

2026 Regular Session

SENATE BILL NO. 256

BY SENATOR MORRIS

COURTS. Provides for a clerk of court in Orleans Parish. (8/1/26)

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AN ACT

To amend and reenact R.S. 13:1211, 1211.1, 1212(A), (B)(1), (2), (3), (4) and (5), 1212.1, 1213.1, 1213.2, 1216, 1222, 1371.2, 1373(A)(1), 1373.1, 1381.3, and 1381.7(A) and R.S. 18:2(3), 444(E), 602(C)(1), (E)(2)(c), 1300.7(B), 1354(A)(1), 1511.2(E) and 1511.3(A)(1), relative to the clerk of court in Orleans Parish; to provide for one clerk of the civil district court and the criminal district court; to provide for payments from the Clerk of Court Expense Fund; to provide for the administration of the court by the clerk of court in Orleans Parish; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:1211, 1211.1, 1212(A), (B)(1), (2), (3), (4) and (5), 1212.1, 1213.1, 1213.2, 1216, 1222, 1371.2, 1373(A)(1), 1373.1, 1381.3, and 1381.7(A) are hereby amended and reenacted to read as follows:

§1211. Qualifications; duties; bond; collection of fees; deputies; minute clerks

The qualifications and duties of the Orleans clerk of ~~civil district~~ court shall be as now fixed by law. He shall furnish bond in the sum of twenty thousand dollars, which shall be examined by the court, and all testimony given in the examination shall be reduced to writing and filed of record in the court. He shall charge and

1 collect the fees prescribed by the legislature until superseded by those fixed by the
 2 court. The clerk is authorized, ~~with the approval of the judges of the civil district~~
 3 ~~court~~, to appoint deputies and other assistants; and he may remove them at pleasure,
 4 or the court **en banc to which they are assigned** may remove them. Each judge of
 5 the civil district court **and criminal district court** shall ~~appoint~~ **be appointed** one
 6 minute clerk, who shall be sworn as deputy clerk, and shall receive a salary as the
 7 court ~~en banc~~ **executive committee of the Consolidated Judicial Expense Fund**
 8 **for Orleans Parish** may fix. **The salaries currently paid by the City of New**
 9 **Orleans shall be continued at the current amount until the executive committee**
 10 **certifies there are sufficient funds to pay them.** When directed by the court, a
 11 minute clerk shall administer the oath required by law of all witnesses and jurors.

12 §1211.1. Clerk; election; term of office

13 There shall be one clerk of the ~~Civil District Court~~ **court** for the parish of
 14 Orleans, who shall be elected by the qualified electors of Orleans Parish. He shall be
 15 elected at the election for parochial and municipal officers in Orleans Parish, shall
 16 serve for a term of four years, and shall take office and begin his term on the first
 17 Monday in May following election.

18 §1212. Salary

19 A. The **Orleans** clerk of ~~the civil district~~ court shall receive a salary as
 20 established in R.S. 13:782(A) based on the applicable population of the parish
 21 according to the latest United States census which shall be payable out of the ~~judicial~~
 22 ~~expense~~ **clerk's salary** fund beginning with Fiscal Year 1997-1998 and each fiscal
 23 year thereafter. In addition to this amount, the clerk of the civil district court shall
 24 receive a salary of ten thousand dollars which shall be payable by the ~~state~~ **judicial**
 25 **expense fund.**

26 B.(1) The Louisiana Clerks of Court Certification program, as established
 27 pursuant to R.S. 13:782(I) and (J), shall apply to the clerk of ~~the Civil District Court~~
 28 **court** for the parish of Orleans.

29 (2) In addition to those persons eligible pursuant to R.S. 13:782(I)(3) and

1 1371.1(B)(2), the person holding the office of clerk of ~~the Civil District Court~~ **court**
2 for the parish of Orleans shall be eligible for participation in the clerks of court
3 certification program.

4 (3) The requisite education and training will be provided as set forth in R.S.
5 13:782(I)(4).

6 (4) The clerks of court certification program committee, as created pursuant
7 to R.S. 13:782(J) to govern the certification program, shall also apply to the clerk of
8 ~~the Civil District Court~~ **court** for the parish of Orleans.

