

## HOUSE SUMMARY OF SENATE AMENDMENTS

HB 661

2023 Regular Session

Muscarello

JUDGES: Provides relative to the Judicial Council of the Supreme Court of Louisiana

### Synopsis of Senate Amendments

1. Authorizes the Judicial Council to recommend to the legislature, rather than approve, the necessity for additional or eliminating judgeships or judicial offices or for the merger or elimination of courts.
2. Requires the Judiciary Commission to publish its membership and meeting schedule on its public website.

### Digest of Bill as Finally Passed by Senate

Present law requires the Judicial Council to adopt standards and guidelines to approve the necessity of creating new judgeships and judicial offices and for splitting or merging courts.

Proposed law instead requires the council to make recommendations to the legislature concerning the necessity of creating new judgeships and judicial offices and for splitting or merging courts as well as the elimination of a judgeship or judicial office.

Present law provides that the judgeships and judicial offices to which present law is applicable are any judgeship of the supreme court, courts of appeal, district courts, city courts, parish courts, juvenile courts, family courts, traffic courts, and municipal courts, and any office of commissioner, magistrate, hearing officer, or any other judicial office by whatever other name designated.

Present law does not apply to justice of the peace courts, mayors' courts, or administrative law judges employed by the division of administrative law. Proposed law adds clerks of court to the excepted offices.

Proposed law requires the supreme court in consultation with the clerks of court to adopt rules to establish uniform data reporting standards for all case filings and adjudications, including requirements for electronic filing and reporting. Requires all clerks of court to report requested data to the council in the manner and form directed by the council.

Present constitution (Const. Art. V, §25) provides for the Judiciary Commission, which has the power to recommend the censure, suspension, removal, disqualification, or involuntary retirement of a judge for certain reasons. Present constitution requires the supreme court to make rules providing for confidentiality and privilege of the commission proceedings. Present constitution provides that the Judiciary Commission shall consist of the following:

- (1) One court of appeal judge and two district court judges selected by the supreme court.
- (2) Two attorneys admitted to the practice of law for at least ten years and one attorney admitted to the practice of law for at least three years but not more than ten years, selected by the Conference of Court of Appeal Judges or its successor.
- (3) Three citizens, not lawyers, judges active or retired, or public officials, selected by the La. District Judges' Association.

Proposed law requires the Judiciary Commission to publish its membership and meeting schedule on its public website beginning Aug. 1, 2023.

(Amends R.S. 13:61; Adds R.S. 13:37)