

2018 Regular Session

HOUSE BILL NO. 698

BY REPRESENTATIVES HENRY, BARRAS, GARY CARTER, JACKSON, LEGER,
AND MAGEE AND SENATORS ALARIO, LAFLEUR, MARTINY, AND
MORRELL

APPROPRIATIONS: Appropriates funds for the expenses of the judiciary for Fiscal Year
2018-2019

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; to provide for an effective date; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1.A. The sum of One Hundred Seventy Six Million Four Hundred Forty Five
8 Thousand Three Hundred Seven No/100 (\$176,445,307) Dollars, or so much thereof as may
9 be necessary, is hereby appropriated to defray the expenses of the judiciary, including the
10 Supreme Court, Courts of Appeal, the District Courts, the Criminal District Court of Orleans
11 Parish, and of the other courts.

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

13 **03-8170 SUPREME COURT**

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

26 **Mission Statement:** *The mission of the Supreme Court of Louisiana is to protect and*
27 *promote the rule of law, to ensure public trust, to use public resources efficiently, to*
28 *ensure the highest professional conduct, integrity, and competence of both the bench*
29 *and the bar, and to ensure the proper administration and performance of all courts*
30 *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:**

	2015	2016	2017	
5				
6	Total Filings	2,365	2,283	2,181
7	Total Appeals Filed	6	9	4
8	Total Writs Filed	2,172	2,092	1,997
9	Total Dispositions Rendered	2,486	2,142	2,039

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

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

12 **General Performance Information:**

	2015	2016	2017	
13				
14	Percentage of noncriminal case			
15	applications acted on within Supreme			
16	Court standard of 120 days of filing	97.1%	94.1%	88%
17	Percentage of criminal case applications			
18	acted on within Supreme Court			
19	standard of 120 days of filing	36.1%	48.7%	34.9%
20	Percentage of pro se post conviction			
21	applications acted on within Supreme			
22	Court standard of 120 days of filing	3%	26%	20.8%
23	Percentage of bar disciplinary filings			
24	acted upon within Supreme Court			
25	standard of 120 days of filing	97%	93.6%	89.3%
26	Percentage of opinions rendered within			
27	Supreme Court standard of 84 days			
28	from argument	75.8%	66.7%	73.2%

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

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

31 **General Performance Information:**

	2015	2016	2017	
32				
33	Percentage of written opinions available			
34	to the public within 5 days of decision	100%	100%	100%

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

36 **General Performance Information:**

	2015	2016	2017	
37				
38	Number of outreach programs	100	60	70
39	Number of media releases on court decisions	66	78	65
40	Number of media releases on other matters	17	24	18
41	Number of recipients of releases on			
42	court decisions	1,632	1,775	1,932
43	Number of recipients of releases on other			
44	matters	4,700	6,010	3,489

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

47 **General Performance Information:**

	2015	2016	2017	
48				
49	Average number of hours acquired			
50	through continuing legal education			
51	per judge	34.25	30.08	29.03
52	Number of complaints filed against			
53	judges and justices of the peace	529	545	533
54	Number of complaints against judges			
55	and justices of the peace resolved or			
56	disposed of in the calendar year	601	582	546

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

59 **General Performance Information:**

	2015	2016	2017	
60				
61	Average number of hours acquired through			
62	continuing legal education per lawyer	15.12	15.08	14.76
63	Number of complaints filed against lawyers	2,950	2,922	2,795
64	Number of complaints filed against lawyers			
65	resolved or disposed of in calendar year	3,046	2,673	3,096

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

		<u>FY 18 EOB</u>	<u>FY 19</u>
2			
3	01 Salaries of one (1) Chief Justice and		
4	six (6) Associate Justices of the		
5	Supreme Court, as provided by		
6	R.S. 13:102	\$ 1,125,252	\$ 1,154,936
7	02 Salaries and other expenses of the		
8	Supreme Court Proper and salary of		
9	the Crier of the Supreme Court	\$ 3,804,457	\$ 7,898,581
10	03 Expenses of Judicial Administrator's		
11	Office and of the Judiciary		
12	Commission provided for in Article V,		
13	Section 25 of the Constitution of		
14	Louisiana and under the provisions of		
15	R.S. 13:32 et seq.		
16	A. Expenses of Judicial		
17	Administrator's Office	\$ 4,519,857	\$ 4,809,236
18	Program Description: <i>The Judicial Administrator's Office assists the Supreme Court in the</i>		
19	<i>administration of the state court system. It staffs the Judicial Council and the Judiciary Commission of</i>		
20	<i>Louisiana. Through the Judicial Council, it performs studies and makes recommendations for the creation</i>		
21	<i>of new judgeships and for improving the administration of justice. The Judicial Administrator's Office</i>		
22	<i>provides payroll and other fiscal services to the Judiciary, including the administration of a judicial</i>		
23	<i>retirement system; support for the Supreme Court and Appellate Court human resource system; and</i>		
24	<i>support for judicial branch reporting obligations. The Judicial Administrator's Office also manages the</i>		
25	<i>ad hoc judgeship system, monitors cases under advisement, provides support for initiatives to ensure</i>		
26	<i>access to the courts for limited English proficiency individuals; provides outreach services to state and</i>		
27	<i>local courts, applies for and administers grants to improve judicial administration; and staffs the</i>		
28	<i>Committee on Judicial Ethics. The Judicial Administrator's office administers several programs, including</i>		
29	<i>the Supreme Court Drug Court / Specialty Court Office, the Louisiana Protective Order Registry, and</i>		
30	<i>CASA and FINS through the Division of Children and Families. The Judicial Administrator's office also</i>		
31	<i>provides staff support for the Louisiana Judicial College, and performs numerous legal services for the</i>		
32	<i>Supreme Court and the Judiciary.</i>		
33	B. Expenses of Judiciary Commission	\$ 1,821,921	\$ 1,930,613
34	Program Description: <i>The Judiciary Commission of Louisiana is a constitutional body established under</i>		
35	<i>Article V, Section 25 of the Constitution of 1974 to accept, screen, investigate, and prosecute complaints</i>		
36	<i>of judicial misconduct. As part of its authority, it may recommend to the Supreme Court the censure,</i>		
37	<i>suspension, removal from office, or involuntary retirement of any judge for ethical misconduct.</i>		
38	C. Court Reporters; Statistical		
39	Reporting Systems	\$ 355,504	\$ 370,225
40	D. Dues to National Center for		
41	State Courts	\$ 158,650	\$ 158,650
42	04 Louisiana Attorney Disciplinary		
43	Board, as per Louisiana Supreme		
44	Court Rule XIX	\$ 3,000	\$ 3,000
45	05 Compensation and expenses of retired		
46	judges assigned under Article V,		
47	Section 5(A) of the Constitution of		
48	Louisiana, be it more or less		
49	estimated at	\$ 1,070,364	\$ 1,510,646
50	06 Law Library of Louisiana for salaries,		
51	services, supplies, maintenance, repairs,		
52	and equipment	\$ 1,671,322	\$ 1,754,471

