

SUPREME COURT OF LOUISIANA
REPORT OF THE JUDICIAL COUNCIL

To The

LOUISIANA STATE LEGISLATURE

Regarding

REQUESTS FOR COURT COSTS AND FEES
(La. R.S. 13:62)



March 9, 2018

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Introduction

La. R.S. 13:62 provides for the Judicial Council's involvement in the review of court costs and fees. The statute reads in pertinent part as follows:

“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.*” La. R.S. 13:62 (B). (Emphasis added.)

Protocol for Reviewing Court Cost Requests

The guidelines developed by the Judicial Council to support its court cost review activity (hereinafter “Court Cost Guidelines”) establish that the analysis of relatedness shall turn generally on whether revenue generated from the imposition of the proposed cost or fee will be used:

- 1) to support a court or the court system or help defray the court-related operational costs of other agencies; or
- 2) to support an activity in which there is a reasonable relationship between the fee or court cost imposed and the costs of the administration of justice.

Court-related operational costs are defined in the Court Cost Guidelines as follows:

“costs that are in *direct support* of the pre-adjudicative, adjudicative, and post-adjudicative functions of a court, including but not limited to: training; data sharing; law enforcement service of process; court reporting; pro se assistance; certain treatment programs sponsored or closely affiliated with the courts; bailiff services; short-term detention; probation legal representation; prosecution; legal research; court-related technologies; informal adjudicative programs such as diversion, alternative dispute resolution, restorative justice, pre-trial and such other *programs that are either sponsored by or closely affiliated with the courts.*” (Emphasis added.)

Review of Applications

One of the actions the Judicial Council took as part of its study of the court cost system was to request a limitation on new fees and costs through the 2017 legislative session to enable the Council to complete its work on costs and fees. The legislature agreed, passing HCR 133 of 2016. The legislature made an exception for exceptional or emergency circumstances, but did not define exceptional or emergency.

Several districts applied for court cost increases in the spring of 2017. To each applicant, Judicial Council staff sent a letter explaining the limitation and directing the applicant to the legislature for guidance as to whether the cost request met the exception. The Court Cost Committee did not meet in the spring of 2017 but did submit a report to the legislature.

Seven requests for new or increased court costs that appear to be eligible for Judicial Council review were enacted by the legislature during the 2017 regular legislative session. All of them had the following amendment added: "In accordance with the provisions of R.S. 13:62, the increase in court costs or fees as provided for in this Act shall become effective if and when the Judicial Council provides a recommendation that such court costs or fees meet the applicable guidelines in its 2018 Report to the Louisiana Legislature."

The amendment to the request of the 23rd JDC, however, was changed in conference committee to read as follows: "The imposition of court costs or fees as provided in this Act shall become effective on the date of Judicial Council approval; no fees shall be collected without Judicial Council approval." This request was taken up by the Judicial Council at its meeting on October 12, 2017, and found to meet applicable guidelines.

Five of the remaining six requests, plus three additional timely-received requests, went through the regular Judicial Council review process for the 2018 cycle. These are as follows:

	REQUESTS TIMELY RECEIVED	
File No.	Applicant Entity	Judicial Council Action
2017-02	27 th JDC	Meets guidelines
2017-03	25 th JDC	Meets guidelines
2017-04	12 th JDC	Meets guidelines
2017-05	Louisiana Sheriffs' Association	Meets guidelines
2017-06	14 th JDC	Meets guidelines
2018-01	15 th JDC	Meets guidelines
2018-02	14 th JDC	Meets guidelines
2018-03	Baton Rouge City Court (withdrawn)	Not considered

A summary of each request, including the action taken by the Judicial Council on each, follows.

Applicant Name: 27th JDC
Applicant Number: 2017-02

I. Overview of the Request

Applicant is seeking a response from the Judicial Council regarding its interest in implementing legislation passed during the regular 2017 legislative session to increase court reporter transcript fees charged in civil and non-indigent criminal matters from \$2.50 to \$3.50 per page. The applicant notes that the funds generated will be paid directly to the court reporters and will bring their fees in line with the surrounding parishes of Lafayette and Calcasieu.

