

## **SPONSOR STATEMENT – HOUSE BILL 9**

One section of the Tort Reform legislation enacted into law two sessions ago requires the collection of settlement and other data in certain categories of civil litigation cases. These provisions appear in AS 09.68.130.

It has become apparent since the enactment of tort reform legislation that five minor housekeeping amendments are needed. The first makes mandatory the reporting of data by attorneys and persons representing themselves. Apparently, some individuals interpret the data collection provisions of the Tort Reform Law to be optional. This amendment clarifies the mandatory nature of these reporting requirements in order to ensure that accurate statistics will be compiled. Information must be submitted within 30 days after the settlement or final resolution of all covered cases.

Second, the Alaska Judicial Council has recommended that certain non-tort cases be added to the types of cases already excluded from the reporting requirements. The Tort Reform Law excluded divorce and other categories of cases from reporting requirements. The amendment, offered in Section 1 of House Bill 9, adds several categories of cases that should also be excluded.

Third, the bill clarifies that the reporting requirements arise only after final appeals as to cases that are fully litigated. Should any one of multiple plaintiffs, defendants or third party defendants settle out of litigation before its final disposition, the obligation to submit required data arises as of the date the case is fully resolved as it pertains to that party.

Fourth, the bill has the effect of amending two court rules since it limits civil actions found under AS 09.68.130 (a) and specifies who is required to provide settlement information.

Fifth, the effective date as to the collection of settlement and other data is changed to clarify that reporting requirements are applicable to civil litigation cases which are settled or finally adjudicated on or after the bill is signed into law. The reporting requirements are not retroactive to the effective date of the Tort Reform Law.