

Regular Session, 2013

HOUSE BILL NO. 607

BY REPRESENTATIVE MORENO

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

COURTS/JUVENILE: Provides for the elimination of two judgeships from the Orleans Parish Juvenile Court

1 AN ACT

2 To amend and reenact R.S. 13:1568.3, 1595, and 1595.1, relative to Orleans Parish Juvenile
3 Court judges; to designate special divisions of the Orleans Parish Juvenile Court; to
4 abolish specific judgeships upon the expiration of terms or vacancy in the Orleans
5 Parish Juvenile Court; to provide relative to funding; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:1595 is hereby amended and reenacted to read as follows:

9 §1595. Orleans Parish Juvenile Court Judges; criers and stenographers

10 A. In addition to Sections "A", "B", and "C" of the Juvenile Court for the
11 Parish of Orleans, there is hereby created a new section of ~~said~~ the court to be
12 designated as Section "D". The additional judge herein created shall be known as the
13 judge of Section "D" of the Juvenile Court for the Parish of Orleans. Each judge
14 shall have the right to appoint a crier and stenographer for his own section of ~~said~~ the
15 court, who shall perform the same duties and receive the same compensation,
16 payable in the same manner and from the same sources as similar officials in other
17 sections of the ~~said~~ court. The judge of Section "D" of the juvenile court shall be
18 elected by the voters of Orleans Parish concurrently with the next election for mayor
19 of the city of New Orleans.

1 B. The judgeship created for Section "D" of the Juvenile Court for the parish
2 of Orleans shall be abolished effective December 31, 2014, at midnight.

3 C. The first judgeship becoming vacant by death, resignation, retirement, or
4 removal during the term of office on or after December 31, 2014, at midnight shall
5 be abolished the following day.

6 D. Upon the abolishment of a judgeship as provided for in Subsections B and
7 C of this Section, the funding from the city of New Orleans for such judgeship shall
8 be allocated for juvenile services within the city of New Orleans.

9 Section 2. R.S. 13:1568.3 and 1595.1 are hereby amended and reenacted to read as
10 follows:

11 §1568.3. Special divisions of court

12 A. In accordance with the jurisdiction provided for in the Children's Code,
13 in a juvenile court located in Orleans Parish, there shall be special divisions of court
14 with exclusive jurisdiction over child in need of care proceedings, as specifically
15 provided for in Titles VI, X, XI, and XII of the Louisiana Children's Code and
16 generally provided for in other titles or articles of the code, which shall consist of
17 Section "A" and Section "D", Section "B", Section "C", Section "E", and Section "F"
18 of the court.

19 B. In accordance with the jurisdiction provided for in the Children's Code,
20 the juvenile court located in Orleans Parish, there shall be special divisions of court
21 with exclusive jurisdiction over delinquency proceedings, as specifically provided
22 for in Title VIII of the Louisiana Children's Code and generally provided for in other
23 titles or articles of the code, which shall consist of Section "A", Section "B", Section
24 "C", Section "E", and Section "F".

25 * * *

26 §1595.1. Additional judges for the Orleans Parish Juvenile Court; creation;
27 personnel

28 In addition to the presently existing Sections "A", "B", "C", ~~"D"~~, and "E" of
29 the present Orleans Parish Juvenile Court, there is hereby created one new section

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 of the court for purposes of nomination and election only, to be designated as Section
2 "F". There is hereby established one additional judgeship, the judge of which shall
3 preside over Section "F". Such judge shall have the right to appoint a crier and
4 stenographer for his own section of the court, who shall perform the same duties and
5 receive the same compensation, payable in the same manner, and from the same
6 sources as similar officials in other sections of the court.

7 Section 3. Section 2 of this Act shall become effective on December 31, 2014, at
8 midnight.

9 Section 4(A). All cases allotted to Section "D" on December 31, 2014, at midnight
10 shall be reallocated equally by the clerk of court among Sections "A", "B", "C", "E", and "F"
11 on January 1, 2015.

12 Section 4(B). Upon abolishment of the judgeship that becomes vacant by death,
13 resignation, retirement, or removal pursuant to R.S. 13:1595(C) as enacted by this Act, all
14 cases of the abolished section of court shall be reallocated equally by the clerk of court among
15 the remaining sections of the court.

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)]

Moreno

HB No. 607

Abstract: Abolishes two judgeships in the Orleans Parish Juvenile Court and designates certain sections as special divisions of the court.

Present law provides for the creation of a new section of court and judgeship to be designated as Section "D" of the Orleans Parish Juvenile Court and authorizes the judge to appoint a crier and stenographer for the section.

Proposed law abolishes Section "D" of the Orleans Parish Juvenile Court effective Dec. 31, 2014, at midnight.

Proposed law requires the first judgeship that becomes vacant by death, resignation, retirement, or removal during the term of office on or after Dec. 31, 2014, at midnight to be abolished the following day.

Proposed law requires the allocation of any funding from the city of New Orleans for judgeships to be allocated for juvenile services within the city of New Orleans upon the abolishment of those judgeships provided for in proposed law.

Present law provides for the designation of Sections "A" and "D" of the Orleans Parish Juvenile Court as the special divisions of court with exclusive jurisdiction over child in need of care proceedings.

Proposed law retains present law except that it removes Section "D" as special divisions of court with exclusive jurisdiction over child in need of care proceedings, effective Dec. 31, 2014, at midnight and further provides for all cases allotted to Section "D" to be reallocated equally by the clerk of court to the remaining sections of court.

Present law provides for the designation of Sections "B", "C", "E", and "F" as the special divisions of court with exclusive jurisdiction over delinquency proceedings.

Proposed law retains present law until such time as one of the sections of court becomes vacant due to death, resignation, retirement, or removal on or after Dec. 31, 2014, at which time, all cases of the abolished section will be reallocated equally by the clerk of court among the remaining sections of the court.

Present law provides for the creation of a new section of the court, in addition to the existing sections and one new judgeship who shall preside over the new section to be designated as Section "F". Further authorizes the judge to appoint a crier and stenographer for his section of court to perform the same duties and receive the same compensation as similar officials in other sections of court.

Proposed law retains present law except that it removes Section "D" as an existing section of the court.

Effective Dec. 31, 2014, at midnight.

(Amends R.S. 13:1568.3, 1595, and 1595.1)

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Added the requirement for the allocation of any funding from the city of New Orleans for judgeships to be allocated for juvenile services within the city of New Orleans upon the abolishment of those judgeships.