

Regular Session, 2001

HOUSE BILL NO. 1783

BY REPRESENTATIVES LEBLANC, DEWITT, AND TOWNSEND AND SENATOR DARDENNE

APPROPRIATIONS: Appropriates funds for the expenses of the judiciary

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; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1.A. The sum of Eighty-two Million Seven Hundred Forty Thousand Two
7 Hundred Twenty-three and No/100 (\$82,740,223.00) Dollars, or so much thereof as may be
8 necessary, is hereby appropriated to defray the expenses of the judiciary, including the
9 Supreme Court, Courts of Appeal, the District Courts, the Criminal District Court of Orleans
10 Parish, and of the other courts.

11 B. The total amount herein appropriated is hereby allocated to provide as follows:

12 **03-8170 SUPREME COURT**

13 **Program Description:** *The Supreme Court has general supervisory jurisdiction*
14 *over all lower courts. It may establish procedural and administrative rules not in*
15 *conflict with law and may assign a sitting or retired judge to any court. The*
16 *Supreme Court has sole authority to provide by rule for appointments of attorneys*
17 *as temporary or ad hoc judges. It considers applications for writs to review*
18 *individual cases, and in addition, has criminal and other appellate jurisdiction. The*
19 *Supreme Court has exclusive original jurisdiction of disciplinary proceedings*
20 *against lawyers, recommendations of the Judiciary Commission for the discipline*
21 *of judges, and fact questions affecting its own appellate jurisdiction. It has inherent*
22 *authority to regulate the legal profession and to promulgate and update the Code*
23 *of Judicial Conduct. The court also provides judicial training through the Judicial*
24 *College and works to improve the administration of justice.*

25 **Mission Statement:** *The mission of the Supreme Court of Louisiana is to protect*
26 *and promote the rule of law, to ensure public trust, to use public resources*
27 *efficiently, to ensure the highest professional conduct, integrity, and competence of*
28 *both the bench and the bar, and to ensure the proper administration and*
29 *performance of all courts under its authority.*

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

1 **Objective:** To provide a reasonable opportunity for litigants to seek review in the
2 Supreme Court of decisions made by lower tribunals.

3 **General Performance Information:**

	1998	1999	2000
4 <i>Total Filings</i>	3,223	3,652	3,565
5 <i>Total Appeals Filed</i>	33	43	41
6 <i>Total Writs Filed</i>	3,037	3,455	3,378
7 <i>Total Dispositions Rendered</i>	3,386	3,290	3,027

8
9 **Goal:** To promote the rule of law.

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

11 **General Performance Information:**

	1998	1999	2000
12 <i>Percentage of noncriminal case</i>			
13 <i> applications acted on within Supreme</i>			
14 <i> Court standard of 120 days of filing</i>	96.60%	95.30%	96.07%
15 <i>Percentage of criminal case applications</i>			
16 <i> acted on within Supreme Court</i>			
17 <i> standard of 120 days of filing</i>	53.00%	61.00%	29.40%
18 <i>Percentage of pro se post conviction</i>			
19 <i> applications acted on within supreme</i>			
20 <i> Court standard of 120 days of filing</i>	19.00%	28.00%	15.72%
21 <i>Percentage of bar disciplinary filings</i>			
22 <i> acted upon within Supreme Court</i>			
23 <i> standard of 120 days of filing</i>	99.00%	94.60%	86.15%
24 <i>Percentage of opinions rendered within</i>			
25 <i> Supreme Court standard of 84 days</i>			
26 <i> from argument</i>	71.80%	63.80%	80.00%

27
28 **Goal:** To ensure the public trust.

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

30 **General Performance Information:**

	1998	1999	2000
31 <i>Percentage of written opinions available</i>			
32 <i> to the public within 5 days of decision</i>	100%	100%	100%

33
34 **Objective:** To inform the public of operations and activities.

35 **General Performance Information:**

	1998	1999	2000
36 <i>Number of outreach programs</i>	16	17	11
37 <i>Number of media releases on court decisions</i>	107	110	94
38 <i>Number of media releases on other matters</i>	66	38	16
39 <i>Number of recipients of releases on</i>			
40 <i> court decisions</i>	1,040	1,105	4,418
41 <i>Number of recipients of releases on other</i>			
42 <i> matters</i>	1,077	1,090	3,697

43
44 **Objective:** To ensure the highest professional conduct, integrity, and competence of
45 the bench.

