

SENATE BILL NO. 750

BY SENATOR MURRAY

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AN ACT

To amend and reenact R.S. 13:3105(A) and to enact R.S. 13:996.67, relative to courts and judicial procedure; to provide for the Civil District Court for the parish of Orleans; to authorize the Civil District Court for the parish of Orleans and the clerk of court of the Civil District Court for the parish of Orleans to impose additional costs of court and service charges in certain civil matters under certain circumstances; to provide for the collection of such costs and charges; to establish a judicial building fund; to provide for the dedication and disbursement of such funds; to provide procedures and conditions; to provide for the compensation of jurors in civil cases triable by a jury in the Civil District Court for the parish of Orleans; to increase such compensation; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:3105(A) is hereby amended and reenacted and R.S. 13:996.67 is hereby enacted to read as follows:

§996.67. Judicial building fund

A. Subject to the approval of the Judicial Council of the Louisiana Supreme Court, the Civil District Court for the parish of Orleans and the clerk of court of the Civil District Court for the parish of Orleans are hereby authorized to impose the following additional costs of court and service charges provided for in Subsection B of this Section in all cases over which the court has jurisdiction, until the bonded indebtedness provided for in Subsection C of this Section is paid. The costs and charges provided in Subsection B of this Section shall not apply to cases involving juvenile and family matters. The costs and charges may be any amount up to and including the maximum amount set forth and shall be imposed on order of the judges en banc. Such costs and charges

1 shall be paid to the clerk of court when the filing is made.

2 B.(1) Until such time that public bids are let for the construction project,
 3 the amounts of the costs and charges which may be imposed shall be as
 4 provided in this Paragraph.

<u>Service Provided</u>	<u>Amount of Cost Authorized</u>
6 <u>(a) Recordings</u>	<u>Up to thirty dollars per recordation</u>
7 <u>(b) Civil Filings</u>	<u>Up to twenty-five dollars per civil filing</u>
8 <u>(c) Jury Trials</u>	<u>Up to one hundred dollars per jury</u> 9 <u>requested</u>
10 <u>(d) Class Actions</u>	<u>Up to one thousand twenty-five dollars per</u> 11 <u>class certified</u>

12 (2) After public bids are let for the construction project the amounts of
 13 costs and charges which may be imposed shall be as provided in this Paragraph.

<u>Service Provided</u>	<u>Amount of Cost Authorized</u>
15 <u>(a) Recordings</u>	<u>Up to thirty dollars per recordation</u>
16 <u>(b) Civil Filings</u>	<u>Up to two hundred dollars per civil filing</u>
17 <u>(c) Jury Trials</u>	<u>Up to two hundred dollars per jury</u> 18 <u>requested</u>
19 <u>(d) Class Actions</u>	<u>Up to two thousand fifty dollars per class</u> 20 <u>certified</u>
21 <u>(e) All matters filed</u>	<u>Up to ten dollars per item filed into civil</u> 22 <u>suit record</u>

23 (3) The matters filed into a civil record upon which the costs provided
 24 for in Subparagraph (2)(e) of this Subsection shall be imposed shall include but
 25 not be limited to petitions, motions, orders, judgments, citations, rules, evidence,
 26 correspondence, affidavits, dismissals, depositions, writs, appeals, answers,
 27 subpoenas, and jury matters.

28 C.(1) Solely for the purposes of this Section, there is hereby created the
 29 Civil District Court for the parish of Orleans Judicial District Court Building
 30 Commission for purposes of the construction and funding of the courthouse,

1 which shall be deemed to be a public commission. The judges, en banc, of the
2 Civil District Court for the parish of Orleans shall serve as the board of
3 commissioners thereof. The commission shall be a public corporation with
4 power to contract, administer the proceeds of the costs and charges authorized
5 in this Section, lease, sublease, and otherwise provide for the construction,
6 equipping, maintenance, and operation of a new courthouse for the Civil
7 District Court for the parish of Orleans and to pledge and dedicate the receipts
8 of the courthouse construction fund created hereby for the payment of any lease
9 or sublease obligation, loan agreement, or other financing agreement relative
10 thereto.

