

Regular Session, 2013

HOUSE BILL NO. 691

BY REPRESENTATIVES FANNIN AND KLECKLEY AND SENATORS ALARIO AND DONAHUE

APPROPRIATIONS: Appropriates funds for the expenses of the Louisiana Judiciary for Fiscal Year 2013-2014

1 AN ACT

2 To appropriate funds to defray the expenses of the Louisiana Judiciary, including the
3 Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans
4 Parish, and other courts; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1.A. The sum of One Hundred Sixty-Seven Million Two Hundred Sixty-Six
7 Thousand Seventy-Five and No/100 (\$167,266,075.00) Dollars, or so much thereof as may
8 be necessary, is hereby appropriated to defray the expenses of the judiciary, including the
9 Supreme Court, Courts of Appeal, the District Courts, the Criminal District Court of Orleans
10 Parish, and of the other courts.

11 B. The total amount herein appropriated is hereby allocated to provide as follows:

12 **03-8170 SUPREME COURT**

13 **Program Description:** *The Supreme Court has general supervisory jurisdiction over*
14 *all lower courts. It may establish procedural and administrative rules not in conflict*
15 *with law and may assign a sitting or retired judge to any court. The Supreme Court has*
16 *sole authority to provide by rule for appointments of attorneys as temporary or ad hoc*
17 *judges. It considers applications for writs to review individual cases, and has criminal*
18 *and other appellate jurisdiction. The Supreme Court has exclusive original jurisdiction*
19 *of disciplinary proceedings against lawyers, recommendations of the Judiciary*
20 *Commission of Louisiana for the discipline of judges, and fact questions affecting its*
21 *appellate jurisdiction. It has inherent authority to regulate the legal profession and to*
22 *promulgate and update the Code of Judicial Conduct. The court also provides judicial*
23 *training through the Judicial College and works to improve the administration of*
24 *justice.*

25 **Mission Statement:** *The mission of the Supreme Court of Louisiana is to protect and*
26 *promote the rule of law, to ensure public trust, to use public resources efficiently, to*
27 *ensure the highest professional conduct, integrity, and competence of both the bench*
28 *and the bar, and to ensure the proper administration and performance of all courts*
29 *under its authority.*

1 **Goal:** To protect the rule of law.

2 **Objective:** To provide a reasonable opportunity for litigants to seek review in the
3 Supreme Court of decisions made by lower tribunals.

4 **General Performance Information:**

	2010	2011	2012
5			
6	2,875	2,852	2,769
7	9	10	10
8	2,674	2,613	2,639
9	2,736	2,916	3,181

10 **Goal:** To promote the rule of law.

11 **Objective:** To resolve cases in a timely manner.

12 **General Performance Information:**

	2010	2011	2012
13			
14			
15			
16	90.9%	96.6%	93.3%
17			
18			
19	39.9%	40.4%	45.9%
20			
21			
22	7.7%	5.2%	8.5%
23			
24			
25	76.5%	98.7%	88.9%
26			
27			
28	83.7%	64.4%	80.6%

29 **Goal:** To ensure the public trust.

30 **Objective:** To facilitate public access to Supreme Court decisions.

31 **General Performance Information:**

	2010	2011	2012
32			
33			
34	100%	100%	100%

35 **Objective:** To inform the public of operations and activities.

36 **General Performance Information:**

	2010	2011	2012
37			
38	51	63	58
39	87	83	77
40	22	21	15
41			
42	1,219	1,498	1,663
43			
44	5,806	2,876	3,672

45 **Objective:** To ensure the highest professional conduct, integrity, and competence of the
46 bench.

47 **General Performance Information:**

	2010	2011	2012
48			
49			
50			
51	27.19	30.20	29.35
52			
53	586	561	537
54			
55			
56	526	562	619

1 **Objective:** To ensure the highest professional conduct, integrity, and competence of the
2 bar.

3 **General Performance Information:**

	2010	2011	2012
4 Average number of hours acquired through			
5 continuing legal education per lawyer	15.04	15.36	15.24
6 Number of complaints filed against lawyers	3,240	3,000	3,042
7 Number of complaints filed against lawyers			
8 resolved or disposed of in calendar year	3,565	2,997	2,966

10 Payable out of the State General Fund (Direct):

11 01 Salaries of one (1) Chief Justice and six (6)
12 Associate Justices of the Supreme Court,
13 as provided by R.S. 13:102 \$ 970,480

14 02 Salaries and other expenses of the
15 Supreme Court Proper and salary of
16 the Crier of the Supreme Court \$ 9,432,817

17 03 Expenses of Judicial Administrator's
18 Office and of the Judiciary Commission
19 provided for in Article V, Section
20 25 of the Constitution of Louisiana and
21 under the provisions of R.S. 13:32 et seq.