46 **General Performance Information:**

	1998	1999	2000
47 <i>Average number of hours acquired</i>			
48 <i> through continuing legal education</i>			
49 <i> per judge</i>	27.9	27.39	
50 <i>Number of complaints filed against</i>			
51 <i> judges and justices of the peace</i>	426	427	479
52 <i>Number of complaints against judges</i>			
53 <i> and justices of the peace resolved or</i>			
54 <i> disposed of in calendar year</i>	406	412	490

1	05	Compensation and expenses of retired	
2		judges assigned under Article V,	
3		Section 5(A) of the Constitution of	
4		Louisiana, be it more or less estimated at	\$ 583,950
5			
6		Compensation and expenses of three retired	
7		judge panel assigned to the First Circuit	
8		Court of Appeal	\$ 567,096
9	06	Law Library of Louisiana for salaries,	
10		services, supplies, maintenance, repairs,	
11		and equipment	\$ 1,312,652
12		Program Description: <i>The Law Library of Louisiana was created by an Act of the</i>	
13		<i>Legislature in 1855 to serve the legal information needs of the public, the state</i>	
14		<i>judiciary, and the practicing bar.</i>	
15	07	Salaries and expenses of transferred	
16		judges assigned under Article V,	
17		Section 5(A) of the Constitution,	
18		be it more or less estimated at	\$ 120,000
19			
20	08	Retirement pay for services rendered by	
21		justices and judges of all courts, as	
22		provided by R.S. 11:1358 and	
23		R.S. 13:103	\$ 2,422,554
24	09	Pensions for widows of justices and	
25		judges of all courts, as provided by	
26		R.S. 11:1371 and R.S. 11:1381, be it	
27		more or less estimated at	\$ 1,355,628
28	10	Judicial College	\$ 133,845
29		Program Description: <i>The Judicial College was established by order of the</i>	
30		<i>Supreme Court in 1976 to provide continuing legal education to Louisiana judges.</i>	
31	11	State contribution to judicial	
32		retirement provided for in Article V,	
33		Section 23 of the Constitution and	
34		R.S. 11:551 et seq., be it more or	
35		less estimated at	\$ 3,282,701
36	12	Civil commitment matters as	
37		required by R.S. 28:54	\$ 143,424
38	13	Funding for statewide operations	
39		of the Louisiana Protective Order	
40		Registry (R.S. 46:2136.2) under the	
41		Case Management Information System	\$ 450,068
42	14	Payable out of the State General Fund (Direct)	
43		for the expenses associated with the operation	
44		of the Families in Need of Services Program (FINS)	<u>\$ 1,700,965</u>
45		Program Description: <i>The mission of the FINS Assistance Program is to assist</i>	
46		<i>local FINS processes by developing and implementing a needs-based allocation</i>	
47		<i>formula; developing, implementing, and mandating the use of a uniform data system</i>	

1 *for tracking, managing, and reporting FINS informal cases; developing and*
2 *mandating the use of programmatic standards; developing, implementing, and*
3 *reporting performance indicators and measures; requiring and monitoring periodic*
4 *fiscal reports and financial accountability; and generally supervising and assisting*
5 *local FINS processes in other ways.*

6 TOTAL - GENERAL FUND \$ 21,874,339

7 15 Administrative expenses of the office
8 of the Clerk of the Louisiana Supreme
9 Court attributable to the selection
10 process of attorney chairman of the
11 Medical Review Panel as provided
12 for in R.S. 40:1299.47 to be paid out
13 of the Patient’s Compensation Fund \$ 10,000

14 16 Payable out of the State General Fund
15 from Statutory Dedications, Judges’
16 Supplemental Compensation Fund,
17 R.S. 13:10.3, be it more or less
18 estimated at \$ 4,000,000

19 **Program Description:** *The Judges’ Supplemental Compensation Fund was*
20 *established by the Legislature in 1985 to fund salary supplements and salary-related*
21 *expenses to judges and commissioners. The funding source is a non-refundable*
22 *filing fee assessed on civil filings as provided in R.S. 13:10.3.*

23 17 Payable out of the State General Fund
24 from Statutory Dedications, Trial Court
25 Case Management Information Fund, for
26 the Case Management Information System,
27 Article 887(F) of the Code of Criminal
28 Procedure, be it more or less estimated at \$ 1,597,840

29 **Program Description:** *The Case Management Information System (CMIS) was*
30 *created by the Supreme Court in 1993 to provide a statewide information system for*
31 *tracking and managing criminal, civil, juvenile, traffic, and appellate cases as well*
32 *as protective orders. Data is received from courts statewide, transferred to the*
33 *CMIS repository, and made available to courts and executive branch agencies.*
34 *Additional information will also be available from the Department of Public Safety*
35 *& Corrections. CMIS is funded from a court cost assessed on all criminal and*
36 *traffic convictions as provided under C.Cr.P. 887(F).*

37 TOTAL SUPREME COURT \$ 27,482,179

38
39 **03-8171 COURTS OF APPEAL**

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

48 **Mission Statement:** *The mission of the appellate courts of Louisiana is to provide*
49 *meaningful access to all who seek review under the Courts’ appellate and*
50 *supervisory jurisdiction granted by the Louisiana Constitution while protecting and*
51 *promoting the rule of law, preserving the public trust, and using public resources*
52 *efficiently.*

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

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

4 **General Performance Information:**

	1998	1999	2000
5 <i>Total appeals filed</i>	4,136	4,213	4,555
6 <i>Total writs filed</i>	6,374	6,900	6,123
7 <i>Total dispositions rendered</i>	9,074	9,385	8,767

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

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

11 **General Performance Information:**

12 *Average number of days from lodging of the appeal to argument: Time Standard =*
13 *no more than 175 days Year 1996 Compared to 2000*

	1996	2000
14 <i>Criminal cases</i>	263	255
15 <i>Civil cases</i>	178	236
16 <i>Total</i>	204	243

18 *Average number of days from argument to rendering of the opinion: Time Standard*
19 *= no more than 70 days*

20 <i>Criminal cases</i>	48	41
21 <i>Civil cases</i>	63	55
22 <i>Total</i>	58	49

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

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

25 **General Performance Information:**

	1998	1999	2000
26 <i>Percentage of written opinions available</i>			
27 <i>to the public within 5 days of decision</i>	100%	100%	100%

29 Payable out of the State General Fund:

30 01	Salaries of fifty-three (53) Judges of 31 the Courts of Appeal, R.S. 13:311	\$ 4,607,616
32 02	Salaries and expenses of operation and 33 maintenance of the Court of Appeal, 34 First Circuit	\$ 5,887,254
35 03	Salaries and expenses of operation and 36 maintenance of the Court of Appeal, 37 Second Circuit	\$ 3,439,431
38 04	Salaries and expenses of operation and 39 maintenance of the Court of Appeal, 40 Third Circuit	\$ 5,046,134
41 05	Salaries and expenses of operation and 42 maintenance of the Court of Appeal, 43 Fourth Circuit	\$ 4,978,704

1	06	Salaries and expenses of operation and	
2		maintenance of the Court of Appeal,	
3		Fifth Circuit	\$ 3,425,486

4	TOTAL COURTS OF APPEAL	\$ 27,384,625
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5 **03-8172 DISTRICT COURTS**

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

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

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

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

33 **General Performance Information:**

34		1999
35	<i>Percentage of surveyed district court judges indicating court</i>	
36	<i>security is an issue the judiciary should address</i>	
37	<i>within the next five years</i>	87.0%
38	<i>Percentage of surveyed district court judges indicating customer</i>	
39	<i>service/user-friendly courts is an issue the judiciary</i>	
40	<i>should address within the next five years</i>	77.3%

41 **Objective:** To give all who appear before the court reasonable opportunities to
42 participate effectively without undue hardship or inconvenience.

43 **General Performance Information:**

44		2000
45	<i>Percentage of district courts audited for ADA compliance</i>	38.3%
46	<i>Percentage of parishes covered by audit of ADA compliance</i>	40.6%

47 **Objective:** To ensure that all judges and other trial court personnel are courteous and
48 responsive to the public and accord respect to all with whom they come into contact.

49 **General Performance Information:**

50		1998	1999
51	<i>Percentage of surveyed court users indicating judges</i>		
52	<i>show courtesy and respect to people using</i>		
53	<i>the Louisiana court system</i>	64%	
54	<i>Percentage of surveyed court users indicating court</i>		
55	<i>personnel show courtesy and respect to people</i>		
56	<i>using the Louisiana court system</i>	69%	
57	<i>Percentage of surveyed district court judges indicating</i>		
58	<i>professionalism is a continuing issue the</i>		
59	<i>judiciary should address within the next five years</i>		79.2%

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

5 **General Performance Information:**

	1998
<i>Percentage of surveyed court users indicating going to court costs too much</i>	83%

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

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

12 **General Performance Information:**

	1999	2000
<i>Number of parishes reporting criminal disposition data to CMIS</i>	39	50
<i>Percentage of parishes reporting criminal disposition data to CMIS</i>	60.9%	78%
<i>Percentage of surveyed district court judges indicating improved delay reduction is an issue the judiciary should address within the next five years</i>	69.5%	
<i>Percentage of surveyed district court judges indicating improved training in delay reduction and case management is an issue the judiciary should address within the next five years</i>	77.6%	
<i>Percentage of surveyed district court judges indicating the use of better case management techniques is an issue the judiciary should address within the next five years</i>	75.3%	
<i>Percentage of surveyed district court judges indicating the use of better case management information systems is an issue the judiciary should address Within the next five years</i>	83.4%	
<i>Percentage of surveyed district court judges indicating the use of integrated case management information systems is an issue the judiciary should address within the next five years</i>	73.3%	

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

38 **General Performance Information:**

	1999
<i>Percentage of surveyed district court judges indicating better jury management is an issue the judiciary should address within the next five years</i>	68.2%

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

45 **Objective:** To ensure that the jury venire is representative of jurisdiction from which
 46 it is drawn.

47 **General Performance Information:**

	1999
<i>Percentage of surveyed parish clerks of court using more than voter registration rolls to select jury pool</i>	34.4%

51 **Goal:** To maintain constitutional independence, while observing the principle of
 52 cooperation with other branches of government.

1 **Objective:** To maintain the courts' constitutional independence while observing the
2 principle of cooperation with other branches of government.

3 **General Performance Information:**

4		1999
5	<i>Percentage of surveyed district court judges believing</i>	
6	<i>improved coordination/communication with the other</i>	
7	<i>branches of government is an issue the judiciary</i>	
8	<i>should address within the next five years</i>	68.0%

9 **Objective:** To seek, use and account for public resources in a responsible manner.

10 **General Performance Information:**

11		1999
12	<i>Number of district court judges lacking full-time law clerks</i>	54
13	<i>Percentage of those judges lacking full-time law clerks</i>	24.8%

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

15 **General Performance Information:**

16		1999
17	<i>Percentage of surveyed district court judges indicating improved</i>	
18	<i>outreach/public education is an issue the judiciary should</i>	
19	<i>address within the next five years</i>	72.7%

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

22 **General Performance Information:**

23		1999
24	<i>Percentage of surveyed district court judges indicating better court</i>	
25	<i>technology is an issue the judiciary should address within</i>	
26	<i>the next five years</i>	91.4%
27	<i>Percentage of surveyed district court judges indicating computer</i>	
28	<i>literacy training for judges is an issue the judiciary should</i>	
29	<i>address within the next five years</i>	87.7%
30	<i>Percentage of surveyed district court judges indicating uniform</i>	
31	<i>trial court rules is an issue the judiciary should address</i>	
32	<i>within the next five years</i>	58.8%
33	<i>Percentage of surveyed district court judges indicating expansion of</i>	
34	<i>alternative sanctions and treatment services for juvenile courts</i>	
35	<i>is an issue the judiciary should address in the next five years</i>	76.0%

36 Payable out of the State General Fund:

37	01	Salaries of one hundred seventy-nine	
38		(179) District Judges as provided	
39		by R.S. 13:691	\$ 14,520,480
40	02	Office and travel expenses of District	
41		Judges as provided by R.S. 13:694	\$ 1,213,000
42	03	Salaries of fourteen (14) Judges of	
43		Civil District Court, Orleans Parish,	
44		as provided by R.S. 13:691	\$ 1,135,680
45	04	Expenses of Judges of Civil District	
46		Court, Parish of Orleans, for salaries	
47		of stenographers, clerks, law books,	
48		stationery, telephone, and like expenses	
49		as provided by R.S. 13:694	\$ 70,000
50	05	Salaries of two (2) Court Reporters	
51		of the Twentieth Judicial District Court,	
52		including retirement contributions, as	
53		provided by R.S. 13:966.1	\$ 71,317

