

2017 Regular Session

HOUSE BILL NO. 620

BY REPRESENTATIVES HENRY, BARRAS, BROADWATER, FOIL, JACKSON,
JOHNSON, LEGER, AND MAGEE AND SENATORS ALARIO AND LAFLEUR

APPROPRIATIONS: Appropriates funds for the expenses of the judiciary for Fiscal Year
2017-2018

1 AN ACT

2 To appropriate funds to defray the expenses of the Louisiana Judiciary, including the
3 Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans
4 Parish, and other courts; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1.A. The sum of One Hundred Eighty-Seven Million Three Hundred Ninety-
7 Four Thousand Three Hundred Sixty-Nine No/100 (\$187,394,369.00) Dollars, or so much
8 thereof as may be necessary, is hereby appropriated to defray the expenses of the judiciary,
9 including the Supreme Court, Courts of Appeal, the District Courts, the Criminal District
10 Court of Orleans Parish, and of the other courts.

11 B. The total amount herein appropriated is hereby allocated to provide as follows:

12 **03-8170 SUPREME COURT**

13 **Program Description:** *The Supreme Court has general supervisory jurisdiction over*
14 *all lower courts. It may establish procedural and administrative rules not in conflict*
15 *with law and may assign a sitting or retired judge to any court. The Supreme Court has*
16 *sole authority to provide by rule for appointments of attorneys as temporary or ad hoc*
17 *judges. It considers applications for writs to review individual cases, and has criminal*
18 *and other appellate jurisdiction. The Supreme Court has exclusive original jurisdiction*
19 *of disciplinary proceedings against lawyers, recommendations of the Judiciary*
20 *Commission of Louisiana for the discipline of judges, and fact questions affecting its*
21 *appellate jurisdiction. It has inherent authority to regulate the legal profession and to*
22 *promulgate and update the Code of Judicial Conduct. The court also provides judicial*
23 *training through the Judicial College and works to improve the administration of*
24 *justice.*

25 **Mission Statement:** *The mission of the Supreme Court of Louisiana is to protect and*
26 *promote the rule of law, to ensure public trust, to use public resources efficiently, to*
27 *ensure the highest professional conduct, integrity, and competence of both the bench*
28 *and the bar, and to ensure the proper administration and performance of all courts*
29 *under its authority.*

1 **Goal:** To protect the rule of law.

2 **Objective:** To provide a reasonable opportunity for litigants to seek review in the
3 Supreme Court of decisions made by lower tribunals.

4 **General Performance Information:**

	2014	2015	2016	
5				
6	Total Filings	2,716	2,365	2,283
7	Total Appeals Filed	12	6	9
8	Total Writs Filed	2,496	2,172	2,092
9	Total Dispositions Rendered	2,592	2,486	2,142

10 **Goal:** To promote the rule of law.

11 **Objective:** To resolve cases in a timely manner.

12 **General Performance Information:**

	2014	2015	2016	
13				
14	Percentage of noncriminal case			
15	applications acted on within Supreme			
16	Court standard of 120 days of filing	91.8%	97.1%	94.1%
17	Percentage of criminal case applications			
18	acted on within Supreme Court			
19	standard of 120 days of filing	30.7%	36.1%	48.7%
20	Percentage of pro se post conviction			
21	applications acted on within Supreme			
22	Court standard of 120 days of filing	2.1%	3%	26%
23	Percentage of bar disciplinary filings			
24	acted upon within Supreme Court			
25	standard of 120 days of filing	95.2%	97%	93.6%
26	Percentage of opinions rendered within			
27	Supreme Court standard of 84 days			
28	from argument	81.5%	75.8%	66.7%

29 **Goal:** To ensure the public trust.

30 **Objective:** To facilitate public access to Supreme Court decisions.

31 **General Performance Information:**

	2014	2015	2016	
32				
33	Percentage of written opinions available			
34	to the public within 5 days of decision	100%	100%	100%

35 **Objective:** To inform the public of operations and activities.

36 **General Performance Information:**

	2014	2015	2016	
37				
38	Number of outreach programs	58	100	60
39	Number of media releases on court decisions	64	66	78
40	Number of media releases on other matters	25	17	24
41	Number of recipients of releases on			
42	court decisions	1,485	1,632	1,775
43	Number of recipients of releases on other			
44	matters	3,633	4,700	6,010

45 **Objective:** To ensure the highest professional conduct, integrity, and competence of the
46 bench.

47 **General Performance Information:**

	2014	2015	2016	
48				
49	Average number of hours acquired			
50	through continuing legal education			
51	per judge	33.59	34.25	30.08
52	Number of complaints filed against			
53	judges and justices of the peace	495	529	545
54	Number of complaints against judges			
55	and justices of the peace resolved or			
56	disposed of in the calendar year	477	601	582

57 **Objective:** To ensure the highest professional conduct, integrity, and competence of the
58 bar.

