

2020 Regular Session

HOUSE BILL NO. 62

BY REPRESENTATIVE WILFORD CARTER

JUDGES/DISTRICT: Provides relative to the election of judges in the 14<sup>th</sup> JDC

1 AN ACT

2 To amend and reenact R.S. 13:477(14), 589(A), and 621.14, relative to the Fourteenth  
3 Judicial District; to provide for the election of judges in the Fourteenth Judicial  
4 District; to provide for a new division of the court with limited or specialized  
5 jurisdiction; to abolish a division of the court; to provide for the composition of the  
6 election sections for the election of judges; to provide for the election sections from  
7 which the judges are elected; to provide relative to the election of the magistrate  
8 judge of the Fourteenth Judicial District; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 13:477(14), 589(A), and 621.14 are hereby amended and reenacted  
11 to read as follows:

12 §477. Judicial districts

13 There shall be forty-one judicial districts in the state and each district shall  
14 be composed as follows:

15 \* \* \*

16 (14) The parish of Calcasieu shall compose the Fourteenth District. The  
17 Fourteenth District shall consist of three election sections.

18 (a) Election section one shall consist of Precincts ~~30, 31, 31A, 100, 101, 102,~~  
19 ~~103S, 104E, 104W, 105, 106, 107, 108, 109, 112E, 112W, 113, 117E, 117W, 123N,~~  
20 ~~123S-A & 123S-B, 124A & 124B, and 125~~ 300, 301, 302, 303, 304, 305, 307, 308,

1           309E, 309W, 310, 311, 312, 313E, 313W, 315E, 315W, 316E, 317, 318, 319N,  
 2           319S, 320E, 320W, 321, 322, 323, 324, 327, 328, 329, 330, 332N, 332S, 360, 361,  
 3           364, 371N, 800, 801, 860S, 861E, and 861W of Calcasieu Parish.

4           (b) Election section two shall consist of Precincts ~~10E, 10W, 11, 12A & 12B,~~  
 5           ~~13, 20, 21, 22, 32N, 32S-A & 32S-B, 33A, 34, 40, 41E, 41W, 42E, 42W, 50, 52, 53,~~  
 6           ~~60, 61, 62, 63E, 63W, 80, 81, 81A\*, 111, 114A & 114B, 115, 116, 118E, 118W,~~  
 7           ~~119NE, 119NW, 119SE, 119SW, 120, 121, 122, 126A, 126C-A & 126C-B, 126E,~~  
 8           ~~126W, 170, 171, 172, 173, 190, 191, 200A & 200B, and 201~~ 160E, 160W, 161,  
 9           162E, 162W, 163, 164, 165, 166E, 166W, 167, 260, 261, 262, 306, 314, 316W, 326,  
 10          331, 335, 337, 338, 339, 340, 362, 367, 368, 369, 370, 371S, 372, 440, 441, 461,  
 11          463, 464, and 860N of Calcasieu Parish.

12          (c) Election section three shall consist of Precincts ~~33B, 33E, 33W-A &~~  
 13          ~~33W-B, 35N-A & 35N-B, 35S, 43, 44N, 44S-A & 44S-B, 45, 46, 70, 71, 72, 110,~~  
 14          ~~150, 151, 152, 153, 155A & 155B, 156, 157, 158, 180, 181, 182, and 183~~ 325, 333,  
 15          334, 336, 363, 365, 366, 400, 401, 402, 403, 404, 405, 406, 407, 408, 460E, 460W,  
 16          465, 466E, 466W, 467, 468, 469, 560, 561, 562, 600, 601, 602, 603, 660, 661, 662,  
 17          663, 664, 700, 701, 702, 703, 760, 761, and 762 of Calcasieu Parish.

\*       \*       \*

18  
 19       §589. Fourteenth Judicial District Court; magistrate judge

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

\*       \*       \*

1 §621.14. Fourteenth Judicial District

2 A. The Fourteenth Judicial District Court shall have nine judges. ~~Two~~  
3 ~~judges, Divisions F and H, shall be elected from election section one; four judges,~~  
4 ~~Divisions B, C, D, and G, shall be elected from election section two; two judges,~~  
5 ~~Divisions A and E, shall be elected from election section three; and one judge,~~  
6 ~~Division I, shall be elected from election sections one and three combined. Three~~  
7 ~~judges shall be elected from each of the election sections created pursuant to R.S.~~  
8 ~~13:477(14) as follows:~~

9 (1) Divisions F, H, and J shall be elected from election section one.

10 (2) Divisions C, D, and G shall be elected from election section two.

11 (3) Division A, B, and E shall be elected from election section three.