22 A. Expenses of Judicial Administrator's Office \$ 4,777,022

23 **Program Description:** *The Judicial Administrator's Office assists the Supreme Court in the*
24 *administration of the state court system. It staffs the Judicial Council and the Judiciary Commission*
25 *of Louisiana. Through the Judicial Council, it performs studies and makes recommendations for the*
26 *creation of new judgeships and for improving the administration of justice. The Judicial*
27 *Administrator's Office provides payroll and other fiscal services to the Judiciary, including the*
28 *administration of a judicial retirement system; support for the Supreme Court and Appellate Court*
29 *human resource system; technological services to courts; and, manages the Trial Court Case*
30 *Management Information System. The Judicial Administrator's Office also manages the ad hoc*
31 *judgeship system, monitors cases under advisement, provides outreach services to state and local*
32 *courts, staffs the Committee on Judicial Ethics, and performs numerous legal services for the Supreme*
33 *Court and the Judiciary.*

34 B. Expenses of Judiciary Commission \$ 1,926,519

35 **Program Description:** *The Judiciary Commission of Louisiana is a constitutional body established*
36 *under Article V, Section 25 of the Constitution of 1974 to accept, screen, investigate, and prosecute*
37 *complaints of judicial misconduct. As part of its authority, it may recommend to the Supreme Court*
38 *the censure, suspension, removal from office, or involuntary retirement of any judge for ethical*
39 *misconduct.*

40 C. Court Reporters; Statistical Reporting Systems \$ 359,357

41 D. Dues to National Center for State Courts \$ 148,690

42 04 Expenses of Committee on Professional
43 Ethics and Grievances including
44 disbarment proceedings, R.S. 37:211 et seq. \$ 3,000

45 05 Compensation and expenses of retired
46 judges assigned under Article V,
47 Section 5(A) of the Constitution of
48 Louisiana, be it more or less estimated at \$ 1,464,995

49 06 Law Library of Louisiana for salaries,
50 services, supplies, maintenance, repairs,
51 and equipment \$ 1,913,188

1		Program Description: <i>The Law Library of Louisiana was created by an Act of the Legislature in 1855</i>	
2		<i>to serve the legal information needs of the public, the state judiciary, and the bar.</i>	
3	07	Salaries and expenses of transferred	
4		judges assigned under Article V,	
5		Section 5(A) of the Constitution,	
6		be it more or less estimated as	\$ 182,012
7	08	Retirement pay for services rendered by	
8		justices and judges of all courts, as	
9		provided by R.S. 11:1358 and	
10		R.S. 13:103	\$ 1,398,390
11	09	Pensions for widows of justices and	
12		judges of all courts, as provided by	
13		R.S. 11:1371 and R.S. 11:1381, be it	
14		more or less estimated at	\$ 1,609,481
15	10	Judicial College	\$ 234,310
16		Program Description: <i>The Judicial College was established by order of the Supreme Court in 1976 to</i>	
17		<i>provide continuing legal education to Louisiana judges.</i>	
18	11	State contribution to judicial	
19		retirement provided for in Article V,	
20		Section 23 of the Constitution and	
21		R.S. 11:551 et seq., be it more or	
22		less estimated at	\$ 14,561,372
23	12	Civil commitment matters as	
24		required by R.S. 28:54	\$ 143,424
25	13	Paul M. Hebert Law Center for the expenses	
26		of storage of appellate court records	\$ 60,000
27	14	Funding for statewide operations of the	
28		Louisiana Protective Order Registry	
29		(R.S. 46:2136.2) under the Case	
30		Management Information System	\$ 1,318,704
31	15	Information Technology	\$ 1,037,647
32	16	Payable out of the State General Fund for the	
33		expenses associated with the operation of the	
34		Families in Need of Services Program (FINS)	\$ 2,037,299
35		Program Description: <i>The mission of the FINS Assistance Program is to assist local FINS processes by</i>	
36		<i>developing and implementing a needs-based allocation formula; developing, implementing, and mandating</i>	
37		<i>the use of a uniform data system for tracking, managing, and reporting FINS informal cases; developing</i>	
38		<i>and mandating the use of programmatic standards; developing, implementing, and reporting performance</i>	
39		<i>indicators and measures; requiring and monitoring periodic fiscal reports and financial accountability;</i>	
40		<i>and, generally supervising and assisting local FINS processes in other ways.</i>	
41	17	Drug court maintenance and enhancement	\$ 11,137,372
42		Program Description: <i>Drug treatment courts, authorized in 1997 by R.S. 13:5301 through R.S. 13:5304,</i>	
43		<i>provided integrated substance abuse treatment, sanctions, and incentives with case processing to place</i>	
44		<i>low-level, nonviolent drug-involved defendants in community-based, judicially supervised rehabilitation</i>	
45		<i>programs. Clients are regularly tested and monitored for compliance with educational, employment, and</i>	
46		<i>treatment requirements set by the court.</i>	
47	18	Court Appointed Special Advocates	\$ 2,519,048

