

HB

293

0-LS1144H
Ford
2/3/98

CS FOR SPONSOR SUBSTITUTE FOR HGOUSE BILL NO. 293()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVE PORTER

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to collection of settlement information in civil litigation; and
2 providing for an effective date."

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

4 * Section 1. AS 09.68.130(c) is amended to read:

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

7 (1) divorce and dissolution;

8 (2) adoption, custody, support, visitation, and emancipation of children;

9 (3) children-in-need-of-aid cases under AS 47.10 or delinquent minors
10 cases under 47.12;

11 (4) domestic violence protective orders under AS 18.66.100 -
12 18.66.180;

13 (5) estate, guardianship, and trust cases filed under AS 13;

14 (6) small claims under AS 22.15.040;

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- (7) forcible entry and detainer cases;
- (8) administrative appeals;
- (9) motor vehicle impound or forfeiture actions under municipal ordinance.

* Sec. 2. AS 09.68.130 is amended by adding a new subsection to read:

(d) A party to a civil case, except a civil case described in (c) of this section, or, if the party is represented by an attorney, the party's attorney shall submit the information described in (a) of this section to the Alaska Judicial Council. The information must be submitted within 30 days after the case is finally resolved as to that party and on a form specified by the Alaska Judicial Council.

* Sec. 3. APPLICABILITY. This Act applies to a compromise or settlement of civil litigation that occurs on or after the effective date of this Act.

* Sec. 4. This Act takes effect immediately under AS 01.10.070(c).



COPY

alaska judicial council

1029 W. Third Avenue, Suite 201, Anchorage, Alaska 99501-1969 (907) 279-2526 FAX (907) 276-5046
http://www.ajc.state.ak.us E-Mail: postmaster@ajc.state.ak.us

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Warren W. Matthews
Chief Justice
Supreme Court

February 2, 1998

BY FAX: 465-3834

Representative Brian Porter
Capital Building, Room 216
Juneau, AK 99801

Dear Representative Porter:

Jim Sourant asked me for my opinion on whether Workers Compensation administrative appeals should be excluded from the civil case data reporting requirement. My inclination would be to exclude these administrative appeals along with other administrative appeals.

To the extent you are interested in Workers Comp cases generally, there are already reporting requirements which provide substantial data, including data on attorneys' fees. Any information we could collect would be limited to part (the administrative appeal part) of some Workers Comp cases (the ones which are appealed.) The extra information would probably not be particularly helpful in understanding the Workers Comp system as a whole.

On the other hand, if your (or the legislature's) interest is specifically on Workers Comp appeals, it probably makes sense to have us collect the data.

Please feel free to give me a call if you have any questions.

Very truly yours,

William T. Cotton
Executive Director



FACSIMILE TRANSMISSION COVER SHEET

TORT Section
1031 W. 4TH AVE.
SUITE 200

ANCHORAGE, AK 99501

PHONE: (907) 269-5190

FAX: (907) 258-0760

DATE: 1/29/98

TO: THE HONORABLE JOE GREEN

FAX: (907) 465-4316

FROM: GAIL VOIGTLANDER

*Kevin -
Hearing (JMD)
Jan. 30*

NUMBER OF PAGES INCLUDING THIS SHEET: 3

MESSAGE: _____

The information contained in this FAX is confidential and/or privileged. This FAX is intended to be reviewed initially by only the individual named above. If the reader of this TRANSMITTAL PAGE is not the intended recipient or a representative of the intended recipient, you are hereby notified that any review, dissemination, or copying of this FAX or the information contained herein is prohibited. If you have received this FAX in error, please immediately notify the sender by telephone and return this FAX to the sender at the above address. Thank you.

