2020 Regular Session

HOUSE BILL NO. 207

BY REPRESENTATIVE FIRMENT

CIVIL/JURY TRIALS: Reduces the civil jury trial threshold amount incrementally over a period of two years

1	AN ACT
2	To amend and reenact Code of Civil Procedure Article 1732(1), relative to civil jury trials;
3	to provide relative to jury threshold amounts; to provide for an incremental reduction
4	of the jury threshold over two years; and to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. Code of Civil Procedure Article 1732(1) is hereby amended and reenacted
7	to read as follows:
8	Art. 1732. Limitation upon jury trials
9	A trial by jury shall not be available in:
10	(1)(a) A Beginning August 1, 2020, through July 31, 2021, a suit where the
11	amount of no individual petitioner's cause of action exceeds fifty twenty-five
12	thousand dollars exclusive of interest and costs, except as follows:
13	(a)(i) If an individual petitioner stipulates or otherwise judicially admits sixty
14	days or more prior to trial that the amount of the individual petitioner's cause of
15	action does not exceed fifty twenty-five thousand dollars exclusive of interest and
16	costs, a defendant shall not be entitled to a trial by jury.
17	(b)(ii) If an individual petitioner stipulates or otherwise judicially admits for
18	the first time less than sixty days prior to trial that the amount of the individual
19	petitioner's cause of action does not exceed fifty twenty-five thousand dollars
20	exclusive of interest and costs, any other party may retain the right to a trial by jury
21	if that party is entitled to a trial by jury pursuant to this Article and has otherwise
22	complied with the procedural requirements for obtaining a trial by jury.

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	(c)(iii) Notwithstanding Subsubparagraphs (a) and (b) Items (i) and (ii) of
2	this Subparagraph Subsubparagraph, if, as a result of a compromise or dismissal of
3	one or more claims or parties which occurs less than sixty days prior to trial, an
4	individual petitioner stipulates or otherwise judicially admits that the amount of the
5	individual petitioner's cause of action does not exceed fifty twenty-five thousand
6	dollars exclusive of interest and costs, a defendant shall not be entitled to a trial by
7	jury.
8	(b) Beginning August 1, 2021, through July 31, 2022, a suit where the
9	amount of no individual petitioner's cause of action exceeds fifteen thousand dollars
10	exclusive of interest and costs, except as follows:
11	(i) If an individual petitioner stipulates or otherwise judicially admits sixty
12	days or more prior to trial that the amount of the individual petitioner's cause of
13	action does not exceed fifteen thousand dollars exclusive of interest and costs, a
14	defendant shall not be entitled to a trial by jury.
15	(ii) If an individual petitioner stipulates or otherwise judicially admits for the
16	first time less than sixty days prior to trial that the amount of the individual
17	petitioner's cause of action does not exceed fifteen thousand dollars exclusive of
18	interest and costs, any other party may retain the right to a trial by jury if that party
19	is entitled to a trial by jury pursuant to this Article and has otherwise complied with
20	the procedural requirements for obtaining a trial by jury.
21	(iii) Notwithstanding Items (i) and (ii) of this Subsubparagraph, if, as a result
22	of a compromise or dismissal of one or more claims or parties which occurs less than
23	sixty days prior to trial, an individual petitioner stipulates or otherwise judicially
24	admits that the amount of the individual petitioner's cause of action does not exceed
25	fifteen thousand dollars exclusive of interest and costs, a defendant shall not be
26	entitled to a trial by jury.
27	(c) Beginning August 1, 2022, a suit where the amount of no individual
28	petitioner's cause of action exceeds five thousand dollars exclusive of interest and
29	costs, except as follows:

1	(i) If an individual petitioner stipulates or otherwise judicially admits sixty
2	days or more prior to trial that the amount of the individual petitioner's cause of
3	action does not exceed five thousand dollars exclusive of interest and costs, a
4	defendant shall not be entitled to a trial by jury.
5	(ii) If an individual petitioner stipulates or otherwise judicially admits for the
6	first time less than sixty days prior to trial that the amount of the individual
7	petitioner's cause of action does not exceed five thousand dollars exclusive of
8	interest and costs, any other party may retain the right to a trial by jury if that party
9	is entitled to a trial by jury pursuant to this Article and has otherwise complied with
10	the procedural requirements for obtaining a trial by jury.
11	(iii) Notwithstanding Items (i) and (ii) of this Subsubparagraph, if, as a result
12	of a compromise or dismissal of one or more claims or parties which occurs less than
13	sixty days prior to trial, an individual petitioner stipulates or otherwise judicially
14	admits that the amount of the individual petitioner's cause of action does not exceed
15	five thousand dollars exclusive of interest and costs, a defendant shall not be entitled
16	to a trial by jury.
17	* * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 207 Original

2020 Regular Session

Firment

Abstract: Provides for the gradual reduction of the civil jury threshold amount over the span of two years from \$50,000 to \$5,000.

Present law authorizes a civil jury trial when the amount in controversy exceeds \$50,000.

<u>Proposed law</u> reduces the civil jury trial threshold from \$50,000 to \$25,000 beginning on Aug. 1, 2020, to \$15,000 beginning on Aug. 1, 2021, and to \$5,000 beginning on Aug. 1, 2022.

(Amends C.C.P. Art. 1732(1))