
HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 589 by Representative Abramson

1 AMENDMENT NO. 1

2 On page 1, line 2, after "Articles" delete the remainder of the line

3 AMENDMENT NO. 2

4 On page 1, delete lines 3 through 17 in their entirety and insert the following:

5 "966(E) and (F), 1732(1), and 1915(B) and to enact Code of Civil
6 Procedure Article 966(G), relative to civil procedure; to provide for
7 submission of and objections to evidence for motions for summary judgment;
8 to provide for limitations on jury trial threshold amounts; to provide for the
9 effect of a partial summary judgment; and to provide for related matters."

10 AMENDMENT NO. 3

11 On page 2, line 1, after "Articles" delete the remainder of the line and insert "966(E) and (F),
12 1732(1), and"

13 AMENDMENT NO. 4

14 On page 2, line 2, after "1915(B)" delete the comma "," and "1951, and 1979"

15 AMENDMENT NO. 5

16 On page 2, line 3, after "Articles" delete "78.1, 927(A)(8)," and after "966(G)" change "are"
17 to "is"

18 AMENDMENT NO. 6

19 On page 2, delete lines 4 through 29 in their entirety

20 AMENDMENT NO. 7

21 On page 3, delete lines 1 through 20 in their entirety

22 AMENDMENT NO. 8

23 On page 3, line 25, after "case" insert "as to that party or parties"

24 AMENDMENT NO. 9

25 On page 4, line 4, after "a" and before "stating" delete "motion to strike or memorandum"
26 and insert "memorandum in support thereof or in a motion to strike"

27 AMENDMENT NO. 10

28 On page 4, delete lines 16 through 28 in their entirety

29 AMENDMENT NO. 11

30 On page 5, line 4, after "costs" delete the period and the remainder of the line and insert a

1 comma "," and the following:

2 "except as follows:

3 (a) If an individual petitioner stipulates or otherwise judicially admits ninety
4 days or more prior to trial that the amount of the individual petitioner's cause of
5 action does not exceed fifty thousand dollars exclusive of interest and costs, a
6 defendant shall not be entitled to a trial by jury.

7 (b) If an individual petitioner stipulates or otherwise judicially admits for the
8 first time less than ninety days prior to trial that the amount of the individual
9 petitioner's cause of action does not exceed fifty thousand dollars exclusive of
10 interest and costs, any other party may retain the right to a trial by jury if that party
11 is entitled to a trial by jury pursuant to this Article and has otherwise complied with
12 the procedural requirements for obtaining a trial by jury."

13 AMENDMENT NO. 12

14 On page 5, delete lines 5 through 9 in their entirety

15 AMENDMENT NO. 13 - Rejected

16 "Section 2. R.S. 28:69(A) is hereby amended and reenacted to read as follows:

17 §69. Procedure

18 A.(1) Upon the filing of the petition, the court shall assign a time and
19 place for a hearing, which may be conducted before any judge in the judicial
20 district, within five days, and shall cause reasonable notice thereof and a
21 copy of the petition to be served upon the respondent, respondent's attorney,
22 the petitioner and the director of the human service district or the regional
23 manager of the Department of Health and Hospitals, office of behavioral
24 health, in the parish where the petition has been filed. The notice shall
25 inform the respondent that he has a right to be present, a right to counsel,
26 which may be appointed, if he is indigent or otherwise qualified, has the right
27 to counsel appointed to represent him by the Mental Health Advocacy
28 Service, and a right to cross examine witnesses. Continuances shall be
29 granted only for good cause shown.

30 (2) In addition to those persons entitled to notice pursuant to
31 Paragraph (1) of this Subsection, if the respondent is interdicted, notice of the
32 hearing and a copy of the petition shall be served upon the attorney from the
33 mental health advocacy group appointed for the interdict or on a previously
34 appointed attorney of record for the interdict.

35 * * *

36 AMENDMENT NO. 14

37 On page 6, delete lines 1 through 28 and

38 on page 7, delete lines 1 through 27 in their entirety

39 AMENDMENT NO. 15

40 On page 8, delete lines 1 through 29 in their entirety

- 1 AMENDMENT NO. 16
- 2 On page 9, delete lines 1 through 29 in their entirety
- 3 AMENDMENT NO. 17
- 4 On page 10, delete lines 1 through 27 in their entirety
- 5 AMENDMENT NO. 18
- 6 On page 11, delete lines 1 through 26 in their entirety