59 **General Performance Information:**

	2014	2015	2016	
60				
61	Average number of hours acquired through			
62	continuing legal education per lawyer	14.92	15.12	15.08
63	Number of complaints filed against lawyers	3,040	2,950	2,922
64	Number of complaints filed against lawyers			
65	resolved or disposed of in calendar year	3,140	3,046	2,673

1	Payable out of the State General Fund (Direct):		
2	01	Salaries of one (1) Chief Justice and six (6)	
3		Associate Justices of the Supreme Court,	
4		as provided by R.S. 13:102	\$ 1,125,128
5	02	Salaries and other expenses of the	
6		Supreme Court Proper and salary of	
7		the Crier of the Supreme Court	\$ 10,654,654
8	03	Expenses of Judicial Administrator's	
9		Office and of the Judiciary Commission	
10		provided for in Article V, Section	
11		25 of the Constitution of Louisiana and	
12		under the provisions of R.S. 13:32 et seq.	
13	A.	Expenses of Judicial Administrator's Office	\$ 5,278,486
14	Program Description: <i>The Judicial Administrator's Office assists the Supreme Court in the</i>		
15	<i>administration of the state court system. It staffs the Judicial Council and the Judiciary Commission of</i>		
16	<i>Louisiana. Through the Judicial Council, it performs studies and makes recommendations for the creation</i>		
17	<i>of new judgeships and for improving the administration of justice. The Judicial Administrator's Office</i>		
18	<i>provides payroll and other fiscal services to the Judiciary, including the administration of a judicial</i>		
19	<i>retirement system; support for the Supreme Court and Appellate Court human resource system;</i>		
20	<i>technological services to courts; and, manages the Trial Court Case Management Information System.</i>		
21	<i>The Judicial Administrator's Office also manages the ad hoc judgeship system, monitors cases under</i>		
22	<i>advisement, provides outreach services to state and local courts, staffs the Committee on Judicial Ethics,</i>		
23	<i>and performs numerous legal services for the Supreme Court and the Judiciary.</i>		
24	B.	Expenses of Judiciary Commission	\$ 2,068,854
25	Program Description: <i>The Judiciary Commission of Louisiana is a constitutional body established under</i>		
26	<i>Article V, Section 25 of the Constitution of 1974 to accept, screen, investigate, and prosecute complaints</i>		
27	<i>of judicial misconduct. As part of its authority, it may recommend to the Supreme Court the censure,</i>		
28	<i>suspension, removal from office, or involuntary retirement of any judge for ethical misconduct.</i>		
29	C.	Court Reporters; Statistical Reporting Systems	\$ 420,020
30	D.	Dues to National Center for State Courts	\$ 158,650
31	04	Louisiana Attorney Disciplinary Board,	
32		as per Louisiana Supreme Court Rule XIX	\$ 3,000
33	05	Compensation and expenses of retired	
34		judges assigned under Article V,	
35		Section 5(A) of the Constitution of	
36		Louisiana, be it more or less estimated at	\$ 1,416,000
37	06	Law Library of Louisiana for salaries,	
38		services, supplies, maintenance, repairs,	
39		and equipment	\$ 2,060,337
40	Program Description: <i>The Law Library of Louisiana serves the legal information needs of the state</i>		
41	<i>judiciary, and is open to members of the bar and public.</i>		
42	07	Salaries and expenses of transferred	
43		judges assigned under Article V,	
44		Section 5(A) of the Constitution,	
45		be it more or less estimated as	\$ 146,663
46	08	Retirement pay for services rendered by	
47		justices and judges of all courts, as	
48		provided by R.S. 11:1358 and	
49		R.S. 13:103	\$ 1,365,669

