

2026 Regular Session

HOUSE BILL NO. 911

BY REPRESENTATIVE MCKIN

PARISH/ORLEANS: Provides for the complete reform and modernization of the judicial components of Orleans Parish

1 AN ACT
2 To amend and reenact R.S. 13:1, 474, and 842(A), and to enact R.S. 13:474.1, 477(41),
3 621.41, 621.42, 621.43, 714.1, 714.2, 751.1 through 751.5, 841.3, 983, 996.62
4 through 996.64, and R.S. 44:181.5, 181.6 and 182.2 through 182.10, and to repeal
5 R.S. 9:2745, R.S. 13:1031 through 1147, 1211 through 1212.1, 1271 through 1312,
6 1335 through 1347, 1371, 1372, 1377, 1381, and 1381.1 through 1400, relative to the
7 reorganization and consolidation of the civil and criminal district courts and juvenile
8 court, clerk of the civil and criminal district courts; to provide, delineate, and
9 otherwise designate the powers, authority, duties, functions, compensation, fees, and
10 related matters concerning the civil and criminal district courts, clerks of the civil
11 and criminal courts, and other judicial officers and officials for the parish of Orleans;
12 to create the Forty-First Judicial District, its subsequent divisions, sections,
13 magistrate, and commissioners; to abolish the Orleans Parish Juvenile Court and
14 transfer its jurisdiction; to extend the terms of office of the judges of the juvenile
15 court now in office; to transfer the jurisdiction of the juvenile court to the Forty-First
16 Judicial District Court; to provide for the juvenile section of the Forty-First Judicial
17 District Court; to create the Consolidated Judicial Expense Fund for certain courts;
18 to provide for the consolidation of certain offices and judicial expense funds; to
19 provide for the election of a single clerk of court for the parish of Orleans
20 commencing with the next election for parochial and municipal officers in Orleans

1 Parish; to provide for continuation of retirement system coverage; to provide for the
2 reduction by attrition of judges upon retirement; to direct the Louisiana State Law
3 Institute to change statutory references necessitated by this Act and to make
4 recommendations it deems necessary to clarify or modify its provisions, including
5 the elimination of antiquated provisions; to provide for effective dates; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Legislative intent and history. In the 2006 Regular Session of the
9 Legislature, the legislature overwhelmingly adopted Act 621 to merge the courts and clerks
10 of court of Orleans Parish into a single reformed structure. That Act was supported by
11 twenty-nine Senators and ninety-six members of the House of Representatives and signed
12 into law by Governor Blanco. In 2012 via Act 474 the legislature repealed those provisions
13 before they were allowed to go into effect. The legislature recognized in Act 621, and
14 affirms today that:

15 There should be effective, efficient, and economic administration of governmental
16 services at all levels. It is the intent of the legislature that the public interest is best served
17 by the elimination, to the fullest extent practicable, of the duplication of effort within local
18 government in order to expend public funds more efficiently and wisely and to meet more
19 effectively and conveniently the needs of the people who provide the revenues for its
20 operations, particularly in the wake of devastation wrought by hurricanes Katrina and Rita
21 and in the wake of the large deficits and unprecedented financial crisis the City of New
22 Orleans currently faces.

23 It is the public policy of this state to ensure that all courts, officials, and offices
24 enumerated in Article V of the Louisiana Constitution of 1974 are structured in a manner
25 which is responsive to the needs of the people, operated efficiently, and consistent with the
26 funds available. The state, as well as the city of New Orleans and its citizens, now have
27 limited resources with which to support the number of judges and judicial offices it did
28 previously. The legislature finds that the structure of the judiciary in Orleans Parish is
29 fragmented and inefficient and must be fundamentally changed if the city/ Orleans Parish

1 is to flourish. The costs of operating one district court and one clerk of the district court will
2 inherently be less due to economies of scale. The legislature recognizes that the city of New
3 Orleans is of economic, historical, and cultural significance to this state and to this nation
4 and that efficiency of its judiciary and offices comprising the judiciary is fundamental and
5 that the legislature should provide the best framework for its future. The consolidation of
6 the courts and officers covered by this Act is critical to the future financial stability of the
7 city and will ultimately lessen the financial burden to the citizens of the city of New Orleans
8 and this state. The legislature recognizes that a judicial system founded 200 years ago is
9 unrealistic and not viable in the 21st century. The legislature does hereby enact these
10 provisions in accordance with the authority granted in Section 32 of Article V of the
11 Louisiana Constitution of 1974.

12 Section 2. There are four judicial districts larger than the Parish of Orleans. The
13 states most populated parish and judicial district is East Baton Rouge Parish. It also has a
14 noticeably higher caseload than the Orleans Parish courts. The 19th Judicial District has
15 fifteen judges, the East Baton Rouge Family Court has four, and the East Baton Rouge
16 Juvenile Court has two. The state's largest parish elects the equivalent of twenty-one district
17 judges. It also elects four appellate court judges. The Parish of Orleans elects ten appellate
18 court judges and thirty-one trial court judges (Civil, Criminal, and Juvenile).

19 The legislature finds that there is no reason that Orleans should have more judges
20 than larger parishes with a higher caseload, but to facilitate transition to a proper number has
21 decided to make this reduction that still leaves Orleans with twenty-two judgeships which
22 is still the most district judgeships in the State of Louisiana. Therefore, the following
23 judgeships are abolished effective January 1, 2027: Divisions E and F of the Orleans
24 Juvenile Court, Divisions D, I, and J of the Orleans Criminal District Court, and Divisions
25 C, L, M, and N are abolished effective December 31, 2026. The Secretary of State shall not
26 include those offices in the 2026 fall elections nor authorize qualifying for those judgeships.

27 Section 3. The clerk of the civil district court shall become the clerk of court of
28 Orleans Parish. The property, employees, and duties of the clerk of the criminal district
29 court and of the clerk of the Orleans Parish juvenile court shall be under the control of the

1 clerk of court of Orleans Parish effective December 31, 2026. The clerk of the criminal
2 district court shall be authorized to finish their current term at the same salary and maintain
3 responsibility for elections until the end of their term and may utilize employees of the clerk
4 of court for that purpose.

5 Section 4. R.S. 13:1, and 842(A) are hereby amended and reenacted and R.S.
6 13:474.1, 477(41), 621.41, 621.42, 621.43, 714.1, 714.2, 751.1 through 751.5, 841.3, 983,
7 and 996.62 through 996.64 are hereby enacted to read as follows:

8 TITLE 13. COURTS AND JUDICIAL PROCEDURE

9 CHAPTER 1. JUDICIAL OFFICERS AND EMPLOYEES, IN GENERAL

10 PART I. GENERAL PROVISIONS

11 §1. Duties of the minute clerks of courts of Orleans Parish

12 The minute clerks of the court of appeals and of the civil and criminal district
13 courts of the parish of Orleans Forty-First Judicial District Court shall attend the
14 sessions of the court for which they are appointed, and shall, under the supervision
15 of the judge or judges of the courts, keep the minutes of the court, issue all notices,
16 copies of rules and orders entered on the minutes, which are required to be issued,
17 and make due entries on the dockets of the causes and of the proceedings therein, and
18 shall perform such other duties as the judges may direct.

