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## DIGEST

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### CONFERENCE COMMITTEE REPORT DIGEST

House Bill No. 1206 by Representative Leger

#### **Keyword and oneliner of the instrument as it left the House**

COURTS: Provides for the consolidation of the New Orleans Traffic and Municipal Courts

#### **Report adopts Senate amendments to:**

1. Provide for the judges of the municipal and traffic court, sitting en banc to choose a judge to serve as the senior and administrative judge, if the position is declined by the senior judge.
2. Remove the provision that delays the calling of a special election to fill a vacancy until submission of the report from the task force.
3. Change the time that the senior and administrative judge of the consolidated municipal and traffic court serves from as long as he holds office to the remainder of his term of office.
4. Require the task force to make a recommendation related to the reduction in judges through attrition.
5. Authorize the commissioner of administration to enter into a cooperative endeavor agreement relative to certain property in New Orleans or to transfer such property either for the appraised value or in exchange for value equivalent to the appraised value, **except that** it removes the authority for the Joint Legislative Committee on the Budget to create a committee to provide a recommendation to the commissioner of administration regarding the transfer of the property sites.

#### **Report rejects Senate amendments which would have:**

1. Deleted all provisions and created a task force to study the feasibility of the consolidation of the New Orleans Municipal Court and the New Orleans Traffic Court.
2. Authorized the commissioner of administration to transfer certain state property in the

city of New Orleans either for the appraised value or in exchange for value equivalent to the appraised value.

3. Authorized the Joint Legislative Committee on the Budget to create a committee to provide a recommendation to the commissioner of administration regarding the transfer of the property sites and further provided for the membership of the committee.
4. Made technical changes.

### **Digest of the bill as proposed by the Conference Committee**

Present law provides for the Municipal Court and Traffic Courts of New Orleans and the judgeships and clerks of court for each court and their respective salaries, terms of office, qualifications, powers and duties, and employees and personnel. Present law further provides for jurisdiction of the courts and procedures relative to trials and appeals, judicial administrators, judicial expense funds and use of such funds, quarters for the court, additional costs, and enumeration of fees and fines.

Proposed law consolidates the Municipal Court of New Orleans and the Traffic Court of New Orleans and creates the Municipal and Traffic Court of New Orleans and provides for its jurisdiction.

Proposed law transfers the four judges from the traffic court to the consolidated court and creates four additional judgeships to be comprised of Divisions "E", "F", "G", and "H".

Proposed law provides for one clerk of court and judicial administrator for the consolidated court.

Proposed law creates a consolidated judicial expense fund for the consolidated court.

Proposed law authorizes the Orleans Parish Sheriff's Office and the Constable's Office for the city of New Orleans, to provide security detail for the consolidated court.

Proposed law requires that the senior and administrative judge of the municipal court shall serve as the senior and administrative judge of the consolidated court as long for the remainder of his term in office, and thereafter, the judge with most seniority on the consolidated court will become the senior and administrative judge during his tenure unless he declines, in which case the judges of the consolidated court, sitting en banc will choose the judge to serve in the position.

Proposed law creates the New Orleans Municipal and Traffic Court Task Force and provides for its members and responsibilities, and further requires the task force submit a report of its findings and recommendations 30 days prior to the 2015 R.S. of the Legislature.

Present law authorizes the commissioner of administration to enter into a cooperative endeavor

agreement with the BioDistrict New Orleans to allow for certain state property to be utilized as the new civil district court site.

Proposed law retains present law and adds authorization for the commissioner to transfer the property site to the city of New Orleans or enter into a cooperative endeavor agreement relative to such property, either for the appraised value or in exchange for value equivalent to the appraised value.

Sections 8 and 5 of this Act become effective upon signature of the governor or lapse of time for gubernatorial action; all other sections become effective on Jan. 1, 2017.

(Amends R.S. 13:2491, 2492, 2493, 2493.1(A)(intro. para.), (B), (C), and (D), 2495, 2495.1(A), 2496.1, 2496.2(A), 2496.3(A), (B), (E), (F), (G)(intro. para.), (3) and (5), 2496.4, 2497, 2498(A), (B), and (C), 2499, 2500(A) and (B), 2500.1, 2500.2, 2500.4, 2501, 2512, 2513, 2514, 2515, 2516, 2519(A), and Section 1 of Act 277 of the 2013 Regular Session of the Louisiana Legislature; Repeals R.S. 13:2501.1, 2505, 2506, 2507, 2507.1, and 2509)