

Regular Session, 2010

HOUSE BILL NO. 1386

BY REPRESENTATIVES FANNIN AND TUCKER AND SENATORS MICHOT AND  
CHAISSON

APPROPRIATIONS: Appropriates funds for the expenses of the Louisiana Judiciary for  
Fiscal Year 2010-2011

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-One Million Two Hundred Nineteen  
7 Thousand One Hundred Two and No/100 (\$161,219,102.00) Dollars, or so much thereof as  
8 may be necessary, is hereby appropriated to defray the expenses of the judiciary, including  
9 the Supreme Court, Courts of Appeal, the District Courts, the Criminal District Court of  
10 Orleans 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.

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

3 **General Performance Information:**

	2007	2008	2009	
4				
5				
6	Total Filings	2,497	3,014	2,780
7	Total Appeals Filed	16	15	14
8	Total Writs Filed	2,320	2,843	2,564
9	Total Dispositions Rendered	2,645	2,834	2,801

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

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

12 **General Performance Information:**

	2007	2008	2009	
13				
14	Percentage of noncriminal case			
15	applications acted on within Supreme			
16	Court standard of 120 days of filing	93.1%	91.4%	92.2%
17	Percentage of criminal case applications			
18	acted on within Supreme Court			
19	standard of 120 days of filing	29.3%	35.4%	38.2%
20	Percentage of pro se post conviction			
21	applications acted on within Supreme			
22	Court standard of 120 days of filing	7.7%	35.3%	11.8%
23	Percentage of bar disciplinary filings			
24	acted upon within Supreme Court			
25	standard of 120 days of filing	62.9%	70.5%	76.5%
26	Percentage of opinions rendered within			
27	Supreme Court standard of 84 days			
28	from argument	70.0%	74.4%	81.3%

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

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

31 **General Performance Information:**

	2007	2008	2009	
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:**

	2007	2008	2009	
37				
38	Number of outreach programs	65	59	67
39	Number of media releases on court decisions	82	82	81
40	Number of media releases on other matters	19	26	26
41	Number of recipients of releases on			
42	court decisions	64	60	1,103
43	Number of recipients of releases on other			
44	matters	3,048	5,155	5,144

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

47 **General Performance Information:**

	2007	2008	2009	
48				
49	Average number of hours acquired			
50	through continuing legal education			
51	per judge	37.58	34.19	34.96
52	Number of complaints filed against			
53	judges and justices of the peace	531	818	664
54	Number of complaints against judges			
55	and justices of the peace resolved or			
56	disposed of in the calendar year	579	563	690

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

3 **General Performance Information:**

	2007	2008	2009
4 Average number of hours acquired through			
5 continuing legal education per lawyer	19.89	15.48	15.03
6 Number of complaints filed against lawyers	2,712	3,096	3,128
7 Number of complaints filed against lawyers			
8 resolved or disposed of in calendar year	1,436	1,726	3,068

10 Payable out of the State General Fund:

11 01 Salaries of Chief Justice and six (6)  
12 Associate Justices of the Supreme Court,  
13 as provided by R.S. 13:102 \$ 970,480

14 02 Salaries and other expenses of the  
15 Supreme Court Proper and salary of  
16 the Crier of the Supreme Court \$ 10,199,815

17 03 Expenses of Judicial Administrator's  
18 Office and of the Judiciary Commission  
19 provided for in Article V, Section  
20 25 of the Constitution of Louisiana and  
21 under the provisions of R.S. 13:32 et seq.

22 A. Expenses of Judicial Administrator's Office \$ 4,560,081

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

34 B. Expenses of Judiciary Commission \$ 1,884,489

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

39 C. Court Reporters as required by R.S. 13:981 \$ 348,174

40 D. Dues to National Center for State Courts \$ 138,829

41 04 Expenses of Committee on Professional  
42 Ethics and Grievances including  
43 disbarment proceedings, R.S. 37:211 et seq. \$ 3,000

44 05 Compensation and expenses of retired  
45 judges assigned under Article V,  
46 Section 5(A) of the Constitution of  
47 Louisiana, be it more or less estimated at \$ 1,380,560