1	09	Pensions for widows of justices and	
2		judges of all courts, as provided by	
3		R.S. 11:1371 and R.S. 11:1381, be it	
4		more or less estimated at	\$ 1,469,984
5	10	Judicial College	\$ 303,725
6		Program Description: <i>The Judicial College was established by order of the Supreme Court in 1976 to</i>	
7		<i>provide continuing legal education to Louisiana judges.</i>	
8	11	State contribution to judicial	
9		retirement provided for in Article V,	
10		Section 23 of the Constitution and	
11		R.S. 11:551 et seq., be it more or	
12		less estimated at	\$ 19,013,380
13	12	Civil commitment matters as	
14		required by R.S. 28:54	\$ 204,000
15	13	Paul M. Hebert Law Center for the expenses	
16		of storage of appellate court records	\$ 60,000
17	14	Funding for statewide operations of the	
18		Louisiana Protective Order Registry	
19		(R.S. 46:2136.2) under the Case	
20		Management Information System	\$ 1,368,548
21	15	Information Technology	\$ 1,104,532
22	16	Payable out of the State General Fund for the	
23		expenses associated with the operation of the	
24		Families in Need of Services Program (FINS)	\$ 2,354,780
25		Program Description: <i>The mission of the FINS Assistance Program is to assist local FINS processes by</i>	
26		<i>developing and implementing a needs-based allocation formula; developing, implementing, and mandating</i>	
27		<i>the use of a uniform data system for tracking, managing, and reporting FINS informal cases; developing</i>	
28		<i>and mandating the use of programmatic standards; developing, implementing, and reporting performance</i>	
29		<i>indicators and measures; requiring and monitoring periodic fiscal reports and financial accountability;</i>	
30		<i>and, generally supervising and assisting local FINS processes in other ways.</i>	
31	17	Drug court maintenance and enhancement	\$ 11,745,514
32		Program Description: <i>Drug treatment courts, authorized in 1997 by R.S. 13:5301 through R.S. 13:5304,</i>	
33		<i>provided integrated substance abuse treatment, sanctions, and incentives with case processing to place</i>	
34		<i>low-level, nonviolent drug-involved defendants in community-based, judicially supervised rehabilitation</i>	
35		<i>programs. Clients are regularly tested and monitored for compliance with educational, employment, and</i>	
36		<i>treatment requirements set by the court.</i>	
37	18	Court Appointed Special Advocates	\$ 2,965,884
38		Program Description: <i>The purpose of the CASA Assistance Program is to promote timely placement of</i>	
39		<i>children in need of care in permanent, safe and stable homes, in accordance with the provisions of</i>	
40		<i>Children's Code articles 424-426. Services are provided through local CASA programs which recruit,</i>	
41		<i>screen, train and supervise community advocates. Upon appointment by the trial judge, qualified</i>	
42		<i>advocates serve children by providing independent factual information to the judge, advocating for the best</i>	
43		<i>interest of the children, monitoring cases to which they have been assigned, and advising and assisting the</i>	
44		<i>judge in the determination of the best interest of the children involved.</i>	
45		TOTAL - GENERAL FUND	<u>\$ 65,287,808</u>
46	19	Payable out of the State General Fund	
47		from Statutory Dedications, Judges'	
48		Supplemental Compensation Fund,	
49		R. S. 13:10.3, be it more or less	
50		estimated at	\$ 6,223,724

1 **Program Description:** *The Judges' Supplemental Compensation Fund was established by the Legislature*
2 *in 1985 to fund salary supplements and salary-related expenses to judges and commissioners. The funding*
3 *source is a non-refundable filing fee assessed on civil filings as provided in R.S. 13:10.3.*

4 20 Payable out of the State General Fund
5 from Statutory Dedications, Trial Court
6 Case Management Information Fund, for
7 the Case Management Information System,
8 Article 887 (F) of the Code of Criminal
9 Procedure, be it more or less estimated at \$ 4,017,201

10 **Program Description:** *The Case Management Information System (CMIS) was created by the Supreme*
11 *Court in 1993 to provide a statewide information system for tracking and managing criminal, civil,*
12 *juvenile, traffic, and appellate cases as well as protective orders. Data is received from courts statewide,*
13 *transferred to the CMIS repository, and made available to courts and executive branch agencies.*
14 *Additional information will also be available from the Department of Public Safety & Corrections. CMIS*
15 *is funded from a court cost assessed on all criminal and traffic convictions as provided under*
16 *C.Cr.P.887(F).*

17 TOTAL - STATE GENERAL FUND
18 BY STATUTORY DEDICATIONS \$ 10,240,925

19 21 Drug court maintenance and enhancement, payable
20 out of the State General Fund through Interagency
21 Transfers from the Department of Children and
22 Family Services \$ 5,400,000

23 22 Court Appointed Special Advocates, payable out of
24 the State General Fund through Interagency Transfers
25 from the Department of Children and Family
26 Services \$ 3,992,850

27 TOTAL - STATE GENERAL FUND
28 THROUGH INTERAGENCY TRANSFERS \$ 9,392,850

29 TOTAL SUPREME COURT \$ 84,921,583

30 **03-8171 COURTS OF APPEAL**

31 **Program Description:** *The five courts of appeal, domiciled in Baton Rouge,*
32 *Shreveport, Lake Charles, New Orleans, and Gretna, have supervisory jurisdiction over*
33 *all cases arising within their respective circuits, subject to the general supervisory*
34 *jurisdiction of the Supreme Court. Each court of appeal also has appellate jurisdiction*
35 *over all civil matters, all matters appealed from family and juvenile courts, and all*
36 *criminal cases triable by a jury which arise within its circuit, except for those cases*
37 *appealable directly to the Supreme Court or to the district courts.*

38 **Mission Statement:** *The mission of the appellate courts of Louisiana is to provide*
39 *meaningful access to all who seek review under the Courts' appellate and supervisory*
40 *jurisdiction granted by the Louisiana Constitution while protecting and promoting the*
41 *rule of law, preserving the public trust, and using public resources efficiently.*

42 **Goal:** To protect the rule of law.

43 **Objective:** To provide a reasonable opportunity for multi-judge review of decisions
44 made by lower tribunals.

