

GREEN SHEET REDIGEST

HB 386

2021 Regular Session

Farnum

COURTS: Provides relative to appointment of special masters in certain civil actions arising within a parish included in a major disaster declaration

DIGEST

Present law provides the authority and procedure for the appointment, duties, powers, and compensation of a special master.

Proposed law provides for the appointment of one or more special masters for all causes of action related to first-party insurance property damage claims in a parish declared by the president of the United States to be subject to a major disaster declaration and certified for individual assistance under federal law.

Proposed law provides for the appointment, duties, or compensation of the special master or masters in any manner directed by the court. Provides that the court shall allow a party an opportunity to file a motion to opt out of proceedings before the special master upon a showing of good cause.

Proposed law provides for the termination and waiver of a special master appointment.

Proposed law provides for annual reporting on the number, compensation, duties and assignments of special masters appointed in each jurisdiction.

Proposed law provides for the possibility of mandatory mediation with the goal of expedited dispute resolution using qualified neutral mediators appointed and compensated in the manner directed by the court.

Proposed law provides that the appointment and disqualification of special masters shall comply with the requirements of Fed. Civ. R.53.

(Adds R.S. 13:4165(F))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the engrossed bill

1. Provides that the appointment of a special master shall terminate upon determination by the appointing judges en banc.
2. Provides that each court in which a special master is appointed shall file an annual report on the number, compensation, duties, and assignments of each special master under jurisdiction.
3. Provides that a party may waive his appointment as special master.
4. Provides that the appointment and disqualification of special masters shall comply with the requirements of Fed. Civ. R.53.