

2020 Regular Session

SENATE BILL NO. 45

BY SENATOR PEACOCK

CIVIL PROCEDURE. Provides for jury trial thresholds. (8/1/20)

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AN ACT

To amend and reenact Code of Civil Procedure Art. 1732(1), relative to jury trials; to provide for limitations on jury trials; to provide for certain threshold amounts; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Civil Procedure Art. 1732(1) is hereby amended and reenacted to read as follows:

Art. 1732. Limitation upon jury trials

A trial by jury shall not be available in:

(1) A suit where the amount of no individual petitioner's cause of action exceeds ~~fifty~~ **fifteen** thousand dollars exclusive of interest and costs, except as follows:

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

(b) If an individual petitioner stipulates or otherwise judicially admits for the

1 first time less than sixty days prior to trial that the amount of the individual
 2 petitioner's cause of action does not exceed ~~fifty~~ fifteen thousand dollars exclusive
 3 of interest and costs, any other party may retain the right to a trial by jury if that
 4 party is entitled to a trial by jury pursuant to this Article and has otherwise complied
 5 with the procedural requirements for obtaining a trial by jury.

6 (c) Notwithstanding Subsubparagraphs (a) and (b) of this Subparagraph, if,
 7 as a result of a compromise or dismissal of one or more claims or parties which
 8 occurs less than sixty days prior to trial, an individual petitioner stipulates or
 9 otherwise judicially admits that the amount of the individual petitioner's cause of
 10 action does not exceed ~~fifty~~ fifteen thousand dollars exclusive of interest and costs,
 11 a defendant shall not be entitled to a trial by jury.

12 * * *

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Margaret M. Corley.

	DIGEST	
SB 45 Original	2020 Regular Session	Peacock

Present law prohibits certain suits from being tried before a jury, including suits where no individual petitioner's cause of action exceeds \$50,000, exclusive of interest and costs, except in certain instances.

Proposed law reduces the cause of action threshold from \$50,000 to \$15,000, and retains remainder of present law.

Effective August 1, 2020.

(Amends C.C.P. Art. 1732(1))