Regular Session, 2011

HOUSE BILL NO. 608

BY REPRESENTATIVES FANNIN AND TUCKER AND SENATORS MICHOT AND CHAISSON

APPROPRIATIONS: Appropriates funds for the expenses of the Louisiana Judiciary for Fiscal Year 2011-2012

AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1.A. The sum of One Hundred Sixty-Four Million One Hundred Seventy Seven Thousand Four Hundred Fifty-Eight and No/100 ($164,177,458.00) Dollars, or so much thereof as may be necessary, is hereby appropriated to defray the expenses of the judiciary, including the Supreme Court, Courts of Appeal, the District Courts, the Criminal District Court of Orleans Parish, and of the other courts.

B. The total amount herein appropriated is hereby allocated to provide as follows:

**03-8170 SUPREME COURT**

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

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

**Goal:** To protect the rule of law.

**Objective:** To provide a reasonable opportunity for litigants to seek review in the Supreme Court of decisions made by lower tribunals.

***General Performance Information:***

| | ***2008*** | ***2009*** | ***2010*** |
|---|---|---|---|
| *Total Filings* | *3,014* | *2,780* | *2,875* |
| *Total Appeals Filed* | *15* | *14* | *9* |
| *Total Writs Filed* | *2,843* | *2,564* | *2,674* |
| *Total Depositions Rendered* | *2,834* | *2,801* | *2,736* |

**Goal:** To promote the rule of law.

**Objective:** To resolve cases in a timely manner.

***General Performance Information:***

| | ***2008*** | ***2009*** | ***2010*** |
|---|---|---|---|
| *Percentage of noncriminal case applications acted on within Supreme Court standard of 120 days of filing* | *91.4%* | *92.2%* | *90.9%* |
| *Percentage of criminal case applications acted on within Supreme Court standard of 120 days of filing* | *35.4%* | *38.2%* | *39.9%* |
| *Percentage of pro se post conviction applications acted on within Supreme Court standard of 120 days of filing* | *35.3%* | *11.8%* | *7.7%* |
| *Percentage of bar disciplinary filings acted upon within Supreme Court standard of 120 days of filing* | *70.5%* | *76.5%* | *75.6%* |
| *Percentage of opinions rendered within Supreme Court standard of 84 days from argument* | *74.4%* | *81.3%* | *83.7%* |

**Goal:** To ensure the public trust.

**Objective:** To facilitate public access to Supreme Court decisions.

***General Performance Information:***

| | ***2008*** | ***2009*** | ***2010*** |
|---|---|---|---|
| *Percentage of written opinions available to the public within 5 days of decision* | *100%* | *100%* | *100%* |

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

***General Performance Information:***

| | ***2008*** | ***2009*** | ***2010*** |
|---|---|---|---|
| *Number of outreach programs* | *59* | *67* | *51* |
| *Number of media releases on court decisions* | *82* | *81* | *87* |
| *Number of media releases on other matters* | *26* | *26* | *22* |
| *Number of recipients of releases on court decisions* | *60* | *1,103* | *1,219* |
| *Number of recipients of releases on other matters* | *5,155* | *5,144* | *5,806* |

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

***General Performance Information:***

| | ***2008*** | ***2009*** | ***2010*** |
|---|---|---|---|
| *Average number of hours acquired through continuing legal education per judge* | *34.19* | *34.96* | *27.19* |
| *Number of complaints filed against judges and justices of the peace* | *818* | *664* | *586* |
| *Number of complaints against judges and justices of the peace resolved or disposed of in the calendar year* | *563* | *690* | *526* |

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

***General Performance Information:***

| | ***2008*** | ***2009*** | ***2010*** |
|---|---|---|---|
| *Average number of hours acquired through continuing legal education per lawyer* | *15.48* | *15.03* | *15.04* |
| *Number of complaints filed against lawyers* | *3,101* | *3,168* | *3,240* |
| *Number of complaints filed against lawyers resolved or disposed of in calendar year* | *3,201* | *3,105* | *3,565* |

Payable out of the State General Fund (Direct):

| | | | |
|---|---|---|---|
| 01 | Salaries of one (1) Chief Justice and six (6) Associate Justices of the Supreme Court, as provided by R.S. 13:102 | $ | 970,480 |
| 02 | Salaries and other expenses of the Supreme Court Proper and salary of the Crier of the Supreme Court | $ | 10,384,811 |
| 03 | Expenses of Judicial Administrator's Office and of the Judiciary Commission provided for in Article V, Section 25 of the Constitution of Louisiana and under the provisions of R.S. 13:32 et seq. | | |
| | A. Expenses of Judicial Administrator's Office | $ | 4,580,957 |

**Program Description:** *The Judicial Administrator's Office assists the Supreme Court in the administration of the state court system. It staffs the Judicial Council and the Judiciary Commission of Louisiana. Through the Judicial Council, it performs studies and makes recommendations for the creation of new judgeships and for improving the administration of justice. The Judicial Administrator's Office provides payroll and other fiscal services to the Judiciary, including the administration of a judicial retirement system, and support for the Supreme Court and Appellate Court human resource system. The Judicial Administrator's Office provides technological services to courts and manages the Trial Court Case Management Information System. It also manages the ad hoc judgeship system, and monitors cases under advisement. The Judicial Administrator's Office provides outreach services to state and local courts, staffs the Committee on Judicial Ethics, and performs numerous legal services for the Supreme Court and the Judiciary.*

| | | | |
|---|---|---|---|
| | B. Expenses of Judiciary Commission | $ | 1,905,335 |

**Program Description:** *The Judiciary Commission of Louisiana is a constitutional body established under Article V, Section 25 of the Constitution of 1974 to accept, screen, investigate, and prosecute complaints of judicial misconduct. As part of its authority, it may recommend to the Supreme Court the censure, suspension, removal from office, or involuntary retirement of any judge for ethical misconduct.*

| | | | |
|---|---|---|---|
| | C. Court Reporters as required by R.S. 13:981 | $ | 340,104 |
| | D. Dues to National Center for State Courts | $ | 138,829 |
| 04 | Expenses of Committee on Professional Ethics and Grievances including disbarment proceedings, R.S. 37:211 et seq. | $ | 3,000 |
| 05 | Compensation and expenses of retired judges assigned under Article V, Section 5(A) of the Constitution of Louisiana, be it more or less estimated at | $ | 1,522,221 |
| 06 | Law Library of Louisiana for salaries, services, supplies, maintenance, repairs, and equipment | $ | 1,863,614 |

**Program Description:** *The Law Library of Louisiana was created by an Act of the Legislature in 1855 to serve the legal information needs of the public, the state judiciary, and the bar.*

| | | | |
|---|---|---|---|
| 07 | Salaries and expenses of transferred judges assigned under Article V, Section 5(A) of the Constitution, be it more or less estimated as | $ | 382,600 |

| | | | |
|---|---|---|---|
| 08 | Retirement pay for services rendered by justices and judges of all courts, as provided by R.S. 11:1358 and R.S. 13:103 | $ | 1,451,893 |
| 09 | Pensions for widows of justices and judges of all courts, as provided by R.S. 11:1371 and R.S. 11:1381, be it more or less estimated at | $ | 1,609,481 |
| 10 | Judicial College | $ | 219,021 |

**Program Description:** *The Judicial College was established by order of the Supreme Court in 1976 to provide continuing legal education to Louisiana judges.*

| | | | |
|---|---|---|---|
| 11 | State contribution to judicial retirement provided for in Article V, Section 23 of the Constitution and R.S. 11:551 et seq., be it more or less estimated at | $ | 12,234,761 |
| 12 | Civil commitment matters as required by R.S. 28:54 | $ | 160,640 |
| 13 | Paul M. Hebert Law Center for the expenses of storage of appellate court records | $ | 60,000 |
| 14 | Funding for statewide operations of the Louisiana Protective Order Registry (R.S. 46:2136.2) under the Case Management Information System | $ | 1,268,698 |
| 15 | Payable out of the State General Fund for the expenses associated with the operation of the Families in Need of Services Program (FINS) | $ | 2,020,233 |

**Program Description:** *The mission of the FINS Assistance Program is to assist local FINS processes by developing and implementing a needs-based allocation formula; developing, implementing, and mandating the use of a uniform data system for tracking, managing, and reporting FINS informal cases; developing and mandating the use of programmatic standards; developing, implementing, and reporting performance indicators and measures; requiring and monitoring periodic fiscal reports and financial accountability; and, generally supervising and assisting local FINS processes in other ways.*

| | | | |
|---|---|---|---|
| 16 | Drug court maintenance and enhancement | $ | 11,221,417 |

**Program Description:** *Drug treatment courts, authorized in 1977 by R.S. 13:5301 through R.S. 13:5304, provided integrated substance abuse treatment, sanctions, and incentives with case processing to place low-level, nonviolent drug-involved defendants in community-based, judicially supervised rehabilitation programs. Clients are regularly tested and monitored for compliance with educational, employment, and treatment requirements set by the court.*

| | | | |
|---|---|---|---|
| 17 | Court Appointed Special Advocates | $ | 2,492,813 |

**Program Description:** *The purpose of the CASA Assistance Program is to promote timely placement of children in need of care in permanent, safe and stable homes, in accordance with the provisions of Children's Code articles 424-426. Services are provided through local CASA programs which recruit, screen, train and supervise community advocates. Upon appointment by the trial judge, qualified advocates serve children by providing independent factual information to the judge, advocating for the best interest of the children, monitoring cases to which they have been assigned, and advising and assisting the judge in the determination of the best interest of the children involved.*

| | | | |
|---|---|---|---|
| TOTAL - GENERAL FUND | | $ | 54,830,908 |

| | | | |
|---|---|---|---|
| 18 | Payable out of the State General Fund from Statutory Dedications, Judges' Supplemental Compensation Fund, R. S. 13:10.3, be it more or less estimated at | $ | 6,000,000 |

**Program Description:** *The Judges' supplemental Compensation Fund was established by the Legislature in 1985 to fund salary supplements and salary-related expenses to judges and commissioners. The funding source is a non-refundable filing fee assessed on civil filings as provided in R.S. 13:10.3.*

| | | | |
|---|---|---|---|
| 19 | Payable out of the State General Fund from Statutory Dedications, Trial Court Case Management Information Fund, for the Case Management Information System, Article 887 (F) of the Code of Criminal Procedure, be it more or less estimated at | $ | 3,497,651 |

**Program Description:** *The Case Management Information System (CMIS) was created by the Supreme Court in 1993 to provide a statewide information system for tracking and managing criminal, civil, juvenile, traffic, and appellate cases as well as protective orders. Data is received from courts statewide, transferred to the CMIS repository, and made available from the Department of Public Safety & Corrections. CMIS is funded from a court case assessed on all criminal and traffic convictions as provided under C.Cr.P.887(F).*

| | | | |
|---|---|---|---|
| TOTAL - STATE GENERAL FUND BY STATUTORY DEDICATIONS | | $ | 9,497,651 |
| 20 | Drug court maintenance and enhancement, payable out of the State General Fund through Interagency Transfers from the Department of Children and Family Services | $ | 6,000,000 |
| 21 | Court Appointed Special Advocates, payable out of the State General Fund through Interagency Transfers from the Department of Children and Family Services | $ | 4,670,000 |
| TOTAL - STATE GENERAL FUND THROUGH INTERAGENCY TRANSFERS | | $ | 10,670,000 |
| TOTAL SUPREME COURT | | $ | 74,998,559 |

## 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:***

| | ***2008*** | ***2009*** | ***2010*** |
|---|---|---|---|
| *Total appeals filed* | *2,671* | 2,597 | *2,587* |
| *Total writs filed* | *5,402* | *5,043* | *5,102* |
| *Total dispositions rendered* | *6,676* | *6,913* | *6,530* |

**Goal:** To promote the rule of law.

**Objective:** To resolve case expeditiously.
***General Performance Information:***

| | ***2008*** | ***2009*** | ***2010*** |
|---|---|---|---|
| *Average number of days from lodging of the appeal to argument:* | | | |
| *Time Standard = no more than 175 days.* | | | |
| *Criminal cases* | *145* | *150* | *145* |
| *Civil Cases* | *140* | *147* | *159* |
| *Total* | *142* | *148* | *152* |
| *Average number of days from argument to rendering of the opinion:* | | | |
| *Time Standard = no more than 70 days.* | | | |
| *Criminal cases* | *37* | *37* | *39* |
| *Civil cases* | *43* | *39* | *37* |
| *Total* | *40* | *38* | *38* |

**Goal:** To preserve public trust.

**Objective:** To facilitate public access to the decisions of the courts of appeal.
***General Performance Information:***

| | ***2008*** | ***2009*** | ***2010*** |
|---|---|---|---|
| *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 five (5) Chief Judges and forty-eight (48) Judges of the Courts of Appeal, R.S. 13:311 | $ 6,949,328 |
| 02 | Salaries and expenses of operation and maintenance of the Court of Appeal, First Circuit | $ 9,621,819 |
| 03 | Salaries and expenses of operation and maintenance of the Court of Appeal, Second Circuit | $ 5,433,784 |
| 04 | Salaries and expenses of operation and maintenance of the Court of Appeal, Third Circuit | $ 8,256,916 |
| 05 | Salaries and expenses of operation and maintenance of the Court of Appeal, Fourth Circuit | $ 7,583,727 |
| 06 | Salaries and expenses of operation and maintenance of the Court of Appeal, Fifth Circuit | $ 5,634,960 |
| TOTAL COURTS OF APPEAL | | $ 43,480,534 |

## 03-8172 DISTRICT COURTS

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

**Mission Statement:** *The mission of the trial 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 responsible parties to make court facilities safe, accessible, and convenient.

***General Performance Information:***

| | ***2008*** | ***2009*** | ***2010*** |
|---|---|---|---|
| *Percentage of surveyed district court chief judges indicating actions taken in FY 2009-2010 to improve compliance with the Americans with Disabilities Act (ADA)* | *74.5%* | *93.5%* | *89.6%* |

**Objective:** To encourage all responsible public bodies and public officers to make the costs of access to the trial 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:***

| | ***2008*** | ***2009*** | ***2010*** |
|---|---|---|---|
| *Percentage of surveyed district court chief judges indicating actions taken in FY 2009-2010 to assist pro se litigants* | *95.7%* | *100%* | *100%* |

**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:***

| | ***2008*** | ***2009*** | ***2010*** |
|---|---|---|---|
| *Number of parishes reporting criminal disposition data to CMIS* | *59* | *55* | *62* |
| *Percentage of parishes reporting criminal disposition data to CMIS* | *92%* | *85.9%* | *96.9%* |
| *Percentage of surveyed district court chief judges indicating that their courts had taken steps within FY 2009-2010 to reduce delays and improve the timeliness of case processing* | *95.7%* | *97.9%* | *97.9%* |

**Objective:** To enhance jury service.

***General Performance Information:***

| | ***2008*** | ***2009*** | ***2010*** |
|---|---|---|---|
| *Percentage of surveyed district court chief judges indicating that their court had taken steps within FY 2009-2010 to make jury service more convenient or effective* | *76.2%* | *100%* | *97.7%* |

**Goal:** To provide due process and equal protection of the law to all who have business before the court; and to demonstrate integrity in all procedures and decisions.

**Objective:** To recognize new conditions or emerging events and to adjust court operations as necessary.

***General Performance Information:***

| | ***2008*** | ***2009*** | ***2010*** |
|---|---|---|---|
| *Percentage of surveyed district court chief judges indicating actions taken in FY 2009-2010 to improve employee training and development* | *89.4%* | *100%* | *87.5%* |
| *Percentage of surveyed district court chief judges indicating actions taken in FY 2009-2010 to install or implement technologies* | *91.5%* | *97.9%* | *95.8%* |

**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:***

| | ***2008*** | ***2009*** | ***2010*** |
|---|---|---|---|
| *Percentage of surveyed district court chief judges indicating that their courts regularly provided public education and public outreach services in FY 2009-2010* | *100%* | *97.9%* | *97.9%* |

Payable out of the State General Fund:

| | | | |
|---|---|---|---|
| 01 | Salaries of one hundred ninety-one (191) District Judges as provided by R.S. 13:691 | $ | 23,787,827 |
| 02 | Office and travel expenses of District Judges as provided by R.S. 13:694 and R.S.13:698, respectively | $ | 1,292,600 |
| 03 | Salaries of fourteen (14) Judges of Civil District Court, Orleans Parish, as provided by R.S. 13:691 | $ | 1,743,611 |
| 04 | Expenses of Judges of Civil District Court, Parish of Orleans, for salaries of stenographers, clerks, law books, stationery, telephone, and like expenses as provided by R.S. 13:694 | $ | 78,400 |
| 05 | Salaries of two (2) Court Reporters of the Twentieth Judicial District Court, including retirement contributions, as provided by R.S. 13:966.1 | $ | 105,805 |
| 06 | Clerk of Civil District Court, Orleans Parish, as provided by R.S. 13:1212(A) | $ | 10,000 |
| 07 | State share of Group, Workers' Compensation, General Liability, and Property Insurance Premiums as provided by R.S.42:851 | $ | 5,869,931 |
| 08 | Salaries of two (2) commissioners of the Nineteenth Judicial District and one (1) commissioner of the Fifteenth Judicial District as provided by R.S. 13:712 and R.S. 13:715, respectively | $ | 467,482 |

