

Regular Session, 2006

HOUSE BILL NO. 13

BY REPRESENTATIVES GREENE AND TOOMY

JUDGES: (Constitutional Amendment) Provides for the qualifications of office for judges

1 A JOINT RESOLUTION

2 Proposing to amend Article V, Section 24 of the Constitution of Louisiana, to provide for
3 the qualifications of office for judges; to provide for submission of the proposed
4 amendment to the electors; to provide for an effective date; to provide for
5 applicability; and to provide for related matters.

6 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
7 elected to each house concurring, that there shall be submitted to the electors of the state of
8 Louisiana, for their approval or rejection in the manner provided by law, a proposal to
9 amend Article V, Section 24 of the Constitution of Louisiana, to read as follows:

10 §24. Judges; Qualifications

11 Section 24.(A) A judge of the supreme court, a court of appeal, district court,
12 family court, parish court, municipal court, drug court, or court having solely
13 juvenile jurisdiction shall have been ~~admitted to the practice of law in this state for~~
14 ~~at least five years prior to his election and shall have been~~ domiciled in the respective
15 district, circuit, or parish for ~~the two years~~ one year preceding election and shall have
16 been admitted to the practice of law in the state for at least the number of years
17 specified as follows:

18 (1) For a parish, municipal, or traffic court - five years.

19 (2) For a family, drug, juvenile, or district court - eight years.

1 (3) For a court of appeals - ten years.

2 (4) For the supreme court - ten years.

3 (B) He shall not practice law.

4 (C) This Section shall become effective on January 1, 2007, and shall be
5 applicable to any person who qualifies for election to the office of judge or who is
6 elected on or after January 1, 2007.

7 Section 2. Be it further resolved that this proposed amendment shall be submitted
8 to the electors of the state of Louisiana at the statewide election to be held on November 7,
9 2006.

10 Section 3. Be it further resolved that on the official ballot to be used at said election
11 there shall be printed a proposition, upon which the electors of the state shall be permitted
12 to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall
13 read as follows:

14 To provide for the minimum number of years that a person must have
15 practiced law before being elected as a judge on certain courts. Effective
16 January 1, 2007, and applicable to any person who qualifies for election to
17 the office of judge or who is elected on or after January 1, 2007. (Amends
18 Article V, Section 24)

19 Section 4. Be it further resolved that the provisions of this Amendment shall become
20 effective on January 1, 2007, and shall be applicable to any person who qualifies for election
21 to the office of judge or who is elected on or after January 1, 2007.

DIGEST

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

Greene

HB No. 13

Abstract: Provides for the qualifications of office for a judge of the supreme court, court of appeal, district court, family court, parish court, or court having solely juvenile jurisdiction.

Present constitution requires that a judge of the supreme court, a court of appeal, district court, family court, parish court, or court having solely juvenile jurisdiction has been admitted to the practice of law in the state of La. for at least five years prior to his election.

Proposed constitutional amendment provides that the qualifications necessary to run for judicial office require that a person shall have been admitted to the practice of law for at least the number of years specified as follows:

- (1) For a parish, municipal, or traffic court - 5 years
- (2) For a family, drug, juvenile, or district court - 8 years
- (3) For a court of appeals - 10 years
- (4) For the supreme court - 10 years

Present constitution requires a judge to have been domiciled in his district, circuit, or parish for the two years preceding his election and prohibits a judge from practicing law.

Proposed constitutional amendment changes the requirement as to domicile in a district, circuit, or parish from two years to one year preceding his election.

Provides for submission of the proposed amendment to the voters at the statewide election to be held November 7, 2006.

Effective Jan. 1, 2007. Applicable to any person qualifying for election to the office of judge or who is elected on or after Jan. 1, 2007.

(Amends Const. Art. V, §24)

Summary of Amendments Adopted by House

House Floor Amendments to the reengrossed bill.

1. Provides for the length of time a person must have been admitted to practice law in the state before being elected as a judge on certain courts.
2. Changes the requirement of domicile in a district, circuit, or parish from two years to one year preceding his election.