1	06	Clerk of Civil District Court, Orleans	
2		Parish, as provided by R.S. 13:1212(A)	\$ 10,000
3	07	State share of Group, Workers’	
4		Compensation, General Liability,	
5		and Property Insurance Premiums	
6		as provided by R.S. 42:851	\$ 2,486,169
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	\$ 259,172
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	\$ 261,625
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	\$ 183,140
21	11	Law Clerk, Twentieth Judicial District	
22		Court as provided by Act 747 of 1977	\$ <u>25,800</u>
23		SUBTOTAL	\$ <u>20,236,383</u>
24	12	Criminal Court - Parish of Orleans	
25		Program Description: <i>The Criminal District Court for the Parish of Orleans has</i>	
26		<i>exclusive jurisdiction of the trial and punishment of all crimes, misdemeanors, and</i>	
27		<i>offenses committed within the parish of Orleans, if the jurisdiction is not vested by</i>	
28		<i>law in some other court. The court, through its magistrate and with assistance from</i>	
29		<i>its commissioners, has the power of committing magistrates in all felony charges</i>	
30		<i>and the power to hold preliminary examinations, with authority to bail or discharge,</i>	
31		<i>or to hold for trial, in all cases before the court. The court has appellate jurisdiction</i>	
32		<i>of all cases tried before the Municipal Court of New Orleans and the Traffic Court</i>	
33		<i>of New Orleans and has general supervisory jurisdiction over these courts.</i>	
34	A.	Salaries of thirteen (13) District Judges of	
35		Criminal Court, Orleans Parish as provided	
36		by R.S. 13:691	\$ 1,054,560
37	B.	Office expenses of Judges of Criminal Court,	
38		Orleans Parish and the state’s share of group	
39		insurance for the personnel of Criminal Court as	
40		provided by R.S. 13:694 and R.S. 42:851, respectively	\$ 226,258
41	C.	Salaries of thirteen (13) minute clerks as provided	
42		by R.S. 13:1373	\$ 236,605
43	D.	Salaries of twenty-six (26) court reporters as	
44		provided by R.S. 13:1373	\$ 383,339

1	E. Salaries of four (4) commissioners of Criminal	
2	Court, Orleans Parish, including related benefits	
3	as provided by R.S. 13:1347	\$ 206,904
4	F. Office and travel expenses of commissioners as	
5	provided by R.S. 13:1347	\$ 10,000
6	G. Salaries of four (4) minute clerks, one for each	
7	commissioner as provided by R.S. 13:1373.1	\$ 60,634
8	H. Salaries of four (4) court reporters, one for each	
9	commissioner as provided by R.S. 13:1373.1	\$ 45,706
10	I. Salaries of Judicial Administrator, and assistants,	
11	including related benefits	\$ 511,063
12	J. Salaries of thirteen (13) law clerks	\$ 405,830
13	K. Salaries of four (4) secretaries	\$ 117,284
14	L. Sanity Commissions	\$ 182,172
15	M. Board of Jury Commissioners	\$ <u>231,380</u>
16	SUBTOTAL	\$ <u>3,671,735</u>
17	13 Juvenile and Family Court Judges	
18	A. Salaries of fourteen (14) Juvenile Court	
19	Judges as provided by R.S. 13:691	\$ 1,135,680
20	B. Salaries of four (4) Family Court Judges	
21	as provided by R.S. 13:691	\$ 324,480
22	C. Office expenses of Juvenile and	
23	Family Court Judges as required	
24	by R.S. 13:694	\$ <u>100,800</u>
25	SUBTOTAL	\$ <u>1,560,960</u>
26	TOTAL DISTRICT COURTS	\$ <u><u>25,469,078</u></u>
27	Payable out of the State General Fund (Direct)	
28	for salary and expenses associated with one	
29	additional judgeship in the Seventeenth Judicial	
30	District, effective January 1, 2002, but only in	
31	the event that House Bill No. 215 of the 2001	
32	Regular Session of the Legislature is enacted into	
33	law	\$ 54,047
34	Payable out of the State General Fund (Direct)	
35	for salary and expenses associated with one	
36	additional judgeship in the Nineteenth Judicial	
37	District, effective January 1, 2002, but only in	
38	the event that Senate Bill No. 561 of the 2001	
39	Regular Session of the Legislature is enacted into	
40	law	\$ 54,047

