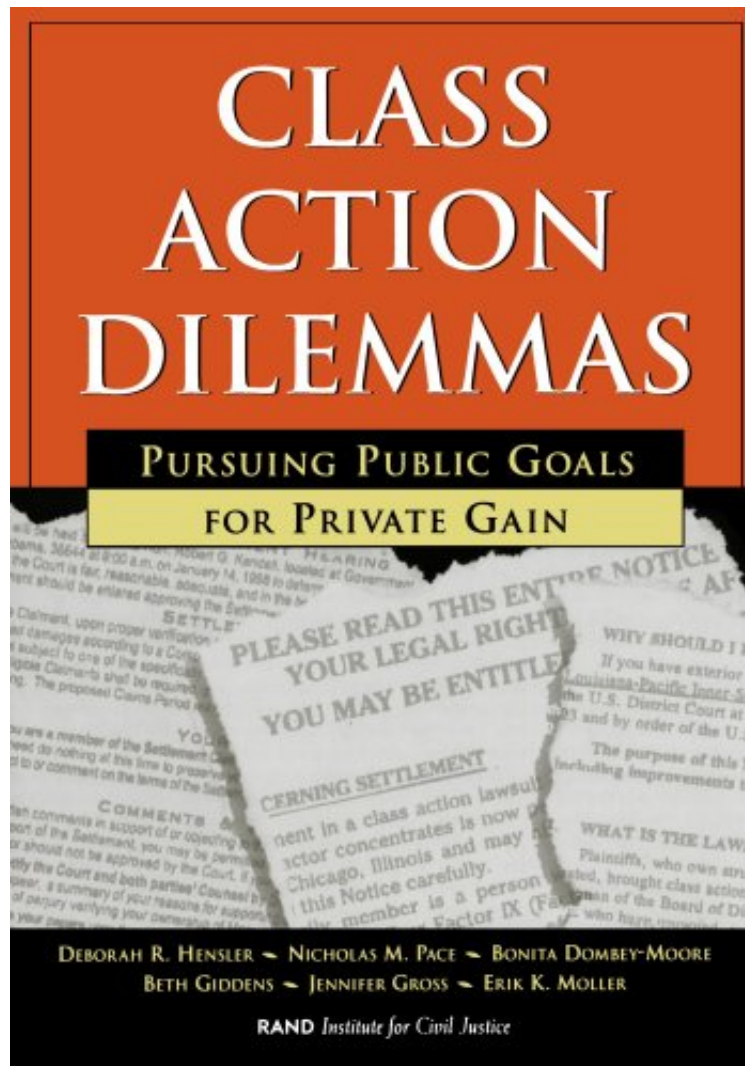


Class Action Dilemmas: Pursuing Public Goals for Private Gain

Deborah Hensler, Erick K. Moller

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Deborah Hensler, Erick K. Moller : Class Action Dilemmas: Pursuing Public Goals for Private Gain before purchasing it in order to gauge whether or not it would be worth my time, and all praised Class Action Dilemmas: Pursuing Public Goals for Private Gain:

0 of 0 people found the following review helpful. Four Stars By marcelo costa Great book. 4 of 4 people found the following review helpful. Transparent and Balanced Research By Julian P Killingley This study is likely to remain the last word on class action research for some time to come. The depth and breadth of this study is extraordinary - and so are its revelations. This is by any standard a major piece of work and we are fortunate that the RAND Institute for Civil Justice has the resources to publish it so fully. The substantial appendices contain much of the detail about

methodologies, data collection and calculations that usually have to be omitted from law review articles. Readers can judge for themselves the thoroughness of the researchers and the accuracy of calculations supporting many of their assertions and assumptions. At heart of this study is the question whether the policing of the public interest and public safety ought to be a function of the state or of "private attorneys general". The study is largely non-judgmental - although you may conclude that this research suggests an answer. There is plenty of ammunition for both points of view to be found in this book. It is a treasury of fascinating facts about this kind of litigation. It includes the revelation that some attorneys were remunerated at the rate of \$2,000 per hour for their efforts - and to think that we thought only mergers and acquisitions lawyers could aspire to that kind of reward! The only criticism I have to make is that the executive summary that RAND publishes separately is not contained in the book. That is a useful document and its inclusion here would not have added substantially to publication costs but would have enhanced the final product.

