

Regular Session, 2012

HOUSE BILL NO. 1058

BY REPRESENTATIVES FANNIN AND KLECKLEY AND SENATORS ALARIO AND DONAHUE

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.*

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

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

31 **General Performance Information:**

	2009	2010	2011
32 Total Filings	2,780	2,875	2,852
33 Total Appeals Filed	14	9	10
34 Total Writs Filed	2,564	2,674	2,613
35 Total Depositions Rendered	2,801	2,736	2,916

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

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

3 **General Performance Information:**

	2009	2010	2011
4 <i>Percentage of noncriminal case</i>			
5 <i> applications acted on within Supreme</i>			
6 <i> Court standard of 120 days of filing</i>	92.2%	90.9%	96.6%
7 <i>Percentage of criminal case applications</i>			
8 <i> acted on within Supreme Court</i>			
9 <i> standard of 120 days of filing</i>	38.2%	39.9%	40.4%
10 <i>Percentage of pro se post conviction</i>			
11 <i> applications acted on within Supreme</i>			
12 <i> Court standard of 120 days of filing</i>	11.8%	7.7%	5.2%
13 <i>Percentage of bar disciplinary filings</i>			
14 <i> acted upon within Supreme Court</i>			
15 <i> standard of 120 days of filing</i>	76.5%	75.6%	98.7%
16 <i>Percentage of opinions rendered within</i>			
17 <i> Supreme Court standard of 84 days</i>			
18 <i> from argument</i>	81.3%	83.7%	64.4%

19
20 **Goal:** To ensure the public trust.

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

22 **General Performance Information:**

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

25
26 **Objective:** To inform the public of operations and activities.

27 **General Performance Information:**

	2009	2010	2011
28 <i>Number of outreach programs</i>	67	51	63
29 <i>Number of media releases on court decisions</i>	81	87	83
30 <i>Number of media releases on other matters</i>	26	22	21
31 <i>Number of recipients of releases on</i>			
32 <i> court decisions</i>	1,103	1,219	1,498
33 <i>Number of recipients of releases on other</i>			
34 <i> matters</i>	5,144	5,806	2,876

35
36 **Objective:** To ensure the highest professional conduct, integrity, and competence
37 of the bench.

38 **General Performance Information:**

	2009	2010	2011
39 <i>Average number of hours acquired</i>			
40 <i> through continuing legal education</i>			
41 <i> per judge</i>	34.96	27.19	30.20
42 <i>Number of complaints filed against</i>			
43 <i> judges and justices of the peace</i>	664	586	561
44 <i>Number of complaints against judges</i>			
45 <i> and justices of the peace resolved or</i>			
46 <i> disposed of in the calendar year</i>	690	526	562

47
48 **Objective:** To ensure the highest professional conduct, integrity, and competence
49 of the bar.

50 **General Performance Information:**

	2009	2010	2011
51 <i>Average number of hours acquired through</i>			
52 <i> continuing legal education per lawyer</i>	15.03	15.04	15.36
53 <i>Number of complaints filed against lawyers</i>	3,168	3,240	3,000
54 <i>Number of complaints filed against lawyers</i>			
55 <i> resolved or disposed of in calendar year</i>	3,105	3,565	2,997

56
57 Payable out of the State General Fund (Direct):

58 01 Salaries of one (1) Chief Justice and six (6)			
59 Associate Justices of the Supreme Court,			
60 as provided by R.S. 13:102			\$ 970,480

