

Regular Session, 2008

HOUSE BILL NO. 1174

BY REPRESENTATIVES FANNIN AND TUCKER AND SENATORS MICHOT AND
CHAISSON

APPROPRIATIONS: Appropriates funds for expenses of the Louisiana Judiciary for Fiscal
Year 2008-2009

1 AN ACT

2 To appropriate funds to defray the expenses of the Louisiana Judiciary, including the
3 Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans
4 Parish, and other courts; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1.A. The sum of One Hundred Forty-Six Million Three Hundred Fifty-Seven
7 Thousand Seven Hundred Sixty-Two and No/100 (\$146,357,762.00) Dollars, or so much
8 thereof as may be necessary, is hereby appropriated to defray the expenses of the judiciary,
9 including the Supreme Court, Courts of Appeal, the District Courts, the Criminal District
10 Court of Orleans Parish, and of the other courts.

11 B. The total amount herein appropriated is hereby allocated to provide as follows:

12 03-8170 SUPREME COURT

13 **Program Description:** *The Supreme Court has general supervisory jurisdiction over*
14 *all lower courts. It may establish procedural and administrative rules not in conflict*
15 *with law and may assign a sitting or retired judge to any court. The Supreme Court has*
16 *sole authority to provide by rule for appointments of attorneys as temporary or ad hoc*
17 *judges. It considers applications for writs to review individual cases, and in addition,*
18 *has criminal and other appellate jurisdiction. The Supreme Court has exclusive original*
19 *jurisdiction of disciplinary proceedings against lawyers, recommendations of the*
20 *Judiciary Commission for the discipline of judges, and fact questions affecting its own*
21 *appellate jurisdiction. It has inherent authority to regulate the legal profession and to*
22 *promulgate and update the Code of Judicial Conduct. The court also provides judicial*
23 *training through the Judicial College and works to improve the administration of*
24 *justice.*

25 **Mission Statement:** *The mission of the Supreme Court of Louisiana is to protect and*
26 *promote the rule of law, to ensure public trust, to use public resources efficiently, to*
27 *ensure the highest professional conduct, integrity, and competence of both the bench*
28 *and the bar, and to ensure the proper administration and performance of all courts*
29 *under its authority.*

30 **Goal:** To protect the rule of law.

31 **Objective:** To provide a reasonable opportunity for litigants to seek review in the
32 Supreme Court of decisions made by lower tribunals.

33 **General Performance Information:**

	2005	2006	2007
Total Filings	2595	3042	2497
Total Appeals Filed	15	12	16
Total Writs Filed	2386	2862	2320
Total Dispositions Rendered	2734	3325	2645

1 **Goal:** To promote the rule of law.

2 **Objective:** To resolve cases in a timely manner.

3 **General Performance Information:**

	2005	2006	2007
Percentage of noncriminal case applications acted on within Supreme Court standard of 120 days of filing	77.6%	72.2%	93.1%
Percentage of criminal case applications acted on within Supreme Court standard of 120 days of filing	59.1%	22.3%	29.3%
Percentage of pro se post conviction applications acted on within Supreme Court standard of 120 days of filing	5.9%	6.6%	7.7%
Percentage of bar disciplinary filings acted upon within Supreme Court standard of 120 days of filing	100.0%	70.2%	62.9%
Percentage of opinions rendered within Supreme Court standard of 84 days from argument	60.0%	69.6%	70.0%

20 **Goal:** To ensure the public trust.

21 **Objective:** To facilitate public access to Supreme Court decisions.

22 **General Performance Information:**

	2005	2006	2007
Percentage of written opinions available to the public within 5 days of decision	100%	100%	100%

26 **Objective:** To inform the public of operations and activities.

27 **General Performance Information:**

	2005	2006	2007
Number of outreach programs	28	27	65
Number of media releases on court decisions	68	74	82
Number of media releases on other matters	18	12	19
Number of recipients of releases on court decisions	64	64	64
Number of recipients of releases on other matters	2950	1689	3048

36 **Objective:** To ensure the highest professional conduct, integrity, and competence of the bench.

38 **General Performance Information:**

	2005	2006	2007
Average number of hours acquired through continuing legal education per judge	25.65	27.15	37.58
Number of complaints filed against judges and justices of the peace	486	477	531
Number of complaints against judges and justices of the peace resolved or disposed of in calendar year	493	423	579

48 **Objective:** To ensure the highest professional conduct, integrity, and competence of the bar.

50 **General Performance Information:**

	2005	2006	2007
Average number of hours acquired through continuing legal education per lawyer	17.34	16.19	19.89
Number of complaints filed against lawyers	3113	2662	2712
Number of complaints filed against lawyers resolved or disposed of in calendar year	3025	2456	2241

57 Payable out of the State General Fund:

58 01 Salaries of Chief Justice and six (6)			
59 Associate Justices of the Supreme Court,			
60 as provided by R.S. 13:102		\$	881,619
61 02 Salaries and other expenses of the			

1	Supreme Court Proper and salary of	
2	the Crier of the Supreme Court	\$ 9,669,363
3	03 Expenses of Judicial Administrator's	
4	Office of the Judiciary Commission	
5	provided for in Article V, Section	
6	25 of the Constitution of Louisiana and	
7	under the provisions of R.S. 13:32 et seq.	
8	A. Expenses of Judicial Administrator's Office	\$ 4,139,712
9	Program Description: <i>The Judicial Administrator's Office assists the Supreme Court</i>	
10	<i>in the administration of the state court system. It staffs the Judicial Council and the</i>	
11	<i>Judiciary Commission. Through the Judicial Council, it performs studies and makes</i>	
12	<i>recommendations for the creation of new judgeships and for improving the administra-</i>	
13	<i>tion of justice. The Office provides payroll and other fiscal services to the Judiciary,</i>	
14	<i>including the administration of a judicial retirement system, and supports the Supreme</i>	
15	<i>Court and Appellate Court human resource system. The Judicial Administrator's Office</i>	
16	<i>provides technological services to courts and manages the Trial Court Case Manage-</i>	
17	<i>ment Information System. It also manages the ad hoc judgeship system, and monitors</i>	
18	<i>cases under advisement. The Office provides outreach services to state and local</i>	
19	<i>courts, staffs the Committee on Judicial Ethics, and performs numerous legal services</i>	
20	<i>for the Supreme Court and the Judiciary.</i>	
21	B. Expenses of Judiciary Commission	\$ 1,735,504
22	Program Description: <i>The Judiciary Commission of Louisiana is a constitutional body</i>	
23	<i>established under Article V, Section 25 of the Constitution of 1974 to accept, screen,</i>	
24	<i>investigate, and prosecute complaints of judicial misconduct. As part of its authority,</i>	
25	<i>it may recommend to the Supreme Court the censure, suspension, removal from office,</i>	
26	<i>or involuntary retirement of any judge for ethical misconduct.</i>	
27	C. Court Reporters as required by R.S. 13:981	\$ 311,196
28	D. Dues to National Center for State Courts	\$ 136,094
29	04 Expenses of Committee on Professional	
30	Ethics and Grievances including	
31	disbarment proceedings, R.S. 37:211 et seq.	\$ 3,000
32	05 Compensation and expenses of retired	
33	judges assigned under Article V,	
34	Section 5(A) of the Constitution of	
35	Louisiana, be it more or less estimated at	\$ 1,254,597
36	06 Law Library of Louisiana for salaries,	
37	services, supplies, maintenance, repairs,	
38	and equipment	\$ 1,803,446
39	Program Description: <i>The Law Library of Louisiana was created by an Act of the</i>	
40	<i>Legislature in 1855 to serve the legal information needs of the public, the state</i>	
41	<i>judiciary, and the practicing bar.</i>	
42	07 Salaries and expenses of transferred	
43	judges assigned under Article V,	
44	Section 5(A) of the Constitution,	
45	be it more or less estimated at	\$ 171,900

