

2016 Regular Session

HOUSE BILL NO. 525

BY REPRESENTATIVE ROBBY CARTER

CIVIL/VENUE: Provides relative to venue in certain proceedings involving abuse

1 AN ACT

2 To amend and reenact R.S. 46:2133(C) and to enact R.S. 46:2133(D), relative to venue in
3 applications for protection from family violence; to provide for proper venue in
4 certain circumstances; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 46:2133(C) is hereby amended and reenacted and R.S. 46:2133(D)
7 is hereby enacted to read as follows:

8 §2133. Jurisdiction; venue; standing

9 * * *

10 C. Notwithstanding the venue provisions of Subsection B of this Section, in
11 a judicial district comprised of multiple parishes, if a court determines that in the
12 ends of justice to afford the parties a more expeditious hearing than current
13 docketing scheduling would permit, or to comply with the time provisions provided
14 for by this Part, a judge or hearing officer may conduct a hearing in any parish within
15 the judicial district.

16 D. An adult may seek relief under this Part by filing a petition with the court
17 alleging abuse by the defendant. Any parent, adult household member, or district
18 attorney may seek relief on behalf of any minor child or any person alleged to be
19 incompetent by filing a petition with the court alleging abuse by the defendant. A

- 1 petitioner's right to relief under this Part shall not be affected by leaving the
2 residence or household to avoid further abuse.
-

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 525 Reengrossed

2016 Regular Session

Robby Carter

Abstract: Provides that in a judicial district comprised of multiple parishes, in certain circumstances, a judge or hearing officer may conduct a hearing in any parish within the judicial district.

Present law provides that any court in this state empowered to hear family or juvenile matters shall have jurisdiction over domestic abuse proceedings.

Present law provides that venue is proper in the parish where: (1) the marital domicile is located or where the household is located; (2) the defendant resides; (3) the abuse is alleged to have been committed; (4) the petitioner resides; or (5) an action for annulment of marriage or for a divorce could be brought under present law.

Proposed law provides that in a judicial district comprised of multiple parishes, if a court determines that in the ends of justice to afford the parties a more expeditious hearing than current docketing scheduling would permit, or to comply with the time provisions provided for by present law, a judge or hearing officer may conduct a hearing in any parish within the judicial district.

(Amends R.S. 46:2133(C); Adds R.S. 46:2133(D))

Summary of Amendments Adopted by HouseThe House Floor Amendments to the engrossed bill:

1. Replaces reference to "emergency situations" with a provision authorizing the court to determine if the ends of justice afford the parties a more expeditious hearing.