

2017 Regular Session

HOUSE BILL NO. 227

BY REPRESENTATIVE SHADOIN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COURTS/COURT REPORTERS: Provides relative to sealing and delivering depositions

1 AN ACT

2 To amend and reenact Code of Civil Procedure Article 1446(A)(1), relative to depositions;
3 to provide procedures for the sealing of certain depositions; to provide for delivery
4 of electronically sealed depositions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Civil Procedure Article 1446(A)(1) is hereby amended and
7 reenacted to read as follows:

8 Art. 1446. Certification by officer; custody of deposition; exhibits; copies; notice
9 of availability for inspection or copying; cost of originals and copies of
10 transcripts

11 A.(1)(a) The officer as defined in Article 1434(B) shall certify on the
12 deposition that the witness was duly sworn and that the deposition is a true record
13 of the testimony given by the witness.

14 (b) The officer shall do either of the following:

15 (i) Securely ~~He shall then securely~~ seal the deposition in an envelope
16 endorsed with the title of the action and marked "Deposition of (here insert name of
17 witness)" and shall promptly and simultaneously send it by United States mail or by
18 courier to the party at whose request the deposition was taken, who shall become the
19 custodian of the deposition , and to all other parties to the action who have ordered
20 a copy of the deposition transcript.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Reorganize the order of the provisions so that the procedures for sealing paper and electronic depositions appear together in the same Subparagraph.
2. Specify that copies of the electronic deposition are promptly and simultaneously delivered to all parties attending the deposition.

The House Floor Amendments to the engrossed bill:

1. Add technical amendments.
2. Specify the parties who may order a copy of the deposition transcript.
3. Specify that the deposition shall be sent simultaneously to the parties.