
DIGEST

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HB 507 Engrossed

2021 Regular Session

Crews

Abstract: Authorizes electronic filings in criminal cases.

Present law (C.Cr.P. Art. 14.1) provides that any document in a traffic or criminal action may be filed with the clerk of court by facsimile transmission if permitted by the policy of the clerk of court.

Present law provides that a filing shall be deemed complete at the time the facsimile transmission is received by the clerk of court and provides additional requirements for facsimile filing.

Present law provides that if the filing party fails to comply with any of the requirements of present law, the facsimile filing shall have no force or effect.

Present law provides that each clerk of court shall make available the necessary equipment and supplies to accommodate facsimile filing in criminal actions.

Present law (C.C.P. Art. 253(B)) provides that civil court filings may be transmitted electronically in accordance with a system established by a clerk of court or by the La. Clerks' Remote Access Authority, and further provides that when such a system is established, the clerk of court shall adopt and implement procedures for the electronic filing and storage of any pleading, document, or exhibit.

Present law (C.C.P. Art. 253(B)) provides that the official record shall be the electronic record, and that a pleading or document filed electronically is deemed filed on the date and time stated on the confirmation of electronic filing sent from the system, if the clerk of court accepts the electronic filing.

Proposed law retains present law and adopts for criminal court filings the same authorization as for present law civil court electronic filings.

(Adds C.Cr.P. Art. 14.1(F))