

2024 Regular Session

SENATE BILL NO. 186

BY SENATOR SEABAUGH

JUDGES. Provides relative to continuous service for the purpose of determination of chief judge. (8/1/24)

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AN ACT

To amend and reenact R.S. 13:1878(B) and to enact R.S. 13:1878(C), (D), and (E), relative to the determination of a chief judge for city courts; to provide relative to interruptions of continuous service for the determination of chief judge; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:1878(B) is hereby amended and reenacted and R.S. 13:1878(C), (D), and (E) are hereby enacted to read as follows:

§1878. Declaration of candidates for office; determination of chief judge

\* \* \*

B. \* \* \*

(2) The city court shall have a chief judge.

~~(a)~~ If not selected by agreement, the chief judge shall be the judge having the longest continuous service as a judge of that city court or, if both are equal in such service, then the judge having the longest continuous service as a judge regardless of the court. In the event both judges are new or have equal continuous service as a judge, then the chief judge shall be the judge having the most years as a licensed

1 attorney in the state of Louisiana or, if both have the same number of years, the judge  
2 oldest in age.

3 **C.(1) Continuous service is interrupted at the occurrence of any of the**  
4 **following:**

5 **(a) The removal, or suspension without pay, of a judge by the Louisiana**  
6 **Supreme Court or resignation of a judge.**

7 **(b) The nonreelection of a judge for a subsequent term of office.**

8 **(c) The taking of a leave of absence by a judge for thirty days or more**  
9 **within any twelve month period of time without the agreement of the other**  
10 **judges.**

11 **(2) If continuous service is interrupted pursuant to Paragraph (1) of this**  
12 **Subsection, it shall commence anew when a judge is reinstated, reelected, or**  
13 **returns to work from a leave of absence of thirty days or more.**

14 **(3) Continuous service shall not be interrupted, but shall be suspended**  
15 **when a judge takes a leave of absence of less than thirty days or, if agreed to by**  
16 **the other judges, thirty or more days. A judge shall not receive credit towards**  
17 **his amount of continuous service for the number of days on leave of absence.**

18 **(4) The provisions of this Subsection regarding continuous service shall**  
19 **be interpreted to have retroactive application.**

20 ~~(b)~~**D.** The chief judge shall preside over meetings en banc, appoint  
21 committees, certify all documents on behalf of the court en banc, prepare the agenda  
22 for en banc meetings, represent the court in ceremonial functions, oversee all  
23 financial planning and reporting, perform duties as delegated by the court en banc,  
24 and exercise supervision of administrative functions including but not limited to the  
25 appointment of the clerk of court, deputy clerks of court, and court reporters.

26 ~~(e)~~**E.** The chief judge shall remain in such position until his resignation or  
27 retirement. The court en banc may designate a procedure by local rule for the other  
28 judge of the city court to act as temporary chief judge if the chief judge is unable to  
29 perform his duties due to physical or medical incapacity.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Hanna Gettys.

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DIGEST

SB 186 Original 2024 Regular Session Seabaugh

Proposed law specifies interruptions of continuous service which include the following:

- (1) The removal, or suspension without pay, of a judge by the Louisiana Supreme Court or resignation of a judge.
- (2) The nonreelection of a judge for a subsequent term of office.
- (3) The taking of a leave of absence by a judge for 30 days or more within any 12 month period of time without the agreement of the judges.

Proposed law provides that if a judge is reinstated, reelected, or returns to work from a leave of absence of 30 days or more, continuous service shall commence anew.

Proposed law provides that a leave of absence by a judge for less than 30 days shall not be an interruption of continuous service, but the number of days on leave of absence shall not be credited towards a judge's amount of years in continuous service.

Proposed law provides that the provisions of proposed law regarding continuous service shall be interpreted to have retroactive application.

Effective August 1, 2024.

(Amends R.S. 13:1878(B); adds R.S. 13:1878(C), (D), and (E))