

New Jersey Medical Malpractice Fees and Civil Damage Act Introduced



Healthcare Law Update

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[Senate Bill 3343](#), introduced in the New Jersey State Senate on December 1, 2022, would limit attorney contingent fee arrangements in certain medical malpractice cases to the following: 25% if settled before a civil complaint or demand for arbitration is filed and 33% if settled, arbitrated, or adjudged after a civil complaint or demand for arbitration is filed. If an action is tried or arbitrated, the plaintiff would be permitted to file a motion for a contingency fee over these percentages. Currently, New Jersey does not have a limit to the amount that can be recovered for noneconomic loss. This Bill would establish a \$250,000 cap for actions not involving wrongful death and \$500,000 for actions involving wrongful death. The Bill would provide for annual increases to these limitations.

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