

2024 Regular Session

HOUSE BILL NO. 754

BY REPRESENTATIVE LAFLEUR

COURTS/COURT COSTS: Provides relative to filing fees for the Complex Litigation Section Pilot Program in the 19th JDC

1 AN ACT

2 To enact R.S. 13:842.4, relative to the establishment of the Complex Litigation Section Pilot
3 Program in the Nineteenth Judicial District Court; to provide for definitions; to
4 authorize the clerk of court of East Baton Rouge Parish to establish the Complex
5 Litigation Section Pilot Program; to provide for additional filing fees in certain civil
6 suits; to establish the Complex Litigation Section Fund; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 13:842.4 is hereby enacted to read as follows:

10 §842.4. Complex Litigation Section Pilot Program; filing fees; Nineteenth Judicial
11 District Court

12 A. As used in this Section, the term "complex litigation" shall mean a type
13 of civil case that involves multifaceted legal and case management issues requiring
14 all-encompassing judicial management to expedite litigation and promote effective
15 decision-making by all parties and the court. In order to determine if a case may be
16 referred to the Complex Litigation Section, the court shall consider certain factors
17 including but not limited to the following:

18 (1) The need for a high degree of case management, including the handling
19 of discovery disputes and motion practice.

1 (2) The expectation of numerous pre-trial or discovery motions raising
2 difficult, novel, inextricably intertwined, or time consuming legal issues.

3 (3) The expectation of extensive and intensive document review or in camera
4 inspection by the court.

5 (4) The presence of a large number of parties represented by separate
6 counsel on the principal action or any cross-claims, reconventional demands, or
7 third-person interventions.

8 (5) The need to manage a large amount of physical and electronic documents
9 during the pendency of the suit and at a trial.

10 (6) The need to manage a large number of expert witnesses.

11 (7) The anticipation of a lengthy trial duration.

12 (8) The action satisfies the prerequisites of a class action and may be
13 maintained as a class action under Code of Civil Procedure Article 591, including
14 mass tort actions.

15 (9) The need for an appointment of a special master.

16 (10) Any other criteria deemed complex by the court.

17 B. The Nineteenth Judicial District Court may establish the Complex
18 Litigation Section Fund to provide for additional filing fees for complex litigation
19 cases. Pursuant to this program, and notwithstanding any other provision of law to
20 the contrary, the clerk of court may demand and receive a filing fee of two hundred
21 dollars for each case referred to the Complex Litigation Section.

22 C. The clerk of court shall collect all monies generated pursuant to this
23 Section and forward them to the Nineteenth Judicial District Court for placement in
24 a separate account to be designated as the Complex Litigation Section Fund for the
25 Nineteenth Judicial District Court. The Complex Litigation Section Fund may be
26 used for any operating expenses of the section, including salaries. The court shall
27 keep accurate records, shall cause to be conducted an annual audit of the fund and
28 the books and accounts relating to the fund, and shall file the audit with the office of
29 the legislative auditor where it shall be available for public inspection.

- 1 D. The pilot program authorized by this Section shall be effective for a
 2 period of two years, unless extended by the legislature.

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 754 Engrossed

2024 Regular Session

LaFleur

Abstract: Authorizes the establishment of the Complex Litigation Section Pilot Program in the 19th JDC and provides for additional filing fees for complex litigation cases.

Proposed law provides for definitions and provides certain factors to determine if a case may be referred to the Complex Litigation Section.

Proposed law authorizes the 19th JDC to establish the Complex Litigation Section Pilot Program and provides for additional filing fees in complex litigation cases.

Proposed law provides that the clerk of court may demand and receive a filing of \$200 for each case referred to the Complex Litigation Section.

Proposed law requires the clerk of court to collect all monies generated pursuant to this Section and forward them to the 19th JDC for placement into a separate account designated as the Complex Litigation Section Fund. Provides further that the court shall keep accurate records, shall cause to be conducted an annual audit, and shall file the audit with the office of the legislative auditor.

Proposed law provides that the pilot program shall be effective for two years unless extended by the legislature.

(Adds R.S. 13:842.4)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Make technical changes.
2. Authorize the 19th JDC to establish the Complex Litigation Section Pilot Program.
3. Change provisions which provide relative to the collection and placement of all monies generated pursuant to proposed law.
4. Change provisions which provide relative to an annual audit.