

2018 Regular Session

HOUSE BILL NO. 698

BY REPRESENTATIVES HENRY, BARRAS, GARY CARTER, JACKSON, LEGER,
AND MAGEE AND SENATORS ALARIO, LAFLEUR, MARTINY, AND
MORRELL

APPROPRIATIONS: Appropriates funds for the expenses of the judiciary for Fiscal Year
2018-2019

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; to provide for an effective date; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1.A. The sum of One Hundred Eighty Million One Hundred Seventy-Seven
8 Thousand One Hundred Sixty-Five No/100 (\$180,177,165.00) Dollars, or so much thereof
9 as may be necessary, is hereby appropriated to defray the expenses of the judiciary,
10 including the Supreme Court, Courts of Appeal, the District Courts, the Criminal District
11 Court of Orleans Parish, and of the other courts.

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

13 **03-8170 SUPREME COURT**

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

26 **Mission Statement:** *The mission of the Supreme Court of Louisiana is to protect and*
27 *promote the rule of law, to ensure public trust, to use public resources efficiently, to*
28 *ensure the highest professional conduct, integrity, and competence of both the bench*

1 *and the bar, and to ensure the proper administration and performance of all courts*
2 *under its authority.*

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

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

6 **General Performance Information:**

	2015	2016	2017
7			
8 <i>Total Filings</i>	2,365	2,283	2,181
9 <i>Total Appeals Filed</i>	6	9	4
10 <i>Total Writs Filed</i>	2,172	2,092	1,997
11 <i>Total Dispositions Rendered</i>	2,486	2,142	2,039

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

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

14 **General Performance Information:**

	2015	2016	2017
15			
16 <i>Percentage of noncriminal case</i>			
17 <i>applications acted on within Supreme</i>			
18 <i>Court standard of 120 days of filing</i>	97.1%	94.1%	88%
19 <i>Percentage of criminal case applications</i>			
20 <i>acted on within Supreme Court</i>			
21 <i>standard of 120 days of filing</i>	36.1%	48.7%	34.9%
22 <i>Percentage of pro se post conviction</i>			
23 <i>applications acted on within Supreme</i>			
24 <i>Court standard of 120 days of filing</i>	3%	26%	20.8%
25 <i>Percentage of bar disciplinary filings</i>			
26 <i>acted upon within Supreme Court</i>			
27 <i>standard of 120 days of filing</i>	97%	93.6%	89.3%
28 <i>Percentage of opinions rendered within</i>			
29 <i>Supreme Court standard of 84 days</i>			
30 <i>from argument</i>	75.8%	66.7%	73.2%

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

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

33 **General Performance Information:**

	2015	2016	2017
34			
35 <i>Percentage of written opinions available</i>			
36 <i>to the public within 5 days of decision</i>	100%	100%	100%

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

38 **General Performance Information:**

	2015	2016	2017
39			
40 <i>Number of outreach programs</i>	100	60	70
41 <i>Number of media releases on court decisions</i>	66	78	65
42 <i>Number of media releases on other matters</i>	17	24	18
43 <i>Number of recipients of releases on</i>			
44 <i>court decisions</i>	1,632	1,775	1,932
45 <i>Number of recipients of releases on other</i>			
46 <i>matters</i>	4,700	6,010	3,489

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

49 **General Performance Information:**

	2015	2016	2017
50			
51 <i>Average number of hours acquired</i>			
52 <i>through continuing legal education</i>			
53 <i>per judge</i>	34.25	30.08	29.03
54 <i>Number of complaints filed against</i>			
55 <i>judges and justices of the peace</i>	529	545	533
56 <i>Number of complaints against judges</i>			
57 <i>and justices of the peace resolved or</i>			
58 <i>disposed of in the calendar year</i>	601	582	546

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

61 **General Performance Information:**

	2015	2016	2017
62			
63 <i>Average number of hours acquired through</i>			

1	continuing legal education per lawyer	15.12	15.08	14.76
2	Number of complaints filed against lawyers	2,950	2,922	2,795
3	Number of complaints filed against lawyers			
4	resolved or disposed of in calendar year	3,046	2,673	3,096
5	Payable out of the State General Fund (Direct):			

			<u>FY 18 EOB</u>	<u>FY 19</u>
6				
7	01	Salaries of one (1) Chief Justice and		
8		six (6) Associate Justices of the		
9		Supreme Court, as provided by		
10		R.S. 13:102	\$ 1,125,252	\$ 1,154,936
11	02	Salaries and other expenses of the		
12		Supreme Court Proper and salary of		
13		the Crier of the Supreme Court	\$ 3,804,457	\$ 7,898,581
14	03	Expenses of Judicial Administrator's		
15		Office and of the Judiciary		
16		Commission provided for in Article V,		
17		Section 25 of the Constitution of		
18		Louisiana and under the provisions of		
19		R.S. 13:32 et seq.		
20	A.	Expenses of Judicial		
21		Administrator's Office	\$ 4,519,857	\$ 4,809,236
22		Program Description: <i>The Judicial Administrator's Office assists the Supreme Court in the</i>		
23		<i>administration of the state court system. It staffs the Judicial Council and the Judiciary Commission of</i>		
24		<i>Louisiana. Through the Judicial Council, it performs studies and makes recommendations for the creation</i>		
25		<i>of new judgeships and for improving the administration of justice. The Judicial Administrator's Office</i>		
26		<i>provides payroll and other fiscal services to the Judiciary, including the administration of a judicial</i>		
27		<i>retirement system; support for the Supreme Court and Appellate Court human resource system; and</i>		
28		<i>support for judicial branch reporting obligations. The Judicial Administrator's Office also manages the</i>		
29		<i>ad hoc judgeship system, monitors cases under advisement, provides support for initiatives to ensure</i>		
30		<i>access to the courts for limited English proficiency individuals; provides outreach services to state and</i>		
31		<i>local courts, applies for and administers grants to improve judicial administration; and staffs the</i>		
32		<i>Committee on Judicial Ethics. The Judicial Administrator's office administers several programs, including</i>		
33		<i>the Supreme Court Drug Court / Specialty Court Office, the Louisiana Protective Order Registry, and</i>		
34		<i>CASA and FINS through the Division of Children and Families. The Judicial Administrator's office also</i>		
35		<i>provides staff support for the Louisiana Judicial College, and performs numerous legal services for the</i>		
36		<i>Supreme Court and the Judiciary.</i>		
37	B.	Expenses of Judiciary Commission	\$ 1,821,921	\$ 1,930,613
38		Program Description: <i>The Judiciary Commission of Louisiana is a constitutional body established under</i>		
39		<i>Article V, Section 25 of the Constitution of 1974 to accept, screen, investigate, and prosecute complaints</i>		
40		<i>of judicial misconduct. As part of its authority, it may recommend to the Supreme Court the censure,</i>		
41		<i>suspension, removal from office, or involuntary retirement of any judge for ethical misconduct.</i>		
42	C.	Court Reporters; Statistical		
43		Reporting Systems	\$ 355,504	\$ 370,225
44	D.	Dues to National Center for		
45		State Courts	\$ 158,650	\$ 158,650
46	04	Louisiana Attorney Disciplinary		
47		Board, as per Louisiana Supreme		
48		Court Rule XIX	\$ 3,000	\$ 3,000
49	05	Compensation and expenses of retired		
50		judges assigned under Article V,		
51		Section 5(A) of the Constitution of		
52		Louisiana, be it more or less		
53		estimated at	\$ 1,070,364	\$ 1,510,646

