

2020 Regular Session

HOUSE BILL NO. 304

BY REPRESENTATIVE ZERINGUE AND SENATORS CORTEZ AND WHITE

APPROPRIATIONS: Appropriates funds for the expenses of the judiciary for Fiscal Year 2020-2021

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; to provide for an effective date; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1.A. The sum of One Hundred Eighty-Eight Million Seven Hundred
8 Twenty-One Thousand Eight Hundred Seventeen No/100 (\$188,721,817.00) Dollars, or so
9 much thereof as may be necessary, is hereby appropriated to defray the expenses of the
10 judiciary, including the Supreme Court, Courts of Appeal, the District Courts, the Criminal
11 District Court of Orleans Parish, and of the other courts.

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

13 **03-8170 SUPREME COURT**

14 **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.*

24 **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 Supreme Court of
3 decisions made by lower tribunals.

4 **General Performance Information:**

	2017	2018	2019	
5				
6	<i>Total Filings</i>	2,181	2,117	2,096
7	<i>Total Appeals Filed</i>	4	6	5
8	<i>Total Writs Filed</i>	1,997	1,925	1,906
9	<i>Total Dispositions Rendered</i>	2,039	2,344	2,183

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

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

12 **General Performance Information:**

	2017	2018	2019	
13				
14	<i>Percentage of noncriminal case</i>			
15	<i>applications acted on within Supreme</i>			
16	<i>Court standard of 120 days of filing</i>	88%	83.4%	89.8%
17	<i>Percentage of criminal case applications</i>			
18	<i>acted on within Supreme Court</i>			
19	<i>standard of 120 days of filing</i>	34.9%	34.1%	42.9%
20	<i>Percentage of pro se post conviction</i>			
21	<i>applications acted on within Supreme</i>			
22	<i>Court standard of 120 days of filing</i>	20.8%	23%	23.5%
23	<i>Percentage of bar disciplinary filings</i>			
24	<i>acted upon within Supreme Court</i>			
25	<i>standard of 120 days of filing</i>	89.3%	85%	97%
26	<i>Percentage of opinions rendered within</i>			
27	<i>Supreme Court standard of 84 days</i>			
28	<i>from argument</i>	73.2%	74%	77.1%

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

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

31 **General Performance Information:**

	2017	2018	2019	
32				
33	<i>Percentage of written opinions available</i>			
34	<i>to the public within 5 days of decision</i>	100%	100%	100%

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

36 **General Performance Information:**

	2017	2018	2019	
37				
38	<i>Number of outreach programs</i>	70	84	90
39	<i>Number of media releases on court decisions</i>	65	56	54
40	<i>Number of media releases on other matters</i>	18	20	18
41	<i>Number of recipients of releases on</i>			
42	<i>court decisions</i>	1,932	2,054	2,153
43	<i>Number of recipients of releases on other</i>			
44	<i>matters</i>	3,489	5,835	4,777

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

46 **General Performance Information:**

	2017	2018	2019	
47				
48	<i>Average number of hours acquired</i>			
49	<i>through continuing legal education</i>			
50	<i>per judge</i>	29.03	29.47	25.13
51	<i>Number of complaints filed against</i>			
52	<i>judges and justices of the peace</i>	533	543	417
53	<i>Number of complaints against judges</i>			
54	<i>and justices of the peace resolved or</i>			
55	<i>disposed of in the calendar year</i>	546	428	474

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

57 **General Performance Information:**

	2017	2018	2019	
58				
59	<i>Average number of hours acquired through</i>			
60	<i>continuing legal education per lawyer</i>	14.76	14.75	14.17
61	<i>Number of complaints filed against lawyers</i>	2,795	2,534	2,334
62	<i>Number of complaints filed against lawyers</i>			
63	<i>resolved or disposed of in calendar year</i>	3,096	2,692	2,446