9 (5) Documents showing the successful completion of the certification
10 program shall be submitted to and approved by the certification committee. Upon
11 approval of the application for certification, a person holding the office of clerk of
12 ~~the Civil District Court~~ **court** for the parish of Orleans shall receive the designation
13 of Certified Clerk of Court (CCC) and notice of the approval shall be forwarded to
14 the legislative auditor by the certification committee.

15 * * *

16 §1212.1. Expenses

17 In addition to his salary, the clerk of ~~the Civil District Court~~ **court** for the
18 Parish of Orleans, shall receive a sum not to exceed ten percent of his annual salary
19 as an expense allowance. This allowance shall be payable out of the ~~judicial expense~~
20 **clerk's salary** fund upon the warrant of the clerk of the civil district court.

21 * * *

22 §1213.1. Payment of costs in lump sum

23 In lieu of the fees enumerated in R.S. 13:1213 or otherwise set by the judges
24 of the Civil District Court for the Parish of Orleans, the judges of the Civil District
25 Court for the Parish of Orleans may authorize the clerk of ~~the Civil District Court~~
26 **court** to demand and receive from plaintiffs and defendants a fee to cover the cost
27 of all pleadings filed respectively by the plaintiff and by the defendant. Such fee
28 shall be in an amount set by the judges of the Civil District Court for the Parish of
29 Orleans, sitting en banc, and may vary according to the type of lawsuit filed.

1 Different fees may be established for the plaintiff and for the defendant. Upon the
 2 filing of initial pleadings by the plaintiff, the clerk shall collect the fee from the
 3 plaintiff, and no further or additional fees shall be demanded by the clerk from the
 4 plaintiff upon the filing of subsequent pleadings by the plaintiff. Upon the filing of
 5 initial pleadings by the defendant, the clerk shall collect the fee from the defendant,
 6 and no further or additional fees shall be demanded by the clerk from the defendant
 7 upon the filing of subsequent pleadings by the defendant.

8 §1213.2. Fees; clerk of ~~the Civil District Court~~ **court**

9 The **Orleans** clerk of ~~the Civil District Court~~ **court** shall collect the fees and
 10 costs set forth in R.S. 13:1213.1, and any other applicable law, and shall deposit no
 11 less than ~~fifty~~ **forty** percent of the amounts collected in the Clerk's Salary Fund. ~~Fifty~~
 12 **Sixty** percent shall be deposited in the judicial expense fund for the Civil District
 13 Court for the Parish of Orleans after deduction of statutorily mandated charges and
 14 fees. The clerk shall remit to the judicial expense fund of the Civil District Court
 15 ~~fifty~~ **sixty** percent of such fees no later than the twenty-fifth day of the month
 16 following the preceding month's collection.

17 * * *

18 §1216. Docket and index

19 The clerk of ~~the civil district~~ court shall keep a docket of each proceeding
 20 with a proper index thereto.

21 * * *

22 §1222. Motor vehicles for the office of the clerk of ~~the civil district~~ court

23 A. The clerk of ~~the civil district~~ court may purchase or lease three motor
 24 vehicles to be used for official office use only.

25 B. The clerk of the civil district court may purchase insurance for the motor
 26 vehicles authorized in Subsection A of this Section. The insurance shall be purchased
 27 from an insurance company which is licensed to do business under the laws of this
 28 state.

29 C. The clerk of ~~the civil district~~ court may use any funds which are lawfully

1 available to him to purchase or lease the motor vehicles and to pay the insurance on
2 the motor vehicles, as authorized in this Section.

3 * * *

4 §1371.2. Clerk; election; term of office; deputy clerks

5 ~~A. There shall be one clerk of the Criminal District Court for the parish of~~
6 ~~Orleans, who shall be elected by the qualified electors of the parish of Orleans. He~~
7 ~~shall be elected at the election for parochial and municipal officers in Orleans Parish,~~
8 ~~shall serve for a term of four years, and shall take office and begin his term on the~~
9 ~~first Monday in May following election.~~

