

2026 Regular Session

SENATE BILL NO. 217

BY SENATOR MORRIS

COURTS. Provides for the administration of courts in Orleans Parish and the number of court judges. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 13:1137(B), 1302, 1312(A), (B), (C), (D)(1), 1335, 1337(A) and
3 (B), 1343(A), 1344(A) and (D), 1347(A)(3), (B), and (C), 1383, 1384, 1595,
4 2151(D), 2151.4(D), 2492(A)(1), (5), and (6), to enact R.S. 13:1312(E) and (F), and
5 2492(A)(8), and to repeal R.S. 13:1304, 1347(D), (F), and (G), 1595.1, and
6 2492(A)(7)(b), relative to courts in Orleans Parish; to provide for the number of
7 court judges and commissioners; to provide for payment of court expenses from the
8 Consolidated Judicial Expense Fund; 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. 13:1137(B), 1302, 1312(A), (B), (C), (D)(1), 1335, 1337(A) and (B),
12 1343(A), 1344(A) and (D), 1347(A)(3), (B), and (C), 1383, 1384, 1595, 2151(D), 2151.4(D),
13 2492(A)(1), (5), and (6) are hereby amended and reenacted and R.S. 13:1312(E) and (F), and
14 2492(A)(8) are hereby enacted to read as follows:

15 §1137. Civil district court for the Parish of Orleans; jurisdiction

16 * * *

17 B. The court of appeal with jurisdiction over the parish of Orleans has

1 appellate jurisdiction over all cases tried in the city courts of New Orleans ~~where the~~
 2 ~~amount in dispute, value of the movable property involved, or fund to be distributed~~
 3 ~~does not exceed one hundred dollars, exclusive of interest. These appeals shall be~~
 4 ~~tried de novo by a single judge, and without a jury; however, the Civil District Court~~
 5 ~~for the Parish of Orleans may provide by rule that no evidence shall be admitted on~~
 6 ~~the trial de novo which was not offered in the city court unless it is shown to the~~
 7 ~~satisfaction of the court that despite the exercise of reasonable diligence by the party~~
 8 ~~offering it such evidence could not have been produced at the trial in the city court.~~

9 * * *

10 §1302. Criers

11 The judge of each division of the civil district court shall appoint a crier for
 12 his division who shall be commissioned by the civil sheriff as a deputy sheriff, and
 13 who shall perform such duties as may be provided by law and the rules of the court.
 14 When directed by the court, the crier shall administer the oath required by law of all
 15 witnesses and jurors. Each crier shall receive a compensation **payable by the sheriff**
 16 **of Orleans Parish for service as a bailiff in the same manner as a deputy of**
 17 **similar experience and any such other amount** as the court en banc ~~executive~~
 18 **committee of the judicial expense fund** may fix which in any event shall not be less
 19 ~~than three hundred dollars per month, payable out of the judicial expense fund of the~~
 20 ~~parish of Orleans on the warrant of the judge of the division in which the crier~~
 21 ~~serves. In addition to the compensation payable to each crier from any source~~
 22 ~~whatsoever, each crier shall receive additional compensation of one hundred dollars~~
 23 ~~per month payable by the city of New Orleans, plus additional compensation of two~~
 24 ~~hundred dollars per month payable by the city of New Orleans when and if funds are~~
 25 ~~made available therefor. **For Fiscal Year 2026-27, the judicial expense fund shall**~~
 26 **reimburse the sheriff for the full amount of compensation of criers.**

27 * * *

28 §1312. Judicial expense fund; sources, control, and administration

29 A. The clerks of the First and Second City Court shall place all sums

1 collected or received under this Section in a separate account to be designated as the
2 Judicial Expense Fund for the ~~Civil District Court for the Parish of Orleans. The~~
3 ~~judges, en banc, of the Civil District Court for the Parish of Orleans and the First and~~
4 ~~Second City Courts of the city of New Orleans~~ **The executive committee of the**
5 **Consolidated Judicial Expense Fund for the parish of Orleans** shall have control
6 over the fund and all disbursements made therefrom. They shall cause to be
7 conducted annually an audit of the fund and the books and accounts relating thereto,
8 and shall file the audit with the office of the legislative auditor where it shall be
9 available for public inspection.

10 B. The ~~judges of the Civil District Court for the Parish of Orleans and the~~
11 ~~First and Second City Courts of the city of New Orleans, sitting en banc,~~ **executive**
12 **committee of the Consolidated Judicial Expense Fund for the parish of Orleans**
13 shall have control over the judicial expense fund for the parish of Orleans, accruing
14 and accrued, and to this end shall fix and regulate from time to time the number of
15 deputies and employees of the offices of the clerks of the City Courts and their
16 expenses, and also shall have the power to fix the tariff of costs and charges to be
17 paid for official services in the offices, which are paid into, and constitute the fund;
18 due publication of which tariff, when made, shall be given. They shall have power
19 to determine whether any amounts from the fund shall be devoted to the expense or
20 payment of taking testimony by shorthand and to regulate and provide for the same.
21 The judges are authorized to contribute out of the fund, to the embellishment,
22 maintenance, improvement or repair, or both, of each courtroom, the courthouse
23 itself or its furnishings, or both, and may contribute to any pension, retirement
24 system and group hospitalization plans to which officers and employees paid out of
25 the fund may belong.

26 C. The ~~judges, en banc,~~ **executive committee of the Consolidated Judicial**
27 **Expense Fund for the parish of Orleans** may further appoint such secretarial,
28 clerical, research, administrative, or other personnel as they deem necessary to
29 expedite the business and function of the court and fix and pay all or any part of the

1 salaries of such personnel out of the monies in the judicial expense fund. In like
 2 manner, the ~~judges, en banc,~~ **executive committee of the Consolidated Judicial**
 3 **Expense Fund for the parish of Orleans** may utilize the monies in the judicial
 4 expense fund to pay all or any part of the cost of establishing or maintaining, or both,
 5 a law library for the court, or for buying or maintaining, or both, any type of
 6 equipment, supplies, or other items consistent with or germane to the efficient
 7 operation of the court. In general, the judicial expense fund is established and may
 8 be used for any purpose or purposes connected with, incidental to, or related to the
 9 proper administration or function of the said court or the offices of the individual
 10 judges and is in addition to any and all other funds, salaries, expenses, or other
 11 monies that are now or hereafter provided, authorized, or established by law for any
 12 of the aforesaid purposes.

13 D.(1) The ~~judges, en banc,~~ **executive committee of the Consolidated**
 14 **Judicial Expense Fund for the parish of Orleans** may utilize the monies in the
 15 judicial expense fund to pay all or any part of the cost of planning, designing, and
 16 constructing a new courthouse for the parish of Orleans, which shall house the
 17 following courts and all related support offices:

18 (a) Civil District Court.

19 (b) First and Second City Courts.

20 (c) Juvenile Courts.

21 * * *

22 **E. All funds collected pursuant to R.S. 22:822(B)(3) or that would**
 23 **otherwise be deposited in the Judicial Expense Fund for Criminal District Court**
 24 **as provided for in R.S. 13:1381.4 shall instead be deposited into the**
 25 **Consolidated Judicial Expense Fund for Orleans Parish as created pursuant to**
 26 **this Section.**

27 **F. The executive committee of the Consolidated Judicial Expense Fund**
 28 **for Orleans Parish shall be comprised of the following members: three judges**
 29 **appointed by the civil district court judges; three judges appointed by the**

1 criminal district court judges; one judge appointed by the city court judges; and
 2 two retired judges appointed by the supreme court. The executive committee
 3 shall have the authority to govern the fund.

4 §1335. Criminal district court for the parish of Orleans

5 A. There shall be one criminal district court for the parish of Orleans, which
 6 shall be composed of ~~twelve~~ nine judges.

7 B.(1) Effective January 1, 2027, there shall be nine divisions of the
 8 Criminal District Court. The divisions of the first three judges, if any, serving
 9 on the effective date of this Paragraph, that provide written notice to the
 10 supreme court and secretary of state by July 1, 2026, that they will not qualify
 11 to seek re-election, shall be abolished.

12 (2) If a sufficient number of judges do not provide notice pursuant to
 13 Paragraph (1) of this Subsection, then the requisite divisions comprising the
 14 judges who have served on the court the least amount of time shall be
 15 designated to be abolished at the end of their current term of office. If there is
 16 any dispute concerning this calculation, the supreme court shall issue an order
 17 to the secretary of state designating what divisions shall be abolished pursuant
 18 to this Subsection.

19 (3) No qualifying shall be opened for any successor to a judgeship that
 20 is abolished pursuant to this Subsection, and no election shall be held for any
 21 judgeship abolished pursuant to this Subsection.

22 * * *

23 §1337. Appellate and supervisory jurisdiction; writs

24 A. The ~~Criminal District Court~~ Court of appeal with jurisdiction for the
 25 Parish of Orleans shall have appellate jurisdiction of all cases tried before the
 26 Municipal Court of New Orleans and the Traffic Court of New Orleans. Appeals
 27 from the municipal and traffic courts shall be on the law and the facts and shall be
 28 tried upon the records made and the evidence offered in said courts by the judge to
 29 whom the appeal shall be allotted. ~~In all cases tried before the judges of the criminal~~

1 ~~district court in which an appeal does not lie to the supreme court, an appeal shall lie~~
 2 ~~on questions of law and fact to two or more of the judges of the criminal district~~
 3 ~~court, as prescribed by said court. The criminal district court shall adopt rules~~
 4 ~~regulating the manner of taking and hearing and deciding such appeals.~~

5 B. The ~~Criminal District Court~~ **Court of appeal with jurisdiction** for the
 6 Parish of Orleans shall have general supervisory jurisdiction over the municipal and
 7 traffic courts of New Orleans and shall have authority to issue writs of habeas corpus
 8 in criminal cases, as well as such other writs and orders as are necessary in aid of the
 9 jurisdiction of the court.

10 * * *

11 §1343. Allotment of cases among judges; holding of preliminary examination not
 12 ground for recusation

13 A. All cases pending in the criminal district court shall be allotted equally
 14 among ~~the~~ Sections ~~A, B, C, D, E, F, G, H, I, J, K, and L~~ of the court. Except on
 15 Sundays, legal holidays, and legal half-holidays, the allotment of cases shall be made
 16 public by classes daily at noon by the clerk or a deputy clerk selected by him, in the
 17 presence of the district attorney. The fact the accused was committed for trial at a
 18 preliminary examination shall not be grounds for the recusation of the trial judge
 19 who held the preliminary examination.

20 * * *

21 §1344. Homicide section; Orleans Parish Criminal District Court; assignment of
 22 judges; jurisdiction; transfer of cases; expedited handling of writs and
 23 appeals; applicability of section to other district courts

24 A. The judges of the Criminal District Court for the parish of Orleans ~~who~~
 25 ~~are in office on August 15, 2009,~~ may create the homicide section of that court, by
 26 rule of court adopted by the judges sitting en banc. The rule may designate not less
 27 than one incumbent judge who may be assigned to a homicide section in accordance
 28 with the rules of the Criminal District Court for the parish of Orleans.

29 * * *

1 D. Any homicide section, court, or **other special** division adopted pursuant
 2 to R.S. 13:587.4 **or other authority** shall conform to the ~~extent practicable to the~~
 3 ~~provisions of this Section~~ **rules of court provided that the rules and assignments**
 4 **shall be subject to the general supervisory authority of the supreme court**
 5 **pursuant to Article V of the Constitution of Louisiana.**

6 * * *

7 §1347. Commissioners of magistrate section

8 A. * * *

9 (3) The judges of the criminal district court, sitting en banc, shall determine
 10 the further powers, duties, functions, and policy affecting the offices of
 11 commissioner, not inconsistent with the provisions of this Section **provided that the**
 12 **rules shall be subject to general supervision of the supreme court pursuant to**
 13 **Article V of the Constitution of Louisiana. Unless otherwise provided by any**
 14 **rule adopted by the court in accordance with this Paragraph, the commissioners**
 15 **shall have the same authority for cases within the jurisdiction of the Orleans**
 16 **Criminal Court as a commissioner pursuant to R.S. 13:713, including the**
 17 **authority to make a report and recommendation to the judges concerning**
 18 **claims for post-conviction relief by the incarcerated.**

19 (4) **The salaries of commissioners may be optionally supplemented by the**
 20 **city of New Orleans or the Consolidated Judicial Expense Fund for the parish**
 21 **of Orleans, as determined by its executive committee, provided that total**
 22 **compensation in accordance with this Section shall not exceed that for a**
 23 **commissioner pursuant to R.S. 13:713.**

24 B. The ~~initial appointments by the governor of the three commissioners~~
 25 ~~created in R.S. 13:1347, Act No. 548 of the 1974 Regular Session of the Louisiana~~
 26 ~~Legislature, are hereby approved, confirmed, ratified, continued, validated, and~~
 27 ~~affirmed and said appointment shall be for a term of six years from the date thereof~~
 28 **shall appoint a nominating committee of five members to vet and recommend**
 29 **future commissioners.**

1 C. Should there be a vacancy created by the removal, resignation or death of
 2 any commissioner of the four commissioners, the judges of the criminal district
 3 court sitting en banc shall fill the vacancy by appointment for the unexpired term
 4 from a list provided by the nominating committee as provided for in Subsection
 5 B of this Section. At the termination of the initial term and or any subsequent terms
 6 of a commissioner, the judges of the criminal district court sitting en banc shall
 7 appoint successors to the office for like terms from a list provided by the
 8 nominating committee as provided for in Subsection B of this Section. All
 9 commissioners are subject to removal for any reason for which a judge of the
 10 criminal district court may be removed from office. Such removal shall be by order
 11 of the judges of the criminal district court sitting en banc, upon recommendation
 12 of the nominating committee after notice and hearing, and shall be subject to
 13 review by the Supreme Court of Louisiana in the same manner as if the removal
 14 was recommended by the Judiciary Commission. Nothing in this Section shall
 15 divest the Judiciary Commission of concurrent jurisdiction to recommend
 16 discipline of commissioners. No one shall serve in the office of commissioner
 17 unless he has practiced law in the state of Louisiana for a period of not less than five
 18 years. Commissioners shall be allowed to practice civil law but shall not engage in
 19 the practice of criminal law.

20 * * *

21 §1383. Sections; court buildings

22 There shall be ~~ten~~ nine separate sections of Criminal District Court for the
 23 Parish of Orleans, designated as Sections A through ~~J~~ L subject to the provisions
 24 of R.S. 13:1335 or other applicable law. Each shall be presided over by one of the
 25 judges. The judges shall hold court in one building to be provided by the city of New
 26 Orleans.

