

2023 CLE on Contractor Fraud Outline

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- I. Criminal Statutes
 - a. La. R.S. 14:67, Theft
 - b. La. R.S. 14:72, Forgery
 - c. La. R.S. 14:202.1, Residential Contractor Fraud
 - i. History of the law
 - ii. Purpose
 - iii. Not strict liability
 - d. La. R.S. 14:202, Contractors; misapplication of payments
 - e. La. R.S. 14:132/3, Injuring or Filing False Public Records
 - f. La. R.S. 14:71, Worthless Checks
 - g. La. R.S. 37:2163, Engaging in business of contracting without authority prohibited; penalty
 - h. La. R.S. 15:1352 et seq., Racketeering
 - i. La. RS 14:230 — Money laundering; transactions involving proceeds of criminal activity
- II. Process
 - a. Report to the District Attorney's Office
 - b. Investigation by law enforcement
 - c. Screening
 - d. Trial
 - e. Restitution
- III. Issues
 - a. Civil v. Criminal
 - i. Burden of Proof
 - ii. Overcoming civil defense
 - b. Justice