1	02	Salaries and other expenses of the	
2		Supreme Court Proper and salary of	
3		the Crier of the Supreme Court	\$ 10,324,869
4	03	Expenses of Judicial Administrator's	
5		Office and of the Judiciary Commission	
6		provided for in Article V, Section	
7		25 of the Constitution of Louisiana and	
8		under the provisions of R.S. 13:32 et seq.	
9	A.	Expenses of Judicial Administrator's Office	\$ 4,674,526
10	Program Description: <i>The Judicial Administrator's Office assists the Supreme Court in the</i>		
11	<i>administration of the state court system. It staffs the Judicial Council and the Judiciary Commission of</i>		
12	<i>Louisiana. Through the Judicial Council, it performs studies and makes recommendations for the creation</i>		
13	<i>of new judgeships and for improving the administration of justice. The Judicial Administrator's Office</i>		
14	<i>provides payroll and other fiscal services to the Judiciary, including the administration of a judicial</i>		
15	<i>retirement system, and support for the Supreme Court and Appellate Court human resource system. The</i>		
16	<i>Judicial Administrator's Office provides technological services to courts and manages the Trial Court</i>		
17	<i>Case Management Information System. It also manages the ad hoc judgeship system, and monitors cases</i>		
18	<i>under advisement. The Judicial Administrator's Office provides outreach services to state and local</i>		
19	<i>courts, staffs the Committee on Judicial Ethics, and performs numerous legal services for the Supreme</i>		
20	<i>Court and the Judiciary.</i>		
21	B.	Expenses of Judiciary Commission	\$ 1,881,406
22	Program Description: <i>The Judiciary Commission of Louisiana is a constitutional body established under</i>		
23	<i>Article V, Section 25 of the Constitution of 1974 to accept, screen, investigate, and prosecute complaints</i>		
24	<i>of judicial misconduct. As part of its authority, it may recommend to the Supreme Court the censure,</i>		
25	<i>suspension, removal from office, or involuntary retirement of any judge for ethical misconduct.</i>		
26	C.	Court Reporters; Statistical Reporting Systems	\$ 351,307
27	D.	Dues to National Center for State Courts	\$ 146,152
28	04	Expenses of Committee on Professional	
29		Ethics and Grievances including	
30		disbarment proceedings, R.S. 37:211 et seq.	\$ 3,000
31	05	Compensation and expenses of retired	
32		judges assigned under Article V,	
33		Section 5(A) of the Constitution of	
34		Louisiana, be it more or less estimated at	\$ 1,496,161
35	06	Law Library of Louisiana for salaries,	
36		services, supplies, maintenance, repairs,	
37		and equipment	\$ 1,895,744
38	Program Description: <i>The Law Library of Louisiana was created by an Act of the Legislature in 1855</i>		
39	<i>to serve the legal information needs of the public, the state judiciary, and the bar.</i>		
40	07	Salaries and expenses of transferred	
41		judges assigned under Article V,	
42		Section 5(A) of the Constitution,	
43		be it more or less estimated as	\$ 311,534
44	08	Retirement pay for services rendered by	
45		justices and judges of all courts, as	
46		provided by R.S. 11:1358 and	
47		R.S. 13:103	\$ 1,472,896
48	09	Pensions for widows of justices and	
49		judges of all courts, as provided by	
50		R.S. 11:1371 and R.S. 11:1381, be it	
51		more or less estimated at	\$ 1,609,481

