

Class-action symposium scheduled for June 14

June 3, 2004

Class-action litigation will be the topic of a June 14 symposium co-sponsored by the Mississippi Supreme Court and Mississippi College School of Law.

The symposium is scheduled for 8 a.m. to 4 p.m. at the Court of Appeals Building at 656 N. State Street in Jackson. Panel discussions scheduled for 8:30 a.m. to 12:15 p.m. and 12:45 to 4 p.m. will be broadcast live on the Internet via the Mississippi Supreme Court's web site, www.mssc.state.ms.us.

The Mississippi Supreme Court, which has rule-making authority over the state court system, is considering whether to adopt a class-action rule. The symposium is being conducted to gather information to assist the Supreme Court in making a determination whether to adopt a class-action rule, and if so, how to craft the rule.

A time period will be announced later for submission of written comments to the court. The court has not announced a timetable for making a decision on the matter.

Supreme Court Chief Justice James W. Smith Jr. stated that the court will not make a hasty decision, but will solicit views and opinions from the bench and bar and carefully consider all input on this issue before making a decision on whether to adopt Rule 23 of the Federal Rules of Civil Procedure, the class-action rule.

Justice Jess H. Dickinson, a member of the Supreme Court Rules Committee, will serve as moderator for the panel discussions. Panelists include attorneys Larry Abernathy, Don Barrett, Rep. Edward Blackmon, Wayne Drinkwater, Richard Freese, William Goodman Jr., Larry Jones, Fred Krutz, Keith Raulston and Richard Scruggs; 1st Circuit Court Judge Sharion Aycock of Fulton; 21st Circuit Court Judge Jannie Lewis of Lexington; 22nd Circuit Court Judge Lamar Pickard of Hazlehurst; corporate class defendants Gary Garfield of Firestone and Robert Neaton of General Motors; and Professor Jeffrey Jackson of the Mississippi College School of Law.

Justice Dickinson said, "We have some of the most knowledgeable persons in the state with regard to class action litigation and issues which need to be addressed. We have attorneys who have litigated class actions. We have representatives of companies which have been frequent targets of class-action litigation. We have circuit judges who will have to apply this new rule, should it be adopted. That's a very diverse and knowledgeable group who I believe will be in a position to provide excellent counsel to the Rules Committee."

The symposium schedule is:

8:00 Continental Breakfast 11:45 Consensus: Rule or no Rule?

8:30 Welcome: C.A. Chief Judge Leslie D. King 12:15 Lunch

8:40 General Discussion 12:45 Federal Rule 23

10:00 Break 1:30 State Rules

10:15 Plaintiff Perspective 2:00 Constitutional Issues

10:45 Defense Perspective 3:00 Consensus: What to Keep, What to Change

11:15 Defendant Perspective 4:00 Adjourn

News reporters wishing to attend the symposium should contact court Public Information Officer Beverly Pettigrew Kraft at 601-354-7452 or by e-mail to **bkraft@mssc.state.ms.us** by June 10. Seating is limited. Continuing legal education credit is offered for attorneys and judges. Most seats will be reserved for those seeking continuing legal education credit.

Members of the general public who wish to watch the symposium are encouraged to do so via the live Internet broadcast on the court's web site, **www.mssc.state.ms.us**.

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