

2020 Regular Session

SENATE BILL NO. 88

BY SENATOR HEWITT

ATTORNEYS. Provides for evaluations of attorney advertisements to be subject to the Public Records Law. (8/1/20)

1 AN ACT

2 To enact R.S. 37:223, relative to attorney advertising; to provide relative to evaluations of

3 attorney advertising; to provide relative to public records; to provide for a right of

4 action; to provide for damages; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 37:223 is hereby enacted to read as follows:

7 **§223. Evaluations of attorney advertisements; public records; right of action**

8 **A. Notwithstanding any provision of law to the contrary, documents and**

9 **other materials made part of the evaluation of attorney advertising by the**

10 **Louisiana State Bar Association shall be considered public records and subject**

11 **to inspection pursuant to the Public Records Law. No information in such**

12 **documents and materials shall be considered proprietary or otherwise exempt**

13 **from disclosure under the laws of this state.**

14 **B. In addition to any other remedy provided by law, refusal to disclose**

15 **documents and materials in violation of the provisions of this Section shall**

16 **create a right of action against the Louisiana State Bar Association in a court**

17 **of competent jurisdiction for injunctive relief, recovery of damages suffered**

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arising from the violation, and award of costs and attorney fees.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Margaret M. Corley.

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| SB 88 Original | DIGEST 2020 Regular Session | Hewitt |
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Present law provides for the creation and regulation of the La. State Bar Association (LSBA) under the rule-making authority of the Supreme Court of La.

Proposed law provides that documents consisting of the evaluation of attorney advertising by the LSBA shall be considered a public record and subject to inspection pursuant to the Public Records Law.

Proposed law further provides that no information in such documents shall be considered proprietary or otherwise exempt from disclosure.

Proposed law provides for a right of action against the LSBA for the refusal to disclose such documents, and for the recovery of damages suffered arising from the violation, and award of costs and attorney fees.

Effective August 1, 2020.

(Adds R.S. 37:223)