

By: Representatives Lott, Chism, Fillingane, Hamilton (6th), Mayhall, Moore To: Rules

HOUSE RESOLUTION NO. 60

1 A RESOLUTION ASKING CONGRESS TO REFORM THE CURRENT CLASS
2 ACTION LAWSUIT PROCESS IN ORDER TO ENSURE FAIR LEGAL PROCESS FOR
3 CLASS MEMBERS WITH LEGITIMATE CLAIMS, PROTECT RESPONSIBLE
4 COMPANIES AND OTHER INSTITUTIONS AGAINST FRIVOLOUS INTERSTATE
5 CLASS ACTIONS IN STATE COURTS.

6 WHEREAS, over the past decade, there have been abuses of the
7 class action devices that have harmed class members with
8 legitimate claims and defendants that have acted responsibly,
9 adversely affected interstate commerce and undermined public
10 respect for the judicial system in the United States; and

11 WHEREAS, class members have been harmed by a number of
12 actions taken by plaintiffs' lawyers, which provide little or no
13 benefit to class members as a whole, including plaintiffs' lawyers
14 receiving large fees, while class members are left with coupons or
15 other awards of little or no value and unjustified rewards being
16 made to certain plaintiffs at the expense of other class members;
17 and

18 WHEREAS, abusive interstate class actions have harmed society
19 as a whole by forcing innocent parties to settle cases rather than
20 risk a huge judgment by a local jury, thereby costing consumers
21 billions of dollars in increased costs to pay for forced
22 settlements and excessive judgments; and

23 WHEREAS, through the use of artful pleading, plaintiffs are
24 able to avoid litigating class actions in federal court, forcing
25 businesses and other organizations to defend interstate class
26 action lawsuits in county and state courts where the lawyers,
27 rather than the claimants, are likely to receive the maximum
28 benefit:

29 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
30 REPRESENTATIVES OF THE STATE OF MISSISSIPPI, That the House of
31 Representatives requests senators from our state to pass class
32 action reform legislation that assures fair and prompt recoveries
33 for class members with legitimate claims, protects responsible
34 companies and other institutions against interstate class actions
35 in state courts and restores the intent of the framers of the
36 Constitution by providing for federal court consideration of
37 interstate class actions.

38 BE IT FURTHER RESOLVED, That copies of this resolution be
39 furnished to Mississippi's Congressional Delegation and to the
40 members of the Capitol Press Corps.