

THE SUPREME COURT OF LOUISIANA

The State Of  
Judicial Performance  
In Louisiana

2000  
2001

FY 2000 - 2001  
**The State Of Judicial Performance In Louisiana**  
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# The State Of Judicial Performance In Louisiana

I am submitting this second annual report on “The State of Judicial Performance in Louisiana” which has been prepared pursuant to the provisions of the Judicial Budget and Performance Accountability Act of 1999 (R.S. 13:84). Under the Act, the Judicial Administrator of the Supreme Court is responsible for developing a performance accountability program and for reporting annually on court performance to the Supreme Court and the people of Louisiana. In this annual report, the Judicial Administrator is required to present the following information:

- A brief description of the strategies being pursued by courts to improve their performance based on their respective strategic plans.
- A detailed analysis of the Supreme Court's progress in creating a data gathering system that will provide additional measures of performance.
- A description of the uniform reporting standards that will be used to guide the development of the data gathering system. And,
- An analysis of the barriers confronted by the courts in establishing the data gathering system.

Because the strategic plans required by the Act were completed and adopted on schedule in December of 1999, the First Annual Report essentially covered the calendar year 1999 and outlined the types of activities undertaken by the various courts to improve their performance prior to the adoption of the strategic plans.

This Second Annual Report on the “State of Judicial Performance in Louisiana” indicates in its title that the period covered by the Report is FY 2000-2001. The reference to the fiscal year is primarily intended to place all future reports on a fiscal year basis coinciding with the period covered by the Supreme Court’s annual budget and by each annual regular legislative session. The use of the 2000-2001 fiscal year as the initial period of coverage also recognizes and acknowledges that most courts needed at least a six-month lead-time to organize resources for implementing strategies. Nevertheless, some courts and court groups were able, during the first six months of 2000, to begin implementing strategies. To accommodate these early initiatives, this Second Annual Report actually covers the period from January, 2000 to July 31, 2001, a period of approximately 18 months. In addition, some courts also reported activities begun within the period of coverage that were not completed until sometime after July 31, 2001. For these reasons, the indicated period of coverage is not a rigid time period but a general framework for reporting.

