

Regular Session, 2012

HOUSE BILL NO. 1058

BY REPRESENTATIVES FANNIN AND KLECKLEY AND SENATORS ALARIO AND DONAHUE

APPROPRIATIONS: Appropriates funds for the expenses of the Louisiana Judiciary for Fiscal Year 2012-2013

1 AN ACT

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

5 Be it enacted by the Legislature of Louisiana:

6 Section 1.A. The sum of One Hundred Sixty-Five Million Eighty Thousand Four
7 Hundred Twenty-Seven and No/100 (\$165,080,427.00) Dollars, or so much thereof as may
8 be necessary, is hereby appropriated to defray the expenses of the judiciary, including the
9 Supreme Court, Courts of Appeal, the District Courts, the Criminal District Court of Orleans
10 Parish, and of the other courts.

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

12 **03-8170 SUPREME COURT**

13 **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.*

23 **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.*

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

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

4 **General Performance Information:**

	2009	2010	2011	
5				
6	Total Filings	2,780	2,875	2,852
7	Total Appeals Filed	14	9	10
8	Total Writs Filed	2,564	2,674	2,613
9	Total Depositions Rendered	2,801	2,736	2,916

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

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

12 **General Performance Information:**

	2009	2010	2011	
13				
14	Percentage of noncriminal case			
15	applications acted on within Supreme			
16	Court standard of 120 days of filing	92.2%	90.9%	96.6%
17	Percentage of criminal case applications			
18	acted on within Supreme Court			
19	standard of 120 days of filing	38.2%	39.9%	40.4%
20	Percentage of pro se post conviction			
21	applications acted on within Supreme			
22	Court standard of 120 days of filing	11.8%	7.7%	5.2%
23	Percentage of bar disciplinary filings			
24	acted upon within Supreme Court			
25	standard of 120 days of filing	76.5%	75.6%	98.7%
26	Percentage of opinions rendered within			
27	Supreme Court standard of 84 days			
28	from argument	81.3%	83.7%	64.4%

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

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

31 **General Performance Information:**

	2009	2010	2011	
32				
33	Percentage of written opinions available			
34	to the public within 5 days of decision	100%	100%	100%

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

36 **General Performance Information:**

	2009	2010	2011	
37				
38	Number of outreach programs	67	51	63
39	Number of media releases on court decisions	81	87	83
40	Number of media releases on other matters	26	22	21
41	Number of recipients of releases on			
42	court decisions	1,103	1,219	1,498
43	Number of recipients of releases on other			
44	matters	5,144	5,806	2,876

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

47 **General Performance Information:**

	2009	2010	2011	
48				
49	Average number of hours acquired			
50	through continuing legal education			
51	per judge	34.96	27.19	30.20
52	Number of complaints filed against			
53	judges and justices of the peace	664	586	561
54	Number of complaints against judges			
55	and justices of the peace resolved or			
56	disposed of in the calendar year	690	526	562

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

3 **General Performance Information:**

	2009	2010	2011
4 Average number of hours acquired through			
5 continuing legal education per lawyer	15.03	15.04	15.36
6 Number of complaints filed against lawyers	3,168	3,240	3,000
7			
8			
9 Number of complaints filed against lawyers			
10 resolved or disposed of in calendar year	3,105	3,565	2,997

11 Payable out of the State General Fund (Direct):

12 01 Salaries of one (1) Chief Justice and six (6)
13 Associate Justices of the Supreme Court,
14 as provided by R.S. 13:102 \$ 970,480

15 02 Salaries and other expenses of the
16 Supreme Court Proper and salary of
17 the Crier of the Supreme Court \$ 10,324,869

18 03 Expenses of Judicial Administrator's
19 Office and of the Judiciary Commission
20 provided for in Article V, Section
21 25 of the Constitution of Louisiana and
22 under the provisions of R.S. 13:32 et seq.

