

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **SB 73** SLS 14RS 118

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> March 29, 2014 9:33 AM	<b>Author:</b> MORRISH
<b>Dept./Agy.:</b> Judiciary	<b>Analyst:</b> Matthew LaBruyere
<b>Subject:</b> Civil Jury Thresholds	

CIVIL PROCEDURE

OR SEE FISC NOTE LF EX See Note

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Provides certain limitations upon civil jury trials in suits arising from vehicular accidents. (8/1/14)

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.

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

  

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

**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 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 cash deposits and jury bonds for jury trial. However, the deposits will be used to pay costs associated with jury trials and in the even 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} |

*Evan Brasseaux*  
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