

March 25, 2009

S 901. BIFURCATE MEDICAL MALPRACTICE TRIALS. Filed 3/25/09. *TO ALLOW FOR BIFURCATION OF ISSUES OF LIABILITY AND DAMAGES IN MEDICAL MALPRACTICE ACTIONS.*

Amends GS 1A-1, Rule 42(b), to require the court to order separate trials for the issue of liability and the issue of damages upon motion of any party in a medical malpractice action commenced under Article 1B of Chapter 90 of the General Statutes. Specifies that evidence relating solely to pecuniary damages is not admissible until the trier of fact has determined that the defendant is liable for medical malpractice. Requires that the same trier of fact that tried the issues relating to liability try the issues relating to damages. Effective October 1, 2009, and applies to actions filed on or after that date.

Intro. by Rouzer.

GS 1A