

## RÉSUMÉ DIGEST

ACT 504 (SB 214)

2022 Regular Session

Luneau

Prior law provided for the compulsory process related to requiring the appearance and testimony of witnesses that are located in another state, territory, district, or foreign jurisdiction. Prior law further provided that the rules concerning any deposition are to be governed by the law of the place where the deposition is to be taken.

New law retains prior law but creates an exception for an insurance claims adjuster who does not reside in Louisiana but who makes a physical appearance in this state to adjust an insurance claim.

New law requires a nonresident insurance claims adjuster who adjusted the Louisiana claim to appear and testify at the trial in the parish or venue in which a civil suit is pending, and be available for deposition by telephone or video teleconference.

New law provides that a deposition of a nonresident insurance claims adjuster taken via telephone or video teleconference shall not be admissible as testimony at trial other than for the purpose of impeachment, or upon the showing of death or incapacity of the deponent.

New law provides that "insurance claims adjuster" means those persons who are licensed or registered with the Dept. of Insurance to investigate or adjust claims on behalf of an insurance company as an independent contractor or an employee.

New law does not apply to any insurance claims adjuster for an insurer domiciled in Louisiana.

Effective August 1, 2022.

(Amends C.C. Art. 1435)