
DIGEST

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Leger

HB No. 1144

Abstract: Repeals provisions relating to the consolidation of Orleans Parish district and juvenile courts into the 41st JDC and clerks of Orleans Parish, and provides for the Civil and Criminal District Court and Juvenile Courts for the parish of Orleans and their respective clerks to remain in existence.

Present law as provided for in Act 621 of the 2006 Regular Session, consolidates the civil, criminal, and juvenile courts, and the clerks of the respective courts into the 41st Judicial District Court; establishes one clerk of court for Orleans Parish; and establishes the salaries, composition, jurisdiction of such judicial officials, including magistrates and commissioners; transfers all the duties, powers, and functions of the former offices to the consolidated office; and creates the Consolidated Judicial Expense Fund for the 41st Judicial District Court for the civil and criminal district courts, the juvenile court for the parish of Orleans, and the First and Second City Court of the city of New Orleans. Further provides that such fund and all disbursements shall be administered and controlled by a committee composed of certain judicial officials, and otherwise establishes consolidated public offices similar to the other 41 existing judicial districts in the state.

Present law abolishes the Orleans Parish Juvenile Court effective January 1, 2015, and extends the terms of the six judges now in office to December 31, 2014. The 41st JDC is vested with jurisdiction of the juvenile court. Establishes six additional judges of the 41st JDC to be assigned to the juvenile section of that court, effective January 1, 2015.

Present law and amendments made by subsequent Acts provides an effective date of Dec. 31, 2014.

Proposed law repeals present law.

Present law provides for the Civil and Criminal District Courts for Orleans Parish, and the jurisdiction, compensation, authority, rulemaking ability, assignment, and designation of divisions, cases, expenses, costs, fees, and personnel, number of judges, commissioners, and magistrates allocated to divisions or sections, clerks of civil and criminal courts, compensation, fees, resultant judicial expenses, funds, deposits, bonds, retirement, and related duties and privileges, court reporters' selection, salary, and fees, magistrates and commissioners, their respective duties, jurisdiction, compensation, authority, and designations of the Civil and Criminal District Courts for Orleans Parish.

Present law, as provided for in Act 621 of the 2006 Regular Session, repeals all statutory authority for the Civil and Criminal District Courts for Orleans Parish and their respective clerks effective Dec. 31, 2014.

Proposed law repeals the effective date of Dec. 31, 2014 in present law and provides for the Civil and Criminal District Courts for Orleans Parish and provides that the clerks of the respective courts shall continue to function as they do under present law.

Present law transfers the offices of the custodian of notarial records, register of conveyances, and recorder of mortgages and their respective duties and functions to the clerk of civil district court as parish recorder and abolishes such offices effective Jan. 1, 2009. Provides for the clerk to assume the duties of the custodian, the register, and the recorder on that date.

Proposed law retains present law and removes all references to the register of conveyances, the recorder of mortgages, and custodian of notarial records.

Present law provides that the annual salary of \$75,000 shall be paid monthly to the district judges of each judicial district, including the civil, criminal, magistrates of the criminal, and juvenile judges of the parish of Orleans.

Proposed law provides that the annual salary to be paid monthly to all judges shall be determined by the Judicial Compensation Commission.

Proposed law requires clerk of the Civil District Court to collect all fees authorized under R.S. 13:1213.1 and deposit no less than 60% of the amounts collected in the Clerk's Operational Fund, and the remaining to be deposited in the Civil District Court Judicial Expense Fund.

Present law provides for the consolidation the offices of the civil and criminal sheriffs of the parish of Orleans into one office. Provides that the one office of sheriff shall be effective for purposes of qualification and election for the election of the parochial and municipal officials to be elected in 2010 and serve for a term of four years. Provides for the functions, duties, responsibilities, powers and transfer of property.

Proposed law retains present law and removes all references to the civil and criminal sheriff from present law.

Present law requires the first judge for the additional judgeship of the juvenile court for the parish of Orleans, to be elected for a term of eight years commencing on January 1, 1961, at the congressional election, and his successor to be elected every eight years thereafter.

Proposed law retains present law except that it changes the terms of office from eight years to six years and extends the terms of those juvenile court judges currently in office on Aug. 1, 2012 to Dec. 31, 2014.

(Amends R.S. 13:477(intro. para.), 691(A), 1306, 1307, 1311, 1312, 1381.2, and 1594, and R.S.

44:181; Adds R.S. 13:1213.2 and Repeals R.S. 13:474.1, 477(41), 621.41, 621.42, 621.43, 621.44, 621.45, 621.46, 714.1, 714.2, 751.1, 751.2-751.5, 841.3, 983, 996.62- 996.64, R.S. 44:181.5 and 181.6, and Sections 6, 8, 9, 19, 22, and 31 of Act No. 621 of the 2006 Regular Session of the Legislature)