

2017 Regular Session

HOUSE BILL NO. 485

BY REPRESENTATIVE JEFFERSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CIVIL/JURIES: Provides relative to the functions of jury commissions in certain parishes

## 1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 404(A), (C), (D), (E), and (F) and  
3 to enact Code of Criminal Procedure Article 404(G) and (H), relative to jury  
4 commissions; to provide for technical corrections; to provide for the functions of the  
5 jury commission in the parishes of Claiborne, DeSoto, Union, and Webster; to  
6 transfer the functions of the jury commission to the clerks of court of Claiborne  
7 Parish, DeSoto Parish, Union Parish, and Webster Parish; and to provide for related  
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Code of Criminal Procedure Article 404(A), (C), (D), (E), and (F) are  
11 hereby amended and reenacted and Code of Criminal Procedure Article 404(G) and (H) are  
12 hereby enacted to read as follows:

13 Art. 404. Appointment of jury commissions; term of office; oath; quorum;  
14 performance of functions of jury commissions in certain parishes

15 A. ~~Except in the parish of East Baton Rouge~~ as otherwise provided in this  
16 Article:

17 (1) The jury commission of each parish shall consist of the clerk of court or  
18 a deputy clerk designated by him in writing to act in his stead in all matters affecting  
19 the jury commission, and five ~~four~~ other members, each having the qualifications set

1       forth in Article 401 and appointed by written order of the district court, who shall  
2       serve at the court's pleasure.

3               (2) ~~In Orleans Parish the jury commission shall be appointed by the judges~~  
4       ~~en banc of the Criminal District Court of the parish of Orleans, and the jury~~  
5       ~~commissioners shall serve at the pleasure of the court. Upon the effective date of the~~  
6       ~~Forty-First Judicial District Court, January 1, 2009, the jury commission shall be~~  
7       ~~appointed by the judges en banc of the Forty-First Judicial District Court, Criminal~~  
8       ~~Division, with the concurrence of the judges en banc of the civil division of the~~  
9       ~~court. The jury commissioners shall serve at the pleasure of the court. In other~~  
10       ~~parishes, the jury commission shall consist of the clerk of court or a deputy clerk~~  
11       ~~designated by him in writing to act in his stead in all matters affecting the jury~~  
12       ~~commission, and four other persons appointed by written order of the district court,~~  
13       ~~who shall serve at the court's pleasure.~~

14               ~~(3)~~ Before entering upon their duties, members of the jury commission shall  
15       take an oath to discharge their duties faithfully.

16               ~~(4)~~(3) Three members of the jury commission shall constitute a quorum.

17               ~~(5)~~(4) Meetings of the jury commission shall be open to the public.

18                               \*       \*       \*

19               C. In Orleans Parish, the jury commission shall be appointed by the judges  
20       en banc of the Criminal District Court of the parish of Orleans, and the jury  
21       commissioners shall serve at the pleasure of the court.

22               ~~C.D.~~ In the parish of Lafourche, the function of the jury commission may be  
23       performed by the clerk of court of the parish of Lafourche or by a deputy clerk of  
24       court designated by him in writing to act in his stead in all matters affecting the jury  
25       commission. The clerk of court or his designated deputy shall have the same powers,  
26       duties, and responsibilities, and shall be governed by applicable provisions of law  
27       pertaining to jury commissioners. The clerk of court of the parish of Lafourche shall  
28       perform the duties and responsibilities otherwise imposed upon him by law with

1        respect to jury venires, shall coordinate the jury venire process, and shall receive the  
2        compensation generally authorized for a jury commissioner.

3                ~~D.~~E. In the parish of Terrebonne, the function of the jury commission shall  
4        be performed by the clerk of court of Terrebonne Parish or by a deputy clerk of court  
5        designated by him in writing to act in his stead in all matters affecting the jury  
6        commission. The clerk of court or his designated deputy shall have the same powers,  
7        duties, and responsibilities, and shall be governed by all applicable provisions of law  
8        pertaining to jury commissioners. The clerk of court of Terrebonne Parish shall  
9        perform the duties and responsibilities otherwise imposed upon him by law with  
10       respect to jury venires, shall coordinate the jury venire process, and shall receive the  
11       compensation generally authorized for a jury commissioner.

12               ~~E.~~F. In the parish of St. Charles, the function of the jury commission shall  
13       be performed by the clerk of court of St. Charles Parish or by a deputy clerk of court  
14       designated by him in writing to act in his stead in all matters affecting the jury  
15       commission. The clerk of court or his designated deputy shall have the same powers,  
16       duties, and responsibilities, and shall be governed by all applicable provisions of law  
17       pertaining to jury commissioners. The clerk of court of St. Charles Parish shall  
18       perform the duties and responsibilities otherwise imposed upon him by law with  
19       respect to jury venires, shall coordinate the jury venire process, and shall receive the  
20       compensation generally authorized for a jury commissioner.

21               ~~F.~~G. In the parishes of East Feliciana and West Feliciana, the function of the  
22       jury commission shall be performed by the clerks of court of East Feliciana Parish  
23       and West Feliciana Parish or by a deputy clerk of court designated by the respective  
24       clerk in writing to act in his stead in all matters affecting the jury commission. The  
25       clerk of court or his designated deputy shall have the same powers, duties, and  
26       responsibilities, and shall be governed by all applicable provisions of law pertaining  
27       to jury commissioners. The clerks of court of East Feliciana Parish and West  
28       Feliciana Parish shall perform the duties and responsibilities otherwise imposed upon

1 him by law with respect to jury venires, shall coordinate the jury venire process, and  
2 shall receive the compensation generally authorized for a jury commissioner.

3 H. In the parishes of Claiborne, DeSoto, Union, and Webster, the function  
4 of the jury commission shall be performed by the clerks of court of Claiborne Parish,  
5 DeSoto Parish, Union Parish, and Webster Parish or by a deputy clerk of court  
6 designated by the respective clerk in writing to act in his stead in all matters affecting  
7 the jury commission. The clerk of court or his designated deputy shall have the same  
8 powers, duties, and responsibilities, and shall be governed by all applicable  
9 provisions of law pertaining to jury commissioners. The clerks of court of Claiborne  
10 Parish, DeSoto Parish, Union Parish, and Webster Parish shall perform the duties and  
11 responsibilities otherwise imposed upon him by law with respect to jury venires,  
12 shall coordinate the jury venire process, and shall receive the compensation generally  
13 authorized for a jury commissioner.

---

#### 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 485 Engrossed

2017 Regular Session

Jefferson

**Abstract:** Requires the Claiborne Parish, DeSoto Parish, Union Parish, and Webster Parish clerks of court to perform the functions of the jury commissions in their respective parishes, and provides for technical corrections.

Present law provides for a jury commission in each parish to perform certain functions including coordination of the jury venire process.

Proposed law requires the clerks of court of Claiborne Parish, DeSoto Parish, Union Parish, and Webster Parish to perform the functions of the jury commission in their respective parishes.

Proposed law further provides technical corrections to present law and removes obsolete language referring to the 41<sup>st</sup> JDC (which has been repealed).

(Amends C.Cr.P. Art. 404(A), (C), (D), (E), and (F); Adds C.Cr.P. Art. 404(G) and (H))