**PLEASE INFORM US IMMEDIATELY
IF YOU DO NOT RECEIVE THIS TRANSMISSION IN FULL
(907) 269-5190 ASK FOR: SANDY**

PLEASE REPLY TO:

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ANCHORAGE, ALASKA 99501-1994
PHONE: (907) 269-5100
FAX: (907) 276-3697

KEY BANK BUILDING
100 CUSHMAN ST., SUITE 400
FAIRBANKS, ALASKA 99701-4679
PHONE: (907) 451-2811
FAX: (907) 451-2846

P.O. BOX 110300-DIMOND COURT HOUSE
JUNEAU, ALASKA 99811-0300
PHONE: (907) 465-3600
FAX: (907) 465-6735

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

January 29, 1998

The Honorable Brian Porter
Alaska House of Representatives
State Capitol
Juneau, Alaska 99801-1182

Re: SSHB 293: Collection of settlement
information in civil litigation

Dear Representative Porter:

On behalf of the Department of Law, I have been asked to provide comments to you on SSHB 293 concerning the reporting of certain information to the Alaska Judicial Council regarding certain civil actions. I understand that the purpose of the bill is to fine-tune the reporting requirements of HB 58.

While the bill presents no legal issues, there are some practical problems that may affect the implementation of it that you may wish to address. Those problems are:

1. **Retroactivity provision** - If enacted into law, the bill would require reporting of settlement information retroactive to August 7, 1997. It may be difficult to ensure full compliance with this provision, because the court likely has already acted on the dismissal of the case and the attorney has likely closed the file and turned attention to other matters. Since the attorney was not required to file the settlement information at time of dismissal for these cases, it may be difficult to retroactively obtain a complete reporting to make any meaningful conclusions on settlement activity for these cases from August 4, 1997 to the date of enactment of the bill. You may wish to consider removing the retroactive provision and making the provision effective immediately.

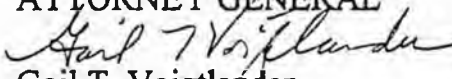
I have discussed this matter with Mr. Cotton, the executive director of the Alaska Judicial Council. Mr. Cotton has indicated that making this reporting provision effective immediately, rather than retroactive, should not significantly impact the integrity of the data being reported.

(2) Reporting of appeals from decisions of the Alaska Worker's Compensation Board - Reports of appeal information, as well as payments and attorneys fees, on workers's compensation cases are generally supplied to the Alaska Worker's Compensation Board under AS 23.30.155. The board provides an annual report aggregating the information, which is available to the public. There is a cost to the public to submit the information again to the Alaska Judicial Council. Could the Alaska Judicial Council just use this aggregate report to obtain the needed information for worker's compensation cases? If so, the additional reporting requirements could be deleted. A statutory change would not be required for the Alaska Judicial Council to have access and be able to use this publicly available document.

If you have questions or need further information, please let me know.

Sincerely,

BRUCE M. BOTELHO
ATTORNEY GENERAL


By: Gail T. Voigtlander
Assistant Attorney General

BMB:GTV:jn

cc: Pat Pourchot, Legislative Director
Office of the Governor

William T. Cotton
Executive Director
Alaska Judicial Council

HOUSE COMMITTEE REPORT

(7)
Date Referred to Committee: January 20, 1998

FURTHER REFERRALS:

Date of Committee Action: 2/16/98

The JUDICIARY Committee considered:

SSHB 293

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 293 PERSONS REQUIRED TO FILE SETTLEMENT INFO

"An Act relating to collection of settlement information in civil litigation; and providing for an effective date."

recommends it be replaced with the following committee substitute CS HB 293 (Jud) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) APPROVES PREVIOUS: (Dept/Date)

fiscal note(s) _____ fiscal note(s) _____
 zero fiscal note(s) Admin zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
<i>[Signature]</i>	<input checked="" type="checkbox"/>			

CHAIR'S SIGNATURE *[Signature]*

FISCAL NOTE

STATE OF ALASKA
1998 LEGISLATIVE SESSION

BILL NO. SSBH 293

Revision Date: _____
 Title: "An Act relating to collection of settlement information in civil litigation; and providing for an effective date."
 Sponsor: Rep. Porter
 Requestor: (H) JUD

Department Affected: Administration
 BRU: Risk Management
 Component: Risk Management
 COMPONENT SERIAL NO. 0071

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 98) cost: \$ none

POSITIONS:

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME	0.0	0.0	0.0	0.0	0.0	0.0
TEMPORARY	0.0	0.0	0.0	0.0	0.0	0.0

ANALYSIS: (Attach a separate page if necessary.)

