

before, I have not been one hundred percent on the side of the trial attorneys at all times or on any attorney's side, for that matter. But I offer this amendment in good faith. The insurance company said that the bill was brought simply so the attorneys could make more money by getting a percentage of that prejudgment interest. So I am offering this amendment that simply says, any interest would go directly to the plaintiff and the check be made out separately to the plaintiff and not to the plaintiff and the attorney, as most checks are always done now when an attorney represents you. I think if the trial attorneys brought this bill in good faith, and throughout the testimony that I heard in the Banking Committee the attorneys use the argument, we want to make the plaintiff whole, in other words, compensate him for everything he has lost, so that if a case would take several years, he obviously might have to borrow money from a finance company or a bank to keep going, so he should be made whole. And I thought if the attorneys really meant what they said, they wouldn't want any part of that prejudgment interest. They would want it all to go to the fellow that was injured and that was the simple reason why I have offered this amendment. In other words, if there is any prejudgment interest, if you win your case, you get the interest, not the attorneys. This kind of takes away any reason for the attorneys to delay settlement because if they are not going to get a penny more than what they have already agreed upon with the plaintiff, why should they delay it? If I, personally, were an attorney and I was suing somebody for \$50,000 or \$100,000 and my fee was going to be 30 percent, I would sure as heck sooner have \$30,000 in my hand tomorrow of a \$100,000 than delay the thing for a year and then only get a quarter of a percent of 14 percent of whatever the interest was. So that is my basic reason for offering the amendment to show that the attorneys are in good faith when they say prejudgment interest is strictly for the benefit of the plaintiff and not for the attorneys and it is to make the plaintiff whole and not to make any more money for the attorneys. Thank you, Mr. Chairman.

SPEAKER NICHOL PRESIDING

SPEAKER NICHOL: Senator John DeCamp.

SENATOR DECAMP: Mr. President, this will surprise you. I support her amendment. Yes, I do. I may be the only one,