12 B.(1) There is hereby created a new judgeship effective January 1, 2021, to  
13 be elected at the congressional election in 2020. This judge and his successors shall  
14 preside over Division J, which is hereby created for purposes of nomination,  
15 election, and subject matter. The subject matter jurisdiction of Division J is limited,  
16 pursuant to the provisions of Article V, Section 15(A) of the Constitution of  
17 Louisiana, to family and juvenile matters as provided by law.

18 (2) For purposes of this Subsection, "family and juvenile matters" shall  
19 include all actions arising under Titles IV, V, and VII of Book I and Title VI of Book  
20 III of the Louisiana Civil Code and related provisions of the Civil Code Ancillaries,  
21 adoptions arising under the Louisiana Civil Code and the Louisiana Children's Code,  
22 actions involving protection from family violence pursuant to R.S. 46:2131 et seq.,  
23 actions for enforcement, collection of support, and paternity pursuant to R.S.  
24 46:236.5, and all actions arising under or incidental to the Children's Code; together  
25 with all related incidental actions, including but not limited to contempt, civil  
26 warrants, writs of habeas corpus, change of name, prenuptial or separate property  
27 agreements, interspousal donations, lesion, and challenges to consent judgments.

28 (3) The judgeship comprising Division I shall be abolished effective  
29 midnight, December 31, 2020. All cases assigned to Division I shall be assigned to

1        the newly created Division J. No election to fill Division I shall be held to fill such  
2        judgeship at the 2020 congressional election or at any election held after the effective  
3        date of this Act.

4                C. In accordance with the provisions of R.S. 13:587, the judges elected to  
5        serve in the judgeships designated as Divisions A and C shall continue to exercise  
6        jurisdiction over family and juvenile matters, subject to the provisions of that  
7        Section.

8        Section 2.(A) The precincts referenced in this Act are those contained in the file  
9        named "2018 Precinct Shapefiles" published on the Louisiana House of Representatives  
10       website. The 2018 Precinct Shapefiles are based upon those Voting Districts (VTDs)  
11       contained in the 2010 Census Redistricting TIGER/Line Shapefiles for the state of Louisiana  
12       as those files have been modified by the staff of the Legislature of Louisiana to represent  
13       precinct changes submitted through July 3, 2018, to the Legislature of Louisiana by parish  
14       governing authorities pursuant to the provisions of R.S. 18:532 and 532.1.

15                (B) When a precinct referenced in this Act has been subdivided by action of the  
16        parish governing authority on a nongeographic basis or subdivided by action of the parish  
17        governing authority on a geographic basis in accordance with the provisions of R.S.  
18        18:532.1, the enumeration in this Act of the general precinct designation shall include all  
19        nongeographic and all geographic subdivisions thereof, however such subdivisions may be  
20        designated. The territorial limits of the election sections as provided in this Act shall  
21        continue in effect without change regardless of any changes made to the precincts by the  
22        parish governing authority.

23        Section 3. This Act shall become effective upon signature by the governor or, if not  
24        signed by the governor, upon expiration of the time for bills to become law without signature  
25        by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
26        vetoed by the governor and subsequently approved by the legislature, this Act shall become  
27        effective on the day following such approval.

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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)]

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HB 62 Reengrossed

2020 Regular Session

Wilford Carter

**Abstract:** Changes how the magistrate judge is elected in the Fourteenth Judicial District, changes the composition of the election sections in the Fourteenth Judicial District, provides relative to the divisions of the Fourteenth Judicial District, and provides relative to the subject matter of Division J.

Present law creates the office of magistrate judge of the Fourteenth Judicial District Court and provides that the magistrate judge shall be elected from election sections one and three combined.

Present law further provides that the magistrate judge shall serve a six-year term and that the position is a full-time position in which the magistrate judge is prohibited from practicing law.

Present law further provides that the initial election shall occur in the fall of 2020 and that the term shall begin Jan. 1, 2021.

Proposed law retains present law except in how the magistrate judge is elected. Proposed law provides that the magistrate judge shall be elected at large from the Fourteenth Judicial District instead of being elected from specific election sections.

Proposed law specifies that precincts referenced in district descriptions in proposed law are those contained in the file named "2018 Precinct Shapefiles" published on the La. House of Representatives website. Specifies that the 2018 Precinct Shapefiles are based upon those Voting Districts (VTDs) contained in the 2010 Census Redistricting TIGER/Line Shapefiles for the state of La. as those files have been modified by the staff of the legislature to represent precinct changes submitted through July 3, 2018, to the legislature by parish governing authorities pursuant to the provisions of present law (R.S. 18:532 and 532.1).

