

2017 Regular Session

HOUSE BILL NO. 620

BY REPRESENTATIVES HENRY, BARRAS, BROADWATER, FOIL, JACKSON,
JOHNSON, LEGER, AND MAGEE AND SENATORS ALARIO AND LAFLEUR

APPROPRIATIONS: Appropriates funds for the expenses of the judiciary for Fiscal Year
2017-2018

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 One Hundred Eighty-Seven Million Three Hundred Ninety-
7 Four Thousand Three Hundred Sixty-Nine No/100 (\$187,394,369.00) Dollars, or so much
8 thereof as may be necessary, is hereby appropriated to defray the expenses of the judiciary,
9 including the Supreme Court, Courts of Appeal, the District Courts, the Criminal District
10 Court of Orleans 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 over*
14 *all lower courts. It may establish procedural and administrative rules not in conflict*
15 *with law and may assign a sitting or retired judge to any court. The Supreme Court has*
16 *sole authority to provide by rule for appointments of attorneys as temporary or ad hoc*
17 *judges. It considers applications for writs to review individual cases, and has criminal*
18 *and other appellate jurisdiction. The Supreme Court has exclusive original jurisdiction*
19 *of disciplinary proceedings against lawyers, recommendations of the Judiciary*
20 *Commission of Louisiana for the discipline of judges, and fact questions affecting its*
21 *appellate jurisdiction. It has inherent authority to regulate the legal profession and to*
22 *promulgate and update the Code of Judicial Conduct. The court also provides judicial*
23 *training through the Judicial College and works to improve the administration of*
24 *justice.*

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

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

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

4 **General Performance Information:**

5		2014	2015	2016
6	<i>Total Filings</i>	2,716	2,365	2,283
7	<i>Total Appeals Filed</i>	12	6	9
8	<i>Total Writs Filed</i>	2,496	2,172	2,092
9	<i>Total Dispositions Rendered</i>	2,592	2,486	2,142

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

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

12 **General Performance Information:**

13		2014	2015	2016
14	<i>Percentage of noncriminal case</i>			
15	<i> applications acted on within Supreme</i>			
16	<i> Court standard of 120 days of filing</i>	91.8%	97.1%	94.1%
17	<i>Percentage of criminal case applications</i>			
18	<i> acted on within Supreme Court</i>			
19	<i> standard of 120 days of filing</i>	30.7%	36.1%	48.7%
20	<i>Percentage of pro se post conviction</i>			
21	<i> applications acted on within Supreme</i>			
22	<i> Court standard of 120 days of filing</i>	2.1%	3%	26%
23	<i>Percentage of bar disciplinary filings</i>			
24	<i> acted upon within Supreme Court</i>			
25	<i> standard of 120 days of filing</i>	95.2%	97%	93.6%
26	<i>Percentage of opinions rendered within</i>			
27	<i> Supreme Court standard of 84 days</i>			
28	<i> from argument</i>	81.5%	75.8%	66.7%

29 **Goal:** To ensure the public trust.

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

31 **General Performance Information:**

32		2014	2015	2016
33	<i>Percentage of written opinions available</i>			
34	<i> to the public within 5 days of decision</i>	100%	100%	100%

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

36 **General Performance Information:**

37		2014	2015	2016
38	<i>Number of outreach programs</i>	58	100	60
39	<i>Number of media releases on court decisions</i>	64	66	78
40	<i>Number of media releases on other matters</i>	25	17	24
41	<i>Number of recipients of releases on</i>			
42	<i> court decisions</i>	1,485	1,632	1,775
43	<i>Number of recipients of releases on other</i>			
44	<i> matters</i>	3,633	4,700	6,010

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

47 **General Performance Information:**

48		2014	2015	2016
49	<i>Average number of hours acquired</i>			
50	<i> through continuing legal education</i>			
51	<i> per judge</i>	33.59	34.25	30.08
52	<i>Number of complaints filed against</i>			
53	<i> judges and justices of the peace</i>	495	529	545
54	<i>Number of complaints against judges</i>			
55	<i> and justices of the peace resolved or</i>			
56	<i> disposed of in the calendar year</i>	477	601	582

57 **Objective:** To ensure the highest professional conduct, integrity, and competence of the
58 bar.