1	10	Judicial College	\$ 229,070
2	Program Description: <i>The Judicial College was established by order of the Supreme Court in 1976 to</i>		
3	<i>provide continuing legal education to Louisiana judges.</i>		
4	11	State contribution to judicial	
5		retirement provided for in Article V,	
6		Section 23 of the Constitution and	
7		R.S. 11:551 et seq., be it more or	
8		less estimated at	\$ 13,357,952
9	12	Civil commitment matters as	
10		required by R.S. 28:54	\$ 144,109
11	13	Paul M. Hebert Law Center for the expenses	
12		of storage of appellate court records	\$ 60,000
13	14	Funding for statewide operations of the	
14		Louisiana Protective Order Registry	
15		(R.S. 46:2136.2) under the Case	
16		Management Information System	\$ 1,295,979
17	15	Payable out of the State General Fund for the	
18		expenses associated with the operation of the	
19		Families in Need of Services Program (FINS)	\$ 2,036,368
20	Program Description: <i>The mission of the FINS Assistance Program is to assist local FINS processes by</i>		
21	<i>developing and implementing a needs-based allocation formula; developing, implementing, and mandating</i>		
22	<i>the use of a uniform data system for tracking, managing, and reporting FINS informal cases; developing</i>		
23	<i>and mandating the use of programmatic standards; developing, implementing, and reporting performance</i>		
24	<i>indicators and measures; requiring and monitoring periodic fiscal reports and financial accountability;</i>		
25	<i>and, generally supervising and assisting local FINS processes in other ways.</i>		
26	16	Drug court maintenance and enhancement	\$11,006,433
27	Program Description: <i>Drug treatment courts, authorized in 1997 by R.S. 13:5301 through R.S. 13:5304,</i>		
28	<i>provided integrated substance abuse treatment, sanctions, and incentives with case processing to place</i>		
29	<i>low-level, nonviolent drug-involved defendants in community-based, judicially supervised rehabilitation</i>		
30	<i>programs. Clients are regularly tested and monitored for compliance with educational, employment, and</i>		
31	<i>treatment requirements set by the court.</i>		
32	17	Court Appointed Special Advocates	<u>\$ 2,753,056</u>
33	Program Description: <i>The purpose of the CASA Assistance Program is to promote timely placement of</i>		
34	<i>children in need of care in permanent, safe and stable homes, in accordance with the provisions of</i>		
35	<i>Children's Code articles 424-426. Services are provided through local CASA programs which recruit,</i>		
36	<i>screen, train and supervise community advocates. Upon appointment by the trial judge, qualified</i>		
37	<i>advocates serve children by providing independent factual information to the judge, advocating for the best</i>		
38	<i>interest of the children, monitoring cases to which they have been assigned, and advising and assisting the</i>		
39	<i>judge in the determination of the best interest of the children involved.</i>		
40	TOTAL - GENERAL FUND		<u>\$ 56,020,523</u>
41	18	Payable out of the State General Fund	
42		from Statutory Dedications, Judges'	
43		Supplemental Compensation Fund,	
44		R. S. 13:10.3, be it more or less	
45		estimated at	\$ 6,000,000

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

4 19 Payable out of the State General Fund
 5 from Statutory Dedications, Trial Court
 6 Case Management Information Fund, for
 7 the Case Management Information System,
 8 Article 887 (F) of the Code of Criminal
 9 Procedure, be it more or less estimated at \$ 3,650,831

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

17 TOTAL - STATE GENERAL FUND
 18 BY STATUTORY DEDICATIONS \$ 9,650,831

19 20 Drug court maintenance and enhancement, payable
 20 out of the State General Fund through Interagency
 21 Transfers from the Department of Children and
 22 Family Services \$ 6,000,000

23 21 Court Appointed Special Advocates, payable out of
 24 the State General Fund through Interagency Transfers
 25 from the Department of Children and Family
 26 Services \$ 4,436,500

27 TOTAL - STATE GENERAL FUND
 28 THROUGH INTERAGENCY TRANSFERS \$ 10,436,500

29 TOTAL SUPREME COURT \$ 76,107,854

30 **03-8171 COURTS OF APPEAL**

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

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

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

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

44 **General Performance Information:**

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

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

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

3 **General Performance Information:**

	2009	2010	2011
4			
5	<i>Average number of days from lodging of the</i>		
6	<i>appeal to argument:</i>		
7	<i>Time Standard = no more than 175 days.</i>		
8	<i>Criminal cases</i>	150	145
9	<i>Civil Cases</i>	147	159
10	<i>Median number of days for all cases</i>	148	152

11 *Average number of days from argument to*
 12 *rendering of the opinion:*

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

14	<i>Criminal cases</i>	37	39	41
15	<i>Civil cases</i>	39	37	37
16	<i>Median number of days for all cases</i>	38	38	38

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

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

19 **General Performance Information:**

	2009	2010	2011
20			
21	<i>Percentage of written opinions available</i>		
22	<i>to the public within 5 days of decision</i>		
	100%	100%	100%

