

FOR OFFICE USE ONLY	

HOUSE FLOOR AMENDMENTS

2026 Regular Session

Amendments proposed by Representative Green to Reengrossed Senate Bill No. 217 by Senator Morris

1 AMENDMENT NO. 1

2 On page 1, delete lines 2 through 6 in their entirety and insert the following:

3 "To amend and reenact 1137(B), 1302, 1312(A) through (C) and (D)(1), 1335, 1337(A) and
4 (B), 1343(A), 1344(A) and (D), 1347(A)(3) and (B) and (C), 1381(introductory
5 paragraph), 1383, 1384, 1595, 2151(D), 2151.4(D), and 2492(A)(1) and (5) and (6),
6 to enact R.S. 13:474.1, 477(41), 621.41 through 621.45, 714.1, 714.2, 1312(E) and
7 (F), and 2492(A)(8), and to repeal R.S. 9:2745, R.S. 13:1031 through 1147, 1211
8 through 1212.1, 1271 through 1312, 1335 through 1347, 1371, 1372, 1377, 1381.1
9 through 1400, 1566 through 1568.3, 1587.1, 1587.2, and 1593 through 1595.3, and
10 2492(A)(7)(b), relative to courts in Orleans Parish; to provide for the number of"

11 AMENDMENT NO. 2

12 On page 1, line 8, after "Fund;" delete the remainder of the line and delete line 9 in its
13 entirety and insert:

14
15 "to provide relative to the reorganization and consolidation of the civil and criminal
16 district courts and juvenile court, clerk of the civil and criminal district courts; to provide,
17 delineate, and otherwise designate the powers, authority, duties, functions, compensation,
18 fees, and related matters concerning the civil and criminal district courts, clerks of the civil
19 and criminal courts, and other judicial officers and officials for the parish of Orleans; to
20 create the Forty-First Judicial District, its subsequent divisions, sections, magistrate, and
21 commissioners; to abolish the Orleans Parish Juvenile Court and transfer its jurisdiction; to
22 extend the terms of office of the judges of the juvenile court now in office; to transfer the
23 jurisdiction of the juvenile court to the Forty-First Judicial District Court; to provide for the
24 juvenile section of the Forty-First Judicial District Court; to create the Consolidated Judicial
25 Expense Fund for certain courts; to provide for the consolidation of certain offices and
26 judicial expense funds; to provide for the election of a single clerk of court for the parish of
27 Orleans commencing with the next election for parochial and municipal officers in Orleans
28 Parish; to provide for continuation of retirement system coverage; to provide for the
29 reduction by attrition of judges upon retirement; to direct the Louisiana State Law Institute
30 to change statutory references necessitated by this Act and to make recommendations it
31 deems necessary to clarify or modify its provisions, including the elimination of antiquated
32 provisions; to provide for effective dates; and to provide for related matters."

33 AMENDMENT NO. 3

34 On page 1, delete lines 11 through 14 in their entirety and insert the following:

35 "Section 1. Legislative intent and history. In the 2006 Regular Session of the
36 Legislature, the legislature overwhelmingly adopted Act 621 to merge the courts and clerks
37 of court of Orleans Parish into a single reformed structure. That Act was supported by
38 twenty-nine Senators and ninety-six members of the House of Representatives and signed
39 into law by Governor Blanco. In 2012 via Act 474 the legislature repealed those provisions

1 before they were allowed to go into effect. The legislature recognized in Act 621, and
2 affirms today that:

3 There should be effective, efficient, and economic administration of governmental
4 services at all levels. It is the intent of the legislature that the public interest is best served
5 by the elimination, to the fullest extent practicable, of the duplication of effort within local
6 government in order to expend public funds more efficiently and wisely and to meet more
7 effectively and conveniently the needs of the people who provide the revenues for its
8 operations, particularly in the wake of devastation wrought by hurricanes Katrina and Rita
9 and in the wake of the large deficits and unprecedented financial crisis the City of New
10 Orleans currently faces.