1 **Program Description:** *The purpose of the CASA Assistance Program is to promote timely placement of*
 2 *children in need of care in permanent, safe and stable homes, in accordance with the provisions of*
 3 *Children's Code articles 424-426. Services are provided through local CASA programs which recruit,*
 4 *screen, train and supervise community advocates. Upon appointment by the trial judge, qualified*
 5 *advocates serve children by providing independent factual information to the judge, advocating for the best*
 6 *interest of the children, monitoring cases to which they have been assigned, and advising and assisting the*
 7 *judge in the determination of the best interest of the children involved.*

8 TOTAL - GENERAL FUND \$ 57,235,127

9 19 Payable out of the State General Fund
 10 from Statutory Dedications, Judges'
 11 Supplemental Compensation Fund,
 12 R. S. 13:10.3, be it more or less
 13 estimated at \$ 6,000,000

14 **Program Description:** *The Judges' Supplemental Compensation Fund was established by the Legislature*
 15 *in 1985 to fund salary supplements and salary-related expenses to judges and commissioners. The funding*
 16 *source is a non-refundable filing fee assessed on civil filings as provided in R.S. 13:10.3.*

17 20 Payable out of the State General Fund
 18 from Statutory Dedications, Trial Court
 19 Case Management Information Fund, for
 20 the Case Management Information System,
 21 Article 887 (F) of the Code of Criminal
 22 Procedure, be it more or less estimated at \$ 3,797,469

23 **Program Description:** *The Case Management Information System (CMIS) was created by the Supreme*
 24 *Court in 1993 to provide a statewide information system for tracking and managing criminal, civil,*
 25 *juvenile, traffic, and appellate cases as well as protective orders. Data is received from courts statewide,*
 26 *transferred to the CMIS repository, and made available to courts and executive branch agencies.*
 27 *Additional information will also be available from the Department of Public Safety & Corrections. CMIS*
 28 *is funded from a court cost assessed on all criminal and traffic convictions as provided under*
 29 *C.Cr.P.887(F).*

30 TOTAL - STATE GENERAL FUND
 31 BY STATUTORY DEDICATIONS \$ 9,797,469

32 21 Drug court maintenance and enhancement, payable
 33 out of the State General Fund through Interagency
 34 Transfers from the Department of Children and
 35 Family Services \$ 6,000,000

36 22 Court Appointed Special Advocates, payable out of
 37 the State General Fund through Interagency Transfers
 38 from the Department of Children and Family
 39 Services \$ 4,436,500

40 TOTAL - STATE GENERAL FUND
 41 THROUGH INTERAGENCY TRANSFERS \$ 10,436,500

42 TOTAL SUPREME COURT \$ 77,469,096

43 **03-8171 COURTS OF APPEAL**

44 **Program Description:** *The five courts of appeal, domiciled in Baton Rouge,*
 45 *Shreveport, Lake Charles, New Orleans, and Gretna, have supervisory jurisdiction over*
 46 *all cases arising within their respective circuits, subject to the general supervisory*
 47 *jurisdiction of the Supreme Court. Each court of appeal also has appellate jurisdiction*
 48 *over all civil matters, all matters appealed from family and juvenile courts, and all*
 49 *criminal cases triable by a jury which arise within its circuit, except for those cases*
 50 *appealable directly to the Supreme Court or to the district courts.*

51 **Mission Statement:** *The mission of the appellate courts of Louisiana is to provide*
 52 *meaningful access to all who seek review under the Courts' appellate and supervisory*
 53 *jurisdiction granted by the Louisiana Constitution while protecting and promoting the*
 54 *rule of law, preserving the public trust, and using public resources efficiently.*

1 **Goal:** To protect the rule of law.

2 **Objective:** To provide a reasonable opportunity for multi-judge review of decisions
3 made by lower tribunals.

4 **General Performance Information:**

	<i>2010</i>	<i>2011</i>	<i>2012</i>
5			
6	2,587	2,838	2,689
7	5,102	4,987	4,499
8	6,530	5,277	6,240

9 **Goal:** To promote the rule of law.

10 **Objective:** To resolve cases expeditiously.

11 **General Performance Information:**

	<i>2010</i>	<i>2011</i>	<i>2012</i>
12			
13			
14			
15			
16	145	145	189
17	159	175	161
18	152	155	172

19 Average number of days from lodging of the
20 appeal to argument:

21 Time Standard = no more than 175 days.

22	39	41	37
23	37	37	41
24	38	38	38

25 **Goal:** To preserve public trust.

26 **Objective:** To facilitate public access to the decisions of the courts of appeal.

