

Regular Session, 2013

SENATE CONCURRENT RESOLUTION NO. 6

BY SENATOR CROWE

LEGISLATIVE AGENCIES. Requests that the Louisiana State Law Institute study the feasibility of requiring clerks of court to accept electronic signatures on documents to be filed with the court.

1 A CONCURRENT RESOLUTION

2 To urge and request the Louisiana State Law Institute to study and make recommendations
3 on the feasibility of requiring clerks of court to accept electronic signatures on
4 documents for filing.

5 WHEREAS, the practice of law is now operating in an age where documents are
6 predominantly created, published and often transmitted in an electronic format; and

7 WHEREAS, currently at least one Louisiana parish, Jefferson Parish, allows
8 attorneys to electronically file and sign documents; and

9 WHEREAS, currently at least one Louisiana parish, East Baton Rouge Parish, on
10 request will issue electronically certified copies of documents filed with the court; and

11 WHEREAS, concerns may exist about how to properly authenticate electronic
12 signatures, particularly involving real property transactions in the state of Louisiana; and

13 WHEREAS, while the concept of requiring all clerks of court in Louisiana to accept
14 electronic signatures may initially present both financial and practical hurdles for individual
15 offices of clerks of court, the feasibility of such a concept should be studied to ensure that
16 Louisiana remains consistent and current with practices of other states in the acceptance of
17 electronic signatures on legal filings; and

18 WHEREAS, such study should include whether there are cost savings to be gained

1 by moving to electronic signatures being accepted within the clerks of court's offices in
2 Louisiana.

3 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
4 urge and request that the Louisiana State Law Institute study and make recommendations
5 concerning the feasibility and legal and practical ramifications of requiring clerks of court
6 in Louisiana to accept electronic signatures on documents filed with them, including
7 consideration of the possible financial impact.

8 BE IT FURTHER RESOLVED that the Louisiana State Law Institute shall report
9 its findings or recommended legislation to the Legislature not later than February 1, 2015.

10 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
11 director of the Louisiana State Law Institute.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Julie J. Baxter.

DIGEST

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SCR No. 6

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feasibility of requiring clerks of court in Louisiana to accept electronic signatures on
documents for filing.