

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 1347

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “expert;” insert “providing for certain discovery;”.

AMENDMENT NO. 2

On page 1, in line 22, after “ACTION” insert “, INCLUDING AN ORIGINAL CLAIM, COUNTERCLAIM, CROSS-CLAIM, OR THIRD-PARTY CLAIM;”; in line 24, strike “OMISSIONS” and substitute “OMISSION”; and in the same line, after “SERVICES” insert “, WITHIN THE SCOPE OF THE PROFESSIONAL’S LICENSE, PERMIT, OR CERTIFICATE;”.

AMENDMENT NO. 3

On page 2, in line 8, after “LICENSED” insert “OR PRACTICING UNDER A PERMIT”; in line 11, after “PROFESSIONAL” insert “, OR A COMPARABLY LICENSED OR CERTIFIED PROFESSIONAL UNDER THE LAWS OF ANOTHER STATE OR THE DISTRICT OF COLUMBIA;”; in line 12, after the semicolon insert “AND”; strike in their entirety lines 13 and 14; and in line 15, strike “(III)” and substitute “(II)”.

AMENDMENT NO. 4

On page 2, in line 17, after “TO” insert “EXPERT SERVICES FOR”.

AMENDMENT NO. 5

On page 2, in line 33, after the second “FILED” insert “OR WITHIN THE PERIOD OF TIME PROVIDED IN SUBSECTION (C)(3) OF THIS SECTION, WHICHEVER IS LATER”.

AMENDMENT NO. 6

On page 3, strike in their entirety lines 8 through 11, inclusive, and substitute:

“(C) (1) UPON WRITTEN REQUEST BY THE CLAIMANT AND A FINDING OF GOOD CAUSE BY THE COURT, THE COURT:”

(Over)

(I) SHALL ALLOW THE CLAIMANT TO REQUEST, WITHIN 30 DAYS AFTER THE DATE THE CLAIM IS FILED, DOCUMENTARY INFORMATION THAT WOULD BE OTHERWISE DISCOVERABLE IF THE INFORMATION IS REASONABLY NECESSARY IN ORDER TO OBTAIN A CERTIFICATE OF A QUALIFIED EXPERT; OR

(II) MAY WAIVE OR MODIFY THE REQUIREMENT FOR THE FILING OF THE CERTIFICATE OF A QUALIFIED EXPERT.”;

in line 14, after “WITHIN” insert “THE LATER OF:

(I)”;

and in line 15, after “RULING” insert “; OR

(II) 30 DAYS OF THE DATE THAT THE PARTY OR PERSON FROM WHOM INFORMATION DESCRIBED IN THIS SECTION IS SOUGHT MEETS THE REQUIREMENTS OF A COURT ORDER UNDER THIS SECTION”.

AMENDMENT NO. 7

On page 3, in line 16, after “DISCOVERY” insert “BY THE DEFENDANT”.