

2023 Regular Session

HOUSE BILL NO. 305

BY REPRESENTATIVE BROWN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COURTS: Provides relative to electronic signatures by judges

1 AN ACT

2 To amend and reenact Code of Civil Procedure Article 253(C) and 1911(A), relative to the  
3 signing of certain orders and documents by the court; to provide relative to the use  
4 of electronic signatures by judges; to provide relative to certain requirements; and  
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Civil Procedure Article 253(C) and 1911(A) are hereby amended  
8 and reenacted to read as follows:

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

10 \* \* \*

11 C. A judge or justice presiding over a court in this state may sign a court  
12 order, notice, official court document, and other writings required to be executed in  
13 connection with court proceedings, by use of an electronic signature as defined by  
14 R.S. 9:2602. ~~The various courts shall provide by court rule for the method of~~  
15 ~~electronic signature to be used and to ensure the authenticity of the electronic~~  
16 ~~signature.~~

17 \* \* \*

18 Art. 1911. Final judgment; partial final judgment; signing; appeals

19 A. Except as otherwise provided by law, every final judgment shall contain  
20 the typewritten or printed name of the judge and be signed by the judge. Any

1 judgment that does not contain the typewritten or printed name of the judge shall not  
2 be invalidated for that reason. Judgments may be signed by the judge by use of  
3 electronic signature. ~~The various courts shall provide by court rule for the method~~  
4 ~~of electronic signature to be used and to ensure the authenticity of the electronic~~  
5 ~~signature.~~

6 \* \* \*

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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 305 Engrossed

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**Abstract:** Provides for the signing of certain orders and documents by the court.

Present law provides that a judge or justice may sign a court order, notice, official court document, judgment, and other writings by use of electronic signature.

Present law requires various courts to provide the method of electronic signatures to be used and to ensure the authenticity of such electronic signatures.

Proposed law deletes the requirement that various courts provide by rule for the method of electronic signatures to be used and to ensure the authenticity of such signatures.

(Amends C.C.P. Art. 253(C) and 1911(A))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Remove the requirement that the various courts provide by court rule for the signing of judgments by electronic signature.