23 A. Expenses of Judicial Administrator's Office \$ 4,674,526

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

35 B. Expenses of Judiciary Commission \$ 1,881,406

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

40 C. Court Reporters; Statistical Reporting Systems \$ 351,307

41 D. Dues to National Center for State Courts \$ 146,152

42 04 Expenses of Committee on Professional
43 Ethics and Grievances including
44 disbarment proceedings, R.S. 37:211 et seq. \$ 3,000

45 05 Compensation and expenses of retired
46 judges assigned under Article V,
47 Section 5(A) of the Constitution of
48 Louisiana, be it more or less estimated at \$ 1,496,161

49 06 Law Library of Louisiana for salaries,
50 services, supplies, maintenance, repairs,
51 and equipment \$ 1,895,744

1		Program Description: <i>The Law Library of Louisiana was created by an Act of the Legislature in 1855</i>	
2		<i>to serve the legal information needs of the public, the state judiciary, and the bar.</i>	
3	07	Salaries and expenses of transferred	
4		judges assigned under Article V,	
5		Section 5(A) of the Constitution,	
6		be it more or less estimated as	\$ 311,534
7	08	Retirement pay for services rendered by	
8		justices and judges of all courts, as	
9		provided by R.S. 11:1358 and	
10		R.S. 13:103	\$ 1,472,896
11	09	Pensions for widows of justices and	
12		judges of all courts, as provided by	
13		R.S. 11:1371 and R.S. 11:1381, be it	
14		more or less estimated at	\$ 1,609,481
15	10	Judicial College	\$ 229,070
16		Program Description: <i>The Judicial College was established by order of the Supreme Court in 1976 to</i>	
17		<i>provide continuing legal education to Louisiana judges.</i>	
18	11	State contribution to judicial	
19		retirement provided for in Article V,	
20		Section 23 of the Constitution and	
21		R.S. 11:551 et seq., be it more or	
22		less estimated at	\$ 13,357,952
23	12	Civil commitment matters as	
24		required by R.S. 28:54	\$ 144,109
25	13	Paul M. Hebert Law Center for the expenses	
26		of storage of appellate court records	\$ 60,000
27	14	Funding for statewide operations of the	
28		Louisiana Protective Order Registry	
29		(R.S. 46:2136.2) under the Case	
30		Management Information System	\$ 1,295,979
31	15	Payable out of the State General Fund for the	
32		expenses associated with the operation of the	
33		Families in Need of Services Program (FINS)	\$ 2,036,368
34		Program Description: <i>The mission of the FINS Assistance Program is to assist local FINS processes by</i>	
35		<i>developing and implementing a needs-based allocation formula; developing, implementing, and mandating</i>	
36		<i>the use of a uniform data system for tracking, managing, and reporting FINS informal cases; developing</i>	
37		<i>and mandating the use of programmatic standards; developing, implementing, and reporting performance</i>	
38		<i>indicators and measures; requiring and monitoring periodic fiscal reports and financial accountability;</i>	
39		<i>and, generally supervising and assisting local FINS processes in other ways.</i>	
40	16	Drug court maintenance and enhancement	\$ 11,006,433
41		Program Description: <i>Drug treatment courts, authorized in 1997 by R.S. 13:5301 through R.S. 13:5304,</i>	
42		<i>provided integrated substance abuse treatment, sanctions, and incentives with case processing to place</i>	
43		<i>low-level, nonviolent drug-involved defendants in community-based, judicially supervised rehabilitation</i>	
44		<i>programs. Clients are regularly tested and monitored for compliance with educational, employment, and</i>	
45		<i>treatment requirements set by the court.</i>	
46	17	Court Appointed Special Advocates	\$ <u>2,753,056</u>

1 **03-8171 COURTS OF APPEAL**

2 **Program Description:** *The five courts of appeal, domiciled in Baton Rouge, Shreveport, Lake Charles,*
 3 *New Orleans, and Gretna, have supervisory jurisdiction over all cases arising within their respective*
 4 *circuits, subject to the general supervisory jurisdiction of the Supreme Court. Each court of appeal also*
 5 *has appellate jurisdiction over all civil matters, all matters appealed from family and juvenile courts, and*
 6 *all criminal cases triable by a jury which arise within its circuit, except for those cases appealable directly*
 7 *to the Supreme Court or to the district courts.*

8 **Mission Statement:** *The mission of the appellate courts of Louisiana is to provide*
 9 *meaningful access to all who seek review under the Courts' appellate and supervisory*
 10 *jurisdiction granted by the Louisiana Constitution while protecting and promoting the*
 11 *rule of law, preserving the public trust, and using public resources efficiently.*

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

13 **Objective:** To provide a reasonable opportunity for multi-judge review of decisions
 14 made by lower tribunals.

15 **General Performance Information:**

	2009	2010	2011
16 <i>Total appeals filed</i>	2,597	2,587	2,838
17 <i>Total writs filed</i>	5,043	5,102	4,987
18 <i>Total dispositions rendered</i>	6,913	6,530	5,277

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

21 **Objective:** To resolve case expeditiously.

22 **General Performance Information:**

	2009	2010	2011
23 <i>Average number of days from lodging of the</i>			
24 <i>appeal to argument:</i>			
25 <i>Time Standard = no more than 175 days.</i>			
26 <i>Criminal cases</i>	150	145	145
27 <i>Civil Cases</i>	147	159	175
28 <i>Median number of days for all cases</i>	148	152	155

30 *Average number of days from argument to*
 31 *rendering of the opinion:*

32 *Time Standard = no more than 70 days.*

33 <i>Criminal cases</i>	37	39	41
34 <i>Civil cases</i>	39	37	37
35 <i>Median number of days for all cases</i>	38	38	38

36 **Goal:** To preserve public trust.

37 **Objective:** To facilitate public access to the decisions of the courts of appeal.

38 **General Performance Information:**

	2009	2010	2011
39 <i>Percentage of written opinions available</i>			
40 <i>to the public within 5 days of decision</i>	100%	100%	100%

42 Payable out of the State General Fund:

43 01	Salaries of five (5) Chief Judges		
44	and forty-eight (48) Judges of		
45	the Courts of Appeal, R.S. 13:311	\$	6,949,328
46 02	Salaries and expenses of operation and		
47	maintenance of the Court of Appeal,		
48	First Circuit	\$	9,504,027
49 03	Salaries and expenses of operation and		
50	maintenance of the Court of Appeal,		
51	Second Circuit	\$	5,469,421
52 04	Salaries and expenses of operation and		
53	maintenance of the Court of Appeal,		
54	Third Circuit	\$	8,309,300

1	05	Salaries and expenses of operation and	
2		maintenance of the Court of Appeal,	
3		Fourth Circuit	\$ 7,548,843
4	06	Salaries and expenses of operation and	
5		maintenance of the Court of Appeal,	
6		Fifth Circuit	\$ 5,661,749
7	TOTAL COURTS OF APPEAL		\$ 43,442,668

8 **03-8172 DISTRICT COURTS**

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

23 **Mission Statement:** *The mission of the trial courts of Louisiana is to provide access*
 24 *to justice, to meet all responsibilities in a timely and expeditious manner, to provide*
 25 *equality, fairness, and integrity in their proceedings, to maintain judicial independence*
 26 *and accountability, and to reach a fair and just result by adherence to the procedural*
 27 *and substantive law, thereby instilling trust and confidence in the public.*

28 **Goal:** To establish a more open and accessible system of justice.

29 **Objective:** To encourage responsible parties to make court facilities safe, accessible,
 30 and convenient.

31 **General Performance Information:**

32		2009	2010	2011
33	<i>Percentage of surveyed district court chief judges indicating</i>			
34	<i>actions taken in FY 2010-2011 to improve compliance with</i>			
35	<i>the Americans with Disabilities Act (ADA)</i>	93.5%	89.6%	91.7%

36 **Objective:** To encourage all responsible public bodies and public officers to make the
 37 costs of access to the trial court's proceedings and records - whether measured in terms
 38 of money, time, or the procedures that must be followed - reasonable, fair, and
 39 affordable.

40 **General Performance Information:**

41		2009	2010	2011
42	<i>Percentage of surveyed district court chief judges indicating</i>			
43	<i>actions taken in FY 2010-2011 to assist pro se litigants</i>	100%	100%	93.8%

44 **Goal:** To meet all responsibilities to everyone affected by the court and its activities
 45 in a timely and expeditious manner.

46 **Objective:** To encourage timely case management and processing.

