

2022 Regular Session

SENATE BILL NO. 486

BY SENATOR MORRIS

CLERKS OF COURT. Provides relative to clerks of court. (8/1/22)

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AN ACT

To amend and reenact Code of Civil Procedure Art. 253(B), relative to clerks of court; to provide relative to pleadings, documents, and exhibits filed with the clerk of court; to provide for electronic transmittal of filings; to provide certain procedures for electronic filing and storage of documents; to provide for the conversion of filings into electronic records; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Civil Procedure Art 253(B) is hereby amended and reenacted to read as follows:

Art. 253. Pleadings, documents, and exhibits to be filed with clerk

* * *

B. The filings as provided in Paragraph A of this Article and all other provisions of this Chapter may be transmitted electronically in accordance with a system established by a clerk of court or by Louisiana Clerks Remote Access Authority. When such a system is established, the clerk of court shall adopt and implement procedures for the electronic filing and storage of any pleading, document, or exhibit, and the. The official record shall be the electronic record. A

1 pleading or document filed electronically is deemed filed on the date and time stated
2 on the confirmation of electronic filing sent from the system, if the clerk of court
3 accepts the electronic filing. Public access to electronically filed pleadings and
4 documents shall be in accordance with the rules governing access to ~~written paper~~
5 filings. **The clerk of court may convert into an electronic record any pleading,**
6 **document, or exhibit as set forth in R.S. 44:116.**

7 * * *

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Lebra R. Bias.

DIGEST

SB 486 Original 2022 Regular Session Morris

Present law provides for the electronic transmittal of pleadings, documents, and exhibits in accordance with a system established by a clerk of court or by Louisiana Clerks Remote Access Authority. Present law provides that the clerk of court shall adopt and implement procedures for the electronic filing and storage of any pleading, document, or exhibit, and that official record shall be the electronic record. Present law further provides that a pleading or document filed electronically is deemed filed on the date and time stated on the confirmation of electronic filing sent from the system, if the clerk of court accepts the electronic filing.

Proposed law retains present law.

Present law provides that public access to electronically filed pleadings and documents shall be in accordance with the rules governing access to written filings.

Proposed law clarifies present law that public access to electronically filed pleadings and documents shall be in accordance with the rules governing access to paper filings.

Proposed law further provides that the clerk of court may convert into an electronic record any pleading, document, or exhibit, as set forth in present law.

Effective August 1, 2022.

(Amends C.C.P. Art. 253(B))