

Advocates Applaud Bill to Restore Access to the Courts and End Forced Arbitration

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WASHINGTON- Advocates at the National Consumer Law Center applauded today's introduction of the Forced Arbitration Injustice Repeal (FAIR) Act, introduced by Senator Richard Blumenthal (D-CT) and Representative Hank Johnson (D-GA-4), which would restore access to the courts for consumers, workers and small businesses harmed when companies violate the law.

"I applaud Senator Blumenthal and Congressman Johnson for introducing the FAIR Act to restore our constitutional right to our day in court. The right of access to the courts was so important to our Founders that they enshrined the right to a jury trial in both the Sixth and Seventh Amendments," **said Lauren Saunders, associate director of the National Consumer Law Center.**

A long list of companies accused of serious wrongdoing have used forced arbitration clauses to deprive people of access to the courts, including Wells Fargo, Equifax, Sterling Jewelers, and Fox News.

"Companies use fine-print forced arbitration clauses to deprive people of an impartial judge, forcing disputes into a biased, secretive and lawless forum before arbitrators who do not have to follow the facts or the law, who are typically paid by the company, and where there is no right of appeal. The FAIR Act stops forced arbitration and restores access to the courts for survivors of sexual harassment, national guard members terminated from their jobs for serving their country, seniors in nursing homes and consumers ripped off by Wall Street or predatory lenders," **Saunders added.**

The FAIR Act does not eliminate arbitration. It allows people to choose to arbitrate claims after a dispute arises, but prevents companies from using fine print clauses to force people to agree ahead of time to arbitrate. "People should have the choice, when they have been harmed, of exercising their constitutional right of access to the courts or taking their dispute to an arbitrator. The FAIR Act restores choice and our constitutional rights," **Saunders said.**

For additional information on the use and impact of forced arbitration clauses visit NCLC's Forced Arbitration page.