

2022 Regular Session

HOUSE BILL NO. 50

BY REPRESENTATIVE FRIEMAN

CIVIL/PROCEDURE: Provides relative to notice of signing of certain court orders

1 AN ACT

2 To enact Code of Civil Procedure Article 1913.1, relative to orders of the court; to provide
3 for notice of the signing of an order; to provide for delivery; to provide for duties of
4 the clerk; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Civil Procedure Article 1913.1 is hereby enacted to read as
7 follows:

8 Art. 1913.1. Notice of orders

9 A. Except as otherwise provided by law, notice of the signing of an order is
10 required in all contested cases and shall be sent by both electronic mail and United
11 States Postal Service mail by the clerk of court to the counsel of record for each party
12 and to each party not represented by counsel.

13 B. Notice of the signing of an order pertaining to any defendant on whom
14 citation was not served personally or on whom citation was served through the
15 secretary of state and who filed no exception, answer, or other pleading shall be
16 served on the defendant at their last known address by registered or certified mail or,
17 in the case of a defendant originally served through the secretary of state, by mailing
18 to the secretary of state.

19 C. The clerk shall file a certificate in the record showing the date on which
20 and the counsel and parties to whom a copy of the order was sent by both electronic

1 mail and United States Postal Service by the clerk to the counsel of record for each
2 party and to each party not represented by counsel.

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 50 Original

2022 Regular Session

Frieman

Abstract: Provides for the mailing of the notice of the signing of an order of the court.

Proposed law provides that in all contested cases, notice of the signing of an order shall be sent by both electronic mail and United States Postal Service by the clerk of court to the counsel and each party.

Proposed law provides that for defendants who were not served personally or if citation was served through the secretary of state and who filed no pleading, notice shall be served on the defendant at their last known address by regular or certified mail. If the defendant was originally served through the secretary of state, notice of the order shall be mailed to the secretary of state.

Proposed law provides that the clerk shall certify in the record the date on which and to whom the order was sent via electronic mail and United States Postal Service.

(Adds C.C.P. Art. 1913.1)