59 **General Performance Information:**

60		2014	2015	2016
61	<i>Average number of hours acquired through</i>			
62	<i> continuing legal education per lawyer</i>	14.92	15.12	15.08
63	<i>Number of complaints filed against lawyers</i>	3,040	2,950	2,922
64	<i>Number of complaints filed against lawyers</i>			
65	<i> resolved or disposed of in calendar year</i>	3,140	3,046	2,673

1 Payable out of the State General Fund (Direct):

2 01 Salaries of one (1) Chief Justice and six (6)
3 Associate Justices of the Supreme Court,
4 as provided by R.S. 13:102 \$ 1,125,128

5 02 Salaries and other expenses of the
6 Supreme Court Proper and salary of
7 the Crier of the Supreme Court \$ 10,654,654

8 03 Expenses of Judicial Administrator's
9 Office and of the Judiciary Commission
10 provided for in Article V, Section
11 25 of the Constitution of Louisiana and
12 under the provisions of R.S. 13:32 et seq.

13 A. Expenses of Judicial Administrator's Office \$ 5,278,486

14 **Program Description:** *The Judicial Administrator's Office assists the Supreme Court in the*
15 *administration of the state court system. It staffs the Judicial Council and the Judiciary Commission of*
16 *Louisiana. Through the Judicial Council, it performs studies and makes recommendations for the creation*
17 *of new judgeships and for improving the administration of justice. The Judicial Administrator's Office*
18 *provides payroll and other fiscal services to the Judiciary, including the administration of a judicial*
19 *retirement system; support for the Supreme Court and Appellate Court human resource system;*
20 *technological services to courts; and, manages the Trial Court Case Management Information System.*
21 *The Judicial Administrator's Office also manages the ad hoc judgeship system, monitors cases under*
22 *advisement, provides outreach services to state and local courts, staffs the Committee on Judicial Ethics,*
23 *and performs numerous legal services for the Supreme Court and the Judiciary.*

24 B. Expenses of Judiciary Commission \$ 2,068,854

25 **Program Description:** *The Judiciary Commission of Louisiana is a constitutional body established under*
26 *Article V, Section 25 of the Constitution of 1974 to accept, screen, investigate, and prosecute complaints*
27 *of judicial misconduct. As part of its authority, it may recommend to the Supreme Court the censure,*
28 *suspension, removal from office, or involuntary retirement of any judge for ethical misconduct.*

29 C. Court Reporters; Statistical Reporting Systems \$ 420,020

30 D. Dues to National Center for State Courts \$ 158,650

31 04 Louisiana Attorney Disciplinary Board,
32 as per Louisiana Supreme Court Rule XIX \$ 3,000

33 05 Compensation and expenses of retired
34 judges assigned under Article V,
35 Section 5(A) of the Constitution of
36 Louisiana, be it more or less estimated at \$ 1,416,000

37 06 Law Library of Louisiana for salaries,
38 services, supplies, maintenance, repairs,
39 and equipment \$ 2,060,337

40 **Program Description:** *The Law Library of Louisiana serves the legal information needs of the state*
41 *judiciary, and is open to members of the bar and public.*

42 07 Salaries and expenses of transferred
43 judges assigned under Article V,
44 Section 5(A) of the Constitution,
45 be it more or less estimated as \$ 146,663

46 08 Retirement pay for services rendered by
47 justices and judges of all courts, as
48 provided by R.S. 11:1358 and
49 R.S. 13:103 \$ 1,365,669

