

---

## 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 558 Original

2020 Regular Session

Duplessis

**Abstract:** Changes the number of judgeships of the Municipal and Traffic Court of New Orleans, provides for other changes related to the decrease in judgeships, and changes the method of determining the salary of the administrative judge and the salary of the clerk of court.

Present law provides that the Municipal and Traffic Court of New Orleans consists of eight judges.

Present law provides that each judge is an attorney-at-law, is not less than 30 years of age, has been elected by the qualified electors of the parish of Orleans, has practiced law in the state for at least eight years preceding the election, and has been domiciled in the parish of Orleans for at least two years preceding the election.

Present law provides that each judge shall preside over a separate and distinct division of the court.

Present law provides that the divisions of the court shall be designated alphabetically as Division "A", Division "B", Division "C", Division "D", Division "E", Division "F", Division "G", and Division "H".

Proposed law retains present law but decreases the number of judges from eight to seven and abolishes Division "H" effective Dec. 31, 2020, at midnight.

Proposed law provides that when a vacancy occurs in Divisions "A" through "G", it shall be filled by election to that division as provided in present law.

Present law provides that the judges presiding over Divisions "A" through "D" shall not engage in the practice of law nor share in the profits, directly or indirectly, of any law firm or legal corporation.

Proposed law retains present law but changes the applicable Divisions from "A" through "D" to Divisions "A" through "E".

Proposed law retains the present law provision that the judges shall receive a salary equal to a district judge but not more salary paid, from all sources, to the district court judges in and for the parish of Orleans, of which the amount payable by the state to city judges of the state shall be paid by the state and the remainder shall be payable by the city of New Orleans. The salary shall be payable monthly by the warrant of the judge.

Present law provides that beginning at midnight on Dec. 31, 2022, the judge presiding over Division

"E" shall not engage in the practice of law nor share in the profits, directly or indirectly, of any law firm or legal corporation.

Proposed law deletes present law.

Present law provides that beginning at midnight on Dec. 31, 2024, the judge presiding over Division "G" shall not engage in the practice of law nor share in the profits, directly or indirectly, of any law firm or legal corporation.

Proposed law retains present law but changes the effective date from beginning at midnight on Dec. 31, 2024, to beginning at midnight on Dec. 31, 2030.

Present law provides that each of the judges shall receive a salary of not less than \$18,000 per annum, payable monthly by the city of New Orleans by the warrant of the judge.

Proposed law removes the present law stipulated salary minimum of \$18,000.

Present law provides that the judge having the most seniority shall become the administrative judge and that the governing authority of Orleans Parish shall determine the salary paid to the administrative judge, of which the amount payable by the state to city judges of the state shall be paid by the state and the remainder shall be payable by the city of New Orleans.

Proposed law retains present law but makes a change with respect to determining the salary of the administrative judge, providing that the administrative judge is to receive a salary equal to a district judge. Removes the authority of the governing authority of Orleans Parish to determine the salary.

Present law provides that the salary of the clerk of the municipal and traffic court shall be determined and set by the judges of the court en banc and shall be paid from the consolidated judicial expense fund of the court.

Proposed law changes present law in that the salary of the clerk is no longer determined and set by the judges of the court en banc and that the salary of the clerk shall be paid by the city of New Orleans on the warrant of the administrative judge. Proposed law further provides that if the city fails to pay, then the salary and benefits may be paid from the consolidated judicial expense fund of the court.

Present law provides that the clerk shall continue to be paid under the current method used by the city of New Orleans until otherwise notified by the judges of the municipal and traffic court.

Proposed law deletes present law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 13:2492(A), (C), (D), and (E) and 2594(B); Repeals R.S. 13:2594(D))