

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **SB 118** SLS 19RS 328

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action: **W/ SEN FLOOR AMD**

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> May 20, 2019	6:50 AM	<b>Author:</b> MILKOVICH
<b>Dept./Agy.:</b> Judiciary		<b>Analyst:</b> Alan M. Boxberger
<b>Subject:</b> Provides right of an oral argument in contradictory		

CIVIL PROCEDURE

EGF INCREASE LF EX See Note

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Provides right of an oral argument in contradictory proceedings. (gov sig)

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

Proposed law further provides that a party denied the opportunity for oral argument during the course of a contradictory hearing must contemporaneously object to such denial in order to request a rehearing for the purpose of making the oral argument. Effective upon signature of the governor or lapse of time for gubernatorial action.

<b>EXPENDITURES</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	SEE BELOW					
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
<b>Annual Total</b>						
<b>REVENUES</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

Proposed law will likely create an increased workload and corresponding increase in state and judiciary expenditures by an indeterminable amount due to a potentially significant increase in contradictory hearings in civil cases. Proposed law provides that a party shall have the right to present oral arguments, in addition to written briefs, at all contradictory hearings in civil proceedings. The impact of proposed law is dependent upon the number of contradictory hearings that are filed and the extent to which legal counsel exercises their right to present oral arguments, which will in turn lengthen court dockets. The potential change is indeterminable but will likely increase over baseline levels.

District courts' general operations are paid for with local funds, but the Judiciary budget pays for the salaries of the judges. To the extent that proposed law increases the number of contradictory hearings that are filed in district courts, judicial workload, time and attendance (presence of judges, ad hoc judges, clerks, bailiffs, counsel, etc.) costs may increase by an indeterminable and potentially significant amount in the aggregate statewide.

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate      Dual Referral Rules  
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}  
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House  
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}  
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

*Evan Brasseaux*  


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**Evan Brasseaux**  
**Staff Director**