1	06	Law Library of Louisiana for salaries,			
2		services, supplies, maintenance, repairs,			
3		and equipment	\$	1,671,322	\$ 1,754,471
4	Program Description: <i>The Law Library of Louisiana serves the legal information needs of the state</i>				
5	<i>judiciary, and is open to members of the bar and public.</i>				
6	07	Salaries and expenses of transferred			
7		judges assigned under Article V,			
8		Section 5(A) of the Constitution,			
9		be it more or less estimated as	\$	86,663	\$ 86,663
10	08	Retirement pay for services rendered by			
11		justices and judges of all courts, as			
12		provided by R.S. 11:1358 and			
13		R.S. 13:103	\$	1,365,669	\$ 894,459
14	09	Pensions for widows of justices and			
15		judges of all courts, as provided by			
16		R.S. 11:1371 and R.S. 11:1381, be it			
17		more or less estimated at	\$	1,469,984	\$ 1,469,984
18	10	Judicial College	\$	33,072	\$ 55,502
19	Program Description: <i>The Judicial College was established by order of the Supreme Court in 1976 to</i>				
20	<i>provide continuing legal education to Louisiana judges.</i>				
21	11	State contribution to judicial			
22		retirement provided for in Article V,			
23		Section 23 of the Constitution and			
24		R.S. 11:551 et seq., be it more or			
25		less estimated at	\$	18,155,129	\$ 18,595,302
26	12	Civil commitment matters as			
27		required by R.S. 28:54	\$	143,424	\$ 243,075
28	13	Paul M. Hebert Law Center for			
29		expenses of storage of appellate			
30		court records	\$	60,000	\$ 60,000
31	14	Funding for statewide operations of the			
32		Louisiana Protective Order Registry			
33		(R.S. 46:2136.2) under the Case			
34		Management Information System	\$	1,048,254	\$ 1,048,254
35	15	Information Technology	\$	1,054,733	\$ 1,096,238
36	16	Payable out of State General			
37		Funds for Operational expenses of			
38		the Families in Need of Services			
39		Program (FINS)	\$	1,995,709	\$ 1,995,709
40	Program Description: <i>The mission of the FINS Assistance Program is to assist local FINS processes by</i>				
41	<i>developing and implementing a needs-based allocation formula; developing, implementing, and mandating</i>				
42	<i>the use of a uniform data system for tracking, managing, and reporting FINS informal cases; developing</i>				
43	<i>and mandating the use of programmatic standards; developing, implementing, and reporting performance</i>				
44	<i>indicators and measures; requiring and monitoring periodic fiscal reports and financial accountability;</i>				
45	<i>and, generally supervising and assisting local FINS processes in other ways.</i>				
46					
47	17	Louisiana Drug and Specialty Courts	\$	9,755,000	\$ 15,155,000
48	Program Description: <i>Louisiana Drug and Specialty Courts, such as Drug/DWI Treatment Courts,</i>				
49	<i>authorized in 1977 by R.S. 13:5301 - R.S. 13:5304, Reentry Courts, authorized in 2010 by R.S. 13:5401,</i>				
50	<i>Mental Health Courts, authorized in 2013 by R.S. 13:5353 - 5358, and Veterans Treatment Courts,</i>				

1 *authorized in 2014 by R.S. 13:5361 - 5368, are proven and effective alternatives to traditional criminal*
 2 *justice interventions. These programs provide integrated treatment for substance use and mental health*
 3 *disorders, including the appropriate use of sanctions and incentives along with case management, to place*
 4 *participants in need of services into appropriate community-based and judicially supervised rehabilitation*
 5 *programs. Clients are regularly tested and monitored for compliance with educational, employment, and*
 6 *treatment requirements pursuant to current best practices and the proven national model.*

7 18 Court Appointed Special Advocates \$ 1,794,035 \$ 5,786,886

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

15 TOTAL - GENERAL FUND (DIRECT) \$ 51,491,999 \$ 66,077,430

16 **FY 18 EOB** **FY 19**

17 19 Payable out of the State General Fund
 18 from Statutory Dedications, Judges'
 19 Supplemental Compensation Fund,
 20 R. S. 13:10.3, be it more or less
 21 estimated at \$ 6,223,724 \$ 6,223,724

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

25 **FY 18 EOB** **FY 19**

26 20 Payable out of the State General
 27 Fund from Statutory Dedications,
 28 Trial Court Case Management
 29 Information Fund, for the Case
 30 Management Information System,
 31 Article 887 (F) of the Code of
 32 Criminal Procedure, be it more or less
 33 estimated at \$ 4,017,201 \$ 4,017,201

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

41 TOTAL - STATE GENERAL FUND
 42 BY STATUTORY DEDICATIONS \$ 10,240,925 \$ 10,240,925

43 TOTAL SUPREME COURT \$ 61,732,924 \$ 76,318,355

44 **03-8171 COURTS OF APPEAL**

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

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

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

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

4 **General Performance Information:**

	2015	2016	2017
5			
6 <i>Total appeals filed</i>	2,053	1,783	1,897
7 <i>Total writs filed</i>	4,048	3,670	3,420
8 <i>Total dispositions rendered</i>	5,019	4,761	4,439

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

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

11 **General Performance Information:**

	2015	2016	2017
12			
13 <i>Average number of days from lodging of the</i>			
14 <i>appeal to argument:</i>			
15 <i>Time Standard = no more than 175 days.</i>			
16 <i>Criminal cases</i>	143	162	147
17 <i>Civil Cases</i>	147	155	162
18 <i>Median number of days for all cases</i>	146	158	159
19			
20 <i>Average number of days from argument to</i>			
21 <i>rendering of the opinion:</i>			
22 <i>Time Standard = no more than 70 days.</i>			
23 <i>Criminal cases</i>	43	43	43
24 <i>Civil cases</i>	43	42	44
25 <i>Median number of days for all cases</i>	43	43	44

