

2026 Regular Session

SENATE BILL NO. 217

BY SENATOR MORRIS

COURTS. Provides for the administration of courts in Orleans Parish and the number of court judges. (8/1/26)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

AN ACT

To amend and reenact R.S. 13:1136, 1137(B), 1302, 1312(A), (B), (C), (D)(1), 1335, 1337(A) and (B), 1343(A), 1344(A) and (D), 1347(A)(3), (B), and (C), 1383, 1384, 1595, 2151(D), 2151.4(D), 2492(A)(1), (5), and (6), to enact R.S. 13:1312(E) and (F) and 2492(A)(8), and to repeal R.S. 13:1304, 1347(D), 1595.1, and 2492(A)(7)(b), relative to courts in Orleans Parish; to provide for the number of court judges and commissioners; to provide for payment of court expenses from the Consolidated Judicial Expense Fund; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:1136, 1137(B), 1302, 1312(A), (B), (C), (D)(1), 1335, 1337(A) and (B), 1343(A), 1344(A) and (D), 1347(A)(3), (B), and (C), 1383, 1384, 1595, 2151(D), 2151.4(D), 2492(A)(1), (5), and (6) are hereby amended and reenacted and R.S. 13:1312(E) and (F) and 2492(A)(8) are hereby enacted to read as follows;

§1136. Civil district court for the parish of Orleans; judges

A. There shall be one civil district court for the parish of Orleans. ~~It~~ **Effective January 1, 2027, it** shall be composed of ~~fourteen~~ **twelve** judges. ~~The judges of division A through J of said court on July 1, 1979, shall continue to serve the terms~~

1 ~~for which they were elected.~~ Their successors shall be elected by the qualified
2 electors of the parish of Orleans for terms of six years.

3 ~~B. Divisions K and L of the civil district court for the parish of Orleans are~~
4 ~~hereby created for the purpose of nomination and election of the judges elected to fill~~
5 ~~the two additional judgeships created by this Section. Judges elected to those~~
6 ~~divisions shall be elected by the qualified voters of Orleans Parish and shall have~~
7 ~~jurisdiction throughout the parish. One judge shall be elected to and shall preside~~
8 ~~over division K and one judge shall be elected to and shall preside over division L.~~

9 ~~C. The judges elected to division K and L shall be elected for six year terms~~
10 ~~at the congressional elections held in 1984 and every sixth year thereafter.~~

11 ~~D. Divisions M and N of the civil district court for the parish of Orleans are~~
12 ~~hereby created for the purpose of nomination and election of the judges elected to fill~~
13 ~~the two additional judgeships created by this Section. Judges elected to these~~
14 ~~divisions shall be elected by the qualified voters of Orleans Parish and shall have~~
15 ~~jurisdiction throughout the parish.~~

16 ~~E. The judges elected to divisions M and N shall be elected for a six year~~
17 ~~term at the congressional election held in 1996 and every sixth year thereafter.~~

18 ~~F. The additional judges shall have the same qualifications and shall receive~~
19 ~~the same emoluments of office, compensation, and expense allowances, payable~~
20 ~~from the same sources and in the same manner, as are now or may hereafter be~~
21 ~~provided for other judges of the civil district court for the parish of Orleans. Each of~~
22 ~~such judges shall have the right to appoint a crier, stenographer and minute clerk for~~
23 ~~his own section of said court, who shall perform the same duties and receive the~~
24 ~~same compensation, payable in the same manner and from the same sources, as~~
25 ~~similar officials in other sections of divisions of said court.~~

26 **B. Divisions "C" and "L" and the judgeships for Divisions "C" and "L"**
27 **shall be abolished December 31, 2026, effective at midnight. The Divisions of**
28 **Civil District Court shall be A, B, D, E, F, G, H, I, J, K, M, and N.**

29 ~~G.C.~~ All of the judges of the civil district court for the parish of Orleans shall

1 be elected at the congressional elections, commencing in 1984 and every sixth year
 2 thereafter. Each judge shall take office on the first day of January of the year
 3 following election and shall serve through December thirty-first of the last year of
 4 his term. The term of office of judges of the civil district court for the parish of
 5 Orleans shall be six years.