| | | | |
|---|---|---|---|
| 09 | Office expenses for the Judicial Expense Fund of the Nineteenth Judicial District Court as provided by R.S. 13:711-713 | $ | 432,828 |
| 10 | Office expenses for the Judicial Expense Fund of the Fifteenth Judicial District Court as provided by R.S. 13:714-716 | $ | 275,315 |
| 11 | Law Clerk, Twentieth Judicial District Court as provided by Act 747 of 1977 | $ | 44,283 |
| 12 | For the expenses of the Judicial Expense Fund, Tenth Judicial District Court as provided by Act 57 of 2006 | $ | 35,000 |
| | SUBTOTAL | $ | 34,143,082 |

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 | $ | 1,619,067 |
| 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 | $ | 664,642 |
| C. | Salaries of thirteen (13) minute clerks as provided by R.S. 13:1373.1 | $ | 260,814 |
| D. | Salaries of twenty-six (26) court reporters as provided by R.S. 13:1373.1 | $ | 412,187 |
| E. | Salaries of four (4) commissioners of Criminal Court, Orleans Parish, including related benefits as provided by R.S. 13:1347 | $ | 396,365 |
| 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 | $ | 66,895 |
| H. | Salaries of four (4) court reporters, one for each commissioner as provided by R.S. 13:1347 | $ | 50,430 |
| I. | Salaries of Judicial Administrator, and assistants, including related benefits | $ | 876,768 |
| J. | Salaries of thirteen (13) law clerks | $ | 694,872 |

| | | |
|---|---|---|
| K. Salaries of four (4) secretaries | $ | 193,890 |
| L. Sanity Commissions | $ | 163,956 |
| M. Board of Jury Commissioners | $ | 355,637 |
| SUBTOTAL | $ | 5,765,523 |
| 14 Juvenile and Family Court Judges | | |
| A. Salaries of fourteen (14) Juvenile Court Judges as provided by R.S. 13:691 | $ | 1,743,611 |
| B. Salaries of four (4) Family Court Judges as provided by R.S. 13:691 | $ | 498,175 |
| C. Office expenses of Juvenile and Family Court Judges as provided by R.S. 13:694 and R.S. 13:698, respectively | $ | 100,800 |
| SUBTOTAL | $ | 2,342,586 |
| TOTAL DISTRICT COURTS | $ | 42,251,191 |

**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:***

| | ***2008*** | ***2009*** | ***2010*** |
|---|---|---|---|
| *Percentage of surveyed city/parish court chief judges indicating actions taken in FY 2009-2010 to assist pro se litigants* | *91.2%* | *98.1%* | *100%* |

**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:***

| | ***2008*** | ***2009*** | ***2010*** |
|---|---|---|---|
| *Percentage of surveyed city/parish court chief judges indicating that their courts had taken steps within FY 2009-2010 to reduce delays and improve the timeliness of case processing* | *88%* | *94.2%* | *88.5%* |

**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:***

| | ***2008*** | ***2009*** | ***2010*** |
|---|---|---|---|
| *Percentage of surveyed city/parish court chief judges indicating that their courts regularly provided public education and public outreach services in FY 2009-2010* | *95.9%* | *94.2%* | *94.2%* |

**Objective:** To recognize new conditions or emerging events and to adjust court operations as necessary.

***General Performance Information:***

| | ***2008*** | ***2009*** | ***2010*** |
|---|---|---|---|
| *Percentage of surveyed city/parish court chief judges indicating actions taken in FY 2009-2010 to improve employee training and development* | *88%* | *92.3%* | *94.2%* |
| *Percentage of surveyed city/parish court chief judges indicating actions taken in FY 2009-2010 to install or implement technologies* | *86.3%* | *94.2%* | *88.5%* |

Payable out of the State General Fund:

| | | |
|---|---|---|
| 01 | Salaries of sixty (60) City Court Judges as provided by R.S. 13:1875 | $ 2,412,714 |
| 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 | $ 389,156 |
| | TOTAL OTHER COURTS REQUIRED BY STATUTE | $ 2,801,870 |

**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 | $ 527,249 |

**Program Description:** *The program tracks and maintains 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.*

| | | |
|---|---|---|
| 02 | Orleans Parish Juvenile Court Reporters | $ 88,055 |
| 03 | For the expenses of the Judges' Assistance Program | $ 30,000 |

**Program Description:** *The Judges' Assistance Program provides counseling and other assistance to judges with substance abuse problems.*

| | |
|---|---|
| TOTAL OTHER COURTS NOT REQUIRED BY STATUTE | $ 645,304 |

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 Nine Million Six Hundred Forty-Seven Thousand Three Hundred Seventy-Three and No/100 ($9,647,373.00) 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 her 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.

