2018 Regular Session

HOUSE BILL NO. 550

BY REPRESENTATIVE MAGEE

1 AN ACT To amend and reenact Code of Civil Procedure Articles1458 and 1462(B), relative to delays 2 for responding to written discovery requests; to provide relative to delays for 3 answering interrogatories in family law matters; to provide relative to delays for 4 answering requests for production of documents in family law matters; and to 5 provide for related matters. 6 Be it enacted by the Legislature of Louisiana: 7 Section 1. Code of Civil Procedure Articles 1458 and 1462(B) are hereby amended 8 9 and reenacted to read as follows: 10 Art. 1458. Interrogatories to parties; procedures for use 11 A. Each interrogatory shall be answered separately and fully in writing under 12 oath, unless it is objected to, in which event the reasons for objection shall be stated 13 in lieu of an answer. The written answer or reasons for objection to each 14 interrogatory shall immediately follow a restatement of the interrogatory to which 15 the answer or objection is responding. The answers are to be signed by the person 16 making them. When interrogatories are served on a specific party, that party shall 17 verify he has read and confirmed the answers and objections. The party upon whom 18 the interrogatories have been served shall serve a copy of the answers, and objections 19 if any, within thirty days after the service of the interrogatories, except as set forth 20 in Paragraph B of this Article. The court may allow a shorter or longer time. The 21 party submitting the interrogatories may move for an order under Article 1469 with 22 respect to any objection to or other failure to answer an interrogatory.

ENROLLED

ACT No. 135

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	B. The delay for serving a copy of the answers to interrogatories in family
2	law cases, including divorce, custody, spousal and child support, community
3	property, and matters incidental to family law proceedings, shall be fifteen days after
4	service of the discovery, unless the interrogatories are served with an original
5	petition, in which case the party who has been served shall have thirty days from the
6	date of service to serve a copy of the answers to interrogatories.
7	* * *
8	Art. 1462. Production of documents and things; entry upon land; procedure
9	* * *
10	B.(1) The party upon whom the request is served shall serve a written
11	response within thirty days after service of the request, except as set forth in
12	Subparagraph (2) of this Paragraph. The court may allow a shorter or longer time.
13	With respect to each item or category, the response shall state that inspection and
14	related activities will be permitted as requested, unless the request is objected to, in
15	which event the reasons for objection shall be stated. If objection is made to part of
16	an item or category, the part shall be specified. The written answer or reasons for
17	objection to each request for production of documents shall immediately follow a
18	restatement of the request for production of documents to which the answer or
19	objection is responding. The party submitting the request may move for an order
20	under Article 1469 with respect to any objection to or other failure to respond to the
21	request, or any part thereof, or any failure to permit inspection as requested. If
22	objection is made to the requested form or forms for producing information,
23	including electronically stored information, or if no form was specified in the
24	request, the responding party shall state in its response the form or forms it intends
25	to use.
26	(2) The delay for serving a copy of the responses to requests in family law
27	cases, including divorce, custody, spousal and child support, community property,
28	and matters incidental to family law proceedings, shall be fifteen days after service

of the discovery, unless the request is served with an original petition, in which case

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1	the party who has been served shall have thirty days from the date of service to serve
2	a copy of the answers to the request.
3	(2)(3) A party need not provide discovery of electronically stored
4	information from sources that the party identifies as not reasonably accessible
5	because of undue burden or cost. On motion to compel discovery or for a protective
6	order, the party from whom discovery is sought shall show that the information is not
7	reasonably accessible because of undue burden or cost. If that showing is made, the
8	court may nonetheless order discovery from such sources if the requesting party
9	shows good cause. The court may specify conditions for the discovery considering
10	the criteria and limitations of Article 1426.
11	* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____