

2019 Regular Session

HOUSE BILL NO. 148

BY REPRESENTATIVES HENRY, BARRAS, JACKSON, AND MAGEE AND  
SENATORS ALARIO, LAFLEUR, AND MORRELL

APPROPRIATIONS: Appropriates funds for the expenses of the judiciary for Fiscal Year  
2019-2020

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 Two Million Nine Hundred Seven  
8 Thousand Six Hundred Ninety Nine No/100 (\$182,907,699.00) 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*  
29 *and the bar, and to ensure the proper administration and performance of all courts*  
30 *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:**

	2016	2017	2018	
5				
6	<i>Total Filings</i>	2,283	2,181	2,117
7	<i>Total Appeals Filed</i>	9	4	6
8	<i>Total Writs Filed</i>	2,092	1,997	1,925
9	<i>Total Dispositions Rendered</i>	2,142	2,039	2,344

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

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

12 **General Performance Information:**

	2016	2017	2018	
13				
14	<i>Percentage of noncriminal case</i>			
15	<i>applications acted on within Supreme</i>			
16	<i>Court standard of 120 days of filing</i>	94.1%	88%	83.4%
17	<i>Percentage of criminal case applications</i>			
18	<i>acted on within Supreme Court</i>			
19	<i>standard of 120 days of filing</i>	48.7%	34.9%	34.1%
20	<i>Percentage of pro se post conviction</i>			
21	<i>applications acted on within Supreme</i>			
22	<i>Court standard of 120 days of filing</i>	26%	20.8%	23%
23	<i>Percentage of bar disciplinary filings</i>			
24	<i>acted upon within Supreme Court</i>			
25	<i>standard of 120 days from filing</i>	93.6%	89.3%	85%
26	<i>Percentage of opinions rendered within</i>			
27	<i>Supreme Court standard of 84 days</i>			
28	<i>from argument</i>	66.7%	73.2%	74%

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

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

31 **General Performance Information:**

	2016	2017	2018	
32				
33	<i>Percentage of written opinions available</i>			
34	<i>to the public within 5 days of decision</i>	100%	100%	100%

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

36 **General Performance Information:**

	2016	2017	2018	
37				
38	<i>Number of outreach programs</i>	60	70	84
39	<i>Number of media releases on court decisions</i>	78	65	56
40	<i>Number of media releases on other matters</i>	24	18	20
41	<i>Number of recipients of releases on</i>			
42	<i>court decisions</i>	1,775	1,932	2,054
43	<i>Number of recipients of releases on other</i>			
44	<i>matters</i>	6,010	3,489	5,835

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

47 **General Performance Information:**

	2016	2017	2018	
48				
49	<i>Average number of hours acquired</i>			
50	<i>through continuing legal education</i>			
51	<i>per judge</i>	30.08	29.03	29.47
52	<i>Number of complaints filed against</i>			
53	<i>judges and justices of the peace</i>	545	533	543
54	<i>Number of complaints against judges</i>			
55	<i>and justices of the peace resolved or</i>			
56	<i>disposed of in the calendar year</i>	582	546	428

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

59 **General Performance Information:**

	2016	2017	2018	
60				
61	<i>Average number of hours acquired through</i>			
62	<i>continuing legal education per lawyer</i>	15.08	14.76	14.75
63	<i>Number of complaints filed against lawyers</i>	2,922	2,795	2,534
64	<i>Number of complaints filed against lawyers</i>			
65	<i>resolved or disposed of in calendar year</i>	2,673	3,096	2,692

