
DIGEST

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HB 728 Original

2015 Regular Session

Garofalo

Abstract: Requires written pleadings in justice of the peace courts and provides with respect to trial procedures, evidence, and authorizes service.

Present law authorizes claims, exceptions, defenses, and pleas to be made by a party or his attorney, orally or in writing.

Proposed law requires that all pleadings be in writing and an original and one copy be filed with the justice of the peace or clerk of court.

Proposed law provides for the form and signature requirements relative to all pleadings.

Present law requires the permanent recordation of relevant case information and pleadings by the clerk of court or justice of the peace.

Proposed law retains present law except that the justice of the peace or clerk of court shall record all case information that has been filed with the court.

Present law provides general provisions for trial.

Proposed law retains present law but provides the following:

- (1) Provides for requirements relative to the citation.
- (2) Authorizes the justice of the peace or clerk of court to set matters for trial within certain time delays.
- (3) Provides for duties of the justice of the peace as it relates to trial procedures.
- (4) Provides relative to notice of judgment and procedures for appeal.

(Amends C.C.P. Arts. 4917, 4918, 4919(A)(intro. para.) and (5), (B), and (C), 4922, and 4925(A); Adds C.C.P. Arts. 4917.1, 4917.2, 4917.3, 4921.1(C) and 4921.2)