There is no fiscal impact on the Division of Risk Management.

Bill adds reporting requirement to the Alaska Judicial Council upon the settlement of any civil case (excluding those explicitly exempt), retroactive to August 7, 1997.

Required information is retrievable from existing records.

Prepared by: J. Brad Thompson, Director
 Division: Risk Management

Phone: 465-5723
 Date: _____

Approved by Commissioner: Mark Boyer
 Agency: Department of Administration

Date: 1/28/98

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Alaska State Legislature



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House Majority Leader

State Capitol
Juneau, AK 99801-1182
(907) 465-3718

JANUARY 15, 1998

SPONSOR STATEMENT

FOR

HB 293 COLLECTION OF SETTLEMENT AND OTHER DATA IN
CIVIL CASES AND PROVIDING FOR AN EFFECTIVE DATE

Last session the Tort Reform bill was enacted into law. One section of the Tort Reform law requires the collection of settlement and other data in certain civil litigation cases.

The necessity of four minor "housekeeping" amendments has now become apparent. The first makes mandatory the reporting of such data by attorneys and persons representing themselves. Apparently some individuals have interpreted the data collection provisions of the Tort Reform law to be optional, and not mandatory. This amendment will make clear the mandatory nature of those reporting requirements, in order to ensure that accurate statistics will be compiled. Information must be submitted within 30 days after the final appeal of all covered cases.

Second, the effective date as to the collection of settlement and other data needs to be changed to make clear the reporting requirements apply to all applicable civil litigation cases which are closed after the effective date of the Tort Reform law. Although the substantive tort reforms only apply to causes of action which occur on or after the effective date of the Tort Reform law, HB 293 will make it clear that the reporting requirements apply to the appropriate civil cases which close after the effective date of the Tort Reform law. Late filed information because of this change shall be filed within 30 days of the effective date of HB 293.

Third, 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 Act excluded Divorce and other cases from the reporting requirements. This amendment adds several other types of cases which should be excluded.

Alaska State Legislature



Official Business

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State Capitol
Juneau, AK 99801-1182
(907) 465-3718

JANUARY 15, 1998

SECTIONAL ANALYSIS

OF

HB 293

COLLECTION OF SETTLEMENT AND OTHER DATA IN CERTAIN CIVIL
CASES AND PROVIDING FOR AN EFFECTIVE DATE.

Section 1 of this bill adds to the list of cases which are excluded from the reporting requirements of AS 09.68.130(c) the following cases: forcible entry and detainer actions, administrative appeals other than those from the Alaska Workers' Compensation Board, and municipal code motor vehicle impound and forfeiture actions.

Section 2 of this bill makes clear that attorneys and persons representing themselves in certain civil litigation cases are under a mandatory duty to furnish settlement and other data to the Alaska Judicial Council within 30 days after the case is finally resolved as to that party on a form specified by the Alaska Judicial Council.

Section 3 is a grace period provision which allows delinquent reports to be filed within 30 days of the effective date of HB 293.

Section 4 of this bill retroactively establishes an effective date as to the reporting requirements for all covered cases which close after August 7, 1998, the effective date of the Tort Reform law, irrespective of the fact that the cause of action upon which the report is based arose prior to August 7, 1998.

Section 5 makes HB 293 effective immediately upon enactment into law under AS 01.10.070(c).



alaska judicial council

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http://www.ajc.state.ak.us E-Mail: porter@ajc.state.ak.us

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Chief Justice
Supreme Court

September 26, 1997

Representative Brian Porter
716 W. 4th Ave.
Anchorage, AK 99501-2133

RE: Collection of Civil Case Data Effective Date

Dear Brian:

I am writing to keep you informed about the Council's collection of civil case data under the tort reform legislation. (The letter to attorneys and the form are attached.) I would recommend a legislative change which would exclude administrative appeals to superior court and forcible entry and detainer cases (FED). More importantly, I believe the Act's effective date may cause some problems.