1	06	Law Library of Louisiana for salaries,	
2		services, supplies, maintenance, repairs,	
3		and equipment	\$ 1,972,066
4	<b>Program Description:</b> <i>The Law Library of Louisiana was created by an Act of the Legislature in 1855</i>		
5	<i>to serve the legal information needs of the public, the state judiciary, and the bar.</i>		
6	07	Salaries and expenses of transferred	
7		judges assigned under Article V,	
8		Section 5(A) of the Constitution,	
9		be it more or less estimated at	\$ 189,159
10	08	Retirement pay for services rendered by	
11		justices and judges of all courts, as	
12		provided by R.S. 11:1358 and	
13		R.S. 13:103	\$ 1,562,354
14	09	Pensions for widows of justices and	
15		judges of all courts, as provided by	
16		R.S. 11:1371 and R.S. 11:1381, be it	
17		more or less estimated at	\$ 1,639,394
18	10	Judicial College	\$ 225,668
19	<b>Program Description:</b> <i>The Judicial College was established by order of the Supreme Court in 1976 to</i>		
20	<i>provide continuing legal education to Louisiana judges.</i>		
21	11	State contribution to judicial	
22		retirement provided for in Article V,	
23		Section 23 of the Constitution and	
24		R.S. 11:551 et seq., be it more or	
25		less estimated at	\$ 8,808,611
26	12	Civil commitment matters as	
27		required by R.S. 28:54	\$ 143,424
28	13	Paul M. Hebert Law Center for the expenses	
29		of storage of appellate court records	\$ 60,000
30	14	Funding for statewide operations of the	
31		Louisiana Protective Order Registry	
32		(R.S. 46:2136.2) under the Case	
33		Management Information System	\$ 1,696,371
34	15	Payable out of the State General Fund for the	
35		expenses associated with the operation of the	
36		Families in Need of Services Program (FINS)	\$ 2,010,940
37	<b>Program Description:</b> <i>The mission of the FINS Assistance Program is to assist local FINS processes by</i>		
38	<i>developing and implementing a needs-based allocation formula; developing, implementing, and mandating</i>		
39	<i>the use of a uniform data system for tracking, managing, and reporting FINS informal cases; developing</i>		
40	<i>and mandating the use of programmatic standards; developing, implementing, and reporting performance</i>		
41	<i>indicators and measures; requiring and monitoring periodic fiscal reports and financial accountability;</i>		
42	<i>and, generally supervising and assisting local FINS processes in other ways.</i>		

1	16	Drug court maintenance and enhancement	\$ 12,514,453
2		<b>Program Description:</b> <i>Drug treatment courts, authorized in 1977 by R.S. 13:5301 through R.S. 13:5304, provided integrated substance abuse treatment, sanctions, and incentives with case processing to place</i>	
3		<i>low-level, nonviolent drug-involved defendants in community-based, judicially supervised rehabilitation</i>	
4		<i>programs. Clients are regularly tested and monitored for compliance with educational, employment, and</i>	
5		<i>treatment requirements set by the court.</i>	
6			
7	17	Court Appointed Special Advocates	<u>\$ 3,537,501</u>
8		<b>Program Description:</b> <i>The purpose of the CASA Assistance Program is to promote timely placement of</i>	
9		<i>children in need of care in permanent, safe and stable homes, in accordance with the provisions of</i>	
10		<i>Children's Code articles 424-426. Services are provided through local CASA programs which recruit,</i>	
11		<i>screen, train and supervise community advocates. Upon appointment by the trial judge, qualified</i>	
12		<i>advocates serve children by providing independent factual information to the judge, advocating for the best</i>	
13		<i>interest of the children, monitoring cases to which they have been assigned, and advising and assisting the</i>	
14		<i>judge in the determination of the best interest of the children involved.</i>	
15	TOTAL - GENERAL FUND		\$ 53,845,369
16	18	Administrative expenses of the office	
17		of the Clerk of the Louisiana Supreme	
18		Court attributable to the selection	
19		process of attorney chairman of the	
20		Medical Review Panel as provided	
21		for in R.S. 40:1299.47 to be paid out	
22		of the Patient's Compensation Fund	\$ 10,000
23	19	Payable out of the State General Fund	
24		from Statutory Dedications, Judges'	
25		Supplemental Compensation Fund,	
26		R.S. 13:10.3, be it more or less	
27		estimated at	\$ 6,000,000
28		<b>Program Description:</b> <i>The Judges' Supplemental Compensation Fund was established by the Legislature</i>	
29		<i>in 1985 to fund salary supplements and salary-related expenses to judges and commissioners. The funding</i>	
30		<i>source is a non-refundable filing fee assessed on civil filings as provided in R.S. 13:10.3.</i>	
31	20	Payable out of the State General Fund	
32		from Statutory Dedications, Trial Court	
33		Case Management Information Fund, for	
34		the Case Management Information System,	
35		Article 887(F) of the Code of Criminal	
36		Procedure, be it more or less estimated at	<u>\$ 3,325,904</u>
37		<b>Program Description:</b> <i>The Case Management Information System (CMIS) was created by the Supreme</i>	
38		<i>Court in 1993 to provide a statewide information system for tracking and managing criminal, civil,</i>	
39		<i>juvenile, traffic, and appellate cases as well as protective orders. Data is received from courts statewide,</i>	
40		<i>transferred to the CMIS repository, and made available to courts and executive branch agencies.</i>	
41		<i>Additional information will also be available from the Department of Public Safety &amp; Corrections. CMIS</i>	
42		<i>is funded from a court cost assessed on all criminal and traffic convictions as provided under C.Cr.P.</i>	
43		<i>887(F).</i>	
44	TOTAL - STATE GENERAL FUND		
45	BY STATUTORY DEDICATIONS		<u>\$ 9,335,904</u>
46	21	Drug court maintenance and enhancement, payable	
47		out of the State General Fund through Interagency	
48		Transfers from the Department of Social Services	\$ 5,000,000

