

SENATE SUMMARY OF HOUSE AMENDMENTS**SB 256****2026 Regular Session****Morris****KEYWORD AND SUMMARY AS RETURNED TO THE SENATE**

COURTS: Provides for a clerk of court in Orleans Parish. (gov sig) (RE SEE FISC NOTE LF EX)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Makes technical changes.
2. Removes the criminal district clerk Orleans Parish from the clerks' supplemental compensation fund.
3. Removes the requirement of the clerk of the criminal division of Orleans Parish to remit payment to the fund for the Parish of Orleans.
4. Removes the criminal district clerk of Orleans Parish from receiving case files for the transfer of cases from the civil district court being moved to the criminal district court.
5. Removes the authority of the clerk of the criminal district to charge fees for filing.
6. Removes the clerk of the criminal division of Orleans Parish administration of criminal justice fund.
7. Removes the clerk of the criminal division of Orleans Parish from the filings of applications for supervisory writs of certiorari, prohibition or mandamus.
8. Removes the clerk of the criminal division of Orleans Parish from the funding of the judicial administrative district.
9. Removes the clerk of the criminal division of Orleans Parish from the remittance of fees for posting criminal bonds.
10. Provides the current term of office of the clerk of criminal district court for the Parish of Orleans shall not be reduced on the effective date of the act.
11. Provides that the office of clerk of criminal district court for the Parish of Orleans shall be abolished at the end of May 3, 2026 and before the term of any other criminal clerk of court begins.
12. Provides that immediately after the effectiveness of this act, the authority, functions, duties, and responsibilities of the office of clerk of criminal district court from the Parish of Orleans, and all of the books, papers, records, monies, actions, and other property of every kind used by the office of the clerk of criminal district court for the Parish of Orleans shall be transferred to the civil division court for the Parish of Orleans.
13. Provides that whenever the clerk of the criminal district court for the Parish of Orleans is referred to or designated by law on and after the date that office is abolished, such reference shall be deemed to apply to the clerk of civil district court for the Parish of Orleans.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

DIGEST

SB 256 Reengrossed

2026 Regular Session

Morris

Present law provides for a clerk of court for the civil district court in Orleans Parish and for a clerk of the criminal district court in Orleans Parish.

Proposed law provides for one clerk of court in Orleans Parish and for administration of the Orleans court by the clerk.

Proposed law provides that during the transition to a consolidation office of the clerk or court and provides that no employee of the clerk of the Criminal District Court may be discharged from employment by the clerk before January 15, 2027, except for good cause.

Proposed law provides that the clerk of the office of the consolidated clerk of court may hire temporary employees or contractors to assist in the transition using unrestricted funds of the clerk until June 30, 2027.

Present law provides for the clerks' supplemental compensation fund. Present law further provides that the clerk of the criminal district court shall remit fees required to the fund for the Parish of Orleans.

Proposed law removes the criminal district clerk from the clerks' supplemental compensation fund. Proposed law further removes the requirement of the clerk of the criminal division to remit payment to the fund for the Parish of Orleans.

Present law provides for all pending cases filed in the Civil District Court for the Parish of Orleans over civil commitment proceedings where the Criminal District Court for the Parish of Orleans has determined a mentally defective defendant is incapable of standing trial, is a danger to himself or others, and is unlikely in the foreseeable future to be capable of standing trial are hereby transferred to the Criminal District Court for the Parish of Orleans for further proceedings in accordance with law. A judge of the civil district court or the criminal district court on his own motion, or upon motion by the district attorney of Orleans Parish or the attorney of the defendant, may have such case transferred upon the signing of the order to transfer by either a judge of the Criminal District Court for the Parish of Orleans or a judge of the Civil District Court for the Parish of Orleans.

Present law further provides that upon the signing of such an order, the clerk of the Civil District Court for the Parish of Orleans or the clerk of the Criminal District Court for the Parish of Orleans shall effect delivery of the record to the clerk of the Criminal District Court for the Parish of Orleans, who shall receipt the same and properly file it in his office. The Criminal District Court for the Parish of Orleans shall hear and dispose of the case with the same legal effect as if it had been instituted in that court in the first instance.

Proposed law removes the clerk of the Criminal District Court for the Parish of Orleans from who the case file is delivered.

Present law provides that the clerk of the criminal district court may charge fees for filing.

Proposed law removes the authority of the clerk of the criminal district clerk to charge fees for filing.

Present law provides for the Orleans Parish administration of criminal justice fund.

Proposed law removes the clerk of the Criminal District Court from the fund.

Present law provides that all applications for supervisory writs of certiorari, prohibition or mandamus to the Criminal District Court for the Parish of Orleans from the Municipal and Traffic Court of New Orleans shall be filed with the clerk of the Criminal District Court for the Parish of Orleans.

Proposed law removes the clerk of the Criminal District Court for the Parish of Orleans.

Present law provides that the judicial administrative districts authorized by present law shall provide an optional and additional method of funding the office of the clerk for the Criminal District Court for the parish of Orleans, the office of the clerk of court for the Civil District Court for the parish of Orleans, and the office of the clerk of district court for each of the other parishes.

Proposed law removes the clerk of the Criminal District Court for the Parish of Orleans.

Present law provides that there shall be a fee in the amount of fifteen dollars assessed in connection with the issuance of every criminal bond posted within each parish. The fee shall be collected by the sheriff of each parish from every person seeking release by means of a criminal bond, or their designated representative.

Present law further provides that two dollars shall be remitted to the office of the clerk of court for the parish, except in the parish of Orleans where two dollars shall be remitted to the office of the clerk of the criminal district court, or to the office of the city or municipal clerk of court in cases where the municipality is responsible for the prosecution.

Proposed law removes the clerk of the Criminal District Court for the Parish of Orleans.

Proposed law provides the current term of office of the clerk of criminal district court for the Parish of Orleans shall not be reduced on the effective date of proposed law.

Proposed law provides that the office of clerk of criminal district court for the Parish of Orleans shall be abolished at the end of May 3, 2026 and before the term of any other criminal clerk of court begins.

Proposed law provides that immediately thereafter, the authority, functions, duties, and responsibilities of the office of clerk of criminal district court from the Parish of Orleans, and all of the books, papers, records, monies, actions, and other property of every kind and description, movable and immovable, real and personal, possessed, controlled, or used by the office of the clerk of criminal district court for the Parish of Orleans shall be transferred and owned, possessed, controlled, and used by the clerk of the civil division court for the Parish of Orleans, who shall thereafter be referred to as the clerk of court for the Parish of Orleans.

Proposed law provides that whenever the clerk of the criminal district court for the Parish of Orleans is referred to or designated by law, rule, or regulation on and after the date that office is abolished, such reference or designation shall be deemed to apply to the clerk of civil district court for the Parish of Orleans or hereafter "clerk of court for the Parish or Orleans.

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

(Amends R.S. 13:761(C), 1211, 1211.1, 1212(A), (B)(1) through (5), 1212.1, 1213.1, 1213.2, 1216, 1222, 1338, 1371.2, 1373(A)(1), 1373.1, 1381(introductory paragraph) and (21), 1381.3, 1381.5(A) and (B)(2)(e), 1381.7(A), 2515 and 5971 and R.S. 15:85.1(A)(2) and R.S. 18:2(3), 444(E), 602(C)(1) and (E)(2)(c), 1300.7(B), 1354(A)(1), 1511.2(E) and 1511.3(A)(2)(d); repeals R.S. 13:1031, 1033, 1371, 1371.1, and 1378)