

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Reengrossed Senate Bill No. 161 by Senator Quinn

AMENDMENT NO. 1

On page 2, delete lines 11 through 29 in their entirety

AMENDMENT NO. 2

On page 3, delete lines 1 through 20 in their entirety and insert the following:

"A. The judges of the Civil District Court for the parish of Orleans who are in office on July 1, 1979 shall create the Domestic Relations Section of that court, by rule of court adopted on or before December 1, 1979, by the judges sitting en banc. The rule shall designate not less than two incumbent judges who shall be assigned to the Domestic Relations Section in accordance with the rules of the Civil District Court for the parish of Orleans. The Domestic Relations Section shall be assigned all cases involving domestic relations problems, ~~including the following:~~ as defined in this Section.

B.(1) The first two judgeships becoming vacant for any reason on or after August 15, 2011 shall be abolished and two new judgeships shall be created and limited, pursuant to the provisions of Article V, Section 15(A) of the Constitution of Louisiana, to family matters as provided by law, including the domestic relations matters provided for in Subsection C of this Section.

(2) The provisions of this Section shall not apply to Divisions B and E unless there is a vacancy in one or both of those divisions on or after February 1, 2012.

(3) Upon creation of the judgeships provided in Paragraph (2) of this Subsection, those judgeships shall be designated as Domestic Sections 1 and 2.

~~B.C.~~(1) Domestic relations matters shall include:

~~(1)(a)~~ Actions for divorce, annulment of marriage, establishment or disavowal of paternity of children, alimony, support of children, custody by habeas corpus or otherwise, visitation rights, and all matters incidental to any of the foregoing proceedings.

~~(2)(b)~~ The issuance, modification, or dissolution of conservatory writs for the protection of community property.

~~(3) Repealed by Acts 1991, No. 976, §2.~~

~~(4)(c)~~ The issuance of writs of fieri facias and garnishment under judgments for alimony, child support, and attorney fees, partition proceedings ~~following separation from bed and board, and partition proceedings following divorce judgments,~~ and suits for separation of property.

~~B. Domestic relations problems, as used herein, shall not include tutorship proceedings and suits for separation of property.~~

(2) For the purposes of this Subsection, family or domestic relations matters shall not include tutorship proceedings.

D. The provisions of this Section shall apply to the Civil District Court for the parish of Orleans or to the Forty-First Judicial District Court, whichever is applicable, and shall supersede to the extent of conflict with any other provision of law."