11 (2) The commission shall elect a chairman and vice chairman. The
12 judicial administrator for the Civil District Court for the parish of Orleans shall
13 serve as secretary-treasurer for the commission.

14 (3) Notwithstanding any other law to the contrary, issues regarding
15 ownership and liability for maintenance and operation expenses of the new
16 courthouse shall be provided for between the commission and Orleans Parish
17 in a lease or sublease of the courthouse to the commission or by a cooperative
18 endeavor agreement prior to the awarding of the contract for construction of
19 the new courthouse.

20 (4) The monies generated pursuant to this Section shall be forwarded by
21 the clerk of court and sheriff to the fiscal agent bank chosen by the commission
22 to be held in the courthouse construction fund. Any funds currently on deposit
23 to the separate account of the judicial expense fund from the costs and charges
24 authorized by this Section shall be transferred at the discretion of the
25 commission to the courthouse construction fund held by the commission's fiscal
26 agent. These monies deposited to the courthouse construction fund shall be
27 dedicated to the design, planning, feasibility, acquisition, construction,
28 equipping, operating, and maintaining a new facility to house the Civil District
29 Court for the parish of Orleans, the offices of the clerk of court for Civil District
30 Court for the parish of Orleans, the First City Court, the clerk of the First City

1 Court, the constable of the First City Court, the office of the civil sheriff, the
 2 Orleans Parish Juvenile Court, the mortgage office, the conveyance office, the
 3 notarial archives, and such other courts and parochial offices as may be
 4 necessary. No monies generated pursuant to this Section shall be used for
 5 payment of any bonded indebtedness involving site acquisition or construction
 6 of a new facility unless approved by the Joint Legislative Committee on the
 7 Budget and the State Bond Commission.

8 (5) For the purposes of this Section, "equipping" shall include but not
 9 be limited to expenditures for the purchase and maintenance of computer
 10 software and hardware for the agencies housed in the judicial facility.

11 (6) Notwithstanding any other provision of law to the contrary, the
 12 commission may pledge and dedicate the receipts of the courthouse construction
 13 fund for the payment of any obligation, loan agreement, or other financing
 14 agreement in connection with the issuance of bonds or other evidence of
 15 indebtedness for the commission by the Louisiana Public Facilities Authority
 16 or the Louisiana Local Government Environmental Facilities and Community
 17 Development Authority.

18 D. If public bids are not let for the construction of a new facility as
 19 provided in this Section by August 15, 2014, then the authority provided in this
 20 Section to levy the additional costs and charges shall terminate and be null and
 21 void. Thereafter, no costs or charges authorized in this Section shall be imposed
 22 or collected. Should the authority to levy such costs and charges terminate as
 23 set forth herein, all funds collected and deposited in the separate account as
 24 provided in this Section shall be used solely for capital improvements to the
 25 facility then housing the Civil District Court for the parish of Orleans.

26 * * *

27 §3105. Compensation of jurors in civil cases

28 A. Those serving as jurors in the trial of civil cases triable by a jury in the
 29 Civil District Court for the parish of Orleans shall be entitled to compensation of
 30 sixteen ~~sixteen~~ **twenty-five** dollars each for each and every day, or part of a day, on which

1 they serve as jurors in any civil case, the said sum total to be charged as costs and
 2 paid by the party cast for such costs. The party praying for the jury shall deposit with
 3 the clerk of the civil district court the sum of ~~sixteen~~ **twenty-five** dollars as jury
 4 costs. In addition, prior to the commencement of the trial, the party praying for the
 5 jury shall deposit in the registry of the court the sum of ~~one hundred ninety two~~ **three**
 6 **hundred** dollars for each day the court estimates the trial will last. No case triable
 7 by jury shall be placed on the court's jury trial docket or fixed for trial unless the
 8 ~~sixteen~~ **twenty-five** dollar deposit is made. No such trial by jury shall commence
 9 until the additional deposit provided for herein is made.

* * *

11 Section 2. This Act shall become effective upon signature by the governor or, if not
 12 signed by the governor, upon expiration of the time for bills to become law without signature
 13 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 14 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 15 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____