

2019 Regular Session

HOUSE BILL NO. 52

BY REPRESENTATIVE DWIGHT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COURTS/MAGISTRATES: Provides for a magistrate judge in the 14th JDC

1 AN ACT

2 To enact R.S. 13:589, relative to the Fourteenth Judicial District Court; to provide for the
3 creation of a magistrate judge position; to provide relative to the election, term,
4 salary, and duties of the magistrate judge; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:589 is hereby enacted to read as follows:

7 §589. Fourteenth Judicial District Court; magistrate judge

8 A. The office of magistrate judge of the Fourteenth Judicial District Court
9 is hereby created and shall be an elected position. The magistrate judge shall be
10 elected from election sections one and three combined. The initial election shall
11 occur in the fall of 2020 and the elected term shall begin January 1, 2021. The
12 magistrate judge shall serve a six-year term. The position is a full-time position, and
13 the magistrate judge is prohibited from practicing law.

14 B. The salary of the magistrate judge of the Fourteenth Judicial District
15 Court shall be seventy-five percent of the salary paid to judges of the Fourteenth
16 Judicial District Court per annum, and the salary and related benefits as provided by
17 law shall be payable in the same manner from the same sources as the salary and
18 benefits of a judge of the Fourteenth Judicial District Court. The support services
19 and personnel including minute clerks and stenographers, as shall be necessary for

1 the offices of the magistrate judge, shall be paid from the same source as the same
2 positions in the Fourteenth Judicial District Court.

3 C. The magistrate judge of the Fourteenth Judicial District Court created in
4 this Section shall hold court in the same building as is provided for the other judges
5 of the court. With the approval of the judges of the Fourteenth Judicial District
6 Court, the magistrate judge may hear and preside over all criminal matters, except
7 the adjudication of felony charges, including but not limited to preliminary motions;
8 conduct extradition hearings; accept pleas in misdemeanor cases; hear and render
9 judgments in other matters, including misdemeanor cases, preliminary to the trial on
10 the merits; conduct trials of misdemeanor cases; have authority to set bail; and sign
11 and issue search and arrest warrants upon probable cause being shown in accordance
12 with law.

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 52 Original

2019 Regular Session

Dwight

Abstract: Establishes the magistrate judge position in the Fourteenth Judicial District Court and provides for duties, term, salary, and election of the magistrate judge.

Proposed law provides for the creation of the magistrate judge of the 14th JDC, to be elected from election sections one and three combined. The salary of this position shall be equal to 75% of the salary paid to judges of the 14th JDC. The magistrate judge will have jurisdiction over criminal matters that do not involve certain felony matters.

Proposed law provides that the elected term of the magistrate judge begins on Jan. 1, 2021. The magistrate judge shall serve for a term of six years, the position shall be full-time, and the magistrate judge is prohibited from practicing law.

(Adds R.S. 13:589)