45 **General Performance Information:**

	<i>2014</i>	<i>2015</i>	<i>2016</i>
46 <i>Total appeals filed</i>	<i>2,050</i>	<i>2,053</i>	<i>1,783</i>
47 <i>Total writs filed</i>	<i>4,325</i>	<i>4,048</i>	<i>3,670</i>
48 <i>Total dispositions rendered</i>	<i>5,741</i>	<i>5,019</i>	<i>4,761</i>

50 **Goal:** To promote the rule of law.

1 **Objective:** To resolve cases expeditiously.
 2 **General Performance Information:**
 3

	2014	2015	2016
4 <i>Average number of days from lodging of the</i>			
5 <i>appeal to argument:</i>			
6 <i>Time Standard = no more than 175 days.</i>			
7 <i>Criminal cases</i>	151	143	162
8 <i>Civil Cases</i>	149	147	155
9 <i>Median number of days for all cases</i>	149	146	158

10 *Average number of days from argument to*
 11 *rendering of the opinion:*
 12 *Time Standard = no more than 70 days.*
 13 *Criminal cases* 38 43 43
 14 *Civil cases* 44 43 42
 15 *Median number of days for all cases* 43 43 43
 16 **Goal:** To preserve public trust.

17 **Objective:** To facilitate public access to the decisions of the courts of appeal.
 18 **General Performance Information:**
 19

	2014	2015	2016
20 <i>Percentage of written opinions available</i>			
21 <i>to the public within 5 days of decision</i>	100%	100%	100%

22 Payable out of the State General Fund:

23 01	Salaries of five (5) Chief Judges and forty-eight (48) Judges of the Courts of Appeal, R.S. 13:311	\$ 7,912,546
26 02	Salaries and expenses of operation and maintenance of the Court of Appeal, First Circuit	\$ 10,469,867
29 03	Salaries and expenses of operation and maintenance of the Court of Appeal, Second Circuit	\$ 5,868,157
32 04	Salaries and expenses of operation and maintenance of the Court of Appeal, Third Circuit	\$ 8,930,244
35 05	Salaries and expenses of operation and maintenance of the Court of Appeal, Fourth Circuit	\$ 8,347,759
38 06	Salaries and expenses of operation and maintenance of the Court of Appeal, Fifth Circuit	\$ <u>6,022,679</u>
41	TOTAL COURTS OF APPEAL	\$ <u><u>47,551,252</u></u>

42 **03-8172 DISTRICT COURTS**

43 **Program Description:** *There are forty-one district courts in Louisiana that have*
 44 *general jurisdiction over all matters within their territorial limits, except in those*
 45 *judicial districts (the 1st, the 19th, and the 24th Judicial Districts) where family and*
 46 *juvenile courts have exclusive jurisdiction over certain types of cases and except in*
 47 *Orleans Parish where there are separate courts exercising civil, criminal, and juvenile*
 48 *jurisdictions, respectively. In certain cases, the forty-one general jurisdiction courts*
 49 *have concurrent jurisdiction with justices of the peace and parish courts. The district*
 50 *courts generally have appellate jurisdiction of criminal cases tried by city, parish,*
 51 *municipal, traffic, and mayors' courts, except in certain cases. The district courts also*
 52 *have appellate jurisdiction over justices of the peace in parishes where no parish courts*
 53 *exist. The Civil District Court of Orleans Parish has jurisdiction of all civil cases in*
 54 *that parish. The Criminal District Court of Orleans Parish has jurisdiction over all*

1 *criminal cases in the parish. It also has general supervisory jurisdiction over the*
2 *municipal and traffic courts in Orleans Parish. The Family Court of East Baton Rouge*
3 *Parish has exclusive jurisdiction of many domestic cases in the parish. The four*
4 *juvenile courts located in Caddo, East Baton Rouge, Jefferson, and Orleans parishes*
5 *have exclusive jurisdiction of juvenile cases in their respective parishes.*

6 **Mission Statement:** *The mission of the trial courts of Louisiana is to provide access*
7 *to justice, to meet all responsibilities in a timely and expeditious manner, to provide*
8 *equality, fairness, and integrity in their proceedings, to maintain judicial independence*
9 *and accountability, and to reach a fair and just result by adherence to the procedural*
10 *and substantive law, thereby instilling trust and confidence in the public.*

11 **Goal:** To establish a more open and accessible system of justice.

12 **Objective:** To encourage responsible parties to make court facilities safe, accessible,
13 and convenient.

14 **General Performance Information:**

	2014	2015	2016
15			
16 <i>Percentage of surveyed district court chief</i>			
17 <i>judges indicating actions taken in</i>			
18 <i>FY 2015-2016 to improve compliance</i>			
19 <i>with the Americans with Disabilities Act</i>			
20 <i>(ADA)</i>	97.9%	93.8%	81.3%

21 **Objective:** To encourage all responsible public bodies and public officers to make the
22 costs of access to the trial court's proceedings and records - whether measured in terms
23 of money, time, or the procedures that must be followed - reasonable, fair, and
24 affordable.

