

Bill No. CS for SB 2-B

Amendment No. ____ Barcode 835280

CHAMBER ACTION

Senate

House

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Senator Fasano moved the following amendment:

Senate Amendment (with title amendment)

On page 136, between lines 6 and 7,

insert:

Section 63. Section 766.2061, Florida Statutes, is created to read:

766.2061 Repeated filing of frivolous claims or defenses.--

(1) An attorney against whom sanctions have been imposed three or more times within a 5-year period under s. 57.105 by a court in this state, or who has had three or more similar sanctions for frivolous claims or defenses imposed upon him or her by a court of another state, may not file an action for medical malpractice on behalf of any client or defend a medical malpractice action on behalf of any client in this state.

(2) The Legislature requests that the Florida Supreme Court establish criteria that disqualify attorneys who have been found to have repeatedly filed frivolous claims or

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1 defenses in medical malpractice actions consistent with
2 subsection (1) from filing and defending medical malpractice
3 claims.

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5 (Redesignate subsequent sections.)
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7
8 ===== T I T L E A M E N D M E N T =====

9 And the title is amended as follows:

10 On page 15, line 1, after the semicolon,

11
12 insert:

13 creating s. 766.2061, F.S.; prohibiting certain
14 previously sanctioned attorneys from filing or
15 defending an action for medical malpractice;
16 requesting the Florida Supreme Court to
17 establish disqualifying criteria;

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