### 2023 Regular Session

### HOUSE CONCURRENT RESOLUTION NO. 22

### BY REPRESENTATIVE FRIEMAN

# CIVIL/PROCEDURE: Directs the Louisiana State Law Institute to study and make recommendations regarding notice and mailing requirements

1	A CONCURRENT RESOLUTION		
2	To authorize and direct the Louisiana State Law Institute to study procedures in civil actions		
3	that require the mailing of notice with respect to the commencement of certain		
4	deadlines or answers or responses or for appearance before the court for certain		
5	motions and other hearings to determine whether it is more effective to base timely		
6	notice on the date of mailing of such notice or on the date of actual receipt of such		
7	notice and report its findings to the Louisiana Legislature no later than February 1		
8	2024.		
9	WHEREAS, the required notice and related deadlines in certain civil actions, such		
10	as motions for new trial and default judgments, are based upon the mailing of notice as		
11	opposed to the receipt of notice; and		
12	WHEREAS, the United States Post Office is often delayed in its delivery of items;		
13	and		
14	WHEREAS, due to the delays of delivery by the United States Post Office, it is		
15	possible for parties to receive notice after a deadline has passed or not within enough time		
16	to respond; and		
17	WHEREAS, timely notice is crucial so all parties can respond accordingly within		
18	adequate time; and		
19	WHEREAS, it may be more effective for notice to be based upon the date of receipt		
20	instead of the date of mailing because deadlines may pass before delivery.		

1	THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby		
2	authorize and direct the Louisiana State Law Institute to study procedures in civil actions		
3	that require the mailing of notice with respect to the commencement of certain deadlines for		
4	answers or responses or for appearance before the court for certain motions and other		
5	hearings and to report its findings to the Legislature of Louisiana no later than February 1,		
6	2024.		
7	BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the		
8	director of the Louisiana State Law Institute.		
9	BE IT FURTHER RESOLVED that the Louisiana State Law Institute shall submit		

- 10 one print copy and one electronic copy of any report produced pursuant to this Resolution
- 11 to the David R. Poynter Legislative Research Library as required by R.S. 24:772.

## 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)]

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2023 Regular Session

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Directs the La. State Law Institute to study provisions on notice and mailing requirements to determine if it is more effective to have timely notice upon date of receipt instead of date of mailing and to report its findings to the legislature no later than Feb. 1, 2024.