

2017 Regular Session

SENATE BILL NO. 72

BY SENATOR MILKOVICH

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

CIVIL PROCEDURE. Provides right of oral argument in contradictory proceedings. (gov sig)

1 AN ACT

2 To enact Code of Civil Procedure Art. 1636.1, relative to contradictory hearings in civil

3 proceedings; to provide for the right to present oral arguments; to provide with

4 respect to reasonable control of oral argument by the court, waiver of oral argument,

5 and grounds for setting aside a judgment obtained in violation of requirements; and

6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Code of Civil Procedure Art. 1636.1 is hereby enacted to read as follows:

9 **Art. 1636.1. Contradictory hearings; oral arguments**

10 **A. Notwithstanding any provision of law to the contrary, a party shall**

11 **have the right to present oral argument, in addition to written briefs, at all**

12 **contradictory hearings in civil proceedings. Oral argument may be waived only**

13 **if all parties agree in writing to such waiver.**

14 **B. Reasonable control over oral argument presented under this Article**

15 **may be exercised by the court.**

16 **C. The obtaining of a judgment in violation of this Article shall be**

17 **mandatory grounds for setting aside the judgment and seeking a new hearing,**

