

DRAFT MINUTES
LITIGATION REPORTS OVERSIGHT SUBCOMMITTEE
of the
ARKANSAS LEGISLATIVE COUNCIL

June 19, 2013

The Litigation Reports Oversight Subcommittee of the Arkansas Legislative Council met Wednesday, June 19, 2013, at 1:30 PM in Room B, MAC.

Committee members present: Senators David Johnson, Co-Chair; Bill Sample and Robert Thompson. Representatives Tommy Thompson, Co-Chair; Kim Hammer, Vice-Chair; Terry Rice, David Meeks and Marshall Wright.

Also attending: Representatives Debra Hobbs and James McLean.

Senator Johnson called the meeting to order. He explained the Litigation Reports Oversight Subcommittee serves as an informed body that reviews state agencies' involvement in litigation and settlements, outside the Claims Commission.

Litigation Review (Exhibit B)

Dennis Hansen, Deputy Attorney General, Office of the Attorney General, explained, since January 1, 2013, Arkansas has become involved in about 125 new cases; 24 are resolved.

Of the cases handled in the Attorney General's Office, about:

- 50% involve an inmate suing Arkansas's Department of Corrections (DOC).
- 15% are employment discrimination complaints against state agencies, boards, or colleges.
- 10% are foreclosure actions in which the state might have interest, due to unpaid fines.

Litigation Review (Exhibit C)

Martha Hunt, Chief Counsel, Office of Revenue Legal Counsel, Department of Finance & Administration (DF&A), explained DF&A's Office of Revenue Legal Counsel primarily handles tax litigation; and they only have two new cases. Ms. Hunt provided an update on the status of Holbrook vs. Healthbrook; explaining Arkansas's Supreme Court determined *Rule 54* was not sufficient and dismissed the case without prejudice. The judge signed a new order, so the plaintiff intends to file a Notice of Appeal soon.

Pre-Litigation Settlement Review (Exhibit D)

Dennis Hansen, Deputy Attorney General, Office of the Attorney General, said prior to 2011, Pulaski Technical College (PTC) and Joe White *dba* White's Lawn Service (WLS) were engaged in a contract binding the school to pay the lawn service for grass at PTC campus. In 2011, the college started mowing their own grass; but Mr. White believed their contract was continuous. This settlement authorizes WLS to mow grass at PTC during the year 2013.

With no further business, the meeting adjourned at 2:25 p.m.