

5226

Sponsor(s): Senator Heavey

Brief Description: Revising provisions relating to offers of settlement.

SB 5226 - DIGEST

(SUBSTITUTED FOR - SEE 1ST SUB)

Provides that, in any civil cause of action where the amount pleaded is over thirty-five thousand dollars, exclusive of costs, if a defendant serves on the plaintiff a written offer of settlement that is rejected or that is not accepted by the plaintiff within thirty days and the judgment obtained by the plaintiff is less than this offer, the defendant is entitled to recover statutory costs and attorneys' fees, including interest thereon, incurred from the date of service of the offer and the court shall set off such costs and attorneys' fees against the judgment. If the costs and attorneys' fees total more than the judgment, the court shall enter judgment for the defendant against the plaintiff for the amount of the costs and fees, less the amount of the plaintiff's award.