1	Program Description:	<i>The Law Library of Louisiana serves the legal information needs of the state</i>		
2		<i>judiciary, and is open to members of the bar and public.</i>		
3	07	Salaries and expenses of transferred		
4		judges assigned under Article V,		
5		Section 5(A) of the Constitution,		
6		be it more or less estimated as	\$ 86,663	\$ 86,663
7	08	Retirement pay for services rendered by		
8		justices and judges of all courts, as		
9		provided by R.S. 11:1358 and		
10		R.S. 13:103	\$ 1,365,669	\$ 894,459
11	09	Pensions for widows of justices and		
12		judges of all courts, as provided by		
13		R.S. 11:1371 and R.S. 11:1381, be it		
14		more or less estimated at	\$ 1,469,984	\$ 1,469,984
15	10	Judicial College	\$ 33,072	\$ 55,502
16	Program Description:	<i>The Judicial College was established by order of the Supreme Court in 1976 to</i>		
17		<i>provide continuing legal education to Louisiana judges.</i>		
18	11	State contribution to judicial		
19		retirement provided for in Article V,		
20		Section 23 of the Constitution and		
21		R.S. 11:551 et seq., be it more or		
22		less estimated at	\$ 18,155,129	\$ 18,595,302
23	12	Civil commitment matters as		
24		required by R.S. 28:54	\$ 143,424	\$ 243,075
25	13	Paul M. Hebert Law Center for		
26		expenses of storage of appellate		
27		court records	\$ 60,000	\$ 60,000
28	14	Funding for statewide operations of the		
29		Louisiana Protective Order Registry		
30		(R.S. 46:2136.2) under the Case		
31		Management Information System	\$ 1,048,254	\$ 1,048,254
32	15	Information Technology	\$ 1,054,733	\$ 1,096,238
33	16	Payable out of State General		
34		Funds for Operational expenses of		
35		the Families in Need of Services		
36		Program (FINS)	\$ 1,995,709	\$ 1,995,709
37	Program Description:	<i>The mission of the FINS Assistance Program is to assist local FINS processes by</i>		
38		<i>developing and implementing a needs-based allocation formula; developing, implementing, and mandating</i>		
39		<i>the use of a uniform data system for tracking, managing, and reporting FINS informal cases; developing</i>		
40		<i>and mandating the use of programmatic standards; developing, implementing, and reporting performance</i>		
41		<i>indicators and measures; requiring and monitoring periodic fiscal reports and financial accountability;</i>		
42		<i>and, generally supervising and assisting local FINS processes in other ways.</i>		
43				
44	17	Louisiana Drug and Specialty Courts	\$ 9,755,000	\$ 9,755,000
45	Program Description:	<i>Louisiana Drug and Specialty Courts, such as Drug/DWI Treatment Courts,</i>		
46		<i>authorized in 1977 by R.S. 13:5301 - R.S. 13:5304, Reentry Courts, authorized in 2010 by R.S. 13:5401,</i>		
47		<i>Mental Health Courts, authorized in 2013 by R.S. 13:5353 - 5358, and Veterans Treatment Courts,</i>		
48		<i>authorized in 2014 by R.S. 13:5361 - 5368, are proven and effective alternatives to traditional criminal</i>		
49		<i>justice interventions. These programs provide integrated treatment for substance use and mental health</i>		
50		<i>disorders, including the appropriate use of sanctions and incentives along with case management, to place</i>		
51		<i>participants in need of services into appropriate community-based and judicially supervised rehabilitation</i>		

1 *programs. Clients are regularly tested and monitored for compliance with educational, employment, and*
2 *treatment requirements pursuant to current best practices and the proven national model.*

3 18 Court Appointed Special Advocates \$ 1,794,035 \$ 1,794,036

4 **Program Description:** *The purpose of the CASA Assistance Program is to promote timely placement of*
5 *children in need of care in permanent, safe and stable homes, in accordance with the provisions of*
6 *Children's Code articles 424-426. Services are provided through local CASA programs which recruit,*
7 *screen, train and supervise community advocates. Upon appointment by the trial judge, qualified*
8 *advocates serve children by providing independent factual information to the judge, advocating for the best*
9 *interest of the children, monitoring cases to which they have been assigned, and advising and assisting the*
10 *judge in the determination of the best interest of the children involved.*

11 TOTAL - GENERAL FUND (DIRECT) \$ 51,491,999 \$ 56,684,580

12 **FY 18 EOB** **FY 19**

13 19 Payable out of the State General Fund
14 from Statutory Dedications, Judges'
15 Supplemental Compensation Fund,
16 R. S. 13:10.3, be it more or less
17 estimated at \$ 6,223,724 \$ 6,223,724

