



OFFICE OF LEGISLATIVE AUDITOR
Fiscal Note

Fiscal Note On: HB 332 HLS 13RS 978
Bill Text Version: ENGROSSED
Opp. Chamb. Action:
Proposed Amd.:
Sub. Bill For.:

Date: May 16, 2013 2:56 PM Author: GAROFALO
Dept./Agy.: Justices of the Peace Analyst: Steven Kraemer
Subject: Increases Fees for Certain Filings and Services

COURTS/COURT COSTS EG INCREASE LF RV See Note Page 1 of 1
Provides for an increase in court costs for justice of the peace courts

Purpose of Bill: This bill increases twenty-one fees (new suits, eviction proceedings, etc.) that justices of the peace (JPs) may charge for filings and services in civil matters. In addition, this bill provides that JPs may charge \$30 for any pleading or motion not listed in R.S. 13:2590.

Table with 7 columns: EXPENDITURES, 2013-14, 2014-15, 2015-16, 2016-17, 2017-18, 5-YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total.

Table with 7 columns: REVENUES, 2013-14, 2014-15, 2015-16, 2016-17, 2017-18, 5-YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total.

EXPENDITURE EXPLANATION

This bill may increase local fund expenditures by an indeterminable amount.

R.S. 13:2590 provides that 50% of each fee and deposit shall be retained by the justice of the peace for fees and operational expenses of the office and court, and 50% of the fees and deposits shall be used for fees and operational expenses of the ward constable's office.

REVENUE EXPLANATION

This bill may increase local fund revenue of JPs statewide by an indeterminable amount.

Responses from Individual JPs

A JP from West Feliciana Parish indicated that this bill may generate \$800 from the \$20 base fee increases to new suits and eviction proceedings. This official indicated that other fee increases in the bill would not materially increase revenue as his office rarely handles additional defendants or provides services for these other fees.

A JP from Jefferson Parish indicated that this bill may generate \$5,820 from the base fee increases to eviction proceeding, new suit, judgment debtor rule, writ of execution. This official indicated that other fee increases in the bill would not materially increase revenue as his office rarely handles additional defendants or handle pleadings/motions not listed in R.S. 13:2590.

A JP from East Baton Rouge Parish indicated that this bill may generate approximately \$86,000 from the \$20 base fee increases to new suits and eviction proceedings. Based on the information obtained, it appears that the other fee increase will not materially increase the revenue of the JP.

Statewide Data from JPs

According to data obtained from an official with the Louisiana Supreme Court's Judicial Administrator's Office, JPs statewide (approximately 313 out of 386 active JPs on average responded to the pilot data collection initiative quarterly reports) reported 25,056 filings (6,852 small claims suits filed; 15,649 tenant/landlord matters filed; and 2,555 other civil filings) for the nine-month period of April 1, 2012 through December 31, 2012. We did not provide a projection based on these figures as an official with the Louisiana Supreme Court's Judicial Administrator's Office indicated that the data provided may be incomplete and inaccurate.

- Senate Dual Referral Rules House
13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} 6.8(F) >= \$500,000 Annual Fiscal Cost {S}
13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Joy Irwin
Director of Advisory Services