



Raised Bill 1384  
Public Hearing: 3-12-07

TO: MEMBERS OF THE JUDICIARY COMMITTEE  
FROM: CONNECTICUT TRIAL LAWYERS ASSOCIATION (CTLA)  
DATE: MARCH 12, 2007

**RE: SUPPORT OF RAISED BILL 1384 – AN ACT CONCERNING THE TOLLING OF  
THE STATUTE OF LIMITATIONS IN WRONGFUL DEATH CASES**

The CTLA **supports bill 1384**, and respectfully contends that the bill should be passed.

This law would extend the automatic ninety-day extension of the statute of limitations granted under Sec. 52-190a of the general statutes to personal injury and wrongful death cases.

The automatic extension of the statute of limitations was granted to allow plaintiffs bringing medical malpractice claims additional time to obtain a good faith certificate. It is the position of the CTLA that there are legitimate reasons to grant this automatic extension of the statute of limitations in other cases.

- While there is no requirement of a certificate in wrongful death cases, there are often other delays experienced which may cause a statute of limitations to toll through no fault of the injured party, such as waiting for an executor to be appointed. This becomes a particularly lengthy process when different states are involved in the process. Also, it has become increasingly difficult to obtain police reports in a timely manner, which may delay the ability to ascertain who the tortfeasor is.
- **This would not allow a plaintiff to bring a claim outside the existing statute of limitations.** This proposal would only extend the statute of limitations upon petition to the clerk within the normal time frame of the underlying statute of limitations. If the statute of limitations for a cause of action were two years, the plaintiff would have to request the extension within that two-year time frame.

The CTLA contends that extending this automatic extension of the statute of limitations upon petition to the court is a reasonable measure to ensure that innocent victims are ensured proper recovery for their injuries.

**WE RESPECTFULLY URGE YOU TO SUPPORT RAISED BILL 1346. Thank you.**