

# ACT No. 168

2022 Regular Session

HOUSE BILL NO. 437

BY REPRESENTATIVE ZERINGUE

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 Ninety Six Million, Six Hundred Ninty-Four  
8 Thousand, Seven Hundred Forty-Nine and No/100 (\$196,694,749.00) Dollars, or so much  
9 thereof as may be necessary, is hereby appropriated to defray the expenses of the judiciary,  
10 including the Supreme Court, Courts of Appeal, the District Courts, the Criminal District  
11 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.  
15 It may establish procedural and administrative rules not in conflict with law and may assign a sitting or  
16 retired judge to any court. The Supreme Court has sole authority to provide by rule for appointments of  
17 attorneys as temporary or ad hoc judges. It considers applications for writs to review individual cases,  
18 and has criminal and other appellate jurisdiction. The Supreme Court has exclusive original jurisdiction  
19 of disciplinary proceedings against lawyers, recommendations of the Judiciary Commission of Louisiana  
20 for the discipline of judges, and fact questions affecting its appellate jurisdiction. It has inherent authority  
21 to regulate the legal profession and to promulgate and update the Code of Judicial Conduct. The court  
22 also provides judicial training through the Judicial College and works to improve the administration of  
23 justice.*

			<u>FY 22 EOB</u>	<u>FY 23 REC</u>
24	01	Salaries of one (1) Chief Justice and		
25		six (6) Associate Justices of the		
26		Supreme Court, as provided by		
27		R.S. 13:102	\$ 1,185,165	\$ 1,249,135
28				
29	02	Salaries and other expenses of the		
30		Supreme Court Proper and salary of		
31		the Crier of the Supreme Court	\$ 10,418,312	\$ 11,846,153
32	03	Expenses of Judicial Administrator's		
33		Office and of the Judiciary		
34		Commission provided for in Article V,		
35		Section 25 of the Constitution of		
36		Louisiana and under the provisions of		
37		R.S. 13:32 et seq.		

1	A. Expenses of Judicial			
2	Administrator's Office	\$	5,024,977	\$ 5,679,506
3	<b>Program Description:</b> <i>The Judicial Administrator's Office assists the Supreme Court in the</i>			
4	<i>administration of the state court system. It staffs the Judicial Council and the Judiciary Commission of</i>			
5	<i>Louisiana. Through the Judicial Council, it performs studies and makes recommendations for the creation</i>			
6	<i>of new judgeships and for improving the administration of justice. The Judicial Administrator's Office</i>			
7	<i>provides payroll and other fiscal services to the Judiciary, including the administration of a judicial</i>			
8	<i>retirement system; support for the Supreme Court and Appellate Court human resource system; and</i>			
9	<i>support for judicial branch reporting obligations. The Judicial Administrator's Office also manages the</i>			
10	<i>ad hoc judgeship system, monitors cases under advisement, provides support for initiatives to ensure</i>			
11	<i>access to the courts for limited English proficiency individuals; provides outreach services to state and</i>			
12	<i>local courts, applies for and administers grants to improve judicial administration; and staffs the</i>			
13	<i>Committee on Judicial Ethics. The Judicial Administrator's office administers several programs, including</i>			
14	<i>the Supreme Court Drug Court / Specialty Court Office, the Louisiana Protective Order Registry, and</i>			
15	<i>CASA and FINS through the Division of Children and Families. The Judicial Administrator's office also</i>			
16	<i>provides staff support for the Louisiana Judicial College, and performs numerous legal services for the</i>			
17	<i>Supreme Court and the Judiciary.</i>			
18	B. Expenses of Judiciary Commission	\$	1,997,436	\$ 2,199,053
19	<b>Program Description:</b> <i>The Judiciary Commission of Louisiana is a constitutional body established under</i>			
20	<i>Article V, Section 25 of the Constitution of 1974 to accept, screen, investigate, and prosecute complaints</i>			
21	<i>of judicial misconduct. As part of its authority, it may recommend to the Supreme Court the censure,</i>			
22	<i>suspension, removal from office, or involuntary retirement of any judge for ethical misconduct.</i>			
23	C. Court Reporters; Statistical			
24	Reporting Systems	\$	351,216	\$ 373,140
25	D. Dues to National Center for			
26	State Courts	\$	176,761	\$ 187,367
27	04 Louisiana Attorney Disciplinary			
28	Board, as per Louisiana Supreme			
29	Court Rule XIX	\$	3,000	\$ 3,000
30	05 Compensation and expenses of retired			
31	judges assigned under Article V,			
32	Section 5(A) of the Constitution of			
33	Louisiana, be it more or less			
34	estimated at	\$	1,146,948	\$ 1,146,948
35	06 Law Library of Louisiana for salaries,			
36	services, supplies, maintenance, repairs,			
37	and equipment	\$	1,728,073	\$ 1,910,317
38	<b>Program Description:</b> <i>The Law Library of Louisiana serves the legal information needs of the state</i>			
39	<i>judiciary, and is open to members of the bar and public.</i>			
40	07 Salaries and expenses of transferred			
41	judges assigned under Article V,			
42	Section 5(A) of the Constitution,			
43	be it more or less estimated as	\$	32,095	\$ 32,095
44	08 Retirement pay for services rendered by			
45	justices and judges of all courts, as			
46	provided by R.S. 11:1358	\$	929,846	\$ 929,846
47	09 Pensions for widows of justices and			
48	judges of all courts, as provided by			
49	R.S. 11:1371 and R.S. 11:1381, be it			
50	more or less estimated at	\$	862,475	\$ 862,475
51	10 Judicial College	\$	53,226	\$ 85,967