1	08	Retirement pay for services rendered by	
2		justices and judges of all courts, as	
3		provided by R.S. 11:1358 and	
4		R.S. 13:103	\$ 1,710,742
5	09	Pensions for widows of justices and	
6		judges of all courts, as provided by	
7		R.S. 11:1371 and R.S. 11:1381, be it	
8		more or less estimated at	\$ 1,429,385
9	10	Judicial College	\$ 203,473
10	Program Description: <i>The Judicial College was established by order of the Supreme</i>		
11	<i>Court in 1976 to provide continuing legal education to Louisiana judges.</i>		
12	11	State contribution to judicial	
13		retirement provided for in Article V,	
14		Section 23 of the Constitution and	
15		R.S. 11:551 et seq., be it more or	
16		less estimated at	\$ 7,295,014
17	12	Civil commitment matters as	
18		required by R.S. 28:54	\$ 143,424
19	13	Paul M. Hebert Law Center for the expenses	
20		of storage of appellate court records	\$ 60,000
21	14	Funding for statewide operations of the	
22		Louisiana Protective Order Registry	
23		(R.S. 46:2136.2) under the Case	
24		Management Information System	\$ 1,194,756
25	15	Payable out of the State General Fund for the	
26		expenses associated with the operation of the	
27		Families in Need of Services Program (FINS)	\$ 2,042,014
28	Program Description: <i>The mission of the FINS Assistance Program is to assist local</i>		
29	<i>FINS processes by developing and implementing a needs-based allocation formula;</i>		
30	<i>developing, implementing, and mandating the use of a uniform data system for tracking,</i>		
31	<i>managing, and reporting FINS informal cases; developing and mandating the use of</i>		
32	<i>programmatic standards; developing, implementing, and reporting performance</i>		
33	<i>indicators and measures; requiring and monitoring periodic fiscal reports and financial</i>		
34	<i>accountability; and generally supervising and assisting local FINS processes in other</i>		
35	<i>ways.</i>		
36	16	Drug court maintenance and enhancement	\$ 11,639,163
37	Program Description: <i>Drug treatment courts, authorized in 1977 by R.S. 13:5301</i>		
38	<i>through R.S. 13:5304, provided integrated substance abuse treatment, sanctions, and</i>		
39	<i>incentives with case processing to place low-level, nonviolent drug-involved defendants</i>		
40	<i>in community-based, judicially supervised rehabilitation programs. Clients are</i>		
41	<i>regularly tested and monitored for compliance with educational, employment, and</i>		
42	<i>treatment requirements set by the court.</i>		
43	17	Court Appointed Special Advocates	<u>\$ 3,872,595</u>
44	Program Description: <i>The purpose of the CASA Assistance Program is to promote</i>		
45	<i>timely placement of children in need of care in permanent, safe and stable homes, in</i>		
46	<i>accordance with the provisions of Children's Code articles 424-426. Services are</i>		
47	<i>provided through local CASA programs which recruit, screen, train and supervise</i>		
48	<i>community advocates. Upon appointment by the trial judge, qualified advocates serve</i>		
49	<i>children by providing independent factual information to the judge, advocating for the</i>		
50	<i>best interest of the children, monitoring cases to which they have been assigned, and</i>		
51	<i>advising and assisting the judge in the determination of the best interest of the children</i>		
52	<i>involved.</i>		

1	TOTAL - GENERAL FUND	<u>\$ 49,696,997</u>
2	18 Administrative expenses of the office	
3	of the Clerk of the Louisiana Supreme	
4	Court attributable to the selection	
5	process of attorney chairman of the	
6	Medical Review Panel as provided	
7	for in R.S. 40:1299.47 to be paid out	
8	of the Patient's Compensation Fund	\$ 10,000
9	19 Payable out of the State General Fund	
10	from Statutory Dedications, Judges'	
11	Supplemental Compensation Fund,	
12	R.S. 13:10.3, be it more or less	
13	estimated at	\$ 6,000,000
14	Program Description: <i>The Judges' Supplemental Compensation Fund was established</i>	
15	<i>by the Legislature in 1985 to fund salary supplements and salary-related expenses to</i>	
16	<i>judges and commissioners. The funding source is a non-refundable filing fee assessed</i>	
17	<i>on civil filings as provided in R.S. 13:10.3.</i>	
18	20 Payable out of the State General Fund	
19	from Statutory Dedications, Trial Court	
20	Case Management Information Fund, for	
21	the Case Management Information System,	
22	Article 887(F) of the Code of Criminal	
23	Procedure, be it more or less estimated at	<u>\$ 2,077,811</u>
24		
25	Program Description: <i>The Case Management Information System (CMIS) was created</i>	
26	<i>by the Supreme Court in 1993 to provide a statewide information system for tracking</i>	
27	<i>and managing criminal, civil, juvenile, traffic, and appellate cases as well as protective</i>	
28	<i>orders. Data is received from courts statewide, transferred to the CMIS repository, and</i>	
29	<i>made available to courts and executive branch agencies. Additional information will</i>	
30	<i>also be available from the Department of Public Safety & Corrections. CMIS is funded</i>	
31	<i>from a court cost assessed on all criminal and traffic convictions as provided under</i>	
32	<i>C.Cr.P. 887(F).</i>	
33	TOTAL - STATE GENERAL FUND	
34	BY STATUTORY DEDICATIONS	<u>\$ 8,087,811</u>
35	21 Drug court maintenance and enhancement, payable	
36	Out of the State General Fund through Interagency	
37	Transfers from the Department of Social Services	\$ 4,000,000
38	22 Court Appointed Special Advocates, payable out of	
39	the State General Fund through Interagency Transfers	
40	from the Department of Social Services	<u>\$ 2,936,000</u>
41	TOTAL - STATE GENERAL FUND	
42	THROUGH INTERAGENCY TRANSFER	<u>\$ 6,936,000</u>
43	TOTAL SUPREME COURT	<u>\$ 64,720,808</u>