19 * * *

20 §474.1. Judicial depository

21 A. The bank or banks so designated as fiscal agent for such funds shall
22 furnish adequate security, satisfactory to the judges, to secure the return and payment
23 of any such deposited funds.

24 B. It shall be the duty of the judges to endeavor to receive interest on all
25 monies so deposited, and if, for any reason, the fiscal agent, or agents, so designated
26 are unable or unwilling to pay interest on such deposit, the judges of the district court
27 are hereby authorized to purchase certificates of deposit, and other forms of
28 certificates of indebtedness bearing interest, or they may purchase short-term United
29 States bonds, treasury notes, or certificates.

1 C. Any and all interest received on all such monies so deposited, or from any
2 certificates of deposit, certificates of indebtedness, or United States bonds, treasury
3 notes, or certificates, shall be distributed in the following manner:

4 (1) One-half of all interest so received, as received, shall be transferred to
5 and shall form part of the Consolidated Judicial Expense Fund for the Forty-First
6 Judicial District Court, in reimbursement and payment for the services rendered in
7 administering said "registry of the court" fund by the judges, clerk, and other
8 employees whose salaries are paid out of the fund.

9 (2) The ultimate recipient of any of said funds so deposited in the registry
10 of the court shall receive interest on such sum received by him, to be calculated on
11 the following basis, to wit:

12 (a) The rate of interest per annum to be paid such recipient shall be one-half
13 of the average interest rate received from the fiscal agent and/or from certificates of
14 deposit, certificates of indebtedness, United States government bonds, treasury notes,
15 or certificates, during the period that the funds being disbursed were on deposit in
16 the registry of the court.

17 (b) Interest shall be paid such recipient on the same percentage of such sum
18 he receives as the total amount of such registry funds invested with interest bears to
19 the total of such funds held in the registry of the court during the preceding year.

20 (c) In determining the amount of such registry funds invested with interest,
21 and the total of such funds held in the registry of the court, as provided in
22 Subparagraph (b) of this Paragraph, the basis for such determination shall be the
23 average daily balance of the total funds invested and the average daily balances of
24 the total funds held in the registry of the court fund during the period that the funds
25 being disbursed were on deposit in the registry of the court fund.

26 D. In the event it becomes necessary to disburse funds which have been
27 deposited in the registry of the Consolidated Judicial Expense Fund, in accordance
28 with a duly rendered court order, in excess of the amount held by the fiscal agent of
29 the fund, in its noninterest bearing account, the presiding judge or the acting chief

1 judge of the Forty-First Judicial District Court, on an order issued by the majority of
 2 the judges of the district court, sitting en banc, shall have the authority to borrow
 3 such funds so needed for disbursal from the fiscal agent, or others, at the then
 4 prevailing interest rate for loans of this character, using as collateral to secure any
 5 such loan an amount of bonds, or certificates of deposit, or certificates of
 6 indebtedness in which funds have been invested, and, if required so to do by any
 7 such lending agency, to execute any note or other form of agreement to repay such
 8 loan.

9 * * *

10 §477. Judicial districts

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

13 * * *

14 (41) The parish of Orleans shall compose the Forty-First District.

15 * * *

16 §621.41. Forty-First Judicial District

17 A.(1) The Forty-First Judicial District Court shall have twenty-six judges and
18 one magistrate judge.

19 (2) The Forty-First Judicial District Court shall have the same jurisdiction
20 as the district courts throughout the state, as fixed by the constitution, as provided
21 in this Section, or as provided by law.

22 B.(1) The judges of the Forty-First Judicial District Court by rule adopted
23 by a majority vote of the judges sitting en banc, with the consent of the judge of the
24 respective division, may assign certain divisions of the court to a criminal section
25 and certain divisions to a civil, domestic relations, or other section of the court. The
26 judges of the Forty-First Judicial District Court, including the magistrate judge, en
27 banc, shall assign certain divisions of the court to a juvenile section when the
28 Juvenile Court of the parish of Orleans is abolished and jurisdiction of that court is
29 transferred to the Forty-First Judicial District Court.

1 (2) Notwithstanding any principal assignments to divisions, all divisions of
2 the court shall retain general jurisdiction to hear all matters.

3 C. The Forty-First Judicial District Court shall be composed of divisions A
4 through Z and the magistrate judge over the magistrate section.

5 D. The judges presently presiding over Divisions A through N of the Civil
6 District Court for the parish of Orleans shall preside over Divisions A through N of
7 the Forty-First Judicial District Court. The judges shall continue to serve until the
8 thirty-first day of December of the year in which their terms expire.

9 E. The judges presently presiding over Divisions A through L of the Criminal
10 District Court for the parish of Orleans shall preside over Divisions O through Z of
11 the Forty-First Judicial District Court. The judges shall continue to serve until the
12 thirty-first day of December of the year in which their terms expire.

13 F.(1) The Forty-First Judicial District Court shall have general supervisory
14 jurisdiction over the municipal and traffic courts and appellate jurisdiction of all
15 misdemeanor cases tried before the Municipal Court and the Traffic Court. Appeals
16 from the municipal and traffic courts shall be on the law and the facts and shall be
17 tried upon the records made and the evidence offered in said courts by the judge to
18 whom the appeal shall be allotted. In all misdemeanor cases tried before the judges
19 of the Forty-First Judicial District Court, an appeal shall lie on questions of law and
20 fact to two or more of the judges, as prescribed by said court. The judges shall adopt
21 rules regulating the manner of taking and hearing and deciding such appeals.

22 (2) The Forty-First Judicial District Court has appellate jurisdiction over all
23 cases tried in the city courts of said court where the amount in dispute, value of the
24 movable property involved, or fund to be distributed does not exceed one hundred
25 dollars, exclusive of interest. These appeals shall be tried de novo by a single judge
26 and without a jury; however, the Forty-First Judicial District Court may provide by
27 rule that no evidence shall be admitted on the trial de novo which was not offered in
28 the city court unless it is shown to the satisfaction of the court that despite the

1 exercise of reasonable diligence by the party offering it such evidence could not have
2 been produced at the trial in the city court.

3 G. All judges of the Forty-First Judicial District shall be elected by the
4 qualified electors of the parish for terms of six years at the congressional election
5 immediately preceding the expiration of their terms, and every six years thereafter.
6 Each judge shall take office on the first day of January of the year following election
7 and shall serve through December thirty-first of the last year of his term. Any
8 candidate for election to the office of judge of this court must designate the division
9 for which he is a candidate, and, if elected, shall succeed to the office of judge of the
10 division for which he was a candidate. The judge oldest in continuous service in
11 each division of the district court shall preside, and in the event two or more judges
12 shall have served the same length of time, the judge oldest in years shall preside.

13 H.(1) Subject to the recommendations of the committee provided for in R.S.
14 13:996.62, on the date that the Forty-First Judicial District Court becomes effective,
15 all of the books, papers, records, monies, actions, and other property of every kind
16 and description, movable and immovable, real and personal, possessed, controlled,
17 or used by the Civil District Court for the parish and Criminal District Court for the
18 parish shall be transferred and be owned, possessed, controlled, and used by the
19 Forty-First Judicial District Court.

