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NEWS

DID YOU KNOW? Corporations VOTED to adopt this. Through ALEC, global companies work as "equals" in "unison" with politicians to write laws to govern your life. Big Business has "a VOICE and a VOTE," according to newly exposed documents. **DO YOU?**

Intrastate Forum Shopping Abuse Reform Act

Summary

Forum shopping has become a significant problem in civil litigation. Certain counties have become magnets for attracting claims with little or no connection to that county. The burdens placed on these magnets courts are unfair to the residents of those counties, who are forced to wait in line behind claims that would more appropriately be heard elsewhere. For residents of those counties, justice delayed is justice denied. Venue rules exist to ensure that claims are brought in the proper county within a state. This legislation will reform existing venue rules to ensure that claims have a direct relationship with the county in which they are filed.

Model Legislation

Section 1. {Title} This Act shall be called and may be cited as the "[Intrastate Forum Shopping Abuse Reform Act]".

Section 2. {Venue} [Section ____] shall be amended to read as follows:

A.) A claim in tort or alleging personal injury or death shall be brought in either:

- (1) the county where the plaintiff resides,
- (2) the county where all or a substantial part of the events or omissions giving rise to the claim occurred, or
- (3) a. if the defendant is a natural person, the county where the defendant resides,
b. if the defendant is not a natural person, the county where the defendant's principal office in this state is located, or
c. if the defendant does not maintain an office in this state, the county where the defendant's agent for service of process is located.

B.) In actions involving multiple plaintiffs, venue must be proper as to each plaintiff independently joined or consolidated in the action. Any person who is unable to establish proper venue may not be joined or consolidated in the case unless the plaintiff establishes that:

- (1) joinder or intervention is proper under the [State] Rules of Civil Procedure;
- (2) maintaining venue in the county of the suit does not unfairly prejudice another party to the suit;
- (3) there is an essential need to have the person's claim tried in the county where the suit is pending; and
- (4) the county in which the suit is pending is a fair and convenient venue for the person seeking to join in or maintain venue for the suit and the persons against whom the suit is brought.

Section 3. {Repealer clause.}

Section 4. {Effective date.}

Did you know that Victor Schwartz--a lawyer who represents companies in product litigation--was the corporate co-chair in 2011?

Adopted by ALEC's Civil Justice Task Force at the Annual Meeting August 8, 2002. Approved by full ALEC Board of Directors September, 2002.

ALEC EXPOSED

"ALEC" has long been a secretive collaboration between Big Business and "conservative" politicians. Behind closed doors, they ghostwrite "model" bills to be introduced in state capitols across the country. This agenda-underwritten by global corporations--includes major tax loopholes for big industries and the super rich, proposals to offshore U.S. jobs and gut minimum wage, and efforts to weaken public health, safety, and environmental protections. Although many of these bills have become law, until now, their origin has been largely unknown. With **ALEC EXPOSED**, the Center for Media and Democracy hopes more Americans will study the bills to understand the depth and breadth of how big corporations are changing the legal rules and undermining democracy across the nation.

ALEC's Corporate Board --in recent past or present

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- For more on these corporations, search at www.SourceWatch.org.

About Us and ALEC EXPOSED. The Center for Media and Democracy reports on corporate spin and government propaganda. We are located in Madison, Wisconsin, and publish www.PRWatch.org, www.SourceWatch.org, and now www.ALECExposed.org. For more information contact: editor@prwatch.org or 608-260-9713.

From CMD: This "model" bill attempts to limit the places an injured American can file suit against a corporation (indicated in the language about defendants that are not "natural persons"). It also tries to limit suits by multiple plaintiffs joining their claims against a corporation together unless the plaintiffs live in the same county, even if they want to have their claims joined for resolution in the case. It claims to protect the interests of other county residents in getting their cases heard in court but does not leave such a determination to local democratic decision-making by residents of the county purportedly affected. It also tries to limit a county court from exercising jurisdiction in a case involving an injured American if the corporation does not have an office or representative in the county, even if the corporation does business there.