03-8171 COURTS OF APPEAL

Program Description: The five courts of appeal, domiciled in Baton Rouge, Shreveport, Lake Charles, New Orleans, and Gretna, have supervisory jurisdiction over all cases arising within their respective circuits, subject to the general supervisory jurisdiction of the Supreme Court. Each court of appeal also has appellate jurisdiction over all civil matters, all matters appealed from family and juvenile courts, and all criminal cases triable by a jury which arise within its circuit, except for those cases appealable directly to the Supreme Court or to the district courts.

Mission Statement: The mission of the appellate courts of Louisiana is to provide meaningful access to all who seek review under the Courts' appellate and supervisory jurisdiction granted by the Louisiana Constitution while protecting and promoting the rule of law, preserving the public trust, and using public resources efficiently.

Goal: To protect the rule of law.

Objective: To provide a reasonable opportunity for multi-judge review of decisions made by lower tribunals.

General Performance Information:

	2005	2006	2007
Total appeals filed	2802	2593	2790
Total writs filed	5273	5263	5111
Total dispositions rendered	7749	7388	7586

Goal: To promote the rule of law.

Objective: To resolve cases expeditiously.

General Performance Information:

	2005	2006	2007
Average number of days from lodging of the appeal to argument: Time Standard = no more than 175 days.			
Criminal cases	163	173	137
Civil cases	175	193	153
Total	169	183	145

Average number of days from argument to rendering of the opinion: Time Standard = no more than 70 days.

Criminal cases	33	35	36
Civil cases	42	43	37
Total	37	39	36

Goal: To preserve public trust.

Objective: To facilitate public access to the decisions of the courts of appeal.

General Performance Information:

	2005	2006	2007
Percentage of written opinions available to the public within 5 days of decision	100%	100%	100%

Payable out of the State General Fund:

01	Salaries of fifty-three (53) Judges of the Courts of Appeal, R.S. 13:311	\$ 6,296,837
02	Salaries and expenses of operation and maintenance of the Court of Appeal, First Circuit	\$ 9,165,211
03	Salaries and expenses of operation and maintenance of the Court of Appeal, Second Circuit	\$ 5,046,875
04	Salaries and expenses of operation and maintenance of the Court of Appeal, Third Circuit	\$ 7,608,304

1	05	Salaries and expenses of operation and	
2		maintenance of the Court of Appeal,	
3		Fourth Circuit	\$ 6,962,630
4	06	Salaries and expenses of operation and	
5		maintenance of the Court of Appeal,	
6		Fifth Circuit	\$ 5,250,141
7	TOTAL COURTS OF APPEAL		\$ 40,329,998

03-8172 DISTRICT COURTS

Program Description: *There are forty district courts in Louisiana that have general jurisdiction over all matters within their territorial limits, except in those judicial districts (the 1st, the 19th, and the 24th Judicial Districts) where family and juvenile courts have exclusive jurisdiction over certain types of cases and except in Orleans Parish where there are separate courts exercising civil, criminal, and juvenile jurisdictions, respectively. In certain cases, the forty general jurisdiction courts have concurrent jurisdiction with justices of the peace and parish courts. The district courts generally have appellate jurisdiction of criminal cases tried by city, parish, municipal, traffic, and mayors' courts, except in certain cases. The district courts also have appellate jurisdiction over justices of the peace in parishes where no parish courts exist. The Civil District Court of Orleans Parish has jurisdiction of all civil cases in that parish. The Criminal Court of Orleans Parish has jurisdiction over all criminal cases in the parish. It also has general supervisory jurisdiction over the municipal and traffic courts in Orleans Parish. The Family Court of East Baton Rouge Parish has exclusive jurisdiction of many domestic cases in the parish. The four juvenile courts located in Caddo, East Baton Rouge, Jefferson, and Orleans parishes have exclusive jurisdiction of juvenile cases in their respective parishes.*

Mission Statement: *The mission of the trial courts of Louisiana is to provide access to justice, to meet all responsibilities in a timely and expeditious manner, to provide equality, fairness, and integrity in their proceedings, to maintain judicial independence and accountability, and to reach a fair and just result by adherence to the procedural and substantive law, thereby instilling trust and confidence in the public.*

Goal: To establish a more open and accessible system of justice.

Objective: To encourage responsible parties to make court facilities safe, accessible, and convenient.

General Performance Information:

Percentage of surveyed district court chief judges indicating	2007
actions taken in FY 2006-2007 to improve compliance with	
the Americans with Disabilities Act (ADA)	79.2%

Objective: To encourage all responsible public bodies and public officers to make the costs of access to the trial court's proceedings and records - whether measured in terms of money, time, or the procedures that must be followed - reasonable, fair, and affordable.

General Performance Information:

Percentage of surveyed district court judges indicating	2007
actions taken in FY 2006-2007 to assist	
pro se litigants	79.2%

1 **Goal:** To meet all responsibilities to everyone affected by the court and its
2 activities in a timely and expeditious manner.

3 **Objective:** To encourage timely case management and processing.

4 **General Performance Information:**

5 **2006** **2007**

6 *Number of parishes reporting criminal disposition*
7 *data to CMIS* 55 59

8 *Percentage of parishes reporting criminal disposition*
9 *data to CMIS* 86% 92%

10 **2007**

11 *Percentage of surveyed district court chief judges*
12 *indicating that their courts had taken steps within*
13 *FY 2006-2007 to reduce delays and improve the*
14 *timeliness of case processing* 99.7%

15 *Percentage of surveyed district chief judges indicating that their*
16 *courts had taken steps within FY 2006-2007 to address*
17 *compliance with the Adoption and Safe Families Act (ASFA)* 99.8%

18 **Objective:** To enhance jury service.

19 **General Performance Information:** **2007**

20 *Percentage of surveyed district court chief judges indicating*
21 *that their court had taken steps within FY 2006-2007*
22 *to make jury service more convenient or effective* 99.6%

23
24 **Goal:** To provide due process and equal protection of the law to all who have
25 business before the court; and to demonstrate integrity in all procedures and decisions.

26 **Objective:** To inform the community of the court's structure and function.

27 **General Performance Information:**

28 **2007**

29 *Percentage of surveyed district court chief judges indicating that*
30 *their courts regularly provided public education and public*
31 *outreach services in FY 2006-2007* 99.8%

32 **Goal:** To maintain judicial independence, while observing the principle of
33 comity in its governmental relations and accountability to the public.

34 **Objective:** To recognize new conditions or emerging events and to adjust court
35 operations as necessary.

36 **General Performance Information:**

37 **2007**

38 *Percentage of surveyed district court chief judges indicating*
39 *actions taken in FY 2006-2007 to improve*
40 *employee training and development* 99.7%

41 *Percentage of surveyed district court chief judges indicating*
42 *actions taken in FY 2006-2007 to ensure timely*
43 *enforcement of arrest warrants, summons, and*
44 *subpoenas* 99.6%

45 *Percentage of surveyed district court chief judges indicating*
46 *actions taken in FY 2006-2007 to install or*
47 *implement technologies* 99.9%

48 **Payable out of the State General Fund:**

49 01 Salaries of one hundred eighty-nine
50 (189) District Judges as provided
51 by R.S. 13:691 \$ 21,015,994

52 02 Office and travel expenses of District
53 Judges as provided by R.S. 13:694 \$ 1,268,200

54 03 Salaries of fourteen (14) Judges of
55 Civil District Court, Orleans Parish,
56 as provided by R.S. 13:691 \$ 1,569,194

1	04	Expenses of Judges of Civil District	
2		Court, Parish of Orleans, for salaries	
3		of stenographers, clerks, law books,	
4		stationery, telephone, and like expenses	
5		as provided by R.S. 13:694	\$ 78,400
6	05	Salaries of two (2) Court Reporters	
7		of the Twentieth Judicial District Court,	
8		including retirement contributions, as	
9		provided by R.S. 13:966.1	\$ 109,642
10	06	Clerk of Civil District Court, Orleans	
11		Parish, as provided by R.S. 13:1212(A)	\$ 10,000
12	07	State share of Group, Workers'	
13		Compensation, General Liability,	
14		and Property Insurance Premiums	
15		as provided by R.S. 42:851	\$ 5,576,550
16	08	Salaries of two (2) commissioners of	
17		the Nineteenth Judicial District and	
18		one (1) commissioner of the Fifteenth	
19		Judicial District as provided by	
20		R.S. 13:712 and R.S. 13:715,	
21		respectively	\$ 388,837
22	09	Office expenses for the Judicial	
23		Expense Fund of the Nineteenth Judicial	
24		District Court as provided by	
25		R.S. 13:711-713	\$ 396,072
26	10	Office expenses for the Judicial	
27		Expense Fund of the Fifteenth	
28		Judicial District Court as provided	
29		by R.S. 13:714-716	\$ 254,116
30	11	Law Clerk, Twentieth Judicial District	
31		Court as provided by Act 747 of 1977	\$ 48,013
32	12	For the expenses of the Judicial Expense	
33		Fund, Tenth Judicial District Court	\$ <u>35,000</u>
34		SUBTOTAL	\$ <u>30,750,018</u>
35	13	Criminal Court - Parish of Orleans	
36		Program Description: <i>The Criminal District Court for the Parish of Orleans has</i>	
37		<i>exclusive jurisdiction of the trial and punishment of all crimes, misdemeanors, and</i>	
38		<i>offenses committed within the parish of Orleans, if the jurisdiction is not vested by law</i>	
39		<i>in some other court. The court, through its magistrate and with assistance from its</i>	
40		<i>commissioners, has the power of committing magistrates in all felony charges and the</i>	
41		<i>power to hold preliminary examinations, with authority to bail or discharge, or to hold</i>	
42		<i>for trial, in all cases before the court. The court has appellate jurisdiction of all cases</i>	
43		<i>tried before the Municipal Court of New Orleans and the Traffic Court of New Orleans</i>	
44		<i>and has general supervisory jurisdiction over these courts.</i>	
45	A.	Salaries of thirteen (13) District Judges of	
46		Criminal Court, Orleans Parish as provided	
47		by R.S. 13:691	\$ 1,457,109

1	B. Office expenses of Judges of Criminal Court,	
2	Orleans Parish and the state's share of group	
3	insurance for the personnel of Criminal Court as	
4	provided by R.S. 13:694 and R.S. 42:851, respectively	\$ 617,056
5	C. Salaries of thirteen (13) minute clerks as provided	
6	by R.S. 13:1373.1	\$ 273,900
7	D. Salaries of twenty-six (26) court reporters as	
8	provided by R.S. 13:1373.1	\$ 442,838
9	E. Salaries of four (4) commissioners of Criminal	
10	Court, Orleans Parish, including related benefits	
11	as provided by R.S. 13:1347	\$ 325,440
12	F. Office and travel expenses of commissioners as	
13	provided by R.S. 13:1347	\$ 10,000
14	G. Salaries of four (4) minute clerks, one for each	
15	commissioner as provided by R.S. 13:1347	\$ 71,468
16	H. Salaries of four (4) court reporters, one for each	
17	commissioner as provided by R.S. 13:1347	\$ 55,676
18	I. Salaries of Judicial Administrator, and assistants,	
19	including related benefits	\$ 802,712
20	J. Salaries of thirteen (13) law clerks	\$ 593,266
21	K. Salaries of four (4) secretaries	\$ 171,924
22	L. Sanity Commissions	\$ 162,172
23		
24	M. Board of Jury Commissioners	<u>\$ 332,112</u>
25	SUBTOTAL	<u>\$ 5,315,673</u>
26	14 Juvenile and Family Court Judges	
27	A. Salaries of fourteen (14) Juvenile Court	
28	Judges as provided by R.S. 13:691	\$ 1,569,194
29	B. Salaries of four (4) Family Court Judges	
30	as provided by R.S. 13:691	\$ 448,341
31	C. Office expenses of Juvenile and Family	
32	Court Judges as provided by R.S. 13:694	<u>\$ 100,800</u>
33	SUBTOTAL	<u>\$ 2,118,335</u>
34	TOTAL DISTRICT COURTS	<u><u>\$ 38,184,026</u></u>

03-8173 OTHER COURTS - SALARIES AND OFFICE EXPENSES AS
REQUIRED BY STATUTE

Program Description: The category includes forty-seven city courts, one municipal court (New Orleans), one traffic court (New Orleans), and one parish court (Ascension Parish).

Mission Statement: The mission of the city and parish courts of Louisiana is to provide access to justice, to meet all responsibilities in a timely and expeditious manner, to provide equality, fairness and integrity in their proceedings, to maintain judicial independence and accountability, and to reach a fair and just result by adherence to the procedural and substantive law, thereby instilling trust and confidence in the public.

Goal: To establish a more open and accessible system of justice.

Objective: To encourage all responsible public bodies and public officers to make the costs of access to the court's proceedings and records - whether measured in terms of money, time, or the procedures that must be followed - reasonable, fair, and affordable.

General Performance Information:

	2007
Percentage of surveyed city/parish court chief judges indicating actions taken in FY 2006-2007 to assist pro se litigants	99.6%

Goal: To meet all responsibilities to everyone affected by the court and its activities in a timely and expeditious manner.

Objective: To encourage timely case management and processing.

General Performance Information:

	2007
Percentage of surveyed city/parish court chief judges indicating that their courts had taken steps within FY 2006-2007 to reduce delays and improve the timeliness of case processing	99.7%
Percentage of surveyed city/parish chief judges indicating that their courts had taken steps within FY 2006-2007 to address compliance with the Adoption and Safe Families Act (ASFA)	99.5%

Goal: To maintain judicial independence, while observing the principle of comity in its governmental relations and accountability to the public.

Objective: To inform the community of the court's structure and function.

General Performance Information:

	2007
Percentage of surveyed city/parish court chief judges indicating that their courts regularly provided public education and public outreach services in FY 2006-2007	99.8%

Objective: To recognize new conditions or emerging events and to adjust court operations as necessary.

General Performance Information:

	2007
Percentage of surveyed city/parish court chief judges indicating actions taken in FY 2006-2007 to improve employee training and development	99.9%
Percentage of surveyed city/parish court chief judges indicating actions taken in FY 2006-2007 to ensure timely enforcement of arrest warrants, summons, and subpoenas	99.7%

Percentage of surveyed city/parish court chief judges indicating actions taken in FY 2006-2007 to install or implement technologies	99.7%
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Payable out of the State General Fund:

01	Salaries of sixty (60) City Court Judges as provided by R.S. 13:1875	\$ 2,171,354
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1 02 Salaries of four (4) Municipal, four (4)
2 Traffic and one (1) Parish Court
3 Judges as provided by R.S. 13:2492,
4 13:2501.1, and 13:2563.5, respectively \$ 350,227

5 TOTAL OTHER COURTS REQUIRED BY STATUTE \$ 2,521,581

6 **03-8174 OTHER COURTS - SALARIES AND OFFICE EXPENSES NOT REQUIRED**
7 **BY STATUTE**

8 Payable out of the State General Fund:

9 01 Orleans Parish Juvenile Protective
10 Care Monitoring Program \$ 486,389

11 **Program Description:** *The program tracks and monitors child abuse and neglect cases*
12 *in the Orleans Parish Juvenile Court. It also provides assistance in support of the*
13 *Families in Need of Services Program.*

14 02 Orleans Parish Juvenile Court Reporters \$ 84,960
15 03 For the expenses of the Judges'
16 Assistance Program \$ 30,000

17 **Program Description:** *The Judges' Assistance Program provides counseling and other*
18 *assistance to judges with substance abuse problems.*

19 TOTAL OTHER COURTS NOT REQUIRED BY STATUTE \$ 601,349

20 Section 2. The appropriations, and the allocations of such appropriations, from the
21 State General Fund (Direct) contained in Section 1 of this Act shall be reduced by a total
22 amount of Two Million Four Hundred Thirty-eight Thousand Two Hundred Fifty-one and
23 No/100 (\$2,438,251.00) Dollars, pursuant to a plan adopted by the Judicial Budgetary
24 Control Board or as approved by the Louisiana Supreme Court.

25 Section 3.A. The Chief Justice of the Supreme Court, or his duly authorized and
26 appointed agent, shall warrant the state treasurer for the allocations herein provided, or for
27 so much thereof as may be necessary. The aforesaid warrant shall be paid out of the state
28 general fund, and the state treasurer shall pay said warrant by preference over all other
29 warrants, except warrants for the salaries of constitutional officers of the state and warrants
30 for expenses of the legislature, which shall be concurrent with the warrant provided by this
31 Act.

32 B. The funds drawn as provided herein shall be deposited in the name of the
33 judiciary in an approved bank that has been selected by the Supreme Court and is located in
34 the state.

35 C. Any funds herein allocated to the judiciary, any portion of the funds previously
36 appropriated to the judiciary, other revenue of the judiciary or its agencies, and interest

1 earnings, are hereby appropriated and may be used to defray the expenses of the judiciary;
2 however, all funds remaining unexpended or unencumbered shall be returnable to the state
3 general fund on or before September 1, 2009.

4 D. For Fiscal Year 2008-2009, any surpluses occurring in the appropriations made
5 in this Act may be transferred from one agency or line-item to another during the fiscal year
6 in accordance with the rules of the Judicial Budgetary Control Board, or as approved by the
7 Supreme Court.

8 E. The adjustment to be made in the salaries of judicial employees and the number
9 of authorized positions of the judiciary shall be as decided by the judicial agency affected,
10 subject to the approval of the Judicial Budgetary Control Board or as approved by the
11 Supreme Court.

12 F. The program descriptions, general performance indicators, objectives, goals, and
13 mission statements contained in this Act are not part of the law and are not enacted into law
14 by virtue of their inclusion in this Act. The missions, goals, and objectives contained in the
15 Act are derived from performance standards established by Section 10 of Part 6 General
16 Administrative Rules of the Supreme Court of Louisiana.

17 G. The inclusion in this Act of staff salaries and benefits for lower court or other
18 judicial branch agency employees shall not be deemed to create or impose any obligation
19 upon the State of Louisiana Judicial Branch, the Supreme Court of Louisiana, the Judicial
20 Budgetary Control Board, or the Supreme Court Judicial Administrator's Office relative to
21 the administration of pay, retirement, or other benefits to any such employees. Accordingly,
22 the State of Louisiana Judicial Branch, the Supreme Court of Louisiana, the Judicial
23 Budgetary Control Board, and the Supreme Court Judicial Administrator's Office are not to
24 be considered the "employer" or "employing agency" of lower court or other judicial agency
25 employees whose staff salaries and other benefits are included in this Act.

26 Section 4. This Act shall become effective on July 1, 2008; if vetoed by the governor
27 and subsequently approved by the legislature, this Act shall become effective on July 1,
28 2008, or on the day following such approval by the legislature, whichever is later.

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)]

Fannin

HB No. 1174

Appropriates funds for FY 2008-2009 for the ordinary operating expenses of the judicial branch of government with total funding of \$146,357,762 from the following sources: \$131,330,951 out of the State General Fund (Direct); \$6,936,000 through interagency transfers from the Department of Social Services; and \$8,087,811 from statutory dedications out of the Judges' Supplemental Compensation Fund, Trial Court Case Management Fund, and the Patients' Compensation Fund.

Funding for the ordinary operating expenses of the judicial branch of government is provided as follows:

(1) Louisiana Supreme Court	\$ 64,720,808
(2) Courts of Appeal	40,329,998
(3) District Courts	30,750,018
(4) Criminal Court, Parish of Orleans	5,315,673
(5) Juvenile and Family Courts	2,118,335
(6) Other Courts (Required by Statute)	2,521,581
(7) Other Courts (Not Required by Statute)	<u>601,349</u>
TOTAL	<u>\$ 146,357,762</u>

Provides that the appropriations out of the State General Fund (Direct) contained in this Act shall be reduced by a total amount of \$2,438,251 pursuant to a plan adopted by the Judicial Budgetary Control Board or as approved by the La. Supreme Court.

Effective July 1, 2008.

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Appropriations to the original bill.

1. Adds requirement that appropriations contained in this Act be reduced by a total amount of \$2,438,251 pursuant to a plan adopted by the Judicial Budgetary Control Board or as approved by the La. Supreme Court.