



Class Action FAQs

Personal Injury Resource



Hooper Law is here to help. We have designed this page to answer your questions on class action lawsuits. If you have a question and you can't find the answer on this page, please contact us.

What is a class action?

A class action is a lawsuit which provides a method for a large group of people with common claims to join together to advance one large claim. Class actions are a more efficient and cost-effective way for groups of people with common claims to gain access to the legal system and seek justice.

What does certification mean?

In order for an action to proceed as a class action, the court must determine whether it is appropriate for the case to be treated as a class action. Some of the factors the courts consider are the extent to which the claims of the class members are common, and whether a class action is preferable to other methods (such as individual actions) of advancing the issues. The decision as to whether a class action should be certified takes place at a certification hearing and is decided by a judge. If certified, a representative plaintiff will advance the action on behalf of all of the class members.

How do I know if I am a Class Member?

The certification order will always contain a description of who is a class member. We post the certification orders in our actions so that you can review them. You do not need to "sign up" to become involved in a class action. If you are included in the class description, you are automatically a class member who will be affected by the outcome of the class action unless you decide to "opt out".

Are Class Members notified of the certification of the class proceeding?

Yes. After the claim has been certified, the court will authorize notice to be given to the members of the class.

Can I opt out of class action and pursue independent legal action?

Yes. When a class action is certified, class members are always given an opportunity to opt out of the action. A deadline is imposed for opting out. If you do not opt out by the given deadline, class members will be bound by the outcome of the class action, whether it is successful or unsuccessful. If you opt out, you will not receive any benefit if the action is successful.

Will there be any cost to class members for legal fees?

Typically, class actions are handled on a contingency fee basis, which means that the class action lawyers will be paid only if the class action is successful at trial or settled. In that case, class counsel fees may be paid by the defendants or out of the settlement or judgment proceeds as approved by the court. In addition, the plaintiff may seek funding assistance from the Class Proceeding Fund which, if funding is granted, may provide funding for disbursements.

Contact us today for your free consultation.



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