



General Assembly

January Session, 2005

Raised Bill No. 6817

LCO No. 3854

03854_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT REQUIRING SPECIFIC FINDINGS OF DAMAGES IN JURY VERDICTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 52-225d of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2005, and applicable to findings made on or after October 1, 2005*):

4 (a) In any civil action wherein the claimant seeks to recover
5 damages resulting from personal injury, wrongful death or damage to
6 property occurring on or after October 1, 1987, and wherein liability is
7 admitted or determined by the trier of fact, the court shall proceed to
8 enter judgment as follows: (1) The trier of fact shall make separate
9 findings for each claimant [specifying the amount of any economic
10 damages and] and shall separately indicate the amount of any
11 noneconomic damages, as defined in [subsection (a) of] section 52-
12 572h, and economic damages, as defined in section 52-572h, and shall
13 separately indicate the amount of economic damages attributable to
14 the cost of (A) reasonable and necessary medical care, (B) rehabilitative
15 services, (C) custodial care, (D) loss of earnings or earning capacity,
16 and (E) any other loss relied on by the trier of fact to determine

17 economic damages. (2) The court shall take into account any applicable
18 findings made by the court or jury and shall specify for each claimant
19 the amount of recoverable economic damages and recoverable
20 noneconomic damages, as defined in subsection (a) of section 52-572h.
21 (3) The court shall enter judgment in a lump sum for all such
22 recoverable economic damages and recoverable noneconomic damages
23 up to an aggregate of two hundred thousand dollars. If the amount of
24 such damages remaining is in excess of two hundred thousand dollars,
25 the court shall provide the parties sixty days to negotiate and consent
26 to an agreement to be incorporated into an amended judgment to
27 provide for the payment of all such damages remaining in excess of
28 two hundred thousand dollars in a lump sum or in periodic
29 installment payments or in any combination thereof without regard to
30 the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2005, and applicable to findings made on or after October 1, 2005</i>	52-225d(a)

Statement of Purpose:

To require the trier of fact in personal injury actions to specify in any damages award the amount of damages attributable to economic and noneconomic damages, including, but not limited to, medical expenses, lost wages and pain and suffering.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]