
DIGEST

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HB 227 Reengrossed

2017 Regular Session

Shadoin

Abstract: Adds an alternate procedure for sealing the deposition electronically by secure electronic means and simultaneously delivering the deposition electronically to all parties to the action who ordered a copy.

Present law provides the procedures for taking, certifying, and sealing the deposition of a witness in civil matters.

Present law requires the court reporter to securely seal the deposition in an envelope endorsed with the title of the action and promptly send it by U.S. mail or by courier to the party at whose request the deposition was taken, who shall become the custodian of the deposition.

Proposed law retains present law but specifies that the deposition shall be simultaneously sent to the party requesting that the deposition be taken and to all other parties to the action who order a copy of the deposition.

Proposed law adds an alternate procedure for sealing the deposition electronically by secure electronic means and simultaneously delivering the deposition electronically to all parties to the action who have ordered a copy of the deposition, with the party at whose request the deposition was taken becoming the custodian of the deposition.

(Amends C.C.P. Art. 1446(A)(1))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Reorganize the order of the provisions so that the procedures for sealing paper and electronic depositions appear together in the same Subparagraph.
2. Specify that copies of the electronic deposition are promptly and simultaneously delivered to all parties attending the deposition.

The House Floor Amendments to the engrossed bill:

1. Add technical amendments.

2. Specify the parties who may order a copy of the deposition transcript.
3. Specify that the deposition shall be sent simultaneously to the parties.