



2009 LSBA POSITIONS
ADOPTED BY BOARD OF GOVERNORS
May 13, 2009 ♦ Baton Rouge

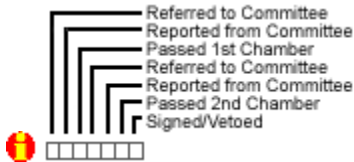


Table with 3 columns: Bill Number (e.g., HB 1, HB 33, HB 43, HB 70, HB 139, HB 204), Author (e.g., Fannin, Leger, Geymann, Hardy, Smith, Jane, Burns, Tim), and Description/Remarks. Remarks are highlighted in yellow or red boxes.

		included in Code of Civil Procedure.
<u>HB 220</u>	<u>Burns, Tim</u>	Provides for the inclusion of information in certain petitions.
	Remarks:	OPPOSE - Too restrictive. Case-specific provisions should be not included in Code of Civil Procedure.
<u>HB 245</u>	<u>Talbot</u>	Provides venue for actions involving latent disease.
	Remarks:	OPPOSE - Too restrictive. Case-specific provisions should not be included in Code of Civil Procedure.
<u>HB 256</u>	<u>Richardson</u>	Allows the use of testimony from missing witnesses due to actions by the defendant.
	Remarks:	SUPPORT - Mirrors Federal Rules of Evidence.
<u>HB 332</u>	<u>Robideaux</u>	Limits civil liability for persons using automated external defibrillators.
	Remarks:	OPPOSE - General policy against expansion of immunities.
<u>HB 345</u>	<u>Abramson</u>	Provides disclosure procedures for asbestos and silica claims.
	Remarks:	OPPOSE - Too narrow and already covered in discovery procedures. Case-specific provisions should not be included in Code of Civil Procedure.
<u>HB 444</u>	<u>Perry</u>	Provides with respect to administrative law hearings in DWI matters.
	Remarks:	OPPOSE - Access to justice issue. Defendant should be able to conduct discovery as related to police officer/law enforcement records.
<u>HB 554</u>	<u>Landry</u>	Provides civil immunity for certain volunteers working in coordination with the state or its political subdivisions as relates to homeland security.
	Remarks:	OPPOSE - General policy against expansion of immunities and too broadly written.
<u>HB 600</u>	<u>Johnson</u>	Provides for the determination of income for support purposes relative to family law.
	Remarks:	SUPPORT - Provides for access to necessary information. LSBA Family Law Section strongly supports.
<u>HB 605</u>	<u>Jones, R.</u>	Amends provisions of law regarding discovery in criminal cases.
	Remarks:	SUPPORT - Administration of justice issue.
<u>HB 628</u>	<u>Landry</u>	Provides for the delays for certain child custody orders.
	Remarks:	OPPOSE - Proposed delay period too long.
<u>HB 701</u>	<u>Thibaut</u>	Provides for establishment and maintenance of juvenile justice programs and services.
	Remarks:	SUPPORT - Provides necessary services for administration of juvenile justice.

- [HB 712](#) [Smith, Gary](#) Provides that a justice of the peace shall not have the authority to issue a warrant of arrest.
Remarks: SUPPORT - Fundamental due process issue.
- [HB 863](#) [Fannin](#) Appropriates funds for expenses of the Louisiana Judiciary for Fiscal Year 2009-2010.
Remarks: SUPPORT - Provides for necessary funding for the Courts.
- [HCR 11](#) [Jones, R.](#) Urges and requests the Louisiana Supreme Court to study the feasibility of requiring certification to practice certain areas of law.
Remarks: OPPOSE- Supreme Court has exclusive jurisdiction over the practice of law and in 1993 created the Louisiana Board of Legal Specialization to consider such matters.
- [SB 65](#) [Donahue](#) Provides for electronic discovery.
Remarks: OPPOSE- LSBA in favor of addressing issue of electronic discovery but recommends that the issue be sent to the Louisiana State Law Institute for a comprehensive study with desired result of electronic discovery rules and provisions for their implementation.
- [SB 106](#) [Cheek](#) Limits civil liability of health care providers and personnel during a declared emergency.
Remarks: OPPOSE - General policy against expansion of immunities.
- [SB 122](#) [Broome](#) Authorizes certain de facto custodian and interested third party custody and visitation proceedings.
Remarks: OPPOSE - Existing law sufficiently addresses.

	All	Track
Total Bills:	23	0

- End of Report -