The act's effective date is August 7, 1997. However section 55 of the act indicates that the changes only apply to causes of action that accrue on or after that date:

Sec. 55. APPLICABILITY. This Act applies to causes of action accruing on or after the effective date of this Act.

Section 1, which describes the legislative intent of the act, also states that the act only applies to causes of action that accrue on or after the effective date:

Sec. 1. LEGISLATIVE INTENT. In enacting this bill, it is the intent of this legislature as a matter of public policy to

* * * *

Brian Porter
Page 2
September 12, 1997

(11) ensure that this Act does not apply to or in any way have an effect on existing litigation or a civil cause of action that accrues before the effective date of this Act; it is the specific intent of the legislature that this Act not apply to or in any way have an effect on *In Re Exxon Valdez*, A89-0095 Civ. (D. Alaska) or any other federal admiralty action now or in the future.

These provisions do not distinguish between rule changes made by the act and changes to substantive law. Given this legislative language, the Supreme Court added the language referring to causes of actions accruing after the effective date to the court rules changes made in the legislation.

Unfortunately, from a data gathering perspective we would like attorneys to begin sending us the civil case data for all cases that close after the effective date of the act. Otherwise, it will be years before we get useful data. For this reason, we loosely interpreted the reporting requirement in our letter to attorneys (and implicitly in the form itself) to apply to all cases closed August 8, 1997 or later. I believe the legislature wished us to gather data immediately even if the exact legislative language seems to lead to a different conclusion.

We hope to get a significant number of forms immediately (some have already come in), but I anticipate non-compliance with the reporting requirement will be higher because of the effective date problem. We have had quite a few inquiries on this point, including complaints about our interpretation. I would like to ask you to consider adding a specific effective date for the reporting requirement to the added language I previously suggested. The effective date for the reporting requirement could be set retroactively to August 7, 1997 (or perhaps better to whenever the amendment goes into effect).

Thank you for your assistance.

Very truly yours,



William T. Cotton
Executive Director

WTC:sl

Attachment



alaska judicial council

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http://www.ajc.state.ak.us E-Mail: 72302.1261@compuserve.com

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CHAIRMAN, EX OFFICIO
Allen T. Compton
Chief Justice
Supreme Court

Representative Brian Porter
State Capitol
Room 216
Juneau, AK 99801-1182

RE: Collecting Civil Case Data

Dear Representative Porter:

Thank you for your time and suggestions at our recent meeting. You recommended that I suggest a statutory change which would impose a general requirement on attorneys (and pro se parties) to send to the Council the civil case data we are required to collect under the tort reform legislation. I suggest adding a new paragraph (d) to A.S. 09.68.130:

(d) An attorney representing a party in a civil case not excluded under paragraph (c), and any pro se party to such a civil case, shall submit to the Alaska Judicial Council the information required under paragraph (b). The information must be submitted on a form specified by the Judicial Council within 30 days of the resolution of the civil case as to that party.

I have attached the full version of the statute. Thanks for your help.

Very truly yours,

William T. Cotton
Executive Director

WTC:sl

Attachment

P.S. I was able to make room on the case data form to add the items you suggested (non-economic + % judgm. covered by liability ins) Will

Amend AS 09.68.130 to add a new paragraph (d) [(a)-(c)] included without change.