C. Any funds herein allocated to the judiciary, any portion of the funds previously appropriated to the judiciary, other revenue of the judiciary or its agencies, and interest earnings are hereby appropriated and may be used to defray the expenses of the judiciary; however, all funds remaining unexpended or unencumbered shall be returnable to the state general fund on or before September 1, 2012.

D. For Fiscal Year 2011-2012, any surpluses occurring in the appropriations made in this Act may be transferred from one agency or line-item to another during the fiscal year in accordance with the rules of the Judicial Budgetary Control Board, or as approved by the Supreme Court.

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

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

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

Section 4. This Act shall become effective on July 1, 2011; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2011, or on the day following such approval by the legislature, whichever is later.

COMPARATIVE STATEMENT

In accordance with R.S. 39:51(D), the following represents a comparative statement for each Court and program. The operating budget for FY 2010-2011 is compared to the appropriations for FY 2011-2012 as contained in the original bill.

| | Operating Budget | Appropriation Request |
|---|---|---|
| Courts and Programs | FY 2010-2011 | FY 2011-2012 |
| Supreme Court | | |
| Total Supreme Court | $ 59,325,841 | $ 65,500,908 |
| Courts of Appeal | | |
| Total Courts of Appeal | $ 40,948,216 | $ 43,480,534 |
| District Courts | | |
| Total District Courts | $ 41,349,133 | $ 42,251,191 |
| Other Courts | | |
| Total Other Courts | $ 2,801,870 | $ 2,801,870 |
| Other Programs | | |
| Total Other Programs | $ 607,374 | $ 645,304 |
| Total State General Fund and Interagency Transfer All Line Items | $ 145,032,434 | $ 154,679,807 |
| Total Statutory Dedications | $ 9,325,904 | $ 9,497,651 |
| Total Funding | $ 154,358,338 | $ 164,177,458 |

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

Fannin HB No. 608

**Abstract:** Appropriates funds for FY 2011-2012 for expenses of the Louisiana Judiciary, including the Supreme Court, courts of appeal, district courts, Criminal Court of Orleans Parish, juvenile and family courts, and other courts.

Appropriates funds for Fiscal Year 2011-2012 for the ordinary operating expenses of the judicial branch of government with total funding of $154,530,085 from the following sources: $134,362,434 out of the State General Fund (Direct); $10,670,000 through interagency transfers from the Dept. of Children and Family Services; and, $9,497,651 from statutory dedications out of the Judges' Supplemental Compensation Fund and the Trial Court Case Management Fund.

Funding for the ordinary operating expenses of the judicial branch of government is provided as follows, subject to the reduction provided for below:

| | | |
|---|---|---|
| (1) | Louisiana Supreme Court | $74,998,559 |
| (2) | Courts of Appeal | 43,480,534 |
| (3) | District Courts | 34,143,082 |
| (4) | Criminal Court, Parish of Orleans | 5,765,523 |
| (5) | Juvenile and Family Courts | 2,342,586 |
| (6) | Other Courts (Required by Statute) | 2,801,870 |
| (7) | Other Courts (Not Required by Statute) | 645,304 |
| | TOTAL | $164,177,458 |

Provides that the appropriations out of the State General Fund (Direct) contained in this Act shall be reduced by a total amount of $9,647,373 pursuant to a plan adopted by the Judicial Budgetary Control Board or as approved by the La. Supreme Court.

Effective July 1, 2011.

Summary of Amendments Adopted by House

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

1. Provided for a change in means of financing to decrease State General Fund (Direct) and increase Interagency Transfers from the Dept. of Children and Family Services by $10,670,000 for drug court maintenance and enhancement and Court Appointed Special Advocates (CASA).

2. Added requirement that appropriations contained in this Act be reduced by a total amount of $9,647,373 pursuant to a plan adopted by the Judicial Budgetary Control Board or as approved by the La. Supreme Court.