
DIGEST

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HB 439 Engrossed

2025 Regular Session

Hebert

Abstract: Provides a limit on the first \$15,000 of attorney contingency fees.

Proposed law provides that in a delictual action, the attorney shall not charge more than 10% for the first \$15,000 of recovery for contingency fees.

Proposed law provides that in a delictual action, if the fee charged by an attorney is contingent, the contingency fee percentage shall be considered discoverable.

Proposed law provides that a nondisclosure agreement that prohibits or prevents the disclosure of the contingency fee percentage shall be considered null and unenforceable to the extent that it prohibits or prevents the disclosure of the contingency fee percentage.

Proposed law provides that an officer of the court with knowledge of an attorney who has violated the provisions of proposed law shall file a complaint against the attorney for the violation with the La. Attorney Disciplinary Board instead of requiring the clerk of court to file the complaint.

(Adds R.S. 37:218(C))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Make technical changes.
2. Provide that in a delictual action, if the fee charged by an attorney is contingent, the contingency fee percentage shall be considered discoverable.
3. Provide that a nondisclosure agreement that prohibits or prevents the disclosure of the contingency fee percentage shall be considered null and unenforceable to the extent that it prohibits or prevents the disclosure of the contingency fee percentage.
4. Provide that an officer of the court with knowledge of an attorney who has violated the provisions of proposed law shall file a complaint against the attorney for the violation with the La. Attorney Disciplinary Board instead of requiring the clerk of court to file the complaint.

