

2018 Regular Session

HOUSE BILL NO. 538

BY REPRESENTATIVES DWIGHT AND DANAHAY

COURTS/MAGISTRATES: Provides for a magistrate in the 14<sup>th</sup> JDC

1 AN ACT

2 To enact R.S. 13:589, relative to Fourteenth Judicial District Court; to provide for the  
3 creation of a magistrate position; to provide relative to an election; to provide for  
4 duties of the magistrate; to provide for the salary of the magistrate; and to provide  
5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:589 is hereby enacted to read as follows:

8 §589. Fourteenth Judicial District Court Magistrate

9 A. The office of magistrate of the Fourteenth Judicial District Court is  
10 hereby created and shall be an elected position. The magistrate shall be elected from  
11 election sections one and three combined. Initial election shall commence in the fall  
12 of 2020 and the elected term shall begin January 1, 2020.

13 B. The salary of the magistrate of the Fourteenth Judicial District Court shall  
14 be seventy-five percent of the salary paid to judges of the Fourteenth Judicial District  
15 Court per annum, and the salary and related benefits as provided by law shall be  
16 payable in the same manner from the same sources as the salary and benefits of a  
17 judge of the Fourteenth Judicial District Court. The support services and personnel  
18 including minute clerks and stenographers, as shall be necessary for the offices of  
19 the magistrate, and such supporting services and personnel shall be paid in the same

1 amount and from the same source as the same positions in the Fourteenth Judicial  
2 District Court.

3 C. The magistrate of the Fourteenth Judicial District Court created in this  
4 Section shall hold court in the same building as is provided for the other judges of  
5 the court and, with the approval of the judges of the Fourteenth Judicial District  
6 Court, may hear the following matters:

7 (1) Hear preliminary criminal motions.

8 (2) Handle all pre-trial matters.

9 (3) Accept pleas in misdemeanor cases.

10 (4) Conduct trial on misdemeanor matters.

11 (5) Sign and issue search and arrest warrants upon probable cause being  
12 shown in accordance with law.

13 (6) Preside over all specialty or problem solving courts, including but not  
14 limited to drug court, mental health court, behavior health court, and veterans court.

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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)]

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HB 538 Original

2018 Regular Session

Dwight

**Abstract:** Establishes the magistrate position in the Fourteenth Judicial District Court and provides for duties, salary, and election of the magistrate.

Proposed law provides for the creation of the magistrate of the Fourteenth Judicial District Court, to be elected from election sections one and three combined. The salary of this position shall be equal to 75% of the salary paid to judges of the Fourteenth Judicial District Court. The magistrate will have jurisdiction over criminal matters that do not include felony jury trials or felony guilty pleas.

(Adds R.S. 13:589)