II. Statutory Authority and Basis for the Imposition of Court Cost or Fee

R.S. 13:971 B(1)(a) authorizes court reporters in the 27th JDC to be paid in all civil cases a fee of \$2.50 per page for the original and \$.50 per page for copies reported and transcribed. La. R.S. 13:971 B (2) authorizes the court reporter to be paid the same fees in criminal cases involving non-indigents. La. R.S. 13:971 B (7) authorizes court reporters to be paid the same fees in criminal cases involving indigent defendants.

Act No. 194 of the 2015 Regular Session of the Legislature increased court reporter fees from \$2.50 to \$3.50 per page for both civil and non-indigent criminal transcripts. However, since the applicant did not come before the Judicial Council prior to submitting its request to the legislature, Act 194 was amended as follows: “Section 2. The increase in court costs as provided for in this Act shall become effective if and when the Judicial Council provides a recommendation that such costs meet the applicable guidelines in its 2016 Report to the Louisiana Legislature.” The 27th JDC did not submit an application to the Judicial Council in the 2016 court cost review cycle and a recommendation regarding the fees increase was not included in the 2016 report; thus, the increase did not come into effect.

The applicant did not apply to have the fee considered by the Judicial Council during the 2017 court cost review cycle. However, Act 129 of 2017 reenacted and amended Section 2 of Act No. 194 of 2015 as follows: In accordance with the provisions of R.S. 13:62, the increase in court costs or fees as provided for in this Act shall become effective if and when the Judicial Council provides a recommendation that such court costs or fees meet the applicable guidelines in its 2018 Report to the Louisiana Legislature.” The applicant submitted a timely application for the 2018 court cost review cycle.

III. Council Action

The Council finds that the proposed cost appears to meet the applicable guidelines.

Applicant Name: 25th JDC
Applicant Number: 2017-03

I. Overview of the Request

Applicant is seeking a response from the Judicial Council regarding its interest in implementing legislation passed during the regular 2017 legislative session to increase judicial expense fund fees in civil and non-indigent criminal matters from a sum not to exceed \$15 to a sum not to exceed \$35. The applicant states that the fee “will create a more financially independent judiciary by releasing the burden on the local government on funding the necessary functions of the local judiciary given the financial crisis in the 25th JDC due to the downturn in the production of oil and oil pricing in Plaquemines Parish.”

II. Statutory Authority and Basis for the Imposition of Court Cost or Fee

As per La. R.S. 13:966.66 A, the court “shall collect from every person filing any type of civil suit or proceeding, and who is not otherwise exempted by law from the payment of court costs, a sum to be determined by the judges of the district, sitting *en banc*, which sum shall not exceed fifteen dollars, subject to the provisions of Code of Civil Procedure Article 5181 et seq.” (La. Code of Civil Procedure Article 5181 allows those unable to pay costs of court to litigate without prior payment of costs.) Further, “In all criminal cases over which the Twenty-Fifth Judicial District Court has jurisdiction, there shall be taxed as costs against every defendant who is convicted after trial or after plea of guilty, or who forfeits his bond, a sum likewise determined but which shall not exceed fifteen dollars, which shall be in addition to all other fines, costs, or forfeitures lawfully imposed.” These funds are placed into the judicial expense fund and used for expenses related to court administration; they may not be used for salaries for judges. La. R.S. 13:996.66 B and D.

The applicant submitted an application timely for the 2017 court cost review cycle. However, during the regular 2016 legislative session the Louisiana Legislature adopted House Concurrent Resolution 133. The Resolution reads, in part, “[t]he Louisiana Legislature shall limit the adoption of any new or increased court cost or fee as defined by, and subject to the provisions of, R.S. 13:62 until sixty days after the adjournment of the 2017 Regular Session of the Legislature, except when presented with exceptional or emergency circumstances.”

The Legislature did not define exceptional or emergency circumstances. Thus, pursuant to HCR 133, the Judicial Council notified each applicant that the applicant should follow up with the legislature regarding what constitutes an exceptional or emergency request.

The Judicial Council did not hear back from any applicants and did not review any applications for increased costs or fees during the 2017 regular court cost review cycle. However, the applicant pursued legislation for the increased costs during the 2017 regular session. During the legislative process Section 2 of Act 133 of 2017 was amended to condition the effective date

of the increased fees upon a recommendation by the Judicial Council in its 2018 Report to the Legislature that such court costs or fees meet the applicable guidelines.

III. Council Action

The Council finds that the proposed cost appears to meet the applicable guidelines.

