

HOUSE BILL 835

By Carter

AN ACT to amend Tennessee Code Annotated, Title 16;
Title 19; Title 20; Title 21; Title 22; Title 24 and
Title 40, relative to litigation reform.

WHEREAS, the general assembly recognizes that the cost of litigation has become prohibitive to the average citizen, limiting access to the courts; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1.

(a) There is established a commission to study and recommend possible reforms to the civil litigation process, which shall be named the civil justice reform commission.

(b) The commission shall have the following members:

(1) Three (3) members to be appointed by the speaker of the senate;

(2) Three (3) members to be appointed by the speaker of the house of representatives;

(3) Three (3) members to be appointed by the governor; and

(4) Three (3) members to be appointed by the chief justice of the supreme court.

(c)

(1) The administrative office of the courts shall set the date of the first meeting. At the organizational meeting, the commission shall elect a chair, vice chair, and secretary from the commission's membership.

(2) Members of the commission are volunteers and shall serve without pay, except that nonlegislative members may be reimbursed for travel expenses

in accordance with travel regulations promulgated by the commissioner of finance and administration and approved by the attorney general and reporter. Members of the general assembly shall be compensated in accordance with the provisions of § 3-1-106.

(d) The commission is authorized to request and receive assistance from the administrative office of the courts or any other department, agency, or entity of state government.

(e) The commission is directed to:

(1) Study and consider possible reforms and improvements to the civil litigation system, including, but not limited to, the following issues:

(A) Reducing the cost of the discovery process;

(B) Increasing accessibility to the civil justice system for working and middle-class citizens; and

(C) Drawing possible distinctions between simple and complex litigation;

(2) Hold a public meeting at least once in each of the grand divisions to take comments from interested members of the public;

(3) Interview appropriate persons with knowledge of the civil court system including judges, attorneys, and current and former parties to civil litigation; and

(4) Develop and report recommendations for improvements to the civil litigation system.

(f) The commission is directed to submit a report of its findings and recommendations, including any suggested legislation, to the civil justice committee of the house of representatives, the senate judiciary committee, the governor, and the supreme court no later than January 1, 2016.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring

it.