
DIGEST

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HB 90 Original

2020 Regular Session

Zeringue

Abstract: Provides that matters related to the confidentiality and privilege of documents and proceedings related to the discipline of judges by the judiciary commission shall be provided by law rather than by rules of the supreme court.

Present constitution creates and provides for the judiciary commission. Provides that the commission shall be composed of one court of appeal judge and two district court judges selected by the supreme court; two attorneys admitted to the practice of law for at least 10 years and one attorney admitted to the practice of law for at least three years but not more than 10 years (not active or retired judges or public officials), selected by the Conference of Court of Appeal Judges or its successor; and three citizens (not lawyers, active or retired judges, or public officials) selected by the La. District Judges' Assoc. or its successor. Provides that the supreme court, upon recommendation of the judiciary commission, may:

- (1) Censure, suspend with or without salary, remove from office, or retire involuntarily a judge for willful misconduct relating to his official duty, willful and persistent failure to perform his duty, persistent and public conduct prejudicial to the administration of justice that brings the judicial office into disrepute, conduct while in office which would constitute a felony, or conviction of a felony.
- (2) Disqualify a judge from exercising any judicial function, without loss of salary, during proceedings in the supreme court.
- (3) Retire involuntarily a judge for disability that seriously interferes with the performance of his duties and that is or is likely to become permanent.

Present constitution requires the supreme court to make rules implementing the provisions of the present constitution regarding the judiciary commission and providing for confidentiality and privilege of commission proceedings.

Proposed constitutional amendment provides instead that all matters related to the confidentiality and privilege of commission documents and proceedings shall be provided by law; otherwise retains present constitution.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 3, 2020.

(Amends Const. Art. V, §25(C))