Applicant Name: 12th JDC
Applicant Number: 2017-04

I. Overview of the Request

Applicant is seeking a response from the Judicial Council regarding its interest in pursuing legislation to increase initial civil filing fees by \$10. The current filing fee varies, depending on the service instructions; it is currently \$300 with one service. The applicant states that the fee will reimburse the police jury for the expenses of upgrading courthouse security, including additional sheriff's employees and equipment. These expenses are in response to an evaluation of courthouse security performed by a United States Marshal.

II. Statutory Authority and Basis for the Imposition of Court Cost or Fee

This appears to be a request for a new fee; no current statutory authority for this cost is suggested by the applicant or found after a statute search.

The applicant submitted an untimely, unsigned application for the 2017 court cost review cycle. However, during the regular 2016 legislative session the Louisiana Legislature adopted House Concurrent Resolution 133. The Resolution reads, in part, "[t]he Louisiana Legislature shall limit the adoption of any new or increased court cost or fee as defined by, and subject to the provisions of, R.S. 13:62 until sixty days after the adjournment of the 2017 Regular Session of the Legislature, except when presented with exceptional or emergency circumstances."

The Legislature did not define exceptional or emergency circumstances. Thus, pursuant to HCR 133, the Judicial Council notified each applicant that the applicant should follow up with the legislature regarding what constitutes an exceptional or emergency request.

The Judicial Council did not hear back from any applicants and did not review any applications for increased costs or fees during the 2017 regular cycle. The applicant did not pursue legislation during the 2017 regular session but indicated that it would like to have its 2017 application considered during the 2018 court cost cycle. Its 2017 application was reviewed by the chief judge of the 12th JDC and signed timely for the 2018 cycle.

III. Council Action

The Council finds that the proposed cost appears to meet the applicable guidelines.

Applicant Name: Louisiana Sheriffs' Association
Applicant Number: 2017-05

I. Overview of the Request

Applicant is seeking a response from the Judicial Council regarding its interest in implementing legislation passed during the regular 2017 legislative session to increase from \$20 to \$30 the fees collected for service and returns, execution of writs and court orders, executing writs of possession or ejectment, service of each notice to vacate on defendants or occupants, and actions taken to do anything further to obtain possession of property when the defendant or occupant does not vacate the premises after service of the notice to vacate. For preparing advertisements for newspapers, the fee will increase from \$15 to \$30.

The applicant notes that the fees will be used to help defray the increased costs incurred by sheriff for process and service in all civil matters including service and returns of legal documents and subpoenas, execution of all writs and court orders, preparing advertisements for newspapers, for executing writ of ejectment, service of notice to vacate and other civil related matters. The applicant states that there has been no increase in these fees since the year 2000.

II. Statutory Authority and Basis for the Imposition of Court Cost or Fee

La. R.S 13:5530 A(1), A(2), A(4), and A (12)(a)(b)(c) currently authorize the applicant to charge the fees as stated above in the civil matters that are listed in the overview above.

Applicant did not submit an application for consideration of the fee increases during the 2017 court cost review cycle. However, the applicant pursued legislation for the increased costs during the 2017 regular session. This legislation became Act 135 of 2017. During the legislative process Section 2 of Act 135 was amended to condition the effective date of the increased fees upon a recommendation by the Judicial Council in its 2018 Report to the Legislature that such court cost or fee increases meet the applicable guidelines. Applicant submitted a timely application for the 2018 court cost review cycle.

III. Council Action

The Council finds that the proposed cost appears to meet the applicable guidelines.

Applicant Name: 14th JDC
Applicant Number: 2017-06

I. Overview of the Request

Applicant is seeking a response from the Judicial Council regarding its interest in implementing legislation passed during the regular 2017 legislative session to increase court reporter transcript fees charged in civil and criminal matters from \$2.25 to \$3.25 per transcript page and from \$.25 to \$.75 per copy page.

II. Statutory Authority and Basis for the Imposition of Court Cost or Fee

La. R.S. 13:964 currently authorizes court reporters to be paid \$2.25 per page for originals and \$.25 per page for each copy in all cases which are reported and transcribed for appeal. La. R.S. 13:964.1 currently authorizes court reporters to be paid \$2.25 for originals and \$.25 per page for copies for all transcripts prepared for indigent defendants including trials, motions, felony guilty pleas, hearings on writs, and all court proceedings. The reporters will also be paid the same rates for all transcripts arising from juvenile proceedings when the juvenile's parent or legal custodian or the adult, over whom the court is exercising juvenile jurisdiction, is found to be indigent in accordance with Children's Code Articles 320 and 321.