27 §1384. Criminal district courts; office or positions and functions

28 Each criminal district court in the parish of Orleans shall have a position or
 29 office of judicial administrator, deputy judicial administrator, and assistants, ~~at least~~

1 ~~thirteen law clerks, and at least four secretaries~~ **and law clerks and secretaries for**
 2 **each section at amounts approved by the executive committee of the**
 3 **Consolidated Judicial Expense Fund for the parish of Orleans,** and shall provide
 4 for the conduct of the jury commission and sanity hearings, the cost of all of which
 5 shall be appropriated in the appropriation bill which provides for judicial expenses
 6 and shall be allocated by the Judicial Budgetary Control Council to such court. **The**
 7 **amount necessary in excess of the amount appropriated may be charged on the**
 8 **Consolidated Judicial Expense Fund or otherwise, when required by law, shall**
 9 **be paid by the parish of Orleans.**

10 * * *

11 §1595. Judges; criers and stenographers

12 A. ~~In addition to Sections "A", "B", and "C" of the Juvenile Court for the~~
 13 ~~Parish of Orleans, there is hereby created a new section of the court to be designated~~
 14 ~~as Section "D". The additional judge created by this Section shall be known as the~~
 15 ~~judge of Section "D" of the Juvenile Court for the Parish of Orleans. Each judge shall~~
 16 ~~have the right to appoint a crier and stenographer for his own section of the court,~~
 17 ~~who shall perform the same duties and receive the same compensation, payable in~~
 18 ~~the same manner and from the same sources as similar officials in other sections of~~
 19 ~~the court. The judge of Section "D" of the juvenile court shall be elected by the~~
 20 ~~voters of Orleans Parish concurrently with the next election for mayor of the city of~~
 21 ~~New Orleans.~~

22 B: The judgeship created for Section "D" of the Juvenile Court for the parish
 23 of Orleans shall be abolished effective December 31, 2014, at midnight.

24 ~~C.~~**B.** The first judgeship becoming vacant by death, resignation, retirement,
 25 or removal ~~during the term of office~~ **of any of the other Sections after January 1,**
 26 **2027,** shall be abolished at midnight of such day. **If any incumbent judge is**
 27 **prohibited from serving in office at the commencement of the next term due to**
 28 **the provisions of Article V, Section 23 of the Constitution of Louisiana, that**
 29 **section shall be considered as vacant by retirement solely for the purposes of**

1 judgeships through December 31, 2020. ~~Thereafter~~ Until January 1, 2027, it shall
 2 consist of seven judgeships, ~~thereafter it shall consist of six judgeships.~~

3 * * *

4 (5) Division "H" and the judgeship for Division "H" shall be abolished
 5 December 31, 2020, effective at midnight. Division "B" and the judgeship for
 6 Division "B" shall be abolished on December 31, 2026, effective at midnight.
 7 The other divisions shall remain unchanged as previously designated Divisions "A"
 8 through "G".

9 (6) A vacancy in Divisions "A" and "C" through "G" "F" shall be filled by
 10 election to that division as provided in this Section.

11 * * *

12 (8) Excluding the judgeships provided for in Paragraph (5) of this
 13 Subsection and notwithstanding any other provision of this Subsection, the first
 14 judgeship becoming vacant by death, resignation, retirement, or removal of any
 15 division after December 31, 2026, shall be abolished at midnight of such day. If
 16 any incumbent judge is prohibited from serving in office at the commencement
 17 of the next term due to the provisions of Article V, Section 23 of the
 18 Constitution of Louisiana, that division shall be considered as vacant by
 19 retirement solely for the purposes of this Paragraph as of the end of that term
 20 and no qualifying shall be opened for a successor if that seat is the judgeship
 21 that is required to be abolished pursuant to this Paragraph.

22 * * *

23 Section 2. R.S. 13:1304, 1347(D), (F), and (G), 1595.1, and 2492(A)(7)(b) are hereby
 24 repealed.

25 Section 3. This Act shall become effective upon signature by the governor or, if not
 26 signed by the governor, upon expiration of the time for bills to become law without signature
 27 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 28 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 29 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 217 Reengrossed

2026 Regular Session

Morris

Present law provides for the number of judges in Orleans Parish and for the administration of the courts. Provides for the funds and payment from the judicial expense fund.

Present law provides for twelve judges for the criminal district court in Orleans Parish.

Proposed law reduces the judges from twelve to nine.