Sec. 09.68.130. Collection of settlement information. (a) Except as provided in (c) of this section, the Alaska Judicial Council shall collect and evaluate information relating to the compromise or other resolution of all civil litigation. The information shall be collected on a form developed by the council for that purpose and must include

- (1) the case name and file number;
- (2) a general description of the claims being settled;
- (3) if the case is resolved by way of settlement,
 - (A) the gross dollar amount of the settlement;
 - (B) to whom the settlement was paid;
 - (C) the dollar amount of advanced costs and attorney fees that were deducted from the gross dollar amount of the settlement before disbursement to the claimant;
 - (D) the net amount actually disbursed to the claimant;
 - (E) the total costs and attorney fees paid by or owed by all parties; and
 - (F) any nonmonetary terms, including whether the attorney fees incurred by the claimant were based on a contingent fee agreement or upon an hourly rate; if a contingent fee was paid, the percentage of the total settlement represented by the fee must be included; or, if an hourly rate, the hourly rate paid;
- (4) if the case is resolved by dismissal, summary judgment, trial, or otherwise,
 - (A) the gross dollar amount of the judgment;
 - (B) the amount of attorney fees awarded and to which party;
 - (C) the amount of costs awarded and to which party;
 - (D) the net amount, after deduction of (B) and (C) of this paragraph, for which the prevailing party has judgment;
 - (E) the dollar amount of advanced costs and attorney fees that were deducted from the gross dollar amount of the judgment before distribution to the claimant;
 - (F) the total costs and attorney fees paid by defending parties; and
 - (G) any nonmonetary terms, including whether the attorney fees incurred by the claimant were based on a contingent fee agreement or upon an hourly rate; if a

contingent fee was paid, the percentage of the total settlement represented by the fee must be included; or, if an hourly rate, the hourly rate paid.

(b) The information received by the council under (a) of this section is confidential. This restriction does not prevent the disclosure of summaries and statistics in a manner that does not allow the identification of particular cases or parties.

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

- (1) divorce and dissolution;
- (2) adoption, custody, support, visitation, and emancipation of children;
- (3) children-in-need-of-aid cases under AS 47.10 or delinquent minors cases under 47.12;
- (4) domestic violence protective orders under AS 18.66.100 - 18.66.180;
- (5) estate, guardianship, and trust cases filed under AS 13;
- (6) small claims under AS 22.15.040.

(d) An attorney representing a party in a civil case, not excluded under paragraph (c) and any pro se party to such a civil case, shall submit to the Alaska Judicial Council the information required under paragraph (b). The information must be submitted on a form specified by the Judicial Council within 30 days of the resolution of the civil case as to that party.

Information About the Resolution of Civil Cases

Send to Judicial Council:
Not Court

Complete Both Sides
Confidential

Attorneys/parties must submit the information contained in this form upon the resolution (whether by dismissal, settlement, final judgment, etc.) of most civil cases in Alaska state courts. See AS 09.68.138; Civil Rule 41(a)(3); Appellate Rule 511(e). Complete all the information on both sides of this page. The only excluded civil case types are:

- divorce and dissolution;
- adoption, custody, support, visitation, and emancipation of children;
- children-in-need-of-aid cases under 47.10 or delinquent minors cases under 47.12;
- domestic violence protective orders under AS 18.66.100-18.66.180;
- estate, guardianship, and trust cases filed under AS 13; and
- small claims under AS 22.15.040

The information collected in this form is confidential and will be used for the sole purpose of compiling statistics and summaries in a manner that does not allow the identification of particular cases or parties. AS 09.68.130(b).

Trial Court Case Number (use all caps)

Case Name (use all caps)

_____ - _____ - _____ C I _____
 v. _____

Case Type (check all applicable)

<input type="radio"/> Medical Malpractice	<input type="radio"/> Property Damage - Other
<input type="radio"/> Legal Malpractice	<input type="radio"/> Employment
<input type="radio"/> Other Malpractice	<input type="radio"/> FED
<input type="radio"/> Personal Injury - Auto	<input type="radio"/> Debt
<input type="radio"/> Personal Injury - Premises	<input type="radio"/> Administrative Review
<input type="radio"/> Personal Injury - Product	<input type="radio"/> Other Business Dispute
<input type="radio"/> Personal Injury - Other	<input type="radio"/> Other Civil
<input type="radio"/> Property Damage - Auto	

Date Filed:
 ____ / ____ / ____

Date Disposed:
 ____ / ____ / ____

Relief Sought (check all applicable)

- Compensatory: Actual
- Compensatory: Non-Economic
- Punitive
- Costs/Attorney Fees
- Injunctive Relief

Total Judgment/Settlement
 \$ _____⁰⁰

% of Judgment Covered by Liability Insurance
 _____%

Disposition: (pick one)

- Dismissed
- Settlement
- Final Judgment

Disposition After? (check all applicable)

- Bench Trial
- Jury Trial
- Appeal Filed Appeal # _____

Non-Economic Award _____⁰⁰

Punitive Award \$ _____⁰⁰

Declaratory Relief Award? Yes No

Notes

Did you use Alternative Dispute Resolution?

