

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

CIVIL/PROCEDURE. Provides for continuous revision of the Code of Civil Procedure

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DIGEST

Present law (C.C.P. Art.1035) provides for answer in incidental demands.

Proposed law makes the deadline for answering incidental demands the same as provided for principal demands.

Present law (C.C.P. Art.1425) provides for identifying testifying experts.

Proposed law specifies that a party is under no obligation to identify a testifying expert absent a discovery request or order for an expert report.

Present law (C.C.P. Art.1462) provides for discovery-production of documents and things.

Proposed law extends the period for the state and its political subdivisions to respond to a request for production of documents and things from 15 to 30 days.

(Amends C.C.P. Arts. 1035, 1425(C), and 1462(B)(1))

Summary of Amendments Adopted by House

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

- 1. Deleted changes to C.C.P. Art. 1469(4), authorizing the court to award costs and attorney's fees when a response to discovery is unreasonably delayed, from the bill.

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

- 1. Added provisions regarding persons before whom depositions are taken, exempting those persons who do not have actual knowledge of the existence of an employment or contractual relationship and who have obtained certification that they do not have a prohibited employment or contractual relationship with a party litigant from those defined as employees.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the reengrossed bill

- 1. Deleted provisions regarding persons before whom depositions are taken, exempting those persons who do not have actual knowledge of the existence of an employment or contractual relationship and who have obtained certification that they do not have a prohibited employment or contractual relationship with a party litigant from those defined as employees.