27 **General Performance Information:**

	<i>2010</i>	<i>2011</i>	<i>2012</i>
28			
29			
30	100%	100%	100%

31 Payable out of the State General Fund:

32	01	Salaries of five (5) Chief Judges 33 and forty-eight (48) Judges of 34 the Courts of Appeal, R.S. 13:311	\$ 6,949,328
35	02	Salaries and expenses of operation and 36 maintenance of the Court of Appeal, 37 First Circuit	\$ 9,681,993
38	03	Salaries and expenses of operation and 39 maintenance of the Court of Appeal, 40 Second Circuit	\$ 5,561,156
41	04	Salaries and expenses of operation and 42 maintenance of the Court of Appeal, 43 Third Circuit	\$ 8,457,126
44	05	Salaries and expenses of operation and 45 maintenance of the Court of Appeal, 46 Fourth Circuit	\$ 7,701,037
47	06	Salaries and expenses of operation and 48 maintenance of the Court of Appeal, 49 Fifth Circuit	<u>\$ 5,719,937</u>
50		TOTAL COURTS OF APPEAL	<u><u>\$ 44,070,577</u></u>

1 **03-8172 DISTRICT COURTS**

2 **Program Description:** *There are forty-one district courts in Louisiana that have general*
 3 *jurisdiction over all matters within their territorial limits, except in those judicial districts*
 4 *(the 1st, the 19th, and the 24th Judicial Districts) where family and juvenile courts have*
 5 *exclusive jurisdiction over certain types of cases and except in Orleans Parish where*
 6 *there are separate courts exercising civil, criminal, and juvenile jurisdictions,*
 7 *respectively. In certain cases, the forty-one general jurisdiction courts have concurrent*
 8 *jurisdiction with justices of the peace and parish courts. The district courts generally*
 9 *have appellate jurisdiction of criminal cases tried by city, parish, municipal, traffic, and*
 10 *mayors' courts, except in certain cases. The district courts also have appellate*
 11 *jurisdiction over justices of the peace in parishes where no parish courts exist. The Civil*
 12 *District Court of Orleans Parish has jurisdiction of all civil cases in that parish. The*
 13 *Criminal District Court of Orleans Parish has jurisdiction over all criminal cases in the*
 14 *parish. It also has general supervisory jurisdiction over the municipal and traffic courts*
 15 *in Orleans Parish. The Family Court of East Baton Rouge Parish has exclusive*
 16 *jurisdiction of many domestic cases in the parish. The four juvenile courts located in*
 17 *Caddo, East Baton Rouge, Jefferson, and Orleans parishes have exclusive jurisdiction*
 18 *of juvenile cases in their respective parishes.*

19 **Mission Statement:** *The mission of the trial courts of Louisiana is to provide access*
 20 *to justice, to meet all responsibilities in a timely and expeditious manner, to provide*
 21 *equality, fairness, and integrity in their proceedings, to maintain judicial independence*
 22 *and accountability, and to reach a fair and just result by adherence to the procedural*
 23 *and substantive law, thereby instilling trust and confidence in the public.*

24 **Goal:** To establish a more open and accessible system of justice.

25 **Objective:** To encourage responsible parties to make court facilities safe, accessible,
 26 and convenient.

27 **General Performance Information:**

	2010	2011	2012
28			
29	<i>Percentage of surveyed district court chief</i>		
30	<i>judges indicating actions taken in FY 2011-2012</i>		
31	<i>to improve compliance with the Americans with</i>		
32	<i>Disabilities Act (ADA)</i>		
	89.6%	91.7%	89.6%

33 **Objective:** To encourage all responsible public bodies and public officers to make the
 34 costs of access to the trial court's proceedings and records - whether measured in terms
 35 of money, time, or the procedures that must be followed - reasonable, fair, and
 36 affordable.

37 **General Performance Information:**

	2010	2011	2012
38			
39	<i>Percentage of surveyed district court chief</i>		
40	<i>judges indicating actions taken in FY 2011-2012</i>		
41	<i>to assist self-represented litigants</i>		
	100%	93.8%	95.8%

42 **Goal:** To meet all responsibilities to everyone affected by the court and its activities
 43 in a timely and expeditious manner.

44 **Objective:** To encourage timely case management and processing.

45 **General Performance Information:**

	2010	2011	2012
46			
47	<i>Number of parishes reporting criminal</i>		
48	<i>disposition data to CMIS</i>		
	62	62	63
49	<i>Percentage of parishes reporting criminal</i>		
50	<i>disposition data to CMIS</i>		
	96.9%	97.0%	98.4%
51	<i>Percentage of surveyed district court chief</i>		
52	<i>judges indicating that their courts had</i>		
53	<i>taken steps within FY 2011-2012 to reduce</i>		
54	<i>delays and improve the timeliness of case</i>		
55	<i>processing</i>		
	97.9%	91.7%	91.7%

56 **Objective:** To enhance jury service.