20 (2) The judges of the Forty-First Judicial District, including the magistrate
21 judge, shall retain all accrued benefits and contributions to which they were entitled
22 and shall continue to contribute, if applicable, to the retirement system or pension
23 fund to which they were contributing on December 31, 2026. The salaries of the
24 judges and group health and life insurance premiums shall continue to be paid from
25 the same sources and in the same manner in which they were paid on December 31,
26 2026; however, the payment of health and life insurance premiums shall be in
27 accordance with the unified group health and life insurance program adopted by the
28 committee provided for in R.S. 13:996.62.

1 E. The Forty-First Judicial District Court, including the magistrate of the
 2 Magistrate Section of said court, acting en banc, shall prescribe rules and procedures
 3 not inconsistent with the constitution and laws of this state to be followed in all
 4 matters to be presented before the Magistrate Section.

5 §714.2. Commissioners; Magistrate Section; Forty-First Judicial District Court

6 A.(1) There shall be four commissioners appointed to the Magistrate Section
 7 of the Forty-First Judicial District Court. The persons appointed to the offices of
 8 commissioner created by this Section shall be known as commissioners and shall not
 9 be judges, but shall have the same qualifications, powers, duties, jurisdiction, and
 10 functions, all as is now or hereafter provided for the judge in the Magistrate Section
 11 of the Forty-First Judicial District Court. The commissioners shall serve a term of
 12 six years.

13 (2) The salary of the commissioners of the Forty-First Judicial District Court
 14 for the parish shall be fifty-five percent of the salary paid to a judge of the
 15 Forty-First Judicial District Court, said salary and related benefits as provided for by
 16 law, to be payable in the same manner and from the same sources as the salary and
 17 benefits of a judge of the Forty-First Judicial District Court. The support services
 18 and personnel including minute clerks and stenographers, as shall be necessary for
 19 the offices of commissioner, and such supporting services and personnel shall be
 20 paid in the same amount and from the same source as they are paid on December 31,
 21 2026.

22 (3) The judges of the Forty-First Judicial District Court, sitting en banc, shall
 23 determine the further powers, duties, functions, and policy affecting the offices of
 24 commissioner, not inconsistent with the provisions of this Section.

25 B. Should there be a vacancy created by the removal, resignation, or death
 26 of any commissioner, the judges of the district court, sitting en banc, shall fill the
 27 vacancy by appointment for the unexpired term. At the termination of the initial
 28 term and any subsequent terms of a commissioner, said judges, sitting en banc, shall
 29 appoint successors to the office for like terms. All commissioners are subject to

1 removal for any reason for which a judge of the Forty-First Judicial District Court
2 may be removed from office. Such removal shall be by order of the judges sitting
3 en banc, after notice and hearing. No person shall serve as commissioner unless he
4 has practiced law in the state of Louisiana for a period of not less than five years.

5 C. No commissioner of the magistrate office shall practice law before the
6 Forty-First Judicial District Court.

7 * * *

8 SUBPART B. CLERKS

9 * * *

10 §751.1. Clerk of the Forty-First Judicial District Court

11 A.(1) There shall be one clerk of the Forty-First Judicial District Court who
12 shall be elected by the qualified electors of Orleans Parish. He shall be elected at the
13 election for parochial and municipal officers in Orleans Parish, shall serve for a term
14 of four years, and shall take office and begin his term on the first Monday in May
15 following election. The clerk shall be called the clerk of court of the Forty-First
16 Judicial District Court. No separate clerk of the Civil District Court for the parish
17 of Orleans and no separate clerk of the Criminal District Court for the parish of
18 Orleans shall be elected after their current term of office expires.

19 (2) Beginning on the date that the judges elected to serve on the Forty-First
20 Judicial District Court take office on January 1, 2027, and until such date as provided
21 in Subsection B of this Section, the clerk of court for the Civil District Court for the
22 parish of Orleans shall serve as the clerk for the Forty-First Judicial District Court,
23 Civil Section, and the clerk of court for the Criminal District Court for the parish
24 shall serve as the clerk for the Forty-First Judicial District Court, Criminal Section.

25 B. When one clerk of the Forty-First Judicial District Court for the parish is
26 elected, the separate offices of the clerk of the Civil District Court for the parish of
27 Orleans and the clerk of court of the Criminal District Court for the parish of Orleans
28 shall be abolished and the functions, duties, and responsibilities of their respective

1 offices shall be merged and consolidated within the office of the clerk of court of the
2 Forty-First Judicial District Court.

3 C. All of the books, papers, records, monies, actions, and other property of
4 every kind and description, movable and immovable, real and personal, possessed,
5 controlled, or used by the clerk of the Civil District Court for the parish of Orleans
6 and the clerk of the Criminal District Court for the parish of Orleans shall be
7 transferred and be owned, possessed, controlled, and used by the clerk of the
8 Forty-First Judicial District Court.

9 D. The employees of the clerk of the Civil District Court for the parish of
10 Orleans and the clerk of the Criminal District Court for the parish of Orleans shall
11 be transferred in accordance with this Section, to the extent required and in
12 accordance with applicable civil service laws and rules, and shall be subject to the
13 supervision and control of the clerk of the Forty-First Judicial District Court. The
14 employees transferred in accordance with this Section shall continue to contribute
15 to the retirement system or pension fund to which they were contributing on the
16 effective date of this Section, including the retention of all accrued benefits and
17 contributions to which they were entitled on the effective date of this Section. The
18 salaries of the employees of the clerk of Civil District Court and the clerk of
19 Criminal District Court shall continue to be paid from the same sources and in the
20 manner in which they were paid on the effective date of this Section.

21 §751.2. Salary

22 The provisions of R.S. 13:782 shall apply to the clerk of the Forty-First
23 Judicial District Court except as otherwise provided therein and he shall receive a
24 salary as established in R.S. 13:782(A) based on the applicable population of the
25 parish according to the latest United States census which shall be payable out of the
26 Consolidated Judicial Expense Fund.

27 §751.3. Expenses

28 In addition to his salary, the clerk of the Forty-First Judicial District Court
29 shall receive a sum not to exceed ten percent of his annual salary as an expense

1 allowance. This allowance shall be payable out of the expense fund or its successor
2 upon the warrant of the clerk.

3 §751.4. Clerk’s salary fund

4 Except as provided in R.S. 13:783(C), the clerk of the Forty-First Judicial
5 District Court shall collect all fees and charges due his office and deposit them in a
6 fund known as the Clerk’s Salary Fund. The clerk shall keep an accurate set of
7 books in connection with this fund showing all receipts of his office, including
8 notarial fees, and all expenditures. On or before the tenth of October each year, he
9 shall render a statement from the books for the fiscal year beginning July first and
10 ending June thirtieth to the governing body of the parish. A clerk who fails to
11 comply with this Section shall forfeit to the parish fifty percent of the compensation
12 received by him under R.S. 13:782.

13 §751.5. Cross-references

14 The provisions of R.S. 13:750 and 750.1 shall apply in Orleans Parish.

15 * * *

16 SUBPART C. FEES

17 * * *

18 §841.3. Fees; clerk for the Forty-First Judicial District; collection

19 The clerk of the Forty-First Judicial District Court shall collect the fees set
20 forth in R.S. 13:1213.1 and shall deposit no less than sixty percent of the amounts
21 collected in the Clerk's Operational Fund. The remaining funds shall be deposited
22 in the Consolidated Judicial Expense Fund.

