
DIGEST

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HB 300 Original

2023 Regular Session

Muscarello

Abstract: Expands the role of the Judicial Council of the Supreme Court in evaluating the judiciary.

Present law requires the council to adopt standards for approving the creation of new judgeships and courts and splitting or merging courts.

Present law further grants the council the authority to conduct an annual review of judicial districts and appellate circuits and to provide information and recommendations to the legislature on the appropriate number of district and appellate court judgeships.

Proposed law repeals present law and requires, beginning Jan. 2024, the council to review courts on a continual basis as follows:

- (1) The reviews will be conducted on the following three-year cycle:
 - (a) 1st year - appellate courts.
 - (b) 2nd year - districts courts.
 - (c) 3rd year - other courts in the judicial branch and offices of commissioners, magistrates, and hearing officers in the judicial branch.
- (2) Judicial vacancies will be reviewed on an ongoing and continual basis.
- (3) The council will submit an annual evaluation report to the legislature by Feb. 15th for the courts reviewed in the previous calendar year. The report will include recommendations for creating or eliminating judgeships or judicial offices and splitting or merging courts.
- (4) New judgeship requests occurring outside the scheduled review and evaluation periods will be submitted to the council for review. The council will make a recommendation to the appropriate standing committees of the House or Senate as to the need for the new judgeship.

Proposed law authorizes the council to take whatever action is necessary to determine appropriate work points for any level of court for which a caseload study has not been conducted in the previous three years.

Proposed law requires the legislature to consider the recommendation of the council regarding an

additional judgeship prior to acting upon any legislation.

Proposed law clarifies that the legislature is not required to enact legislation or otherwise act upon any recommendation of the council.

Proposed law requires the supreme court to assist the council in the review and evaluation process by adopting procedural and administrative rules to establish uniform data reporting standards required for all case filings and adjudications, including requirements for electronic filing and reporting.

Proposed law further requires all clerks of courts to report all data requested to the council in the manner and form as directed by the council.

Present law requires the Judicial Budgetary Control Board or a judicial body designated by the supreme court to develop a strategic plan on behalf of each level of court.

Proposed law transfers that requirement to the council.

Present law requires the Judicial Budgetary Control Board to submit an operational plan with the judicial appropriation bill.

Proposed law removes the requirement for the board to create and submit an operational plan and instead requires the evaluation report to be submitted with the judicial appropriation bill.

Present law requires the judicial administrator to develop a performance accountability program and annual report.

Proposed law removes this requirement and includes court performance reporting as part of the evaluation report.

Proposed law authorizes the supreme court to adopt or amend rules as necessary for the effective implementation and enforcement of proposed law.

(Amends R.S. 13:82(A) and 83(C); Adds R.S. 13:61.1; Repeals R.S. 13:61, 83(D), and 84)