			<u>FY 19 EOB</u>		<u>FY 20</u>
1					
2	01	Salaries of one (1) Chief Justice and			
3		six (6) Associate Justices of the			
4		Supreme Court, as provided by			
5		R.S. 13:102	\$ 1,125,252	\$	1,125,252
6	02	Salaries and other expenses of the			
7		Supreme Court Proper and salary of			
8		the Crier of the Supreme Court	\$ 4,963,652	\$	7,838,391
9	03	Expenses of Judicial Administrator's			
10		Office and of the Judiciary			
11		Commission provided for in Article V,			
12		Section 25 of the Constitution of			
13		Louisiana and under the provisions of			
14		R.S. 13:32 et seq.			
15	A.	Expenses of Judicial			
16		Administrator's Office	\$ 4,758,857	\$	5,297,755
17		<b>Program Description:</b> <i>The Judicial Administrator's Office assists the Supreme Court in the</i>			
18		<i>administration of the state court system. It staffs the Judicial Council and the Judiciary Commission of</i>			
19		<i>Louisiana. Through the Judicial Council, it performs studies and makes recommendations for the creation</i>			
20		<i>of new judgeships and for improving the administration of justice. The Judicial Administrator's Office</i>			
21		<i>provides payroll and other fiscal services to the Judiciary, including the administration of a judicial</i>			
22		<i>retirement system; support for the Supreme Court and Appellate Court human resource system; and</i>			
23		<i>support for judicial branch reporting obligations. The Judicial Administrator's Office also manages the</i>			
24		<i>ad hoc judgeship system, monitors cases under advisement, provides support for initiatives to ensure</i>			
25		<i>access to the courts for limited English proficiency individuals; provides outreach services to state and</i>			
26		<i>local courts, applies for and administers grants to improve judicial administration; and staffs the</i>			
27		<i>Committee on Judicial Ethics. The Judicial Administrator's office administers several programs, including</i>			
28		<i>the Supreme Court Drug Court / Specialty Court Office, the Louisiana Protective Order Registry, and</i>			
29		<i>CASA and FINS through the Division of Children and Families. The Judicial Administrator's office also</i>			
30		<i>provides staff support for the Louisiana Judicial College, and performs numerous legal services for the</i>			
31		<i>Supreme Court and the Judiciary.</i>			
32	B.	Expenses of Judiciary Commission	\$ 1,918,921	\$	2,105,692
33		<b>Program Description:</b> <i>The Judiciary Commission of Louisiana is a constitutional body established under</i>			
34		<i>Article V, Section 25 of the Constitution of 1974 to accept, screen, investigate, and prosecute complaints</i>			
35		<i>of judicial misconduct. As part of its authority, it may recommend to the Supreme Court the censure,</i>			
36		<i>suspension, removal from office, or involuntary retirement of any judge for ethical misconduct.</i>			
37	C.	Court Reporters; Statistical			
38		Reporting Systems	\$ 355,504	\$	375,767
39	D.	Dues to National Center for			
40		State Courts	\$ 164,749	\$	169,950
41	04	Louisiana Attorney Disciplinary			
42		Board, as per Louisiana Supreme			
43		Court Rule XIX	\$ 3,000	\$	3,000
44	05	Compensation and expenses of retired			
45		judges assigned under Article V,			
46		Section 5(A) of the Constitution of			
47		Louisiana, be it more or less			
48		estimated at	\$ 1,166,951	\$	1,295,129
49	06	Law Library of Louisiana for salaries,			
50		services, supplies, maintenance, repairs,			
51		and equipment	\$ 1,728,322	\$	1,847,306

52 **Program Description:** *The Law Library of Louisiana serves the legal information needs of the state*  
 53 *judiciary, and is open to members of the bar and public.*

1	07	Salaries and expenses of transferred			
2		judges assigned under Article V,			
3		Section 5(A) of the Constitution,			
4		be it more or less estimated as	\$	86,663	\$ 86,663
5	08	Retirement pay for services rendered by			
6		justices and judges of all courts, as			
7		provided by R.S. 11:1358 and			
8		R.S. 13:103	\$	916,846	\$ 935,183
9	09	Pensions for widows of justices and			
10		judges of all courts, as provided by			
11		R.S. 11:1371 and R.S. 11:1381, be it			
12		more or less estimated at	\$	1,469,984	\$ 1,469,984
13	10	Judicial College	\$	33,072	\$ 49,579
14	<b>Program Description:</b> <i>The Judicial College was established by order of the Supreme Court in 1976 to</i>				
15	<i>provide continuing legal education to Louisiana judges.</i>				
16	11	State contribution to judicial			
17		retirement provided for in Article V,			
18		Section 23 of the Constitution and			
19		R.S. 11:551 et seq., be it more or			
20		less estimated at	\$	18,155,129	\$ 19,296,743
21	12	Civil commitment matters as			
22		required by R.S. 28:54	\$	231,546	\$ 280,350
23	13	Paul M. Hebert Law Center for			
24		expenses of storage of appellate			
25		court records	\$	60,000	\$ 60,000
26	14	Funding for statewide operations of the			
27		Louisiana Protective Order Registry			
28		(R.S. 46:2136.2) under the Case			
29		Management Information System	\$	1,048,254	\$ 1,292,795
30	15	Information Technology	\$	1,107,733	\$ 1,246,008
31	16	Payable out of State General			
32		Funds for Operational expenses of			
33		the Families in Need of Services			
34		Program (FINS)	\$	1,995,709	\$ 2,256,389
35	<b>Program Description:</b> <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					
42	17	Louisiana Drug and Specialty Courts	\$	9,755,000	\$ 10,054,396
43	<b>Program Description:</b> <i>Louisiana Drug and Specialty Courts, such as Drug/DWI Treatment Courts,</i>				
44	<i>authorized in 1977 by R.S. 13:5301-5304, Reentry Courts, authorized in 2010 by R.S. 13:5401, Mental</i>				
45	<i>Health Courts, authorized in 2013 by R.S. 13:5353 - 5358, and Veterans Treatment Courts, authorized in</i>				
46	<i>2014 by R.S. 13:5361 - 5368, are proven and effective alternatives to traditional criminal justice</i>				
47	<i>interventions. These programs provide integrated treatment for substance use and mental health</i>				
48	<i>disorders, including the appropriate use of sanctions and incentives along with case management, to place</i>				
49	<i>participants in need of services into appropriate community-based and judicially supervised rehabilitation</i>				
50	<i>programs. Clients are regularly tested and monitored for compliance with educational, employment, and</i>				
51	<i>treatment requirements pursuant to current best practices and the proven national model.</i>				