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

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

27 **General Performance Information:**

	2015	2016	2017
28			
29 <i>Percentage of written opinions available</i>			
30 <i>to the public within 5 days of decision</i>	100%	100%	100%

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

		<u>FY 18 EOB</u>	<u>FY 19</u>
32			
33	01 Salaries of five (5) Chief Judges		
34	and forty-eight (48) Judges of		
35	the Courts of Appeal, R.S. 13:311	\$ 7,913,159	\$ 8,123,080
36	02 Salaries and expenses of operation		
37	and maintenance of the Court of		
38	appeal, First Circuit	\$ 10,186,973	\$ 10,777,116
39	03 Salaries and expenses of operation		
40	and maintenance of the Court of		
41	appeal, Second Circuit	\$ 5,707,610	\$ 6,013,644
42	04 Salaries and expenses of operation		
43	and maintenance of the Court of		
44	appeal, Third Circuit	\$ 8,739,437	\$ 9,176,428
45	05 Salaries and expenses of operation		
46	and maintenance of the Court of		
47	appeal, Fourth Circuit	\$ 8,121,408	\$ 8,602,396
48	06 Salaries and expenses of operation		
49	and maintenance of the Court of		
50	appeal, Fifth Circuit	<u>\$ 5,919,956</u>	<u>\$ 6,295,517</u>
51	TOTAL COURTS OF APPEAL	<u>\$ 46,588,543</u>	<u>\$ 48,988,181</u>

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

General Performance Information:

	2015	2016	2017
Percentage of surveyed district court chief judges indicating actions taken in FY 2016-2017 to improve employee training and development	87.5%	85.4%	87.5%
Percentage of surveyed district court chief judges indicating actions taken in FY 2016-2017 to install or implement technologies	100%	91.7%	95.8%

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

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

General Performance Information:

	2015	2016	2017
Percentage of surveyed district court chief judges indicating that their courts regularly provided public education and public outreach services in FY 2016-2017	97.9%	87.5%	91.7%

Payable out of the State General Fund (Direct):

		<u>FY 18 EOB</u>	<u>FY 19</u>
01	Salaries of one hundred ninety-one (191) District Judges as provided by R.S. 13:691	\$ 27,187,585	\$ 27,913,116
02	Office and travel expenses of District Judges as provided by R.S. 13:698 and R.S. 13:694, respectively	\$ 1,285,250	\$ 1,285,250
03	Salaries of fourteen (14) Judges of Civil District Court, Orleans Parish, as provided by R.S. 13:691	\$ 1,992,807	\$ 2,045,988
04	Expenses of Judges of Civil District Court, Parish of Orleans, for salaries of stenographers, clerks, law books, stationery, telephone, and like expenses as provided by R.S. 13:698	\$ 80,500	\$ 80,500
05	Salaries of two (2) Court Reporters of the Twentieth Judicial District Court, including retirement contributions, as provided by R.S. 13:966.1	\$ 114,514	\$ 115,348
06	Clerk of Civil District Court, Orleans Parish, as provided by R.S. 13:1212(A)	\$ 10,000	\$ 10,000
07	State share of Group, Workers' Compensation, General Liability, and Property Insurance Premiums as provided by R.S.42:851	\$ 6,834,271	\$ 7,018,364
08	Salaries of two (2) commissioners of the Nineteenth Judicial District and one (1) commissioner of the Fifteenth Judicial District as provided by R.S. 13:712 and R.S. 13:715, respectively	\$ 569,959	\$ 584,251

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	\$	354,707	\$ 401,401
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	\$	221,305	\$ 313,594
9	11	Law Clerk, Twentieth Judicial District			
10		Court as provided by Act 747 of 1977	\$	49,311	\$ 49,311
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>	\$ <u>35,000</u>
14		SUBTOTAL	\$	<u>38,735,209</u>	\$ <u>39,852,123</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 and</i>			
22		<i>Traffic Court of New Orleans and has general supervisory jurisdiction over these courts.</i>			
23	A.	Salaries of thirteen (13) District			
24		Judges of Criminal Court, Orleans			
25		Parish as provided by R.S. 13:691	\$	1,850,465	\$ 1,899,846
26	B.	Office expenses of Judges of			
27		Criminal Court, Orleans Parish as			
28		Provided by R.S. 13:698	\$	74,750	\$ 74,750
29	C.	State's share of group insurance			
30		for personnel of Criminal Court			
31		as provided by R.S. 42:851	\$	698,422	\$ 714,162
32	D.	Salaries of thirteen (13) minute			
33		clerks as provided by R.S.			
34		13:1373.1	\$	288,064	\$ 288,064
35					
36	E.	Salaries of twenty-six (26) court			
37		reporters as provided by R.S.			
38		13:1373.1	\$	449,821	\$ 449,821
39	F.	Salaries of four (4) commissioners			
40		of Criminal Court, Orleans Parish,			
41		including related benefits as			
42		provided by R.S. 13:1347	\$	503,587	\$ 512,065
43	G.	Office and travel expenses of			
44		commissioners as provided by			
45		R.S. 13:1347	\$	7,950	\$ 10,600
46	H.	Salaries of four (4) minute clerks,			
47		one for each commissioner			
48		as provided by R.S. 13:1347	\$	75,371	\$ 75,371