23 * * *

24 §842. Advance costs

25 A. The clerks of the district courts shall demand and receive from the
26 plaintiff or plaintiffs in each ordinary suit, whether accompanied by conservatory
27 writs or not, not less than twenty dollars or such other amount as may be fixed by
28 law for advanced costs, to be disbursed to the clerk's salary fund or to others as their
29 fees accrue. Whenever the costs have exhausted the amount of the original advance

1 deposit, the clerk may refuse to perform any further function in the proceeding until
2 the additional costs for the function have been paid, in accordance with the fees set
3 forth in R.S. 13:841 ~~or, in Orleans Parish~~, the Forty-First Judicial District Court as
4 set forth in R.S. 13:841.3 or, in R.S. 13:1213.

5 §983. Court reporters for the Forty-First Judicial District Court

6 A.(1) Each judge of the Forty-First Judicial District may appoint no more
7 than two court reporters for his division, which reporters shall hold office until it is
8 declared vacated by the judge making such appointment.

9 (2) The judges of the Forty-First Judicial District, sitting en banc and with
10 approval of the governing authority of the parish, may appoint additional qualified
11 court reporters as they deem necessary, who shall serve at the pleasure of the court
12 en banc and may be assigned to the various divisions of the court, or to the grand
13 jury, as the court en banc may direct.

14 B. Each court reporter appointed under the provisions of this Section shall
15 be required to take an oath of office and furnish bond for the faithful performance
16 of the duties of the office. The bond shall be in favor of the judges of the Forty-First
17 Judicial District Court for the purpose of protecting litigants against any acts of
18 incompetence or neglect of duty by the court reporter. The bond shall be recorded
19 and filed in the office of the clerk of court. Any party litigant shall have the right to
20 sue on said bond for any damages sustained through any wrongful act or neglect of
21 duty by the court reporter in the performance of his duties as official court reporter.

22 C. The court reporters shall report in shorthand, stenotype, by recording
23 machine, or in any recognized manner, and transcribe into longhand by typing or
24 printing all the testimony taken in all civil appealable cases and shall furnish for the
25 purposes of appeal the necessary copies of the testimony required by law.

26 D. The court reporters shall work concurrently under the direction and
27 supervision of the judges appointing them, according to the needs of the judicial
28 district, in the interest of expediting the business before the court.

29 E. Each court reporter shall perform secretarial duties for the district judge
30 appointing the reporter, particularly in the absence of the judge's regular secretary.

1 F. The court reporters shall receive a monthly salary to be fixed and
2 determined by the judges of the Forty-First Judicial District sitting en banc, upon
3 approval of the governing authority of the parish. The salaries shall be paid out of
4 the general fund of the parish. The governing authority for the parish shall budget
5 the salaries in its budget of annual expenses. Upon approval by the court, a portion
6 thereof may be paid out of the Consolidated Expense Fund for the Forty-First
7 Judicial District.

8 G.(1)(a) In all civil cases, a fee of one dollar and fifty cents per original page
9 of transcript, fifty cents per page for additional pages of original transcript for the
10 first copy, and thirty-five cents per page for additional copies reported and
11 transcribed beyond the first copy shall be charged by and paid to the court reporter
12 for reports and for transcribing the testimony which shall be retained by him as
13 compensation in addition to the salary as provided herein, and shall be taxed as costs
14 of the suit in which the testimony is taken to be collected by the clerk of court,
15 except in pauper cases.

16 (b) Payment of the fees shall be made primarily by the appellant immediately
17 upon the transcription of the evidence, and the court reporter shall not be required
18 to file the transcript with the clerk of court before payment.

19 (2) Should the appellant fail or refuse to make such payment, the appellee
20 or any other party to the suit may make the same and have it assessed as costs.

21 (3) Even though counsel may attempt to procure a transcript of the entire
22 record by alleging that the entire record is necessary to support a motion for a new
23 trial, the trial judge shall not order the entire transcript to be typed unless he deems
24 it indispensable to the record of the motion or proceedings.

25 H.(1)(a) In all pauper cases under Code of Civil Procedure Article 5181 et
26 seq., the governing authority for the parish shall pay to the court reporter for the
27 transcribing of testimony, when an appeal is taken or upon order of the judge,
28 one-half of the amount as would otherwise be required to be paid by the party who
29 is proceeding in forma pauperis.

1 (b) Such amount shall be paid at the time the transcription is filed, but only
2 upon the written approval and order of the judge.

3 (c) Such payments by the parish shall not exceed the sum of twenty-five
4 hundred dollars for any one year.

5 (2) The governing authority of the parish, upon making payment to any court
6 reporter pursuant to this Section shall be legally subrogated to the rights of the court
7 reporter as to all sums so paid for the transcription of testimony in pauper cases.

8 (3) All judgments in cases in which the pauper shall be cast for costs,
9 together with the statement of such costs, shall be recorded by the clerk of court in
10 the mortgage records of the parish and such judgments when so recorded shall
11 operate as judicial mortgages in favor of the parish governing authority.

12 I.(1) The court reporters shall record such criminal proceedings as may be
13 required by law or as ordered by the court.

14 (2)(a) No fee shall be charged for taking evidence on assignments of error,
15 motions, or other pleadings in criminal cases, unless approved by the presiding
16 judge.

17 (b) When so approved, any such payment may be made from the
18 Consolidated Expense Fund for the Forty-First Judicial District when the defendant
19 is indigent and judges sitting en banc have approved the payment.

20 (c) In such cases, however, only properly designated portions of the record
21 shall be transcribed.

22 J. The court reporters shall be provided with any office supplies necessary
23 for the reporting and transcription of any notes of evidence taken by the court
24 reporters. Each court reporter shall be responsible for all traveling expenses and
25 other expenses incurred in the discharge of his duties.

26 K. In criminal cases, the notes shall be maintained indefinitely and shall be
27 returned to the appropriate court upon termination of employment. In other matters,
28 the court reporters shall file and maintain their notes for a period of one year after
29 judgment has become final.

1 (e) Recommend the appropriate method for consolidating all funds, monies,
2 deposits, accounts, obligations and debts of the enumerated courts into the
3 Consolidated Judicial Expense Fund.

4 (4) The committee shall report its findings and recommendations to the
5 Senate Committee on Judiciary A and the House Committee on Judiciary not later
6 than January 1, 2028.

7 B.(1) Notwithstanding any other law to the contrary, effective January 1,
8 2029, all monies, deposits, accounts heretofore possessed, controlled, exercised, or
9 used by a court or judge separately or collectively, enumerated in Subsection A of
10 this Section shall be transferred to the Consolidated Judicial Expense Fund, in
11 accordance with the recommendations of the Consolidation Review Committee, and
12 monies so allocated to the fund shall be continued to be paid from the same sources
13 as provided therein into a special account designated as the Consolidated Judicial
14 Expense Fund.

15 (2) This Section shall not apply to those funds collected pursuant to R.S.
16 13:1141(A) and R.S. 13:1381.1.

17 (3) The judges shall cause to be conducted annually an audit of the fund and
18 the books and accounts relating thereto, and shall file the same with the office of the
19 legislative auditor where it shall be available for public inspection.

