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**SENATE FLOOR AMENDMENTS**

2016 Regular Session

Amendments proposed by Senator Milkovich to Engrossed Senate Bill No. 242 by Senator Milkovich

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1 AMENDMENT NO. 1

2 On page 1, line 2, change "enact Code of Civil Procedure Art. 1636.1." to "amend and  
3 reenact Code of Civil Procedure Art. 963,"

4 AMENDMENT NO. 2

5 On page 1, line 7, change "Code of Civil Procedure Art. 1636.1 is hereby enacted" to "Code  
6 of Civil Procedure Art. 963 is hereby amended and reenacted"

7 AMENDMENT NO. 3

8 On page 1, delete lines 8 through 16 in their entirety and insert the following:

- 9 "Art. 963. Ex parte and contradictory motions; rule to show cause  
10 A. If the order applied for by written motion is one to which mover is clearly  
11 entitled without supporting proof, the court may grant the order ex parte and without  
12 hearing the adverse party.  
13 B. If the order applied for by written motion is one to which the mover is not  
14 clearly entitled, or which requires supporting proof, the motion shall be served on  
15 and tried contradictorily with the adverse party.  
16 C. The rule to show cause is a contradictory motion.  
17 D. Notwithstanding any provision of law to the contrary, a party shall  
18 have the right to present oral argument, in addition to written briefs, at all  
19 contradictory hearings in civil cases. Oral argument may be waived if all  
20 parties agree in writing to such waiver.  
21 E. A judgment obtained without allowing oral argument as provided by  
22 this Article shall be considered a relative nullity. A motion to annul a judgment  
23 on such grounds shall be brought within thirty days after the clerk has mailed,  
24 or the sheriff has served, the notice of judgment as required by Article 1913."