

HOUSE COMMITTEE AMENDMENTS

2021 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 406 by Representative Bishop

AMENDMENT NO. 1

On page 1, line 2, after "Article 833" and before the comma "," insert "and to enact Code of Criminal Procedure Article 833.1"

AMENDMENT NO. 2

On page 1, at the end of line 7, after "reenacted" insert "and Code of Criminal Procedure Article 833.1 is hereby enacted"

AMENDMENT NO. 3

On page 1, at the end of line 14, after the period "." add the following:

"Counsel accepting service and waiving the presence of the defendant shall use the form provided in Article 833.1.

Art. 833.1. Affidavit accepting service and waiver of presence form

STATE OF LOUISIANA
JUDICIAL DISTRICT FOR THE PARISH OF

No.: _____ Division: " _____ "
State of Louisiana
vs.

AFFIDAVIT ACCEPTING SERVICE AND
WAIVER OF PRESENCE

BEFORE ME, the undersigned authority, did personally come and appear,
(CLIENT), who after being duly sworn did depose and say:

1.

Affiant acknowledged that he is the defendant in the above captioned
criminal matter; that he is aware of all charges pending against him in this matter and
that he has retained the services of _____ (ATTORNEY(S) or LAW FIRM)
to represent him in these proceedings;

2.

Affiant is aware that he is scheduled to be in court on the _____ day of
_____, 20 _____ at _____ (TIME) and that he has the right to be present on that day but
expressly wished to waive this right and to have his legal counsel appear on his
behalf;

3.

Affiant is aware that in his absence, additional court dates could be scheduled
in these proceedings and he hereby appoints his above named legal counsel as his
agent(s) to accept service of notice to appear for those dates on his behalf, that he
accepts service of those dates through his counsel and that he expressly waives his
appearance for those dates and authorizes his counsel to appear on his behalf;

4.

Affiant understands that the court, in its sole discretion may revoke its
acceptance of this waiver and require that affiant personally appear in open court on

1 subsequent court dates; that his counsel will also be notified; that a notice of
2 appearance will be mailed to affiant at his address of record and that defendant's
3 failure to appear at subsequent court date could result in the issuance of an arrest
4 warrant, a revocation of appearance bond and/or is punishable as contempt of court;

5 5.

6 Finally, Affiant acknowledges that his current address is:
7 (Street, Apt/Lot No, City, State and Zip Code); and authorizes
8 the court to use this address for all notices, unless changed in writing by affiant.

9 _____
10 Affiant

11 SWORN TO AND SUBSCRIBED BEFORE ME, notary, this _____ day of
12 _____ , 20 _____ .

13 _____
14 NOTARY PUBLIC"

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.