SLS 20RS-272 ORIGINAL

2020 Regular Session

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SENATE BILL NO. 145

BY SENATOR ROBERT MILLS

COURTS. Provides relative to fees charged by the clerk of court for the Twenty-sixth Judicial District Court. (2/3 - CA7s2.1(A)) (8/1/20)

AN ACT

2	To amend and reenact RS. 13:970(K) and (L), relative to the Twenty-sixth Judicial District
3	Court; to provide relative to filing fees; to authorize the clerk of court to collect filing
4	fees as determined by the judges of the district; to provide relative to transcription
5	charges; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 13:970(K) and (L) are hereby amended and reenacted to read as
8	follows:
9	§970. Court reporter for Twenty-sixth Judicial District for Webster Parish
10	* * *
11	K.(1) The clerk of court of the Twenty-sixth Judicial District Court for the
12	Parish of Webster shall , in addition to the filing fees authorized by law, collect from
13	any person filing any type of suit or proceeding, intervention, or third party demand,
14	the following amounts, which collect from every person filing any type of civil
15	suit or proceeding, who is not otherwise exempted by law from the payment of
16	court costs or subject to the provisions of Louisiana Code of Civil Procedure
17	Article 5181 et seq., a fee to be determined by the judges of the district, sitting

1	en banc, which shall not exceed fifteen dollars. The fee shall be maintained by him
2	in a special account designated as the clerk of court's reporter's fund÷.
3	(1) In each suit in which the demand is for five thousand dollars or more the
4	fee shall be fifteen dollars.
5	(2) In each suit for divorce, partition, injunction, separation of property, child
6	custody, receivership proceedings, concursus proceedings, money demands of one
7	thousand dollars or more and less than five thousand dollars, and money demands
8	irrespective of amount involved when accompanied by a conservatory writ the fee
9	shall be ten dollars.
10	(3) Money demands of more than five hundred dollars and less than one
11	thousand dollars, probate proceedings, adoptions, tutorships and interdictions the fee
12	shall be five dollars for each suit.
13	(4) Money demands of five hundred dollars or less, and in all other cases not
14	enumerated herein the fee shall be three dollars.
15	(5)(2) No deposit shall be required in forma pauperis cases, but the clerk of
16	court may test by rule the plaintiff's right to the benefits of Articles 5181 through
17	5188 of the Louisiana Code of Civil Procedure and of R.S. 13:4529.
18	(6)(3) The clerk of the district court shall deduct ten percent of all sums
19	collected hereunder as compensation for his services at the end of each month and
20	remit the remainder thereof to the Webster Parish Police Jury for deposit into the
21	court reporter's fund with full accounting of all receipts for the period covered by
22	such remittance.
23	(7) The amount to be collected by the clerk of the district court for the
24	Twenty-Sixth Judicial District for the parish of Webster in addition to the filing fees
25	authorized by law may be increased or decreased by the senior judge upon the
26	approval of the Webster Parish Police Jury and the Webster Parish Bar Association.
27	L. Additionally, in civil and criminal cases the Webster Parish Police Jury
28	shall be paid two dollars and fifty cents per thirty-one-line legal size page and fifty
29	cents per page for copies for all testimony transcribed by the court reporters. In civil

appeals cases, the two dollar and fifty cent per page transcription charge applies for transcriptions in excess of three hundred fifty pages. This charge shall be taxable as court costs and shall be advanced to the court reporter assigned to the case for delivery to the Webster Parish Police Jury for deposit in the clerk of court reporter's fund.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Curry Lann.

DIGEST 2020 Regular Session

SB 145 Original

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Robert Mills

<u>Present law</u> requires the clerk of court of the Twenty-sixth Judicial District Court for the Parish of Webster to, in addition to the filing fees authorized by law, collect from any person filing any type of suit or proceeding, intervention, or third party demand, the following amounts:

- (1) In each suit in which the demand is for \$5,000 or more, the fee shall be \$15.
- (2) In each suit for divorce, partition, injunction, separation of property, child custody, receivership proceedings, concursus proceedings, money demands of \$1,000 or more and less than \$5,000, and money demands irrespective of amount involved when accompanied by a conservatory writ, the fee shall be \$10.
- (3) Money demands of more than \$500 and less than \$1,000 dollars, probate proceedings, adoptions, tutorships and interdictions, the fee shall be \$5 for each suit.
- (4) Money demands of \$500 or less, and in all other cases not enumerated herein, the fee shall be \$3.

<u>Proposed law</u> repeals <u>present law</u> and changes the fee structure to require the clerk of court of the Twenty-sixth Judicial District Court for the Parish of Webster to collect from every person filing any type of civil suit or proceeding, who is not otherwise exempted by law from the payment of court costs or subject to the provisions of Louisiana Code of Civil Procedure Article 5181 et seq., a fee to be determined by the judges of the district, sitting en banc, which shall not exceed \$15.

<u>Present law</u> provides that the amount to be collected by the clerk of the district court for the Twenty-sixth Judicial District for the parish of Webster in addition to the filing fees authorized by law may be increased or decreased by the senior judge upon the approval of the Webster Parish Police Jury and the Webster Parish Bar Association.

Proposed law repeals present law.

<u>Present law</u> provides that in civil appeals cases, the \$2.50 per page transcription charge applies for transcriptions in excess of 350 pages.

<u>Proposed law</u> repeals <u>present law</u>.

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Effective August 1, 2020.

(Amends R.S. 13:970(K) and (L))