

**HOUSE SUMMARY OF SENATE AMENDMENTS****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

**Synopsis of Senate Amendments**

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, rate of compensation, duties, and assignments of each special master appointed in each jurisdiction.
3. Provides that the appointment and disqualification of special masters shall comply with the requirements of Fed. Civ. R. 53.
4. Provides for waiver of appointment orders and the ability for parties to opt out.
5. Prohibits the impairment of an appointing court's authority, jurisdiction, or venue by a provision or policy form.
6. Makes technical changes.

**Digest of Bill as Finally Passed by Senate**

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 U.S. 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 of a special master appointment.

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

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

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 for waiver of appointment orders and an ability to opt-out upon the request of any party.

Proposed law provides that no provision of law may be construed to impair the authority of a court that appoints a special master. Provides that jurisdiction or venue shall not be impaired.

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