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

21 **FY 18 EOB** **FY 19**

22 20 Payable out of the State General
23 Fund from Statutory Dedications,
24 Trial Court Case Management
25 Information Fund, for the Case
26 Management Information System,
27 Article 887 (F) of the Code of
28 Criminal Procedure, be it more or less
29 estimated at \$ 4,017,201 \$ 4,017,201

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

37 TOTAL - STATE GENERAL FUND
38 BY STATUTORY DEDICATIONS \$ 10,240,925 \$ 10,240,925

39 TOTAL SUPREME COURT \$ 61,732,924 \$ 76,318,355

40 **FY 18 EOB** **FY 19**

41 21 Drug court maintenance and enhancement,
42 payable out of the State General Fund
43 through Interagency Transfers from the
44 Department of Children and Family
45 Services \$ 5,400,000 \$ 5,400,000

46
47 22 Court Appointed Special Advocates,
48 payable out of the State General Fund
49 through Interagency Transfers from the
50 Department of Children and Family
51 Services \$ 3,992,850 \$ 3,992,850

52 TOTAL - STATE GENERAL FUND
53 THROUGH INTERAGENCY
54 TRANSFERS \$ 9,392,850 \$ 9,392,850

1 **03-8171 COURTS OF APPEAL**

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

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

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

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

15 **General Performance Information:**

16		2015	2016	2017
17	<i>Total appeals filed</i>	2,053	1,783	1,897
18	<i>Total writs filed</i>	4,048	3,670	3,420
19	<i>Total dispositions rendered</i>	5,019	4,761	4,439

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

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

22 **General Performance Information:**

23		2015	2016	2017
24	<i>Average number of days from lodging of the</i>			
25	<i>appeal to argument:</i>			
26	<i>Time Standard = no more than 175 days.</i>			
27	<i>Criminal cases</i>	143	162	147
28	<i>Civil Cases</i>	147	155	162
29	<i>Median number of days for all cases</i>	146	158	159

30 *Average number of days from argument to*
 31 *rendering of the opinion:*

32 *Time Standard = no more than 70 days.*

33	<i>Criminal cases</i>	43	43	43
34	<i>Civil cases</i>	43	42	44
35	<i>Median number of days for all cases</i>	43	43	44

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

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

38 **General Performance Information:**

39		2015	2016	2017
40	<i>Percentage of written opinions available</i>			
41	<i>to the public within 5 days of decision</i>	100%	100%	100%

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

43		<u>FY 18 EOB</u>		<u>FY 19</u>
44	01 Salaries of five (5) Chief Judges			
45	and forty-eight (48) Judges of			
46	the Courts of Appeal, R.S. 13:311	\$	7,913,159	\$ 8,123,080
47	02 Salaries and expenses of operation			
48	and maintenance of the Court of			
49	appeal, First Circuit	\$	10,186,973	\$ 10,777,116
50	03 Salaries and expenses of operation			
51	and maintenance of the Court of			
52	appeal, Second Circuit	\$	5,707,610	\$ 6,013,644
53	04 Salaries and expenses of operation			
54	and maintenance of the Court of			
55	appeal, Third Circuit	\$	8,739,437	\$ 9,176,428

1	05	Salaries and expenses of operation		
2		and maintenance of the Court of		
3		appeal, Fourth Circuit	\$ 8,121,408	\$ 8,602,396
4	06	Salaries and expenses of operation		
5		and maintenance of the Court of		
6		appeal, Fifth Circuit	\$ 5,919,956	\$ 6,295,517
7	TOTAL COURTS OF APPEAL		\$ 46,588,543	\$ 48,988,181

