

HOUSE BILL NO. 83

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES LEDOUX, Claman, Millett, Vazquez

Introduced: 1/28/15
Referred: Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to collecting information about civil litigation by the Alaska Judicial
2 Council; repealing Rule 41(a)(3), Alaska Rules of Civil Procedure, and Rules 511(c) and
3 (e), Alaska Rules of Appellate Procedure; and providing for an effective date."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 09.68.130 is repealed and reenacted to read:

6 **Sec. 09.68.130. Collection of settlement information.** (a) Except as provided
7 in (c) of this section, the Alaska Judicial Council shall periodically collect and
8 evaluate information relating to the resolution of civil litigation. The information
9 collected may include

- 10 (1) general case information;
- 11 (2) the characteristics of the litigation and parties;
- 12 (3) case processing information;
- 13 (4) information about the court civil justice process;
- 14 (5) a description of the settlement or judgment or other resolution;

1 (6) attorney fees and costs awarded to or paid by each party; and
 2 (7) insurance coverage related to the case and the amount paid by
 3 insurance.

4 (b) A party to a civil litigation or, if the party is represented by an attorney, the
 5 party's attorney shall submit the information required by (a) of this section to the
 6 council on request. Information must be submitted within 30 days after receipt of a
 7 written request from the council and must be submitted in a form specified by the
 8 council.

9 (c) The requirements of (a) of this section do not apply to the following types
 10 of cases:

- 11 (1) divorce and dissolution;
 12 (2) adoption, custody, support, visitation, and emancipation of
 13 children;
 14 (3) children-in-need-of-aid cases under AS 47.10 or delinquent minors
 15 cases under AS 47.12;
 16 (4) domestic violence protective orders under AS 18.66.100 -
 17 18.66.180;
 18 (5) estate, guardianship, and trust cases filed under AS 13;
 19 (6) small claims under AS 22.15.040;
 20 (7) forcible entry and detainer cases;
 21 (8) administrative appeals;
 22 (9) motor vehicle impound or forfeiture actions under municipal
 23 ordinance.

24 (d) The information received by the council under this section is confidential,
 25 except that the council may disclose summaries and statistics related to the
 26 information collected that does not identify a particular litigation or party.

27 * **Sec. 2.** Rule 41(a)(3), Alaska Rules of Civil Procedure, and Rules 511(c) and (e), Alaska
 28 Rules of Appellate Procedure, are repealed.

29 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
 30 read:

31 **CONDITIONAL EFFECT.** This Act takes effect only if sec. 2 of this Act receives the

1 two-thirds majority vote of each house required by art. IV, sec. 15, Constitution of the State of
2 Alaska.

3 * **Sec. 4.** If this Act takes effect under sec. 3 of this Act, it takes effect immediately under
4 AS 01.10.070(c).