

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 1206 by Representative Leger

COURTS: Provides for the consolidation of the New Orleans Traffic and Municipal Courts

Synopsis of Senate Amendments

1. Provides for the judges of the municipal and traffic court, sitting en banc to choose a judge to serve as the senior and administrative judge, if the position is declined by the senior judge.
2. Removes the provision that delays the calling of a special election to fill a vacancy until submission of the report from the task force.
3. Changes the time that the senior and administrative judge of the consolidated municipal and traffic court serves from as long as he holds office to the remainder of his term of office.
4. Requires the task force to make a recommendation related to the reduction in judges through attrition.
5. Authorizes the commissioner of administration to transfer certain property in the city of New Orleans either for the appraised value or in exchange for value equivalent to the appraised value.
6. Authorizes the Joint Legislative Committee on the Budget to create a committee to provide a recommendation to the commissioner of administration regarding the transfer of the property sites and further provides for the membership of the committee.

Digest of Bill as Finally Passed by Senate

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 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 for the

remainder of his term in 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 judges of the consolidated court, sitting en banc will choose the judge to serve in the position.

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.

Present law authorizes the commissioner of administration to enter into a cooperative endeavor agreement with the BioDistrict New Orleans to allow for certain state property to be utilized as the new civil district court site.

Proposed law retains present law and adds authorization for the commissioner to transfer the site to the city of New Orleans either for the appraised value or in exchange for value equivalent to the appraised value.

Proposed law authorizes the Joint Legislative Committee on the Budget to create a committee to provide a recommendation to the commissioner regarding the transfer of the property sites and further provides for the membership of the committee.

Sections 8 and 5 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, 2519(A), and Section 1 of Act 277 of the 2013 Regular Session of the Louisiana Legislature; Repeals R.S. 13:2501.1, 2505, 2506, 2507, 2507.1, and 2509)