

ACT No. 211

2019 Regular Session

HOUSE BILL NO. 295

BY REPRESENTATIVES HILL, DWIGHT, AND MOSS

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AN ACT

To enact R.S. 13:589, relative to the Fourteenth Judicial District Court; to provide for the creation of a magistrate judge position; to provide relative to the election, term, salary, and duties of the magistrate judge; to provide for qualifications; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:589 is hereby enacted to read as follows:

§589. Fourteenth Judicial District Court; magistrate judge

A. The office of magistrate judge of the Fourteenth Judicial District Court is hereby created and shall be an elected position. The magistrate judge shall be elected from election sections one and three combined. The initial election shall occur in the fall of 2020 and the elected term shall begin January 1, 2021. The magistrate judge shall serve a six-year term. The position is a full-time position, and the magistrate judge is prohibited from practicing law.

B. The magistrate judge of the Fourteenth Judicial District Court shall possess the same qualifications required of the district court judges, as outlined in Article V, Section 24 of the Constitution of Louisiana.

C. The salary of the magistrate judge of the Fourteenth Judicial District Court shall be seventy-five percent of the salary paid to judges of the Fourteenth Judicial District Court per annum, and the salary and related benefits as provided by law shall be payable in the same manner from the same sources as the salary and benefits of a judge of the Fourteenth Judicial District Court. The support services and personnel including minute clerks and stenographers, as shall be necessary for

1 the offices of the magistrate judge, shall be paid from the same source as the same
2 positions in the Fourteenth Judicial District Court.

3 D. The magistrate judge of the Fourteenth Judicial District Court created in
4 this Section shall hold court in the same building as is provided for the other judges
5 of the court. With the approval of the judges of the Fourteenth Judicial District
6 Court, the magistrate judge may hear and preside over all criminal matters, except
7 the adjudication of felony charges, including but not limited to preliminary motions;
8 conduct extradition hearings; accept pleas in misdemeanor cases; hear and render
9 judgments in other matters, including misdemeanor cases, preliminary to the trial on
10 the merits; conduct trials of misdemeanor cases; have authority to set bail; and sign
11 and issue search and arrest warrants upon probable cause being shown in accordance
12 with law.

13 Section 2. For the purposes of Section 22 of Article V of the Constitution of
14 Louisiana, the judgeship created by this Act shall be deemed to be established as of January
15 1, 2021. However, all of the applicable provisions of Title 18 of the Louisiana Revised
16 Statutes of 1950, as amended, related to qualifying for office and conducting the election
17 shall be applicable to allow for the election of the magistrate judge at the regularly scheduled
18 election for judges in 2020.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____