1	18	Court Appointed Special Advocates	\$ 1,794,035	\$ 2,552,873
2		<b>Program Description:</b> <i>The purpose of the CASA Assistance Program is to promote timely placement of</i>		
3		<i>children in need of care in permanent, safe and stable homes, in accordance with the provisions of</i>		
4		<i>Children's Code articles 424-426. Services are provided through local CASA programs which recruit,</i>		
5		<i>screen, train and supervise community advocates. Upon appointment by the trial judge, qualified</i>		
6		<i>advocates serve children by providing independent factual information to the judge, advocating for the best</i>		
7		<i>interest of the children, monitoring cases to which they have been assigned, and advising and assisting the</i>		
8		<i>judge in the determination of the best interest of the children involved.</i>		
9		TOTAL - GENERAL FUND (DIRECT)	<u>\$ 52,839,179</u>	<u>\$ 59,639,205</u>
10	19	Payable out of the State General Fund		
11		from Statutory Dedications, Judges'		
12		Supplemental Compensation Fund,		
13		R.S. 13:10.3, be it more or less		
14		estimated at	\$ 6,223,724	\$ 6,223,724
15		<b>Program Description:</b> <i>The Judges' Supplemental Compensation Fund was established by the Legislature</i>		
16		<i>in 1985 to fund salary supplements and salary-related expenses to judges and commissioners. The funding</i>		
17		<i>source is a non-refundable filing fee assessed on civil filings as provided in R.S. 13:10.3.</i>		
18	20	Payable out of the State General		
19		Fund from Statutory Dedications,		
20		Trial Court Case Management		
21		Information Fund, for the Case		
22		Management Information System,		
23		Article 887(F) of the Code of		
24		Criminal Procedure, be it more or less		
25		estimated at	<u>\$ 4,017,201</u>	<u>\$ 4,017,201</u>
26		<b>Program Description:</b> <i>The Case Management Information System (CMIS) was created by the Supreme</i>		
27		<i>Court in 1993 to provide a statewide information system for tracking and managing criminal, civil,</i>		
28		<i>juvenile, traffic, and appellate cases as well as protective orders. Data is received from courts statewide,</i>		
29		<i>transferred to the CMIS repository, and made available to courts and executive branch agencies.</i>		
30		<i>Additional information will also be available from the Department of Public Safety &amp; Corrections. CMIS</i>		
31		<i>is funded from a court cost assessed on all criminal and traffic convictions as provided under C.Cr.P.</i>		
32		<i>887(F).</i>		
33		TOTAL - STATE GENERAL FUND		
34		BY STATUTORY DEDICATIONS	<u>\$ 10,240,925</u>	<u>\$ 10,240,925</u>
35	21	Drug court maintenance and		
36		enhancement, payable out of the State		
37		General Fund through Interagency		
38		Transfers from the Department of		
39		Children and Family Services	\$ 5,400,000	\$ 5,400,000
40	22	Court Appointed Special Advocates,		
41		payable out of the State General Fund		
42		through Interagency Transfers from the		
43		Department of Children and Family		
44		Services	\$ 3,992,850	\$ 3,992,850
45		TOTAL- STATE GENERAL FUND THROUGH		
46		INTERAGENCY TRANSFERS	<u>\$ 9,392,850</u>	<u>\$ 9,392,850</u>
47				
48		TOTAL SUPREME COURT	<u>\$ 72,472,954</u>	<u>\$ 79,272,980</u>

