

Regular Session, 2012

HOUSE BILL NO. 417

BY REPRESENTATIVE JAMES

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 limitations on
3 jury trials; to provide relative to the amount in controversy required for a jury trial;
4 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 thousand dollars exclusive of interest and costs~~ exceeds the amount in
12 controversy as set forth in the provisions of 28 U.S.C. 1332(a).

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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)]

James HB No. 417

Abstract: Provides for access to jury trials when the amount in controversy exceeds \$75,000.

Present law (28 U.S.C. 1332(a)) provides for original jurisdiction of district courts for civil actions between diverse citizens, having an amount in controversy greater than \$75,000.

Present law prohibits certain suits from being tried before a jury, including suits where no individual petitioner's cause of action exceeds \$50,000.

Proposed law retains present law and increases the threshold amount in controversy for access to a jury trial to \$75,000.

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