
Class Actions Provide Better Access to Justice

Support SB1180 (Senator Surovell)

The Problem:

The Virginia General Assembly passes laws to properly regulate marketplaces and protect individuals, but many times those laws are not effectively enforced because government agencies may lack the necessary resources.

Virginia and Mississippi are the only states in the country that do not allow class action lawsuits.

Virginians are deprived of their right to use the courts to seek relief for a violation of their rights if the cost of litigation exceeds the potential benefit. Claims that are too small to cover the cost of litigation will not be pursued in court.

SB1180's Solution:

The class action device can create a market for private enforcement of the law. Increased enforcement, in turn, creates improved incentives for companies to comply with the law and take the appropriate degree of care.

Class actions work by creating incentives for lawyers to bring private enforcement actions. Though individuals' damages are too small to make a lawsuit worthwhile, a class action can aggregate many claims so that there is a significant total amount at stake – enough to make litigation economically feasible.

Class actions level the playing field for lower-income individuals who seek access to justice.

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