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## DIGEST

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Greene

HB No. 509

**Abstract:** Requires the non-prevailing party to pay all court costs and attorney fees if the suit or the defense to the suit is determined to be frivolous.

Present law requires costs to be paid by the party cast in judgment, unless the judgment provides otherwise.

Proposed law maintains present law and provides that if the court determines the suit or the defense to the suit to be frivolous, the non-prevailing party shall pay all court costs and reasonable attorney fees of the other party.

Proposed law provides that the provisions of proposed law shall also apply to medical malpractice litigation, however, the decision of a medical review panel alone shall not be determinative of the issue of whether the action or defense is frivolous.

(Amends C.C.P. Art. 1920)