

2021 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 59

BY REPRESENTATIVES MAGEE, ADAMS, BROWN, BRYANT, GARY CARTER, ROBBY CARTER, CORMIER, COUSSAN, COX, DAVIS, DUPLESSIS, EMERSON, FREEMAN, FREIBERG, FRIEMAN, GAROFALO, GREEN, JAMES, JEFFERSON, JENKINS, MIKE JOHNSON, TRAVIS JOHNSON, JONES, JORDAN, KERNER, LACOMBE, LANDRY, LARVADAIN, LYONS, MACK, MARCELLE, MARINO, MIGUEZ, GREGORY MILLER, MINCEY, MUSCARELLO, NELSON, NEWELL, PRESSLY, SEABAUGH, SELDERS, ST. BLANC, STEFANSKI, VILLIO, AND WHITE AND SENATORS CONNICK, FIELDS, FOIL, HARRIS, JACKSON, LAMBERT, LUNEAU, MCMATH, ROBERT MILLS, MORRIS, PEACOCK, PETERSON, AND SMITH

A CONCURRENT RESOLUTION

To urge and request the Supreme Court of Louisiana to take appropriate action to allow full-time legislative staff who are attorneys to also receive the eight hours of continuing legal education (CLE) credit each year given to representatives, senators, and chief clerical officers of the Senate and the House of Representatives for service in the Louisiana Legislature as provided by Regulation 3.15 of Rule XXX of Part H of the Rules of the Supreme Court of Louisiana.

WHEREAS, R.S. 37:211 provides that the Louisiana State Bar Association is created and regulated under the rule-making power of the Supreme Court of Louisiana, pursuant to a memorial addressed to the court by the legislature in Act 54 of 1940; and

WHEREAS, Rule 3 of Rule XXX of Part H of the Rules of the Supreme Court of Louisiana requires every attorney licensed to practice law (member) to attend, or complete an approved substitute for attendance, a minimum of twelve and one-half hours of approved CLE each calendar year; and

WHEREAS, of the twelve and one-half hours of CLE required annually, not less than one of such hours shall address legal ethics and not less than one of such hours shall address professionalism; and

WHEREAS, Regulation 3.15 of Rule 3 of Rule XXX of Part H of the Rules of the Supreme Court of Louisiana provides that eight hours of CLE credit each year will be given to a member who is the governor or a member of the Louisiana Legislature, or a member who serves as secretary of the Senate or clerk of the House of Representatives of the Louisiana Legislature; and

WHEREAS, legislators receive eight hours of credit for attending the regular session of the legislature and for attending extraordinary sessions of the legislature which may be convened at other times by the governor and shall be convened by the presiding officers of both houses upon written petition of a majority of the elected members of each house; and

WHEREAS, attorneys working full-time for the legislature are an integral part of the state's legislative process. Among several other duties, attorneys of the legislative staff work throughout the year to research and draft legislation, assist in conducting meetings to facilitate the legislative process, and brief the legislators with the legal knowledge necessary to adequately debate pending legislation; and

WHEREAS, while each legislator focuses on his particular legislation, attorneys of the legislative staff work alongside all of the legislators and draft legislation covering all subject matters; and

WHEREAS, attorneys of the legislative staff work to ensure legislation is clear, concise, and sound to provide for good governance; and

WHEREAS, the number of full-time legislative attorneys for both the House and Senate is less than fifty compared to the nearly nineteen thousand licensed attorneys in the state; and

WHEREAS, considering the fact that the attorneys of the legislative staff conduct the research and draft the legislation that ultimately becomes the laws of this state, the attorneys should be given CLE credit for their knowledge and work.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Supreme Court of Louisiana to take appropriate action to allow full-time legislative staff who are attorneys to also receive the eight hours of CLE credit each year given to representatives, senators, and chief clerical officers of the Senate and the House of Representatives for service in the Louisiana Legislature as provided by Regulation 3.15 of Rule XXX of Part H of the Rules of the Supreme Court of Louisiana.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE