

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 273** SLS 14RS 715

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 2, 2014	3:31 PM	Author: GUILLORY, E
Dept./Agy.: Judiciary		Analyst: Matthew LaBruyere
Subject: Jury Thresholds		

CIVIL PROCEDURE

OR INCREASE LF EX See Note

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Provides with respect to the availability of jury trials in certain civil matters. (8/1/14)

Present law provides that a civil trial by jury shall not be available in a suit where the amount of no individual petitioner's cause of action exceeds \$50,000, exclusive of interest and costs, except as follows: 1) If an individual petitioner stipulates or other judicially admits 60 days or more prior to trial that the amount of the individual petitioner's cause of action does not exceed \$50,000. 2) If an individual petitioner stipulates or otherwise judicially admits for the first time less than 60 days prior to trial that the amount of the individual petitioner's cause of action does not exceed \$50,000, any other party may retain the right to a trial by jury if that party is entitled to a trial by jury pursuant to present law and has otherwise complied with the procedural requirements for obtaining a trial by jury. 3) If, as a result of a compromise or dismissal of one or more claims or parties that occurs less than 60 days prior to trial, an individual petitioner stipulates or otherwise judicially admits that the amount of the individual petitioner's cause of action does not exceed \$50,000 exclusive of interest and costs, a defendant shall not be entitled to a trial by jury. Proposed law deletes present law.

EXPENDITURES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Annual Total						

REVENUES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Annual Total						

EXPENDITURE EXPLANATION

The proposed legislation would result in an increased workload for district and city courts as a result of reducing the civil jury threshold amounts. It is anticipated that the number of civil jury trials will increase due to decreasing the civil jury threshold amounts.

The costs associated with civil jury trials include summoning jurors, compensation for court attendance (\$25 per person per day), reimbursement for mileage (\$0.16 per mile), and expenses of the jury commission, clerk of court, and sheriff. This cost is paid by the party that seeks a jury trial and is paid to the clerk of court in either a cash deposit or a jury bond.

To the extent a judge waives the jury trial security deposit or expenses exceed the deposit amount, the costs associated with the jury will be paid by the judicial expense fund of the district court or the parish treasury in districts that do not have a judicial expense fund.

It should be noted that it is unknown how much the workload for district courts and city courts would increase. However, courthouses in some jurisdictions have limited space to host jury trials which may create a backlog of cases to be tried.

REVENUE EXPLANATION

Local fund revenues will increase as a result of cash deposits and jury bonds for jury trial. However, the deposits will be used to pay costs associated with jury trials and in the event funds remain from the deposits, the funds will be refunded by the clerk of court to the party filing the cash deposit.

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| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} | | | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & S} |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} | | | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |

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