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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Ashley E. Menou.

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DIGEST

SB 43 Original

2017 Regular Session

Martiny

Present law allows a justice of the peace to demand and receive certain amounts for certain filings and services in civil matters.

Present law provides that 50% of each fee and deposit shall be retained by the justice of the peace to be used for fees and operational expenses and 50% is to be used for fees and operational expenses of the ward constable's office.

Proposed law provides that 50% of the court costs shall be retained by the justice of the peace to be used for compensation and operational expenses and 50% of the court costs shall be used for compensation and operational expenses of the ward constable's office.

Proposed law provides that in cases requiring out-of-jurisdiction service, the justice of the peace and his ward constable's office may enter into an agreement whereby the justice of the peace pays the out-of-jurisdiction server directly. Proposed law further provides that the out-of-jurisdiction server's fee shall be paid from the ward constable office's portion of the court costs.

Present law provides that a justice of the peace in Jefferson and East Baton Rouge parishes may demand and receive certain amounts in addition or in lieu of fees and costs provided in present law.

Present law provides that each fee and deposit received by a justice of the peace shall be retained in a separate account for fees and operational expenses of the clerk of court's office.

Proposed law provides that all amounts received by a justice of the peace shall be retained in a separate account for compensation and operational expenses of the clerk of court's office.

Effective August 1, 2017.

(Amends R.S. 13:2590(B), 2590.1(B)(intro para), and (C))