

2017 Regular Session

HOUSE BILL NO. 322

BY REPRESENTATIVE JENKINS

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

CIVIL/PROCEDURE: Provides relative to advising an enrolled attorney of a court filing

1 AN ACT

2 To enact Code of Civil Procedure Article 253(E), relative to the filing of pleadings; to
3 require the delivery of copies of filed pleadings in certain circumstances; to provide
4 for exceptions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Civil Procedure Article 253(E) is hereby enacted to read as
7 follows:

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

9 * * *

10 E. Except for good cause shown, an attorney who files a pleading pursuant
11 to this Article shall transmit or deliver by mail or electronic means a courtesy copy
12 of the pleading to all other attorneys of record in advance of or no later than three
13 days after the filing of the pleading. An attorney who fails to comply with the
14 provisions of this Paragraph may be subject to sanctions being imposed pursuant to
15 Article 863.

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 322 Original

2017 Regular Session

Jenkins

Abstract: Requires an attorney who files a pleading to transmit or deliver by mail or electronic means a courtesy copy of the pleading to all other attorneys of record, except for good cause shown.

Present law provides that all pleadings or documents to be filed in an action or proceeding instituted or pending in a court, and all exhibits introduced in evidence, shall be delivered to the clerk of the court for such purpose.

Proposed law retains present law and also requires an attorney who files a pleading to transmit or deliver by mail or electronic means a courtesy copy of the pleading to all other attorneys of record in advance of or no later than three days after the filing of the pleading, except for good cause shown.

Proposed law further provides that an attorney who fails to comply with proposed law may be subject to sanctions being imposed pursuant to present law (C.C.P. Art. 863).

(Adds C.C.P. Art. 253(E))