S 2449

Sunshine in Litigation Act of 2008

Congress: 110 (2007–2009, Ended)
Chamber: Senate
Policy Area: Law
Introduced: Dec 11, 2007
Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 935.
Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 935. (Aug 1, 2008)
Official Text: https://www.congress.gov/bill/110th-congress/senate-bill/2449

Sponsor

Name: Sen. Kohl, Herb [D-WI]
Party: Democratic • **State:** WI • **Chamber:** Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Leahy, Patrick J. [D-VT]	D · VT		Dec 11, 2007
Sen. Graham, Lindsey [R-SC]	R · SC		Jan 28, 2008

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Reported By	Aug 1, 2008

Subjects & Policy Tags

Policy Area:

Law

Related Bills

No related bills are listed.

Summary (as of Aug 1, 2008)

Sunshine in Litigation Act of 2008 - Amends the federal judicial code to prohibit a court from entering an order restricting the disclosure of information obtained through discovery, approving a settlement disagreement that would restrict such disclosure, or restricting access to court records in a civil case, unless the court has found that: (1) such order would not restrict the disclosure of information which is relevant to the protection of public health or safety; or (2) the public interest in the disclosure of potential health or safety hazards is outweighed by a specific and substantial interest in maintaining the confidentiality of the information, and the requested protective order is no broader than necessary to protect the privacy interest. Prohibits any party from requesting, as a condition for the production of discovery, that another party stipulate to an order that would violate this Act.

Prohibits a court from: (1) approving or enforcing an order prohibited under this Act, or any provision of an agreement between parties to a civil action, that restricts a party from disclosing information to any federal or state agency with authority to enforce laws regulating an activity relating to such information; or (2) enforcing any provision of a settlement agreement that prohibits a party from disclosing that a settlement was reached or the terms of the settlement, other than the amount paid, or from discussing a case or evidence that involves matters related to public health or safety, except where the court finds that the public interest in disclosure of potential health and safety hazards is outweighed by a confidentiality interest.

Creates a rebuttable presumption that the interest in protecting personally identifiable information relating to an individual's financial, health, or other similar information outweighs the public interest in disclosure.

Declares that nothing in this Act shall be construed to permit, require, or authorize the disclosure of classified information, as defined under the Classified Information Procedures Act.

Actions Timeline

- **Aug 1, 2008:** Committee on the Judiciary. Reported by Senator Leahy with an amendment in the nature of a substitute. With written report No. 110-439.
- **Aug 1, 2008:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 935.
- **Mar 6, 2008:** Committee on the Judiciary. Ordered to be reported with an amendment favorably.
- **Dec 11, 2007:** Introduced in Senate
- **Dec 11, 2007:** Sponsor introductory remarks on measure. (CR S15140-15141)
- **Dec 11, 2007:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S15141)