Applicant did not submit an application for consideration of the fee increases during the 2017 regular court cost review cycle. However, court reporters in the applicant's district pursued legislation for the increased costs during the 2017 regular session. This legislation became Act 158 of 2017.

During the legislative process Section 2 of Act 158 was amended to condition the effective date of the increased fees upon a recommendation by the Judicial Council in its 2018 Report to the Legislature that such court cost or fee increases meet the applicable guidelines.

Applicant judges decided to support the court reporter fee increase and timely submitted an application for the 2018 court cost review cycle. Applicants have also submitted a request for an indigent transcript fee increase (Application 2018-02) to maintain the solvency of the indigent transcript fund in the face of the court reporter fee increases.

III. Council Action

The Council finds that the proposed cost appears to meet the applicable guidelines.

Applicant Name: 15th JDC
Applicant Number: 2018-01

I. Overview of the Request

Applicant is seeking a response from the Judicial Council regarding its interest in pursuing legislation to increase judicial expense fund fees from a sum not to exceed \$15 to a sum not to exceed \$35 in civil cases and from a sum not to exceed \$5 to a sum not to exceed \$20 in criminal matters.

The applicant is requesting the increased fees to provide additional funding needed for expansion of staff, programs, and services and to supplement funding shortages where parishes have failed to provide.

II. Statutory Authority and Basis for the Imposition of Court Cost or Fee

In accordance with La. R.S. 13:996.25, “the clerk of court of the Fifteenth Judicial District shall collect from every person filing any type of civil suit or proceeding and who is not otherwise exempted by law from the payment of court costs, a sum to be determined by the judges of said district, sitting *en banc*, which sum shall not exceed fifteen dollars, subject, however, to the provisions of Louisiana Code of Civil Procedure, Article 5181, et seq. (La. Code of Civil Procedure Article 5181 allows those unable to pay costs of court to litigate without prior payment of costs.)

Further, “In all criminal cases over which the Fifteenth Judicial District Court has jurisdiction, there shall be taxed as costs against every defendant who is convicted after trial or after plea of guilty or who forfeits his bond, a sum likewise determined, but which shall not exceed five dollars and which shall be in addition to all other fines, costs, or forfeitures lawfully imposed and which shall be transmitted to the said clerk for further disposition in accordance herewith.” The funds are placed into the judicial expense fund and used.” These funds are placed into the judicial expense fund and used for expenses related to court administration; they may not be used for salaries for judges. La. R.S. 13:996.26 and 996.27.

III. Council Action

The Council finds that the proposed cost appears to meet the applicable guidelines.

Applicant Name: 14th JDC
Applicant Number: 2018-02

I. Overview of the Request

Applicant is seeking a response from the Judicial Council regarding its interest in pursuing legislation to increase fees charged to support the indigent transcript fund. The applicant requests an increase in civil filing fees from \$5 to a sum not to exceed \$10 and an increase from \$3 to a sum not to exceed \$20 charged upon criminal conviction, plea of guilty or *nolo contendere*, or bond forfeiture.

The applicant is requesting the increased fees to maintain the solvency of the fund in the face of an increase in court reporter fees from the indigent transcript fund that passed during the 2017 legislative session but that is being considered during the 2018 court cost cycle.

II. Statutory Authority and Basis for the Imposition of Court Cost or Fee

In accordance with La. R.S. 13:964.1, the 14th JDC shall assess \$5 in criminal cases and \$3 per civil filing to support the indigent transcript fund. The funds are placed in the Criminal Court fund and may only be used to compensate court reporters for preparing all transcripts for indigent defendants, including trials, motions, felony guilty pleas, hearings on writs, and all court proceedings. The funds may also be used to compensate juvenile court reporters for the preparation of all transcripts arising from juvenile proceedings when the juvenile's parent or legal custodian or the adult, over whom the court is exercising juvenile jurisdiction, is found to be indigent in accordance with Children's Code Articles 320 and 321.

