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## Senate passes bill that would limit class-action lawsuits

THE NEW YORK TIMES

WASHINGTON - Handing President Bush a significant victory, the Senate overwhelmingly approved a measure on Thursday that would sharply limit the ability of people to file class-action lawsuits against companies.

The measure, adopted 72-26, now heads to the House of Representatives, where Republican leaders say it will be approved next week and sent to the White House for Bush's signature.

The measure would prohibit state courts from hearing many kinds of cases that they now consider, transferring them to federal courts. Experts say the practical impact of the legislation will be that many cases will not be able to be brought, since federal judges have been constrained by a series of legal precedents from considering large class actions that involve varying laws of different states.

The legislation also makes it more difficult for class-action lawsuits to be settled by payments of coupons for goods and services instead of cash by the defendants, a practice that has been heavily criticized by Democrats and Republicans.

The measure will not affect pending cases.

Bush issued a statement praising the vote.

"Our country depends on a fair legal system that protects people who have been harmed without encouraging junk lawsuits that undermine confidence in our courts while hurting our economy, costing jobs and threatening small businesses," the president said. "The class-action bill is a strong step forward in our efforts to reform the litigation system and keep America the best place in the world to do business."

The legislation has long been promoted by large and small businesses, particularly manufacturers and insurance companies, and failed by a single vote in the Senate in 2003.

The business groups have argued that the legislation is necessary to curtail frivolous litigation that benefits lawyers more than plaintiffs. They have said it was important to eliminate the unfair practice of lawyers' shopping for state courts that were more favorable to plaintiffs.

But the measure has been attacked by civil-rights organizations, labor groups, consumer organizations, many state prosecutors and environmental groups, who say it will sharply curtail important cases and provide new protections for unscrupulous companies. Many federal and state judges and state lawmakers have also criticized the bill.

### Ariz. votes

- Republicans Jon Kyl and John McCain voted to curb class-action lawsuits by sending them to federal courts.

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