20 (4) The monies in the Consolidated Judicial Expense Fund may be used for
21 any purpose connected with, incidental to, or related to the proper administration or
22 function of the courts and judges designated in Subsection A of this Section or the
23 offices of the judges thereof and is in addition to any and all other funds, salaries,
24 expenses, or other monies that are provided, authorized, or established by law. The
25 establishment of the Consolidated Judicial Expense Fund in no way relieves or
26 extinguishes any obligation of the city of New Orleans to fund the court system.

27 (5) The judges, en banc, may further appoint such secretarial, clerical,
28 research, administrative, or other personnel as they deem necessary to expedite the
29 business and function of the court and fix and pay all or any part of the salaries of
30 such personnel out of the monies in the Consolidated Judicial Expense Fund. In like

1 manner, the judges, en banc, may utilize the monies in the Consolidated Judicial
2 Expense Fund to pay all or any part of the cost of establishing or maintaining, or
3 both, a law library for the court, or for buying or maintaining, or both, any type of
4 equipment, supplies, or other items consistent with or germane to the efficient
5 operation of the court. In general, the Consolidated Judicial Expense Fund is
6 established and may be used for any purpose or purposes connected with, incidental
7 to, or related to the proper administration or function of the said court or the offices
8 of the individual judges and is in addition to any and all other funds, salaries,
9 expenses, or other monies that are now or hereafter provided, authorized, or
10 established by law for any of the aforesaid purposes.

11 C.(1) The judges, en banc, may utilize the monies in the Judicial Expense
12 Fund to pay all or any part of the cost of planning, designing, and constructing a new
13 courthouse for the parish, which may house the following courts and all related
14 support offices:

15 (a) District court for the parish.

16 (b) City courts.

17 (c) Juvenile courts.

18 (2) Any contract for the planning, designing, or construction of a new
19 courthouse shall be subject to the public bid laws. The provisions of this Subsection
20 shall not affect the obligation of the city of New Orleans to provide buildings to
21 house the Civil District Court and the other courts housed therein and the Criminal
22 District Court.

23 D. The legislature hereby specifically states that this Section is in no way
24 and to no extent intended to nor shall it be construed in any manner which will
25 impair the contractual or other obligations of any fund transferred by this Subpart or
26 of the state of Louisiana. It is hereby specifically provided that all obligations of any
27 fund transferred in accordance with this Subpart hereafter shall be deemed to be the
28 obligations of the Consolidated Judicial Expense Fund for the Forty-First Judicial
29 District to which the fund is transferred to the same extent as if originally made by
30 said fund. This transfer of obligations shall in no way create a personal obligation

1 for any judge of the Forty-First Judicial District Court, if no such obligation existed
2 prior to the transfer. In like manner, and in order to prevent any violation of the
3 provisions, terms, or conditions of any gift, donation, deed, will, trust, or other
4 instrument or disposition by which property of any kind has been vested in a fund
5 transferred by this Section, or diversion from the purposes for which such property
6 was thus vested in any fund, it is hereby specifically provided that each such
7 instrument or disposition hereafter shall be deemed to have been vested in the
8 Consolidated Judicial Expense Fund for the Forty-First Judicial District to which the
9 fund is transferred in the same manner and to the same extent as if originally so
10 done.

11 E. The Consolidated Judicial Expense Fund for the Forty-First Judicial
12 District to which each fund is transferred shall be the successor in every way to each
13 fund transferred and from which functions are or may be merged and consolidated,
14 including all of the obligations and debts of each fund. In like manner, all other
15 dedications and allocations of revenues and sources of revenues heretofore made,
16 which are constitutional under the Constitution of Louisiana of 1974, shall continue,
17 until otherwise hereafter provided by the constitution, in the same manner, to the
18 same extent, and for the same purposes as were provided prior to the enactment of
19 this Section.

20 F. The provisions of this Section shall not be construed or applied in any way
21 which will prevent full compliance by the state, or any department, office, or agency
22 thereof, with the requirements of any Act of the Congress of the United States or any
23 regulation made thereunder by which federal aid or other federal assistance has been
24 or hereafter is made available to this state, or any department, office, agency, or
25 subdivision thereof, anything contained in this Subpart to the contrary
26 notwithstanding, and such compliance hereafter shall be insofar as such compliance
27 affects any fund transferred in accordance with the provisions of this Section.

28 G. Upon the transfer of each fund in accordance with this Section, any
29 pending or unfinished business of each such fund shall be taken over and be
30 completed by the Consolidated Judicial Expense Fund for the Forty-First Judicial

1 District with the same power and authority as that of the fund transferred. The
2 Consolidated Judicial Expense Fund shall be the successor in every way to each
3 fund, and every act done by the Consolidated Judicial Expense Fund in the exercise
4 of the functions of each shall be deemed to have the same force and effect under any
5 provisions of the constitution and laws in effect on the effective date of this Section
6 as if done by the fund transferred.

7 §996.63. Indigent transcript fund; reporter's fees

8 A. The additional cost of fourteen dollars may be taxed against every
9 nonindigent defendant who is convicted after trial or after a plea of guilty or who
10 forfeits his bond in connection with any other criminal offense.

11 B. All funds received under this Section shall be used to pay court reporter
12 fees for transcripts prepared for indigent defendants, including bills of exceptions,
13 trials, motions, hearings on writs, and all court proceedings.

14 C. The judges of the Forty-First Judicial District Court, sitting en banc, may,
15 by a majority vote of all members, authorize the payment of fees, to be determined
16 by the court, to the deputy court reporters for the transcription of indigent defendant
17 cases.

18 §996.64. Fees; fines; assessed, collected in Forty-First Judicial District Court

19 A. Any defendant, other than an indigent, who pleads guilty or is convicted
20 of an offense in the Forty-First Judicial District Court shall be assessed a fee of not
21 less than twenty-five dollars, such costs to be in addition to any fine, clerk's fees,
22 costs due to the Consolidated Judicial Expense Fund or sentence imposed by the
23 court.

24 B. Costs assessed against defendants pursuant to this Section collected by
25 the sheriff of the parish. All sums so collected shall be deposited in the Consolidated
26 Judicial Expense Fund for the Forty-First Judicial District Court.

27 C. When any bail bond posted in the Forty-First Judicial District Court
28 guaranteeing the appearance of any defendant in any case in the district court has
29 been forfeited, the surety company, local agent, or insurance company for which the
30 agent is writing bail bonds, shall be assessed costs not more than twenty-five dollars.

1 connected with the administration or function of the recordation of documents by the
 2 office of the clerk of court as the parish recorder, including salaries, benefits, and
 3 pension contributions. The separate account shall be audited annually, and a copy
 4 of the report furnished to the legislative auditor as provided by law, where it shall be
 5 available for public inspection, and with the Joint Legislative Committee on the
 6 Budget. The audit report shall also be published, at the sole expense of the clerk of
 7 court for the Forty-First Judicial District Court, in the official journal of the parish
 8 of Orleans, no later than January first of each year.

9 C. The administrator of the Consolidated Judicial Expense Fund, designated
 10 by the judges of the courts having authority over the fund, beginning in 2029, on or
 11 before July seventh, annually, shall submit to the clerk of court a financial statement
 12 and accounting of all sums which have been deposited therein by the clerk of court
 13 as parish recorder.

