



**LEGISLATIVE FISCAL OFFICE  
Fiscal Note**

Fiscal Note On: **SCR 16** SLS 201ES 183  
 Bill Text Version: **ORIGINAL**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> June 17, 2020 8:18 AM	<b>Author:</b> MILLS, ROBERT
<b>Dept./Agy.:</b> Office of Risk Mgmt/Attorney General/Supreme Court	<b>Analyst:</b> Rebecca Robinson
<b>Subject:</b> Jury Threshold	

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 Suspends certain provisions of law relative to the jury trial threshold. (Item #40)

Presently, the Code of Civil Procedure Article 1732(A)(1) provides that a jury trial is not available in suits where no individual petitioner's cause of action exceeds fifty thousand dollars exclusive of interests and costs. The concurrent resolution proposes to suspend this provision of the Code of Civil Procedure from the adoption of the resolution through the 60th day after final adjournment of the 2021 Regular Session of the Louisiana Legislature.

Effective August 1, 2020.

EXPENDITURES	2020-21	2021-22	2022-23	2023-24	2024-25	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<b>Annual Total</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

  

REVENUES	2020-21	2021-22	2022-23	2023-24	2024-25	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

There will be an indeterminable impact to the Office of Risk Management (ORM), the Louisiana Supreme Court (LSC), and the Attorney General (AG) as a result of the suspension of the \$50,000 jury threshold. Note: It is unknown whether this resolution would affect suits filed within the time frame or suits going to trial within the time frame of the resolution.

ORM reports an indeterminable impact associated with the suspension of the jury threshold as it is unknown whether this would lead to an increase or decrease in jury trials; and/or an increase or decrease in settlements. ORM indicates that the prevailing opinion is that defendants experience a greater opportunity for a fair trial before a jury. Thus, the expansion of the availability of jury trials may lead to more settlement of cases involving significant injuries, possibly lowering the expenditures of ORM. However, the suspension of the jury threshold could lead to an increase in jury trials actually conducted, which would increase the expenditures of ORM due to increased attorney's fees and associated litigation costs. Therefore, any expenditure increase or decrease to ORM is indeterminable at this time.

The AG reports an indeterminable impact due to the suspension of the jury threshold. The AG may experience an increase in expenditures due to increased costs to defend claims; however, they cannot identify a cost at this time.

The LSC reports an indeterminable impact. The suspension of the jury trial threshold could result in increased requests for jury trials, which are docketed in a limited manner. As a result, the increased demand for jury trials may lead to a delay in trials and backlogged dockets. However, the court cannot identify potential impacts at this time.

To the extent future legislation continues the change in the jury threshold, additional resources for both the AG and the district courts may be required.

**REVENUE EXPLANATION**

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

<b>Senate</b> <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H} <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}	<b>House</b> <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}	 <b>Evan Brasseaux</b> <b>Staff Director</b>
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