57 **General Performance Information:**

	2010	2011	2012
58			
59	<i>Percentage of surveyed district court chief</i>		
60	<i>judges indicating that their court had</i>		
61	<i>taken steps within FY 2011-2012 to make</i>		
62	<i>jury service more convenient or effective</i>		
	97.7%	95.3%	93.0%

1 **Goal:** To provide due process and equal protection of the law to all who have business
2 before the court; and to demonstrate integrity in all procedures and decisions.

3 **Objective:** To recognize new conditions or emerging events and to adjust court operations
4 as necessary.

5 **General Performance Information:**

	2010	2011	2012
6			
7 <i>Percentage of surveyed district court chief</i>			
8 <i>judges indicating actions taken in</i>			
9 <i>FY 2011-2012 to improve employee</i>			
10 <i>training and development</i>	87.5%	93.8%	89.6%
11 <i>Percentage of surveyed district court chief</i>			
12 <i>judges indicating actions taken in</i>			
13 <i>FY 2011-2012 to install or implement</i>			
14 <i>technologies</i>	95.8%	93.8%	91.7%

15 **Goal:** To maintain judicial independence, while observing the principle of comity in
16 its governmental relations and accountability to the public.

17 **Objective:** To inform the community of the court's structure and function.

18 **General Performance Information:**

	2010	2011	2012
19			
20 <i>Percentage of surveyed district court chief</i>			
21 <i>judges indicating that their courts</i>			
22 <i>regularly provided public education</i>			
23 <i>and public outreach services in</i>			
24 <i>FY 2011-2012</i>	97.9%	91.7%	89.6%

25 Payable out of the State General Fund:

26	01	Salaries of one hundred ninety-one	
27		(191) District Judges as provided	
28		by R.S. 13:691	\$ 23,787,827
29	02	Office and travel expenses of District	
30		Judges as provided by R.S. 13:698 and	
31		R.S. 13:694, respectively	\$ 1,285,850
32	03	Salaries of fourteen (14) Judges of	
33		Civil District Court, Orleans Parish,	
34		as provided by R.S. 13:691	\$ 1,743,611
35	04	Expenses of Judges of Civil District	
36		Court, Parish of Orleans, for salaries	
37		of stenographers, clerks, law books,	
38		stationery, telephone, and like expenses	
39		as provided by R.S. 13:698	\$ 80,500
40	05	Salaries of two (2) Court Reporters	
41		of the Twentieth Judicial District Court,	
42		including retirement contributions, as	
43		provided by R.S. 13:966.1	\$ 109,364
44	06	Clerk of Civil District Court, Orleans	
45		Parish, as provided by R.S. 13:1212(A)	\$ 10,000
46	07	State share of Group, Workers'	
47		Compensation, General Liability,	
48		and Property Insurance Premiums	
49		as provided by R.S.42:851	\$ 5,652,873
50	08	Salaries of two (2) commissioners of	
51		the Nineteenth Judicial District and	
52		one (1) commissioner of the Fifteenth	
53		Judicial District as provided by	
54		R.S. 13:712 and R.S. 13:715,	
55		respectively	\$ 474,997

1	09	Office expenses for the Judicial	
2		Expense Fund of the Nineteenth Judicial	
3		District Court as provided by	
4		R.S. 13:711-713	\$ 452,388
5	10	Office expenses for the Judicial	
6		Expense Fund of the Fifteenth	
7		Judicial District Court as provided	
8		by R.S. 13:714-716	\$ 282,306
9	11	Law Clerk, Twentieth Judicial District	
10		Court as provided by Act 747 of 1977	\$ 47,968
11	12	For the expenses of the Judicial Expense	
12		Fund, Tenth Judicial District Court as	
13		provided by Act 57 of 2006	<u>\$ 35,000</u>
14		SUBTOTAL	<u>\$ 33,962,684</u>
15	13	Criminal Court - Parish of Orleans	
16		Program Description: <i>The Criminal District Court for the Parish of Orleans has exclusive jurisdiction</i>	
17		<i>of the trial and punishment of all crimes, misdemeanors, and offenses committed within the parish of</i>	
18		<i>Orleans, if the jurisdiction is not vested by law in some other court. The court, through its magistrate and</i>	
19		<i>with assistance from its commissioners, has the power of committing magistrates in all felony charges and</i>	
20		<i>the power to hold preliminary examinations, with authority to bail or discharge, or to hold for trial, in all</i>	
21		<i>cases before the court. The court has appellate jurisdiction of all cases tried before the Municipal Court</i>	
22		<i>of New Orleans and the Traffic Court of New Orleans and has general supervisory jurisdiction over these</i>	
23		<i>courts.</i>	
24	A.	Salaries of thirteen (13) District Judges of	
25		Criminal Court, Orleans Parish as provided	
26		by R.S. 13:691	\$ 1,619,067
27	B.	Office expenses of Judges of Criminal Court,	
28		Orleans Parish as provided by R.S. 13:698	\$ 74,750
29	C.	State's share of group insurance for the personnel	
30		of Criminal Court as provided by R.S. 42:851	\$ 604,800
31	D.	Salaries of thirteen (13) minute clerks as provided	
32		by R.S. 13:1373.1	\$ 272,611
33	E.	Salaries of twenty-six (26) court reporters as	
34		provided by R.S. 13:1373.1	\$ 432,379
35	F.	Salaries of four (4) commissioners of Criminal	
36		Court, Orleans Parish, including related benefits	
37		as provided by R.S. 13:1347	\$ 422,706
38	G.	Office and travel expenses of commissioners as	
39		provided by R.S. 13:1347	\$ 10,000
40	H.	Salaries of four (4) minute clerks, one for each	
41		commissioner as provided by R.S. 13:1347	\$ 69,921
42	I.	Salaries of four (4) court reporters, one for each	
43		commissioner as provided by R.S. 13:1347	\$ 52,710
44	J.	Salaries of Judicial Administrator, and assistants,	
45		including related benefits	\$ 901,284
46	K.	Salaries of thirteen (13) law clerks	\$ 699,327

1	L. Salaries of four (4) secretaries	\$ 202,659
2	M. Sanity Commissions	\$ 165,221
3	N. Board of Jury Commissioners	\$ <u>406,841</u>
4	SUBTOTAL	\$ <u>5,934,276</u>
5	14 Juvenile and Family Court Judges	
6	A. Salaries of fourteen (14) Juvenile Court	
7	Judges as provided by R.S. 13:691	\$ 1,743,611
8	B. Salaries of four (4) Family Court Judges	
9	as provided by R.S. 13:691	\$ 498,175
10	C. Office and travel expenses of Juvenile and Family	
11	Court Judges as provided by R.S. 13:698	
12	and R.S. 13:694, respectively	\$ <u>103,500</u>
13	SUBTOTAL	\$ <u>2,345,286</u>
14	TOTAL DISTRICT COURTS	\$ <u>42,242,246</u>

15 **03-8173 OTHER COURTS - SALARIES AND OFFICE EXPENSES AS REQUIRED**
16 **BY STATUTE**

17 **Program Description:** *The category includes forty-seven city courts, one municipal*
18 *court (New Orleans), one traffic court (New Orleans), and one parish court (Ascension*
19 *Parish).*

20 **Mission Statement:** *The mission of the city and parish courts of Louisiana is to provide*
21 *access to justice, to meet all responsibilities in a timely and expeditious manner, to*
22 *provide equality, fairness and integrity in their proceedings, to maintain judicial*
23 *independence and accountability, and to reach a fair and just result by adherence to the*
24 *procedural and substantive law, thereby instilling trust and confidence in the public.*

25 **Goal:** To establish a more open and accessible system of justice.

26 **Objective:** To encourage all responsible public bodies and public officers to make the
27 costs of access to the court's proceedings and records - whether measured in terms of
28 money, time, or the procedures that must be followed - reasonable, fair, and affordable.

29 **General Performance Information:**

	2010	2011	2012
30			
31	<i>Percentage of surveyed city/parish court chief</i>		
32	<i>judges indicating actions taken in</i>		
33	<i>FY 2011-2012 to assist pro se litigants</i>		
	100%	98.1%	96.2%

34 **Goal:** To meet all responsibilities to everyone affected by the court and its
35 activities in a timely and expeditious manner.

36 **Objective:** To encourage timely case management and processing.

37 **General Performance Information:**

	2010	2011	2012
38			
39	<i>Percentage of surveyed city/parish court chief</i>		
40	<i>judges indicating that their courts had</i>		
41	<i>taken steps within FY 2011-2012 to reduce</i>		
42	<i>delays and improve the timeliness of case</i>		
43	<i>processing</i>		
	88.5%	90.4%	86.5%

44 **Goal:** To maintain judicial independence, while observing the principle of comity in
45 its governmental relations and accountability to the public.

1 **Objective:** To inform the community of the court's structure and function.

2 **General Performance Information:**

	2010	2011	2012
3			
4	<i>Percentage of surveyed city/parish court chief</i>		
5	<i>judges indicating that their courts regularly</i>		
6	<i>provided public education and public</i>		
7	<i>outreach services in FY 2011-2012</i>		
	94.2%	90.4%	88.5%

8 **Objective:** To recognize new conditions or emerging events and to adjust court
9 operations as necessary.

