

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 86** SLS 14RS 464

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 8, 2014	1:19 PM	Author: MURRAY
Dept./Agy.: Judiciary		Analyst: Matthew LaBruyere
Subject: Jury Trials		

CIVIL PROCEDURE

OR DECREASE LF EX See Note

Page 1 of 1

Provides relative to civil jury trial threshold. (gov sig)

Present law provides that a trial by jury shall not be available in certain matters, including a suit where the amount of no individual petitioner's cause of action exceeds \$50,000 exclusive of interest and costs, except for certain cases.

Proposed law changes "\$50,000" to "that amount in controversy set forth in 28 U.S.C. 1332(a)" and retains remainder of present law. 28 U.S.C. 1332(a) provides that the district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs.

EXPENDITURES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Annual Total						

REVENUES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Annual Total						

EXPENDITURE EXPLANATION

The proposed legislation would result in a decreased workload for district and city courts as a result of increasing the civil jury threshold amount. It is anticipated that the number of civil jury trials will decrease due to increasing the civil jury threshold amount. However, it is unknown how much the workload for district courts and city courts would decrease.

The number of persons who seek a civil jury trial may decrease since the threshold amount increases by \$25,000 (\$75,000 proposed - \$50,000 current), therefore the number civil jury trials held may decrease. The costs associated with civil jury trials include summoning jurors, compensation for court attendance (\$25 per person per day), reimbursement for mileage (\$0.16 per mile), and expenses of the jury commission, clerk of court, and sheriff. This cost is paid by the party that seeks a jury trial and is paid to the clerk of court in either a cash deposit or a jury bond.

It should be noted that to the extent a judge waives the jury trial security deposit or expenses exceed the deposit amount, the costs associated with the jury will be paid by the judicial expense fund of the district court or the parish treasury in districts that do not have a judicial expense fund.

REVENUE EXPLANATION

The proposed legislation would result in a decrease in local fund revenues as a result of increasing the civil jury threshold amount. The number of persons who seek a civil jury trial may decrease since the threshold amount increases by \$25,000 (\$75,000 proposed - \$50,000 current), therefore the number of cash deposits and jury bonds received by the clerk of court may decrease. The deposits will be used to pay costs associated with jury trials and in the event funds remain from the deposits, the funds will be refunded by the clerk of court to the party filing the cash deposit.

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|---|----------------------------|--------------|--|
| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} | | | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & S} |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} | | | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |

Evan Brasseaux

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