1	Payable out of the State General Fund (Direct):		
2		<u>FY 20 EOB</u>	<u>FY 21</u>
3	01	Salaries of one (1) Chief Justice and	
4		six (6) Associate Justices of the	
5		Supreme Court, as provided by	
6		R.S. 13:102	\$ 1,155,208 \$ 1,185,978
7	02	Salaries and other expenses of the	
8		Supreme Court Proper and salary of	
9		the Crier of the Supreme Court	\$ 4,963,652 \$ 11,502,926
10	03	Expenses of Judicial Administrator's	
11		Office and of the Judiciary	
12		Commission provided for in Article V,	
13		Section 25 of the Constitution of	
14		Louisiana and under the provisions of	
15		R.S. 13:32 et seq.	
16	A.	Expenses of Judicial	
17		Administrator's Office	\$ 4,595,723 \$ 4,987,548
18		Program Description: <i>The Judicial Administrator's Office assists the Supreme Court in the</i>	
19		<i>administration of the state court system. It staffs the Judicial Council and the Judiciary Commission of</i>	
20		<i>Louisiana. Through the Judicial Council, it performs studies and makes recommendations for the creation</i>	
21		<i>of new judgeships and for improving the administration of justice. The Judicial Administrator's Office</i>	
22		<i>provides payroll and other fiscal services to the Judiciary, including the administration of a judicial</i>	
23		<i>retirement system; support for the Supreme Court and Appellate Court human resource system; and</i>	
24		<i>support for judicial branch reporting obligations. The Judicial Administrator's Office also manages the</i>	
25		<i>ad hoc judgeship system, monitors cases under advisement, provides support for initiatives to ensure</i>	
26		<i>access to the courts for limited English proficiency individuals; provides outreach services to state and</i>	
27		<i>local courts, applies for and administers grants to improve judicial administration; and staffs the</i>	
28		<i>Committee on Judicial Ethics. The Judicial Administrator's office administers several programs, including</i>	
29		<i>the Supreme Court Drug Court / Specialty Court Office, the Louisiana Protective Order Registry, and</i>	
30		<i>CASA and FINs through the Division of Children and Families. The Judicial Administrator's office also</i>	
31		<i>provides staff support for the Louisiana Judicial College, and performs numerous legal services for the</i>	
32		<i>Supreme Court and the Judiciary.</i>	
33	B.	Expenses of Judiciary Commission	\$ 1,853,140 \$ 2,079,002
34		Program Description: <i>The Judiciary Commission of Louisiana is a constitutional body established under</i>	
35		<i>Article V, Section 25 of the Constitution of 1974 to accept, screen, investigate, and prosecute complaints</i>	
36		<i>of judicial misconduct. As part of its authority, it may recommend to the Supreme Court the censure,</i>	
37		<i>suspension, removal from office, or involuntary retirement of any judge for ethical misconduct.</i>	
38	C.	Court Reporters; Statistical	
39		Reporting Systems	\$ 343,317 \$ 369,429
40	D.	Dues to National Center for	
41		State Courts	\$ 170,061 \$ 178,565
42	04	Louisiana Attorney Disciplinary	
43		Board, as per Louisiana Supreme	
44		Court Rule XIX	\$ 3,000 \$ 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	
49		estimated at	\$ 1,126,948 \$ 1,245,129
50	06	Law Library of Louisiana for salaries,	
51		services, supplies, maintenance, repairs,	
52		and equipment	\$ 1,669,075 \$ 1,812,665

1 **Program Description:** *The Law Library of Louisiana serves the legal information needs of the state*
 2 *judiciary, and is open to members of the bar and public.*

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 \$ 32,095 \$ 32,095

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 \$ 916,846 \$ 935,183

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 \$ 939,894 \$ 958,692

15 10 Judicial College \$ 31,938 \$ 119,563

16 **Program Description:** *The Judicial College was established by order of the Supreme Court in 1976 to*
 17 *provide continuing legal education to Louisiana judges.*

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 \$ 18,810,289 \$ 20,407,214

23 12 Civil commitment matters as
 24 required by R.S. 28:54 \$ 231,546 \$ 352,983

25 13 Paul M. Hebert Law Center for
 26 expenses of storage of appellate
 27 court records \$ 60,000 \$ 60,000

28 14 Funding for statewide operations of the
 29 Louisiana Protective Order Registry
 30 (R.S. 46:2136.2) under the Case
 31 Management Information System \$ 1,012,320 \$ 1,299,782

