



NEW YORK STATE SENATOR

Kristen Gonzalez

Senate Judiciary Committee Advances Senator Gonzalez's Bill To Reduce Barriers To Filing A Class Action Suit Against Government Entities

KRISTEN GONZALEZ April 25, 2023

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NEW YORK -- Today, the Senate Judiciary Committee advanced S.5137, sponsored by Senator Kristen Gonzalez (SD 59) and Assemblymember Michaelle Solages (AD 22). This legislation would prevent state courts from denying a class action certification against government entities solely because the case involves government operations. Due to court precedent, state courts sometimes prevent the certification of class-action lawsuits when they are filed against government entities.

Senator Kristen Gonzalez said, "Class action lawsuits are a critical tool to hold the government accountable and to pursue justice as a collective. Individual lawsuits are often not an option for low-income communities that don't have the resources needed to bring an individual case. It is often these same plaintiffs who are most likely to experience harm when government agencies act illegally. Furthermore, forcing plaintiffs to bring individual lawsuits wastes time, clogs up our courts, and creates a possibility for inconsistent rulings. This legislation would grant increased access to the power of the courts for those who have the least access, but the greatest need.

I look forward to working with my colleagues in the Senate and the Assembly to grant further access to the courts for all New Yorkers."

Assemblymember Michaelle Solages said, "The idea that the government is a special litigant is incorrect. One of the most cherished principles of our law is that all litigants, rich and poor, government or private citizen, stand equally before the courts. I am proud to sponsor this bill alongside Senator Gonzalez, which will bring greater accessibility and fairness to a legal system that too often only acknowledges those who can afford an attorney, by eliminating the so-called government operations rule for class action certification."

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