

Session 116 - (2005-2006)

S 0037 General Bill, By Richardson

Summary: Frivolous Law Suits

A BILL TO AMEND SECTION 15-36-10 OF THE 1976 CODE, RELATING TO LIABILITY FOR ATTORNEY'S FEES AND COSTS OF FRIVOLOUS SUITS, TO REQUIRE THE SIGNATURE OF AN ATTORNEY OR PRO SE LITIGANT ON ALL PLEADINGS AND OTHER DOCUMENTS FILED IN A CIVIL OR ADMINISTRATIVE ACTION, TO PROVIDE THAT THE SIGNATURE CONSTITUTES CERTIFICATION THAT THE ACTION IS NOT FRIVOLOUS OR INTERPOSED FOR DELAY, AND TO PROVIDE FOR SANCTIONS; TO AMEND CHAPTER 36, TITLE 15 BY ADDING SECTION 15-36-100, TO PROVIDE THAT IN ALL ACTIONS ALLEGING PROFESSIONAL NEGLIGENCE, THE PLAINTIFF MUST FILE AN AFFIDAVIT THAT MUST SPECIFY AT LEAST ONE NEGLIGENT ACT OR OMISSION CLAIMED TO EXIST AND THE FACTUAL BASIS FOR EACH CLAIM; AND TO REPEAL SECTIONS 15-36-20, 15-36-30, 15-36-40, AND 15-36-50.

12/08/04 Senate Prefiled

12/08/04 Senate Referred to Committee on Judiciary

01/11/05 Senate Introduced and read first time SJ-99

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