

Regular Session, 2014

SENATE BILL NO. 445

BY SENATOR CROWE

JUDGES. Provides for the elimination of two judges from the Orleans Parish Juvenile Court. (See Act)

1 AN ACT

2 To amend and reenact R.S. 13:1568.3, 1595, and 1595.1, relative to Orleans Parish Juvenile
3 Court judges; to designate special divisions of the Orleans Parish Juvenile Court; to
4 abolish specific judgeships upon the expiration of terms or vacancy in the Orleans
5 Parish Juvenile Court; to provide relative to funding; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:1595 is hereby amended and reenacted to read as follows:

9 §1595. Judges; criers and stenographers

10 A. In addition to Sections "A," "B" and "C" of the Juvenile Court for the
11 Parish of Orleans, there is hereby created a new section of ~~said~~ **the** court to be
12 designated as Section "D." The additional judge herein created shall be known as the
13 judge of Section "D" of the Juvenile Court for the Parish of Orleans. Each judge shall
14 have the right to appoint a crier and stenographer for his own section of ~~said~~ **the**
15 court, who shall perform the same duties and receive the same compensation,
16 payable in the same manner and from the same sources as similar officials in other
17 sections of the ~~said~~ **the** court. The judge of Section "D" of the juvenile court shall be

1 elected by the voters of Orleans Parish concurrently with the next election for mayor
2 of the city of New Orleans.

3 **B. The judgeship created for Section "D" of the Juvenile Court for the**
4 **parish of Orleans shall be abolished effective December 31, 2014, at midnight.**

5 **C. The first judgeship becoming vacant by death, resignation,**
6 **retirement, or removal during the term of office on or after December 31, 2014,**
7 **at midnight shall be abolished the following day.**

8 **D. Upon the abolishment of a judgeship as provided for in Subsections**
9 **B and C of this Section, the funding from the city of New Orleans for such**
10 **judgeship shall be allocated for juvenile services within the city of New Orleans.**

11 Section 2. R.S. 13:1568.3 and 1595.1 are hereby amended and reenacted to read as
12 follows:

13 §1568.3. Special divisions of court

14 A. In accordance with the jurisdiction provided for in the Children's Code,
15 in a juvenile court located in Orleans Parish, there shall be special divisions of court
16 with exclusive jurisdiction over child in need of care proceedings, as specifically
17 provided for in Titles VI, X, XI, and XII of the Louisiana Children's Code and
18 generally provided for in other titles or articles of the code, which shall consist of
19 **Section "A" and Section "D", Section "B", Section "C", Section "E", and Section**
20 **"F"** of the court.

21 B. In accordance with the jurisdiction provided for in the Children's Code,
22 the juvenile court located in Orleans Parish, there shall be special divisions of court
23 with exclusive jurisdiction over delinquency proceedings, as specifically provided
24 for in Title VIII of the Louisiana Children's Code and generally provided for in other
25 titles or articles of the code, which shall consist of Section **"A"**, **Section "B"**, Section
26 "C", Section "E", and Section "F".

27 * * *

28 §1595.1. Additional judges for the Orleans Parish Juvenile Court; creation;
29 personnel

1 In addition to the presently existing Sections "A", "B", "C", "~~D~~", and "E" of
 2 the present Orleans Parish Juvenile Court, there is hereby created one new section
 3 of the court for purposes of nomination and election only, to be designated as Section
 4 "F". There is hereby established one additional judgeship, the judge of which shall
 5 preside over Section "F". Such judge shall have the right to appoint a crier and
 6 stenographer for his own section of the court, who shall perform the same duties and
 7 receive the same compensation, payable in the same manner, and from the same
 8 sources as similar officials in other sections of the court.

9 Section 3. Section 2 of this Act shall become effective on December 31, 2014, at
 10 midnight.

11 Section 4(A). All cases allotted to Section "D" on December 31, 2014, at midnight
 12 shall be reallocated equally by the clerk of court among Sections "A", "B", "C", "E", and "F"
 13 on January 1, 2015.

14 Section 4(B). Upon abolishment of the judgeship that becomes vacant by death,
 15 resignation, retirement, or removal pursuant to R.S. 13:1595(C) as enacted by this Act, all
 16 cases of the abolished section of court shall be reallocated equally by the clerk of court among
 17 the remaining sections of the court.

The original instrument was prepared by Carla S. Roberts. The following
 digest, which does not constitute a part of the legislative instrument, was
 prepared by Julie J. Baxter.

DIGEST

Crowe (SB 445)

Present law provides for the creation of a new section of court and judgeship to be
 designated as Section "D" of the Orleans Parish Juvenile Court and authorizes the judge to
 appoint a crier and stenographer for the section.

Proposed law abolishes Section "D" of the Orleans Parish Juvenile Court effective Dec. 31,
 2014, at midnight.

Proposed law requires the first judgeship that becomes vacant by death, resignation,
 retirement, or removal during the term of office on or after Dec. 31, 2014, at midnight to be
 abolished the following day.

Proposed law requires the allocation of any funding from the city of New Orleans for
 judgeships to be allocated for juvenile services within the city of New Orleans upon the
 abolishment of those judgeships provided for in proposed law.

Present law provides for the designation of Sections "A" and "D" of the Orleans Parish

Juvenile Court as the special divisions of court with exclusive jurisdiction over child in need of care proceedings.

Proposed law retains present law except that it removes Section "D" as special divisions of court with exclusive jurisdiction over child in need of care proceedings, effective Dec. 31, 2015, at midnight and further provides for all cases allotted to Section "D" to be reallocated equally by the clerk of court to the remaining sections of court.

Present law provides for the designation of Sections "B", "C", "E", and "F" as the special divisions of court with exclusive jurisdiction over delinquency proceedings.

Proposed law retains present law until such time as one of the sections of court becomes vacant due to death, resignation, retirement, or removal on or after Dec. 31, 2014, at which time, all cases of the abolished section will be reallocated equally by the clerk of court among the remaining sections of the court.

Present law provides for the creation of a new section of the court, in addition to the existing sections and one new judgeship who shall preside over the new section to be designated as Section "F". Further authorizes the judge to appoint a crier and stenographer for his section of court to perform the same duties and receive the same compensation as similar officials in other sections of court.

Proposed law retains present law except that it removes Section "D" as an existing section of the court.

Effective Dec. 31, 2014, at midnight as to the reduction of court division.
Effective August 1, 2014 as to the remainder of the Act.

(Amends R.S. 13:1568.3, 1595, and 1595.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the engrossed bill

1. Changes the date by which the judgeship created for Section "D" of the Juvenile Court for the parish of Orleans shall be abolished from December 31, 2015, at midnight to December 31, 2014, at midnight.
2. Changes from December 31, 2015, to December 31, 2014, the date on which, as of midnight, the first judgeship becoming vacant by death, resignation or retirement, or removal shall be abolished the following day.
3. Changes the effective date of Section 2 of the Act from December 31, 2015, to December 31, 2014.
4. Changes from December 31, 2015, to December 31, 2014, the date at which, at midnight, all cases allotted to Section "D" of the Juvenile Court for the parish of Orleans shall be reallocated equally by the clerk of court among Sections "A", "B", "C", "E", and "F" on January 1, 2015.