

Introduced: 2/21/77
Referred: Judiciary and State
Affairs

1 IN THE SENATE

BY KERTTULA AND HUBER

2 SENATE BILL NO. 170

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to attorney fees in medical malprac-
7 tice cases."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 08.08 is amended by adding a new section to read:

10 Sec. 08.08.235. ATTORNEY FEES IN MEDICAL MALPRACTICE ACTIONS. (a)
11 In a medical malpractice action it is unlawful for the attorney for the
12 plaintiff to charge his client a fee greater than the following amounts:

13 (1) 33-1/3 per cent of the first \$100,000 awarded the plain-
14 tiff;

15 (2) 25 per cent of the amount awarded the plaintiff which is
16 over \$100,000 but under \$300,000; and

17 (3) 18 per cent of the amount awarded the plaintiff which is
18 over \$300,000.

19 (b) If a decision in a medical malpractice action is appealed, the
20 court on appeal may increase the fees for the plaintiff's attorney.

21 (c) An attorney who violates (a) of this section is guilty of a
22 misdemeanor, and upon conviction is punishable by a fine of not more
23 than \$1,000, or by imprisonment for not more than one year, or by both.

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