The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

DIGEST

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Present law (C.C.P. Art. 1313) provides that except as otherwise provided by law, every pleading subsequent to the original petition, and every pleading which under an express provision of law may be served as provided in present law, may be served either by the sheriff or by:

(1) Mailing a copy of the pleading to the counsel of record, or if there is no counsel of record, to the adverse party at his last known address, this service being complete upon mailing.

(2) Delivering a copy of the pleading to the counsel of record, or if there is no counsel of record, to the adverse party.

(3) Delivering a copy of the pleading to the clerk of court, if there is no counsel of record and the address of the adverse party is not known.

(4) Transmitting a copy by electronic means to counsel of record, or if there is no counsel of record, to the adverse party, at the number or addresses expressly designated in a pleading or other writing for receipt of electronic service. Service by electronic means is complete upon transmission but is not effective and shall not be certified if the serving party learns that the transmission did not reach the party to be served. If electronic service cannot be effected in accordance with present law, service may be effected in accordance with other provisions of present law.

Proposed law retains present law but clarifies that for transmitting a copy by electronic means to counsel of record, or if there is no counsel of record, to the adverse party, at the number or addresses expressly designated in a pleading or other writing which is filed in the record for receipt of electronic service.

Effective August 1, 2026.

(Amends C.C.P. Art 1313(A)(4))