10 B. The clerk of the ~~Criminal District Court~~ **court** for the parish of Orleans
11 shall appoint, ~~with the approval of the judges of the court,~~ such deputy clerks as are
12 necessary to properly conduct the business of his office and of the court. **He may**
13 **remove them at pleasure, or the court en banc to which they are assigned may**
14 **remove them.**

15 * * *

16 §1373. Minute clerks and court reporters

17 A.(1) The presiding judge of each section of the criminal district court for the
18 parish of Orleans ~~may appoint~~ **shall be appointed** a minute clerk **by the clerk of**
19 **court in accordance with the provisions of R.S. 13:1211 and subject to the**
20 **provisions of that Section** at an annual salary of forty-eight hundred dollars, and a
21 court reporter at an annual salary of fifty-four hundred dollars; ~~the.~~**The** salaries of
22 the minute clerks and of the court reporters shall be paid by the city of New Orleans.

23 * * *

24 §1373.1. Minute clerks, court reporters, and deputy court reporters; ~~salary payable~~
25 ~~by the state~~

26 ~~A. The annual salary of each of the court reporters of Sections A through L,~~
27 ~~both inclusive, and of the magistrate section of the Criminal District Court for the~~
28 ~~parish of Orleans to be paid by the state of Louisiana out of the General Fund of the~~
29 ~~state of Louisiana is hereby fixed at twelve thousand four hundred seventy-eight~~

1 §1381.7. Clerk of the Orleans Parish Criminal District Court

2 A. The legislature finds that adequate funding of the office of Clerk of ~~the~~
3 ~~Criminal District~~ Court for the parish of Orleans is necessary for the efficient
4 performance of the powers and duties required of a judicial officer of the state.
5 Pursuant to the exercise of the police power of the state, actions for obtaining
6 adequate funding are necessary to promote judicial efficiency and to protect and
7 promote the lives, health, morals, comfort, and general welfare of people as a whole.
8 The amounts to be appropriated and paid by the city of New Orleans for expenses,
9 including salaries and maintenance of constitutional officers, their deputies,
10 subordinates, and employees shall not be reduced by the city of New Orleans without
11 the consent of the legislature **expressed by approval of a proposal by the Joint**
12 **Legislative Committee on the Budget.**

13 * * *

14 Section 2. R.S. 18:2(3), 444(E), 602(C)(1), (E)(2)(c), 1300.7(B), 1354(A)(1),
15 1511.2(E) and 1511.3(A)(1) are hereby amended and reenacted to read as follows:

16 §2. Definitions

17 As used in this Code, the following words and terms shall have the meanings
18 hereinafter ascribed to each, unless the context clearly indicates another meaning:

19 * * *

20 (3) "Clerk of court" or "clerk" means the clerk of the district court, ~~except~~
21 ~~that in any parish having a civil district court and a criminal district court, these~~
22 ~~terms mean the clerk of the criminal district court.~~

23 * * *

24 §444. Parish executive committees

25 A. * * *

26 * * *

27 E. Powers of the committee. The parish executive committee of a recognized
28 political party may adopt rules and regulations for its government that are not
29 inconsistent with the laws of this state or the rules and regulations of the state central

1 committee, and it may create any committee it deems necessary. The rules and
 2 regulations of the parish executive committee of a recognized political party shall be
 3 filed with the clerk of court within ten days after their adoption. ~~In parishes which~~
 4 ~~have a civil and a criminal district court, the rules and regulations of a parish~~
 5 ~~executive committee shall be filed with the clerk of the criminal district court.~~

6 * * *

7 §602. Vacancies in certain local and municipal offices; exceptions

8 A. * * *

9 * * *

10 C.(1) When a vacancy occurs in any of the following offices, the duties of the
 11 office shall be assumed by the person hereinafter designated: (a) district attorney, by
 12 the first assistant; (b) clerk of a district court, by the chief deputy; (c) coroner, by the
 13 chief deputy; (d) sheriff, by the chief criminal deputy, ~~except that in a parish that has~~
 14 ~~both a civil sheriff and a criminal sheriff, the civil sheriff by the chief civil deputy,~~
 15 ~~and the criminal sheriff, by the chief criminal deputy, respectively;~~ and (e) tax
 16 assessor, by the chief deputy assessor.