32 15 Information Technology \$ 1,069,760 \$ 1,332,214

33 16 Payable out of State General
 34 Fund for Operational expenses of
 35 the Families in Need of Services
 36 Program (FINS) \$ 1,927,296 \$ 2,325,393

37 **Program Description:** *The mission of the FINS Assistance Program is to assist local FINS processes by*
 38 *developing and implementing a needs-based allocation formula; developing, implementing, and mandating*
 39 *the use of a uniform data system for tracking, managing, and reporting FINS informal cases; developing*
 40 *and mandating the use of programmatic standards; developing, implementing, and reporting performance*
 41 *indicators and measures; requiring and monitoring periodic fiscal reports and financial accountability;*
 42 *and, generally supervising and assisting local FINS processes in other ways.*

43
 44 17 Louisiana Drug and Specialty Courts \$ 9,240,844 \$ 10,860,417

45 **Program Description:** *Louisiana Drug and Specialty Courts, such as Drug/DWI Treatment Courts,*
 46 *authorized in 1977 by R.S. 13:5301-5304; Reentry Courts, authorized in 2010 by R.S. 13:5401; Mental*
 47 *Health Courts, authorized in 2013 by R.S. 13:5353 - 5358; Swift and Certain Program, authorized by R.S.*
 48 *13:5371; and Veterans Treatment Courts, authorized in 2014 by R.S. 13:5361 - 5368, are proven and*
 49 *effective alternatives to traditional criminal justice interventions. These programs provide integrated*
 50 *treatment for substance use and mental health disorders, including the appropriate use of sanctions and*
 51 *incentives along with case management, to place participants in need of services into appropriate*

1 *community-based and judicially supervised rehabilitation programs. Clients are regularly tested and*
 2 *monitored for compliance with educational, employment, and treatment requirements pursuant to current*
 3 *best practices and the proven national model.*

4 18 Court Appointed Special Advocates \$ 1,794,035 \$ 2,965,884

5 **Program Description:** *The purpose of the CASA Assistance Program is to promote timely placement of*
 6 *children in need of care in permanent, safe and stable homes, in accordance with the provisions of*
 7 *Children's Code articles 424-426. Services are provided through local CASA programs which recruit,*
 8 *screen, train and supervise community advocates. Upon appointment by the trial judge, qualified*
 9 *advocates serve children by providing independent factual information to the judge, advocating for the best*
 10 *interest of the children, monitoring cases to which they have been assigned, and advising and assisting the*
 11 *judge in the determination of the best interest of the children involved.*

12 TOTAL - STATE GENERAL FUND (DIRECT) \$ 51,946,987 \$ 65,013,662

13 19 Payable out of the State General Fund
 14 from Statutory Dedications, Judges'
 15 Supplemental Compensation Fund,
 16 R.S. 13:10.3, be it more or less
 17 estimated at \$ 6,223,724 \$ 6,223,724

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

21 20 Payable out of the State General
 22 Fund from Statutory Dedications,
 23 Trial Court Case Management
 24 Information Fund, for the Case
 25 Management Information System,
 26 Article 887(F) of the Code of
 27 Criminal Procedure, be it more or less
 28 estimated at \$ 4,017,201 \$ 4,017,201

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

36 TOTAL - STATE GENERAL FUND
 37 BY STATUTORY DEDICATIONS \$ 10,240,925 \$ 10,240,925

38 21 Drug court maintenance and
 39 enhancement, payable out of the State
 40 General Fund through Interagency
 41 Transfers from the Department of
 42 Children and Family Services \$ 5,400,000 \$ 5,400,000

43 22 Court Appointed Special Advocates,
 44 payable out of the State General Fund
 45 through Interagency Transfers from the
 46 Department of Children and Family
 47 Services \$ 3,992,850 \$ 3,992,850

48 TOTAL- STATE GENERAL FUND THROUGH
 49 INTERAGENCY TRANSFERS \$ 9,392,850 \$ 9,392,850

50
 51 TOTAL SUPREME COURT \$ 71,580,762 \$ 84,647,437

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

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

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

15 **General Performance Information:**

	2017	2018	2019
16			
17	1,897	1,827	1,702
18	3,420	3,345	3,364
19	4,439	4,431	4,259