1	09	Pensions for widows of justices and	
2		judges of all courts, as provided by	
3		R.S. 11:1371 and R.S. 11:1381, be it	
4		more or less estimated at	\$ 1,469,984
5	10	Judicial College	\$ 303,725
6	Program Description: <i>The Judicial College was established by order of the Supreme Court in 1976 to</i>		
7	<i>provide continuing legal education to Louisiana judges.</i>		
8	11	State contribution to judicial	
9		retirement provided for in Article V,	
10		Section 23 of the Constitution and	
11		R.S. 11:551 et seq., be it more or	
12		less estimated at	\$ 19,013,380
13	12	Civil commitment matters as	
14		required by R.S. 28:54	\$ 204,000
15	13	Paul M. Hebert Law Center for the expenses	
16		of storage of appellate court records	\$ 60,000
17	14	Funding for statewide operations of the	
18		Louisiana Protective Order Registry	
19		(R.S. 46:2136.2) under the Case	
20		Management Information System	\$ 1,368,548
21	15	Information Technology	\$ 1,104,532
22	16	Payable out of the State General Fund for the	
23		expenses associated with the operation of the	
24		Families in Need of Services Program (FINS)	\$ 2,354,780
25	Program Description: <i>The mission of the FINS Assistance Program is to assist local FINS processes by</i>		
26	<i>developing and implementing a needs-based allocation formula; developing, implementing, and mandating</i>		
27	<i>the use of a uniform data system for tracking, managing, and reporting FINS informal cases; developing</i>		
28	<i>and mandating the use of programmatic standards; developing, implementing, and reporting performance</i>		
29	<i>indicators and measures; requiring and monitoring periodic fiscal reports and financial accountability;</i>		
30	<i>and, generally supervising and assisting local FINS processes in other ways.</i>		
31	17	Drug court maintenance and enhancement	\$ 17,145,514
32	Program Description: <i>Drug treatment courts, authorized in 1997 by R.S. 13:5301 through R.S. 13:5304,</i>		
33	<i>provided integrated substance abuse treatment, sanctions, and incentives with case processing to place</i>		
34	<i>low-level, nonviolent drug-involved defendants in community-based, judicially supervised rehabilitation</i>		
35	<i>programs. Clients are regularly tested and monitored for compliance with educational, employment, and</i>		
36	<i>treatment requirements set by the court.</i>		
37	18	Court Appointed Special Advocates	\$ 6,958,734
38	Program Description: <i>The purpose of the CASA Assistance Program is to promote timely placement of</i>		
39	<i>children in need of care in permanent, safe and stable homes, in accordance with the provisions of</i>		
40	<i>Children's Code articles 424-426. Services are provided through local CASA programs which recruit,</i>		
41	<i>screen, train and supervise community advocates. Upon appointment by the trial judge, qualified</i>		
42	<i>advocates serve children by providing independent factual information to the judge, advocating for the best</i>		
43	<i>interest of the children, monitoring cases to which they have been assigned, and advising and assisting the</i>		
44	<i>judge in the determination of the best interest of the children involved.</i>		
45	TOTAL - GENERAL FUND		<u>\$ 74,680,658</u>
46	19	Payable out of the State General Fund	
47		from Statutory Dedications, Judges'	
48		Supplemental Compensation Fund,	
49		R. S. 13:10.3, be it more or less	
50		estimated at	\$ 6,223,724

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

20

Payable out of the State General Fund
from Statutory Dedications, Trial Court
Case Management Information Fund, for
the Case Management Information System,
Article 887 (F) of the Code of Criminal
Procedure, be it more or less estimated at

\$ 4,017,201

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

TOTAL - STATE GENERAL FUND

BY STATUTORY DEDICATIONS

\$ 10,240,925

TOTAL SUPREME COURT

\$ 84,921,583

03-8171 COURTS OF APPEAL

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

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

Goal: To protect the rule of law.

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

General Performance Information:				
	2014	2015	2016	
Total appeals filed	2,050	2,053	1,783	
Total writs filed	4,325	4,048	3,670	
Total dispositions rendered	5,741	5,019	4,761	

Goal: To promote the rule of law.

Objective: To resolve cases expeditiously.

