

2016 Regular Session

HOUSE BILL NO. 89

BY REPRESENTATIVE CONNICK

CIVIL/JURY TRIALS: Reduces the jury trial threshold amount

1 AN ACT

2 To amend and reenact Code of Civil Procedure Article 1732(1), relative to limitations on
3 jury trials; to reduce the cause of action threshold amount required to be entitled to
4 a jury trial; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Civil Procedure Article 1732(1) is hereby amended and reenacted
7 to read as follows:

8 Art. 1732. Limitation upon jury trials

9 A trial by jury shall not be available in:

10 (1) A suit where the amount of no individual petitioner's cause of action
11 exceeds ~~fifty thousand~~ twenty thousand dollars exclusive of interest and costs, except
12 as follows:

13 (a) If an individual petitioner stipulates or otherwise judicially admits sixty
14 days or more prior to trial that the amount of the individual petitioner's cause of
15 action does not exceed ~~fifty thousand~~ twenty thousand dollars exclusive of interest
16 and costs, a defendant shall not be entitled to a trial by jury.

17 (b) If an individual petitioner stipulates or otherwise judicially admits for the
18 first time less than sixty days prior to trial that the amount of the individual
19 petitioner's cause of action does not exceed ~~fifty thousand~~ twenty thousand dollars
20 exclusive of interest and costs, any other party may retain the right to a trial by jury

1 if that party is entitled to a trial by jury pursuant to this Article and has otherwise
2 complied with the procedural requirements for obtaining a trial by jury.

3 (c) Notwithstanding Subsubparagraphs (a) and (b) of this Subparagraph, if,
4 as a result of a compromise or dismissal of one or more claims or parties which
5 occurs less than sixty days prior to trial, an individual petitioner stipulates or
6 otherwise judicially admits that the amount of the individual petitioner's cause of
7 action does not exceed ~~fifty thousand~~ twenty thousand dollars exclusive of interest
8 and costs, a defendant shall not be entitled to a trial by jury.

9 * * *

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)]

HB 89 Original

2016 Regular Session

Connick

Abstract: Reduces the cause of action threshold amount required to be entitled to a jury trial to \$20,000.

Present law prohibits certain suits from being tried before a jury, including suits where no individual petitioner's cause of action exceeds \$50,000.

Proposed law retains present law but reduces the cause of action threshold from \$50,000 to \$20,000.

(Amends C.C.P. Art. 1732(1))