

**COURT REFORM COUNCIL
SOVEREIGN IMMUNITY SUBCOMMITTEE
MEETING AGENDA**

Meeting #4 (Telephonic Meeting)

Thursday, November 9, 2017

2:30 PM – 2:45 PM

Call in: 404-443-6397; Access Code: 1776779*

I. Welcome

A. Introduction of Subcommittee Members

B. Introduction of other attendees

II. Approval of Subcommittee Meeting 3 Minutes

III. Review/Discussion of Draft Subcommittee Report Proposed Changes

IV. Public Comment

V. Adjourn

**If you wish to attend in person, room details are as follows:*

Judicial Building

Conference Room 128

40 Capitol Square SW

Atlanta, GA 30334

Current language

The Subcommittee also recognizes that, as with any proposed path forward, there are potential drawbacks to a legislative solution as well. For example, the Department of Administrative Services (DOAS) does not insure the defense of cases for declaratory or injunctive relief against the State. Thus, cost of defense should be considered as it pertains to any waiver of the State's sovereign immunity for injunctive or declaratory relief. Similarly, we recommend considering whether to ensure that suits for prospective declaratory or injunctive relief for which the State waives sovereign immunity not be eligible for awards of attorneys' fees or other costs against the State.

Proposed Edit

Similarly, we recommend considering whether ~~to ensure that~~ suits for prospective declaratory or injunctive relief for which the State waives sovereign immunity ~~not~~ should be eligible for awards of attorneys' fees or other costs against the State.