

Regular Session, 2011

HOUSE CONCURRENT RESOLUTION NO. 126

BY REPRESENTATIVE WILLMOTT

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make specific recommendations for legislation to establish procedures and forms for use when a translator is required to draft and execute a testament.

WHEREAS, Louisiana law currently provides for two forms of testaments: holographic and notarial; and

WHEREAS, Civil Code Articles 1577 through 1580.1 provide for different procedures and forms for executing notarial testaments in order to accommodate testators who are physically unable to sign, who are unable to read, who are able to read braille, and who are deaf or deaf and blind; and

WHEREAS, over the past decade, there has been a significant increase in the population of this state of persons who are unable to read or speak English; and

WHEREAS, there is no clear procedure or authority for the use of a translator in drafting or executing a testament for a testator who does not read or speak English.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Louisiana State Law Institute to study and make specific recommendations for legislation to establish procedures and forms for use when a translator is required to draft and execute a testament.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the director of the Louisiana State Law Institute and that the Louisiana State Law Institute report its findings and recommendations in the form of specific proposed legislation to the Legislature of Louisiana on or before January 1, 2013.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE