

2026 Regular Session

SENATE BILL NO. 256

BY SENATOR MORRIS

COURTS. Provides for a clerk of court in Orleans Parish. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 13:1211, 1211.1, 1212(A), (B)(1), (2), (3), (4) and (5), 1212.1,

3 1213.1, 1213.2, 1216, 1222, 1371.2, 1373(A)(1), 1373.1, 1381.3, and 1381.7(A) and

4 R.S. 18:2(3), 444(E), 602(C)(1), (E)(2)(c), 1300.7(B), 1354(A)(1), 1511.2(E) and

5 1511.3(A)(1), relative to the clerk of court in Orleans Parish; to provide for one clerk

6 of the civil district court and the criminal district court; to provide for payments from

7 the Clerk of Court Expense Fund; to provide for the administration of the court by

8 the clerk of court in Orleans Parish; to provide for an effective date; and to provide

9 for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 13:1211, 1211.1, 1212(A), (B)(1), (2), (3), (4) and (5), 1212.1,

12 1213.1, 1213.2, 1216, 1222, 1371.2, 1373(A)(1), 1373.1, 1381.3, and 1381.7(A) are hereby

13 amended and reenacted to read as follows:

14 §1211. Qualifications; duties; bond; collection of fees; deputies; minute clerks

15 The qualifications and duties of the **Orleans** clerk of ~~civil district~~ court shall

16 be as now fixed by law. He shall furnish bond in the sum of twenty thousand dollars,

17 which shall be examined by the court, and all testimony given in the examination

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 2 collect the fees prescribed by the legislature until superseded by those fixed by the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

13 §1211.1. Clerk; election; term of office

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

19 **B. To facilitate transition to a consolidated office of the clerk of court, no**
 20 **employee of the clerk of the Criminal District Court on the date this Section**
 21 **becomes effective may be discharged from employment by the clerk before**
 22 **January 15, 2027, except for good cause shown including but not limited to**
 23 **insubordination or violation of any state or federal law, notwithstanding the**
 24 **provisions of R.S. 13:1371.2. The clerk of the office of the consolidated clerk of**
 25 **court may hire temporary employees or hire contractors to assist in the**
 26 **transition using unrestricted funds of the clerk until June 30, 2027.**

27 §1212. Salary

28 A. The **Orleans** clerk of the ~~civil district~~ court shall receive a salary as
 29 established in R.S. 13:782(A) based on the applicable population of the parish

1 according to the latest United States census which shall be payable out of the ~~judicial~~
 2 ~~expense~~ **clerk's salary** fund beginning with Fiscal Year 1997-1998 and each fiscal
 3 year thereafter. In addition to this amount, the clerk of the civil district court shall
 4 receive a salary of ten thousand dollars which shall be payable by the ~~state~~ **judicial**
 5 **expense fund**.

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

9 (2) In addition to those persons eligible pursuant to R.S. 13:782(I)(3) and
 10 1371.1(B)(2), the person holding the office of clerk of ~~the Civil District Court~~ **court**
 11 for the parish of Orleans shall be eligible for participation in the clerks of court
 12 certification program.

13 (3) The requisite education and training will be provided as set forth in R.S.
 14 13:782(I)(4).

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

18 (5) Documents showing the successful completion of the certification
 19 program shall be submitted to and approved by the certification committee. Upon
 20 approval of the application for certification, a person holding the office of clerk of
 21 ~~the Civil District Court~~ **court** for the parish of Orleans shall receive the designation
 22 of Certified Clerk of Court (CCC) and notice of the approval shall be forwarded to
 23 the legislative auditor by the certification committee.

24 * * *

25 §1212.1. Expenses

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

* * *

§1213.1. Payment of costs in lump sum

In lieu of the fees enumerated in R.S. 13:1213 or otherwise set by the judges of the Civil District Court for the Parish of Orleans, the judges of the Civil District Court for the Parish of Orleans may authorize the clerk of ~~the Civil District Court~~ **court** to demand and receive from plaintiffs and defendants a fee to cover the cost of all pleadings filed respectively by the plaintiff and by the defendant. Such fee shall be in an amount set by the judges of the Civil District Court for the Parish of Orleans, sitting en banc, and may vary according to the type of lawsuit filed. Different fees may be established for the plaintiff and for the defendant. Upon the filing of initial pleadings by the plaintiff, the clerk shall collect the fee from the plaintiff, and no further or additional fees shall be demanded by the clerk from the plaintiff upon the filing of subsequent pleadings by the plaintiff. Upon the filing of initial pleadings by the defendant, the clerk shall collect the fee from the defendant, and no further or additional fees shall be demanded by the clerk from the defendant upon the filing of subsequent pleadings by the defendant.

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

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

* * *

§1216. Docket and index

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

* * *

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

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

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

C. The clerk of ~~the civil district~~ court may use any funds which are lawfully available to him to purchase or lease the motor vehicles and to pay the insurance on the motor vehicles, as authorized in this Section.

* * *

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

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

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

* * *

§1373. Minute clerks and court reporters

A.(1) The presiding judge of each section of the criminal district court for the parish of Orleans ~~may appoint~~ **shall be appointed** a minute clerk **by the clerk of court in accordance with the provisions of R.S. 13:1211 and subject to the provisions of that Section** at an annual salary of forty-eight hundred dollars, and a

1 court reporter at an annual salary of fifty-four hundred dollars; ~~the~~**The** salaries of
2 the minute clerks and of the court reporters shall be paid by the city of New Orleans.

3 * * *

4 §1373.1. Minute clerks, court reporters, and deputy court reporters; ~~salary payable~~
5 ~~by the state~~

6 A. ~~The annual salary of each of the court reporters of Sections A through L,~~
7 ~~both inclusive, and of the magistrate section of the Criminal District Court for the~~
8 ~~parish of Orleans to be paid by the state of Louisiana out of the General Fund of the~~
9 ~~state of Louisiana is hereby fixed at twelve thousand four hundred seventy-eight~~
10 ~~dollars per annum, payable monthly by the state treasurer upon the warrant of said~~
11 ~~court reporters~~ **and minute clerks shall be paid by the city in the same amount**
12 **as provided for on July 1, 2026 and commencing on July 1, 2027, any amount**
13 **previously paid by the state general fund shall be charged to the Consolidated**
14 **Judicial Expense Fund for Orleans Parish.**

15 B. ~~The annual salary of each of the deputy court reporters in Sections A, B,~~
16 ~~C, D, E, F, G, H, I, J, K, and L of the Criminal District Court for the parish of~~
17 ~~Orleans and the deputy court reporter for the magistrate of the said court, to be paid~~
18 ~~by the state of Louisiana out of the General Fund of the state of Louisiana shall be~~
19 ~~equal to that of the court reporters as provided in Subsection A of this Section and~~
20 ~~shall be payable monthly by the state treasurer upon the warrant of the said deputy~~
21 ~~court reporter.~~

22 C. ~~The annual salary of each of the several minute clerks of said court, and~~
23 ~~the clerk who acts as minute clerk for the judges sitting as a court of appeals to be~~
24 ~~paid by the state of Louisiana out of the General Fund of the state of Louisiana is~~
25 ~~hereby fixed at fifteen thousand seven hundred ninety-one dollars per annum,~~
26 ~~payable monthly by the state treasurer upon the warrant of said minute clerks.~~

27 D. ~~The increase in salary provided herein for court reporters, deputy court~~
28 ~~reporters, and minute clerks, shall not be payable until state funds are made available~~
29 ~~therefor.~~

* * *

§1381.3. Clerk of the Criminal District Court expense fund

There is hereby established the Clerk of ~~the Criminal District Court~~ Expense Fund for the parish of Orleans. All funds collected as clerk's fees, interest accrued on investments of funds by the clerk of ~~the Criminal District Court~~ pursuant to ~~R.S. 39:127+~~ **R.S. 33:2955(A)(1)**, and any funds otherwise generated by the clerk of the Criminal District Court shall be deposited in said fund and may be expended from this fund for purposes of defraying the operating expenses of the clerk's office.

* * *

§1381.7. Clerk of the Orleans Parish Criminal District Court

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

* * *

Section 2. 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) are hereby amended and reenacted to read as follows:

§2. Definitions

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

* * *

(3) "Clerk of court" or "clerk" means the clerk of the district court, ~~except~~

1 ~~that in any parish having a civil district court and a criminal district court, these~~
2 ~~terms mean the clerk of the criminal district court.~~

3 * * *

4 §444. Parish executive committees

5 A. * * *

6 * * *

7 E. Powers of the committee. The parish executive committee of a recognized
8 political party may adopt rules and regulations for its government that are not
9 inconsistent with the laws of this state or the rules and regulations of the state central
10 committee, and it may create any committee it deems necessary. The rules and
11 regulations of the parish executive committee of a recognized political party shall be
12 filed with the clerk of court within ten days after their adoption. ~~In parishes which~~
13 ~~have a civil and a criminal district court, the rules and regulations of a parish~~
14 ~~executive committee shall be filed with the clerk of the criminal district court.~~

15 * * *

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

17 A. * * *

18 * * *

19 C.(1) When a vacancy occurs in any of the following offices, the duties of the
20 office shall be assumed by the person hereinafter designated: (a) district attorney, by
21 the first assistant; (b) clerk of a district court, by the chief deputy; (c) coroner, by the
22 chief deputy; (d) sheriff, by the chief criminal deputy, ~~except that in a parish that has~~
23 ~~both a civil sheriff and a criminal sheriff, the civil sheriff by the chief civil deputy,~~
24 ~~and the criminal sheriff, by the chief criminal deputy, respectively;~~ and (e) tax
25 assessor, by the chief deputy assessor.

26 * * *

27 E.(1) * * *

28 (2) * * *

29 (c) Within twenty-four hours after issuing the proclamation, the authority or

1 authorities ordering the special election shall send a copy of the proclamation, by
 2 certified or registered mail, to the clerk of the district court for the parish in which
 3 the vacancy occurred. ~~If the vacancy occurred in the parish of Orleans, the copy of~~
 4 ~~the proclamation shall be so mailed to the clerk of the criminal district court.~~ If the
 5 vacancy occurs in an office which affects more than one parish, a copy of the
 6 proclamation shall at the same time be so mailed to the clerk of each of the parishes.
 7 A copy of the proclamation also shall be mailed to the secretary of state at the same
 8 time and in the same manner.

9 * * *

10 §1300.7. Governor to order election; proclamation; publication

11 * * *

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

24 * * *

25 §1354. Parish custodian of voting machines; powers and duties; appointment of
 26 deputy custodians

27 A.(1) The clerk of the district court is ex officio parish custodian of voting
 28 machines in each parish, ~~except that in any parish having a civil and a criminal~~
 29 ~~district court the clerk of the criminal district court is ex officio parish custodian of~~

1 ~~voting machines~~. The parish custodian of each parish shall assist the secretary of
2 state in the performance of his functions within the parish.

3 * * *

4 §1511.2. Supervisory committee; rulemaking authority; advisory opinions; inquiries

5 * * *

6 E. The supervisory committee shall prepare and distribute to the general
7 public through the offices of the clerks of court ~~and in Orleans Parish the office of~~
8 ~~the clerk of the criminal district court~~ and on its website, booklets of explanation and
9 instruction concerning the provisions of this Chapter in such a manner as to inform
10 the public of the procedures and requirements of this Chapter. The supervisory
11 committee may publish and distribute additional material to assist persons in
12 complying with the provisions of this Chapter.

13 §1511.3. Filing of reports; forms; notice

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

25 * * *

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

1 effective on the day following such approval.

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)]

DIGEST

SB 256 Reengrossed

2026 Regular Session

Morris

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.

Proposed law provides that during the transition to a consolidation office of the clerk or court and provides that no employee of the clerk of the Criminal District Court may be discharged from employment by the clerk before January 15, 2027, except for good cause.

Proposed law provides that the clerk of the office of the consolidated clerk of court may hire temporary employees or contractors to assist in the transition using unrestricted funds of the clerk until June 30, 2027.

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

(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) and (E)(2)(c), 1300.7(B), 1354(A)(1), 1511.2(E), and 1511.3(A)(1))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Makes technical changes.
2. Provides during transition to a consolidated office of clerk of court, no employee of the clerk of the Criminal District Court may be discharged, expect for good cause, before January 15, 2027.
3. Allows the clerk of the consolidated office to hire temporary employees or contractors during transition until June 30, 2027.
4. Changes effective date from August 1, 2026, to governor signature.