2025 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 9

BY REPRESENTATIVE HEBERT

JUDGES: Directs the La. State Law Institute to study the procedures for the recusal of judges

| 1 | A CONCURRENT RESOLUTION |
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| 2 | To authorize and direct the Louisiana State Law Institute to study and recommend |
| 3 | legislation for implementation of procedures for recusal of judges in criminal |
| 4 | proceedings and to submit a report of its findings and recommendations to the |
| 5 | legislature no later than February 1, 2026. |
| 6 | WHEREAS, Code of Civil Procedure Article 151 et seq., provides the grounds and |
| 7 | procedure for recusal of a judge in civil case; and |
| 8 | WHEREAS, Code of Criminal Procedure Article 671 et seq., provides the grounds |
| 9 | and procedure for recusal of a judge in a criminal case; and |
| 10 | WHEREAS, Code of Civil Procedure Article 155 requires the supreme court to |
| 11 | appoint an ad hoc judge to hear a motion for a recusal in a civil case; and |
| 12 | WHEREAS, Code of Criminal Procedure Article 675 provides that a judge in the |
| 13 | same court hears a recusal in a criminal case unless the court only has one judge in which |
| 14 | case the supreme court will appoint an ad hoc judge to hear the recusal; and |
| 15 | WHEREAS, Louisiana Code of Judicial Conduct Canon 2 provides that a judge shall |
| 16 | respect and comply with the law and shall act at all times in a manner that promotes public |
| 17 | confidence in the integrity and impartiality of the judiciary; and |
| 18 | WHEREAS, impartiality of a judge is crucial to the administration of justice; and |
| 19 | WHEREAS, consistent procedures, especially in a motion for recusal, ensures equal |
| 20 | justice across all courts. |

| 1 | THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby |
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| 2 | authorize and direct the Louisiana State Law Institute to study and recommend legislation |
| 3 | for implementation of procedures for recusal of judges in criminal proceedings and to submit |
| 4 | a report of its findings and recommendations to the legislature no later than February 1, |
| 5 | 2026. |
| 6 | BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the |
| 7 | director of the Louisiana State Law Institute. |
| 8 | BE IT FURTHER RESOLVED that the Louisiana State Law Institute shall submit |
| 9 | one printed copy and one electronic copy of any report produced pursuant to this Resolution |
| 10 | to the David R. Poynter Legislative Research Library as required by R.S. 24:772. |
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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)]

HCR 9 Original

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Hebert

Directs the La. State Law Institute to study and recommend legislation for implementation of procedures for recusal of judges in criminal proceedings.