6 §1137. Civil district court for the Parish of Orleans; jurisdiction

7 * * *

8 B. The court **of appeal with jurisdiction over the parish of Orleans** has
 9 appellate jurisdiction over all cases tried in the city courts of New Orleans ~~where the~~
 10 ~~amount in dispute, value of the movable property involved, or fund to be distributed~~
 11 ~~does not exceed one hundred dollars, exclusive of interest. These appeals shall be~~
 12 ~~tried de novo by a single judge, and without a jury; however, the Civil District Court~~
 13 ~~for the Parish of Orleans may provide by rule that no evidence shall be admitted on~~
 14 ~~the trial de novo which was not offered in the city court unless it is shown to the~~
 15 ~~satisfaction of the court that despite the exercise of reasonable diligence by the party~~
 16 ~~offering it such evidence could not have been produced at the trial in the city court.~~

17 * * *

18 §1302. Criers

19 The judge of each division of the civil district court shall appoint a crier for
 20 his division who shall be commissioned by the civil sheriff as a deputy sheriff, and
 21 who shall perform such duties as may be provided by law and the rules of the court.
 22 When directed by the court, the crier shall administer the oath required by law of all
 23 witnesses and jurors. Each crier shall receive a compensation **payable by the sheriff**
 24 **of Orleans Parish for service as a bailiff in the same manner as a deputy of**
 25 **similar experience and any such other amount** as the court en banc **executive**
 26 **committee of the judicial expense fund** may fix ~~which in any event shall not be less~~
 27 ~~than three hundred dollars per month, payable out of the judicial expense fund of the~~
 28 ~~parish of Orleans on the warrant of the judge of the division in which the crier~~
 29 ~~serves. In addition to the compensation payable to each crier from any source~~

1 maintenance, improvement or repair, or both, of each courtroom, the courthouse
2 itself or its furnishings, or both, and may contribute to any pension, retirement
3 system and group hospitalization plans to which officers and employees paid out of
4 the fund may belong.

5 C. The ~~judges, en banc,~~ **executive committee of the Consolidated Judicial**
6 **Expense Fund for the parish of Orleans** may further appoint such secretarial,
7 clerical, research, administrative, or other personnel as they deem necessary to
8 expedite the business and function of the court and fix and pay all or any part of the
9 salaries of such personnel out of the monies in the judicial expense fund. In like
10 manner, the ~~judges, en banc,~~ **executive committee of the Consolidated Judicial**
11 **Expense Fund for the parish of Orleans** may utilize the monies in the judicial
12 expense fund to pay all or any part of the cost of establishing or maintaining, or both,
13 a law library for the court, or for buying or maintaining, or both, any type of
14 equipment, supplies, or other items consistent with or germane to the efficient
15 operation of the court. In general, the judicial expense fund is established and may
16 be used for any purpose or purposes connected with, incidental to, or related to the
17 proper administration or function of the said court or the offices of the individual
18 judges and is in addition to any and all other funds, salaries, expenses, or other
19 monies that are now or hereafter provided, authorized, or established by law for any
20 of the aforesaid purposes.

21 D.(1) The ~~judges, en banc,~~ **executive committee of the Consolidated**
22 **Judicial Expense Fund for the parish of Orleans** may utilize the monies in the
23 judicial expense fund to pay all or any part of the cost of planning, designing, and
24 constructing a new courthouse for the parish of Orleans, which shall house the
25 following courts and all related support offices:

26 (a) Civil District Court.

27 (b) First and Second City Courts.

28 (c) Juvenile Courts.

29 * * *

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

judgeship abolished pursuant to this Subsection.

* * *

§1337. Appellate and supervisory jurisdiction; writs

A. The ~~Criminal District Court~~ **Court of appeal with jurisdiction** for the Parish of Orleans shall have appellate jurisdiction of all cases tried before the Municipal Court of New Orleans and the Traffic Court of New Orleans. Appeals from the municipal and traffic courts shall be on the law and the facts and shall be tried upon the records made and the evidence offered in said courts by the judge to whom the appeal shall be allotted. ~~In all cases tried before the judges of the criminal district court in which an appeal does not lie to the supreme court, an appeal shall lie on questions of law and fact to two or more of the judges of the criminal district court, as prescribed by said court. The criminal district court shall adopt rules regulating the manner of taking and hearing and deciding such appeals.~~

B. The ~~Criminal District Court~~ **Court of appeal with jurisdiction** for the Parish of Orleans shall have general supervisory jurisdiction over the municipal and traffic courts of New Orleans and shall have authority to issue writs of habeas corpus in criminal cases, as well as such other writs and orders as are necessary in aid of the jurisdiction of the court.