8 **03-8172 DISTRICT COURTS**

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

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

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

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

34 **General Performance Information:**

35		2015	2016	2017
36	<i>Percentage of surveyed district court chief judges indicating</i>			
37	<i>actions taken in FY 2016-2017 to improve compliance with</i>			
38	<i>the Americans with Disabilities Act (ADA)</i>	93.8%	81.3%	83.3%

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

43 **General Performance Information:**

44		2015	2016	2017
45	<i>Percentage of surveyed district court chief judges indicating</i>			
46	<i>actions taken in FY 2016-2017 to assist self-represented</i>			
47	<i>litigants</i>	97.9%	85.4%	85.4%

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

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

51 **General Performance Information:**

52		2015	2016	2017
53	<i>Number of parishes reporting criminal disposition</i>			
54	<i>data to CMIS</i>	64	64	64
55	<i>Percentage of parishes reporting criminal disposition</i>			
56	<i>data to CMIS</i>	100%	100%	100%

57		2015	2016	2017
58	<i>Percentage of surveyed district court chief judges</i>			
59	<i>indicating that their courts had taken steps within</i>			
60	<i>FY 2016-2017 to reduce delays and improve the</i>			
	<i>timeliness of case processing</i>	97.9%	87.5%	93.8%

1 **Objective:** To enhance jury service.
2 **General Performance Information:**

3 *Percentage of surveyed district court chief judges indicating*
4 *that their court had taken steps within FY 2016-2017*
5 *to make jury service more convenient or effective* 100% 90.7% 92.9%

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

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

10 **General Performance Information:**

11 *Percentage of surveyed district court chief judges indicating*
12 *actions taken in FY 2016-2017 to improve employee*
13 *training and development* 2015 2016 2017
14 87.5% 85.4% 87.5%

15 *Percentage of surveyed district court chief judges indicating*
16 *actions taken in FY 2016-2017 to install or implement*
17 *technologies* 100% 91.7% 95.8%

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

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

21 **General Performance Information:**

22 *Percentage of surveyed district court chief judges indicating*
23 *that their courts regularly provided public education*
24 *and public outreach services in FY 2016-2017* 2015 2016 2017
25 97.9% 87.5% 91.7%

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

		<u>FY 18 EOB</u>	<u>FY 19</u>
27			
28	01 Salaries of one hundred ninety-one		
29	(191) District Judges as provided		
30	by R.S. 13:691	\$ 27,187,585	\$ 27,913,116
31	02 Office and travel expenses of District		
32	Judges as provided by R.S. 13:698		
33	and R.S. 13:694, respectively	\$ 1,285,250	\$ 1,285,250
34	03 Salaries of fourteen (14) Judges of		
35	Civil District Court, Orleans Parish,		
36	as provided by R.S. 13:691	\$ 1,992,807	\$ 2,045,988
37	04 Expenses of Judges of Civil District		
38	Court, Parish of Orleans, for salaries		
39	of stenographers, clerks, law books,		
40	stationery, telephone, and like		
41	expenses as provided by R.S. 13:698	\$ 80,500	\$ 80,500
42	05 Salaries of two (2) Court Reporters		
43	of the Twentieth Judicial District Court,		
44	including retirement contributions, as		
45	provided by R.S. 13:966.1	\$ 114,514	\$ 115,348
46	06 Clerk of Civil District Court, Orleans		
47	Parish, as provided by R.S. 13:1212(A)	\$ 10,000	\$ 10,000
48	07 State share of Group, Workers'		
49	Compensation, General Liability, and		
50	Property Insurance Premiums as		
51	provided by R.S.42:851	\$ 6,834,271	\$ 7,018,364

1	08	Salaries of two (2) commissioners of		
2		the Nineteenth Judicial District and		
3		one (1) commissioner of the Fifteenth		
4		Judicial District as provided by		
5		R.S. 13:712 and R.S. 13:715,		
6		respectively	\$ 569,959	\$ 584,251
7	09	Office expenses for the Judicial		
8		Expense Fund of the Nineteenth Judicial		
9		District Court as provided by		
10		R.S. 13:711-713	\$ 354,707	\$ 401,401
11	10	Office expenses for the Judicial		
12		Expense Fund of the Fifteenth		
13		Judicial District Court as provided		
14		by R.S. 13:714-716	\$ 221,305	\$ 313,594
15	11	Law Clerk, Twentieth Judicial District		
16		Court as provided by Act 747 of 1977	\$ 49,311	\$ 49,311
17	12	For the expenses of the Judicial Expense		
18		Fund, Tenth Judicial District Court as		
19		provided by Act 57 of 2006	<u>\$ 35,000</u>	<u>\$ 35,000</u>
20		SUBTOTAL	<u>\$ 38,735,209</u>	<u>\$ 39,852,123</u>
21	13	Criminal Court - Parish of Orleans		
22		Program Description: <i>The Criminal District Court for the Parish of Orleans has exclusive jurisdiction</i>		
23		<i>of the trial and punishment of all crimes, misdemeanors, and offenses committed within the parish of</i>		
24		<i>Orleans, if the jurisdiction is not vested by law in some other court. The court, through its magistrate and</i>		
25		<i>with assistance from its commissioners, has the power of committing magistrates in all felony charges and</i>		
26		<i>the power to hold preliminary examinations, with authority to bail or discharge, or to hold for trial, in all</i>		
27		<i>cases before the court. The court has appellate jurisdiction of all cases tried before the Municipal and</i>		
28		<i>Traffic Court of New Orleans and has general supervisory jurisdiction over these courts.</i>		
29	A.	Salaries of thirteen (13) District		
30		Judges of Criminal Court, Orleans		
31		Parish as provided by R.S. 13:691	\$ 1,850,465	\$ 1,899,846
32	B.	Office expenses of Judges of		
33		Criminal Court, Orleans Parish as		
34		Provided by R.S. 13:698	\$ 74,750	\$ 74,750
35	C.	State's share of group insurance		
36		for personnel of Criminal Court		
37		as provided by R.S. 42:851	\$ 698,422	\$ 714,162
38		SUBTOTAL	<u>\$ 6,132,036</u>	<u>\$ 2,688,758</u>
39	14	Juvenile and Family Court Judges		
40	A.	Salaries of thirteen (13) Juvenile		
41		Court Judges as provided by		
42		R.S. 13:691	\$ 1,992,907	\$ 1,899,846
43	B.	Salaries of four (4) Family Court		
44		Judges as provided by R.S. 13:691	\$ 569,374	\$ 584,568

1	C. Office and travel expenses of Juvenile		
2	and Family Court Judges as		
3	provided by R.S. 13:698 and		
4	R.S. 13:694, respectively	\$ 103,500	\$ 103,500
5	SUBTOTAL	\$ 2,665,781	\$ 2,587,914
6	TOTAL DISTRICT COURTS	\$ 47,533,026	\$ 45,128,795

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

9 **Program Description:** *The category includes forty-seven city courts, one municipal and*
10 *traffic court (New Orleans), and one parish court (Ascension 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 costs
18 of access to the court's proceedings and records - whether measured in terms of money, time,
19 or the procedures that must be followed - reasonable, fair, and affordable.

20 **General Performance Information:**

	2015	2016	2017
21			
22	<i>Percentage of surveyed city/parish court chief judges</i>		
23	<i>indicating actions taken in FY 2016-2017 to assist</i>		
24	<i>pro se litigants</i>		
	96.2%	96.2%	98.1%

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

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

28 **General Performance Information:**

	2015	2016	2017
29			
30	<i>Percentage of surveyed city/parish court chief judges</i>		
31	<i>indicating that their courts had taken steps within</i>		
32	<i>FY 2016-2017 to reduce delays and improve the</i>		
33	<i>timeliness of case processing</i>		
	88.5%	92.3%	90.4%

