

Regular Session, 2012

HOUSE BILL NO. 1168

BY REPRESENTATIVE TIM BURNS

CIVIL/PROCESS: Provides with respect to service of process in civil matters

1 AN ACT

2 To enact Code of Civil Procedure Article 1293(C), relative to service of process; to provide
3 for the appointment of certain persons as private process servers; to provide for
4 qualifications; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Civil Procedure Article 1293(C) is hereby enacted to read as
7 follows:

8 Art. 1293. Service by private person

9 * * *

10 C. In addition to those natural persons who the court may appoint to make
11 service of process pursuant to Paragraphs A or B of this Article, the court may also
12 appoint a juridical person which may then select an employee or agent of that
13 juridical person to make service of process, provided the employee or agent
14 perfecting service of process is a natural person who qualifies as an agent for service
15 of process pursuant to Paragraph A or B of this Article.

DIGEST

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Tim Burns

HB No. 1168

Abstract: Authorizes the court to appoint as a private process server a juridical person which may then select an employee or agent to perfect service of process.

Present law provides that when the sheriff has not made service within 10 days after receipt of the process or when the sheriff has been unable to make service, on motion of a party, the court shall appoint a person over the age of majority, not a party and residing within the state whom the court deems qualified to perform the duties required, to make service of process in the same manner as is required of sheriffs.

Proposed law retains present law but also authorizes the court to appoint a juridical person which may then select an employee or agent of that juridical person to make service of process.

(Adds C.C.P. Art. 1293(C))