10 **General Performance Information:**

	2010	2011	2012
11			
12	<i>Percentage of surveyed city/parish court chief</i>		
13	<i>judges indicating actions taken in</i>		
14	<i>FY 2011-2012 to improve employee</i>		
15	<i>training and development</i>		
16	94.2%	90.4%	92.3%
17	<i>Percentage of surveyed city/parish court chief</i>		
18	<i>judges indicating actions taken in</i>		
19	<i>FY 2011-2012 to install or implement</i>		
	88.5%	90.4%	86.5%

20 Payable out of the State General Fund:

21	01	Salaries of sixty (60) City Court	
22		Judges as provided by R.S. 13:1875	\$ 2,412,714
23	02	Salaries of four (4) Municipal, four (4)	
24		Traffic and one (1) Parish Court	
25		Judges as provided by R.S. 13:2492,	
26		13:2501.1, and 13:2563.5, respectively	<u>\$ 389,156</u>
27	TOTAL OTHER COURTS REQUIRED BY STATUTE		<u>\$ 2,801,870</u>

28 **03-8174 OTHER COURTS - SALARIES AND OFFICE EXPENSES NOT**
29 **REQUIRED BY STATUTE**

30 Payable out of the State General Fund:

31	01	Orleans Parish Juvenile Protective	
32		Care Monitoring Program	\$ 563,937
33	Program Description: <i>The program tracks and maintains child abuse and neglect cases in the Orleans</i>		
34	<i>Parish Juvenile Court. It also provides assistance in support of the Families in Need of Services Program.</i>		
35	02	Orleans Parish Juvenile Court Reporters	\$ 87,785
36	03	For the expenses of the Judges'	
37		Assistance Program	<u>\$ 30,564</u>
38	Program Description: <i>The Judges' Assistance Program provides counseling and other assistance to judges</i>		
39	<i>with substance abuse problems.</i>		
40	TOTAL OTHER COURTS NOT REQUIRED BY STATUTE		<u>\$ 682,286</u>

41 **03-8175 NON-JUDICIAL STATE EXPENSES**

42 Payable out of the State General Fund:

43	01	Legal representation of children in child	
44		protection cases	\$ 1,976,474
45	Program Description: <i>As recommended by the Task Force on Legal Representation in Child Protection</i>		
46	<i>Cases and at the request of the Division of Administration, in order to advance the administration of justice,</i>		
47	<i>the Supreme Court administers funding to provide qualified legal representation for children in child</i>		
48	<i>protection cases as required to fulfill the state's statutory responsibility.</i>		
49			
50	TOTAL NON-JUDICIAL STATE EXPENSES		<u>\$ 1,976,474</u>

1 Section 2. The appropriations, and the allocations of such appropriations, from the State
2 General Fund (Direct) contained in Section 1 of this Act shall be reduced by a total amount
3 of Four Million One Hundred Sixty-Nine Thousand Six Hundred Seventy-Two and No/100
4 (\$4,169,672.00) Dollars, pursuant to a plan adopted by the Judicial Budgetary Control Board
5 or as approved by the Louisiana Supreme Court.

6 Section 3.A. The Chief Justice of the Supreme Court, or her duly authorized and
7 appointed agent, shall warrant the state treasurer for the allocations herein provided, or for
8 so much thereof as may be necessary. The aforesaid warrant shall be paid out of the state
9 general fund, and the state treasurer shall pay said warrant by preference over all other
10 warrants, except warrants for the salaries of constitutional officers of the state and warrants
11 for expenses of the legislature, which shall be concurrent with the warrant provided by this
12 Act.

13 B. The funds drawn as provided herein shall be deposited in the name of the judiciary in
14 an approved bank that has been selected by the Supreme Court and is located in the state.

15 C. Any funds herein allocated to the judiciary, any portion of the funds previously
16 appropriated to the judiciary, other revenue of the judiciary or its agencies, and interest
17 earnings are hereby appropriated and may be used to defray the expenses of the judiciary;
18 however, all funds remaining unexpended or unencumbered shall be returnable to the state
19 general fund on or before September 1, 2014.

20 D. For Fiscal Year 2013-2014, any surpluses occurring in the appropriations made in this
21 Act may be transferred from one agency or line-item to another during the fiscal year in
22 accordance with the rules of the Judicial Budgetary Control Board, or as approved by the
23 Supreme Court.

24 E. The adjustment to be made in the salaries of judicial employees and the number of
25 authorized positions of the judiciary shall be as decided by the judicial agency affected,
26 subject to the approval of the Judicial Budgetary Control Board or as approved by the
27 Supreme Court.

28 F. The program descriptions, general performance information and indicators, objectives,
29 goals, and mission statements contained in this Act are not part of the law and are not enacted
30 into law by virtue of their inclusion in this Act. The missions, goals, and objectives contained

1 in the Act are derived from performance standards established by Section 10 of Part G
2 General Administrative Rules of the Supreme Court of Louisiana.

