

Congress of the United States

House of Representatives

Washington, DC 20515

March 13, 2003

“The judicial power shall extend . . . to Controversies . . . between Citizens of different States.” U.S. Constitution, Article III, section 2

Dear Colleague:

INTERSTATE CLASS ACTIONS BELONG IN FEDERAL COURT BECAUSE . . .

- **The Framers of the Constitution intended for large, interstate lawsuits to be heard in federal court.** The plain language of the Constitution illustrates that the Framers created diversity jurisdiction to ensure that lawsuits between citizens of different states would be heard in federal courts. This clause was meant to protect parties from the biases of foreign state courts. Interstate class actions are the quintessential type of large, multi-state lawsuits that the Framers intended to be heard in federal court.
- **A single state court judge should not hear multi-state suits.** It does not make sense that large, multi-state class action lawsuits are being heard by one state court judge, who is often from a different state than most of the class members. To ensure the appropriate forum is chosen and the appropriate state’s laws are applied, these large multi-state class actions should be brought in federal court to prevent the very biases the Framers foresaw.
- **Federal court jurisdiction will reduce the explosion of state court class action filings and help prevent forum shopping.** There has been an explosion in the filing of multi-state class action suits in state courts. Some states have become magnets for multi-state class action filings because those states administer lax certification standards that are below the level of other states and Federal Rule 23. By expanding federal jurisdiction for truly multi-state lawsuits, the Class Action Fairness Act will reduce the filing of frivolous lawsuits in state courts and thus help prevent forum shopping.

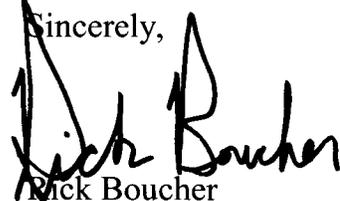
Last week we introduced the Class Action Fairness Act of 2003, which reforms our country’s laws to make it easier for truly interstate class action lawsuits to be heard in federal courts. This important bipartisan legislation will help prevent frivolous lawsuits and will help ensure the appropriate and fair application of state law. To become a cosponsor, please contact Branden Ritchie in Congressman Goodlatte’s office at x55431, or Johanna Mikes in Congressman Boucher’s office at x53861

Sincerely,



Bob Goodlatte
Member of Congress

Sincerely,



Rick Boucher
Member of Congress