25 **General Performance Information:**

	2014	2015	2016
26			
27 <i>Percentage of surveyed district court chief</i>			
28 <i>judges indicating actions taken in</i>			
29 <i>FY 2015-2016 to assist self-represented</i>			
30 <i>litigants</i>	97.9%	97.9%	85.4%

31 **Goal:** To meet all responsibilities to everyone affected by the court and its activities in
32 a timely and expeditious manner.

33 **Objective:** To encourage timely case management and processing.

34 **General Performance Information:**

	2014	2015	2016
35			
36 <i>Number of parishes reporting criminal</i>			
37 <i>disposition data to CMIS</i>	64	64	64
38 <i>Percentage of parishes reporting criminal</i>			
39 <i>disposition data to CMIS</i>	100%	100%	100%
40 <i>Percentage of surveyed district court chief</i>			
41 <i>judges indicating that their courts had</i>			
42 <i>taken steps within FY 2015-2016 to</i>			
43 <i>reduce delays and improve the timeliness</i>			
44 <i>of case processing</i>	91.7%	97.9%	87.5%

45 **Objective:** To enhance jury service.

46 **General Performance Information:**

	2014	2015	2016
47			
48 <i>Percentage of surveyed district court chief</i>			
49 <i>judges indicating that their court had</i>			
50 <i>taken steps within FY 2015-2016 to make</i>			
51 <i>jury service more convenient or effective</i>	93%	100%	90.7%

52 **Goal:** To provide due process and equal protection of the law to all who have business
53 before the court; and to demonstrate integrity in all procedures and decisions.

54 **Objective:** To recognize new conditions or emerging events and to adjust court
55 operations as necessary.

56 **General Performance Information:**

	2014	2015	2016
57			
58 <i>Percentage of surveyed district court chief</i>			
59 <i>judges indicating actions taken in</i>			
60 <i>FY 2015-2016 to improve employee</i>			
61 <i>training and development</i>	95.8%	87.5%	85.4%

1	<i>Percentage of surveyed district court chief</i>			
2	<i>judges indicating actions taken in</i>			
3	<i>FY 2015-2016 to install or implement</i>			
4	<i>technologies</i>	95.8%	100%	91.7%

5 **Goal:** To maintain judicial independence, while observing the principle of comity in
6 its governmental relations and accountability to the public.

7 **Objective:** To inform the community of the court's structure and function.

8 **General Performance Information:**

9		2014	2015	2016
10	<i>Percentage of surveyed district court chief</i>			
11	<i>judges indicating that their courts regularly</i>			
12	<i>provided public education and public</i>			
13	<i>outreach services in FY 2015-2016</i>	89.6%	97.9%	87.5%

14 **Payable out of the State General Fund:**

15	01	Salaries of one hundred ninety-one		
16		(191) District Judges as provided		
17		by R.S. 13:691	\$	27,187,586
18	02	Office and travel expenses of District		
19		Judges as provided by R.S. 13:698 and		
20		R.S. 13:694, respectively	\$	1,285,250
21	03	Salaries of fourteen (14) Judges of		
22		Civil District Court, Orleans Parish,		
23		as provided by R.S. 13:691	\$	1,992,807
24	04	Expenses of Judges of Civil District		
25		Court, Parish of Orleans, for salaries		
26		of stenographers, clerks, law books,		
27		stationery, telephone, and like expenses		
28		as provided by R.S. 13:698	\$	80,500
29	05	Salaries of two (2) Court Reporters		
30		of the Twentieth Judicial District Court,		
31		including retirement contributions, as		
32		provided by R.S. 13:966.1	\$	117,697
33	06	Clerk of Civil District Court, Orleans		
34		Parish, as provided by R.S. 13:1212(A)	\$	10,000
35	07	State share of Group, Workers'		
36		Compensation, General Liability,		
37		and Property Insurance Premiums		
38		as provided by R.S.42:851	\$	7,471,735
39	08	Salaries of two (2) commissioners of		
40		the Nineteenth Judicial District and		
41		one (1) commissioner of the Fifteenth		
42		Judicial District as provided by		
43		R.S. 13:712 and R.S. 13:715,		
44		respectively	\$	569,959
45	09	Office expenses for the Judicial		
46		Expense Fund of the Nineteenth Judicial		
47		District Court as provided by		
48		R.S. 13:711-713	\$	470,893