47 **General Performance Information:**

48		2009	2010	2011
49	<i>Number of parishes reporting criminal disposition</i>			
50	<i>data to CMIS</i>	55	62	62
51	<i>Percentage of parishes reporting criminal disposition</i>			
52	<i>data to CMIS</i>	85.9%	96.9%	97.0%
53	<i>Percentage of surveyed district court chief judges</i>			
54	<i>indicating that their courts had taken steps within</i>			
55	<i>FY 2010-2011 to reduce delays and improve the</i>			
56	<i>timeliness of case processing</i>	97.9%	97.9%	91.7%

1	08	Salaries of two (2) commissioners of	
2		the Nineteenth Judicial District and	
3		one (1) commissioner of the Fifteenth	
4		Judicial District as provided by	
5		R.S. 13:712 and R.S. 13:715,	
6		respectively	\$ 463,409
7	09	Office expenses for the Judicial	
8		Expense Fund of the Nineteenth Judicial	
9		District Court as provided by	
10		R.S. 13:711-713	\$ 441,938
11	10	Office expenses for the Judicial	
12		Expense Fund of the Fifteenth	
13		Judicial District Court as provided	
14		by R.S. 13:714-716	\$ 276,158
15	11	Law Clerk, Twentieth Judicial District	
16		Court as provided by Act 747 of 1977	\$ 47,968
17	12	For the expenses of the Judicial Expense	
18		Fund, Tenth Judicial District Court as	
19		provided by Act 57 of 2006	<u>\$ 35,000</u>
20		SUBTOTAL	<u>\$ 33,863,555</u>
21	13	Criminal Court - Parish of Orleans	
22		Program Description: <i>The Criminal District Court for the Parish of Orleans has exclusive jurisdiction</i>	
23		<i>of the trial and punishment of all crimes, misdemeanors, and offenses committed within the parish of</i>	
24		<i>Orleans, if the jurisdiction is not vested by law in some other court. The court, through its magistrate and</i>	
25		<i>with assistance from its commissioners, has the power of committing magistrates in all felony charges and</i>	
26		<i>the power to hold preliminary examinations, with authority to bail or discharge, or to hold for trial, in all</i>	
27		<i>cases before the court. The court has appellate jurisdiction of all cases tried before the Municipal Court</i>	
28		<i>of New Orleans and the Traffic Court of New Orleans and has general supervisory jurisdiction over these</i>	
29		<i>courts.</i>	
30	A.	Salaries of thirteen (13) District Judges of	
31		Criminal Court, Orleans Parish as provided	
32		by R.S. 13:691	\$ 1,619,067
33	B.	Office expenses of Judges of Criminal Court,	
34		Orleans Parish as provided by R.S. 13:698	\$ 72,800
35	C.	State's share of group insurance for the personnel	
36		of Criminal Court as provided by R.S. 42:851	\$ 604,800
37	D.	Salaries of thirteen (13) minute clerks as provided	
38		by R.S. 13:1373.1	\$ 265,535
39	E.	Salaries of twenty-six (26) court reporters as	
40		provided by R.S. 13:1373.1	\$ 419,649
41	F.	Salaries of four (4) commissioners of Criminal	
42		Court, Orleans Parish, including related benefits	
43		as provided by R.S. 13:1347	\$ 414,486
44	G.	Office and travel expenses of commissioners as	
45		provided by R.S. 13:1347	\$ 10,000
46	H.	Salaries of four (4) minute clerks, one for each	
47		commissioner as provided by R.S. 13:1347	\$ 68,106

1	I. Salaries of four (4) court reporters, one for each	
2	commissioner as provided by R.S. 13:1347	\$ 51,342
3	J. Salaries of Judicial Administrator, and assistants,	
4	including related benefits	\$ 881,898
5	K. Salaries of thirteen (13) law clerks	\$ 681,180
6	L. Salaries of four (4) secretaries	\$ 197,401
7	M. Sanity Commissions	\$ 165,578
8	N. Board of Jury Commissioners	\$ 400,746
9	SUBTOTAL	<u>\$ 5,852,588</u>
10	14 Juvenile and Family Court Judges	
11	A. Salaries of fourteen (14) Juvenile Court	
12	Judges as provided by R.S. 13:691	\$ 1,743,611
13	B. Salaries of four (4) Family Court Judges	
14	as provided by R.S. 13:691	\$ 498,175
15	C. Office and travel expenses of Juvenile and Family	
16	Court Judges as provided by R.S. 13:698	
17	and R.S. 13:694, respectively	<u>\$ 100,800</u>
18	SUBTOTAL	<u>\$ 2,342,586</u>
19	TOTAL DISTRICT COURTS	<u><u>\$ 42,058,729</u></u>

20 03-8173 OTHER COURTS - SALARIES AND OFFICE EXPENSES AS REQUIRED
21 BY STATUTE

22 **Program Description:** *The category includes forty-seven city courts, one municipal court (New Orleans),*
23 *one traffic court (New Orleans), and one parish court (Ascension Parish).*

24 **Mission Statement:** *The mission of the city and parish courts of Louisiana is to provide*
25 *access to justice, to meet all responsibilities in a timely and expeditious manner, to*
26 *provide equality, fairness and integrity in their proceedings, to maintain judicial*
27 *independence and accountability, and to reach a fair and just result by adherence to the*
28 *procedural and substantive law, thereby instilling trust and confidence in the public.*

29 **Goal:** To establish a more open and accessible system of justice.

