

SENATE BILL NO. 605

BY SENATOR MARTINY AND REPRESENTATIVES BILLIOT, GISCLAIR,
LABRUZZO, LIGI, LOPINTO AND TEMPLET

1 AN ACT

2 To amend and reenact R.S. 13:967(C)(1), (J) and (L), to enact R.S. 13:967(M), and to repeal
3 Act No. 77 of the 2009 Regular Session of the Legislature, relative to the Twenty-
4 Fourth Judicial District; to provide for the establishment of an indigent transcript
5 fund; to provide for court reporter fees; to provide for an effective date; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:967(C)(1), (J) and (L) are hereby amended and reenacted and R.S.
9 13:967(M) is hereby enacted to read as follows:

10 §967. Twenty-Fourth Judicial District; court reporters; civil filing fees

11 * * *

12 C.(1) In all cases on appeal, the reporter shall be paid a fee not to exceed two
13 dollars and fifty cents for each original page transcribed and, when a copy is
14 requested by a litigant, shall furnish such copy and be paid a fee not to exceed one
15 dollar for each page thereof, except that in criminal cases on appeal by indigent
16 defendants, no more than a total of two dollars and seventy-five cents for each page
17 transcribed, including all copies necessary for appeal, shall be charged to and paid
18 from any fund established by law for the payment of expenses incurred in the
19 defense of indigent persons in criminal proceedings. **Nothing in this Section shall**
20 **be construed to make the governing authority of the parish of Jefferson**
21 **responsible for the expenses or costs associated with the preparation of**
22 **transcripts for an indigent defendant in a criminal proceeding, including but**
23 **not limited to bills of exceptions, trials, motions, hearings on writs, or any other**
24 **costs associated with an appeal in a criminal proceeding.**

25 * * *

26 J. In all **civil cases when a party is proceeding in** forma pauperis cases the

1 governing authority of the parish of Jefferson shall pay to the court reporters of the
 2 Twenty-Fourth Judicial District for the transcribing of testimony, when an appeal is
 3 taken or upon order of the judge, such amounts as would otherwise be required to be
 4 paid by the party who is proceeding in forma pauperis. Such payment shall be made
 5 at the time the transcription is filed, but only upon the written approval and order of
 6 the judge. Such payments shall not exceed the sum of fifteen hundred dollars for any
 7 one year to each of the said court reporters. The governing authority of the parish of
 8 Jefferson shall be legally subrogated to the rights of the court reporters of the
 9 Twenty-Fourth Judicial District as to all sums so paid for the transcription of
 10 testimony in pauper cases. All judgments in cases in which the pauper shall be cast
 11 for costs, together with a statement of such costs, shall be recorded by the clerk of
 12 court in the mortgage records of the parish of Jefferson for the amount of costs paid.
 13 The governing authority of the parish of Jefferson, at its expense, may have such
 14 judgments and statements of costs, or certified copies thereof, recorded in the
 15 mortgage records of any other parish or parishes and, when so recorded, they shall
 16 operate as judicial mortgages in favor of the governing authority of the parish of
 17 Jefferson for the amount of costs paid.

18 * * *

19 L. Each court reporter appointed under the provisions of ~~R.S. 13:967~~ **this**
 20 **Section** shall be required to take an oath of office, and to furnish bond for the faithful
 21 performance of the duties of the office. The bond shall be in the sum of two thousand
 22 dollars, and shall be approved by the judge making the appointment under ~~R.S.~~
 23 ~~13:967A(2)~~ **Paragraph (A)(1) of this Section**, and by the senior judge of the court
 24 for those appointments made under the provisions of ~~R.S. 13:967A(2)~~ **Paragraph**
 25 **(A)(2) of this Section**. Each bond shall be in favor of the judges of the ~~twenty-fourth~~
 26 ~~judicial district court~~ **Twenty-Fourth Judicial District Court**, and any party
 27 litigant, for the purpose of protecting litigants against any acts of incompetence or
 28 neglect of duties on the part of the reporters. It shall be recorded and filed in the
 29 office of the clerk of court for the parish of Jefferson. Any party litigant shall have
 30 a right to sue on said bond for any damages sustained by said party litigant by any

1 wrongful act or neglect of duty committed or omitted by the official court reporter
2 in the performance of the duties of official court reporters.

3 M.(1) The courts of the Twenty-Fourth Judicial District shall establish
4 an indigent transcript fund to provide for the payment of court reporter fees for
5 transcripts as provided in this Subsection.

6 (2) In every court of original, appellate, supervisory, or concurrent
7 criminal jurisdiction in Jefferson Parish, including but not limited to the
8 Twenty-Fourth Judicial District Court, First Parish Court, and Second Parish
9 Court, there shall be assessed in all criminal cases, including traffic violations,
10 except parking, an additional cost set by a committee comprised of one
11 representative from each of the Twenty-Fourth Judicial District Court, First
12 Parish Court of Jefferson Parish, Second Parish Court of Jefferson Parish, the
13 Public Defender's Office of Jefferson Parish, and Jefferson Parish
14 Administration, not to exceed an amount of two dollars, against every defendant
15 who is convicted after trial or after a plea of guilty or nolo contendere. This
16 additional cost shall be transmitted to the court and deposited in a special
17 account in the parish treasury to be managed and administered by the parish
18 treasurer for and on behalf of the courts for the payment of court reporter fees
19 for transcripts in indigent defense cases.

20 (3) All monies received and deposited under the provisions of this
21 Subsection shall be used to pay court reporter fees for transcripts to compensate
22 court reporters for the preparation of transcripts for indigent defendants
23 arising from criminal proceedings in the Twenty-Fourth Judicial District, First
24 Parish Court and Second Parish Court, including but not limited to bills of
25 exceptions, trials, motions, hearings on writs, and all other criminal
26 proceedings.

27 (4) Nothing in this Subsection shall preclude a court from ordering the
28 costs for the preparation of transcripts for indigent defendants in criminal
29 proceedings be paid from any other fund established by general or specific law
30 for the payment of expenses incurred in the defense of indigent persons in

1 criminal proceedings.

2 Section 2. Act No. 77 of the 2009 Regular Session of the Legislature is hereby
3 repealed.

4 Section 3. Section 1 of this Act shall become effective on June 18, 2010.

5 Section 4. Sections 2, 3, and 4 of this Act shall become effective upon signature by
6 the governor or, if not signed by the governor, upon expiration of the time for bills to
7 become law without signature by the governor, as provided by Article III, Section 18 of the
8 Constitution of Louisiana. If vetoed by the governor and subsequently approved by the
9 legislature, this Act shall become effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____