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

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

22 **General Performance Information:**

	2017	2018	2019
23			
24	<i>Average number of days from lodging of the</i>		
25	<i>appeal to argument:</i>		
26	<i>Time Standard = no more than 175 days.</i>		
27	147	153	148
28	162	148	153
29	159	149	152

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

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

33	43	44	44
34	44	44	48
35	44	44	45

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

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

38 **General Performance Information:**

	2017	2018	2019
39			
40	100%	100%	100%
41			

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

		<u>FY 20 EOB</u>	<u>FY 21</u>
43			
44	01 Salaries of five (5) Chief Judges		
45	and forty-eight (48) Judges of		
46	the Courts of Appeal, R.S. 13:311	\$ 8,124,978	\$ 8,342,412
47	02 Salaries and expenses of operation		
48	and maintenance of the Court of		
49	appeal, First Circuit	\$ 10,286,973	\$ 11,205,994
50	03 Salaries and expenses of operation		
51	and maintenance of the Court of		
52	appeal, Second Circuit	\$ 5,807,610	\$ 6,105,936
53	04 Salaries and expenses of operation		
54	and maintenance of the Court of		
55	appeal, Third Circuit	\$ 8,839,437	\$ 9,293,132

1	05	Salaries and expenses of operation		
2		and maintenance of the Court of		
3		Appeal, Fourth Circuit	\$ 8,221,408	\$ 8,708,809
4	06	Salaries and expenses of operation		
5		and maintenance of the Court of		
6		Appeal, Fifth Circuit	<u>\$ 6,019,956</u>	<u>\$ 6,353,132</u>
7	TOTAL COURTS OF APPEAL-			
8	STATE GENERAL FUND (DIRECT)		<u>\$ 47,300,362</u>	<u>\$ 50,009,415</u>

03-8172 DISTRICT COURTS - SALARIES AND OFFICE EXPENSES AS REQUIRED BY STATUTE

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

Mission Statement: *The mission of the trial 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 responsible parties to make court facilities safe, accessible, and convenient.

General Performance Information:

	2017	2018	2019
Percentage of surveyed district court chief judges indicating actions taken in FY 2018-2019 to improve compliance with the Americans with Disabilities Act (ADA)	83.3%	87.5%	87.5%

Objective: To encourage all responsible public bodies and public officers to make the costs of access to the trial 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:

	2017	2018	2019
Percentage of surveyed district court chief judges indicating actions taken in FY 2018-2019 to assist self-represented litigants	85.4%	91.7%	93.8%

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

Objective: To encourage timely case management and processing.

General Performance Information:

	2017	2018	2019
Number of parishes reporting criminal disposition data to CMIS	64	64	64
Percentage of parishes reporting criminal disposition data to CMIS	100%	100%	100%

1		2017	2018	2019
2	<i>Percentage of surveyed district court chief</i>			
3	<i>judges indicating that their courts had</i>			
4	<i>taken steps within FY 2018-2019 to reduce</i>			
5	<i>delays and improve the timeliness</i>			
6	<i>of case processing</i>	93.8%	87.5%	93.8%

Objective: To enhance jury service.

General Performance Information:

7		2017	2018	2019
8				
9				
10	<i>Percentage of surveyed district court chief</i>			
11	<i>judges indicating that their court had</i>			
12	<i>taken steps within FY 2018-2019 to</i>			
13	<i>make jury service more convenient or</i>			
14	<i>effective</i>	92.9%	88.4%	88.4%

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

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

General Performance Information:

17		2017	2018	2019
18				
19				
20				
21	<i>Percentage of surveyed district court chief</i>			
22	<i>judges indicating actions taken in</i>			
23	<i>FY 2018-2019 to improve employee</i>			
24	<i>training and development</i>	87.5%	85.4%	91.7%
25	<i>Percentage of surveyed district court chief</i>			
26	<i>judges indicating actions taken in</i>			
27	<i>FY 2018-2019 to install or implement</i>			
28	<i>technologies</i>	95.8%	95.8%	93.8%