30 **Objective:** To encourage all responsible public bodies and public officers to make the
31 costs of access to the court's proceedings and records - whether measured in terms of
32 money, time, or the procedures that must be followed - reasonable, fair, and affordable.

33 **General Performance Information:**

34		2009	2010	2011
35	<i>Percentage of surveyed city/parish court chief judges indicating</i>			
36	<i>actions taken in FY 2010-2011 to assist pro</i>			
37	<i>se litigants</i>	98.1%	100%	98.1%

38 **Goal:** To meet all responsibilities to everyone affected by the court and its
39 activities in a timely and expeditious manner.

40 **Objective:** To encourage timely case management and processing.

41 **General Performance Information:**

42		2009	2010	2011
43	<i>Percentage of surveyed city/parish court chief judges</i>			
44	<i>indicating that their courts had taken steps within</i>			
45	<i>FY 2010-2011 to reduce delays and improve the</i>			
46	<i>timeliness of case processing</i>	94.2%	88.5%	90.4%

1 **Goal:** To maintain judicial independence, while observing the principle of comity in
2 its governmental relations and accountability to the public.

3 **Objective:** To inform the community of the court's structure and function.

4 **General Performance Information:**

	2009	2010	2011
5			
6	<i>Percentage of surveyed city/parish court chief judges indicating</i>		
7	<i>that their courts regularly provided public education and</i>		
8	<i>public outreach services in FY 2010-2011</i>		
	94.2%	94.2%	90.4%

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

11 **General Performance Information:**

	2009	2010	2011
12			
13	<i>Percentage of surveyed city/parish court chief judges indicating</i>		
14	<i>actions taken in FY 2010-2011 to improve</i>		
15	<i>employee training and development</i>		
16	92.3%	94.2%	90.4%
17	<i>Percentage of surveyed city/parish court chief judges indicating</i>		
18	<i>actions taken in FY 2010-2011 to install or</i>		
	<i>implement technologies</i>		
	94.2%	88.5%	90.4%

19 Payable out of the State General Fund:

20	01	Salaries of sixty (60) City Court	
21		Judges as provided by R.S. 13:1875	\$ 2,412,714
22	02	Salaries of four (4) Municipal, four (4)	
23		Traffic and one (1) Parish Court	
24		Judges as provided by R.S. 13:2492,	
25		13:2501.1, and 13:2563.5, respectively	<u>\$ 389,156</u>
26	TOTAL OTHER COURTS REQUIRED BY STATUTE		<u>\$ 2,801,870</u>

27 **03-8174 OTHER COURTS - SALARIES AND OFFICE EXPENSES NOT**
28 **REQUIRED BY STATUTE**

29 Payable out of the State General Fund:

30	01	Orleans Parish Juvenile Protective	
31		Care Monitoring Program	\$ 551,462
32	Program Description: <i>The program tracks and maintains child abuse and neglect cases in the Orleans</i>		
33	<i>Parish Juvenile Court. It also provides assistance in support of the Families in Need of Services Program.</i>		
34	02	Orleans Parish Juvenile Court Reporters	\$ 87,844
35	03	For the expenses of the Judges'	
36		Assistance Program	<u>\$ 30,000</u>
37	Program Description: <i>The Judges' Assistance Program provides counseling and other assistance to judges</i>		
38	<i>with substance abuse problems.</i>		
39	TOTAL OTHER COURTS NOT REQUIRED BY STATUTE		<u>\$ 669,306</u>

40 Section 2. The appropriations, and the allocations of such appropriations, from the State
41 General Fund (Direct) contained in Section 1 of this Act shall be reduced by a total amount
42 of Six Million One Hundred Thirty Thousand Six Hundred Sixty-Two and No/100
43 (\$6,130,662.00) Dollars, pursuant to a plan adopted by the Judicial Budgetary Control Board
44 or as approved by the Louisiana Supreme Court.