3 of 3 people found the following review helpful. An in-depth, benchmark study. By Midwest Book Review

Class Action Dilemmas: Pursuing Public Goals For Private Gain is the collaborative effort of Deborah R. Hensler, Nicholas, M. Pace, Bonita Dombey-Moore, Beth Giddens, Jennifer Gross, and Erik K. Moller under the auspices of the Rand Corporation's "Institute for Civil Justice". This in-depth, benchmark study examines newly compiled information about class action law suits and offers a thoughtful discussion of current trends in mass litigation and their implications for the future. Data was collected from extensive interviews with case participants, various electronic sources, court records, and other legal documents. Commentary on the federal class action rule is also reviewed along with the most recent attempt to revise the rule. The contributors discuss the history of the controversy of class action law suits, and present ten illustrative case studies. In addition, proposals for options for reform that may improve the balance of public good and private gain are offered for consideration. **Class Action Dilemmas** is a very highly recommended addition to professional, governmental, academic, and judicial reference libraries.

Class action law suits abound, but what is their purpose, and who benefits? This independent look at class action practices discusses the history of such cases, the driving forces behind them, and the justice or protection that their settlement provides. A comprehensive picture of class action suits in the 1990s comes to life in 10 fascinating case studies that will make you question whether the plaintiff attorneys, the defendants, the consumers or the public were fairly served.

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Wisconsin Bookwatch, 9/1/00A keen and generally neutral observer of the torts war has been the Institute of Civil Justice (ICJ) a research program within RAND... **Class Action Dilemmas** is an ambitious attempt in this tradition to assess the costs and benefits of class action lawsuits.... Roy B. Flemming

Class action suits often provoke extreme reactions in people: some see them as the ultimate guarantors of justice in David-and-Goliath type situations, while others see them as nothing more than a cover for large-scale money-grabbing by avaricious lawyers. The truth probably lies somewhere in-between, as this magisterial study on the subject reveals... One of its main conclusions is that 'judges hold the key to improving the balance of good and ill consequences of damage class actions.' To this end, the study makes a number of well-thought out recommendations which deserve serious consideration.

The Commonwealth Lawyer, August 2002

Allowing few individuals to represent the legal interests of many who do not participate in the lawsuit but are nonetheless bound by its outcome is the defining and controversial feature of class actions... Conducted by Hensler et al, this Rand report, the result of a four-year study on class action litigation in the US, provides policy and legislative recommendations based on systematic empirical research... The data portray a telling image of mass action suits as money-gorging enterprises benefiting lawyers who are 'motivated by the prospect of substantial fees for relatively little effort'... This is an exceptionally rich resource on the current state of the American class action system for policy makers, legal practitioners, researchers, and graduate students.

CHOICE Magazine

From the Publisher

This document summarizes the major findings and recommendations of our book-length study of class actions, **Class Action Dilemmas: Pursuing Public Goals for Private Gain**, a work that represents the product of more than three years' research into the current policy controversy over class action lawsuits for money damages. In the interests of producing a summary that can be quickly read by policymakers and others, we focus here on findings and recommendations that we believe will contribute most to ongoing discussions about how and whether Rule 23 and other rules relevant to class actions should be amended. Consequently, we have made only passing mention of some features of the complete manuscript. For example, in the course of the research, we conducted ten intensive case studies of recently settled class action lawsuits. Although the summary contains information derived from this portion of our research, it includes few details about the cases themselves. The full book contains a narrative of each of the case studies as well as a comparative analysis of them. Similarly, this summary makes only a few references to the cases, court documents, and other published materials that we consulted during our research, which are extensively documented in the book. For information about the Institute for Civil Justice, contact Beth Giddens,

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Deborah Hensler (Ph.D., Political Science, Massachusetts Institute of Technology), is a senior fellow and former director of the Rand Institute for Civil Justice. She presently serves as the Judge John W. Ford Professor in Dispute Resolution at Stanford University Law School. A member of the Institute's staff since its inception in 1979, her work on civil justice issues includes studies of class action suits, civil litigation trends, alternative dispute resolution, and mass torts.

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Beth Giddens (Ph.D., English, University of Tennessee) is the communications director at the Rand Institute for Civil Justice. Before joining Rand in 1997, she was Associate Director for Communications for the Southern Regional Education Board, an education policy organization in Atlanta.

Jennifer Gross (J.D., University of Southern California) is a doctoral fellow at the Rand Graduate School. Her studies focus on the use of law as a tool to deter undesirable behavior effectively. Jennifer has been a member of the class action research team and is currently conducting research on the use of appeals and grievances procedures in managed care.

Erik Moller (J.D., Law, University of California, Los Angeles) is a doctoral fellow at the Rand Graduate School whose research interests include civil justice, alternative dispute resolution, and jury verdicts.