
DIGEST

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Leger

HB No. 1206

Abstract: Provides for the consolidation of the municipal and traffic courts of New Orleans.

Present law provides for the Municipal Court and Traffic Courts of New Orleans and the judgeships and clerks of court for each court and their respective salaries, terms of office, qualifications, powers and duties, and employees and personnel. Present law further provides for jurisdiction of the courts and procedures relative to trials and appeals, judicial administrators, judicial expense funds and use of such funds, quarters for the court, additional costs, and enumeration of fees and fines.

Proposed law consolidates the Municipal Court of New Orleans and the Traffic Court of New Orleans and creates the Municipal and Traffic Court of New Orleans and provides for its jurisdiction.

Proposed law transfers the four judges from the traffic court to the consolidated court and creates four additional judgeships to be comprised of Divisions "E", "F", "G", and "H".

Proposed law provides for one clerk of court and judicial administrator for the consolidated court.

Proposed law creates a consolidated judicial expense fund for the consolidated court.

Proposed law requires the city of New Orleans to provide suitable rooms furniture and the operating expenses for the consolidated court.

Proposed law authorizes the Orleans Parish Sheriff's Office and the Constable's Office for the city of New Orleans, to provide security detail for the consolidated court.

Proposed law requires that the senior and administrative judge of the municipal court shall serve as the senior and administrative judge of the consolidated court as long as he holds office, and thereafter, the judge with most seniority on the consolidated court will become the senior and administrative judge during his tenure unless he declines, in which case the next senior judge will serve.

Proposed law prohibits a special election in the event there is a vacancy in any judgeship until submission of the report by the task force.

Proposed law creates the New Orleans Municipal and Traffic Court Task Force and provides for its members and responsibilities, and further requires the task force submit a report of its findings and recommendations 30 days prior to the start of the 2015 R.S. of the Legislature.

Sections 6 and 9 of this Act become effective upon signature of the governor or lapse of time for gubernatorial action; all other sections become effective on Jan. 1, 2017.

(Amends R.S. 13:2491, 2492, 2493, 2493.1(A)(intro. para.), (B), (C), and (D), 2495, 2495.1(A), 2496.1, 2496.2(A), 2496.3(A), (B), (E), (F), (G)(intro. para.), (3) and (5), 2496.4, 2497, 2498(A), (B), and (C), 2499, 2500(A) and (B), 2500.1, 2500.2, 2500.4, 2501, 2512, 2513, 2514, 2515, 2516, and 2519(A); Repeals R.S. 13:2501.1, 2505, 2506, 2507, 2507.1, and 2509)

Summary of Amendments Adopted by House

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

1. Removed requirements which designated that the judge senior in point of service would preside over Division "A" and all other judges would occupy other divisions according to their respective periods of continuous service.
2. Removed provisions that abolished judgeships occupying Divisions "G" and "H" upon expiration of their terms on Dec. 31, 2014.
3. Created the New Orleans Municipal and Traffic Court Task Force and provided for its members and purpose and required the task force to submit a report of its findings and recommendations 30 days prior to the start of the 2015 R.S. of the Legislature.
4. Added provisions to prohibit a special election in the event there is a vacancy in any judgeship until submission of the report by the task force.
5. Deleted provisions relative to the establishment of a separate account as the consolidated expense fund.
6. Provided for the effective date for the creation of the task force upon signature of the governor and provided that all other provisions relative to the consolidation of the courts are to become effective Jan. 1, 2017.

House Floor Amendments to the engrossed bill.

1. Provided that the senior and administrative judge of the municipal court shall serve as the senior and administrative judge of the consolidated court as long as he holds office and thereafter the judge with most seniority on the consolidated court will become the senior and administrative judge during his tenure unless he declines in which case the next senior judge will serve.

2. Changed the membership of the task force to add the chair of the Criminal Justice Committee of the New Orleans City Council and the mayor of the city of New Orleans or his designee.
3. Added a provision requiring the task force to provide for a reduction in judges from eight judges to six judges.