3 G. The inclusion in this Act of staff salaries and benefits for lower court or other judicial
4 branch agency employees shall not be deemed to create or impose any obligation upon the
5 State of Louisiana Judicial Branch, the Supreme Court of Louisiana, the Judicial Budgetary
6 Control Board, or the Supreme Court Judicial Administrator's Office relative to the
7 administration of pay, retirement or other benefits to any such employees. Accordingly, the
8 State of Louisiana Judicial Branch, the Supreme Court of Louisiana, the Judicial Budgetary
9 Control Board, and the Supreme Court Judicial Administrator's Office are not to be
10 considered the "employer" or "employing agency" of lower court or other judicial agency
11 employees whose staff salaries and other benefits are included in this Act.

12 Section 4. Contingent on the passage of separate legislation, a sum to be determined shall
13 be appropriated out of the State General Fund for the purpose of funding an increase in the
14 salaries of the Justices of the Supreme Court, judges of the Courts of Appeal, judges of the
15 District Courts, judges of the City and Parish Courts, and certain commissioners as provided
16 for by law. Any such appropriation shall be allocated to the various judges and
17 commissioners in a manner contemplated by the Judicial Compensation Commission's report
18 dated January 9, 2013.

19 Section 5. This Act shall become effective on July 1, 2013; if vetoed by the governor and
20 subsequently approved by the legislature, this Act shall become effective on July 1, 2013, or
21 on the day following such approval by the legislature, whichever is later.

COMPARATIVE STATEMENT

In accordance with R.S. 39:51(D), the following represents a comparative statement for each
Court and program. The operating budget for FY 2012-2013 is compared to the
appropriations for FY 2013-2014 as contained in the original bill.

	Operating Budget	Appropriation Request
<u>Courts and Programs</u>	<u>FY 2012-2013</u>	<u>FY 2013-2014</u>
Supreme Court		
Total Supreme Court	\$65,463,068	\$ 67,671,627
Courts of Appeal		
Total Courts of Appeal	\$42,428,117	\$ 44,070,577

District Courts

Total District Courts	\$41,953,795	\$ 42,242,246
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Other Courts

Total Other Courts	\$2,801,870	\$ 2,801,870
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Other Programs

Total Other Programs	<u>\$652,084</u>	<u>\$ 682,286</u>
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Total State General Fund
and Interagency Transfer

All Line Items	<u>\$153,298,934</u>	<u>\$ 157,468,606</u>
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Total Statutory Dedications	<u>\$9,650,831</u>	<u>\$ 9,797,469</u>
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Total Funding	<u>\$162,949,765</u>	<u>\$ 167,266,075</u>
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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)]

Fannin

HB No. 691

Abstract: Appropriates funds for FY 2013-2014 for expenses of the Louisiana Judiciary, including the supreme court, courts of appeal, district courts, Criminal Court of Orleans Parish, juvenile and family courts, and other courts.

Appropriates funds for Fiscal Year 2013-2014 for the ordinary operating expenses of the judicial branch of government with total funding of \$165,072,877 from the following sources: \$144,838,908 out of the State General Fund (Direct); \$10,436,500 through interagency transfers from the Dept. of Children and Family Services; and, \$9,797,469 from statutory dedications out of the Judges' Supplemental Compensation Fund and the Trial Court Case Management Fund.

Provides for an additional \$1,976,474 for the legal representation of children in child protection cases.

Funding for the ordinary operating expenses of the judicial branch of government is provided as follows:

(1) Louisiana Supreme Court	\$ 77,469,096
(2) Courts of Appeal	44,070,577
(3) District Courts	33,962,684
(4) Criminal Court, Parish of Orleans	5,934,276
(5) Juvenile and Family Courts	2,345,286
(6) Other Courts (Required by Statute)	2,801,870
(7) Other Courts (Not Required by Statute)	<u>682,286</u>
TOTAL	<u>\$167,266,075</u>

Provides that the appropriations out of the State General Fund (Direct) contained in this Act shall be reduced by a total amount of \$4,169,672 pursuant to a plan adopted by the Judicial Budgetary Control Board or as approved by the La. Supreme Court.

Contingent on the passage of separate legislation, a sum to be determined shall be appropriated out of the State General Fund for the purpose of funding an increase in the salaries of the Justices of the Supreme Court, judges of the Courts of Appeal, judges of the District Courts, judges of the City and Parish Courts, and certain commissioners as provided for by law. Any such appropriation shall be allocated to the various judges and commissioners in a manner contemplated by the Judicial Compensation Commission's report dated January 9, 2013.

Effective July 1, 2013.

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Appropriations to the original bill.

1. Provided for a change in means of financing to decrease State General Fund (Direct) and increase Interagency Transfers from the Dept. of Children and Family Services by \$10,436,500 for drug court maintenance and enhancement and Court Appointed Special Advocates (CASA).
2. Provided for an additional \$1,976,474 for the legal representation of children in child protection cases.
3. Added requirement that appropriations contained in this Act be reduced by a total amount of \$4,169,672 pursuant to a plan adopted by the Judicial Budgetary Control Board or as approved by the La. Supreme Court.