1           20     Case Management Information System,  
 2                     Article 887(F) of the Code of Criminal  
 3                     Procedure, be it more or less  
 4                     estimated at                                     \$     4,017,201     \$     4,017,201

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

12                     TOTAL EXPENDITURES:                                     \$     80,151,700     \$     86,876,567

13           MEANS OF FINANCE:  
 14           State General Fund (Direct)                                     \$     60,517,925     \$     67,242,792  
 15           State General Fund by:  
 16                 Interagency Transfers                                     \$     9,392,850     \$     9,392,850  
 17                 Statutory Dedications:  
 18                     Judges' Supplemental Compensation  
 19                     Fund                                                     \$     6,223,724     \$     6,223,724  
 20                     Trial Court Case Management  
 21                     Information Fund                                     \$     4,017,201     \$     4,017,201

22                     TOTAL MEANS OF FINANCING                                     \$     80,151,700     \$     86,876,567

23           **03-8171    COURTS OF APPEAL**

24           **Program Description:** *The five courts of appeal, domiciled in Baton Rouge, Shreveport, Lake Charles,*  
 25           *New Orleans, and Gretna, have supervisory jurisdiction over all cases arising within their respective*  
 26           *circuits, subject to the general supervisory jurisdiction of the Supreme Court. Each court of appeal also*  
 27           *has appellate jurisdiction over all civil matters, all matters appealed from family and juvenile courts, and*  
 28           *all criminal cases triable by a jury which arise within its circuit, except for those cases appealable directly*  
 29           *to the Supreme Court or to the district courts.*

		<b><u>FY 22 EOB</u></b>	<b><u>FY 23 REC</u></b>
30			
31	01     Salaries of five (5) Chief Judges		
32	and forty-eight (48) Judges of		
33	the Courts of Appeal, R.S. 13:311	\$     8,336,616	\$     8,788,511
34	02     Salaries and expenses of operation		
35	and maintenance of the Court of		
36	appeal, First Circuit	\$     10,758,883	\$     11,744,814
37	03     Salaries and expenses of operation		
38	and maintenance of the Court of		
39	appeal, Second Circuit	\$     6,077,318	\$     6,418,221
40	04     Salaries and expenses of operation		
41	and maintenance of the Court of		
42	appeal, Third Circuit	\$     9,245,545	\$     9,602,696
43	05     Salaries and expenses of operation		
44	and maintenance of the Court of		
45	Appeal, Fourth Circuit	\$     8,595,198	\$     9,100,520
46	06     Salaries and expenses of operation		
47	and maintenance of the Court of		
48	Appeal, Fifth Circuit	<u>\$     6,299,172</u>	<u>\$     6,624,350</u>
49	TOTAL EXPENDITURES:	<u>\$     49,312,732</u>	<u>\$     52,279,112</u>

