

Regular Session, 2008

ACT No. 59

HOUSE BILL NO. 1174

BY REPRESENTATIVES FANNIN AND TUCKER AND SENATORS MICHOT AND
CHAISSON

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

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

| | | | | |
|----|-----------------------------|------|------|------|
| 34 | | 2005 | 2006 | 2007 |
| 35 | Total Filings | 2595 | 3042 | 2497 |
| 36 | Total Appeals Filed | 15 | 12 | 16 |
| 37 | Total Writs Filed | 2386 | 2862 | 2320 |
| 38 | 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: | | | |
| 4 | | 2005 | 2006 | 2007 |
| 5 | <i>Percentage of noncriminal case</i> | | | |
| 6 | <i>applications acted on within Supreme</i> | | | |
| 7 | <i>Court standard of 120 days of filing</i> | 77.6% | 72.2% | 93.1% |
| 8 | <i>Percentage of criminal case applications</i> | | | |
| 9 | <i>acted on within Supreme Court</i> | | | |
| 10 | <i>standard of 120 days of filing</i> | 59.1% | 22.3% | 29.3% |
| 11 | <i>Percentage of pro se post conviction</i> | | | |
| 12 | <i>applications acted on within Supreme</i> | | | |
| 13 | <i>Court standard of 120 days of filing</i> | 5.9% | 6.6% | 7.7% |
| 14 | <i>Percentage of bar disciplinary filings</i> | | | |
| 15 | <i>acted upon within Supreme Court</i> | | | |
| 16 | <i>standard of 120 days of filing</i> | 100.0% | 70.2% | 62.9% |
| 17 | <i>Percentage of opinions rendered within</i> | | | |
| 18 | <i>Supreme Court standard of 84 days</i> | | | |
| 19 | <i>from argument</i> | 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: | | | |
| 23 | | 2005 | 2006 | 2007 |
| 24 | <i>Percentage of written opinions available</i> | | | |
| 25 | <i>to the public within 5 days of decision</i> | 100% | 100% | 100% |

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

| | | | | |
|----|--|-------------|-------------|-------------|
| 27 | General Performance Information: | | | |
| 28 | | 2005 | 2006 | 2007 |
| 29 | <i>Number of outreach programs</i> | 28 | 27 | 65 |
| 30 | <i>Number of media releases on court decisions</i> | 68 | 74 | 82 |
| 31 | <i>Number of media releases on other matters</i> | 18 | 12 | 19 |
| 32 | <i>Number of recipients of releases on</i> | | | |
| 33 | <i>court decisions</i> | 64 | 64 | 64 |
| 34 | <i>Number of recipients of releases on other</i> | | | |
| 35 | <i>matters</i> | 2950 | 1689 | 3048 |

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

| | | | | |
|----|--|-------------|-------------|-------------|
| 38 | General Performance Information: | | | |
| 39 | | 2005 | 2006 | 2007 |
| 40 | <i>Average number of hours acquired</i> | | | |
| 41 | <i>through continuing legal education</i> | | | |
| 42 | <i>per judge</i> | 25.65 | 27.15 | 37.58 |
| 43 | <i>Number of complaints filed against</i> | | | |
| 44 | <i>judges and justices of the peace</i> | 486 | 477 | 531 |
| 45 | <i>Number of complaints against judges</i> | | | |
| 46 | <i>and justices of the peace resolved or</i> | | | |
| 47 | <i>disposed of in calendar year</i> | 493 | 423 | 579 |

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

| | | | | |
|----|---|-------------|-------------|-------------|
| 50 | General Performance Information: | | | |
| 51 | | 2005 | 2006 | 2007 |
| 52 | <i>Average number of hours acquired through</i> | | | |
| 53 | <i>continuing legal education per lawyer</i> | 17.34 | 16.19 | 19.89 |
| 54 | <i>Number of complaints filed against lawyers</i> | 3113 | 2662 | 2712 |
| 55 | <i>Number of complaints filed against lawyers</i> | | | |
| 56 | <i>resolved or disposed of in calendar year</i> | 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 |

| | | | |
|----|--|---|--------------|
| 1 | 02 | Salaries and other expenses of the | |
| 2 | | Supreme Court Proper and salary of | |
| 3 | | the Crier of the Supreme Court | \$ 9,669,363 |
| 4 | 03 | Expenses of Judicial Administrator's | |
| 5 | | Office of the Judiciary Commission | |
| 6 | | provided for in Article V, Section | |
| 7 | | 25 of the Constitution of Louisiana and | |
| 8 | | under the provisions of R.S. 13:32 et seq. | |
| 9 | A. | Expenses of Judicial Administrator's Office | \$ 4,139,712 |
| 10 | Program Description: <i>The Judicial Administrator's Office assists the Supreme</i> | | |
| 11 | <i>Court in the administration of the state court system. It staffs the Judicial Council</i> | | |
| 12 | <i>and the Judiciary Commission. Through the Judicial Council, it performs studies</i> | | |
| 13 | <i>and makes recommendations for the creation of new judgeships and for improving</i> | | |
| 14 | <i>the administration of justice. The Office provides payroll and other fiscal services</i> | | |
| 15 | <i>to the Judiciary, including the administration of a judicial retirement system, and</i> | | |
| 16 | <i>supports the Supreme Court and Appellate Court human resource system. The</i> | | |
| 17 | <i>Judicial Administrator's Office provides technological services to courts and</i> | | |
| 18 | <i>manages the Trial Court Case Management Information System. It also manages</i> | | |
| 19 | <i>the ad hoc judgeship system, and monitors cases under advisement. The Office</i> | | |
| 20 | <i>provides outreach services to state and local courts, staffs the Committee on</i> | | |
| 21 | <i>Judicial Ethics, and performs numerous legal services for the Supreme Court and</i> | | |
| 22 | <i>the Judiciary.</i> | | |
| 23 | B. | Expenses of Judiciary Commission | \$ 1,735,504 |
| 24 | Program Description: <i>The Judiciary Commission of Louisiana is a constitutional</i> | | |
| 25 | <i>body established under Article V, Section 25 of the Constitution of 1974 to accept,</i> | | |
| 26 | <i>screen, investigate, and prosecute complaints of judicial misconduct. As part of its</i> | | |
| 27 | <i>authority, it may recommend to the Supreme Court the censure, suspension,</i> | | |
| 28 | <i>removal from office, or involuntary retirement of any judge for ethical misconduct.</i> | | |
| 29 | C. | Court Reporters as required by R.S. 13:981 | \$ 311,196 |
| 30 | D. | Dues to National Center for State Courts | \$ 136,094 |
| 31 | 04 | Expenses of Committee on Professional | |
| 32 | | Ethics and Grievances including | |
| 33 | | disbarment proceedings, R.S. 37:211 et seq. | \$ 3,000 |
| 34 | 05 | Compensation and expenses of retired | |
| 35 | | judges assigned under Article V, | |
| 36 | | Section 5(A) of the Constitution of | |
| 37 | | Louisiana, be it more or less estimated at | \$ 1,254,597 |
| 38 | 06 | Law Library of Louisiana for salaries, | |
| 39 | | services, supplies, maintenance, repairs, | |
| 40 | | and equipment | \$ 1,803,446 |
| 41 | Program Description: <i>The Law Library of Louisiana was created by an Act of the</i> | | |
| 42 | <i>Legislature in 1855 to serve the legal information needs of the public, the state</i> | | |
| 43 | <i>judiciary, and the practicing bar.</i> | | |
| 44 | 07 | Salaries and expenses of transferred | |
| 45 | | judges assigned under Article V, | |
| 46 | | Section 5(A) of the Constitution, | |
| 47 | | 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</i> | | |
| 11 | <i>Supreme 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</i> | | |
| 29 | <i>local FINS processes by developing and implementing a needs-based allocation</i> | | |
| 30 | <i>formula; developing, implementing, and mandating the use of a uniform data</i> | | |
| 31 | <i>system for tracking, managing, and reporting FINS informal cases; developing and</i> | | |
| 32 | <i>mandating the use of programmatic standards; developing, implementing, and</i> | | |
| 33 | <i>reporting performance indicators and measures; requiring and monitoring periodic</i> | | |
| 34 | <i>fiscal reports and financial accountability; and generally supervising and assisting</i> | | |
| 35 | <i>local FINS processes in other 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,</i> | | |
| 39 | <i>and incentives with case processing to place low-level, nonviolent drug-involved</i> | | |
| 40 | <i>defendants in community-based, judicially supervised rehabilitation programs.</i> | | |
| 41 | <i>Clients are regularly tested and monitored for compliance with educational,</i> | | |
| 42 | <i>employment, and 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</i> | | |
| 45 | <i>promote timely placement of children in need of care in permanent, safe and stable</i> | | |
| 46 | <i>homes, in accordance with the provisions of Children's Code articles 424-426.</i> | | |
| 47 | <i>Services are provided through local CASA programs which recruit, screen, train</i> | | |
| 48 | <i>and supervise community advocates. Upon appointment by the trial judge,</i> | | |
| 49 | <i>qualified advocates serve children by providing independent factual information to</i> | | |
| 50 | <i>the judge, advocating for the best interest of the children, monitoring cases to</i> | | |
| 51 | <i>which they have been assigned, and advising and assisting the judge in the</i> | | |
| 52 | <i>determination of the best interest of the children involved.</i> | | |
| 53 | TOTAL - GENERAL FUND | | \$ <u><u>49,696,997</u></u> |

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

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 |

8 **03-8172 DISTRICT COURTS**

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

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

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

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

| | | |
|----|---|-------|
| 36 | General Performance Information: | 2007 |
| 37 | | |
| 38 | Percentage of surveyed district court chief judges indicating | |
| 39 | actions taken in FY 2006-2007 to improve compliance with | |
| 40 | the Americans with Disabilities Act (ADA) | 79.2% |

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

| | | |
|----|---|-------|
| 45 | General Performance Information: | 2007 |
| 46 | | |
| 47 | Percentage of surveyed district court judges indicating | |
| 48 | actions taken in FY 2006-2007 to assist | |
| 49 | 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 court 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% |

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 | \$ 35,000 |
| 34 | | SUBTOTAL | <u>\$ 30,750,018</u> |

35 Provided, however, that of the monies appropriated herein sufficient funds shall be allocated
 36 to provide for the salary, benefits, and associated expenses for a new judgeship for the
 37 Twenty-Fourth Judicial District in Jefferson Parish, in the event that Senate Bill No. 429 of
 38 the 2008 Regular Session of the Legislature is enacted into law.

13 Criminal Court - Parish of Orleans

Program Description: *The Criminal District Court for the Parish of Orleans has exclusive jurisdiction of the trial and punishment of all crimes, misdemeanors, and offenses committed within the parish of Orleans, if the jurisdiction is not vested by law in some other court. The court, through its magistrate and with assistance from its commissioners, has the power of committing magistrates in all felony charges and the power to hold preliminary examinations, with authority to bail or discharge, or to hold for trial, in all cases before the court. The court has appellate jurisdiction of all cases tried before the Municipal Court of New Orleans and the Traffic Court of New Orleans and has general supervisory jurisdiction over these courts.*

| | |
|--|-------------------|
| A. Salaries of thirteen (13) District Judges of Criminal Court, Orleans Parish as provided by R.S. 13:691 | \$ 1,457,109 |
| B. Office expenses of Judges of Criminal Court, Orleans Parish and the state's share of group insurance for the personnel of Criminal Court as provided by R.S. 13:694 and R.S. 42:851, respectively | \$ 617,056 |
| C. Salaries of thirteen (13) minute clerks as provided by R.S. 13:1373.1 | \$ 273,900 |
| D. Salaries of twenty-six (26) court reporters as provided by R.S. 13:1373.1 | \$ 442,838 |
| E. Salaries of four (4) commissioners of Criminal Court, Orleans Parish, including related benefits as provided by R.S. 13:1347 | \$ 325,440 |
| F. Office and travel expenses of commissioners as provided by R.S. 13:1347 | \$ 10,000 |
| G. Salaries of four (4) minute clerks, one for each commissioner as provided by R.S. 13:1347 | \$ 71,468 |
| H. Salaries of four (4) court reporters, one for each commissioner as provided by R.S. 13:1347 | \$ 55,676 |
| I. Salaries of Judicial Administrator, and assistants, including related benefits | \$ 802,712 |
| J. Salaries of thirteen (13) law clerks | \$ 593,266 |
| K. Salaries of four (4) secretaries | \$ 171,924 |
| L. Sanity Commissions | \$ 162,172 |
| M. Board of Jury Commissioners | <u>\$ 332,112</u> |
| BTOTAL | \$ 5,315,673 |

14 Juvenile and Family Court Judges

| | |
|---|----------------------------|
| A. Salaries of fourteen (14) Juvenile Court Judges as provided by R.S. 13:691 | \$ 1,569,194 |
| B. Salaries of four (4) Family Court Judges as provided by R.S. 13:691 | \$ 448,341 |
| C. Office expenses of Juvenile and Family Court Judges as provided by R.S. 13:694 | <u>\$ 100,800</u> |
| TOTAL | <u>\$ 2,118,335</u> |
| ALL DISTRICT COURTS | \$ 38,184,026 |

**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%

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 |
| 02 | Salaries of four (4) Municipal, four (4) Traffic and one (1) Parish Court Judges as provided by R.S. 13:2492, 13:2501.1, and 13:2563.5, respectively | <u>\$ 350,227</u> |
| TOTAL OTHER COURTS REQUIRED BY STATUTE | | <u>\$ 2,521,581</u> |

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

Payable out of the State General Fund:

| | | |
|--|--|-------------------|
| 01 | Orleans Parish Juvenile Protective Care Monitoring Program | \$ 486,389 |
| Program Description: <i>The program tracks and monitors child abuse and neglect cases in the Orleans Parish Juvenile Court. It also provides assistance in support of the Families in Need of Services Program.</i> | | |
| 02 | Orleans Parish Juvenile Court Reporters | \$ 84,960 |
| 03 | For the expenses of the Judges' Assistance Program | <u>\$ 30,000</u> |
| Program Description: <i>The Judges' Assistance Program provides counseling and other assistance to judges with substance abuse problems.</i> | | |
| TOTAL OTHER COURTS NOT REQUIRED BY STATUTE | | <u>\$ 601,349</u> |

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

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

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

1 C. Any funds herein allocated to the judiciary, any portion of the funds previously
2 appropriated to the judiciary, other revenue of the judiciary or its agencies, and interest
3 earnings, are hereby appropriated and may be used to defray the expenses of the judiciary;
4 however, all funds remaining unexpended or unencumbered shall be returnable to the state
5 general fund on or before September 1, 2009.

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

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

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

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

1 Section 4. This Act shall become effective on July 1, 2008; if vetoed by the governor
2 and subsequently approved by the legislature, this Act shall become effective on July 1,
3 2008, or on the day following such approval by the legislature, whichever is later.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____