1 **03-8171 COURTS OF APPEAL**

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

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

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

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

15 **General Performance Information:**

16		<b>2016</b>	<b>2017</b>	<b>2018</b>
17	<i>Total appeals filed</i>	<i>1,783</i>	<i>1,897</i>	<i>1,827</i>
18	<i>Total writs filed</i>	<i>3,670</i>	<i>3,420</i>	<i>3,345</i>
19	<i>Total dispositions rendered</i>	<i>4,761</i>	<i>4,439</i>	<i>4,431</i>

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

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

22 **General Performance Information:**

23		<b>2016</b>	<b>2017</b>	<b>2018</b>
24	<i>Average number of days from lodging of the</i>			
25	<i>appeal to argument:</i>			
26	<i>Time Standard = no more than 175 days.</i>			
27	<i>Criminal cases</i>	<i>162</i>	<i>147</i>	<i>153</i>
28	<i>Civil Cases</i>	<i>155</i>	<i>162</i>	<i>148</i>
29	<i>Median number of days for all cases</i>	<i>158</i>	<i>159</i>	<i>149</i>

30 *Average number of days from argument to*  
 31 *rendering of the opinion:*

32 *Time Standard = no more than 70 days.*

33	<i>Criminal cases</i>	<i>43</i>	<i>43</i>	<i>44</i>
34	<i>Civil cases</i>	<i>42</i>	<i>44</i>	<i>44</i>
35	<i>Median number of days for all cases</i>	<i>43</i>	<i>44</i>	<i>44</i>

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

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

38 **General Performance Information:**

39		<b>2016</b>	<b>2017</b>	<b>2018</b>
40	<i>Percentage of written opinions available</i>			
41	<i>to the public within 5 days of decision</i>	<i>100%</i>	<i>100%</i>	<i>100%</i>

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

43		<b><u>FY 19 EOB</u></b>		<b><u>FY 20</u></b>
44	01 Salaries of five (5) Chief Judges			
45	and forty-eight (48) Judges of			
46	the Courts of Appeal, R.S. 13:311	\$ 7,913,159	\$	7,913,159
47	02 Salaries and expenses of operation			
48	and maintenance of the Court of			
49	Appeal, First Circuit	\$ 10,286,973	\$	11,081,160
50	03 Salaries and expenses of operation			
51	and maintenance of the Court of			
52	Appeal, Second Circuit	\$ 5,807,610	\$	6,158,296
53	04 Salaries and expenses of operation			
54	and maintenance of the Court of			
55	Appeal, Third Circuit	\$ 8,839,437	\$	9,237,081

1	05	Salaries and expenses of operation		
2		and maintenance of the Court of		
3		Appeal, Fourth Circuit	\$ 8,221,408	\$ 8,812,936
4	06	Salaries and expenses of operation		
5		and maintenance of the Court of		
6		Appeal, Fifth Circuit	\$ 6,019,956	\$ 6,385,178
7	TOTAL COURTS OF APPEAL		\$ 47,088,543	\$ 49,587,810

8 **03-8172 DISTRICT COURTS**

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

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

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

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

34 **General Performance Information:**

35		<b>2016</b>	<b>2017</b>	<b>2018</b>
36	<i>Percentage of surveyed district court chief</i>			
37	<i>judges indicating actions taken in</i>			
38	<i>FY 2017-2018 to improve compliance</i>			
39	<i>with the Americans with Disabilities Act</i>			
40	<i>(ADA)</i>	81.3%	83.3%	87.5%

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

45 **General Performance Information:**

46		<b>2016</b>	<b>2017</b>	<b>2018</b>
47	<i>Percentage of surveyed district court chief</i>			
48	<i>judges indicating actions taken in</i>			
49	<i>FY 2017-2018 to assist self-represented</i>			
50	<i>litigants</i>	85.4%	85.4%	91.7%

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

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

54 **General Performance Information:**

55		<b>2016</b>	<b>2017</b>	<b>2018</b>
56	<i>Number of parishes reporting criminal</i>			
57	<i>disposition data to CMIS</i>	64	64	64
58	<i>Percentage of parishes reporting criminal</i>			
59	<i>disposition data to CMIS</i>	100%	100%	100%