1	MEANS OF FINANCE:		
2	State General Fund (Direct)	\$ 49,312,732	\$ 52,279,112
3	TOTAL MEANS OF FINANCING	<u>\$ 49,312,732</u>	<u>\$ 52,279,112</u>

4 **03-8172 DISTRICT COURTS - SALARIES AND OFFICE EXPENSES AS**  
 5 **REQUIRED BY STATUTE**

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

		<b><u>FY 22 EOB</u></b>	<b><u>FY 23 REC</u></b>
20			
21	01 Salaries of one hundred ninety-one		
22	(191) District Judges as provided		
23	by R.S. 13:691	\$ 28,769,899	\$ 30,325,142
24	02 Office and travel expenses of District		
25	Judges as provided by R.S. 13:698		
26	and R.S. 13:694, respectively	\$ 1,285,250	\$ 1,299,750
27	03 Salaries of fourteen (14) Judges of		
28	Civil District Court, Orleans Parish,		
29	as provided by R.S. 13:691	\$ 2,101,870	\$ 2,214,091
30	04 Expenses of Judges of Civil District		
31	Court, Parish of Orleans, for salaries		
32	of stenographers, clerks, law books,		
33	stationery, telephone, and like		
34	expenses as provided by R.S. 13:698	\$ 80,500	\$ 80,500
35	05 Salaries of two (2) Court Reporters		
36	of the Twentieth Judicial District Court,		
37	including retirement contributions, as		
38	provided by R.S. 13:966.1	\$ 114,514	\$ 117,437
39	06 Clerk of Civil District Court, Orleans		
40	Parish, as provided by R.S. 13:1212(A)	\$ 10,000	\$ 10,000
41	07 State share of Group, Workers'		
42	Compensation, General Liability, and		
43	Property Insurance Premiums as		
44	provided by R.S. 42:851	\$ 7,174,181	\$ 8,148,916
45	08 Salaries of two (2) commissioners of		
46	the Nineteenth Judicial District and		
47	one (1) commissioner of the Fifteenth		
48	Judicial District as provided by		
49	R.S. 13:712 and R.S. 13:715,		
50	respectively	\$ 608,607	\$ 639,439