14 §181.6. Office; facilities

15 The city of New Orleans shall provide an office and other reasonable
 16 facilities in the building in which the Civil Section of the Forty-First Judicial District
 17 Court holds court or other quarters contiguous thereto which shall be good and
 18 sufficient for the proper and efficient operation of the office of the clerk as the parish
 19 recorder, including the installation and maintenance of an appropriate fire protection
 20 and climate control system.

21 * * *

22 §182.2. List of notaries

23 A. The clerk of court as the parish recorder shall keep an accurate
 24 alphabetical list of all notaries public in and for the parish of Orleans, showing their
 25 business and residence addresses and the expiration date of their bonds, if the notary
 26 is required by law to furnish a bond. The list shall be kept at all times open to public
 27 inspection during his office hours, and he shall furnish the secretary of state and the
 28 district attorney in and for the parish of Orleans, annually on or before October first,
 29 a certified list of all notaries in and for the parish of Orleans, showing the number of

1 notaries and the number and names of those who have ceased to be notaries, and the
2 number and names of those whose bonds have expired.

3 B. He shall diligently, by every means in his power, keep the list accurate
4 and up to date at all times, and shall immediately notify the governor and the
5 secretary of state of each vacancy caused by death, resignation, removal from
6 Orleans Parish, or any other cause, as soon as such facts are ascertained by him.

7 §182.3. Statement furnished parish recorder by notaries

8 Each notary shall, annually, before September first, furnish to the clerk of
9 court as the parish recorder a statement showing his office and residence address, the
10 date of his bond, if required by law, and the surety or sureties thereon, and their
11 addresses. Failure to furnish this statement shall be cause for the revocation of the
12 commission of the notary.

13 §182.4. Fee payable to parish recorder by notaries

14 Each notary shall pay an annual fee of twenty dollars, on or before September
15 first of each year, to the clerk of court as the parish recorder. The fees collected by
16 the clerk of court pursuant to this Section shall be deposited in the Consolidated
17 Judicial Expense Fund to be used by the clerk subject to allocation by the committee
18 provided in R.S. 13:996.62 for expenses and maintenance of the recordation of
19 historical and other archival documents.

20 §182.5. Testing sureties on bonds; new bond; forfeiture of commission for failure
21 to give

22 A. The clerk of court as the parish recorder may institute proceedings by rule
23 in the Forty-First Judicial District Court for the parish of Orleans, if he deems it
24 proper and necessary, without the payment of costs by the recorder, on all notaries
25 in the parish, who are required to furnish a notarial bond to test the surety on their
26 official bonds.

27 B. If the surety on an official bond so tested is judicially declared not good
28 and solvent as required by law, the notary whose surety has been so declared shall
29 pay the costs of the rule. The notary shall be allowed thirty days within which to
30 give a new bond, and shall not be entitled to act as a notary, until time as such good

1 and solvent bond has been furnished. If the notary fails to furnish such bond within
2 thirty days, he shall forfeit his commission and shall pay all costs which have been
3 assessed against him in any proceeding filed by the clerk of court as the parish
4 recorder under the provisions of this Chapter.

5 C. Whenever the notary's commission is revoked for failure to comply with
6 the requirements of this Part, no judgment of any court reinstating the notary, which
7 is rendered after the expiration of thirty days as provided in Subsection B of this
8 Section, shall be valid.

9 §182.6. Proceedings by clerk of court against absent notaries

10 Should the proper official be unable to find any notary upon whom he desires
11 to make service of process in any cause brought by the clerk of court as the parish
12 recorder under the authority of this Chapter, the clerk of court shall advertise such
13 cause at least three times at intervals of not less than seven or more than ten days, in
14 the official journal of the parish of Orleans, and if no appearance has been made by
15 the defendant notary in the cause, the clerk of court shall proceed against him as
16 against an absent defendant, as provided by law.

17 §182.7. Revocation of notary's commission for failure to furnish bond

18 Failure of any notary to furnish proper surety bond as required by law shall
19 be just cause for revocation of his notarial commission by a court of proper
20 jurisdiction.

21 §182.8. Notice by clerk of court of expiration date of bond

22 It is the duty of the clerk of court as the parish recorder to notify each notary
23 of the expiration date of his bond, if required by law to furnish bond, within sixty and
24 not less than thirty days of the date of expiration, but the failure of the clerk to give
25 such notice shall not prevent the clerk from proceeding to cancel the notary's
26 commission as provided herein, nor shall it relieve the notary of any duties
27 prescribed by law.

28 §182.9. Rule to revoke notary's commission

29 Should any notary fail or refuse to pay the annual fee fixed by R.S. 44:182.4,
30 or fail or refuse to furnish the information required, or fail to provide the proper bond

1 as required by law, the clerk of court as the parish recorder shall promptly file a rule
2 in the Forty-First Judicial District Court, or in any other court of proper jurisdiction,
3 to have the notary's commission revoked, and the notary shall pay all costs of the
4 proceeding. Those monies recovered or received pursuant to this proceeding shall
5 be deposited by the clerk of court in the Consolidated Judicial Expense Fund.

6 §182.10. Misdemeanor to act after expiration of bond or after surety canceled

7 A notary who knowingly and willfully acts as such after the expiration of his
8 bond, or after the surety on his bond has been canceled as provided by law, is guilty
9 of a misdemeanor, punishable by a fine of not less than fifty dollars nor more than
10 five hundred dollars or by imprisonment for not less than ten days nor more than six
11 months.

12 Section 6. Except as expressly otherwise provided in this Act, the term "clerk of
13 court" as used in Sections 5 through 18 of this Act shall mean the clerk of the Civil District
14 Court for the parish of Orleans, until such time as the clerk of the Forty-First Judicial District
15 Court has been elected and takes office, after which time references to the clerk of court
16 shall mean the clerk of the Forty-First Judicial District Court.

17 Section 7. The city of New Orleans shall continue to provide quarters for the conduct
18 of the functions of the offices transferred to the clerk of court as provided in this Act in the
19 city of New Orleans in the building in which the Civil Section of the Forty-First Judicial
20 District Court holds court or other quarters contiguous thereto which shall be good and
21 sufficient for the proper and efficient operation of the recordation of records and documents,
22 including the installation and maintenance of appropriate fire protection and climate control
23 systems.

24 Section 8. All books, papers, records, money, actions, and other property of every
25 kind and description, movable and immovable, real and personal, possessed, controlled, or
26 used by each office transferred to the clerk of court by this Act shall be transferred with each
27 office to the office of the clerk of court as the parish recorder and shall continue to be
28 controlled and used by each office so transferred until the respective office is abolished as
29 provided in this Act.

1 Section 9. The legislature hereby specifically states that this Act is in no way and
2 to no extent intended to nor shall it be construed in any manner which will impair the
3 contractual or other obligations of any office transferred by this Act.

4 Section 10. This Act shall not be construed or applied in any way which will prevent
5 full compliance with the requirements of any Act of Congress of the United States or any
6 regulation made thereunder by which federal aid or other federal assistance has been or
7 hereafter is made available.