Proposed law provides that effective January 1, 2027, there shall be nine divisions of the Criminal District Court. The divisions of the first four judges, if any, serving on the effective date of proposed law that provide written notice to the supreme court and secretary of state by July 1, 2026, that they will not qualify to seek re-election shall be abolished.

Proposed law provides that if a sufficient number of judges do not provide notice pursuant to proposed law, then the requisite Divisions comprising the judges who have served on the court the least amount of time shall be designated to be abolished at the end of their current term of office. If there is any dispute concerning this calculation the supreme court shall issue an order to the secretary of state designating what divisions shall be abolished pursuant to proposed law.

Proposed law provides that no qualifying shall be opened for any successor to a judgeship that is abolished pursuant to proposed law, and no election shall be held for any judgeship abolished pursuant to proposed law.

Proposed law provides that the judges, en banc, may appoint a hearing officer in the same manner as any district court or may appoint a commissioner to perform duties in accordance with the rules of the court as prescribed by the elected judges that are in accordance with the Louisiana Constitution and do not exceed authority otherwise provided for in the law for a hearing officer or commissioner in a district court in the state.

Present law provides each criminal district court in the parish of Orleans shall have a position or office of judicial administrator, deputy judicial administrator, and assistants, at least thirteen law clerks, and at least four secretaries.

Proposed law repeals the fixed number of law clerks and secretaries and provides for law clerks and secretaries for each section at amounts approved by the executive committee of the Consolidated Judicial Expense Fund for the parish of Orleans.

Proposed law provides that the commissioners shall have the same authority for cases in present law, within the jurisdiction of the Orleans Criminal Court as a commissioner pursuant to R.S. 13:713, including the authority to make a report and recommendation to the judges concerning claims for post-conviction relief by the incarcerated.

Proposed law provides that the salaries of commissioners may be optionally supplemented by the city of New Orleans or the Consolidated Judicial Expense Fund for the parish of Orleans, as determined by its executive committee.

Proposed law repeals provisions dividing the civil district court into seven divisions and provisions regarding an additional commissioner in the criminal district court of Orleans Parish.

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

(Amends R.S. 13:1137(B), 1302, 1312(A), (B), (C), (D)(1), 1335, 1337(A) and (B), 1343(A), 1344(A) and (D), 1347(A)(3), (B), and (C), 1383, 1384, 1595, 2151(D), 2151.4(D), 2492(A)(1), (5), and (6); adds R.S. 13:1312(E) and (F), and 2492(A)(8); repeals R.S. 13:1304, and 1347(D), (F), and (G), 1595.1, and 2492(A)(7)(b))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill

1. Makes technical changes.
2. Reduces the number of divisions of criminal district court from 12 to 9 judges, effective January 1, 2027.
3. Provides procedure for determining what divisions shall be abolished.
4. Prohibits qualification and election for any successor judgeship to the abolished division.
5. Clarifies the divisions being abolished.
6. Changes the date that the first judgeship vacancy is abolished by death, resignation, retirement, or removal of any division from after January 1, 2027 to December 31, 2026.
7. Repeals provision providing additional judges for the Orleans Parish Juvenile Court.

Senate Floor Amendments to engrossed bill

1. Makes technical changes.
2. Provides that the commissioners shall have the same authority for cases in present law, within the jurisdiction of the Orleans Criminal Court, including the authority to make a report and recommendation to the judges concerning claims for post-conviction relief by the incarcerated.
3. Provides that the judges of the Juvenile Court in Orleans Parish, en banc, may appoint a hearing officer in the same manner as any district court or may appoint a commissioner to perform duties in accordance with the rules of the court as prescribed by the elected judges that do not exceed authority otherwise provided for in the law for a hearing officer or commissioner in a district court in the state. The salaries of commissioners may be optionally supplemented by the city of New Orleans or the Consolidated Judicial Expense Fund for the parish of Orleans, as determined by its executive committee.
4. Effective upon signature of the governor or lapse of time for gubernatorial action.