

2025 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 9

BY REPRESENTATIVE HEBERT

A CONCURRENT RESOLUTION

To authorize and direct the Louisiana State Law Institute to study and recommend legislation for implementation of procedures for recusal of judges and justices of the peace in criminal proceedings and to submit a report of its findings and recommendations to the legislature no later than February 1, 2026.

WHEREAS, Code of Civil Procedure Article 151 et seq., provides the grounds and procedure for recusal of a judge in civil case; and

WHEREAS, Code of Criminal Procedure Article 671 et seq., provides the grounds and procedure for recusal of a judge in a criminal case; and

WHEREAS, Code of Civil Procedure Article 155 requires the supreme court to appoint an ad hoc judge to hear a motion for a recusal in a civil case; and

WHEREAS, Code of Criminal Procedure Article 675 provides that a judge in the same court hears a recusal in a criminal case unless the court only has one judge in which case the supreme court will appoint an ad hoc judge to hear the recusal; and

WHEREAS, Louisiana Code of Judicial Conduct Canon 2 provides that a judge shall respect and comply with the law and shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary; and

WHEREAS, impartiality of a judge is crucial to the administration of justice; and

WHEREAS, consistent procedures, especially in a motion for recusal, ensures equal justice across all courts.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby authorize and direct the Louisiana State Law Institute to study and recommend legislation for implementation of procedures for recusal of judges and justices of the peace in criminal proceedings and to submit a report of its findings and recommendations to the legislature no later than February 1, 2026.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the director of the Louisiana State Law Institute.

BE IT FURTHER RESOLVED that the Louisiana State Law Institute shall submit one printed copy and one electronic copy of any report produced pursuant to this Resolution to the David R. Poynter Legislative Research Library as required by R.S. 24:772.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE