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Statement by Joanne Doroshow, Executive Director, Center for Justice & Democracy
On H.R. 1927, the “Fairness in Class Action Litigation Act of 2015”

We strongly condemn the U.S. House Judiciary Committee’s vote today to report out H.R. 1927, a bill that would establish restrictive new “injury” criteria for class actions. In April, more than 50 national and state organizations sent a letter to Congress expressing strong opposition to this legislation, including a broad array of prominent consumer, civil rights, immigration, labor, environmental, health, food and product safety, employment, housing, senior citizen, children’s, low-income and legal services organizations, among others. The groups said this bill “would effectively eviscerate consumer, employment and civil rights class actions.”

The groups also noted, “Class action lawsuits are among the most important tools that harmed, cheated and violated individuals and small businesses have to hold large corporations and institutions accountable and deter future misconduct. Under H.R. 1927, federal courts will be forced to deny certification to important, worthy classes of aggrieved consumers, employees and small businesses.”

While certain modifications have now been made to the bill since that letter was sent, what has not changed is the requirement that every person in a class have “an injury of the same *type* and *scope*” before a federal judge can allow a federal class action to proceed. Classes inherently include a range of affected individuals, and virtually never does every member of the class suffer the same scope of injury even from the same wrongdoing. H.R. 1927 will wipe out one of the most important tools for justice in America.