- Mediation
- Arbitration
- Early Neutral Evaluation

Did your case settle as a result of ADR?

Yes No

Send the completed form to:
 Alaska Judicial Council
 1029 West Third Avenue
 Suite 201
 Anchorage, AK 99501

See the Council's home page at <http://www.ajc.state.ak.us> or call the Council at (907) 279-2526 for copies of the form. You can also pick up copies of the form at any court clerk's office. E-mail bill@ajc.state.ak.us with questions.

Do not fill in: for AJC use only.

_____ - 9 _____

Each party, including pro se parties, must complete the information requested below. Use a second form for more than three parties.

60442

Do not fill in: for AJC use only.

					-	9	
--	--	--	--	--	---	---	--

The Party's Own Fees and Costs

Attorney Fees/Costs for - payable to this Party by Another Party; or Against this Party to Another Party

Party Name/Type (fill in line for each party filing this form)	Fee Type	Percent of Judgment if contingent; hourly rate if hourly ³	Total (of the party's own) Attorney Fees	Total (of the party's own) Costs	Gross Judgment/Settlement (for or against this party) including Attorney Fees and Costs	Attorney Fees Awards ⁵	Costs Awards ⁵	Total money to Client after all Fees/Costs ⁴ Deducted (if any)
First Name (all caps) _____ Last _____ <input type="radio"/> Plaintiff/Petitioner <input type="radio"/> Defendant/Respondent <input type="radio"/> Other (specify below) _____	<input type="radio"/> Contingent <input type="radio"/> Hourly <input type="radio"/> Flat Fee <input type="radio"/> In-house <input type="radio"/> Legal Svcs. <input type="radio"/> Pro Se <input type="radio"/> Other	_____ % of Judgment Or \$ _____ /hr. if hourly	\$ _____ ⁰⁰	\$ _____ ⁰⁰	\$ _____ ⁰⁰	Not Separable? <input type="radio"/> For \$ _____ ⁰⁰ Against \$ _____ ⁰⁰	Not Separable? <input type="radio"/> For \$ _____ ⁰⁰ Against \$ _____ ⁰⁰	\$ _____ ⁰⁰
First Name (all caps) _____ Last _____ <input type="radio"/> Plaintiff/Petitioner <input type="radio"/> Defendant/Respondent <input type="radio"/> Other (specify below) _____	<input type="radio"/> Contingent <input type="radio"/> Hourly <input type="radio"/> Flat Fee <input type="radio"/> In-house <input type="radio"/> Legal Svcs. <input type="radio"/> Pro Se <input type="radio"/> Other	_____ % of Judgment Or \$ _____ /hr. if hourly	\$ _____ ⁰⁰	\$ _____ ⁰⁰	\$ _____ ⁰⁰	Not Separable? <input type="radio"/> For \$ _____ ⁰⁰ Against \$ _____ ⁰⁰	Not Separable? <input type="radio"/> For \$ _____ ⁰⁰ Against \$ _____ ⁰⁰	\$ _____ ⁰⁰
First Name (all caps) _____ Last _____ <input type="radio"/> Plaintiff/Petitioner <input type="radio"/> Defendant/Respondent <input type="radio"/> Other (specify below) _____	<input type="radio"/> Contingent <input type="radio"/> Hourly <input type="radio"/> Flat Fee <input type="radio"/> In-house <input type="radio"/> Legal Svcs. <input type="radio"/> Pro Se <input type="radio"/> Other	_____ % of Judgment Or \$ _____ /hr. if hourly	\$ _____ ⁰⁰	\$ _____ ⁰⁰	\$ _____ ⁰⁰	Not Separable? <input type="radio"/> For \$ _____ ⁰⁰ Against \$ _____ ⁰⁰	Not Separable? <input type="radio"/> For \$ _____ ⁰⁰ Against \$ _____ ⁰⁰	\$ _____ ⁰⁰

