
DIGEST

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HB 229 Original

2023 Regular Session

Magee

Abstract: Provides relative to electronic civil and criminal case filings.

Present law creates the Louisiana Clerks' Remote Access Authority (LCRAA) to provide for infrastructure, governance, standard operating procedures, technology, and training to support a statewide portal for secure remote access by internet users to certain records maintained by LCRAA members, to provide assistance to LCRAA members in procuring, implementing, enhancing, and maintaining equipment, supplies, and services related to technology to facilitate electronic transactions and communications, and to disseminate information to the public, to facilitate the operations of any member during any declared emergency, and to provide for document preservation.

Proposed law removes those requirements and instead requires LCRAA to provide for the infrastructure, governance, standard operating procedures, technology, and training to develop a statewide integrated electronic filing system.

Proposed law defines "integrated electronic filing system" as electronic document filing, case management, and document and image management.

Proposed law requires every clerk of court to have the integrated electronic filing system in place no later than Jan. 1, 2025.

Proposed law requires LCRAA to use the filing fee collected by LCRAA to establish the integrated electronic filing system.

Present law provides for the membership of the LCRAA board.

Proposed law adds one justice of the La. Supreme Court and three judges of the La. district courts to the board.

Proposed law requires every clerk of court to submit information regarding electronic filing system capabilities and costs to LCRAA and further requires LCRAA to compile and submit the information to the legislature no later than Jan. 1, 2024.

Present law allows for any document in a civil, traffic, or criminal action to be filed with the clerk of court by facsimile transmission.

Proposed law allows for any document in a civil, traffic, or criminal action to be filed with the clerk

of court by facsimile transmission until Jan. 1, 2025.

Present law allows for any document in a civil, traffic, or criminal action to be filed electronically in accordance with a system established by a clerk of court or LCRAA.

Proposed law requires, beginning Jan. 1, 2025, all documents in a civil, traffic, or criminal action filed by an attorney must be transmitted electronically in accordance with a system established by a clerk of court or LCRAA.

Proposed law provides that upon adoption of uniform filing standards by the supreme court, no clerk of court shall accept a filing not in accordance with the standards.

(Amends R.S. 13:754(A)-(D) and (F) and 850(A), C.C.P. Art. 253(B) and (D), and C.Cr.P. Art. 14.1(A) and (F); Adds C.C.P. Art. 253(I) and C.Cr.P. Art. 14.1(G))