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Legal Talk

Supreme Court bars punitive damages for unseaworthiness

In June, the U.S. Supreme Court issued a significant ruling that is favorable to the maritime industry.

In *Dutra Group v. Batterton*, the court resolved a longstanding conflict between federal circuit courts concerning the availability of punitive damages for unseaworthiness under general maritime law. It held that such damages cannot be awarded.

Punitive damages, which are in addition to compensatory damages, punish a defendant for wrongful actions or inactions that cause injury or harm to others. Usually, punitive damages are not insured, so they can be a particularly harsh penalty. Punitive damages have historically been controversial in cases governed by maritime law.

In 1990, the Supreme Court ruled that seamen cannot pursue a claim for punitive damages for negligence, even for gross or willful misconduct, under the Jones Act. The Jones Act is a remedy unique to seamen which allows them to sue their employer or vessel owner when they are injured or become ill through negligence. The cause of action for unseaworthiness is also a remedy unique to seamen, and it allows them to recover damages when they are injured or become ill through some condition that renders a vessel or its gear unfit for their intended purpose.

Until the *Batterton* decision, courts were split over whether seamen could recover punitive damages on top of compensatory damages when pursuing an unseaworthiness claim. *Batterton* overturned rulings by a federal district court in California and the U.S. Court of Appeals for the Ninth Circuit, and adopted the approach taken by the Fifth and First appellate circuits that have disallowed punitive damages for unseaworthiness.

The Supreme Court was heavily influenced by its obligation to promote uniformity in maritime law. Because punitive damages are not allowed for Jones Act negligence claims, the court found that there was no justification to allow them for unseaworthiness claims. WB