11 It is the public policy of this state to ensure that all courts, officials, and offices
12 enumerated in Article V of the Louisiana Constitution of 1974 are structured in a manner
13 which is responsive to the needs of the people, operated efficiently, and consistent with the
14 funds available. The state, as well as the city of New Orleans and its citizens, now have
15 limited resources with which to support the number of judges and judicial offices it did
16 previously. The legislature finds that the structure of the judiciary in Orleans Parish is
17 fragmented and inefficient and must be fundamentally changed if the city/ Orleans Parish
18 is to flourish. The costs of operating one district court and one clerk of the district court will
19 inherently be less due to economies of scale. The legislature recognizes that the city of New
20 Orleans is of economic, historical, and cultural significance to this state and to this nation
21 and that efficiency of its judiciary and offices comprising the judiciary is fundamental and
22 that the legislature should provide the best framework for its future. The consolidation of
23 the courts and officers covered by this Act is critical to the future financial stability of the
24 city and will ultimately lessen the financial burden to the citizens of the city of New Orleans
25 and this state. The legislature recognizes that a judicial system founded 200 years ago is
26 unrealistic and not viable in the 21st century. The legislature does hereby enact these
27 provisions in accordance with the authority granted in Section 32 of Article V of the
28 Louisiana Constitution of 1974.

29 Section 2. There are three judicial districts larger than the Parish of Orleans. The
30 states most populated parish and judicial district is East Baton Rouge Parish. It also has a
31 noticeably higher caseload than the Orleans Parish courts. The 19th Judicial District has
32 fifteen judges, the East Baton Rouge Family Court has four, and the East Baton Rouge
33 Juvenile Court has two. The state's largest parish elects the equivalent of twenty-one district
34 judges. It also elects four appellate court judges. The Parish of Orleans elects ten appellate
35 court judges and thirty-one trial court judges (Civil, Criminal, and Juvenile).

36 The legislature finds that there is no reason that Orleans should have more judges
37 than larger parishes with a higher caseload, but to facilitate transition to a proper number has
38 decided to make this reduction that still leaves Orleans with twenty-two judgeships which
39 is still the most district judgeships in the State of Louisiana. Therefore, the following
40 judgeships are abolished effective January 1, 2027: Divisions E and F of the Orleans
41 Juvenile Court, Divisions A, I, and J of the Orleans Criminal District Court, and Divisions
42 C, L, M, and N of the Orleans Civil District Court are abolished effective December 31,
43 2026. The Secretary of State shall not include those offices in the 2026 fall elections nor
44 authorize qualifying for those judgeships.

45 Section 3. The clerk of the civil district court shall become the clerk of court of
46 Orleans Parish. The property, employees, and duties of the clerk of the criminal district
47 court and of the clerk of the Orleans Parish juvenile court shall be under the control of the
48 clerk of court of Orleans Parish effective December 31, 2026. The clerk of the criminal
49 district court shall be authorized to finish their current term at the same salary and maintain
50 responsibility for elections until the end of their term and may utilize employees of the clerk
51 of court for that purpose.

52 Section 4. R.S. 13:1137(B), 1302, 1312(A) through (C) and (D)(1), 1335, 1337(A)
53 and (B), 1343(A), 1344(A) and (D), 1347(A)(3) and (B) and (C), 1381(introductory
54 paragraph), 1383, 1384, 1595, 2151(D), 2151.4(D), and 2492(A)(1) and (5) and (6) are
55 hereby amended and reenacted and R.S. 13:474.1, 477(41), 621.41 through 621.45, 714.1,
56 714.2, 1312(E) and (F), and 2492(A)(8) are hereby enacted to read as follows:

57 TITLE 13. COURTS AND JUDICIAL PROCEDURE
58 CHAPTER 1. JUDICIAL OFFICERS AND EMPLOYEES, IN GENERAL

PART I. GENERAL PROVISIONS

§1. Duties of the minute clerks of courts of Orleans Parish

The minute clerks of the court of appeals and of the civil and criminal district courts of the parish of Orleans Forty-First Judicial District Court shall attend the sessions of the court for which they are appointed, and shall, under the supervision of the judge or judges of the courts, keep the minutes of the court, issue all notices, copies of rules and orders entered on the minutes, which are required to be issued, and make due entries on the dockets of the causes and of the proceedings therein, and shall perform such other duties as the judges may direct.

* * *

§474.1. Judicial depository

A. The bank or banks so designated as fiscal agent for such funds shall furnish adequate security, satisfactory to the judges, to secure the return and payment of any such deposited funds.

B. It shall be the duty of the judges to endeavor to receive interest on all monies so deposited, and if, for any reason, the fiscal agent, or agents, so designated are unable or unwilling to pay interest on such deposit, the judges of the district court are hereby authorized to purchase certificates of deposit, and other forms of certificates of indebtedness bearing interest, or they may purchase short-term United States bonds, treasury notes, or certificates.

C. Any and all interest received on all such monies so deposited, or from any certificates of deposit, certificates of indebtedness, or United States bonds, treasury notes, or certificates, shall be distributed in the following manner:

(1) One-half of all interest so received, as received, shall be transferred to and shall form part of the Consolidated Judicial Expense Fund for the Forty-First Judicial District Court, in reimbursement and payment for the services rendered in administering said "registry of the court" fund by the judges, clerk, and other employees whose salaries are paid out of the fund.

(2) The ultimate recipient of any of said funds so deposited in the registry of the court shall receive interest on such sum received by him, to be calculated on the following basis, to wit:

(a) The rate of interest per annum to be paid such recipient shall be one-half of the average interest rate received from the fiscal agent and/or from certificates of deposit, certificates of indebtedness, United States government bonds, treasury notes, or certificates, during the period that the funds being disbursed were on deposit in the registry of the court.

(b) Interest shall be paid such recipient on the same percentage of such sum he receives as the total amount of such registry funds invested with interest bears to the total of such funds held in the registry of the court during the preceding year.

(c) In determining the amount of such registry funds invested with interest, and the total of such funds held in the registry of the court, as provided in Subparagraph (b) of this Paragraph, the basis for such determination shall be the average daily balance of the total funds invested and the average daily balances of the total funds held in the registry of the court fund during the period that the funds being disbursed were on deposit in the registry of the court fund.

D. In the event it becomes necessary to disburse funds which have been deposited in the registry of the Consolidated Judicial Expense Fund, in accordance with a duly rendered court order, in excess of the amount held by the fiscal agent of the fund, in its noninterest bearing account, the presiding judge or the acting chief judge of the Forty-First Judicial District Court, on an order issued by the majority of the judges of the district court, sitting en banc, shall have the authority to borrow such funds so needed for disbursal from the fiscal agent, or others, at the then prevailing interest rate for loans of this character, using as collateral to secure any such loan an amount of bonds, or certificates of deposit, or certificates of indebtedness in which funds have been invested, and, if required so to do by any such lending agency, to execute any note or other form of agreement to repay such loan.

* * *

§477. Judicial districts

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 2026; however, the payment of health and life insurance premiums shall be in
2 accordance with the unified group health and life insurance program adopted by the
3 committee provided for in R.S. 13:996.62.

4 (3) The employees of the Civil District Court for the parish, the Criminal
5 District Court for the parish, and the Juvenile Court for the parish shall be transferred
6 in accordance with this Section, to the extent required and in accordance with
7 applicable civil service laws, and shall be subject to the supervision and control of
8 the Forty-First Judicial District Court. The employees transferred in accordance with
9 this Section shall continue to contribute to the retirement system or pension fund to
10 which they were contributing on the effective date of this Section, including the
11 retention of all accrued benefits and contributions to which they were entitled on the
12 effective date of this Section. The salaries of the employees shall continue to be paid
13 from the same sources and in the manner in which they are paid on December 31,
14 2026. The employees shall continue to be entitled to participate in the same health
15 and life insurance plans they are participating in on December 31, 2026.

