
DIGEST

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HB 449 Reengrossed

2025 Regular Session

Carlson

Abstract: Provides relative to disclosure of an attorney's interest in a case in certain circumstances.

Proposed law provides that if an attorney, other than the attorney of record, reasonably expects to earn a fee equal to or exceeding \$1,000, the attorney shall file a disclosure of his interest in the case with the court.

Proposed law provides that if an attorney in his individual capacity or through an interest in a business entity reasonably expects to earn an amount equal to or exceeding \$1,000, other than for legal services provided for in the case, the attorney shall file a disclosure of his interest in the case with the court.

Proposed law provides that information required to be disclosed to the court pursuant to proposed law shall be considered discoverable.

Proposed law provides that a nondisclosure agreement that prohibits or prevents the disclosures pursuant to proposed law shall be considered null and unenforceable to the extent that it prohibits or prevents the disclosure of the information required to be disclosed.

Proposed law shall not be considered a violation of the Uniform Trade Secrets Act.

(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. Specify that if an attorney other than the attorney of record can reasonably expect to earn a fee equal to or exceeding \$1,000, the attorney shall file a disclosure of his interest with the court.
2. Specify that the fee of \$1,000 or more expected by an attorney does not apply to fees for legal services provided for in the case.
3. Provide that information required to be disclosed to the court pursuant to proposed law shall be considered discoverable.

4. Provide that a nondisclosure agreement that prohibits or prevents the disclosures required by proposed law shall be considered null and unenforceable.
5. 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.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Remove the requirement that an officer of the court file a complaint against the attorney for the violation with the Louisiana Attorney Disciplinary Board.
3. Provide that proposed law shall not be considered a violation of the Uniform Trade Secrets Act.