
The original instrument was prepared by Heyward Jeffers. The following digest, which does not constitute a part of the legislative instrument, was prepared by Jerry G. Jones.

DIGEST

Martiny (SB 605)

Present law provides that in all cases on appeal, the reporter shall be paid a fee not to exceed \$2.50 for each original page transcribed and, when a copy is requested by a litigant, shall furnish such copy and be paid a fee not to exceed one dollar for each page thereof, except that in criminal cases on appeal by indigent defendants, no more than a total of \$2.75 for each page transcribe, including all copies necessary for appeal, shall be charged to and paid from any fund established by law for the payment of expenses incurred in the defense of indigent persons in criminal proceedings.

Proposed law retains present law and provides that nothing shall be construed to make the governing authority of Jefferson Parish responsible for the expenses or costs associated with the preparation of transcripts for an indigent defendant in a criminal proceeding, including but not limited to bills of exceptions, trials, motions, hearings on writs, or any other costs associated with an appeal in a criminal proceeding.

Present law provides that in all forma pauperis cases the governing authority of Jefferson Parish shall pay the court reporters of the 24th Judicial District for the transcribing of testimony, when an appeal is taken or upon order of the judge, such amounts as would otherwise be required to be paid by the party who is proceeding in forma pauperis.

Proposed law specifies that present law shall be applied in all civil cases when a party is proceeding in form pauperis.

Proposed law provides that the courts of the 24th Judicial District shall establish an indigent transcript fund to provide for the payment of court reporter fees for transcripts.

Proposed law provides that in every court of original, appellate, supervisory, or concurrent criminal jurisdiction in Jefferson Parish, including but not limited to the 24th Judicial District Court, First Parish Court, Second Parish Court, Juvenile Court, and all mayors' courts in municipalities, there shall be assessed in all criminal cases, including traffic violations, except parking, an additional cost set by the judges en banc, not to exceed the amount authorized in law, against every defendant who is convicted after trial or after a plea of guilty or nolo contendere. This additional cost shall be transmitted to the court and deposited in a special account in the parish treasury to be managed and administered by the parish treasurer for and on behalf of the courts for the payment of court reporter fees for transcripts in indigent defense cases.

Proposed law provides that all monies received and deposited shall be used to pay court reporter fees for transcripts in the following order:

1. To compensate court reporters for the preparation of transcripts for indigent defendants arising from criminal proceedings in the 24th Judicial District, First Parish Court and Second Parish Court, including but not limited to bills of exceptions, trials, motions, hearings on writs, and all other criminal proceedings.
2. To compensate juvenile court reporters for the preparation of transcripts arising from juvenile proceeding when the juvenile's parent or legal custodian or the adult, over whom the juvenile court is exercising jurisdiction, is found to be indigent in accordance with the law.

Proposed law provides that nothing shall preclude a court from ordering the costs for the preparation of transcripts for indigent defendants in criminal proceeding be paid from any other fund established by general or specific law for the payment of expenses incurred in the defense of indigent persons in criminal proceedings.

Proposed law effective June 18, 2010.

Repeal of present law effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 13:967(C)(1), (J) and (L); adds R.S. 13:967(M); repeals Act 77 of 2009 R.S.)