating a general rule of severability.*

[SECTION 16. REPEALS; CONFORMING AMENDMENTS.

(a) . . .

(b) . . .

(c) . . .]

Legislative Note: *Section 9 may require amendment of a state's interlocutory appeal statute or court rule.*

A state may need to amend its statutes or rules of civil procedure to prevent a motion under this act from being considered a first pleading or motion that waives a defense or precludes the filing of another pleading or motion.

SECTION 17. EFFECTIVE DATE. This [act] takes effect . . . .

An Open Letter in Support of the Uniform Law Commission's Uniform Public Expression Protection Act

The undersigned organizations represent an array of views across the political spectrum, which often results in disagreements on certain issues. Yet protection from meritless lawsuits to punish speech, known as Strategic Lawsuits Against Public Participation ("SLAPP"), is one principle that we all agree on. Our organizations strongly support robust anti-SLAPP laws modeled after the Uniform Law Commission's ("ULC") Uniform Public Expression Protection Act ("UPEPA").

The First Amendment protects our right to freedom of speech, press, assembly, and petition, which are fundamental to free expression, liberty, and democracy. Some individuals and entities seek to suppress or punish speakers, artists, or publishers through SLAPPs. Such unscrupulous litigants will start expensive and meritless litigation in an effort to intimidate and harass a speaker into silence.

Anti-SLAPP laws protect the public from frivolous lawsuits that arise from speech on matters of public concern. These laws protect speakers by providing special procedures for defendants to defeat weak or meritless claims. The stronger the statute, the more deterrence there is against filing SLAPP lawsuits.

Already, 32 states have anti-SLAPP statutes, though most could be significantly improved by adopting some or all of the UPEPA's language. Every state should adopt an anti-SLAPP law that follows the provisions in the UPEPA to provide national uniformity against abusive litigation that undermines First Amendment-protected freedom of expression.

The following six features in the UPEPA are necessary for an effective anti-SLAPP law:

1. Protection of all expression on matters of public concern.

Strong anti-SLAPP statutes protect a wide spectrum of speech. The best statutes protect all speech on matters of public concern in any forum, as the UPEPA does.

2. Minimization of litigation costs by allowing defendants to file an anti-SLAPP motion in court.

Under the UPEPA, the filing of an anti-SLAPP motion automatically halts discovery and all other proceedings until the court rules on the motion. Discovery, which includes document production and depositions, imposes expensive and invasive burdens on defendants. Instructing courts to rule promptly on the anti-SLAPP motion minimizes the cost of meritless lawsuits that harm free expression rights.

3. Requiring plaintiffs to show they have a legitimate case early in the litigation.

The UPEPA puts the burden of proof on the plaintiff when responding to an anti-SLAPP motion to "establish a prima facie case as to each essential element" of the lawsuit. It forces plaintiffs to substantiate their claims, and demonstrate that they can overcome any applicable First Amendment protection, at an early stage of the litigation. Alternatively, the defendant can win the anti-SLAPP motion by showing that the plaintiff "failed to state a claim" or that "there is no genuine issue as to any material fact and the [defendant] is entitled to judgment as a matter of law." If the court approves the anti-SLAPP motion, the case is dismissed.

4. The right to an immediate appeal of an anti-SLAPP motion ruling.

The UPEPA and strong anti-SLAPP statutes also reduce the coercive and punitive nature of litigation by providing the defendant with the right to immediately appeal a denial of an anti-SLAPP motion. This is important because lower courts can err in judgment, and a successful appeal of a ruling denying an anti-SLAPP motion can avoid an expensive and stressful trial that would burden a speaker's First Amendment rights.

5. Award of costs and attorney fees.

Strong anti-SLAPP statutes, like the UPEPA, require the court to award costs and reasonable attorney's fees to a prevailing defendant. This is a vital deterrent against SLAPP lawsuits. Without an award, a defendant might win the lawsuit, but still suffer financial devastation from costs owed to their lawyers. Every state should reduce the punishment that unscrupulous litigants can mete out to their critics and adversaries. Automatic costs and attorney's fee awards do just that. Importantly, such fee-shifting also enables more attorneys to represent those with limited means fighting a SLAPP.

6. Broad judicial interpretation of anti-SLAPP laws to protect free speech.

The UPEPA and several state anti-SLAPP statutes instruct judges to read the statute broadly and/or liberally to protect free expression rights.

We appreciate the work of the Uniform Law Commission to craft the UPEPA and support its passage in states across the country with weak or no anti-SLAPP laws. Please share this letter with those working to enact or improve anti-SLAPP laws. Our organizations are ready and willing to lend support to such efforts.

Sincerely,

Organizing Signers:

American Civil Liberties Union
Institute for Free Speech
Institute for Justice
Public Participation Project
Reporters Committee for Freedom of the Press

Joined by:

American Society of Journalists and Authors
Authors Guild
Center for Biological Diversity
Center for Individual Freedom
Comic Book Legal Defense Fund
Competitive Enterprise Institute
Defending Rights & Dissent
Electronic Frontier Foundation
Foundation for Individual Rights and Expression
International Association of Better Business Bureaus
James Madison Center for Free Speech
League of Conservation Voters
Motion Picture Association, Inc.
National Association of Broadcasters
National Coalition Against Censorship
National Right to Life Committee
National Taxpayers Union
News Leaders Association
News Media Alliance
PEN America
R Street Institute
Society of Professional Journalists
Woodhull Freedom Foundation