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

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

General Performance Information:

31		2017	2018	2019
32				
33				
34	<i>Percentage of surveyed district court chief</i>			
35	<i>judges indicating that their courts</i>			
36	<i>regularly provided public education</i>			
37	<i>and public outreach services in</i>			
38	<i>FY 2018-2019</i>	91.7%	89.6%	87.5%

Payable out of the State General Fund (Direct):

			<u>FY 20 EOB</u>	<u>FY 21</u>
39	01	Salaries of one hundred ninety-one		
40		(191) District Judges as provided		
41		by R.S. 13:691	\$ 27,918,847	\$ 28,668,386
42				
43				
44	02	Office and travel expenses of District		
45		Judges as provided by R.S. 13:698		
46		and R.S. 13:694, respectively	\$ 1,285,250	\$ 1,285,250
47				
48	03	Salaries of fourteen (14) Judges of		
49		Civil District Court, Orleans Parish,		
		as provided by R.S. 13:691	\$ 2,046,408	\$ 2,101,348
50				
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 as provided by R.S. 13:698	\$ 80,500	\$ 80,500
55				
56	05	Salaries of two (2) Court Reporters		
57		of the Twentieth Judicial District Court,		
58		including retirement contributions, as		
		provided by R.S. 13:966.1	\$ 114,514	\$ 117,535

1	06	Clerk of Civil District Court, Orleans			
2		Parish, as provided by R.S. 13:1212(A)	\$	10,000	\$ 10,000
3	07	State share of Group, Workers'			
4		Compensation, General Liability, and			
5		Property Insurance Premiums as			
6		provided by R.S. 42:851	\$	6,541,846	\$ 6,950,507
7	08	Salaries of two (2) commissioners of			
8		the Nineteenth Judicial District and			
9		one (1) commissioner of the Fifteenth			
10		Judicial District as provided by			
11		R.S. 13:712 and R.S. 13:715,			
12		respectively	\$	584,653	\$ 610,546
13	09	Office expenses for the Judicial			
14		Expense Fund of the Nineteenth Judicial			
15		District Court as provided by			
16		R.S. 13:711-713	\$	400,707	\$ 413,728
17	10	Office expenses for the Judicial			
18		Expense Fund of the Fifteenth			
19		Judicial District Court as provided			
20		by R.S. 13:714-716	\$	286,234	\$ 292,616
21	11	Law Clerk, Twentieth Judicial District			
22		Court as provided by Act 747 of 1977	\$	49,311	\$ 49,311
23	12	For the expenses of the Judicial Expense			
24		Fund, Tenth Judicial District Court as			
25		provided by Act 57 of 2006	\$	<u>35,000</u>	\$ <u>35,000</u>
26		SUBTOTAL	\$	<u>39,353,270</u>	\$ <u>40,614,727</u>
27	13	Criminal Court - Parish of Orleans			
28		Program Description: <i>The Criminal District Court for the Parish of Orleans has exclusive jurisdiction</i>			
29		<i>of the trial and punishment of all crimes, misdemeanors, and offenses committed within the parish of</i>			
30		<i>Orleans, if the jurisdiction is not vested by law in some other court. The court, through its magistrate and</i>			
31		<i>with assistance from its commissioners, has the power of committing magistrates in all felony charges and</i>			
32		<i>the power to hold preliminary examinations, with authority to bail or discharge, or to hold for trial, in all</i>			
33		<i>cases before the court. The court has appellate jurisdiction of all cases tried before the Municipal and</i>			
34		<i>Traffic Court of New Orleans and has general supervisory jurisdiction over these courts.</i>			
35	A.	Salaries of thirteen (13) District			
36		Judges of Criminal Court, Orleans			
37		Parish as provided by R.S. 13:691	\$	1,900,237	\$ 1,951,251
38	B.	Office expenses of Judges of			
39		Criminal Court, Orleans Parish as			
40		Provided by R.S. 13:698	\$	74,750	\$ 74,750
41	C.	State's share of group insurance			
42		for personnel of Criminal Court			
43		as provided by R.S. 42:851	\$	694,766	\$ 729,504
44	D.	Salaries of thirteen (13) minute			
45		clerks as provided by R.S.			
46		13:1373.1	\$	288,064	\$ 293,811
47					

1	E. Salaries of twenty-six (26) court			
2	reporters as provided by R.S.			
3	13:1373.1	\$	449,821	\$ 456,097
4	F. Salaries of four (4) commissioners			
5	of Criminal Court, Orleans Parish,			
6	including related benefits as			
7	provided by R.S. 13:1347	\$	515,703	\$ 534,781
8	G. Office and travel expenses of			
9	commissioners as provided by			
10	R.S. 13:1347	\$	7,950	\$ 10,600
11	H. Salaries of four (4) minute clerks,			
12	one for each commissioner			
13	as provided by R.S. 13:1347	\$	75,372	\$ 76,845
14	I. Salaries of four (4) court reporters,			
15	one for each commissioner			
16	as provided by R.S. 13:1347	\$	57,312	\$ 58,422
17	J. Salaries of Judicial Administrator,			
18	and assistants, including			
19	related benefits	\$	910,443	\$ 1,002,268
20	K. Salaries of thirteen (13) law clerks	\$	695,417	\$ 775,026
21	L. Salaries of four (4) secretaries	\$	204,258	\$ 229,942
22	M. Sanity Commissions	\$	87,744	\$ 89,595
23	N. Board of Jury Commissioners	\$	<u>391,859</u>	\$ <u>424,869</u>
24	SUBTOTAL	\$	<u>6,353,696</u>	\$ <u>6,707,761</u>
25	14 Juvenile and Family Court Judges			
26	A. Salaries of thirteen (13) Juvenile			
27	Court Judges as provided by			
28	R.S. 13:691	\$	1,900,237	\$ 1,951,251
29	B. Salaries of four (4) Family Court			
30	Judges as provided by R.S. 13:691	\$	584,688	\$ 600,385
31	C. Office and travel expenses of Juvenile			
32	and Family Court Judges as			
33	provided by R.S. 13:698 and			
34	R.S. 13:694, respectively	\$	<u>103,500</u>	\$ <u>97,750</u>
35	SUBTOTAL	\$	<u>2,588,425</u>	\$ <u>2,649,386</u>
36	TOTAL DISTRICT COURTS - SALARIES			
37	AND OFFICE EXPENSES AS REQUIRED			
38	BY STATUTE- STATE GENERAL FUND			
39	(DIRECT)	\$	<u>48,295,391</u>	\$ <u>49,971,874</u>

1 **03-8173 OTHER COURTS - SALARIES AND OFFICE EXPENSES AS**
 2 **REQUIRED BY STATUTE**

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

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

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

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

14 **General Performance Information:**

	2017	2018	2019
15 <i>Percentage of surveyed city/parish court</i>			
16 <i>chief judges indicating actions taken</i>			
17 <i>in FY 2018-2019 to assist</i>			
18 <i>pro se litigants</i>	98.1%	94.1%	98%

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

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

23 **General Performance Information:**

	2017	2018	2019
24 <i>Percentage of surveyed city/parish court</i>			
25 <i>chief judges indicating that their</i>			
26 <i>courts had taken steps within</i>			
27 <i>FY 2018-2019 to reduce delays</i>			
28 <i>and improve the timeliness of</i>			
29 <i>case processing</i>	90.4%	82.4%	80.4%

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

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

34 **General Performance Information:**

	2017	2018	2019
35 <i>Percentage of surveyed city/parish court</i>			
36 <i>chief judges indicating that their</i>			
37 <i>courts regularly provided public</i>			
38 <i>education and public outreach</i>			
39 <i>services in FY 2018-2019</i>	88.5%	78.4%	86.3%