1	I. Salaries of four (4) court reporters,			
2	one for each commissioner			
3	as provided by R.S. 13:1347	\$	57,312	\$ 57,312
4	J. Salaries of Judicial Administrator,			
5	and assistants, including			
6	related benefits	\$	858,443	\$ 912,741
7	K. Salaries of thirteen (13) law clerks	\$	626,646	\$ 733,824
8	L. Salaries of four (4) secretaries	\$	181,602	\$ 212,661
9	M. Sanity Commissions	\$	87,744	\$ 90,236
10	N. Board of Jury Commissioners	\$	<u>371,859</u>	\$ <u>389,163</u>
11	SUBTOTAL	\$	<u>6,132,036</u>	\$ <u>6,420,616</u>
12	14 Juvenile and Family Court Judges			
13	A. Salaries of thirteen (13) Juvenile			
14	Court Judges as provided by			
15	R.S. 13:691	\$	1,992,907	\$ 1,899,846
16	B. Salaries of four (4) Family Court			
17	Judges as provided by R.S. 13:691	\$	569,374	\$ 584,568
18	C. Office and travel expenses of Juvenile			
19	and Family Court Judges as			
20	provided by R.S. 13:698 and			
21	R.S. 13:694, respectively	\$	<u>103,500</u>	\$ <u>103,500</u>
22	SUBTOTAL	\$	<u>2,665,781</u>	\$ <u>2,587,914</u>
23	TOTAL DISTRICT COURTS	\$	<u>47,533,026</u>	\$ <u>48,860,653</u>

24 **03-8173 OTHER COURTS - SALARIES AND OFFICE EXPENSES AS REQUIRED**
25 **BY STATUTE**

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

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

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

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

37 **General Performance Information:**

	2015	2016	2017
38 <i>Percentage of surveyed city/parish court chief judges</i>			
39 <i>indicating actions taken in FY 2016-2017 to assist</i>			
40 <i>pro se litigants</i>	96.2%	96.2%	98.1%

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

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

2 **General Performance Information:**

	2015	2016	2017
3			
4	<i>Percentage of surveyed city/parish court chief judges</i>		
5	<i>indicating that their courts had taken steps within</i>		
6	<i>FY 2016-2017 to reduce delays and improve the</i>		
7	<i>timeliness of case processing</i>		
	88.5%	92.3%	90.4%

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

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

11 **General Performance Information:**

	2015	2016	2017
12			
13	<i>Percentage of surveyed city/parish court chief judges</i>		
14	<i>indicating that their courts regularly provided</i>		
15	<i>public education and public outreach services</i>		
16	<i>in FY 2016-2017</i>		
	92.3%	88.5%	88.5%

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

19 **General Performance Information:**

	2015	2016	2017
20			
21	<i>Percentage of surveyed city/parish court chief judges</i>		
22	<i>indicating actions taken in FY 2016-2017 to</i>		
23	<i>improve employee training and development</i>		
24	<i>Percentage of surveyed city/parish court chief judges</i>		
25	<i>indicating actions taken in FY 2016-2017 to install</i>		
26	<i>or implement technologies</i>		
	98.1%	96.2%	92.3%
	96.2%	90.4%	90.4%

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

	<u>FY 18 EOB</u>	<u>FY 19</u>
28		
29	01	Salaries of sixty (60) City Court
30		Judges as provided by R.S. 13:1875
	\$	2,757,559
		\$ 2,831,152
31	02	Salaries of seven (7) Municipal and
32		Traffic and one (1) Parish Court
33		Judge as provided by R.S. 13:2492,
34		13:2501.1, and 13:2563.5,
35		respectively
	\$	444,777
		\$ 410,347
36	TOTAL OTHER COURTS REQUIRED	
37	BY STATUTE	
38	\$	3,202,336
39		\$ 3,241,499
40	03-8174 OTHER COURTS - SALARIES AND OFFICE EXPENSES NOT REQUIRED BY STATUTE	