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

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

37 **General Performance Information:**

	2015	2016	2017
38			
39	<i>Percentage of surveyed city/parish court chief judges</i>		
40	<i>indicating that their courts regularly provided</i>		
41	<i>public education and public outreach services</i>		
42	<i>in FY 2016-2017</i>		
	92.3%	88.5%	88.5%

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

45 **General Performance Information:**

	2015	2016	2017
46			
47	<i>Percentage of surveyed city/parish court chief judges</i>		
48	<i>indicating actions taken in FY 2016-2017 to</i>		
49	<i>improve employee training and development</i>		
50	<i>Percentage of surveyed city/parish court chief judges</i>		
51	<i>indicating actions taken in FY 2016-2017 to install</i>		
52	<i>or implement technologies</i>		
	98.1%	96.2%	92.3%
	96.2%	90.4%	90.4%

1	Payable out of the State General Fund (Direct):		
2		<u>FY 18 EOB</u>	<u>FY 19</u>
3	01	Salaries of sixty (60) City Court	
4		Judges as provided by R.S. 13:1875	\$ 2,757,559 \$ 2,831,152
5	02	Salaries of seven (7) Municipal and	
6		Traffic and one (1) Parish Court	
7		Judge as provided by R.S. 13:2492,	
8		13:2501.1, and 13:2563.5,	
9		respectively	\$ 444,777 \$ 410,347
10	TOTAL OTHER COURTS REQUIRED		
11	BY STATUTE		
12		<u>\$ 3,202,336</u>	<u>\$ 3,241,499</u>
13	03-8174 OTHER COURTS - SALARIES AND OFFICE EXPENSES NOT		
14	REQUIRED BY STATUTE		
15	Payable out of the State General Fund (Direct):		
16		<u>FY 18 EOB</u>	<u>FY 19</u>
17	01	Orleans Parish Juvenile Protective	
18		Care Monitoring Program	\$ 511,132 \$ 560,014
19	Program Description: <i>The program tracks and maintains child abuse and neglect cases in the Orleans</i>		
20	<i>Parish Juvenile Court. It also provides assistance in support of the Families in Need of Services Program.</i>		
21	02	Orleans Parish Juvenile Court	
22		Reporters	\$ 71,178 \$ 73,976
23	03	For the expenses of the Judges'	
24		Assistance Program	\$ 61,877 \$ 63,634
25	Program Description: <i>The Judges' Assistance Program provides counseling and other assistance to</i>		
26	<i>judges with substance abuse problems.</i>		
27	TOTAL OTHER COURTS NOT REQUIRED		
28	BY STATUTE		
29		<u>\$ 644,187</u>	<u>\$ 697,624</u>
29	03-8175 NON-JUDICIAL STATE EXPENSES		
30	Payable out of the State General Fund (Direct):		
31		<u>FY 18 EOB</u>	<u>FY 19</u>
32	01	Legal representation of children in	
33		child protection cases	\$ 2,070,853 \$ 2,070,853
34	Program Description: <i>As recommended by the Task Force on Legal representation</i>		
35	<i>in Child Protection Cases and at the request of the Division of Administration, in</i>		
36	<i>order to advance the administration of justice, the Supreme Court administers</i>		
37	<i>funding to provide qualified legal representation for children in child protection</i>		
38	<i>cases as required to fulfill the state's statutory responsibility.</i>		
39	TOTAL NON-JUDICIAL STATE EXPENSES		
		<u>\$ 2,070,853</u>	<u>\$ 2,070,853</u>

40 Section 2. The appropriations, and the allocations of such appropriations, from the State

41 General Fund (Direct) contained in Section 1 of this Act shall be reduced by a total amount

42 of Sixteen Million Five Hundred Eighty Eight Thousand Nine Hundred Ninety Three

43 (\$16,588,993) Dollars, pursuant to a plan adopted by the Judiciary Budgetary Control Board

44 or as approved by the Louisiana Supreme Court.