16 §621.42. Forty-First Judicial District; office or positions and functions

17 The Forty-First Judicial District Court shall have a position or office of
18 judicial administrator, deputy judicial administrator, and assistants as needed and
19 shall provide for the conduct of the jury commission and sanity hearings, the cost of
20 all of which shall be allocated by the Judicial Budgetary Control Council to such
21 court; however, the positions provided for in R.S. 13:1384 shall be paid as required
22 by the provisions of that Section.

23 §621.43. Abolition of Orleans Parish Juvenile Court; extension of terms of office;
24 jurisdiction; conferred on Forty-First Judicial District Court; transfer of cases

25 A. The Orleans Parish Juvenile Court is abolished effective December 31,
26 2026. The terms of office of the judges of the juvenile court now in office shall be
27 extended until December 31, 2026. After the effective date of this Section, no judge
28 shall be elected to the Orleans Parish Juvenile Court except to fill a vacancy and in
29 such case the term of office shall expire on December 31, 2026.

30 B. It is the express intent of this Section that the jurisdiction conferred by
31 law, particularly the Louisiana Children's Code, upon the Orleans Parish Juvenile
32 Court, shall be vested in the Forty-First Judicial District Court and shall be the same
33 as it exists on the effective date of this Section. All of its powers, its duties, and its
34 various departments or its personnel, except as provided in this Section, shall be
35 vested in the Forty-First Judicial District Court as provided in this Section and R.S.
36 13:621.45 and 621.46.

37 C. Effective January 1, 2027, all pending cases filed in the Orleans Parish
38 Juvenile Court are hereby transferred to the Forty-First Judicial District Court for the
39 parish of Orleans. All records and files of the Orleans Parish Juvenile Court shall be
40 transferred to the Forty-First Judicial District Court, which shall hear and dispose of
41 each such case with the same legal effect as if it had been instituted in that court in
42 the first instance.

43 §621.44. Forty-First Judicial District Court; initial judges; term of office; election;
44 juvenile section

45 The judges of the Forty-First Judicial District Court in office on January 1,
46 2027, shall en banc create the Juvenile Section of that court. The rule shall designate
47 not less than two judges who shall be assigned all cases involving juvenile matters
48 over which the district court has jurisdiction.

49 §621.45. Implementing legislation

50 The legislature shall enact any such other legislation necessary to effectuate
51 the provisions transferring jurisdiction over juvenile matters to the Forty-First
52 Judicial District Court.

53 * * *

54 SUBPART D. MAGISTRATES AND COMMISSIONERS

55 * * *

56 §714.1. Magistrate Section, Forty-First Judicial District; judge; election; salary;
57 powers; jurisdiction

1 A. In addition to the judges provided for in R.S. 13:621.41(C), there shall be
 2 one additional judgeship who shall be assigned to the Magistrate Section of the
 3 Forty-First Judicial District Court, except as otherwise provided for in this Section.
 4 The judge shall be known as the magistrate and shall preside over the Magistrate
 5 Section. The magistrate shall receive the same salary, payable in the same manner,
 6 as the state pays to the other judges of the Forty-First Judicial District Court. The
 7 magistrate shall be elected at the same time, shall take office at the same time, and
 8 shall serve for the same term of office as the other judges of the Forty-First Judicial
 9 District Court. The magistrate shall be a member of the court sitting en banc.

10 B. The magistrate shall have and possess all of the powers, duties,
 11 jurisdiction, rights, prerogatives, and qualifications as are now prescribed by the
 12 constitution and laws of this state relative to judges of the Forty-First Judicial
 13 District Court, except as provided herein.

14 C. The magistrate shall have jurisdiction to act as committing magistrate in
 15 felony and misdemeanor charges and to hold preliminary examinations, with the
 16 authority to bail or discharge, or to hold for trial, in all cases before the Forty-First
 17 Judicial District Court, and shall have the power to adopt all necessary rules with
 18 respect thereto.