8 Section 11. Any legal proceeding to which any office transferred to the clerk of court
9 in accordance with the provisions of this Act is a party and which is filed, initiated, or
10 otherwise pending before any court on the effective date of such transfer, and all documents
11 involved in or affected by any such legal proceeding, shall retain their effectiveness and shall
12 be continued in the name of the office so transferred. All further legal proceedings and
13 documents in the continuation, disposition, and enforcement of said legal proceeding shall
14 be applicable to the office of clerk of court as the parish recorder without the necessity for
15 amendment of any document.

16 Section 12. Wherever any office transferred hereby is referred to or designated by
17 the constitution or by any law or contract or other document, after the effective date of the
18 transfer of such office such reference or designation shall be deemed to apply to the office
19 of the clerk of court as the parish recorder.

20 Section 13. The clerk of court as the recorder for the parish of Orleans shall be the
21 successor in every way to the offices of the custodian of notarial records, the register of
22 conveyances, and the recorder of mortgages upon the abolition of the respective office, and
23 every act done in the exercise of such functions by the clerk of court as the recorder for the
24 parish of Orleans shall be deemed to have the same force and effect under any provision of
25 the constitution and laws, as if done by the office of the custodian of notarial records, the
26 register of conveyances, or the recorder of mortgages, as the case may be.

27 Section 14.(A) R.S. 13:1031 through 1147, 1271 through 1312, 1335 through 1347,
28 and 1381.1 through 1400 are hereby repealed in their entirety effective on January 1, 2027.

29 (B) R.S. 13:1211 through 1212.1, 1371, 1372, and 1381 are hereby repealed in their
30 entirety on the date that the clerk of the Forty-First Judicial District Court takes office.

1 Section 15.(A) This Section, Sections 4 through 18, of this Act shall become
2 effective upon signature by the governor or, if not signed by the governor, upon expiration
3 of the time for bills to become law without signature by the governor, as provided by Article
4 III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and
5 subsequently approved by the legislature, the provisions of this Section, Sections 4 through
6 18, of this Act shall become effective on the day following such approval.

7 (B) For purposes of qualification and election of one clerk of the Forty-First Judicial
8 District Court as provided therein, the provisions of R.S. 13:751.1(A)(1) as enacted by
9 Section 2 of this Act and the provisions of Section 17 of this Act shall become effective
10 upon signature by the governor or, if not signed by the governor, upon expiration of the time
11 for bills to become law without signature by the governor, as provided by Article III, Section
12 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved
13 by the legislature, such provisions shall become effective on the day following such
14 approval.

15 (C) Section 2 of this Act shall become effective on January 1, 2027.

16 Section 16. Except as provided in Sections 19 and 26 of this Act, the provisions of
17 Section 2 of this Act shall become effective on January 1, 2027, except that the provisions
18 of R.S. 13:621.41 and 714.1 shall be effective for purposes of qualifying and election of
19 judges and magistrate of the Forty-First Judicial District Court to be held at the
20 congressional election to be held in 2026.

21 Section 17. All fees and costs assessed or collected by the clerk of the Civil District
22 Court or the clerk of the Criminal District Court, for the parish of Orleans in effect on the
23 effective date of this Section are continued and shall be assessed and collected in accordance
24 with the provisions of law then in effect.

25 Section 18. The Louisiana State Law Institute is hereby directed to renumber and
26 rearrange any sections or parts of Sections of this Act and make any such changes to
27 references to other provisions of law consistent with the provisions of this Act. The
28 Louisiana State Law Institute is also directed to submit such recommendations on or before
29 March 1, 2027, as it deems necessary to clarify, modify, or repeal any of the provisions of

1 this Act or any other provision of law, including the elimination of antiquated provisions
2 consistent with the provisions of the Act.

3 Section 19. R.S. 13:621.44 through 621.46 are hereby enacted to read as follows:

4 §621.44. Abolition of Orleans Parish Juvenile Court; extension of terms of office;
5 jurisdiction; conferred on Forty-First Judicial District Court; transfer
6 of cases

7 A. The Orleans Parish Juvenile Court is abolished effective December 31,
8 2014. The terms of office of the judges of the juvenile court now in office shall be
9 extended until December 31, 2014. After the effective date of this Section, no judge
10 shall be elected to the Orleans Parish Juvenile Court except to fill a vacancy and in
11 such case the term of office shall expire on December 31, 2014.

12 B. It is the express intent of this Section that the jurisdiction conferred by
13 law, particularly the Louisiana Children's Code, upon the Orleans Parish Juvenile
14 Court, shall be vested in the Forty-First Judicial District Court and shall be the same
15 as it exists on the effective date of this Section. All of its powers, its duties, and its
16 various departments or its personnel, except as herein set forth and provided shall be
17 vested in the Forty-First Judicial District Court as provided in this Section and R.S.
18 13:621.45 and 621.46.

19 C. Effective January 1, 2015, all pending cases filed in the Orleans Parish
20 Juvenile Court are hereby transferred to the Forty-First Judicial District Court for the
21 parish of Orleans. All records and files of the Orleans Parish Juvenile Court shall
22 be transferred to the Forty-First Judicial District Court, which shall hear and dispose
23 of each such case with the same legal effect as if it had been instituted in that court
24 in the first instance.

25 §621.45. Forty-First Judicial District Court; initial judges; term of office; election;
26 juvenile section

27 The judges of the Forty-First Judicial District Court in office on January 1,
28 2027, shall en banc create the Juvenile Section of that court. The rule shall designate
29 not less than six judges who shall be assigned all cases involving juvenile matters
30 over which the district court has jurisdiction.

1 §621.46. Implementing legislation

2 The legislature shall enact any such other legislation necessary to effectuate
3 the provisions transferring jurisdiction over juvenile matters to the Forty-First
4 Judicial District Court.

5 Section 20. This Section, Section 1, and the provisions of R.S. 13:996.62(A)(2)
6 through (4) as enacted by Section 2 of this Act, and Sections 20 through 25 and 27 of this
7 Act shall become effective upon signature by the governor or, if not signed by the governor,
8 upon expiration of the time for bills to become law without signature by the governor, as
9 provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the
10 governor and subsequently approved by the legislature, this Section, Section 1, and the
11 provisions of R.S. 13:996.62(A)(2) through (4) as enacted by Section 2 of this Act, and
12 Sections 21 through 25 of this Act shall become effective on the day following such
13 approval.

14 Section 21. The provisions of R.S. 13:621.41(I) as enacted by Section 2 of this Act
15 shall become effective upon signature by the governor or, if not signed by the governor,
16 upon expiration of the time for bills to become law without signature by the governor, as
17 provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the
18 governor and subsequently approved by the legislature, this Act shall become effective on
19 the day following such approval.

20 Section 22. The provisions of R.S. 13:751.4 and 841.3 of Section 2 of this Act shall
21 become effective upon signature by the governor or, if not signed by the governor, upon
22 expiration of the time for bills to become law without signature by the governor, as provided
23 by Article III, Section 18 of the Constitution of Louisiana. Until a single clerk for the
24 Forty-First Judicial District Court is elected, the clerk shall mean the clerk of the Civil
25 District Court and the clerk of the Criminal District Court. All fees and costs assessed or
26 collected by the clerk of the Civil District Court or the clerk of the Criminal District Court
27 for the parish of Orleans in effect on the effective date of this Section are continued and shall
28 be assessed and collected in accordance with these provisions. On or after January 1, 2027,
29 the sixty percent in R.S. 13:841.3 may be renegotiated by the clerk and chief judge of the

1 Forty-First Judicial District Court, but shall not be reduced below fifty percent of the civil
2 filing fees collected by the clerk.