1	10	Office expenses for the Judicial	
2		Expense Fund of the Fifteenth	
3		Judicial District Court as provided	
4		by R.S. 13:714-716	\$ 304,827
5	11	Law Clerk, Twentieth Judicial District	
6		Court as provided by Act 747 of 1977	\$ 51,118
7	12	For the expenses of the Judicial Expense	
8		Fund, Tenth Judicial District Court as	
9		provided by Act 57 of 2006	<u>\$ 35,000</u>
10		SUBTOTAL	<u>\$ 39,577,372</u>
11	13	Criminal Court - Parish of Orleans	
12		Program Description: <i>The Criminal District Court for the Parish of Orleans has exclusive jurisdiction</i>	
13		<i>of the trial and punishment of all crimes, misdemeanors, and offenses committed within the parish of</i>	
14		<i>Orleans, if the jurisdiction is not vested by law in some other court. The court, through its magistrate and</i>	
15		<i>with assistance from its commissioners, has the power of committing magistrates in all felony charges and</i>	
16		<i>the power to hold preliminary examinations, with authority to bail or discharge, or to hold for trial, in all</i>	
17		<i>cases before the court. The court has appellate jurisdiction of all cases tried before the Municipal Court</i>	
18		<i>of New Orleans and the Traffic Court of New Orleans and has general supervisory jurisdiction over these</i>	
19		<i>courts.</i>	
20	A.	Salaries of thirteen (13) District Judges of	
21		Criminal Court, Orleans Parish as provided	
22		by R.S. 13:691	\$ 1,850,464
23	B.	Office expenses of Judges of Criminal Court,	
24		Orleans Parish as provided by R.S. 13:698	\$ 74,750
25	C.	State's share of group insurance for the personnel	
26		of Criminal Court as provided by R.S. 42:851	\$ 736,127
27	D.	Salaries of thirteen (13) minute clerks as provided	
28		by R.S. 13:1373.1	\$ 288,063
29	E.	Salaries of twenty-six (26) court reporters as	
30		provided by R.S. 13:1373.1	\$ 454,091
31	F.	Salaries of four (4) commissioners of Criminal	
32		Court, Orleans Parish, including related benefits	
33		as provided by R.S. 13:1347	\$ 503,908
34	G.	Office and travel expenses of commissioners as	
35		provided by R.S. 13:1347	\$ 10,600
36	H.	Salaries of four (4) minute clerks, one for each	
37		commissioner as provided by R.S. 13:1347	\$ 75,371
38	I.	Salaries of four (4) court reporters, one for each	
39		commissioner as provided by R.S. 13:1347	\$ 57,311
40	J.	Salaries of Judicial Administrator, and assistants,	
41		including related benefits	\$ 1,007,453
42	K.	Salaries of thirteen (13) law clerks	\$ 733,824
43	L.	Salaries of four (4) secretaries	\$ 212,661

1	M. Sanity Commissions	\$ 200,000
2	N. Board of Jury Commissioners	\$ 434,248
3	SUBTOTAL	\$ <u>6,638,871</u>
4	14 Juvenile and Family Court Judges	
5	A. Salaries of fourteen (14) Juvenile Court	
6	Judges as provided by R.S. 13:691	\$ 1,992,807
7	B. Salaries of four (4) Family Court Judges	
8	as provided by R.S. 13:691	\$ 569,374
9	C. Office and travel expenses of Juvenile and Family	
10	Court Judges as provided by R.S. 13:698	
11	and R.S. 13:694, respectively	\$ <u>103,500</u>
12	SUBTOTAL	\$ <u>2,665,681</u>
13	TOTAL DISTRICT COURTS	\$ <u>48,881,924</u>

14 **03-8173 OTHER COURTS - SALARIES AND OFFICE EXPENSES AS REQUIRED**
 15 **BY STATUTE**

16 **Program Description:** *The category includes forty-seven city courts, one municipal*
 17 *court (New Orleans), one traffic court (New Orleans), and one parish court (Ascension*
 18 *Parish).*

19 **Mission Statement:** *The mission of the city and parish courts of Louisiana is to provide*
 20 *access to justice, to meet all responsibilities in a timely and expeditious manner, to*
 21 *provide equality, fairness and integrity in their proceedings, to maintain judicial*
 22 *independence and accountability, and to reach a fair and just result by adherence to the*
 23 *procedural and substantive law, thereby instilling trust and confidence in the public.*

24 **Goal:** To establish a more open and accessible system of justice.

25 **Objective:** To encourage all responsible public bodies and public officers to make the
 26 costs of access to the court's proceedings and records - whether measured in terms of
 27 money, time, or the procedures that must be followed - reasonable, fair, and affordable.

28 **General Performance Information:**

29		2014	2015	2016
30	<i>Percentage of surveyed city/parish court chief</i>			
31	<i>judges indicating actions taken in</i>			
32	<i>FY 2015-2016 to assist pro se litigants</i>	100%	96.2%	96.2%

33 **Goal:** To meet all responsibilities to everyone affected by the court and its activities in
 34 a timely and expeditious manner.

35 **Objective:** To encourage timely case management and processing.

36 **General Performance Information:**

37		2014	2015	2016
38	<i>Percentage of surveyed city/parish court chief</i>			
39	<i>judges indicating that their courts had</i>			
40	<i>taken steps within FY 2015-2016 to reduce</i>			
41	<i>delays and improve the timeliness of case</i>			
42	<i>processing</i>	84.6%	88.5%	92.3%

1 **Goal:** To maintain judicial independence, while observing the principle of comity in
 2 its governmental relations and accountability to the public.