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

	<u>FY 18 EOB</u>	<u>FY 19</u>
42		
43	01	Orleans Parish Juvenile Protective
44		Care Monitoring Program
	\$	511,132
		\$ 560,014
45	Program Description: <i>The program tracks and maintains child abuse and neglect cases in the Orleans</i>	
46	<i>Parish Juvenile Court. It also provides assistance in support of the Families in Need of Services Program.</i>	
47	02	Orleans Parish Juvenile Court
48		Reporters
	\$	71,178
		\$ 73,976
49	03	For the expenses of the Judges'
50		Assistance Program
	\$	61,877
		\$ 63,634

51 **Program Description:** *The Judges' Assistance Program provides counseling and other assistance to*
52 *judges with substance abuse problems.*

53	TOTAL OTHER COURTS NOT REQUIRED	
54	BY STATUTE	
	\$	644,187
		\$ 697,624

1 **03-8175 NON-JUDICIAL STATE EXPENSES**

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

	<u>FY 18 EOB</u>	<u>FY 19</u>
3		
4 01		
5	<u>\$ 2,070,853</u>	<u>\$ 2,070,853</u>

6 **Program Description:** *As recommended by the Task Force on Legal representation*
 7 *in Child Protection Cases and at the request of the Division of Administration, in*
 8 *order to advance the administration of justice, the Supreme Court administers*
 9 *funding to provide qualified legal representation for children in child protection*
 10 *cases as required to fulfill the state’s statutory responsibility.*

11 TOTAL NON-JUDICIAL STATE EXPENSES \$ 2,070,853 \$ 2,070,853

12 Section 2.A. The Chief Justice of the Supreme Court, or her duly authorized and
 13 appointed agent, shall warrant the state treasurer for the allocations herein provided, or for
 14 so much thereof as may be necessary. The aforesaid warrant shall be paid out of the state
 15 general fund, and the state treasurer shall pay said warrant by preference over all other
 16 warrants, except warrants for the salaries of constitutional officers of the state and warrants
 17 for expenses of the legislature, which shall be concurrent with the warrant provided by this
 18 Act.

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

21 C. Any funds herein allocated to the judiciary, any portion of the funds previously
 22 appropriated to the judiciary, other revenue of the judiciary or its agencies, and interest
 23 earnings are hereby appropriated and may be used to defray the expenses of the judiciary;
 24 however, all funds remaining unexpended or unencumbered shall be returnable to the State
 25 General Fund on or before September 1, 2019.

26 D. For Fiscal Year 2018-2019, any surpluses occurring in the appropriations made in
 27 this Act may be transferred from one agency or line-item to another during the fiscal year
 28 in accordance with the rules of the Judicial Budgetary Control Board, or as approved by the
 29 Supreme Court.

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

1 F. The program descriptions, general performance information and indicators,
2 objectives, goals, and mission statements contained in this Act are not part of the law and
3 are not enacted into law by virtue of their inclusion in this Act. The missions, goals, and
4 objectives contained in the Act are derived from performance standards established by
5 Section 10 of Part G General Administrative Rules of the Supreme Court of Louisiana.

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

15 Section 3. This Act shall become effective on July 1, 2018; if vetoed by the
16 governor and subsequently approved by the legislature, this Act shall become effective on
July 1, 2018, or on the day following such approval by the legislature, whichever is later.

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)]

HB 698 Original

2018 Regular Session

Henry

Abstract: Appropriates funds for FY 2018-2019 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 2018-2019 for the ordinary operating expenses of the judicial branch of government with total funding of \$180,177,165 from the following sources: \$169,936,240 out of the State General Fund (Direct); and, \$10,240,925 from statutory dedications out of the Judges' Supplemental Compensation Fund and the Trial Court Case Management Fund.

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

(1)	Louisiana Supreme Court	\$ 76,318,355
(2)	Courts of Appeal	48,988,181
(3)	District Courts	39,852,123
(4)	Criminal Court, Parish of Orleans	6,420,616
(5)	Juvenile and Family Courts	2,587,914
(6)	Other Courts (Required by Statute)	3,241,499
(7)	Other Courts (Not Required by Statute)	697,624
(8)	Non-Judicial State Expenses	<u>2,070,853</u>
	TOTAL	<u>\$ 180,177,165</u>

Effective July 1, 2018.