

House of Representatives, April 7, 1998. The Committee on Judiciary reported through REP. LAWLOR, 99th DIST., Chairman of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING TERMINALLY ILL LITIGANTS.

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

1 (NEW) (a) Any civil action to which a
2 terminally ill person is a party shall be
3 privileged in assignment for trial. For the
4 purpose of this section, "terminally ill" means in
5 the final stage of an incurable or irreversible
6 medical condition which will result in death
7 within a relatively short time, in the opinion of
8 the attending physician.
9 (b) The judges of the Superior Court may, in
10 accordance with the provisions of section 51-14 of
11 the general statutes, adopt rules for the
12 precedence of actions pursuant to this section.

13 JUD COMMITTEE VOTE: YEA 37 NAY 0 JF

* * * * *

"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

* * * * *

FISCAL IMPACT STATEMENT - BILL NUMBER HB 5741

STATE IMPACT	None
MUNICIPAL IMPACT	None
STATE AGENCY(S)	Judicial Department

* * * * *

OLR BILL ANALYSIS

HB 5741

AN ACT CONCERNING TERMINALLY ILL LITIGANTS

SUMMARY: This bill adds civil cases involving terminally ill litigants to the cases that are privileged in assignment for trial. A terminally ill litigant is an individual in the final state of an incurable or irreversible medical condition that will result in death within a relatively short time, in the opinion of the attending physician. The bill authorizes the Superior Court judges to adopt rules for precedence for these cases. Current law qualifies cases in a number of categories for privileged assignment and court rules allow a case to be assigned for an immediate trial on a showing of extraordinary circumstances, but terminally ill litigants do not fit into any of these categories.

EFFECTIVE DATE: October 1, 1998

BACKGROUND

Privileged Cases

The law provides for privileged assignment of a number of types of cases including appeals from probate, actions where the essential claim is an injunction, remands from the Supreme and Appellate courts for new trials, habeas corpus proceedings, and actions with a party who is over the age of 65 or reaches 65 while the action is pending. Civil actions by or on behalf of the state have precedence over other civil actions.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Report
Yea 37 Nay 0