3 **Objective:** To inform the community of the court's structure and function.

4 **General Performance Information:**

	2014	2015	2016
5			
6	<i>Percentage of surveyed city/parish court chief</i>		
7	<i>judges indicating that their courts</i>		
8	<i>regularly provided public education and</i>		
9	<i>public outreach services in FY 2015-</i>		
10	<i>2016</i>		
	92.3%	92.3%	88.5%

11 **Objective:** To recognize new conditions or emerging events and to adjust court
 12 operations as necessary.

13 **General Performance Information:**

	2014	2015	2016
14			
15	<i>Percentage of surveyed city/parish court chief</i>		
16	<i>judges indicating actions taken in</i>		
17	<i>FY 2015-2016 to improve employee</i>		
18	<i>training and development</i>		
19	94.2%	98.1%	96.2%
20	<i>Percentage of surveyed city/parish court chief</i>		
21	<i>judges indicating actions taken in</i>		
22	<i>FY 2015-2016 to install or implement</i>		
	<i>technologies</i>		
	92.3%	96.2%	90.4%

23 Payable out of the State General Fund:

24	01	Salaries of sixty (60) City Court	
25		Judges as provided by R.S. 13:1875	\$ 2,757,560
26	02	Salaries of four (4) Municipal, four (4)	
27		Traffic and one (1) Parish Court	
28		Judges as provided by R.S. 13:2492,	
29		13:2501.1, and 13:2563.5, respectively	<u>\$ 444,777</u>
30	TOTAL OTHER COURTS REQUIRED BY STATUTE		<u>\$ 3,202,337</u>

31 **03-8174 OTHER COURTS - SALARIES AND OFFICE EXPENSES NOT**
 32 **REQUIRED BY STATUTE**

33 Payable out of the State General Fund:

34	01	Orleans Parish Juvenile Protective	
35		Care Monitoring Program	\$ 614,938

36 **Program Description:** *The program tracks and maintains child abuse and neglect cases in the Orleans*
 37 *Parish Juvenile Court. It also provides assistance in support of the Families in Need of Services Program.*

38	02	Orleans Parish Juvenile Court Reporters	\$ 88,244
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39	03	For the expenses of the Judges'	
40		Assistance Program	<u>\$ 63,238</u>

41 **Program Description:** *The Judges' Assistance Program provides counseling and other assistance to*
 42 *judges with substance abuse problems.*

43	TOTAL OTHER COURTS NOT REQUIRED BY STATUTE		<u>\$ 766,420</u>
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1 **03-8175 NON-JUDICIAL STATE EXPENSES**

2 Payable out of the State General Fund:

3 01 Legal representation of children in child protection cases \$ 2,070,853

4 **Program Description:** *As recommended by the Task Force on Legal representation*
5 *in Child Protection Cases and at the request of the Division of Administration, in*
6 *order to advance the administration of justice, the Supreme Court administers*
7 *funding to provide qualified legal representation for children in child protection*
8 *cases as required to fulfill the state's statutory responsibility.*

9 TOTAL NON-JUDICIAL STATE EXPENSES \$ 2,070,853

10 Section 2. The appropriations, and the allocations of such appropriations, from the State
11 General Fund (Direct) contained in Section 1 of this Act shall be reduced by a total amount
12 of Sixteen Million Two Hundred Twenty Nine Thousand Six Hundred Fifty and No/100
13 (\$16,229,650.00) Dollars, pursuant to a plan adopted by the Judicial Budgetary Control
14 Board or as approved by the Louisiana Supreme Court.

15 Section 3.A. The Chief Justice of the Supreme Court, or her duly authorized and
16 appointed agent, shall warrant the state treasurer for the allocations herein provided, or for
17 so much thereof as may be necessary. The aforesaid warrant shall be paid out of the state
18 general fund, and the state treasurer shall pay said warrant by preference over all other
19 warrants, except warrants for the salaries of constitutional officers of the state and warrants
20 for expenses of the legislature, which shall be concurrent with the warrant provided by this
21 Act.

22 B. The funds drawn as provided herein shall be deposited in the name of the judiciary
23 in an approved bank that has been selected by the Supreme Court and is located in the state.

24 C. Any funds herein allocated to the judiciary, any portion of the funds previously
25 appropriated to the judiciary, other revenue of the judiciary or its agencies, and interest
26 earnings are hereby appropriated and may be used to defray the expenses of the judiciary;
27 however, all funds remaining unexpended or unencumbered shall be returnable to the state
28 general fund on or before September 1, 2018.

29 D. For Fiscal Year 2017-2018, any surpluses occurring in the appropriations made in
30 this Act may be transferred from one agency or line-item to another during the fiscal year
31 in accordance with the rules of the Judicial Budgetary Control Board, or as approved by the
32 Supreme Court.

1 E. The adjustment to be made in the salaries of judicial employees and the number of
 2 authorized positions of the judiciary shall be as decided by the judicial agency affected,
 3 subject to the approval of the Judicial Budgetary Control Board or as approved by the
 4 Supreme Court.