3 Section 23. If a vacancy occurs in civil or criminal district courts, the office of the
4 clerk of the civil or criminal district courts, no special election shall be held to fill the
5 vacancy. In the case of the clerks of the civil and criminal district courts, the chief deputy
6 of either office shall fill the unexpired term.

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 911 Original

2026 Regular Session

McMakin

Abstract: Provides for the complete reform and modernization of the judicial components of Orleans Parish.

Present law provides for the Civil and Criminal District Courts for Orleans Parish, and the jurisdiction, compensation, authority, rule making ability, assignment, and designation of divisions, cases, expenses, costs, fees, and personnel, number of judges, commissioners, and magistrates allocated to divisions or sections, clerks of civil and criminal courts, compensation, fees, resultant judicial expenses, funds, deposits, bonds, retirement, and related duties and privileges, court reporters' selection, salary, and fees, magistrates and commissioners, their respective duties, jurisdiction, compensation, authority, and designations of the Civil and Criminal District Courts for Orleans Parish.

Proposed law consolidates the civil and criminal courts, and the clerks of the respective courts into the 41st Judicial District Court, establishes one clerk of court for Orleans Parish, and otherwise would establish the salaries, composition, jurisdiction of such judicial officials, including magistrates and commissioners, and transfer all the duties, powers, and functions of the former offices to the consolidated office, would create the Consolidated Judicial Expense Fund for the 41st Judicial District Court, its authority, practices, duties, and privileges, and otherwise operate under a board, composed of certain judicial officials, and to otherwise establish consolidated public offices similar to the other 40 existing judicial districts in the state.

Proposed law consolidates the clerks of the Civil and Criminal District Courts in Orleans Parish and provides for a single clerk for both courts. Provides that one clerk shall be elected at the municipal and parochial election in certain parishes in 2032. Transfers the duties, powers, and functions of the former offices to the consolidated office. Provides that the salaries of employees of the clerk of the civil district court and the criminal district court shall continue to be paid from the same sources and in the manner in which they were paid on the effective date of proposed law. Requires clerk of the 41st Judicial District Court to collect all fees and charges due his office and deposit them in a fund known as the Clerk's Salary Fund. Requires the clerk to collect the fees set forth in R.S. 13:1213.1 and deposit no less than 60% of the amounts collected in the fund, and the remaining shall be deposited in the Consolidated Judicial Expense Fund.

Present law provides for the duties, powers, fees, and salaries of the register of conveyances, recorder of mortgages, custodian of notarial records, and civil and criminal clerks of court for Orleans Parish; requires that certain fees be forwarded to the register, recorder, custodian,

or civil and criminal clerks, that a bond for each be obtained, that notaries in Orleans Parish, obtain same from the custodian, and maintain such; that certain acts, failure to keep proper indexes, failure to maintain bonds of notaries after expiration or revocation of bond or commission, are misdemeanors; that executed acts of a notary be maintained and bound by same, that certain acts be filed with the clerks of court.

Present law also provides the procedure for the recordation and preservation of property records of Orleans Parish by the register, recorder, or custodian; the authority to proceed against notaries or to revoke certain notaries' commissions; the authority to record certain other documents, including but not limited to pledges, mortgages, contracts, affecting immovable property, incorporation papers; the authority to appoint deputies; and the salary and operating budget of the register, recorder, and custodian.

Proposed law transfers the offices of the custodian of notarial records, register of conveyances, and recorder of mortgages and their respective duties and functions to the clerk of civil district court as parish recorder and abolishes such offices effective Jan. 1, 2027. Provides for the clerk to assume the duties of the custodian, the register, and the recorder on that date.

Proposed law provides that any employees who are transferred through the consolidation of the civil and criminal courts or the consolidation of the clerks of such courts shall continue to contribute to the retirement system or pension fund to which they were contributing on the effective date of the consolidation provisions, including the retention of all accrued benefits and contributions to which they were entitled at such time.

Proposed law creates the "Consolidated Judicial Expense Fund" for the civil and criminal district courts, the juvenile court for the parish of Orleans, and the First and Second City Court of the city of New Orleans. Further provides that such fund and all disbursements shall be administered and controlled by a committee composed of 4 judges from the civil district court, 4 judges from the criminal district court including the magistrate, 2 judges from the juvenile court for the parish of Orleans, and 1 judge from the first or second city court selected by a majority of the judges of the courts sitting en banc. At least one member from the criminal district court, the civil district court, and the juvenile court serving shall be the most senior judge at his respective court.

Proposed law requires that, effective January 1, 2009, all funds of a court or judge of the city or parish courts of Orleans Parish, separately or collectively, shall be transferred to the Consolidated Judicial Expense Fund in accordance with the recommendations of the Consolidation Review Committee and monies so allocated shall continued to be paid from the same sources into the consolidated fund. Exempts funds deposited in the Clerk's Salary Fund from such proposed requirement. Further provides that the funds in the consolidated fund may be used for any purpose related to the administration or function of the courts and judges or the offices of the judges and is in addition to any other funds, salaries, expenses, or other monies which are authorized by law.

Proposed law provides for an annual audit of the consolidated fund by the judges which shall be filed with the legislative auditor and shall be available for public inspection.

Proposed law authorizes the use of the monies in the Judicial Expense Fund to pay all or part of expenses related to the construction of a new parish courthouse; however, further provides that such authorization does not affect the obligation of New Orleans to provide buildings to house the civil district court and the other courts housed therein and the criminal district court.

Proposed law permits the clerk of court as the parish recorder to appoint three full-time chief deputies for the operation of the office with the same qualifications as the clerk of court as the parish recorder. Requires the clerk of court to hire a full-time archivist, with delineated qualifications, whose primary responsibilities shall be to ensure the adequate preservation of records. Provides for the powers and duties of the clerk of court as the parish recorder for

the recordation and preservation of conveyances, mortgages, and all contracts and instruments of writing, marriage contracts, and wills in Orleans Parish. Also requires the clerk of court as the parish recorder, with advice of the archivist, to provide for the appropriate reproduction, preservation, and restoration of records.

Proposed law requires notaries to pay an annual \$20 fee to the clerk to be deposited in a separate account to be designated the Archival Trust Fund and to be used exclusively for expenses and maintenance of the recordation of historical and other archival documents. Also requires the clerk to dedicate a portion of fees assessed and collected as parish recorder for microfilming, restoration, repair, and preservation of records. Provides for deposit of these fees in the Archival Trust Fund.

(Amends R.S. 13:1, 474, and 842(A); Adds R.S. 13:474.1, 477(41), 621.41, 621.42, 621.43, 714.1, 714.2, 751.1-751.5, 841.3, 983, 996.62-996.64, and R.S. 44:181.5, 181.6 and 182.2-182.10; Repeals R.S. 9:2745, R.S. 13:1031-1147, 1211-1212.1, 1271-1312, 1335-1347, 1371, 1372, 1377, 1381, and 1381.1-1400)