1	22	Court Appointed Special Advocates, payable out of	
2		the State General Fund through Interagency Transfers	
3		from the Department of Social Services	\$ 3,670,000
4	TOTAL - STATE GENERAL FUND		
5	THROUGH INTERAGENCY TRANSFER		\$ 8,670,000
6	TOTAL SUPREME COURT		\$ 71,851,273

7 **03-8171 COURTS OF APPEAL**

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

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

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

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

21 **General Performance Information:**

	2007	2008	2009
22 <i>Total appeals filed</i>	2,790	2,671	2,597
23 <i>Total writs filed</i>	5,111	5,402	5,043
24 <i>Total dispositions rendered</i>	7,586	6,676	6,913

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

27 **Objective:** To resolve cases expeditiously.

28 **General Performance Information:**

	2007	2008	2009
29 <i>Average number of days from lodging of the</i>			
30 <i>appeal to argument:</i>			
31 <i>Time Standard = no more than 175 days.</i>			
32 <i>Criminal cases</i>	137	145	150
33 <i>Civil cases</i>	153	140	147
34 <i>Total</i>	145	142	148

36 *Average number of days from argument to*  
 37 *rendering of the opinion:*

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

39 <i>Criminal cases</i>	36	37	37
40 <i>Civil cases</i>	37	43	39
41 <i>Total</i>	36	40	38

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

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

44 **General Performance Information:**

	2007	2008	2009
45 <i>Percentage of written opinions available</i>			
46 <i>to the public within 5 days of decision</i>	100%	100%	100%

48 Payable out of the State General Fund:

49	01	Salaries of fifty-three (53) Judges of	
50		the Courts of Appeal, R.S. 13:311	\$ 6,949,328

1	02	Salaries and expenses of operation and	
2		maintenance of the Court of Appeal,	
3		First Circuit	\$ 9,474,088
4	03	Salaries and expenses of operation and	
5		maintenance of the Court of Appeal,	
6		Second Circuit	\$ 5,389,006
7	04	Salaries and expenses of operation and	
8		maintenance of the Court of Appeal,	
9		Third Circuit	\$ 8,414,464
10	05	Salaries and expenses of operation and	
11		maintenance of the Court of Appeal,	
12		Fourth Circuit	\$ 7,460,466
13	06	Salaries and expenses of operation and	
14		maintenance of the Court of Appeal,	
15		Fifth Circuit	\$ 5,613,344
16	TOTAL COURTS OF APPEAL		<u>\$ 43,300,696</u>

17 **03-8172 DISTRICT COURTS**

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

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

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

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

40 **General Performance Information:**

41		<b>2007</b>	<b>2008</b>	<b>2009</b>
42	<i>Percentage of surveyed district court chief judges indicating</i>			
43	<i>actions taken in FY 2008-2009 to improve compliance with</i>			
44	<i>the Americans with Disabilities Act (ADA)</i>	79.2%	74.5%	93.5%

