HLS 20RS-1071 ORIGINAL

AN ACT

2020 Regular Session

HOUSE BILL NO. 730

1

BY REPRESENTATIVE WILFORD CARTER

CIVIL/JURIES: Provides for increasing the jury trial threshold

2	To amend and reenact Code of Civil Procedure Article 1732(1), relative to jury trials; to
3	provide for the jury trial threshold; to provide for increasing certain monetary
4	threshold amounts; and to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. Code of Civil Procedure Article 1732(1) is hereby amended and reenacted
7	to read as follows:
8	Art. 1732. Limitation upon jury trials
9	A trial by jury shall not be available in:
10	(1) A suit where the amount of no individual petitioner's cause of action
11	exceeds fifty one hundred thousand dollars exclusive of interest and costs, except as
12	follows:
13	(a) If an individual petitioner stipulates or otherwise judicially admits sixty
14	days or more prior to trial that the amount of the individual petitioner's cause of
15	action does not exceed fifty one hundred thousand dollars exclusive of interest and
16	costs, a defendant shall not be entitled to a trial by jury.
17	(b) If an individual petitioner stipulates or otherwise judicially admits for the
18	first time less than sixty days prior to trial that the amount of the individual
19	petitioner's cause of action does not exceed fifty one hundred thousand dollars
20	exclusive of interest and costs, any other party may retain the right to a trial by jury

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

if that party is entitled to a trial by jury pursuant to this Article and has otherwise complied with the procedural requirements for obtaining a trial by jury.

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

\* \* \*

## **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)]

HB 730 Original

1

2

3

4

5

6

7

8

9

2020 Regular Session

Wilford Carter

**Abstract:** Increases the jury trial threshold from \$50,000 to \$100,000.

<u>Present law</u> prohibits certain suits from being tried before a jury, including suits where no individual petitioner's cause of action exceeds \$50,000, exclusive of interest and costs, with certain exceptions.

<u>Proposed law</u> increases the threshold for a jury trial <u>from</u> \$50,000 to \$100,000.

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