1		<b>2016</b>	<b>2017</b>	<b>2018</b>
2	<i>Percentage of surveyed district court chief</i>			
3	<i>judges indicating that their courts had</i>			
4	<i>taken steps within FY 2017-2018 to reduce</i>			
5	<i>delays and improve the timeliness</i>			
6	<i>of case processing</i>	87.5%	93.8%	87.5%

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

8 **General Performance Information:**

9		<b>2016</b>	<b>2017</b>	<b>2018</b>
10	<i>Percentage of surveyed district court chief</i>			
11	<i>judges indicating that their court had</i>			
12	<i>taken steps within FY 2017-2018 to</i>			
13	<i>make jury service more convenient or</i>			
14	<i>effective</i>	90.7%	92.9%	88.4%

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

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

19 **General Performance Information:**

20		<b>2016</b>	<b>2017</b>	<b>2018</b>
21	<i>Percentage of surveyed district court chief</i>			
22	<i>judges indicating actions taken in</i>			
23	<i>FY 2017-2018 to improve employee</i>			
24	<i>training and development</i>	85.4%	87.5%	85.4%
25	<i>Percentage of surveyed district court chief</i>			
26	<i>judges indicating actions taken in</i>			
27	<i>FY 2017-2018 to install or implement</i>			
28	<i>technologies</i>	91.7%	95.8%	95.8%

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

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

32 **General Performance Information:**

33		<b>2016</b>	<b>2017</b>	<b>2018</b>
34	<i>Percentage of surveyed district court chief</i>			
35	<i>judges indicating that their courts</i>			
36	<i>regularly provided public education</i>			
37	<i>and public outreach services in</i>			
38	<i>FY 2017-2018</i>	87.5%	91.7%	89.6%

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

40			<u><b>FY 19 EOB</b></u>	<u><b>FY 20</b></u>
41	01	Salaries of one hundred ninety-one		
42		(191) District Judges as provided		
43		by R.S. 13:691	\$ 27,187,585	\$ 27,187,585
44	02	Office and travel expenses of District		
45		Judges as provided by R.S. 13:698		
46		and R.S. 13:694, respectively	\$ 1,285,250	\$ 1,285,250
47	03	Salaries of fourteen (14) Judges of		
48		Civil District Court, Orleans Parish,		
49		as provided by R.S. 13:691	\$ 1,992,807	\$ 1,992,807
50	04	Expenses of Judges of Civil District		
51		Court, Parish of Orleans, for salaries		
52		of stenographers, clerks, law books,		
53		stationery, telephone, and like		
54		expenses as provided by R.S. 13:698	\$ 80,500	\$ 80,500
55	05	Salaries of two (2) Court Reporters		
56		of the Twentieth Judicial District Court,		
57		including retirement contributions, as		
58		provided by R.S. 13:966.1	\$ 114,514	\$ 117,507