1	09	Office expenses for the Judicial			
2		Expense Fund of the Nineteenth Judicial			
3		District Court as provided by			
4		R.S. 13:711-713	\$	428,637	\$ 439,403
5	10	Office expenses for the Judicial			
6		Expense Fund of the Fifteenth			
7		Judicial District Court as provided			
8		by R.S. 13:714-716	\$	290,306	\$ 298,340
9	11	Law Clerk, Twentieth Judicial District			
10		Court as provided by Act 747 of 1977	\$	49,311	\$ 49,311
11	12	For the expenses of the Judicial Expense			
12		Fund, Tenth Judicial District Court as			
13		provided by Act 57 of 2006	\$	35,000	\$ 35,000
14		<b>SUBTOTAL</b>	<b>\$</b>	<b><u>40,948,075</u></b>	<b>\$ <u>43,657,329</u></b>
15	13	<b>Criminal Court - Parish of Orleans</b>			
16		<b>Program Description:</b> <i>The Criminal District Court for the Parish of Orleans has exclusive jurisdiction</i>			
17		<i>of the trial and punishment of all crimes, misdemeanors, and offenses committed within the parish of</i>			
18		<i>Orleans, if the jurisdiction is not vested by law in some other court. The court, through its magistrate and</i>			
19		<i>with assistance from its commissioners, has the power of committing magistrates in all felony charges and</i>			
20		<i>the power to hold preliminary examinations, with authority to bail or discharge, or to hold for trial, in all</i>			
21		<i>cases before the court. The court has appellate jurisdiction of all cases tried before the Municipal and</i>			
22		<i>Traffic Court of New Orleans and has general supervisory jurisdiction over these courts.</i>			
23	A.	Salaries of thirteen (13) District			
24		Judges of Criminal Court, Orleans			
25		Parish as provided by R.S. 13:691	\$	1,951,737	\$ 2,002,753
26	B.	Office expenses of Judges of			
27		Criminal Court, Orleans Parish as			
28		Provided by R.S. 13:698	\$	74,750	\$ 74,750
29	C.	State's share of group insurance			
30		for personnel of Criminal Court			
31		as provided by R.S. 42:851	\$	691,610	\$ 779,091
32	D.	Salaries of thirteen (13) minute			
33		clerks as provided by R.S.			
34		13:1373.1	\$	292,220	\$ 294,348
35	E.	Salaries of twenty-six (26) court			
36		reporters as provided by R.S.			
37		13:1373.1	\$	456,821	\$ 459,353
38	F.	Salaries of four (4) commissioners			
39		of Criminal Court, Orleans Parish,			
40		including related benefits as			
41		provided by R.S. 13:1347	\$	538,613	\$ 567,412
42	G.	Office and travel expenses of			
43		commissioners as provided by			
44		R.S. 13:1347	\$	7,950	\$ 10,600
45	H.	Salaries of four (4) minute clerks,			
46		one for each commissioner			
47		as provided by R.S. 13:1347	\$	76,372	\$ 79,215

1	I. Salaries of four (4) court reporters,			
2	one for each commissioner			
3	as provided by R.S. 13:1347	\$	57,312	\$ 57,946
4	J. Salaries of Judicial Administrator,			
5	and assistants, including			
6	related benefits	\$	956,419	\$ 1,010,528
7	K. Salaries of thirteen (13) law clerks	\$	742,242	\$ 764,517
8	L. Salaries of four (4) secretaries	\$	220,378	\$ 221,556
9	M. Sanity Commissions	\$	58,855	\$ 60,268
10	N. Board of Jury Commissioners	\$	401,580	\$ 433,005
11	SUBTOTAL	\$	<u>6,526,859</u>	\$ <u>6,815,342</u>
12	14 Juvenile and Family Court Judges			
13	A. Salaries of thirteen (13) Juvenile			
14	Court Judges as provided by			
15	R.S. 13:691	\$	1,951,737	\$ 2,055,942
16	B. Salaries of four (4) Family Court			
17	Judges as provided by R.S. 13:691	\$	600,536	\$ 632,597
18	C. Office and travel expenses of Juvenile			
19	and Family Court Judges as			
20	provided by R.S. 13:698 and			
21	R.S. 13:694, respectively	\$	103,500	\$ 97,750
22	SUBTOTAL	\$	<u>2,655,773</u>	\$ <u>2,786,289</u>
23	TOTAL EXPENDITURES (District Courts):	\$	<u>50,130,707</u>	\$ <u>53,258,960</u>
24	MEANS OF FINANCE:			
25	State General Fund (Direct)	\$	50,130,707	\$ 53,258,960
26	TOTAL MEANS OF FINANCING			
27	(District Courts):	\$	<u>50,130,707</u>	\$ <u>53,258,960</u>
28	<b>03-8173 OTHER COURTS - SALARIES AND OFFICE EXPENSES AS</b>			
29	<b>REQUIRED BY STATUTE</b>			
30	<b>Program Description:</b> <i>The category includes forty-seven city courts, one municipal and traffic court</i>			
31	<i>(New Orleans), and one parish court (Ascension Parish).</i>			
32			<b><u>FY 22 EOB</u></b>	<b><u>FY 23 REC</u></b>
33	01 Salaries of sixty (60) City Court			
34	Judges as provided by R.S. 13:1875	\$	2,908,483	\$ 3,063,774
35	02 Salaries of seven (7) Municipal and			
36	Traffic and one (1) Parish Court			
37	Judge as provided by R.S. 13:2492			
38	and 2563.5, respectively	\$	<u>421,556</u>	\$ <u>444,063</u>
39	TOTAL EXPENDITURES (OTHER COURTS			
40	REQUIRED BY STATUTE)	\$	<u>3,330,039</u>	\$ <u>3,507,837</u>