1 Payable out of the State General Fund (Direct)
 2 for salary and expenses associated with one
 3 additional judgeship in the Thirtieth Judicial
 4 District, effective January 1, 2002, but only in
 5 the event that House Bill No. 22 of the 2001
 6 Regular Session of the Legislature is enacted into
 7 law \$ 54,047

8 **03-8173 OTHER COURTS - SALARIES AND OFFICE EXPENSES AS**
 9 **REQUIRED BY STATUTE**

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

13 Payable out of the State General Fund:

14 01 Salaries of sixty-one (61) City Court
 15 Judges as provided by R.S. 13:1875 \$ 1,571,429

16 02 Salaries of four (4) Municipal, four (4)
 17 Traffic and one (1) Parish Court
 18 Judges as provided by R.S. 13:2492,
 19 2501.1, and 2563.5, respectively \$ 253,468

20 TOTAL OTHER COURTS REQUIRED BY STATUTE \$ 1,824,897

21 **03-8174 OTHER COURTS - SALARIES AND OFFICE EXPENSES NOT**
 22 **REQUIRED BY STATUTE**

23 Payable out of the State General Fund:

24 01 Orleans Parish Juvenile Protective
 25 Care Monitoring Program \$ 335,713

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

29 02 Orleans Parish Juvenile Court Reporters, to provide
 30 for a salary supplement for existing positions \$ 56,590

31 03 For the expenses of the Judges'
 32 Assistance Program \$ 25,000

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

35 TOTAL OTHER COURTS NOT REQUIRED BY STATUTE \$ 417,303

36 Section 2.A. The Chief Justice of the Supreme Court, or his duly authorized and
 37 appointed agent, shall warrant the state treasurer for the allocations herein provided, or for
 38 so much thereof as may be necessary. The aforesaid warrant shall be paid out of the state
 39 general fund, and the state treasurer shall pay said warrant by preference over all other
 40 warrants, except warrants for the salaries of constitutional officers of the state and warrants

1 for expenses of the legislature, which shall be concurrent with the warrant provided by this
2 Act.

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

5 C. Any funds herein allocated to the judiciary, any portion of the funds previously
6 appropriated to the judiciary, other revenue of the judiciary or its agencies, and interest
7 earnings, are hereby appropriated and may be used to defray the expenses of the judiciary;
8 however, all funds remaining unexpended or unencumbered shall be returnable to the state
9 general fund on or before September 1, 2002.

10 D. For Fiscal Year 2001-2002, any surpluses occurring in the appropriations made in this
11 Act may be transferred from one agency or line-item to another during the fiscal year in
12 accordance with the rules of the Judicial Budgetary Control Board, or as approved by the
13 Supreme Court.

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

18 F. The program descriptions, general performance indicators, objectives, goals, and
19 mission statements contained in this Act are not part of the law and are not enacted into law
20 by virtue of their inclusion in this Act. The missions, goals, and objectives contained in the
21 Act are derived from performance standards established by Section 10 of Part 6 General
22 Administrative Rules of the Supreme Court of Louisiana.

23 Section 3A. The sum of One Million Six Hundred Forty-one Thousand Nine Hundred
24 Eighty-three and No/100 (\$1,641,983.00) Dollars is hereby appropriated out of the State
25 General Fund to fund a five-percent salary increase in the actual salaries of Justices of the
26 Supreme Court and Court of Appeal and District Court judges and a five-percent increase in
27 the state-paid salaries of City Court and Parish Court judges pursuant to a concurrent
28 resolution adopted during the 2001 Regular Session of the Legislature. This appropriation
29 shall be allocated to the various judges in accordance with the recommendations adopted by

1 the Judicial Compensation Commission on January 23, 2001, and as approved by the Judicial
2 Budgetary Control Board and the Supreme Court.

3 B. The sum of Fifty-one Thousand Two Hundred Sixty-seven and No/100 (\$51,267.00)
4 Dollars is hereby appropriated out of the State General Fund to fund the salary increases for
5 the Commissioners of the Fifteenth Judicial District Court and the Nineteenth Judicial District
6 Court, provided, however, that such increase shall only be effective in the event that
7 legislation revising the statutory provisions governing such compensation as contained in R.S.
8 13:713 and R.S. 13:715, respectively, is enacted into law in the 2001 Regular Session of the
9 Legislature.

