

Regular Session, 2012

SENATE BILL NO. 133

BY SENATOR KOSTELKA

COURTS. Provides relative to designation by judges of specialized divisions or sections in district courts. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 13:587.2(A) and 587.4(A), relative to courts and judicial
3 procedure; to provide relative to district courts; to provide relative to designation by
4 judges of specialized divisions or sections; to provide certain procedures, terms and
5 conditions; to provide relative to the Fourth Judicial District Court; and to provide
6 for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:587.2(A) and 587.4(A) are hereby amended and reenacted to read
9 as follows:

10 §587.2. Fourth Judicial District; divisions; subject matter

11 A. Respecting seniority and the requirement that all cases be assigned
12 randomly within multi-judge sections, the judges of the Fourth Judicial District
13 Court, by rule adopted by a majority vote of the judges sitting en banc, may ~~assign~~
14 ~~certain divisions of the court to a criminal section and certain divisions to a civil,~~
15 ~~drug court, driving while intoxicated court, mental health court, juvenile, or other~~
16 ~~section of the court.~~ **designate a certain division or divisions or sections of the**
17 **court as a specialized division or section having criminal, civil, drug court,**

driving while intoxicated court, mental health court, misdemeanor, juvenile, violent crimes or homicides, or other specialized subject matter jurisdiction.

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§587.4. District courts; specialized divisions or sections; subject matter

A. Respecting seniority and the requirement that all cases be assigned randomly within multi-judge divisions or sections, the judges of any judicial district court, by rule adopted by a majority vote of the judges sitting en banc, may designate ~~certain~~ a certain division or divisions or sections of the court as a specialized division or section having criminal, civil, drug court, driving while intoxicated court, mental health court, misdemeanor, juvenile, violent crimes or homicides, or other specialized subject matter jurisdiction.

* * *

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become 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 Jerry G. Jones.

DIGEST

Kostelka (SB 133)

Present law relative to district courts provides that respecting seniority and the requirement that all cases be assigned randomly within multi-judge divisions or sections, the judges of any judicial district court, by rule adopted by a majority vote of the judges sitting en banc, may designate certain divisions or sections of the court as a specialized division or section having criminal, civil, drug court, driving while intoxicated court, mental health court, juvenile, violent crimes or homicides, or other specialized subject matter jurisdiction.

Proposed law retains present law, changes "certain divisions or sections" to "a certain division or divisions or sections" and adds misdemeanor jurisdiction.

Present law relative to the Fourth Judicial District Court provides that respecting seniority and the requirement that all cases be assigned randomly within multi-judge sections, the judges of the Fourth Judicial District Court, by rule adopted by a majority vote of the judges sitting en banc, may assign certain divisions of the court to a criminal section and certain divisions to a civil, drug court, driving while intoxicated court, mental health court, juvenile, or other section of the court.

Proposed law provides that respecting seniority and the requirement that all cases be assigned randomly within multi-judge divisions or sections, the judges of such district court, by rule adopted by a majority vote of the judges sitting en banc, may designate a certain division or divisions or sections of the court as a specialized division or section having criminal, civil, drug court, driving while intoxicated court, mental health court, misdemeanor, juvenile, violent crimes or homicides, or other specialized subject matter jurisdiction.

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

(Amends R.S. 13:587.2(A) and 587.4(A))