

# **MASSACHUSETTS RULES OF CIVIL PROCEDURE**

## **RULE 23. CLASS ACTIONS**

### **Reporter's Notes--2015**

This is the second amendment to Rule 23 regarding residual funds in class actions proceedings. The first amendment to Rule 23 in 2008 set forth a definition of residual funds and provided for disbursement of residual funds to nonprofit groups or to the Massachusetts IOLTA Committee for the purpose of promoting access for low income persons to the civil justice system.

This second amendment in 2015 added a sentence to Rule 23(c) and added subdivision (e)(3) requiring the court to order notice to the Massachusetts IOLTA Committee so that it may be heard on whether it should receive "any or all" residual funds that may remain in a class action after all payments have been made.