Applicant did not submit an application for consideration of indigent transcript fee increases during the 2017 court cost review cycle and did not pursue legislation. However, the applicant stated that court reporters from the 14th JDC pursued legislation during the 2017 regular legislative session. This legislation became Act 158 of 2017. During the legislative process Section 2 of Act 158 was amended to condition the effective date of the increased court reporter fees upon a recommendation by the Judicial Council in its 2018 Report to the Legislature that such fee increases meet the applicable guidelines.

Prior to the 2018 court cost review cycle deadline, applicant judges stated that they decided to support the court reporter fee increase (see application 2017-06) and requested this indigent transcript fund fee increase to maintain the solvency of the indigent transcript fund. Applicant timely submitted applications for both requests to be reviewed during the 2018 court cost review cycle.

III. Council Action

The Council finds that the proposed cost appears to meet the applicable guidelines.

EXHIBIT A

La. R.S. 13:62

La. R.S. 13:62. Court costs and fees; submission to Judicial Council; recommendation

A. As used in this Section, the following words have the meanings ascribed to them unless the context requires otherwise:

(1) "Court cost and fee" means a cost or fee paid, or to be paid, by a person to the clerk of court or sheriff, or other law enforcement official responsible for receiving the payment of costs or fees collected as a part of the imposition or execution of a criminal sentence, in connection with the filing or processing of any civil or criminal matter, or the filing or processing of any pleading in any civil or criminal matter or in connection with the imposition or execution of a sentence by a court having criminal jurisdiction, in a court of limited or general jurisdiction.

(2) "Court of limited or general jurisdiction" means district court, family court, juvenile court, city court, parish court, municipal court, and traffic court.

B. 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. A copy of the proposal for a new or increased court cost or fee shall be submitted to the Judicial Council no later than January fifteenth of the calendar year in which the proposal is intended to be introduced in the legislature, and a copy shall be provided to the legislature, through the clerk of the House of Representatives and the secretary of the Senate, at the time it is submitted to the Judicial Council for review. The Judicial Council shall notify the legislature of its recommendation, through the clerk of the House of Representatives and the secretary of the Senate, by March fifteenth of that same year.

C. The provisions of this Section shall apply only to court costs or fees, or increases to an existing court cost or fee to be charged or collected by the supreme court, courts of appeal, district courts, city courts, parish courts, juvenile courts, family courts, traffic courts, or municipal courts. The provisions of this Section shall not apply to mayor's courts, magistrate courts, or justice of the peace courts.

Acts 2003, No. 202, §1; Acts 2011, No. 245, §1.

EXHIBIT B

General Guidelines of the Standing Committee
to Evaluate Requests for Court Costs and Fees

**GENERAL GUIDELINES OF THE STANDING COMMITTEE
TO EVALUATE REQUESTS FOR COURT COSTS AND FEES**

1. **Purpose and Scope.** The following Guidelines are for use by the Judicial Council to guide the court cost and fee review process pursuant to R.S. 13:62 (Act 245 of the 2011 Regular Legislative Session).

2. **Definitions.** For the purpose and scope of these Guidelines, the terms below shall have the following meanings:

(a) *“Court cost”* means a specific charge or cost, or a range of specific charges or costs, or a specific percentage of an amount of costs, or a limit of an amount of cost that is used to defray the operational costs of courts and the court-related operational costs of law enforcement, clerks of court, district attorneys, the indigent defense system, state and local probation and parole functions, and other court-related functions, and that has been authorized by state law and levied by a court to be collected from a person convicted of, or pleading guilty to, or forfeiting a bond with respect to certain specified crimes or pre-delinquent and delinquent acts.

(b) *“Court-related operational costs”* means those operational costs that are in direct support of the pre-adjudicative, adjudicative, and post-adjudicative functions of a court, including but not limited to: training; data sharing; law enforcement service of process; court reporting; pro se assistance; certain treatment programs sponsored or closely affiliated with the courts; bailiff services; short-term detention; probation legal representation; prosecution; legal research; court-related technologies; informal adjudicative programs such as diversion, alternative dispute resolution, restorative justice, pre-trial and such other programs that are either sponsored by or closely affiliated with the courts.

(c) *“Courts”* means the Supreme Court, courts of appeal, district courts, the juvenile and family courts, the city, parish, municipal, and traffic courts.

