



ILLINOIS

10/10/86

CC: ICIC
steering
committee
Bill Dart

cc: John Seymour
KB

October 8, 1986

MEMORANDUM

To: Bill Dart

From: Sally Whalen

SUBJECT: GOVERNOR'S TORT REFORM PACKAGE

Eric Brenner called to inform I.M.A. and ICIC that he has sent the package of tort reform bills to the Reference Bureau for drafting on behalf of the Governor. In addition to compiling the package of bills, Eric will be meeting with Kirk Dillard and Jim Reilly this week to discuss legislative strategy, and will also meet with Roger Sweet and Chris Freveletti to discuss strategy, sponsorship, and the bills themselves.

Here are the bills being drafted:

1. \$250,000 non-economic cap.
2. Contingency fee scale same as we used.
3. Itemized verdicts and structured verdict bill (from Medical Malpractice Act).
4. Joint and several liability - strike the provisions of SB 1200 and replace with an elimination of joint and several.
5. Collateral source rule - keep the language in SB 1200 and add that jury be made aware of all collateral sources involved.
6. Modify comparative - keep SB 1200 and insert the word "no" so that no jury instruction can be allowed.
7. Punitive damages - retain SB 1200 language and add that punitive damages cannot surpass amounts awarded for economic loss and the Act must have been intentional with malice and reckless disregard.

These are just the first drafts and Eric will get us the bills as soon as they come back from the Reference Bureau. We can contact him at any time for further information.

/s/
492.1A

Fri 1:30 PM
Jim Reilly

RECEIVED

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A. G. C. OF ILLINOIS