1 Section 3.A. The Chief Justice of the Supreme Court, or her duly authorized and
2 appointed agent, shall warrant the state treasurer for the allocations herein provided, or for
3 so much thereof as may be necessary. The aforesaid warrant shall be paid out of the state
4 general fund, and the state treasurer shall pay said warrant by preference over all other
5 warrants, except warrants for the salaries of constitutional officers of the state and warrants
6 for expenses of the legislature, which shall be concurrent with the warrant provided by this
7 Act.

8 B. The funds drawn as provided herein shall be deposited in the name of the judiciary in
9 an approved bank that has been selected by the Supreme Court and is located in the state.

10 C. Any funds herein allocated to the judiciary, any portion of the funds previously
11 appropriated to the judiciary, other revenue of the judiciary or its agencies, and interest
12 earnings are hereby appropriated and may be used to defray the expenses of the judiciary;
13 however, all funds remaining unexpended or unencumbered shall be returnable to the state
14 general fund on or before September 1, 2013.

15 D. For Fiscal Year 2012-2013, any surpluses occurring in the appropriations made in this
16 Act may be transferred from one agency or line-item to another during the fiscal year in
17 accordance with the rules of the Judicial Budgetary Control Board, or as approved by the
18 Supreme Court.

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

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

28 G. The inclusion in this Act of staff salaries and benefits for lower court or other judicial
29 branch agency employees shall not be deemed to create or impose any obligation upon the
30 State of Louisiana Judicial Branch, the Supreme Court of Louisiana, the Judicial Budgetary

1 Control Board, or the Supreme Court Judicial Administrator's Office relative to the
2 administration of pay, retirement or other benefits to any such employees. Accordingly, the
3 State of Louisiana Judicial Branch, the Supreme Court of Louisiana, the Judicial Budgetary
4 Control Board, and the Supreme Court Judicial Administrator's Office are not to be
5 considered the "employer" or "employing agency" of lower court or other judicial agency
6 employees whose staff salaries and other benefits are included in this Act.

7 Section 4. This Act shall become effective on July 1, 2012; if vetoed by the governor and
8 subsequently approved by the legislature, this Act shall become effective on July 1, 2012, or
9 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 2011-2012 is compared to the appropriations for FY 2012-2013 as contained in the original bill.

	Operating Budget	Appropriation Request
<u>Courts and Programs</u>	<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
Supreme Court		
Total Supreme Court	\$62,820,785	\$66,457,023
Courts of Appeal		
Total Courts of Appeal	\$41,551,761	\$43,442,668
District Courts		
Total District Courts	\$41,738,802	\$42,058,729
Other Courts		
Total Other Courts	\$2,801,870	\$2,801,870
Other Programs		
Total Other Programs	<u>\$619,216</u>	<u>\$669,306</u>
Total State General Fund and Interagency Transfer All Line Items	<u>\$149,532,434</u>	<u>\$155,429,596</u>
Total Statutory Dedications	<u>\$9,497,651</u>	<u>\$9,650,831</u>
Total Funding	<u>\$159,030,085</u>	<u>\$165,080,427</u>

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. 1058

Abstract: Appropriates funds for FY 2012-2013 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 2012-2013 for the ordinary operating expenses of the judicial branch of government with total funding of \$158,949,765 from the following sources: \$138,862,434 out of the State General Fund (Direct); \$10,436,500 through interagency transfers from the Dept. of Children and Family Services; and, \$9,650,831 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:

(1) La. Supreme Court	\$ 76,107,854
(2) Courts of Appeal	43,442,668
(3) District Courts	33,863,555
(4) Criminal Court, Parish of Orleans	5,852,588
(5) Juvenile and Family Courts	2,342,586
(6) Other Courts (Required by Statute)	2,801,870
(7) Other Courts (Not Required by Statute)	<u>669,306</u>
TOTAL	<u>\$165,080,427</u>

Provides that the appropriations out of the State General Fund (Direct) contained in this Act shall be reduced by a total amount of \$6,130,662 pursuant to a plan adopted by the Judicial Budgetary Control Board or as approved by the La. Supreme Court.

Effective July 1, 2012.

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 \$10,436,500 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 \$6,130,662 pursuant to a plan adopted by the Judicial Budgetary Control Board or as approved by the La. Supreme Court.