



Houesly Presumption

SB 20 by Sen. Alan Seabaugh and *HB 24* by Rep. Michael Melerine

Would require a plaintiff to maintain full burden of proof on causation rather than allowing the plaintiff to rely on the prior judicially-created presumption of causation. It legislatively repeals the presumption and provides additional fairness and predictability in Louisiana’s legal system.

Third Party Litigation Financing (TPLF) – The Litigation and Financial Disclosure Act

SB 8 by Sen. Rick Edmonds and *HB 336* by Rep. Emily Chenevert

Requires parties to automatically disclose any litigation financing contract or agreement under which anyone other than a legal representative may receive compensation contingent on the proceeds of the civil action.

Collateral Source Legislation

SB 244 & *SB 382* by Sen. Kirk Talbot, *SB 18* by Sen. Talbot and *HB 423* by Rep. Michael Melerine

This legislation discloses to the jury in civil cases what a plaintiff actually pays in medical costs and what the medical provider bills the insurer. These bills would put us in more close alignment with the nation’s trend of enacting legislation which only allows the plaintiff to recover what was actually paid by them, not the amount incurred.

Direct Action Legislation

SB 250 by Sen. Robert Allain and *HB 337* by Rep. Jack McFarland

This bill would repeal the current direct action statute against insurers except in specific limited circumstances to ensure juries better understand and evaluate the reasonableness of any damages award, thereby attracting more insurers to Louisiana.

Offer of Judgment

[SB 84](#) by Sen. Alan Seabaugh

In current law, if the plaintiff does not win a “judgment” when an offer of judgment is made and not accepted, the only recourse is payment of costs by the plaintiff. This bill directs that if a final judgment is in favor of the defendant and is at least 25 percent less than the offer of judgment, defendant is entitled to recover attorneys’ fees and costs from the plaintiff. This would resolve the current imbalance in the law, encourage early settlement within a reasonable range, and aligns Louisiana with other states.