1 Section 3.A. The Chief Justice of the Supreme Court, or her duly authorized and
2 appointed agent, shall warrant the state treasurer for the allocations herein provided, or for
3 so much thereof as may be necessary. The aforesaid warrant shall be paid out of the state
4 general fund, and the state treasurer shall pay said warrant by preference over all other
5 warrants, except warrants for the salaries of constitutional officers of the state and warrants
6 for expenses of the legislature, which shall be concurrent with the warrant provided by this
7 Act.

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

10 C. Any funds herein allocated to the judiciary, any portion of the funds previously
11 appropriated to the judiciary, other revenue of the judiciary or its agencies, and interest
12 earnings are hereby appropriated and may be used to defray the expenses of the judiciary;
13 however, all funds remaining unexpended or unencumbered shall be returnable to the State
14 General Fund on or before September 1, 2019.

15 D. For Fiscal Year 2018-2019, any surpluses occurring in the appropriations made in
16 this Act may be transferred from one agency or line-item to another during the fiscal year
17 in accordance with the rules of the Judicial Budgetary Control Board, or as approved by the
18 Supreme Court.

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

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

28 G. The inclusion in this Act of staff salaries and benefits for lower court or other judicial
29 branch agency employees shall not be deemed to create or impose any obligation upon the
30 State of Louisiana Judicial Branch, the Supreme Court of Louisiana, the Judicial Budgetary
31 Control Board, or the Supreme Court Judicial Administrator's Office relative to the

1 administration of pay, retirement or other benefits to any such employees. Accordingly, the
2 State of Louisiana Judicial Branch, the Supreme Court of Louisiana, the Judicial Budgetary
3 Control Board, and the Supreme Court Judicial Administrator's Office are not to be
4 considered the "employer" or "employing agency" of lower court or other judicial agency
5 employees whose staff salaries and other benefits are included in this Act.

6 Section 4. This Act shall become effective on July 1, 2018; if vetoed by the
7 governor and subsequently approved by the legislature, this Act shall become effective on
July 1, 2018, or 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. 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 698 Engrossed

2018 Regular Session

Henry

Abstract: Appropriates funds for FY 2018-2019 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 2018-2019 for the ordinary operating expenses of the judicial branch of government with total funding of \$176,445,307 from the following sources: \$156,811,532 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, and \$9,392,850 out of Interagency Transfers from the Dept. of Children and Family Services.

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

(1)	Louisiana Supreme Court	\$ 76,318,355
(2)	Courts of Appeal	48,988,181
(3)	District Courts	39,852,123
(4)	Criminal Court, Parish of Orleans	2,688,758
(5)	Juvenile and Family Courts	2,587,914
(6)	Other Courts (Required by Statute)	3,241,499
(7)	Other Courts (Not Required by Statute)	697,624
(8)	Non-Judicial State Expenses	<u>2,070,853</u>
	TOTAL	<u>\$ 176,445,307</u>

Requires that the appropriations out of the State General Fund (Direct) contained in this Act be reduced by a total amount of \$16,588,993, pursuant to a plan adopted by the Judicial Budgetary Control Board or as provided by the La. Supreme Court.

Effective July 1, 2018.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Ways and Means to the original bill:

1. Provide for a change in means of financing to decrease State General Fund (Direct) and increase Interagency Transfers from the Dept. of Children and Family Services by \$9,392,850 for support of drug courts and the Court Appointed Special Advocates (CASA) program.
2. Add a requirement that appropriations contained in this Act be reduced by a total amount of \$16,588,993, pursuant to a plan adopted by the Judicial Budgetary Control Board or as provided by the La. Supreme Court.
3. Remove funding from the District Courts appropriation for various activities, staff, officers, and functions for the Criminal Court for Orleans Parish in the total amount of \$3,731,858.