23 Payable out of the State General Fund:

24	01	Salaries of five (5) Chief Judges	
25		and forty-eight (48) Judges of	
26		the Courts of Appeal, R.S. 13:311	\$ 6,949,328
27	02	Salaries and expenses of operation and	
28		maintenance of the Court of Appeal,	
29		First Circuit	\$ 9,504,027
30	03	Salaries and expenses of operation and	
31		maintenance of the Court of Appeal,	
32		Second Circuit	\$ 5,469,421
33	04	Salaries and expenses of operation and	
34		maintenance of the Court of Appeal,	
35		Third Circuit	\$ 8,309,300
36	05	Salaries and expenses of operation and	
37		maintenance of the Court of Appeal,	
38		Fourth Circuit	\$ 7,548,843
39	06	Salaries and expenses of operation and	
40		maintenance of the Court of Appeal,	
41		Fifth Circuit	<u>\$ 5,661,749</u>
42	TOTAL COURTS OF APPEAL		<u>\$ 43,442,668</u>

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

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

5 **General Performance Information:**

	<i>2009</i>	<i>2010</i>	<i>2011</i>
6			
7 <i>Percentage of surveyed district court chief judges indicating</i>			
8 <i>actions taken in FY 2010-2011 to improve employee</i>			
9 <i>training and development</i>	<i>100%</i>	<i>87.5%</i>	<i>93.8%</i>
10 <i>Percentage of surveyed district court chief judges indicating</i>			
11 <i>actions taken in FY 2010-2011 to install or implement</i>			
12 <i>technologies</i>	<i>97.9%</i>	<i>95.8%</i>	<i>93.8%</i>

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

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

16 **General Performance Information:**

	<i>2009</i>	<i>2010</i>	<i>2011</i>
17			
18 <i>Percentage of surveyed district court chief judges indicating</i>			
19 <i>that their courts regularly provided public education</i>			
20 <i>and public outreach services in FY 2010-2011</i>	<i>97.9%</i>	<i>97.9%</i>	<i>91.7%</i>

21 Payable out of the State General Fund:

22	01	Salaries of one hundred ninety-one	
23		(191) District Judges as provided	
24		by R.S. 13:691	\$ 23,787,827
25	02	Office and travel expenses of District	
26		Judges as provided by R.S. 13:698 and	
27		R.S. 13:694, respectively	\$ 1,292,600
28	03	Salaries of fourteen (14) Judges of	
29		Civil District Court, Orleans Parish,	
30		as provided by R.S. 13:691	\$ 1,743,611
31	04	Expenses of Judges of Civil District	
32		Court, Parish of Orleans, for salaries	
33		of stenographers, clerks, law books,	
34		stationery, telephone, and like expenses	
35		as provided by R.S. 13:698	\$ 78,400
36	05	Salaries of two (2) Court Reporters	
37		of the Twentieth Judicial District Court,	
38		including retirement contributions, as	
39		provided by R.S. 13:966.1	\$ 106,951
40	06	Clerk of Civil District Court, Orleans	
41		Parish, as provided by R.S. 13:1212(A)	\$ 10,000
42	07	State share of Group, Workers'	
43		Compensation, General Liability,	
44		and Property Insurance Premiums	
45		as provided by R.S.42:851	\$ 5,579,693

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	<u>\$ 400,746</u>
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>\$ 42,058,729</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:** *The Judges' Assistance Program provides counseling and other assistance to judges*
 38 *with substance abuse problems.*

39 TOTAL OTHER COURTS NOT REQUIRED BY STATUTE \$ 669,306

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 Two Million One Hundred Thirty Thousand Six Hundred Sixty-Two and No/100
 43 (\$2,130,662.00) 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.

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

10 Section 4. This Act shall become effective on July 1, 2012; if vetoed by the governor and
 11 subsequently approved by the legislature, this Act shall become effective on July 1, 2012, or
 12 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.

<u>Courts and Programs</u>	Operating Budget	Appropriation Request
	<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>

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____