

2020 Regular Session

HOUSE BILL NO. 280

BY REPRESENTATIVE SEABAUGH

CIVIL/JURY TRIALS: Provides relative to the jury trial threshold

1 AN ACT

2 To amend and reenact Code of Civil Procedure Article 1732(1), relative to jury trials; to
3 provide with respect to the jury trial threshold; to provide relative to certain
4 monetary threshold amounts; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Civil Procedure Article 1732(1) is hereby amended and reenacted
7 to read as follows:

8 Art. 1732. Limitation upon jury trials

9 A trial by jury shall not be available in:

10 (1) A suit where the amount of no individual petitioner's cause of action
11 exceeds ~~fifty~~ five thousand dollars exclusive of interest and costs, except as follows:

12 (a) If an individual petitioner stipulates or otherwise judicially admits sixty
13 days or more prior to trial that the amount of the individual petitioner's cause of
14 action does not exceed ~~fifty~~ five thousand dollars exclusive of interest and costs, a
15 defendant shall not be entitled to a trial by jury.

16 (b) If an individual petitioner stipulates or otherwise judicially admits for the
17 first time less than sixty days prior to trial that the amount of the individual
18 petitioner's cause of action does not exceed ~~fifty~~ five thousand dollars exclusive of
19 interest and costs, any other party may retain the right to a trial by jury if that party

1 is entitled to a trial by jury pursuant to this Article and has otherwise complied with
2 the procedural requirements for obtaining a trial by jury.

3 (c) Notwithstanding Subsubparagraphs (a) and (b) of this Subparagraph, if,
4 as a result of a compromise or dismissal of one or more claims or parties which
5 occurs less than sixty days prior to trial, an individual petitioner stipulates or
6 otherwise judicially admits that the amount of the individual petitioner's cause of
7 action does not exceed ~~fifty~~ five thousand dollars exclusive of interest and costs, a
8 defendant shall not be entitled to a trial by jury.

9 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 280 Original

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Seabaugh

Abstract: Reduces the threshold for a jury trial to \$5,000.

Present law authorizes a jury trial when the amount in controversy exceeds \$50,000.

Proposed law reduces the threshold for a jury trial to \$5,000.

(Amends C.C.P. Art. 1732(1))