

## CCP 377.34 Reporting

### **Recovery of Damages for Pain, Suffering, or Disfigurement by Decedent's Personal Representative or Successor in Interest**

Instructions on how to transmit documents related to recovery of damages for pain, suffering, or disfigurement by decedent's personal representative or successor in interest as required by Code of Civil Procedure section 377.34(c)

### **How to Transmit Documents Related to Recovery of Damages for Pain, Suffering, or Disfigurement by Decedent's Personal Representative or Successor in Interest**

Senate Bill 447 (Stat. 2021, ch. 448) amended Code of Civil Procedure section 377.34 to allow a decedent's personal representative or successor in interest on the decedent's cause of action to recover damages for loss or damages sustained or incurred before the decedent's death *that include damages for pain, suffering, or disfigurement*. The new provisions apply to cases filed after January 1, 2022 or granted a preference under Code of Civil Procedure section 36 before January 1, 2022. (Code Civ. Proc. § 377.34(b).)

Section 377.34(c) requires a plaintiff (or their attorney) who recovers damages for pain, suffering, or disfigurement pursuant to section (b) between **January 1, 2022, and January 1, 2025**, inclusive, *to submit to the Judicial Council within 60 calendar days* after obtaining a judgment, consent judgment, or court-approved settlement entitling the plaintiff to damages the following:

1. a copy of the judgment, consent judgment, or court-approved settlement agreement, AND
2. a **cover sheet (required)** detailing all of the following information:
  - a. The date the action was filed.
  - b. The date of the final disposition of the action.
  - c. The amount and type of damages awarded, including economic damages and damages for pain, suffering, or disfigurement.

### **To Transmit Documents by Email**

Send an email message with subject line "CCP 377.34" and include the documents in an attachment to [research@jud.ca.gov](mailto:research@jud.ca.gov).

**To Transmit Documents by Mail**

Send documents to:

Judicial Council of California  
Office of Court Research  
455 Golden Gate Avenue, Fifth Floor  
San Francisco, CA 94102