Present law provides that the Fourteenth Judicial District Court shall have nine judges.

Present law provides that two judges (Divisions F and H) shall be elected from election section one, four judges (Divisions B, C, D, and G) shall be elected from election section two, two judges (Divisions A and E) shall be elected from election section three, and one judge (Division I) shall be elected from election sections one and three combined.

Proposed law retains present law except proposed law provides that the three judges shall be elected from each of the election sections created by proposed law as follows: Divisions F, H, and J shall be elected from election section one; Divisions C, D, and G shall be elected from election section two; and Divisions A, B, and E shall be elected from election section three.

Proposed law creates a new judgeship (Division J) effective Jan. 1, 2021, who shall be elected at the congressional election in 2020 and limits the subject matter of Division J to family and juvenile matters and defines what family and juvenile matters include.

Proposed law eliminates the Division I judgeship effective midnight, Dec. 31, 2020.

Proposed law retains the jurisdiction of Divisions A and C over family and juvenile matters.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 13:477(14), 589(A), and 621.14)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Add an effective date of July 1, 2020.

The House Floor Amendments to the engrossed bill:

1. Change the composition of all the election sections in the Fourteenth Judicial District.
2. Change the magistrate judge election to an at-large election.
3. Make changes to the divisions of the Fourteenth Judicial District.
4. Limit Division J subject matter to family and juvenile matters and define what family and juvenile matters include.
5. Change the effective date from July 1, 2020, to being effective upon the signature of the governor.

# Plan Statistics

<u>Districts:</u>	<u># of Members</u>	<u>Actual Population</u>	<u>Ideal Population</u>	<u>Absolute Deviation</u>	<u>Relative Deviation</u>
Elec.Sec.1	3	61,152	64,256	-3,104	-4.831%
Elec.Sec.2	3	65,812	64,256	1,556	2.422%
Elec.Sec.3	3	65,804	64,256	1,548	2.409%
<b>Grand Total:</b>	<b>9</b>	<b>192,768</b>	<b>192,768</b>		

  

Ideal Population Per Member:	21418		
Number of Districts for Plan Type:	3		
Range of District Populations:	61,152	to	65,812
Absolute Mean Deviation:	1,553		
Absolute Range:	-3,104	to	1,556
Absolute Overall Range:	4,660		
Relative Mean Deviation:	3.22%		
Relative Range:	-4.83%	to	2.42%
Relative Overall Range:	7.25%		

<b><i>Ideal - Actual:</i></b>	<b><i>0</i></b>
<b><i>Remainder:</i></b>	<b><i>0</i></b>
<b><i>Unassigned Population:</i></b>	<b><i>0</i></b>

Date: May 7, 2020

Time: 12:54 PM

## Assigned Districts - Pop by Geo

DR: I A 2018 12

Plan Type: 14th JDC (3,3,3)

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	Total Population	Total White	Total Black	Total Asian	Total Other	Reg Total Dec 2018	Reg White Dec 2018	Reg Black Dec 2018	Reg Other Dec 2018	Reg Dem Total Dec 2018	Reg Rep Total Dec 2018	Reg Other Total Dec 2018
Elec.Sec.1												
Calcasieu	61,152	21,403	37,833	655	852	36,875	11,865	23,552	1,458	22,792	4,773	9,310
Elec.Sec.1	61,152	21,403	37,833	655	852	36,875	11,865	23,552	1,458	22,792	4,773	9,310
	100.000%	35.000%	61.867%	1.071%	1.393%	80.817%	32.176%	63.870%	3.954%	61.809%	12.944%	25.247%
Elec.Sec.2												
Calcasieu	65,812	56,567	6,866	1,029	795	43,962	37,934	4,294	1,734	13,746	17,347	12,869
Elec.Sec.2	65,812	56,567	6,866	1,029	795	43,962	37,934	4,294	1,734	13,746	17,347	12,869
	100.000%	85.952%	10.433%	1.564%	1.208%	89.610%	86.288%	9.768%	3.944%	31.268%	39.459%	29.273%
Elec.Sec.3												
Calcasieu	65,804	58,544	5,126	866	606	42,943	38,320	2,960	1,663	13,537	16,603	12,803
Elec.Sec.3	65,804	58,544	5,126	866	606	42,943	38,320	2,960	1,663	13,537	16,603	12,803
	100.000%	88.967%	7.790%	1.316%	0.921%	87.516%	89.235%	6.893%	3.873%	31.523%	38.663%	29.814%
Grand Total	192,768	136,514	49,825	2,550	2,253	123,780	88,119	30,806	4,855	50,075	38,723	34,982



# Proposed Election Sections 14th JDC