(d) *“Fee”* means a charge or cost or a range of specific charges or costs, or a specific percentage of an amount of costs, or a limit of an amount of cost that is used to defray the operational costs of the courts or the court-related operational costs of the clerks of court or other court-related functions, and that has been authorized by state law to be collected from a person either filing a document in any civil or criminal proceeding with the clerk of court, appearing in a civil matter before a court, failing to fulfill a condition of release, or meeting a condition of probation or other court order.

(e) *“The Standing Committee to Evaluate Requests for Court Costs and Fees”*, hereinafter referred to as the *“Court Cost Committee”*, or the *“Committee”* means that information-gathering and advisory arm of the Judicial Council created to develop and apply guidelines for evaluating requests for new court costs and fees or increases in existing court

costs and fees prior to the submission of such requests to the legislature, and to report the Committee's findings and recommendations to the Judicial Council.

3. **Included Costs and Charges.** For the purposes of these Guidelines, the costs and charges to be reviewed and evaluated by the Judicial Council include court costs and fees as herein defined. These court costs and fees also include any cost or charge for which state legislation is being sought to modify an existing cost or charge currently set exclusively by court rule or local ordinance, and any cost or charge currently authorized by state law as to specific amount, range of amount, or a percentage of an amount, or limit of amount for which new legislation is being sought to eliminate any specificity as to amount and thus to allow the court or other entity to set the rates or amounts.

4. **Excluded Costs and Charges.** For the purposes of these Guidelines, the terms “court cost” and “fee” do not include:

- Fines or other monetary criminal or civil penalties that are authorized by law to be imposed on offenders upon their admission of guilt or upon conviction;
- Court proceeding costs not specified by state law as to amount, range of amount, percentage of amount, or limits of amount but left to a judge to determine and set as a means of defraying in whole or in part the cost of a specific litigation;
- Non-judicial costs and fees not having any direct relationship with a court proceeding that are authorized by law to be assessed and collected by an executive department or agency of government, e.g. fees and costs assessed and collected by health, environmental, general governmental, correctional, and other agencies of the executive branch;
- Asset sales or property forfeitures;
- Costs or charges paid by one governmental body to another whether involving courts or not;
- Court reporter fees and costs that are not specified by law or court rule as to amount, range of amount, or limit of amount but are determined and assessed by a court as part of the court cost of a specific proceeding;
- Fees and court costs enacted by local ordinance and not authorized by state law, except in the case of those fees and court costs enacted by ordinance for which state legislation is being sought to set an amount, or a range of amount, or a percentage of an amount, or a limit of an amount;
- Other Court-related Fees, Costs, and Charges that are not specified by state law as to amount, range of amount, percentage of amount, or limit of amount, except in the case of those court-related and court-specified fees, costs, and charges for which new state legislation is being sought to set an amount, or a range of amount, or a percentage of an amount, or a limit of an amount.

5. **Eligible Requests.** The Judicial Council shall consider any request for a new court cost or fee or an increase in an existing court cost or fee provided the request is timely submitted.

6. **Deadline for Submission of Requests.** The deadline for the receipt of requests shall be January 15th of the calendar year in which the proposal is intended to be introduced in the legislature.

7. **Analysis of Requests.** On the basis of the information provided on the Application Form and from such other information that may be gathered, the Court Cost Committee shall analyze whether the proposed court cost or fee is reasonably related to the operation of the court system. This analysis shall turn generally on whether revenues generated from the imposition of the proposed cost or fee will be used:

- to support a court or the court system or help defray the court-related operational costs of other agencies, or;
- to support an activity in which there is a reasonable relationship between the fee or court cost imposed and the costs of the administration of justice.

8. **Committee Reporting.** Upon completion of the analyses described above, the Committee shall vote favorably or unfavorably on each request. The Committee shall then present its findings and recommendations, and any withdrawn requests, at the next meeting of the Judicial Council in which the Council is expected to receive and consider the Committee's recommendations. A summary of the report of the Committee shall be provided in the minutes of each meeting of the Council. In the event that a meeting of the Judicial Council is cancelled due to the withdrawal of a request for a new court cost or fee, the Committee shall provide a report on the withdrawal at the next meeting of the Council.

9. **Voting by Ballot.** Members of the Judicial Council may vote on the ballot sheets provided at each meeting for or against a request for a new court cost or fee, or may vote to abstain or to be recused from voting. The results of such balloting shall be read by the secretary and reported as favorably or unfavorably considered. The individual vote of each member, for or against or to abstain or to be recused, shall be recorded in the minutes of the Judicial Council.