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

43 **General Performance Information:**

	2017	2018	2019
44 <i>Percentage of surveyed city/parish court</i>			
45 <i>chief judges indicating actions taken</i>			
46 <i>in FY 2018-2019 to improve employee</i>			
47 <i>training and development</i>	92.3%	78.4%	86.3%
48 <i>Percentage of surveyed city/parish court</i>			
49 <i>chief judges indicating actions taken</i>			
50 <i>in FY 2018-2019 to install or</i>			
51 <i>implement technologies</i>	90.4%	78.4%	88.2%

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

	<u>FY 20 EOB</u>	<u>FY 21</u>
54		
55 01 Salaries of sixty (60) City Court		
56 Judges as provided by R.S. 13:1875	\$ 2,831,732	\$ 2,907,760

1	02 Salaries of seven (7) Municipal and		
2	Traffic and one (1) Parish Court		
3	Judge as provided by R.S. 13:2492,		
4	2501.1 and 2563.5, respectively	\$ 410,432	\$ 421,450
5	TOTAL OTHER COURTS REQUIRED		
6	BY STATUTE- STATE GENERAL FUND		
7	(DIRECT)	\$ 3,242,164	\$ 3,329,210

8 **03-8174 OTHER COURTS - SALARIES AND OFFICE EXPENSES NOT**
 9 **REQUIRED BY STATUTE**

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

11		<u>FY 20 EOB</u>	<u>FY 21</u>
12	01 Orleans Parish Juvenile Protective		
13	Care Monitoring Program	\$ 536,132	\$ 610,805

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

16	02 Orleans Parish Juvenile Court		
17	Reporters	\$ 77,178	\$ 89,893

18	03 For the expenses of the Judges'		
19	Assistance Program	\$ 61,877	\$ 63,183

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

22	TOTAL OTHER COURTS NOT REQUIRED		
23	BY STATUTE- STATE GENERAL FUND		
24	(DIRECT)	\$ 675,187	\$ 763,881

25 Section 2. The appropriations, and the allocations of such appropriations, from the
 26 State General Fund (Direct) contained in Section 1 of this Act shall be reduced by a total
 27 amount of Seventeen Million Thirty-One Thousand Seventy and No/100 (\$17,031,070)
 28 Dollars, pursuant to a plan adopted by the Judicial Budgetary Control Board or as approved
 29 by the Louisiana Supreme Court.

30 Section 3. In addition to the funds appropriated in this Act, an amount equal to Four
 31 Million and No/100 (\$4,000,000) Dollars is hereby appropriated payable out of the State
 32 General Fund through Interagency Transfers from the Governor's Office of Homeland
 33 Security and Emergency Preparedness to the Judicial Control Board for eligible expenses
 34 related to COVID-19 response efforts.

35 Section 4.A. The Chief Justice of the Supreme Court, or her duly authorized and
 36 appointed agent, shall warrant the state treasurer for the allocations herein provided, or for
 37 so much thereof as may be necessary. The aforesaid warrant shall be paid out of the state
 38 general fund, and the state treasurer shall pay said warrant by preference over all other
 39 warrants, except warrants for the salaries of constitutional officers of the state and warrants

1 for expenses of the legislature, which shall be concurrent with the warrant provided by this
2 Act.

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

6 C. Any funds herein allocated to the judiciary, any portion of the funds previously
7 appropriated to the judiciary, other revenue of the judiciary or its agencies, and interest
8 earnings are hereby appropriated and may be used to defray the expenses of the judiciary;
9 however, all funds remaining unexpended or unencumbered shall be returnable to the State
10 General Fund on or before September 1, 2021.

11 D. For Fiscal Year 2020-2021, any surpluses occurring in the appropriations made
12 in this Act may be transferred from one agency or line-item to another during the fiscal year
13 in accordance with the rules of the Judicial Budgetary Control Board, or as approved by the
14 Supreme Court.

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

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

24 G. The inclusion in this Act of staff salaries and benefits for lower court or other
25 judicial branch agency employees shall not be deemed to create or impose any obligation
26 upon the State of Louisiana Judicial Branch, the Supreme Court of Louisiana, the Judicial
27 Budgetary Control Board, or the Supreme Court Judicial Administrator's Office relative to
28 the administration of pay, retirement or other benefits to any such employees. Accordingly,
29 the State of Louisiana Judicial Branch, the Supreme Court of Louisiana, the Judicial
30 Budgetary Control Board, and the Supreme Court Judicial Administrator's Office are not to

1 be considered the "employer" or "employing agency" of lower court or other judicial agency
 2 employees whose staff salaries and other benefits are included in this Act.