1	06	Clerk of Civil District Court, Orleans			
2		Parish, as provided by R.S. 13:1212(A)	\$	10,000	\$ 10,000
3	07	State share of Group, Workers'			
4		Compensation, General Liability, and			
5		Property Insurance Premiums as			
6		provided by R.S. 42:851	\$	6,834,271	\$ 6,950,507
7	08	Salaries of two (2) commissioners of			
8		the Nineteenth Judicial District and			
9		one (1) commissioner of the Fifteenth			
10		Judicial District as provided by			
11		R.S. 13:712 and R.S. 13:715,			
12		respectively	\$	569,959	\$ 580,720
13	09	Office expenses for the Judicial			
14		Expense Fund of the Nineteenth Judicial			
15		District Court as provided by			
16		R.S. 13:711-713	\$	400,707	\$ 405,383
17	10	Office expenses for the Judicial			
18		Expense Fund of the Fifteenth			
19		Judicial District Court as provided			
20		by R.S. 13:714-716	\$	286,234	\$ 290,891
21	11	Law Clerk, Twentieth Judicial District			
22		Court as provided by Act 747 of 1977	\$	49,311	\$ 49,311
23	12	For the expenses of the Judicial Expense			
24		Fund, Tenth Judicial District Court as			
25		provided by Act 57 of 2006	\$	<u>35,000</u>	\$ <u>35,000</u>
26		SUBTOTAL	\$	<u>38,846,138</u>	\$ <u>38,985,461</u>
27	13	Criminal Court - Parish of Orleans			
28		<b>Program Description:</b> <i>The Criminal District Court for the Parish of Orleans has exclusive jurisdiction</i>			
29		<i>of the trial and punishment of all crimes, misdemeanors, and offenses committed within the parish of</i>			
30		<i>Orleans, if the jurisdiction is not vested by law in some other court. The court, through its magistrate and</i>			
31		<i>with assistance from its commissioners, has the power of committing magistrates in all felony charges and</i>			
32		<i>the power to hold preliminary examinations, with authority to bail or discharge, or to hold for trial, in all</i>			
33		<i>cases before the court. The court has appellate jurisdiction of all cases tried before the Municipal and</i>			
34		<i>Traffic Court of New Orleans and has general supervisory jurisdiction over these courts.</i>			
35	A.	Salaries of thirteen (13) District			
36		Judges of Criminal Court, Orleans			
37		Parish as provided by R.S. 13:691	\$	1,850,465	\$ 1,850,465
38	B.	Office expenses of Judges of			
39		Criminal Court, Orleans Parish as			
40		Provided by R.S. 13:698	\$	74,750	\$ 74,750
41	C.	State's share of group insurance			
42		for personnel of Criminal Court			
43		as provided by R.S. 42:851	\$	733,422	\$ 733,422
44	D.	Salaries of thirteen (13) minute			
45		clerks as provided by R.S.			
46		13:1373.1	\$	288,064	\$ 293,811
47					

1	E. Salaries of twenty-six (26) court			
2	reporters as provided by R.S.			
3	13:1373.1	\$	449,821	\$ 456,097
4	F. Salaries of four (4) commissioners			
5	of Criminal Court, Orleans Parish,			
6	including related benefits as			
7	provided by R.S. 13:1347	\$	503,587	\$ 512,929
8	G. Office and travel expenses of			
9	commissioners as provided by			
10	R.S. 13:1347	\$	7,950	\$ 10,600
11	H. Salaries of four (4) minute clerks,			
12	one for each commissioner			
13	as provided by R.S. 13:1347	\$	75,372	\$ 76,845
14	I. Salaries of four (4) court reporters,			
15	one for each commissioner			
16	as provided by R.S. 13:1347	\$	57,312	\$ 58,422
17	J. Salaries of Judicial Administrator,			
18	and assistants, including			
19	related benefits	\$	910,443	\$ 996,431
20	K. Salaries of thirteen (13) law clerks	\$	695,417	\$ 771,026
21	L. Salaries of four (4) secretaries	\$	204,258	\$ 223,442
22	M. Sanity Commissions	\$	87,744	\$ 90,008
23	N. Board of Jury Commissioners	\$	<u>391,859</u>	\$ <u>422,539</u>
24	SUBTOTAL	\$	<u>6,330,464</u>	\$ <u>6,570,787</u>
25	14 Juvenile and Family Court Judges			
26	A. Salaries of thirteen (13) Juvenile			
27	Court Judges as provided by			
28	R.S. 13:691	\$	1,850,465	\$ 1,850,465
29	B. Salaries of four (4) Family Court			
30	Judges as provided by R.S. 13:691	\$	569,374	\$ 569,374
31	C. Office and travel expenses of Juvenile			
32	and Family Court Judges as			
33	provided by R.S. 13:698 and			
34	R.S. 13:694, respectively	\$	<u>103,500</u>	\$ <u>103,500</u>
35	SUBTOTAL	\$	<u>2,523,339</u>	\$ <u>2,523,339</u>
36	TOTAL DISTRICT COURTS	\$	<u>47,699,941</u>	\$ <u>48,079,587</u>

37 **03-8173 OTHER COURTS - SALARIES AND OFFICE EXPENSES AS**  
38 **REQUIRED BY STATUTE**

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

41 **Mission Statement:** *The mission of the city and parish courts of Louisiana is to provide*  
42 *access to justice, to meet all responsibilities in a timely and expeditious manner, to*  
43 *provide equality, fairness and integrity in their proceedings, to maintain judicial*

1 *independence and accountability, and to reach a fair and just result by adherence to the*  
 2 *procedural and substantive law, thereby instilling trust and confidence in the public.*

