

RÉSUMÉ DIGEST

ACT 371 (HB 227)

2024 Regular Session

Muscarello

Existing law (C.C.P. Art. 863) provides for the signing of pleadings and the imposition of sanctions.

New law adds that a party or attorney may sign a pleading by electronic signature in accordance with C.C.P. Art. 253.

Existing law (C.C.P. Art. 1425) provides that any party may file a motion for a pretrial hearing to determine whether a witness qualifies as an expert or whether the methodologies employed are reliable under the Code of Evidence.

New law changes existing law by requiring a party seeking to challenge whether a witness qualifies as an expert or whether the methodologies employed are reliable under the Code of Evidence to file a motion for a pretrial hearing.

Existing law (C.C.P. Art. 1436.1) provides for depositions by telephone.

New law makes minor semantic changes.

Existing law (C.C.P. Art. 2163) provides that if the ground for the peremptory exception pleaded in the appellate court is prescription, the plaintiff may demand that the case be remanded to the trial court for trial of the exception.

New law adds peremption in addition to prescription.

Existing law (C.C.P. Art. 2298) sets forth the procedure for injunctions prohibiting sales.

New law makes minor semantic changes.

Existing law (C.C.P. Art. 3136) provides for the descriptive list of property in lieu of inventory.

New law removes an outdated reference relative to the Dept. of Revenue.

Existing law (C.C.P. Art. 3335) provides that in the case of a final account, service may be made in accordance with C.C.P. Art. 1314 or by certified mail on either a resident or a nonresident.

New law adds that service may be made on either a resident or a nonresident by use of a commercial courier that requires a signed receipt from the addressee upon completion of delivery.

Effective August 1, 2024.

(Amends C.C.P. Arts. 863(A), 1425(F)(1) and (2), 1436.1, 2163, 2298, 3136, and 3335)