

RÉSUMÉ DIGEST

ACT 318 (HB 386)

2021 Regular Session

Farnum

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

New 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.

New 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.

New law provides for the termination of a special master appointment.

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

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

New 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.

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

New 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.

Effective August 1, 2021.

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