1	MEANS OF FINANCE:		
2	State General Fund (Direct)	\$ 3,330,039	\$ 3,507,837
3	TOTAL MEANS OF FINANCE (OTHER		
4	COURTS REQUIRED BY STATUTE)	<u>\$ 3,330,039</u>	<u>\$ 3,507,837</u>

5 **03-8174 OTHER COURTS - SALARIES AND OFFICE EXPENSES NOT**  
 6 **REQUIRED BY STATUTE**

		<u>FY 22 EOB</u>	<u>FY 23 REC</u>
7			
8	01 Orleans Parish Juvenile Protective		
9	Care Monitoring Program	\$ 577,981	\$ 618,961
10	<b>Program Description:</b> <i>The program tracks and maintains child abuse and neglect cases in the Orleans</i>		
11	<i>Parish Juvenile Court. It also provides assistance in support of the Families in Need of Services Program.</i>		
12	02 Orleans Parish Juvenile Court		
13	Reporters	\$ 77,178	\$ 89,950
14	03 For the expenses of the Judges'		
15	Assistance Program	<u>\$ 61,877</u>	<u>\$ 63,362</u>

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

18	TOTAL EXPENDITURES (OTHER COURTS		
19	NOT REQUIRED BY STATUTE)	<u>\$ 717,036</u>	<u>\$ 772,273</u>

20	MEANS OF FINANCE:		
21	State General Fund (Direct)	\$ 717,036	\$ 772,273

22	TOTAL MEANS OF FINANCE (OTHER		
23	COURTS NOT REQUIRED BY		
24	STATUTE)	<u>\$ 717,036</u>	<u>\$ 772,273</u>

25 Section 2.A. 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 Two Million Four Hundred Eighty-Three Thousand Three Hundred Eight and  
 28 No/100 (\$2,483,308) Dollars, pursuant to a plan adopted by the Judicial Budgetary Control  
 29 Board or as approved by the Louisiana Supreme Court.

30 B. The sum of Eight Hundred Forty-One Thousand Six Hundred Seventy and  
 31 No/100 (\$841,670) Dollars is hereby appropriated from State General Fund (Direct) for  
 32 implementing the automated expungement of criminal records, in the event that House Bill  
 33 No. 707 of the 2022 Regular Session of the Legislature is enacted into law.

34 Section 3.A. The Chief Justice of the Supreme Court, or his duly authorized and  
 35 appointed agent, shall warrant the state treasurer for the allocations herein provided, or for  
 36 so much thereof as may be necessary. The aforesaid warrant shall be paid out of the State  
 37 General Fund, and the state treasurer shall pay said warrant by preference over all other



1 warrants, except warrants for the salaries of constitutional officers of the state and warrants  
2 for expenses of the legislature, which shall be concurrent with the warrant provided by this  
3 Act.

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

7 C. Any funds herein allocated to the judiciary, any portion of the funds previously  
8 appropriated to the judiciary, other revenue of the judiciary or its agencies, and interest  
9 earnings are hereby appropriated and may be used to defray the expenses of the judiciary;  
10 however, all funds remaining unexpended or unencumbered shall be returnable to the State  
11 General Fund on or before September 1, 2023.

12 D. For Fiscal Year 2022-2023, any surpluses occurring in the appropriations made  
13 in this Act may be transferred from one agency or line-item to another during the fiscal year  
14 in accordance with the rules of the Judicial Budgetary Control Board, or as approved by the  
15 Supreme Court.

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

20 F. The program descriptions contained in this Act are not part of the law and are not  
21 enacted into law by virtue of their inclusion in this Act.

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