General Performance Information:			
	2014	2015	2016
<i>Average number of days from lodging of the appeal to argument:</i>			
<i>Time Standard = no more than 175 days.</i>			
<i>Criminal cases</i>	<i>151</i>	<i>143</i>	<i>162</i>
<i>Civil Cases</i>	<i>149</i>	<i>147</i>	<i>155</i>
<i>Median number of days for all cases</i>	<i>149</i>	<i>146</i>	<i>158</i>

Average number of days from argument to rendering of the opinion:				
Time Standard = no more than 70 days.				
Criminal cases	38	43	43	
Civil cases	44	43	42	
Median number of days for all cases	43	43	43	

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

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

3 **General Performance Information:**

	2014	2015	2016
Percentage of written opinions available to the public within 5 days of decision	100%	100%	100%

7 Payable out of the State General Fund:

01	Salaries of five (5) Chief Judges and forty-eight (48) Judges of the Courts of Appeal, R.S. 13:311	\$ 7,912,546
02	Salaries and expenses of operation and maintenance of the Court of Appeal, First Circuit	\$ 10,469,867
03	Salaries and expenses of operation and maintenance of the Court of Appeal, Second Circuit	\$ 5,868,157
04	Salaries and expenses of operation and maintenance of the Court of Appeal, Third Circuit	\$ 8,930,244
05	Salaries and expenses of operation and maintenance of the Court of Appeal, Fourth Circuit	\$ 8,347,759
06	Salaries and expenses of operation and maintenance of the Court of Appeal, Fifth Circuit	\$ 6,022,679
TOTAL COURTS OF APPEAL		<u>\$ 47,551,252</u>

27 **03-8172 DISTRICT COURTS**

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

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

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

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

General Performance Information:

	2014	2015	2016
<i>Percentage of surveyed district court chief judges indicating actions taken in FY 2015-2016 to improve compliance with the Americans with Disabilities Act (ADA)</i>	97.9%	93.8%	81.3%

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

General Performance Information:

	2014	2015	2016
<i>Percentage of surveyed district court chief judges indicating actions taken in FY 2015-2016 to assist self-represented litigants</i>	97.9%	97.9%	85.4%

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

Objective: To encourage timely case management and processing.

General Performance Information:

	2014	2015	2016
<i>Number of parishes reporting criminal disposition data to CMIS</i>	64	64	64
<i>Percentage of parishes reporting criminal disposition data to CMIS</i>	100%	100%	100%
<i>Percentage of surveyed district court chief judges indicating that their courts had taken steps within FY 2015-2016 to reduce delays and improve the timeliness of case processing</i>	91.7%	97.9%	87.5%

Objective: To enhance jury service.

General Performance Information:

	2014	2015	2016
<i>Percentage of surveyed district court chief judges indicating that their court had taken steps within FY 2015-2016 to make jury service more convenient or effective</i>	93%	100%	90.7%

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

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

General Performance Information:

	2014	2015	2016
<i>Percentage of surveyed district court chief judges indicating actions taken in FY 2015-2016 to improve employee training and development</i>	95.8%	87.5%	85.4%
<i>Percentage of surveyed district court chief judges indicating actions taken in FY 2015-2016 to install or implement technologies</i>	95.8%	100%	91.7%

Goal: To maintain judicial independence, while observing the principle of comity in its governmental relations and accountability to the public.

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

General Performance Information:

	2014	2015	2016
<i>Percentage of surveyed district court chief judges indicating that their courts regularly provided public education and public outreach services in FY 2015-2016</i>	89.6%	97.9%	87.5%

1	Payable out of the State General Fund:		
2	01	Salaries of one hundred ninety-one	
3		(191) District Judges as provided	
4		by R.S. 13:691	\$ 27,187,586
5	02	Office and travel expenses of District	
6		Judges as provided by R.S. 13:698 and	
7		R.S. 13:694, respectively	\$ 1,285,250
8	03	Salaries of fourteen (14) Judges of	
9		Civil District Court, Orleans Parish,	
10		as provided by R.S. 13:691	\$ 1,992,807
11	04	Expenses of Judges of Civil District	
12		Court, Parish of Orleans, for salaries	
13		of stenographers, clerks, law books,	
14		stationery, telephone, and like expenses	
15		as provided by R.S. 13:698	\$ 80,500
16	05	Salaries of two (2) Court Reporters	
17		of the Twentieth Judicial District Court,	
18		including retirement contributions, as	
19		provided by R.S. 13:966.1	\$ 117,697
20	06	Clerk of Civil District Court, Orleans	
21		Parish, as provided by R.S. 13:1212(A)	\$ 10,000
22	07	State share of Group, Workers'	
23		Compensation, General Liability,	
24		and Property Insurance Premiums	
25		as provided by R.S.42:851	\$ 7,471,735
26	08	Salaries of two (2) commissioners of	
27		the Nineteenth Judicial District and	
28		one (1) commissioner of the Fifteenth	
29		Judicial District as provided by	
30		R.S. 13:712 and R.S. 13:715,	
31		respectively	\$ 569,959
32	09	Office expenses for the Judicial	
33		Expense Fund of the Nineteenth Judicial	
34		District Court as provided by	
35		R.S. 13:711-713	\$ 470,893
36	10	Office expenses for the Judicial	
37		Expense Fund of the Fifteenth	
38		Judicial District Court as provided	
39		by R.S. 13:714-716	\$ 304,827
40	11	Law Clerk, Twentieth Judicial District	
41		Court as provided by Act 747 of 1977	\$ 51,118
42	12	For the expenses of the Judicial Expense	
43		Fund, Tenth Judicial District Court as	
44		provided by Act 57 of 2006	<u>\$ 35,000</u>
45	SUBTOTAL		<u>\$ 39,577,372</u>

1 13 Criminal Court - Parish of Orleans

2 **Program Description:** *The Criminal District Court for the Parish of Orleans has exclusive jurisdiction*
3 *of the trial and punishment of all crimes, misdemeanors, and offenses committed within the parish of*
4 *Orleans, if the jurisdiction is not vested by law in some other court. The court, through its magistrate and*
5 *with assistance from its commissioners, has the power of committing magistrates in all felony charges and*
6 *the power to hold preliminary examinations, with authority to bail or discharge, or to hold for trial, in all*
7 *cases before the court. The court has appellate jurisdiction of all cases tried before the Municipal Court*
8 *of New Orleans and the Traffic Court of New Orleans and has general supervisory jurisdiction over these*
9 *courts.*

10	A. Salaries of thirteen (13) District Judges of		
11	Criminal Court, Orleans Parish as provided		
12	by R.S. 13:691	\$	1,850,464
13	B. Office expenses of Judges of Criminal Court,		
14	Orleans Parish as provided by R.S. 13:698	\$	74,750
15	C. State's share of group insurance for the personnel		
16	of Criminal Court as provided by R.S. 42:851	\$	736,127
17	D. Salaries of thirteen (13) minute clerks as provided		
18	by R.S. 13:1373.1	\$	288,063
19	E. Salaries of twenty-six (26) court reporters as		
20	provided by R.S. 13:1373.1	\$	454,091
21	F. Salaries of four (4) commissioners of Criminal		
22	Court, Orleans Parish, including related benefits		
23	as provided by R.S. 13:1347	\$	503,908
24	G. Office and travel expenses of commissioners as		
25	provided by R.S. 13:1347	\$	10,600
26	H. Salaries of four (4) minute clerks, one for each		
27	commissioner as provided by R.S. 13:1347	\$	75,371
28	I. Salaries of four (4) court reporters, one for each		
29	commissioner as provided by R.S. 13:1347	\$	57,311
30	J. Salaries of Judicial Administrator, and assistants,		
31	including related benefits	\$	1,007,453
32	K. Salaries of thirteen (13) law clerks	\$	733,824
33	L. Salaries of four (4) secretaries	\$	212,661
34	M. Sanity Commissions	\$	200,000
35	N. Board of Jury Commissioners	\$	434,248
36	SUBTOTAL	\$	<u>6,638,871</u>

37 14 Juvenile and Family Court Judges

38	A. Salaries of fourteen (14) Juvenile Court		
39	Judges as provided by R.S. 13:691	\$	1,992,807
40	B. Salaries of four (4) Family Court Judges		
41	as provided by R.S. 13:691	\$	569,374

1	C. Office and travel expenses of Juvenile and Family	
2	Court Judges as provided by R.S. 13:698	
3	and R.S. 13:694, respectively	\$ 103,500
4	SUBTOTAL	\$ 2,665,681
5	TOTAL DISTRICT COURTS	\$ 48,881,924

6 **03-8173 OTHER COURTS - SALARIES AND OFFICE EXPENSES AS REQUIRED**
7 **BY STATUTE**

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

11 **Mission Statement:** *The mission of the city and parish courts of Louisiana is to provide*
12 *access to justice, to meet all responsibilities in a timely and expeditious manner, to*
13 *provide equality, fairness and integrity in their proceedings, to maintain judicial*
14 *independence and accountability, and to reach a fair and just result by adherence to the*
15 *procedural and substantive law, thereby instilling trust and confidence in the public.*

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

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

20 **General Performance Information:**

21		2014	2015	2016
22	Percentage of surveyed city/parish court chief			
23	judges indicating actions taken in			
24	FY 2015-2016 to assist pro se litigants	100%	96.2%	96.2%

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

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

28 **General Performance Information:**

29		2014	2015	2016
30	Percentage of surveyed city/parish court chief			
31	judges indicating that their courts had			
32	taken steps within FY 2015-2016 to reduce			
33	delays and improve the timeliness of case			
34	processing	84.6%	88.5%	92.3%

35 **Goal:** To maintain judicial independence, while observing the principle of comity in
36 its governmental relations and accountability to the public.

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

38 **General Performance Information:**

39		2014	2015	2016
40	Percentage of surveyed city/parish court chief			
41	judges indicating that their courts			
42	regularly provided public education and			
43	public outreach services in FY 2015-			
44	2016	92.3%	92.3%	88.5%

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

47 **General Performance Information:**

48		2014	2015	2016
49	Percentage of surveyed city/parish court chief			
50	judges indicating actions taken in			
51	FY 2015-2016 to improve employee			
52	training and development	94.2%	98.1%	96.2%
53	Percentage of surveyed city/parish court chief			
54	judges indicating actions taken in			
55	FY 2015-2016 to install or implement			
56	technologies	92.3%	96.2%	90.4%

1 Payable out of the State General Fund:

2 01 Salaries of sixty (60) City Court
3 Judges as provided by R.S. 13:1875 \$ 2,757,560

4 02 Salaries of four (4) Municipal, four (4)
5 Traffic and one (1) Parish Court
6 Judges as provided by R.S. 13:2492,
7 13:2501.1, and 13:2563.5, respectively \$ 444,777

8 TOTAL OTHER COURTS REQUIRED BY STATUTE \$ 3,202,337

9 **03-8174 OTHER COURTS - SALARIES AND OFFICE EXPENSES NOT**
10 **REQUIRED BY STATUTE**

11 Payable out of the State General Fund:

12 01 Orleans Parish Juvenile Protective
13 Care Monitoring Program \$ 614,938

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

16 02 Orleans Parish Juvenile Court Reporters \$ 88,244

17 03 For the expenses of the Judges'
18 Assistance Program \$ 63,238

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

21 TOTAL OTHER COURTS NOT REQUIRED BY STATUTE \$ 766,420

22 **03-8175 NON-JUDICIAL STATE EXPENSES**

23 Payable out of the State General Fund:

24 01 Legal representation of children in child protection cases \$ 2,070,853

25 **Program Description:** *As recommended by the Task Force on Legal representation*
26 *in Child Protection Cases and at the request of the Division of Administration, in*
27 *order to advance the administration of justice, the Supreme Court administers*
28 *funding to provide qualified legal representation for children in child protection*
29 *cases as required to fulfill the state's statutory responsibility.*

30 TOTAL NON-JUDICIAL STATE EXPENSES \$ 2,070,853

31 Section 2.A. The Chief Justice of the Supreme Court, or her duly authorized and
32 appointed agent, shall warrant the state treasurer for the allocations herein provided, or for
33 so much thereof as may be necessary. The aforesaid warrant shall be paid out of the state
34 general fund, and the state treasurer shall pay said warrant by preference over all other
35 warrants, except warrants for the salaries of constitutional officers of the state and warrants
36 for expenses of the legislature, which shall be concurrent with the warrant provided by this
37 Act.

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

3 C. Any funds herein allocated to the judiciary, any portion of the funds previously
4 appropriated to the judiciary, other revenue of the judiciary or its agencies, and interest
5 earnings are hereby appropriated and may be used to defray the expenses of the judiciary;
6 however, all funds remaining unexpended or unencumbered shall be returnable to the state
7 general fund on or before September 1, 2018.

8 D. For Fiscal Year 2017-2018, any surpluses occurring in the appropriations made in
9 this Act may be transferred from one agency or line-item to another during the fiscal year
10 in accordance with the rules of the Judicial Budgetary Control Board, or as approved by the
11 Supreme Court.

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

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

21 G. The inclusion in this Act of staff salaries and benefits for lower court or other judicial
22 branch agency employees shall not be deemed to create or impose any obligation upon the
23 State of Louisiana Judicial Branch, the Supreme Court of Louisiana, the Judicial Budgetary
24 Control Board, or the Supreme Court Judicial Administrator's Office relative to the
25 administration of pay, retirement or other benefits to any such employees. Accordingly, the
26 State of Louisiana Judicial Branch, the Supreme Court of Louisiana, the Judicial Budgetary
27 Control Board, and the Supreme Court Judicial Administrator's Office are not to be
28 considered the "employer" or "employing agency" of lower court or other judicial agency
29 employees whose staff salaries and other benefits are included in this Act.

1 Section 3. This Act shall become effective on July 1, 2017; if vetoed by the
2 governor and subsequently approved by the legislature, this Act shall become effective on
 July 1, 2017, or on the day following such approval by the legislature, whichever is later.

COMPARATIVE STATEMENT

In accordance with R.S. 39:51(D), the following represents a comparative statement for
each Court and program. The operating budget for FY 2016-2017 is compared to the
appropriations for FY 2017-2018 as contained in the original bill.

Operating Budget		Appropriation Request
<u>Courts and Programs</u>	<u>FY 2016-2017</u>	<u>FY 2017-2018</u>
Supreme Court		
Total Supreme Court	\$ 63,673,627	\$ 74,680,658
Courts of Appeal		
Total Courts of Appeal	\$ 45,101,587	\$ 47,551,252
District Courts		
Total District Courts	\$ 46,311,638	\$ 48,881,924
Other Courts		
Total Other Courts	\$ 3,132,025	\$ 3,202,337
Other Programs		
Total Other Programs	\$ 634,064	\$ 766,420
Non-Judicial State Expenses		
Total State Expenses	<u>\$ 2,070,853</u>	<u>\$ 2,070,853</u>
Total State General Fund		
and Interagency Transfer		
All Line Items	<u>\$160,923,794</u>	<u>\$ 177,153,444</u>
Total Statutory Dedications	<u>\$ 10,407,485</u>	<u>\$ 10,240,925</u>
Total Funding	<u>\$171,331,279</u>	<u>\$ 187,394,369</u>

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 620 Original

2017 Regular Session

Henry

Abstract: Appropriates funds for FY 2017-2018 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.

Appropriates funds for Fiscal Year 2017-2018 for the ordinary operating expenses of the judicial branch of government with total funding of \$187,394,369 from the following sources: \$177,153,444 out of the State General Fund (Direct); and, \$10,240,925 from statutory dedications out of the Judges' Supplemental Compensation Fund and the Trial Court Case Management Fund.

Funding for the ordinary operating expenses of the judicial branch of government is provided as follows:

(1)	Louisiana Supreme Court	\$ 84,921,583
(2)	Courts of Appeal	47,551,252
(3)	District Courts	39,577,372
(4)	Criminal Court, Parish of Orleans	6,638,871
(5)	Juvenile and Family Courts	2,665,681
(6)	Other Courts (Required by Statute)	3,202,337
(7)	Other Courts (Not Required by Statute)	766,420
(8)	Non-Judicial State Expenses	<u>2,070,853</u>
TOTAL		<u>\$ 187,394,369</u>

Effective July 1, 2017.