3 H. In the event sufficient new State General Fund (Direct) revenues become
 4 available and are recognized by the Revenue Estimating Conference, the first Three Million
 5 One Hundred Thousand and No/100 (\$3,100,000) Dollars shall be payable to the Judicial
 6 Budgetary Control Board to fund the judicial pay raises enacted through Act 178 of the 2019
 7 Regular Legislative Session.

8 Section 5. This Act shall become effective on July 1, 2020; if vetoed by the
 9 governor and subsequently approved by the legislature, this Act shall become effective on
 10 July 1, 2020, or 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 existing operating budget for FY 2019-2020 is compared to the appropriations for FY 2020-2021 as contained in the original bill.

<u>Courts and Programs</u>	<u>Existing Operating Budget FY 2019-2020</u>	<u>Appropriation Request FY 2020-2021</u>
<u>By Expenditure:</u>		
Supreme Court	\$ 71,580,762	\$ 84,647,437
Courts of Appeal	\$ 47,300,362	\$ 50,009,415
District Courts	\$ 48,295,391	\$ 49,971,874
Other Courts	\$ 3,242,164	\$ 3,329,210
Other Programs	\$ 675,187	\$ 763,881
Total Funding	<u>\$ 171,093,866</u>	<u>\$ 188,721,817</u>
 <u>By Means of Finance:</u>		
Total General Fund (Direct)	\$ 151,460,091	\$ 169,088,042
Total Interagency Transfer	\$ 9,392,850	\$ 9,392,850
Total Statutory Dedications	\$ 10,240,925	\$ 10,240,925
Total Funding	<u>\$171,093,866</u>	<u>\$ 188,721,817</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)]

HB 304 Reengrossed

2020 Regular Session

Zeringue

Abstract: Appropriates funds for FY 2020-2021 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 2020-2021 for the ordinary operating expenses of the judicial branch of government with total funding of \$188,721,817 from the following sources: \$169,088,042 out of the State General Fund (Direct); \$9,392,850 out of Interagency Transfers; and \$10,240,925 from statutory dedications out of the Judges' Supplemental Compensation Fund and the Trial Court Case Management Fund. Appropriations from State General Fund (Direct) shall be reduced by \$17,031,070 and Interagency Transfers shall be increased by \$4,000,000 from the Governor's Office of Homeland Security and Emergency Preparedness for expenditures related to COVID-19 response efforts pursuant to a plan adopted by the Judicial Budgetary Control Board or as approved by the Louisiana Supreme Court.

Funding for the ordinary operating expenses of the judicial branch of government is provided as follows:

	<u>FY 20 EOB</u>	<u>FY 21</u>
(1) Louisiana Supreme Court	\$ 71,580,762	\$84,647,437
(2) Courts of Appeal	47,300,362	50,009,415
(3) District Courts	39,353,270	40,614,727
(4) Criminal Court, Parish of Orleans	6,353,696	6,707,761
(5) Juvenile and Family Courts	2,588,425	2,649,386
(6) Other Courts (Required by Statute)	3,242,164	3,329,210
(7) Other Courts (Not Required by Statute)	675,187	763,881
TOTAL	<u>\$171,093,866</u>	<u>\$188,721,817</u>

Effective July 1, 2020

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the original bill:

1. Add requirement that appropriations from State General Funds (Direct) contained in this Act be reduced by a total amount of \$17,031,070 pursuant to a plan adopted by the Judicial Budgetary Control Board or as approved by the Louisiana Supreme Court.
2. Provide an appropriation of \$4,000,000 out of Interagency Transfers from the Governor's Office of Homeland Security and Emergency Preparedness for expenses related to the COVID-19 response efforts.

The House Floor Amendments to the engrossed bill:

1. Appropriates the first \$3,100,000 for Judicial pay raises should additional State General Fund (Direct) be recognized by the Revenue Estimating Conference.