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

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

7 **General Performance Information:**

	<b>2016</b>	<b>2017</b>	<b>2018</b>
8			
9	<i>Percentage of surveyed city/parish court chief</i>		
10	<i>judges indicating actions taken in</i>		
11	<i>FY 2017-2018 to assist pro se litigants</i>		
	96.2%	98.1%	94.1%

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

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

15 **General Performance Information:**

	<b>2016</b>	<b>2017</b>	<b>2018</b>
16			
17	<i>Percentage of surveyed city/parish court chief</i>		
18	<i>judges indicating that their courts had</i>		
19	<i>taken steps within FY 2017-2018 to</i>		
20	<i>reduce delays and improve the</i>		
21	<i>timeliness of case processing</i>		
	92.3%	90.4%	82.4%

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

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

25 **General Performance Information:**

	<b>2016</b>	<b>2017</b>	<b>2018</b>
26			
27	<i>Percentage of surveyed city/parish court chief</i>		
28	<i>judges indicating that their courts</i>		
29	<i>regularly provided public education</i>		
30	<i>and public outreach services in</i>		
31	<i>FY 2017-2018</i>		
	88.5%	88.5%	78.4%

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

34 **General Performance Information:**

	<b>2016</b>	<b>2017</b>	<b>2018</b>
35			
36	<i>Percentage of surveyed city/parish court chief</i>		
37	<i>judges indicating actions taken in</i>		
38	<i>FY 2017-2018 to improve employee</i>		
39	<i>training and development</i>		
40	96.2%	92.3%	78.4%
41	<i>Percentage of surveyed city/parish court chief judges</i>		
42	<i>indicating actions taken in FY 2017-2018 to install</i>		
	<i>or implement technologies</i>		
	90.4%	90.4%	78.4%

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

	<b><u>FY 19 EOB</u></b>	<b><u>FY 20</u></b>
44		
45	01 Salaries of sixty (60) City Court	
46	Judges as provided by R.S. 13:1875	
	\$ 2,757,559	\$ 2,757,559
47	02 Salaries of seven (7) Municipal and	
48	Traffic and one (1) Parish Court	
49	Judge as provided by R.S. 13:2492	
50	and 2563.5, respectively	
	\$ 399,682	\$ 399,682
51	TOTAL OTHER COURTS REQUIRED	
52	BY STATUTE	
	<u>\$ 3,157,241</u>	<u>\$ 3,157,241</u>

1 **03-8174 OTHER COURTS - SALARIES AND OFFICE EXPENSES NOT**  
 2 **REQUIRED BY STATUTE**

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

	<u>FY 19 EOB</u>	<u>FY 20</u>
4 01 Orleans Parish Juvenile Protective		
5 Care Monitoring Program	\$ 536,132	\$ 595,770

7 **Program Description:** *The program tracks and maintains child abuse and neglect cases in the Orleans*  
 8 *Parish Juvenile Court. It also provides assistance in support of the Families in Need of Services Program.*

9 02 Orleans Parish Juvenile Court		
10 Reporters	\$ 77,178	\$ 79,985

11 03 For the expenses of the Judges'		
12 Assistance Program	<u>\$ 61,877</u>	<u>\$ 63,473</u>

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

15 TOTAL OTHER COURTS NOT REQUIRED		
16 BY STATUTE	<u>\$ 675,187</u>	<u>\$ 739,228</u>

17 **03-8175 NON-JUDICIAL STATE EXPENSES**

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

	<u>FY 19 EOB</u>	<u>FY 20</u>
19 01 Legal representation of children in		
20 child protection cases	<u>\$ 2,070,853</u>	<u>\$ 2,320,853</u>

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

27 TOTAL NON-JUDICIAL STATE EXPENSES

28	<u>\$ 2,070,853</u>	<u>\$ 2,320,853</u>
----	---------------------	---------------------

29 Section 2. The appropriations, and the allocations of such appropriations, from the State  
 30 General Fund (Direct) contained in Section 1 of this Act shall be reduced by a total amount  
 31 of Nine Million Seven Hundred Forty-Two Thousand Nine Hundred Eighty and No/100  
 32 (\$9,742,980) Dollars, pursuant to a plan adopted by the Judicial Budgetary Control Board  
 33 or as approved by the Louisiana Supreme Court.

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

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

3 C. Any funds herein allocated to the judiciary, any portion of the funds previously  
4 appropriated to the judiciary, other revenue of the judiciary or its agencies, and interest  
5 earnings are hereby appropriated and may be used to defray the expenses of the judiciary;  
6 however, all funds remaining unexpended or unencumbered shall be returnable to the State  
7 General Fund on or before September 1, 2020.