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

49 **General Performance Information:**

50		<b>2007</b>	<b>2008</b>	<b>2009</b>
51	<i>Percentage of surveyed district court chief judges indicating</i>			
52	<i>actions taken in FY 2008-2009 to assist pro se litigants</i>	79.2%	95.7%	100%

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

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

4 **General Performance Information:**

	2007	2008	2009
5			
6 <i>Number of parishes reporting criminal disposition</i>			
7 <i>data to CMIS</i>	59	59	55
8 <i>Percentage of parishes reporting criminal disposition</i>			
9 <i>data to CMIS</i>	92.1%	92%	85.9%
10 <i>Percentage of surveyed district court chief judges</i>			
11 <i>indicating that their courts had taken steps within</i>			
12 <i>FY 2008-2009 to reduce delays and improve the</i>			
13 <i>timeliness of case processing</i>	99.7%	95.7%	97.9%

14 **Objective:** To enhance jury service.

15 **General Performance Information:**

	2007	2008	2009
16			
17 <i>Percentage of surveyed district court chief judges indicating</i>			
18 <i>that their court had taken steps within FY 2008-2009</i>			
19 <i>to make jury service more convenient or effective</i>	99.6%	76.2%	100%

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

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

24 **General Performance Information:**

	2007	2008	2009
25			
26 <i>Percentage of surveyed district court chief judges indicating</i>			
27 <i>actions taken in FY 2008-2009 to improve employee</i>			
28 <i>training and development</i>	99.7%	89.4%	100%
29 <i>Percentage of surveyed district court chief judges indicating</i>			
30 <i>actions taken in FY 2008-2009 to install or implement</i>			
31 <i>technologies</i>	99.9%	91.5%	97.9%

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

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

35 **General Performance Information:**

	2007	2008	2009
36			
37 <i>Percentage of surveyed district court chief judges indicating</i>			
38 <i>that their courts regularly provided public education</i>			
39 <i>and public outreach services in FY 2008-2009</i>	99.8%	100%	97.9%

40 Payable out of the State General Fund:

41			
42			
43	01	Salaries of one hundred ninety-one	
44		(191) District Judges as provided	
45		by R.S. 13:691	\$ 23,787,827
46	02	Office and travel expenses of District	
47		Judges as provided by R.S. 13:694	\$ 1,292,600
48	03	Salaries of fourteen (14) Judges of	
49		Civil District Court, Orleans Parish,	
50		as provided by R.S. 13:691	\$ 1,743,611
51	04	Expenses of Judges of Civil District	
52		Court, Parish of Orleans, for salaries	
53		of stenographers, clerks, law books,	
54		stationery, telephone, and like expenses	
55		as provided by R.S. 13:694	\$ 78,400



1	05	Salaries of two (2) Court Reporters	
2		of the Twentieth Judicial District Court,	
3		including retirement contributions, as	
4		provided by R.S. 13:966.1	\$ 104,123
5	06	Clerk of Civil District Court, Orleans	
6		Parish, as provided by R.S. 13:1212(A)	\$ 10,000
7	07	State share of Group, Workers'	
8		Compensation, General Liability,	
9		and Property Insurance Premiums	
10		as provided by R.S. 42:851	\$ 6,369,426
11	08	Salaries of two (2) commissioners of	
12		the Nineteenth Judicial District and	
13		one (1) commissioner of the Fifteenth	
14		Judicial District as provided by	
15		R.S. 13:712 and R.S. 13:715,	
16		respectively	\$ 442,682
17	09	Office expenses for the Judicial	
18		Expense Fund of the Nineteenth Judicial	
19		District Court as provided by	
20		R.S. 13:711-713	\$ 437,708
21	10	Office expenses for the Judicial	
22		Expense Fund of the Fifteenth	
23		Judicial District Court as provided	
24		by R.S. 13:714-716	\$ 270,420
25	11	Law Clerk, Twentieth Judicial District	
26		Court as provided by Act 747 of 1977	\$ 43,735
27	12	For the expenses of the Judicial Expense	
28		Fund, Tenth Judicial District Court as	
29		provided by Act 57 of 2006	<u>\$ 35,000</u>
30		SUBTOTAL	<u>\$ 34,615,532</u>
31	13	Criminal Court - Parish of Orleans	
32		<i><b>Program Description:</b> The Criminal District Court for the Parish of Orleans has exclusive jurisdiction</i>	
33		<i>of the trial and punishment of all crimes, misdemeanors, and offenses committed within the parish of</i>	
34		<i>Orleans, if the jurisdiction is not vested by law in some other court. The court, through its magistrate and</i>	
35		<i>with assistance from its commissioners, has the power of committing magistrates in all felony charges and</i>	
36		<i>the power to hold preliminary examinations, with authority to bail or discharge, or to hold for trial, in all</i>	
37		<i>cases before the court. The court has appellate jurisdiction of all cases tried before the Municipal Court</i>	
38		<i>of New Orleans and the Traffic Court of New Orleans and has general supervisory jurisdiction over these</i>	
39		<i>courts.</i>	
40	A.	Salaries of thirteen (13) District Judges of	
41		Criminal Court, Orleans Parish as provided	
42		by R.S. 13:691	\$ 1,619,067
43	B.	Office expenses of Judges of Criminal Court,	
44		Orleans Parish and the state's share of group	
45		insurance for the personnel of Criminal Court as	
46		provided by R.S. 13:694 and R.S. 42:851, respectively	\$ 664,642
47	C.	Salaries of thirteen (13) minute clerks as provided	
48		by R.S. 13:1373.1	\$ 251,969

