

2022 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 87

BY REPRESENTATIVE MAGEE

COURTS/COURT COSTS: Requests the courts to develop and implement a unified court cost system

1 A CONCURRENT RESOLUTION

2 To urge and request the Judicial Council of the Supreme Court of Louisiana to provide a
3 recommendation for a statewide schedule of local criminal fees to the Legislature
4 of Louisiana prior to the 2023 Regular Session of the Legislature.

5 WHEREAS, the Judicial Council of the Supreme Court of Louisiana (Judicial
6 Council) was established in 1950, and through its standing and ad hoc committees, serves
7 as the research arm for the supreme court; and

8 WHEREAS, the Judicial Council is chaired by the chief justice of the Louisiana
9 Supreme Court and composed of members representing the judiciary, the Louisiana State
10 Bar Association, the Louisiana State Law Institute, the Legislature, the Louisiana District
11 Attorneys Association, the Public Defender Board, the Louisiana Clerks of Court
12 Association, and the citizens of Louisiana; and

13 WHEREAS, the authority of the Judicial Council to review court costs and fees is
14 provided by R.S. 13:62, which was enacted during the 2003 Regular Legislative Session and
15 amended by Act No. 245 of the 2011 Regular Legislative Session; and

16 WHEREAS, pursuant to R.S. 13:62, no law to provide for a new court cost or fee or
17 to increase an existing court cost or fee shall be enacted unless first submitted to the Judicial
18 Council for review and recommendation to the legislature as to whether the court cost or fee
19 is reasonably related to the operation of the courts or court system; and

1 WHEREAS, this is considered a local issue and the court costs or fees of courts of
2 limited or general jurisdiction are determined by agreement between city court judges and
3 district court judges; and

4 WHEREAS, the Louisiana Legislature gives great weight to the unanimity of the
5 local judges in setting the jurisdictional amounts; and

6 WHEREAS, with the current economic climate, city courts and district courts with
7 higher jurisdictional amounts create a financial burden on indigent defendants; and

8 WHEREAS, the financial burden on indigent defendants outweighs the benefit to the
9 operation of the court systems.

10 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
11 urge the Judicial Council, in cooperation with the legislature, to develop and recommend a
12 statewide schedule of local criminal fees related to the operational needs of the court systems
13 and to report its findings and recommendations prior to the 2023 Regular Session of the
14 Legislature.

15 BE IT FURTHER RESOLVED that a suitable copy of this Resolution be transmitted
16 to the judicial administrator of the Supreme Court of Louisiana for distribution to members
17 of the Judicial Council.

18 BE IT FURTHER RESOLVED that the Judicial Council of the Supreme Court of
19 Louisiana shall submit one print copy and one electronic copy of any report produced
20 pursuant to this Resolution to the David R. Poynter Legislative Research Library as required
21 by R.S. 24:772.

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)]

HCR 87 Engrossed

2022 Regular Session

Magee

Requests that the Judicial Council of the Supreme Court of Louisiana develop and recommend a statewide schedule of local criminal costs and fees related to the operational needs of the court systems.

Summary of Amendments Adopted by House

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

1. Make technical changes.