8 D. For Fiscal Year 2019-2020, any surpluses occurring in the appropriations made in  
9 this Act may be transferred from one agency or line-item to another during the fiscal year  
10 in accordance with the rules of the Judicial Budgetary Control Board, or as approved by the  
11 Supreme Court.

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

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

21 G. The inclusion in this Act of staff salaries and benefits for lower court or other judicial  
22 branch agency employees shall not be deemed to create or impose any obligation upon the  
23 State of Louisiana Judicial Branch, the Supreme Court of Louisiana, the Judicial Budgetary  
24 Control Board, or the Supreme Court Judicial Administrator's Office relative to the  
25 administration of pay, retirement or other benefits to any such employees. Accordingly, the  
26 State of Louisiana Judicial Branch, the Supreme Court of Louisiana, the Judicial Budgetary  
27 Control Board, and the Supreme Court Judicial Administrator's Office are not to be  
28 considered the "employer" or "employing agency" of lower court or other judicial agency  
29 employees whose staff salaries and other benefits are included in this Act.

1 Section 4. This Act shall become effective on July 1, 2019; if vetoed by the governor  
 2 and subsequently approved by the legislature, this Act shall become effective on July 1,  
 3 2019, or 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 2019-2020 is compared to the appropriations for FY 2018-2019 as contained in the original bill.

	Operating Budget	Appropriation Request
<u>Courts and Programs</u>	<u>FY 2018-2019</u>	<u>FY 2019-2020</u>
Supreme Court		
Total Supreme Court	\$ 62,232,029	\$ 69,032,055
Courts of Appeal		
Total Courts of Appeal	\$ 47,088,543	\$ 49,587,810
District Courts		
Total District Courts	\$ 47,699,941	\$ 48,079,587
Other Courts		
Total Other Courts	\$ 3,157,241	\$ 3,157,241
Other Programs		
Total Other Programs	\$ 675,187	\$ 739,228
Non-Judicial State Expenses		
Total State Expenses	<u>\$ 2,070,853</u>	<u>\$ 2,070,853</u>
Total State General Fund and Interagency Transfer		
All Line Items	<u>\$162,923,794</u>	<u>\$ 172,666,774</u>
Total Statutory Dedications	<u>\$ 10,240,925</u>	<u>\$ 10,240,925</u>
Total Funding	<u>\$173,164,719</u>	<u>\$ 182,907,699</u>

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 148 Reengrossed

2019 Regular Session

Henry

**Abstract:** Appropriates funds for FY 2019-2020 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 2019-2020 for the ordinary operating expenses of the judicial branch of government with total funding of \$183,157,699 from the following sources: \$163,523,924 out of the State General Fund (Direct); \$10,240,925 from statutory dedications out of the Judges' Supplemental Compensation Fund and the Trial Court Case Management Fund; and \$9,392,850 from interagency transfers for Court Appointed Special Advocates and Drug Court. Appropriations from State General fund (Direct) shall be reduced by \$9,742,980 pursuant to a plan adopted by the Judicial Budgetary Control Board or as approved by the La. Supreme Court.

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

	<b><u>FY 19 EOB</u></b>	<b><u>FY 20 Original</u></b>
(1) Louisiana Supreme Court	\$ 72,472,954	\$79,272,980
(2) Courts of Appeal	47,088,543	49,587,810
(3) District Courts	38,846,138	38,985,461
(4) Criminal Court, Parish of Orleans	6,330,464	6,570,787
(5) Juvenile and Family Courts	2,523,339	2,523,339
(6) Other Courts (Required by Statute)	3,157,241	3,157,241
(7) Other Courts (Not Required by Statute)	675,187	739,228
(8) Non-Judicial State Expenses	<u>2,070,853</u>	<u>2,070,853</u>
TOTAL	<u>\$173,164,719</u>	<u>\$182,907,699</u>

Effective July 1, 2019

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the original bill:

1. Provide an additional \$250,000 for the legal representation of children in child protection cases.
2. Add requirement that appropriations from State General Funds (Direct) contained in this Act be reduced by a total amount of \$9,492,980 pursuant to a plan adopted by the Judicial Budgetary Control Board or as approved by the La. Supreme Court.

The House Floor Amendments to the engrossed bill:

1. Change the reduction requirement to from \$9,492,980 to \$9,742,980.