

## TWO NEW RESEARCH CONTRIBUTIONS

Research Contribution 1984, No. 1

### *The Importance of Substance to the Study of Class Actions: A Review Essay on the Ontario Law Reform Commission Report on Class Actions*

By Benjamin S. DuVal, Jr.

ABF Project Director Benjamin S. DuVal, Jr., examines problems encountered in studying the effects of class actions. He draws on the Commission's discussion of various empirical studies that have been made of class actions in the United States to demonstrate how a failure to focus on the specific subject matter areas in which the class action is used can produce seriously misleading results. He also discusses the implications of the substantive law framework for the design of class action procedures. The author's brief review of the Ontario Law Reform Commission's Report in 1983 *American Bar Foundation Research Journal* 783 was adapted from the introduction to this essay. Reprinted from *3 Windsor Yearbook of Access to Justice* 411.

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Research Contribution 1984, No. 2

### *The European Experience with Attorney Fee Shifting*

By Werner Pfennigstorf

ABF Project Director Werner Pfennigstorf has studied the history, the public policy, and the effects of European rules concerning the allocation of attorney fees and other costs among the parties in civil litigation. He presented a draft paper in November 1982 at a two-day conference on attorney fee shifting, sponsored by the U.S. Department of Justice. The full study, covering 12 countries and accompanied by translations to the relevant statutory provisions, was published in fall 1984. Reprinted from *47 Law and Contemporary Problems* 37 (1984).

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