1	D. Salaries of twenty-six (26) court reporters as	
2	provided by R.S. 13:1373.1	\$ 389,474
3	E. Salaries of four (4) commissioners of Criminal	
4	Court, Orleans Parish, including related benefits	
5	as provided by R.S. 13:1347	\$ 370,933
6	F. Office and travel expenses of commissioners as	
7	provided by R.S. 13:1347	\$ 10,000
8	G. Salaries of four (4) minute clerks, one for each	
9	commissioner as provided by R.S. 13:1347	\$ 63,209
10	H. Salaries of four (4) court reporters, one for each	
11	commissioner as provided by R.S. 13:1347	\$ 47,611
12	I. Salaries of Judicial Administrator, and assistants,	
13	including related benefits	\$ 881,712
14	J. Salaries of thirteen (13) law clerks	\$ 633,041
15	K. Salaries of four (4) secretaries	\$ 183,455
16	L. Sanity Commissions	\$ 163,956
17	M. Board of Jury Commissioners	<u>\$ 354,690</u>
18	SUBTOTAL	<u>\$ 5,633,759</u>
19	14 Juvenile and Family Court Judges	
20	A. Salaries of fourteen (14) Juvenile Court	
21	Judges as provided by R.S. 13:691	\$ 1,743,611
22	B. Salaries of four (4) Family Court Judges	
23	as provided by R.S. 13:691	\$ 498,175
24	C. Office expenses of Juvenile and Family	
25	Court Judges as provided by R.S. 13:694	<u>\$ 100,800</u>
26	SUBTOTAL	<u>\$ 2,342,586</u>
27	TOTAL DISTRICT COURTS	<u>\$ 42,591,877</u>

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

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

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

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

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

**General Performance Information:**

	2007	2008	2009
Percentage of surveyed city/parish court chief judges indicating actions taken in FY 2008-2009 to assist pro se litigants	99.6%	91.2%	98.1%

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

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

4 **General Performance Information:**

	2007	2008	2009
5			
6	<i>Percentage of surveyed city/parish court chief judges</i>		
7	<i>indicating that their courts had taken steps within</i>		
8	<i>FY 2008-2009 to reduce delays and improve the</i>		
9	<i>timeliness of case processing</i>		
	99.7%	88%	94.2%

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

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

14 **General Performance Information:**

	2007	2008	2009
15			
16	<i>Percentage of surveyed city/parish court chief judges indicating that</i>		
17	<i>their courts regularly provided public education and public</i>		
18	<i>outreach services in FY 2008-2009</i>		
	99.8%	95.9%	94.2%

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

21 **General Performance Information:**

	2007	2008	2009
22			
23	<i>Percentage of surveyed city/parish court chief judges indicating</i>		
24	<i>actions taken in FY 2008-2009 to improve</i>		
25	<i>employee training and development</i>		
26	99.9%	88%	92.3%
27	<i>Percentage of surveyed city/parish court chief judges indicating</i>		
28	<i>actions taken in FY 2008-2009 to install or</i>		
	<i>implement technologies</i>		
	99.7%	86.3%	94.2%

29 Payable out of the State General Fund:

30 01 Salaries of sixty (60) City Court  
31 Judges as provided by R.S. 13:1875 \$ 2,412,714

32 02 Salaries of four (4) Municipal, four (4)  
33 Traffic and one (1) Parish Court  
34 Judges as provided by R.S. 13:2492,  
35 13:2501.1, and 13:2563.5, respectively \$ 389,156

36 TOTAL OTHER COURTS REQUIRED BY STATUTE \$ 2,801,870

37 **03-8174 OTHER COURTS - SALARIES AND OFFICE EXPENSES NOT**  
38 **REQUIRED BY STATUTE**

39 Payable out of the State General Fund:

40 01 Orleans Parish Juvenile Protective  
41 Care Monitoring Program \$ 552,226

42 **Program Description:** *The program tracks and monitors child abuse and neglect cases in the Orleans*  
43 *Parish Juvenile Court. It also provides assistance in support of the Families in Need of Services Program.*

44 02 Orleans Parish Juvenile Court Reporters \$ 91,160

45 03 For the expenses of the Judges'  
46 Assistance Program \$ 30,000

47 **Program Description:** *The Judges' Assistance Program provides counseling and other assistance to*  
48 *judges with substance abuse problems.*

49 TOTAL OTHER COURTS NOT REQUIRED BY STATUTE \$ 673,386

1 Section 2. The appropriations, and the allocations of such appropriations, from the State  
2 General Fund (Direct) contained in Section 1 of this Act shall be reduced by a total amount  
3 of Ten Million Eight Hundred Fifty Thousand Seven Hundred Sixty-Four and No/100  
4 (\$10,850,764.00) Dollars, pursuant to a plan adopted by the Judicial Budgetary Control  
5 Board or as approved by the Louisiana Supreme Court.

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

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

15 C. Any funds herein allocated to the judiciary, any portion of the funds previously  
16 appropriated to the judiciary, other revenue of the judiciary or its agencies, and interest  
17 earnings, are hereby appropriated and may be used to defray the expenses of the judiciary;  
18 however, all funds remaining unexpended or unencumbered shall be returnable to the state  
19 general fund on or before September 1, 2011.

20 D. For Fiscal Year 2010-2011, any surpluses occurring in the appropriations made in  
21 this Act may be transferred from one agency or line-item to another during the fiscal year  
22 in accordance with the rules of the Judicial Budgetary Control Board, or as approved by the  
23 Supreme Court.

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

28 F. The program descriptions, general performance information and indicators,  
29 objectives, goals, and mission statements contained in this Act are not part of the law and  
30 are not enacted into law by virtue of their inclusion in this Act. The missions, goals, and

1 objectives contained in the Act are derived from performance standards established by  
2 Section 10 of Part G General Administrative Rules of the Supreme Court of Louisiana.

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

12 Section 4. This Act shall become effective on July 1, 2010; if vetoed by the governor  
13 and subsequently approved by the legislature, this Act shall become effective on July 1,  
14 2010, or on the day following such approval by the legislature, whichever is later.

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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)]

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Fannin

HB No. 1386

**Abstract:** Appropriates funds for FY 2010-2011 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 FY 2010-2011 for the ordinary operating expenses of the judicial  
branch of government with total funding of \$150,368,338 from the following sources:  
\$132,362,434 out of the State General Fund (Direct); \$8,670,000 through interagency  
transfers from the Dept. of Social Services; and, \$9,335,904 from statutory dedications out  
of the Judges' Supplemental Compensation Fund, Trial Court Case Management Fund, and  
the Patients' Compensation Fund.

Funding for the ordinary operating expenses of the judicial branch of government is  
provided as follows, subject to the reduction provided for below:

(1)	Louisiana Supreme Court	\$71,851,273
(2)	Courts of Appeal	43,300,696
(3)	District Courts	34,615,532
(4)	Criminal Court, Parish of Orleans	5,633,759

(5)	Juvenile and Family Courts	2,342,586
(6)	Other Courts (Required by Statute)	2,801,870
(7)	Other Courts (Not Required by Statute)	673,386
	TOTAL	<u>\$161,219,102</u>

Provides that the appropriations out of the State General Fund (Direct) contained in this Act shall be reduced by a total amount of \$10,850,764 pursuant to a plan adopted by the Judicial Budgetary Control Board or as approved by the La. Supreme Court.

Effective July 1, 2010.

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 Social Services by \$8,670,000 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 \$10,850,764 pursuant to a plan adopted by the Judicial Budgetary Control Board or as approved by the La. Supreme Court.