

2020 Regular Session

SENATE BILL NO. 86

BY SENATOR CONNICK

CIVIL PROCEDURE. Reduces jury trial threshold from \$50,000 to \$20,000. (1/1/21)

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AN ACT

To amend and reenact Code of Civil Procedure Article 1732(1), relative to jury trials, relative to limitations on jury trials; to provide for the availability of jury trials; to provide certain terms and conditions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

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

Art. 1732. Limitation upon jury trials

A trial by jury shall not be available in:

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

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

(b) If an individual petitioner stipulates or otherwise judicially admits for the

1 first time less than sixty days prior to trial that the amount of the individual
 2 petitioner's cause of action does not exceed ~~fifty~~ twenty thousand dollars exclusive
 3 of interest and costs, any other party may retain the right to a trial by jury if that
 4 party is entitled to a trial by jury pursuant to this Article and has otherwise complied
 5 with the procedural requirements for obtaining a trial by jury.

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

12 * * *

13 Section 2. This Act shall become effective on January 1, 2021.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Xavier I. Alexander.

DIGEST

SB 86 Original 2020 Regular Session Connick

Present law authorizes a jury trial when the amount in controversy exceeds \$50,000.

Proposed law reduces the threshold for a jury trial to \$20,000.

Effective January 1, 2021.

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