

2022 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 87

BY REPRESENTATIVE MAGEE

A CONCURRENT RESOLUTION

To urge and request the Judicial Council of the Supreme Court of Louisiana to provide a recommendation for a statewide schedule of local criminal fees to the Legislature of Louisiana prior to the 2023 Regular Session of the Legislature.

WHEREAS, the Judicial Council of the Supreme Court of Louisiana (Judicial Council) was established in 1950, and through its standing and ad hoc committees, serves as the research arm for the supreme court; and

WHEREAS, the Judicial Council is chaired by the chief justice of the Louisiana Supreme Court and composed of members representing the judiciary, the Louisiana State Bar Association, the Louisiana State Law Institute, the Legislature, the Louisiana District Attorneys Association, the Public Defender Board, the Louisiana Clerks of Court Association, and the citizens of Louisiana; and

WHEREAS, the authority of the Judicial Council to review court costs and fees is provided by R.S. 13:62, which was enacted during the 2003 Regular Legislative Session and amended by Act No. 245 of the 2011 Regular Legislative Session and Act No. 553 of the 2018 Regular Legislative Session; and

WHEREAS, pursuant to R.S. 13:62, no law to provide for a new court cost or fee or to increase an existing court cost or fee shall be enacted unless first submitted to the Judicial Council for review and recommendation to the legislature as to whether the court cost or fee is reasonably related to the operation of the courts or court system; and

WHEREAS, the Louisiana Legislature gives great weight to the unanimity of the local stakeholders in setting the jurisdictional amounts; and

WHEREAS, with the current economic climate, city courts and district courts with higher jurisdictional amounts create a financial burden on indigent defendants; and

WHEREAS, the financial burden on indigent defendants outweighs the benefit to the operation of the court systems.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge the Judicial Council, in cooperation with the legislature, to develop and recommend a statewide schedule of criminal fees related to the operational needs of the courts and to report its findings and recommendations prior to the 2023 Regular Session of the Legislature.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the judicial administrator of the Supreme Court of Louisiana for distribution to members of the Judicial Council.

BE IT FURTHER RESOLVED that the Judicial Council of the Supreme Court of Louisiana shall submit one print copy and one electronic copy of any report produced pursuant to this Resolution to the David R. Poynter Legislative Research Library as required by R.S. 24:772.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE