

Regular Session, 2012

# ACT No. 194

HOUSE BILL NO. 400

BY REPRESENTATIVE FOIL

1 AN ACT

2 To amend and reenact Code of Civil Procedure Article 1561(A), relative to civil actions; to  
3 provide for the procedures for the consolidation of separate actions; and to provide  
4 for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Civil Procedure Article 1561(A) is hereby amended and  
7 reenacted to read as follows:

8 Art. 1561. Consolidation for trial

9 A. When two or more separate actions are pending in the same court, the  
10 section or division of the court in which the first filed action is pending may order  
11 consolidation of the actions for trial after a contradictory hearing, and upon a finding  
12 that common issues of fact and law predominate, and, in the event a trial date has  
13 been set in a subsequently filed action, upon a finding that consolidation is in the  
14 interest of justice. The contradictory hearing may be waived upon the certification  
15 by the mover that all parties in all cases to be consolidated consent to the  
16 consolidation. ~~If a trial date has been set in any of the subsequently filed actions that~~

1 ~~have not yet been consolidated, then the written consent of each section or division of the~~  
2 ~~court shall be required.~~

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_