5 F. The program descriptions, general performance information and indicators,
 6 objectives, goals, and mission statements contained in this Act are not part of the law and
 7 are not enacted into law by virtue of their inclusion in this Act. The missions, goals, and
 8 objectives contained in the Act are derived from performance standards established by
 9 Section 10 of Part G General Administrative Rules of the Supreme Court of Louisiana.

10 G. The inclusion in this Act of staff salaries and benefits for lower court or other judicial
 11 branch agency employees shall not be deemed to create or impose any obligation upon the
 12 State of Louisiana Judicial Branch, the Supreme Court of Louisiana, the Judicial Budgetary
 13 Control Board, or the Supreme Court Judicial Administrator's Office relative to the
 14 administration of pay, retirement or other benefits to any such employees. Accordingly, the
 15 State of Louisiana Judicial Branch, the Supreme Court of Louisiana, the Judicial Budgetary
 16 Control Board, and the Supreme Court Judicial Administrator's Office are not to be
 17 considered the "employer" or "employing agency" of lower court or other judicial agency
 18 employees whose staff salaries and other benefits are included in this Act.

19 Section 4. This Act shall become effective on July 1, 2017; if vetoed by the
 20 governor and subsequently approved by the legislature, this Act shall become effective on
 July 1, 2017, or on the day following such approval by the legislature, whichever is later.

COMPARATIVE STATEMENT

In accordance with R.S. 39:51(D), the following represents a comparative statement for
 each Court and program. The operating budget for FY 2016-2017 is compared to the
 appropriations for FY 2017-2018 as contained in the original bill.

	Operating Budget	Appropriation Request
<u>Courts and Programs</u>	<u>FY 2016-2017</u>	<u>FY 2017-2018</u>
Supreme Court		
Total Supreme Court	\$ 63,673,627	\$ 74,680,658

Courts of Appeal		
Total Courts of Appeal	\$ 45,101,587	\$ 47,551,252
District Courts		
Total District Courts	\$ 46,311,638	\$ 48,881,924
Other Courts		
Total Other Courts	\$ 3,132,025	\$ 3,202,337
Other Programs		
Total Other Programs	\$ 634,064	\$ 766,420
Non-Judicial State Expenses		
Total State Expenses	<u>\$ 2,070,853</u>	<u>\$ 2,070,853</u>
Total State General Fund and Interagency Transfer		
All Line Items	<u>\$160,923,794</u>	<u>\$ 177,153,444</u>
Total Statutory Dedications	<u>\$ 10,407,485</u>	<u>\$ 10,240,925</u>
Total Funding	<u>\$171,331,279</u>	<u>\$ 187,394,369</u>

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)]

HB 620 Reengrossed

2017 Regular Session

Henry

Abstract: Appropriates funds for FY 2017-2018 for expenses of the Louisiana Judiciary, including the supreme court, courts of appeal, district courts, Criminal Court of Orleans Parish, juvenile and family courts, and other courts.

Appropriates funds for Fiscal Year 2017-2018 for the ordinary operating expenses of the judicial branch of government with total funding of \$171,164,719 from the following sources: \$151,530,944 out of the State General Fund (Direct); \$9,392,850 through interagency transfers from the Dept. of Children and Family Services; and, \$10,240,925 from statutory dedications out of the Judges' Supplemental Compensation Fund and the Trial Court Case Management Fund.

Funding for the ordinary operating expenses of the judicial branch of government is provided as follows:

(1)	Louisiana Supreme Court	\$84,921,583
(2)	Courts of Appeal	47,551,252
(3)	District Courts	39,577,372
(4)	Criminal Court, Parish of Orleans	6,638,871
(5)	Juvenile and Family Courts	2,665,681
(6)	Other Courts (Required by Statute)	3,202,337

(7)	Other Courts (Not Required by Statute)	766,420
(8)	Non-Judicial State Expenses	<u>2,070,853</u>
	TOTAL	<u>\$187,394,369</u>

Requires that the appropriations out of the State General Fund (Direct) contained in this Act be reduced by a total amount of \$16,229,650, pursuant to a plan adopted by the Judicial Budgetary Control Board or as approved by the La. Supreme Court.

Effective July 1, 2017.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the original bill:

1. Provide for a change in means of financing to decrease State General Fund (Direct) and increase Interagency Transfers from the Dept. of Children and Family Services by \$9,392,850 for drug court maintenance and enhancement and Court Appointed Special Advocates (CASA).
2. Add requirement that appropriations contained in this Act be reduced by a total amount of \$20,017,923 pursuant to a plan adopted by the Judicial Budgetary Control Board or as approved by the La. Supreme Court.

The House Floor Amendments to the engrossed bill:

1. Change the amount of reduction to the appropriations contained in this Act from \$20,017,923 to \$16,229,650, resulting in an increase to the appropriation of \$3,788,273.