

GREEN SHEET REDIGEST

HB 114

2015 Regular Session

Burford

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

CIVIL/ACTIONS. Authorizes the award of attorney fees relative to contempt of court.

DIGEST

**Abstract:** Authorizes the court to award reasonable attorney fees when granting a motion for contempt of court.

Present law provides that the supreme court, the courts of appeal, the district courts, family courts, juvenile courts, and the city courts may punish a person adjudged guilty of a contempt of court.

Present law provides specified monetary and imprisonment penalties for certain forms of contempt of court, including penalties for direct contempt of court committed by an attorney, for disobeying restraining orders and injunctions, for deliberate refusal to perform an act, and for disobeying an order for the payment of child or spousal support.

Present law provides that justices of the peace may punish a person adjudged guilty of a direct contempt of court by a fine of not more than \$50, imprisonment in the parish jail for not more than 24 hours, or both.

Present law authorizes the court or a justice of the peace, when applicable, to suspend the imposition or the execution of the whole or any part of the sentence imposed and place the defendant on unsupervised probation or probation supervised by a probation office, agency, or officer designated by the court or justice of the peace, other than the division of probation and parole of the Dept. of Public Safety and Corrections.

Present law authorizes a court to award reasonable attorney fees when a court finds that a parent has violated a visitation order.

Proposed law retains present law and further authorizes a court which grants a motion for contempt of court to award reasonable attorney fees to the party bringing the motion for contempt of court.

(Amends R.S. 13:4611(1)(e)(intro. para.); Adds R.S. 13:4611(4))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the engrossed bill

1. Deletes removal of payment of reasonable attorney fees as a possible requirement a court may order when a parent has violated a visitation order.
2. Removes justices of the peace courts from a new provision authorizing a court which grants a motion for contempt of court to award reasonable attorney fees to the party bringing the motion.