
DIGEST

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HB 285 Original

2016 Regular Session

Garofalo

Abstract: Provides for continuous revisions to the Code of Civil Procedure and related provisions of the Revised Statutes

Present law (C.C.P. Arts. 1458, 1462(B)(1), 1465.1(B), and 1467(A)) provides for a 15-day time period within which to respond to discovery requests.

Proposed law extends the time period within which to respond to discovery requests to 30 days.

Present law (C.C.P. Art. 2541) provides for the enforcement of foreign and domestic judgments by a Louisiana court.

Proposed law clarifies that unlike state and federal judgments, judgments of a foreign country may not be enforced pursuant to R.S. 13:4241.

Present law (C.C.P. Art. 2642) provides for the signing of the order of seizure and sale as the commencement of the delay for taking a suspensive appeal from the order.

Proposed law changes the commencement of the suspensive appeal delay under present law to run upon service of the notice of seizure as provided in Article 2721.

Present law (C.C.P. Art. 2721) provides for the required contents of the notice of seizure of property.

Proposed law adds to present law that the notice of seizure shall reproduce in full the provisions of Article 2642.

Present law (R.S. 13:3852(B)) provides the form that shall be used by the sheriff for the notice of seizure of property.

Proposed law reproduces in full the provisions of C.C.P. Art. 2642 within the notice of seizure of property required under present law.

Present law (R.S. 13:4611) provides the penalties that may be imposed in a civil contempt of court proceeding.

Proposed law adds an award of attorney fees to the prevailing party in a civil contempt of court proceeding to the penalties permitted under present law.

(Amends C.C.P. Arts. 1458, 1462(B)(1), 1465.1(B), 1467(A), 2541, 2642, and 2721(B), and R.S. 13:3852(B); Adds R.S. 13:4611(1)(g))