

SENATE CONCURRENT RESOLUTION NO. 6

BY SENATOR CROWE

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations on the feasibility of requiring clerks of court to accept electronic signatures on documents for filing.

WHEREAS, the practice of law is now operating in an age where documents are predominantly created, published and often transmitted in an electronic format; and

WHEREAS, currently at least one Louisiana parish, Jefferson Parish, allows attorneys to electronically file and sign documents; and

WHEREAS, currently at least one Louisiana parish, East Baton Rouge Parish, on request will issue electronically certified copies of documents filed with the court; and

WHEREAS, concerns may exist about how to properly authenticate electronic signatures, particularly involving real property transactions in the state of Louisiana; and

WHEREAS, while the concept of requiring all clerks of court in Louisiana to accept electronic signatures may initially present both financial and practical hurdles for individual offices of clerks of court, the feasibility of such a concept should be studied to ensure that Louisiana remains consistent and current with practices of other states in the acceptance of electronic signatures on legal filings; and

WHEREAS, such study should include whether there are cost savings to be gained by moving to electronic signatures being accepted within the clerks of court's offices in Louisiana.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request that the Louisiana State Law Institute study and make recommendations concerning the feasibility and legal and practical ramifications of requiring clerks of court in Louisiana to accept electronic signatures on documents filed with them, including consideration of the possible financial impact.

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ENROLLED

BE IT FURTHER RESOLVED that the Louisiana State Law Institute shall report its findings or recommended legislation to the Legislature not later than February 1, 2015.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the director of the Louisiana State Law Institute.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES