Aggregate Litigation: A Paradigm Shift in Civil Procedure

Alon Klement

This article examines the use of aggregate litigation procedures (including joinder, class actions, group litigation, and consolidation of claims) to address complex disputes involving multiple parties and common questions of fact and law. The article reviews the alternative aggregation procedures available in Israel and abroad and examines how each achieves the various goals of civil procedure. It presents a normative framework for deciding when aggregation should be preferred over individual litigation, and how to choose among alternative aggregation mechanisms.