10. **Recusal.** Any member of the Court Cost Committee or any member of the Judicial Council who is a member of the intended recipient for which a new court cost or fee has been requested or who may have a personal, family, or financial interest in the new court cost or fee, shall recuse him-or-herself from voting on the request, and shall note for the record the recusal and the factual basis therefor.

11. **Advocacy and Lobbying.** An advocate for or against a new court cost or fee is encouraged to make his position known to each member of the Committee and the Council in writing. However, the advocate shall not contact any Committee or Council member in person or by phone. Any member of the Committee or the Council who is so contacted shall disclose the contact at all meetings in which the action shall be considered and such disclosure shall be reported in the minutes of the Judicial Council.

12. **Quorum.** A quorum of a majority of members is necessary to vote on all official actions of the Council.

13. **Emergency Situations.** In emergency situations or in other circumstances deemed necessary, the Chair of the Council may, in his discretion, authorize the use of mail-in or electronically transmitted ballots to allow or facilitate voting on matters before the Council.

14. **Chronology of Key Events.** The timetable of the key events of the process of review and comment on new court costs and fees shall be:

January 15 th of each year	Deadline for submission of proposals
January - February	Committee hearing on proposals and completion of review by Committee
February or March	Judicial Council meeting
March 15 th of each year	Judicial Council submits recommendations to legislature

EXHIBIT C

Members of the Judicial Council
and
Members of the Standing Committee
to Evaluate Requests for Court Costs and Fees

Members of the Judicial Council

Honorable Bernette J. Johnson, Chair
Chief Justice, Supreme Court of Louisiana

Honorable Greg Guidry
Associate Justice, Supreme Court of Louisiana

Honorable John Michael Guidry
representing Conference of Court of Appeal Judges

Honorable Marc Johnson
representing Conference of Court of Appeal Judges

Honorable Daniel Ellender
representing Louisiana District Judges Association

Honorable Ramona Emanuel
representing Louisiana District Judges Association

Honorable Roy Cascio
representing Louisiana City Judges Association

Honorable Kim Stansbury
representing Louisiana Council of Juvenile and Family Court Judges

Honorable Pamela Baker (non-voting)
representing Louisiana Council of Juvenile and Family Court Judges

Richard Leefe, Esq.
representing Louisiana State Bar Association

Erin O Braud, Esq.,
representing Young Lawyers Section of the LSBA

Leo C. Hamilton, Esq.
representing Louisiana State Law Institute

Honorable Dan Claitor
Louisiana State Senate

Honorable Katrina Jackson
Louisiana House of Representatives

Members of the Judicial Council (Continued)

Honorable Scott M. Perrilloux
representing Louisiana District Attorneys Association

Todd S. Clemons, Esq.
representing the Louisiana State Bar Association

Honorable David Dart
representing Louisiana Clerks of Court Association

Mr. Charles Beard
Citizen Representative

Honorable John L. Weimer, III
Associate Justice, Supreme Court of Louisiana

Ex-Officio (Non-voting)

Honorable Marcus Clark
Associate Justice, Supreme Court of Louisiana

Ex-Officio (Non-voting)

Honorable Jefferson Hughes
Associate Justice, Supreme Court of Louisiana

Ex-Officio (Non-voting)

Honorable Scott Crichton
Associate Justice, Supreme Court of Louisiana

Ex-Officio (Non-voting)

Honorable James T. Genovese
Associate Justice, Supreme Court of Louisiana

Ex-Officio (Non-voting)

Sandra Vujnovich
Judicial Administrator
Louisiana Supreme Court

Staff (Non-voting)

**Members of the Judicial Council’s Standing Committee to
Evaluate Requests for Court Costs and Fees**

Judge Paul A. Bonin, Chair
Orleans Parish Criminal District Court

Judge Vincent Borne
16th Judicial District Court

Judge Roy Cascio
2nd Parish Court of Jefferson

Judge William Crain
First Circuit Court of Appeal

Mr. David Dart
Clerk of Court, East Feliciana Parish

Judge Ramona Emanuel
1st Judicial District Court

Steven C. Lanza, Esq.
Citizen Member

Judge Tarvald Smith
Baton Rouge City Court

Staff (non-voting)
Julia C. Spear
Deputy Judicial Administrator/Judicial Council
Louisiana Supreme Court