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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)]

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SB 72 Engrossed

2017 Regular Session

Milkovich

Proposed law provides that notwithstanding any provision of law to the contrary, a party shall have the right to present oral argument, in addition to written briefs, at all contradictory hearings in civil cases.

Proposed law also provides that reasonable control over oral argument presented under the proposed law may be exercised by the court.

Proposed law further provides that the obtaining of a judgment in violation of the proposed law shall be mandatory grounds for seeking a new hearing, by motion brought within thirty days after the clerk has mailed, or the sheriff has served, the notice of judgment as required by Article 1913.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds C.C.P. Art. 1636.1)

Summary of Amendments Adopted by Senate

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

1. Added court may exercise reasonable control over oral argument.
2. Revised procedure for setting aside judgement obtained in violation of the proposed law.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the engrossed bill:

1. Remove proposed language requiring parties to agree in writing in order to waive oral argument.
2. Eliminate the requirement of setting aside any judgment obtained by violating proposed law provisions.