

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 306** SLS 14RS 749

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: March 28, 2014 3:43 PM	Author: MORRISH
Dept./Agy.: Judiciary	Analyst: Matthew LaBruyere
Subject: Civil Jury Thresholds	

COURTS OR INCREASE LF EX See Note Page 1 of 1

Provides relative to prescriptive periods and civil jury thresholds for delictual actions arising from vehicular accidents. (8/1/14)

Proposed law provides that delictual actions which arise from damages sustained as a result of a vehicular accident are subject to a liberative prescription of two years and commences to run from the day injury or damage is sustained.

Proposed law provides that jury trials shall be available for suits arising from a vehicular accident where the amount of the individual petitioner's cause of action exceeds the following:

On or after January 1, 2015, through December 31, 2015 - \$40,000 exclusive of interest and costs.

On or after January 1, 2016, through December 31, 2016 - \$30,000 exclusive of interest and costs.

On or after January 1, 2017, through December 31, 2017 - \$20,000 exclusive of interest and costs.

On or after January 1, 2018, through December 31, 2018 - \$10,000 exclusive of interest and costs.

On or after January 1, 2019, jury trials shall be available for any suit arising from a vehicular accident.

Effective August 1, 2014.

EXPENDITURES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Annual Total						

REVENUES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Annual Total						

EXPENDITURE EXPLANATION

The proposed legislation would result in an increased workload for district and city courts as a result of reducing the civil jury threshold amounts. It is anticipated that the number of civil jury trials will increase due to decreasing the civil jury threshold amounts.

The costs associated with civil jury trials include summoning jurors, compensation for court attendance (\$25 per person per day), reimbursement for mileage (\$0.16 per mile), and expenses of the jury commission, clerk of court, and sheriff. This cost is paid by the party that seeks a jury trial and is paid to the clerk of court in either a cash deposit or a jury bond.

To the extent a judge waives the jury trial security deposit or expenses exceed the deposit amount, the costs associated with the jury will be paid by the judicial expense fund of the district court or the parish treasury in districts that do not have a judicial expense fund.

It should be noted that it is unknown how much the workload for district courts and city would increase. However, courthouses in some jurisdictions have limited space to host jury trials which may create a backlog of cases to be tried.

REVENUE EXPLANATION

Local fund revenues will increase as a result of cash deposits and jury bonds for jury trial. However, the deposits will be used to pay costs associated with jury trials and in the event funds remain from the deposits, the funds will be refunded by the clerk of court to the party filing the cash deposit.

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| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} | | | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & S} |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} | | | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |

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