19 D. The magistrate shall hear preliminary motions, conduct extradition
 20 hearings, accept pleas in misdemeanor cases, hear and render judgments in other
 21 matters, including misdemeanor cases, preliminary to the trial on the merits, conduct
 22 trials of misdemeanor cases, preside over jury trials of misdemeanor cases, and sign
 23 and issue search and arrest warrants upon probable cause being shown in accordance
 24 with law. The magistrate shall have the right to appoint a court reporter, deputy
 25 court reporter, and minute clerk as provided by law, and the sheriff for the parish
 26 shall appoint a crier and deputy sheriff for the section of the court created herein as
 27 provided by law.

28 E. The Forty-First Judicial District Court, including the magistrate of the
 29 Magistrate Section of said court, acting en banc, shall prescribe rules and procedures
 30 not inconsistent with the constitution and laws of this state to be followed in all
 31 matters to be presented before the Magistrate Section.

32 §714.2. Commissioners; Magistrate Section; Forty-First Judicial District Court

33 A.(1) There shall be up to two commissioners appointed to the Magistrate
 34 Section of the Forty-First Judicial District Court. The persons appointed to the
 35 offices of commissioner created by this Section shall be known as commissioners
 36 and shall not be judges, but shall have the same qualifications, powers, duties,
 37 jurisdiction, and functions, all as is now or hereafter provided for the judge in the
 38 Magistrate Section of the Forty-First Judicial District Court. The commissioners
 39 shall serve a term of six years.

40 (2) The salary of the commissioners of the Forty-First Judicial District Court
 41 for the parish shall be fifty-five percent of the salary paid to a judge of the
 42 Forty-First Judicial District Court, said salary and related benefits as provided for by
 43 law, to be payable in the same manner and from the same sources as the salary and
 44 benefits of a judge of the Forty-First Judicial District Court. The support services
 45 and personnel including minute clerks and stenographers, as shall be necessary for
 46 the offices of commissioner, and such supporting services and personnel shall be
 47 paid in the same amount and from the same source as they are paid on December 31,
 48 2026.

49 (3) The judges of the Forty-First Judicial District Court, sitting en banc, shall
 50 determine the further powers, duties, functions, and policy affecting the offices of
 51 commissioner, not inconsistent with the provisions of this Section.

52 B. Should there be a vacancy created by the removal, resignation, or death
 53 of any commissioner, the judges of the district court, sitting en banc, shall fill the
 54 vacancy by appointment for the unexpired term. At the termination of the initial
 55 term and any subsequent terms of a commissioner, said judges, sitting en banc, shall
 56 appoint successors to the office for like terms. All commissioners are subject to
 57 removal for any reason for which a judge of the Forty-First Judicial District Court
 58 may be removed from office. Such removal shall be by order of the judges sitting

1 en banc, after notice and hearing. No person shall serve as commissioner unless he
2 has practiced law in the state of Louisiana for a period of not less than five years.

3 C. No commissioner of the magistrate office shall practice law before the
4 Forty-First Judicial District Court."

5 AMENDMENT NO. 4

6 On page 8, between lines 20 and 21, insert the following:

7 "§1381. Fees

8 The following charges may be made for the services of the clerk of the
9 ~~criminal district court~~ Forty-First Judicial District Court:

10 * * *

11 AMENDMENT NO. 5

12 On page 11, delete lines 23 through 29 in their entirety and insert the following:

13 "Section 5: R.S. 9:2745, 1211 through 1212.1, 1371, 1372, 1377, and 2492(A)(7)(b)
14 are hereby repealed in their entirety.

15 Section 6.(A) R.S. 13:1031 through 1147, 1271 through 1312, 1335 through 1347,
16 1381.1 through 1400, 1566 through 1568.3, 1587.1 and 1587.2, and 1593 through 1595.3 are
17 hereby repealed in their entirety effective January 1, 2027.

18 (B) R.S. 13:1211 through 1212.1, 1371, and 1372 are hereby repealed in their
19 entirety on the date that the clerk of the Forty-First Judicial District Court takes office.