17 * * *

18 E.(1) * * *

19 (2) * * *

20 (c) Within twenty-four hours after issuing the proclamation, the authority or
 21 authorities ordering the special election shall send a copy of the proclamation, by
 22 certified or registered mail, to the clerk of the district court for the parish in which
 23 the vacancy occurred. ~~If the vacancy occurred in the parish of Orleans, the copy of~~
 24 ~~the proclamation shall be so mailed to the clerk of the criminal district court.~~ If the
 25 vacancy occurs in an office which affects more than one parish, a copy of the
 26 proclamation shall at the same time be so mailed to the clerk of each of the parishes.
 27 A copy of the proclamation also shall be mailed to the secretary of state at the same
 28 time and in the same manner.

29 * * *

1 §1300.7. Governor to order election; proclamation; publication

2 * * *

3 B. Within twenty-four hours after issuing the proclamation, the governor
4 shall send a copy of the petition and proclamation, by registered or certified mail, to
5 the clerk of the district court for each parish in which the election is to be held. ~~If the~~
6 ~~election is to be held in Orleans Parish, the city of New Orleans, the copy of the~~
7 ~~petition and proclamation shall be mailed to the clerk of the criminal district court.~~
8 A copy of the petition and proclamation also shall be sent to the secretary of state.
9 Within twenty-four hours after he receives the copies, the secretary of state shall
10 notify all other election officials having any duty to perform in connection with a
11 recall election, including the parish board of election supervisors for the parish or
12 parishes in which the election is held. Immediately after receipt of the proclamation,
13 the secretary of state shall publish the proclamation in the official journal of each
14 parish in which the election is to be held.

15 * * *

16 §1354. Parish custodian of voting machines; powers and duties; appointment of
17 deputy custodians

18 A.(1) The clerk of the district court is ex officio parish custodian of voting
19 machines in each parish, ~~except that in any parish having a civil and a criminal~~
20 ~~district court the clerk of the criminal district court is ex officio parish custodian of~~
21 ~~voting machines.~~ The parish custodian of each parish shall assist the secretary of
22 state in the performance of his functions within the parish.

23 * * *

24 §1511.2. Supervisory committee; rulemaking authority; advisory opinions; inquiries

25 * * *

26 E. The supervisory committee shall prepare and distribute to the general
27 public through the offices of the clerks of court ~~and in Orleans Parish the office of~~
28 ~~the clerk of the criminal district court~~ and on its website, booklets of explanation and
29 instruction concerning the provisions of this Chapter in such a manner as to inform

1 the public of the procedures and requirements of this Chapter. The supervisory
2 committee may publish and distribute additional material to assist persons in
3 complying with the provisions of this Chapter.

4 * * *

5 §1511.3. Filing of reports; forms; notice

6 A.(1) All reports required by this Chapter shall be filed with the supervisory
7 committee as otherwise provided in this Chapter on forms provided by the
8 supervisory committee. The supervisory committee shall prepare forms for all
9 reports required by this Chapter in conformity with the requirements of this Chapter
10 and shall cause such forms to be printed and sufficient copies thereof furnished to
11 the clerks of court ~~and in Orleans Parish to the clerk of the criminal district court,~~
12 who shall make them available to all persons required to file reports under the
13 provisions of this Chapter. All forms shall contain instructions directing the person
14 filing with whom to file reports. It is the intent of the legislature that the supervisory
15 committee shall provide forms in a simple format in conformity with the
16 requirements of this Chapter.

17 * * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

SB Original DIGEST Morris
2026 Regular Session

Present law provides for a clerk of court for the civil district court in Orleans Parish and for a clerk of the criminal district court in Orleans Parish.

Proposed law provides for one clerk of court in Orleans Parish and for administration of the Orleans court by the clerk.

Effective August 1, 2026.

(Amends R.S. 13:1211, 1211.1, 1212(A), (B)(1), (2), (3), (4) and (5), 1212.1, 1213.1, 1213.2, 1216, 1222, 1371.2, 1373(A)(1), 1373.1, 1381.3, and 1381.7(A), and R.S. 18:2(3), 444(E), 602(C)(1), (E)(2)(c), 1300.7(B), 1354(A)(1), 1511.2(E) and 1511.3(A)(1))