Regular Session, 2011

HOUSE RESOLUTION NO. 13

BY REPRESENTATIVE HARDY

1	A RESOLUTION
2	To request the House Committee on House and Governmental Affairs to review the issue
3	of the redistricting of courts particularly as it relates to domicile and residency
4	requirements of judges and judicial candidates.
5	WHEREAS, following the release of the 2010 federal decennial census redistricting
6	data earlier this year, the redistricting of election districts established for state courts has
7	been a topic of much discussion; and
8	WHEREAS, a judgment in Clark v. Roemer (M.D. La. 1991) established subdistricts
9	and required subdistricts to be established in several courts for election purposes, and
10	subsequent to the litigation in Clark v. Roemer, the legislature enacted election sections and
11	subdistricts in several courts for election purposes; and
12	WHEREAS, the court stated in a judgment in Clark v. Roemer that "there shall be
13	no requirement that a candidate be a resident of the subdistrict; however, the candidate must
14	be a resident of the affected judicial district in accordance with Louisiana law"; and
15	WHEREAS, Article V, Section 24 of the Constitution of Louisiana provides that a
16	"judge of the supreme court, a court of appeal, district court, family court, parish court, or
17	court having solely juvenile jurisdiction shall have been domiciled in the respective district,
18	circuit, or parish for one year preceding election"; and
19	WHEREAS, the qualifications for holding most public offices in Louisiana, as
20	provided in the constitution and laws of the state, include a requirement that the person be
21	an elector of, reside in, or be domiciled in the district from which the person is to be elected;
22	and

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ENROLLED

- WHEREAS, the Louisiana Election Code provides that in "the event that the
 qualifications for an office include a residency or domicile requirement, a candidate shall
 meet the established length of residency or domicile as of the date of qualifying,
 notwithstanding any other provision of law to the contrary"; and
- 5 WHEREAS, a person must be a resident of and a registered voter in a district in order
 6 to be eligible to vote in an election held in that district; and
- WHEREAS, a policy decision has been made for many offices that a person should
 be a resident of or domiciled in an election district in order to be elected to a public office
 by the electors of that district; and
- WHEREAS, it is important that the issue of domicile and residency requirements of
 judges and judicial candidates be reexamined in the context of judicial subdistricts and
 election sections.
- 13 THEREFORE, BE IT RESOLVED that the House of Representatives of the 14 Legislature of Louisiana does hereby request the House Committee on House and 15 Governmental Affairs to review the issue of redistricting of courts, particularly as it relates 16 to domicile and residency requirements of judges and judicial candidates, and to report its 17 findings and recommendations to the House of Representatives of the Legislature of 18 Louisiana no later than sixty days prior to the convening of the 2012 Regular Session of the 19 Legislature of Louisiana.
- BE IT FURTHER RESOLVED that the secretary of state shall provide a report listing each judge who is not a registered voter of the election district from which he is elected to the House Committee on House and Governmental Affairs no later than August 1, 2011.

SPEAKER OF THE HOUSE OF REPRESENTATIVES