20 Section 7. Except as expressly otherwise provided in this Act, the term "clerk of
21 court" shall mean the clerk of the Civil District Court for the parish of Orleans, until such
22 time as the clerk of the Forty-First Judicial District Court has been elected and takes office,
23 after which time references to the clerk of court shall mean the clerk of the Forty-First
24 Judicial District Court.

25 Section 8. The city of New Orleans shall continue to provide quarters for the conduct
26 of the functions of the offices transferred to the clerk of court as provided in this Act in the
27 city of New Orleans in the building in which the Civil Section of the Forty-First Judicial
28 District Court holds court or other quarters contiguous thereto which shall be good and
29 sufficient for the proper and efficient operation of the recordation of records and documents,
30 including the installation and maintenance of appropriate fire protection and climate control
31 systems.

32 Section 9. All books, papers, records, money, actions, and other property of every
33 kind and description, movable and immovable, real and personal, possessed, controlled, or
34 used by each office transferred to the clerk of court by this Act shall be transferred with each
35 office to the office of the clerk of court as the parish recorder and shall continue to be
36 controlled and used by each office so transferred until the respective office is abolished as
37 provided in this Act.

38 Section 10. The legislature hereby specifically states that this Act is in no way and
39 to no extent intended to nor shall it be construed in any manner which will impair the
40 contractual or other obligations of any office transferred by this Act.

41 Section 11. This Act shall not be construed or applied in any way which will prevent
42 full compliance with the requirements of any Act of Congress of the United States or any
43 regulation made thereunder by which federal aid or other federal assistance has been or
44 hereafter is made available.

45 Section 12. Any legal proceeding to which any office transferred to the clerk of court
46 in accordance with the provisions of this Act is a party and which is filed, initiated, or
47 otherwise pending before any court on the effective date of such transfer, and all documents
48 involved in or affected by any such legal proceeding, shall retain their effectiveness and shall
49 be continued in the name of the office so transferred. All further legal proceedings and
50 documents in the continuation, disposition, and enforcement of said legal proceeding shall
51 be applicable to the office of clerk of court as the parish recorder without the necessity for
52 amendment of any document.

1 Section 13. This Section and Sections 4 and 5 and 7 through 17 of this Act shall
2 become effective upon signature by the governor or, if not signed by the governor, upon
3 expiration of the time for bills to become law without signature by the governor, as provided
4 by Article III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the
5 governor and subsequently approved by the legislature, the provisions of this Section and
6 Sections 4 and 5 and 7 through 17 of this Act shall become effective on the day following
7 such approval.

8 Section 14. The provisions of Section 2 of this Act shall become effective on
9 January 1, 2027, except that the provisions of R.S. 13:621.41 and 714.1 shall be effective
10 for purposes of qualifying and election of judges and magistrate of the Forty-First Judicial
11 District Court to be held at the congressional election to be held in 2026.

12 Section 15. All fees and costs assessed or collected by the clerk of the Civil District
13 Court or the clerk of the Criminal District Court, for the parish of Orleans in effect on the
14 effective date of this Section are continued and shall be assessed and collected in accordance
15 with the provisions of law then in effect.

16 Section 16. The Louisiana State Law Institute is hereby directed to renumber and
17 rearrange any sections or parts of Sections of this Act and make any such changes to
18 references to other provisions of law consistent with the provisions of this Act. The
19 Louisiana State Law Institute is also directed to submit such recommendations on or before
20 March 1, 2027, as it deems necessary to clarify, modify, or repeal any of the provisions of
21 this Act or any other provision of law, including the elimination of antiquated provisions
22 consistent with the provisions of the Act.

23 Section 17. If a vacancy occurs before December 31, 2026, in a division of civil or
24 criminal court as specified in Section 2 of this Act to be abolished or in the office of the
25 clerk of the criminal district court, no special election shall be held to fill the vacancy. In
26 the case of the clerks of the civil and criminal district courts, the chief deputy of either office
27 shall fill the unexpired term."