10 C. The sum of Fifty-four Thousand Eight Hundred Fifty-four and No/100 (\$54,854.00)
11 Dollars is hereby appropriated out of the State General Fund to fund salary increases for the
12 Commissioners of the Orleans Parish Criminal District Court, provided, however, that such
13 increase shall only be effective in the event that legislation revising the statutory provisions
14 governing such compensation as contained in R.S. 13:1347 is enacted into law in the 2001
15 Regular Session of the Legislature.

16 Section 4. The sum of Ten Million One Hundred Eighty-one Thousand One Hundred
17 Sixty-five and No/100 (\$10,181,165.00) Dollars, be it more or less estimated, is hereby
18 appropriated out of the State General Fund by Interagency Transfers to the Supreme Court
19 from the Department of Health and Hospitals, Office of Addictive Disorders, for the
20 maintenance and enhancement of drug court services.

21 Section 5. This Act shall become effective on July 1, 2001; if vetoed by the governor and
22 subsequently approved by the legislature, this Act shall become effective on July 1, 2001, or
23 on the day following such approval by the legislature, whichever is later.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

LeBlanc, et al.

HB No. 1783

Abstract: Section 1 provides 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. Section 3 appropriates money for a 5% salary increase for the Justices of the Supreme Court, Judges of the Courts of Appeal, Judges of District Courts, for the state-paid salaries of City and Parish Court Judges as recommended by the Judicial Compensation Commission on January 23, 2001, pursuant to the adoption of a concurrent resolution in the 2001 Regular Session. Section 4 provides for transfer of monies for maintenance and enhancement of drug courts from the Office of Addictive Disorders to the Supreme Court. Also provides pay increase for certain Commissioners of the 15th and 19th JDC and the Orleans Criminal Court contingent upon statutory changes in the Regular Session.

Provides for the expenses of the judicial branch of government as follows:

(1)	Louisiana Supreme Court	\$27,482,179
(2)	Courts of Appeal	27,384,625
(3)	District Courts	20,398,524
(4)	Criminal Court, Parish of Orleans	3,671,735
(5)	Juvenile and Family Courts	1,560,960
(6)	Other Courts (Required by Statute)	1,824,897
(7)	Other Courts (Not Required by Statute)	<u>417,303</u>
	TOTAL	<u>\$82,740,223</u>

Of the \$82,740,223 appropriated to the Judiciary in Section 1 of the Act, \$77,132,383 is from the state general fund, \$4,000,000 is from the Judges' Supplemental Compensation Fund, \$1,597,840 is from the Trial Court Case Management Fund and \$10,000 is from the Patient's Compensation Fund.

Section 1 also appropriations funding necessary for one half year's operations for new judgeships in the Seventeenth, Nineteenth, and Thirtieth Judicial District Courts (JDC), contingent upon passage of legislation in the 2001 Regular Session establishing such judgeships.

Section 3 appropriates \$1,641,983 for a 5% salary increase for the Justices of the Supreme Court, Judges of the Courts of Appeal, Judges of District Courts, for the state-paid salaries of City and Parish Court Judges as recommended by the Judicial Compensation Commission on January 23, 2001, pursuant to the adoption of a concurrent resolution in the 2001 R.S. Provides for allocation in accordance with the Compensation Commission recommendation and as approved by the Judicial Budgetary Control Board and the Supreme Court.

Section 3 also appropriates \$51,267 for a salary increase for Commissioners of the 15th JDC and the 19th JDC in the event that the statutory provisions governing such compensation are revised in the 2001 R.S. Appropriates \$54,854 for the Commissioners of the Orleans Parish

Criminal District Court in the event that the statutory provisions governing such compensation are revised in the 2001 R.S.

Section 4 provides for transfer of \$10,181,165, be it more or less estimated, from the Department of Health and Hospitals, Office of Addictive Disorders, to the Supreme Court, for the purposes of maintenance and enhancement of drug courts.

Effective July 1, 2001.

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Appropriations to the original bill.

1. Adds funding for one-half year's operation of new judgeships in the 17th, 19th, and 30th judicial districts.
2. Provides funding to the Supreme Court through interagency transfer from DHH-Office of Addictive Disorders, for maintenance and enhancement of drug courts.