* * *

§1343. Allotment of cases among judges; holding of preliminary examination not ground for recusation

A. All cases pending in the criminal district court shall be allotted equally among ~~the~~ Sections A, B, ~~C, D, E, F, G, H, I, J, K, and L~~ of the court. Except on Sundays, legal holidays, and legal half-holidays, the allotment of cases shall be made public by classes daily at noon by the clerk or a deputy clerk selected by him, in the presence of the district attorney. The fact the accused was committed for trial at a preliminary examination shall not be grounds for the recusation of the trial judge who held the preliminary examination.

* * *

1 §1344. Homicide section; Orleans Parish Criminal District Court; assignment of
 2 judges; jurisdiction; transfer of cases; expedited handling of writs and
 3 appeals; applicability of section to other district courts

4 A. The judges of the Criminal District Court for the parish of Orleans ~~who~~
 5 ~~are in office on August 15, 2009,~~ may create the homicide section of that court, by
 6 rule of court adopted by the judges sitting en banc. The rule may designate not less
 7 than one incumbent judge who may be assigned to a homicide section in accordance
 8 with the rules of the Criminal District Court for the parish of Orleans.

9 * * *

10 D. Any homicide section, court, or **other special** division adopted pursuant
 11 to R.S. 13:587.4 **or other authority** shall conform to the ~~extent practicable to the~~
 12 ~~provisions of this Section~~ **rules of court provided that the rules and assignments**
 13 **shall be subject to the general supervisory authority of the supreme court**
 14 **pursuant to Article V of the Constitution of Louisiana.**

15 * * *

16 §1347. Commissioners of magistrate section

17 A. * * *

18 (3) The judges of the criminal district court, sitting en banc, shall determine
 19 the further powers, duties, functions, and policy affecting the offices of
 20 commissioner, not inconsistent with the provisions of this Section **provided that the**
 21 **rules shall be subject to general supervision of the supreme court pursuant to**
 22 **Article V of the Constitution of Louisiana.**

23 B. ~~The initial appointments by the governor of the three commissioners~~
 24 ~~created in R.S. 13:1347, Act No. 548 of the 1974 Regular Session of the Louisiana~~
 25 ~~Legislature, are hereby approved, confirmed, ratified, continued, validated, and~~
 26 ~~affirmed and said appointment shall be for a term of six years from the date thereof~~
 27 **shall appoint a nominating committee of five members to vet and recommend**
 28 **future commissioners.**

29 C. Should there be a vacancy created by the removal, resignation or death of

1 any commissioner **of the four commissioners**, the judges of the criminal district
 2 court sitting en banc shall fill the vacancy by appointment for the unexpired term
 3 **from a list provided by the nominating committee as provided for in Subsection**
 4 **B of this Section**. At the termination of the initial term and or any subsequent terms
 5 of a commissioner, the judges of the criminal district court sitting en banc shall
 6 appoint successors to the office for like terms **from a list provided by the**
 7 **nominating committee as provided for in Subsection B of this Section**. All
 8 commissioners are subject to removal for any reason for which a judge of the
 9 criminal district court may be removed from office. Such removal shall be by order
 10 of the judges of the criminal district court sitting en banc, **upon recommendation**
 11 **of the nominating committee** after notice and hearing, **and shall be subject to**
 12 **review by the Supreme Court of Louisiana in the same manner as if the removal**
 13 **was recommended by the Judiciary Commission. Nothing in this Section shall**
 14 **divest the Judiciary Commission of concurrent jurisdiction to recommend**
 15 **discipline of commissioners**. No one shall serve in the office of commissioner
 16 unless he has practiced law in the state of Louisiana for a period of not less than five
 17 years. Commissioners shall be allowed to practice civil law but shall not engage in
 18 the practice of criminal law.

