

112TH CONGRESS  
2D SESSION

# H. R. 4022

To amend title 28, United States Code, to protect the right of a claimant in a civil action before a Federal court to retain a structured settlement broker to negotiate the terms of payment of an award, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2012

Mr. HIGGINS (for himself, Ms. HOCHUL, and Mr. BRALEY of Iowa) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 28, United States Code, to protect the right of a claimant in a civil action before a Federal court to retain a structured settlement broker to negotiate the terms of payment of an award, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Structured Settlement  
5       Claimants Rights Act of 2012”.

1 **SEC. 2. IN GENERAL.**

2 (a) FEDERAL COURT PROCEEDINGS.—Chapter 111  
3 of title 28, United States Code, is amended by adding at  
4 the end the following:

5 **“§ 1660. Right to retain structured settlement broker**

6 “A claimant in any civil action before a Federal court  
7 shall have the right to retain a structured settlement  
8 broker to act on behalf of that claimant for purposes of  
9 negotiating a schedule of payments or other terms of pay-  
10 ment of a sum certain previously agreed to paid by or on  
11 behalf of the defendant in satisfaction of a judgment  
12 against that defendant or in accordance with the terms  
13 of a settlement. The court shall inform the claimant of  
14 this right at the appropriate time. The defendant shall  
15 provide timely notice of any professional relationship be-  
16 tween the defendant and the broker if any such relation-  
17 ship exists or has existed.”.

18 (b) ADMINISTRATIVE PROCEEDINGS.—Section 554 of  
19 title 5, United States Code, is amended by adding at the  
20 end the following:

21 “(f) In the case of any proceeding under this section,  
22 a party to that proceeding shall have the right to retain  
23 a structured settlement broker to act on behalf of that  
24 party for purposes of negotiating a schedule of payments  
25 or other terms of payment of a sum certain previously  
26 agreed to paid by or on behalf of another party in satisfac-

1 tion of a decision against that party or in accordance with  
2 the terms of a settlement between the parties. The agency  
3 shall inform the claimant of this right at the appropriate  
4 time. The defendant shall provide timely notice of any pro-  
5 fessional relationship between the defendant and the  
6 broker if any such relationship exists or has existed.”.

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