³ Round all money amounts to the nearest dollar.
⁴ "Costs" as used on this form is limited to litigation costs (excluding attorney fees) and does not include such things as medical expenses.
⁵ If attorney fees/costs are not separable from the gross judgment (usually the case in settlements), check this box and go to the next item.

Signature (of attorney, or party if no attorney) _____

Printed Name (of attorney, or party if no attorney)(all caps) _____

Date / / _____

Telephone Number _____

KEVIN

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 293
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTIETH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE PORTER

Introduced:
Referred:

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to collection of settlement information in civil litigation; and
2 providing for an effective date."

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

4 * Section 1. AS 09.68.130(c) is amended to read:

5 (c) The requirements of (a) of this section do not apply to the following types
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10 cases under 47.12;
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12 18.66.180;
- 13 (5) estate, guardianship, and trust cases filed under AS 13;
- 14 (6) small claims under AS 22.15.040;

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1 (7) forcible entry and detainer cases;

2 (8) administrative appeals, excluding appeals from a decision of the
3 Alaska Workers' Compensation Board;

4 (9) motor vehicle impound or forfeiture actions under municipal
5 ordinance.

6 * Sec. 2. AS 09.68.130 is amended by adding a new subsection to read:

7 (d) A party to a civil case, except a civil case described in (c) of this section,
8 or, if the party is represented by an attorney, the party's attorney shall submit the
9 information described in (a) of this section to the Alaska Judicial Council. The
10 information must be submitted within 30 days after the case is finally resolved as to
11 that party and on a form specified by the Alaska Judicial Council.

12 * Sec. 3. TRANSITION. Notwithstanding sec. 2 of this Act, a party or, if a party is
13 represented by an attorney, a party's attorney who is required to provide information relating
14 to a compromise or settlement of civil litigation that occurred before the effective date of this
15 Act has 30 days from the effective date of this Act to submit the information required under
16 sec. 2 of this Act.

17 * Sec. 4. Sections 1 and 2 of this Act are retroactive to August 7, 1997.

18 * Sec. 5. This Act takes effect immediately under AS 01.10.070(c).

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 293(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered:

Referred:

Sponsor(s): REPRESENTATIVE PORTER

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to collection of settlement information in civil litigation; and**
2 **providing for an effective date."**

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

4 *** Section 1. AS 09.68.130(c) is amended to read:**

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

7 (1) divorce and dissolution;

8 (2) adoption, custody, support, visitation, and emancipation of children;

9 (3) children-in-need-of-aid cases under AS 47.10 or delinquent minors
10 cases under 47.12;

11 (4) domestic violence protective orders under AS 18.66.100 -
12 18.66.180;

13 (5) estate, guardianship, and trust cases filed under AS 13;

14 (6) small claims under AS 22.15.040;

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- 1 (7) forcible entry and detainer cases;
2 (8) administrative appeals;
3 (9) motor vehicle impound or forfeiture actions under municipal
4 ordinance.

5 * Sec. 2. AS 09.68.130 is amended by adding a new subsection to read:

6 (d) A party to a civil case, except a civil case described in (c) of this section,
7 or, if the party is represented by an attorney, the party's attorney shall submit the
8 information described in (a) of this section to the Alaska Judicial Council. The
9 information must be submitted within 30 days after the case is finally resolved as to
10 that party and on a form specified by the Alaska Judicial Council.

11 * Sec. 3. APPLICABILITY. This Act applies to a compromise or settlement of civil
12 litigation that occurs on or after the effective date of this Act.

13 * Sec. 4. This Act takes effect immediately under AS 01.10.070(c).