

**HOUSE SUMMARY OF SENATE AMENDMENTS****HB 728****2015 Regular Session****Garofalo**

COURTS/JUSTICE OF PEACE: Provides relative to justice of the peace courts

**Synopsis of Senate Amendments**

1. Adds requirement that the first scheduled trial date shall be scheduled not less than 10 days from service of citation.
2. Adds that if a trial date is set, no default judgment can be rendered prior to that date.
3. Changes "should" to "shall" relative to granting of discovery upon notice and good cause shown.
4. Removes requirement that a copy of the suit for trial de novo be provided to the justice of the peace court, and adds requirement that a copy of either the notice of suit for trial de novo or a copy of the suit pleading be provided to justice of the peace court whose judgment is appealed.
5. Makes technical changes.

**Digest of Bill as Finally Passed by Senate**Present law provides general provisions for trial.Proposed law retains present law but provides the following:

- (1) Provides for requirements relative to the citation.
- (2) Authorizes the justice of the peace or clerk of court to set matters for trial within certain time delays.
- (3) Provides for duties of the justice of the peace as it relates to trial procedures, including authorizing certain discovery.
- (4) Provides relative to notice of judgment and procedures for appeal.

(Amends C.C.P. Arts. 4919(A)(intro. para.) and (5), 4922, and 4925(A); Adds C.C.P. Arts. 4921.1(C) and 4921.2)