

2020 Regular Session

HOUSE BILL NO. 841

BY REPRESENTATIVE DUPLESSIS

CIVIL/PROCEDURE: Provides with respect to service of process in certain circumstances

1 AN ACT

2 To amend and reenact Code of Civil Procedure Article 1313(C), relative to service of  
3 process; to provide for service of pleadings or orders setting a court date; to provide  
4 for service by email; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Civil Procedure Article 1313(C) is hereby amended and  
7 reenacted to read as follows:

8 Art. 1313. Service by mail, delivery, or electronic means

9 \* \* \*

10 C. Notwithstanding Paragraph A of this Article, if a pleading or order sets  
11 a court date, then service shall be made either by:

12 (1) Registered ~~registered~~ or certified mail or as provided in Article 1314, or  
13 by actual delivery by a commercial courier.

14 (2) Email when the counsel of record or, if there is no counsel of record, the  
15 adverse party files an email address into the record expressly designated in a  
16 pleading or other writing for receipt of electronic service. Email service shall be  
17 made by the clerk of court.

18 \* \* \*

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 841 Original

2020 Regular Session

Duplessis

**Abstract:** Authorizes service of pleadings or orders setting a court date to be made by email.

Present law provides that service of a pleading or order that sets a court date shall be made by registered or certified mail, by the sheriff, or by actual delivery by a commercial courier.

Proposed law further authorizes service by email when the counsel of record or, if there is no counsel of record, the adverse party files an email address into the record expressly designated in a pleading or other writing for receipt of electronic service. Requires that email service be made by the clerk of court.

(Amends C.C.P. Art. 1313(C))