19 * * *

20 §1383. Sections; court buildings

21 There shall be ten separate sections of Criminal District Court for the Parish
 22 of Orleans, designated as Sections A through ~~J~~ **L subject to the provisions of R.S.**
 23 **13:1335 or other applicable law**. Each shall be presided over by one of the judges.
 24 The judges shall hold court in one building to be provided by the city of New
 25 Orleans.

26 §1384. Criminal district courts; office or positions and functions

27 Each criminal district court in the parish of Orleans shall have a position or
 28 office of judicial administrator, deputy judicial administrator, and assistants, at least
 29 thirteen law clerks, and at least four secretaries and shall provide for the conduct of

1 the jury commission and sanity hearings, the cost of all of which shall be
 2 appropriated in the appropriation bill which provides for judicial expenses and shall
 3 be allocated by the Judicial Budgetary Control Council to such court. The amount
 4 necessary in excess of the amount appropriated may be charged on the
 5 Consolidated Judicial Expense Fund or otherwise, when required by law, shall
 6 be paid by the parish of Orleans.

7 * * *

8 §1595. Judges; criers and stenographers

9 A. ~~In addition to Sections "A", "B", and "C" of the Juvenile Court for the~~
 10 ~~Parish of Orleans, there is hereby created a new section of the court to be designated~~
 11 ~~as Section "D". The additional judge created by this Section shall be known as the~~
 12 ~~judge of Section "D" of the Juvenile Court for the Parish of Orleans. Each judge shall~~
 13 ~~have the right to appoint a crier and stenographer for his own section of the court,~~
 14 ~~who shall perform the same duties and receive the same compensation, payable in~~
 15 ~~the same manner and from the same sources as similar officials in other sections of~~
 16 ~~the court. The judge of Section "D" of the juvenile court shall be elected by the~~
 17 ~~voters of Orleans Parish concurrently with the next election for mayor of the city of~~
 18 ~~New Orleans.~~

19 ~~B.~~ The judgeship created for Section "D" of the Juvenile Court for the parish
 20 of Orleans shall be abolished effective December 31, 2014, at midnight.

21 ~~C.~~**B.** The first judgeship becoming vacant by death, resignation, retirement,
 22 or removal during the term of office of any of the other Sections after January 1,
 23 2027, shall be abolished at midnight of such day. If any incumbent judge is
 24 prohibited from serving in office at the commencement of the next term due to
 25 the provisions of Article V, Section 23 of the Constitution of Louisiana, that
 26 section shall be considered as vacant by retirement solely for the purposes of
 27 this Subsection as of the end of that term and no qualifying shall be opened for
 28 a successor if that seat is the judgeship that is required to be abolished pursuant
 29 to this Subsection at the end of that term of office.

1 ~~D.C.~~ Upon the abolishment of a judgeship as provided for in Subsections B
 2 and or C of this Section, the funding from the city of New Orleans for such
 3 judgeship shall be allocated for **improved** juvenile services within the city of New
 4 Orleans.

* * *

6 §2151. Sections of first city court; election of judges; presiding judge; jurisdiction

7 * * *

8 D. The civil jurisdiction is concurrent with the district court in cases where
 9 the amount in dispute, as defined in Code of Civil Procedure Article 4841(B), or the
 10 value of the property involved, does not exceed ~~twenty~~ **fifty** thousand dollars.

11 * * *

12 §2151.4. Second City Court; judge; clerk; constable; jurisdiction

13 * * *

14 D. The civil jurisdiction is concurrent with the district court in cases where
 15 the amount in dispute, as defined in Code of Civil Procedure Article 4841(B), or the
 16 value of the property involved, does not exceed ~~twenty-five~~ **fifty** thousand dollars.

17 * * *

18 §2492. Number of judges; qualifications; election; salary; vacation

19 A. (1)The Municipal and Traffic Court of New Orleans shall consist of eight
 20 judgeships through December 31, 2020. ~~Thereafter~~ **Until January 1, 2027**, it shall
 21 consist of seven judgeships, **thereafter it shall consist of six judgeships.**

22 * * *

23 (5) Division "H" and the judgeship for Division "H" shall be abolished
 24 December 31, 2020, effective at midnight. **Division "B" and the judgeship for**
 25 **Division "B" shall be abolished on December 31, 2026, effective at midnight.**
 26 The other divisions shall remain unchanged as previously designated Divisions "A"
 27 through "G".

28 (6) A vacancy in Divisions "A" **and "C" through "F"** "G" shall be filled by
 29 election to that division as provided in this Section.

* * *

(8) The first judgeship becoming vacant by death, resignation, retirement, or removal of any division after December 31, 2026, shall be abolished at midnight of such day. If any incumbent judge is prohibited from serving in office at the commencement of the next term due to the provisions of Article V, Section 23 of the Constitution of Louisiana, that division shall be considered as vacant by retirement solely for the purposes of this paragraph as of the end of that term and no qualifying shall be opened for a successor if that seat is the judgeship that is required to be abolished pursuant to this Paragraph.

* * *

Section 2. R.S. 13:1304, 1347(D), 1595.1, and 2492(A)(7)(b) are hereby repealed.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 217 Engrossed

2026 Regular Session

Morris

Present law provides for the number of judges in Orleans Parish and for the administration of the courts. Provides for the funds and payment from the judicial expense fund.

Proposed law reduces the number of judges for the civil district court in Orleans Parish from fourteen to twelve judges.

Present law provides for twelve judges for the criminal district court in Orleans Parish.

Proposed law provides that effective January 1, 2027, there shall be nine divisions of the Criminal District Court. The divisions of the first four judges, if any, serving on the effective date of proposed law that provide written notice to the supreme court and secretary of state by July 1, 2026, that they will not qualify to seek re-election shall be abolished.

Proposed law provides that if a sufficient number of judges do not provide notice pursuant to proposed law, then the requisite Divisions comprising the judges who have served on the court the least amount of time shall be designated to be abolished at the end of their current term of office. If there is any dispute concerning this calculation the supreme court shall issue an order to the secretary of state designating what divisions shall be abolished pursuant to proposed law.

Proposed law provides that no qualifying shall be opened for any successor to a judgeship that is abolished pursuant to proposed law, and no election shall be held for any judgeship abolished pursuant to proposed law.

Proposed law provides that on or before March 1, 2028, and every two years thereafter, the judicial council is to study the need for the number of judges on the criminal district court.

Proposed law provides that if the supreme court certifies a recommendation to the legislature to abolish a judgeship based on the judicial council report, then provisions concerning calling of a special election to fill a vacancy for that judgeship are to be temporarily suspended for a vacancy arising thereafter by resignation, retirement, or removal to allow the legislature to consider the recommendation. Provides that for purposes of filling the particular judgeship is to be treated in the same manner as if it had been abolished prior to the deadline for calling the special election to fill its vacancy.

Proposed law provides that if the legislature fails to act on the particular recommendation at the next regular session it can repeal or reallocate the particular judgeship on the thirtieth day following session adjournment and the judgeship shall no longer be considered abolished.

Proposed law repeals provisions dividing the civil district court into seven divisions and provisions regarding an additional commissioner in the criminal district court of Orleans Parish.

Effective August 1, 2026.

(Amends R.S. 13:1136, 1137(B), 1302, 1312(A), (B), (C), (D)(1), 1335, 1337(A) and (B), 1343(A), 1344(A) and (D), 1347(A)(3), (B), and (C), 1383, 1384, 1595, 1595.1, 2151(D), 2151.4(D), 2492(A)(1), (5), and (6); adds R.S. 13:1312(E) and (F) and 2492(A)(8); repeals R.S. 13:1304, and 1347(D) and 2492(A)(7)(b))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill

1. Makes technical changes.
2. Reduces the number of divisions of criminal district court from 12 to 9 judges, effective January 1, 2027.
3. Provides procedure for determining what divisions shall be abolished.
4. Prohibits qualification and election for any successor judgeship to the abolished division.
5. Clarifies the divisions being abolished.
6. Changes the date that the first judgeship vacancy is abolished by death, resignation, retirement, or removal of any division from after January 1, 2027 to December 31, 2026.
7. Repeals provision providing additional judges for the Orleans Parish Juvenile Court.