

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 177

2024 Regular Session

Morris

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

COURTS. Constitutional amendment to increase membership on the judiciary commission and disciplinary action to be instituted on recommendation by the commission. (2/3 - CA13s1(A))

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

- 1 Adds provision adding five members to the judiciary commission.
- 2 Authorizes the supreme court, on recommendation of the judiciary commission to disqualify a judge during pendency of proceedings in the court.
- 3. Removes provisions authorizing the court, pending investigation by the judiciary commission, to temporarily suspend with or without salary, a judge for actions as formerly specifically.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

DIGEST

SB 177 Reengrossed

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Present constitution provides that the judiciary commission consist of the following:

- (1) One court of appeal judge and two district court judges selected by the supreme court.
- (2) Two attorneys admitted to the practice of law for at least ten years and one attorney admitted to the practice of law for at least three years but not more than ten years, selected by the Conference of Court of Appeal Judges or its successor. They shall not be judges, active or retired, or public officials, other than notaries public.
- (3) Three citizens, not lawyers, judges active or retired, or public officials, selected by the Louisiana District Judges' Association.

Proposed constitutional amendment retains these provisions but increases the members of the judiciary commission as follows:

- (1) Two members appointed by the speaker of the house.
- (2) Two members appointed by the president of the senate.
- (3) One member appointed by the governor.

Present constitutional amendment allows the supreme court, on recommendation of the judiciary commission, to censure, suspend with or without salary, remove from office or retire involuntarily a judge for wilful misconduct relating to his office.

Proposed constitutional amendment retains this authority but after an investigation by the judiciary commission which shall be instituted on recommendation by the commission or by directive from a majority of the court.

Proposed constitutional amendment adds "malfeasance while in office" to the list of specified actions for which the supreme court may pursue disciplinary action against a sitting judge.

Present constitution authorizes the supreme court to disqualify a judge from exercising any judicial function without loss of salary during pendency of proceedings in the supreme court.

Proposed constitutional amendment retains this authority with the supreme court but on recommendation of the judiciary commission or its own motion.

Present constitution authorizes the supreme court to retire involuntarily a judge for disability that seriously interferes with the performance of his duties that is or is likely to become permanent.

Proposed constitutional amendment retains this authority with the supreme court but after an investigation by the judiciary commission instituted on recommendation by the commission or by directive of a majority of the supreme court.

Proposed constitutional amendment otherwise retains present constitution.

Specifies submission of the amendment to the voters at the statewide election to be held on November 5, 2024.

(Amends Const. Art. V, Sec. 25(C); add Const. Art. V, Sec. 25(A)(4))

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