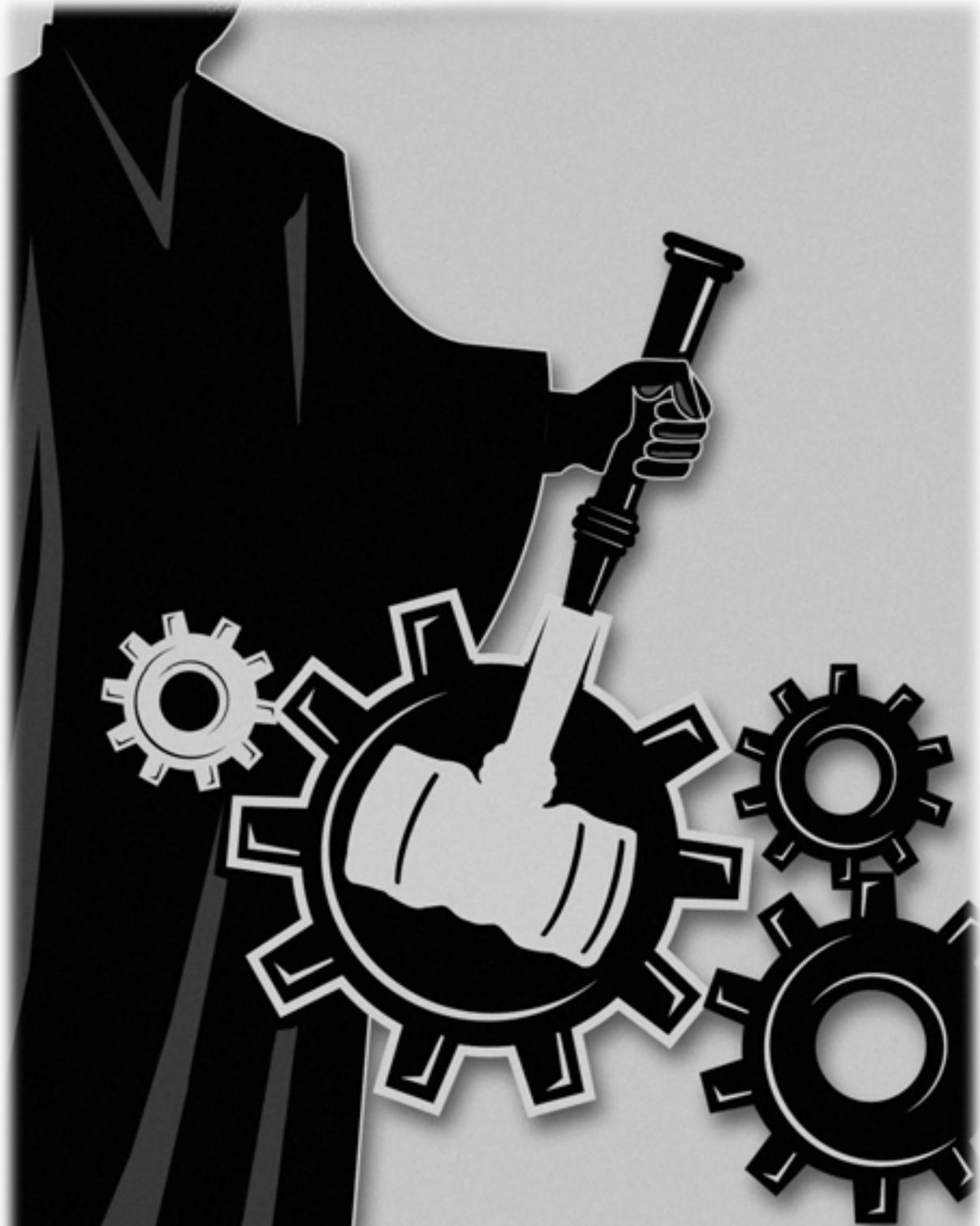
I am convinced, as this Report shows, that the strategic planning process, as well as the entire process prescribed under R.S. 13:81-85 relating to judicial budgetary and performance accountability, is providing direction, continuity, and motivation to the judiciary's long-standing interest and efforts to improve itself.

Respectfully submitted,



Hugh M. Collins, Ph.D.  
Judicial Administrator





PERFORMANCE REPORTS:

**PERFORMANCE OF THE  
SUPREME COURT**

# PERFORMANCE OF THE SUPREME COURT

## INTRODUCTION

The Supreme Court of Louisiana adopted its Strategic Plan together with those of the Courts of Appeal, and the Trial Courts on December 31, 1999. At the time of adoption, the Strategic Plan of the Supreme Court contained six goals, eighteen objectives, and ninety-nine strategies. On October 10, 2000, the Supreme Court amended its plan to add five new strategies and to revise an existing strategy, bringing the total number of strategies to one hundred-and-four.

From the beginning of the Plan's implementation, the Court identified seventy-two of the original ninety-nine strategies as efforts that were either being accomplished through the Court's regular, ongoing activities or that were initiated before the adoption of the Plan and continue to be implemented as major initiatives of the Court. These strategies, therefore, were ongoing activities not requiring new or special initiatives under the Strategic Plan. These ongoing strategies are described briefly under each objective in the sections below entitled Responses to Objective.

In the first year of the Plan's implementation and with the adoption of the additional strategies in October 2000, the Court identified eighteen strategies requiring new initiatives that were targeted for implementation in FY 2000-2001. These new initiatives are described briefly under each objective in the sections below entitled Responses to Objective.

The Court assigned the lead responsibility for implementing the Strategic Plan to its Judicial Administrator. As part of this responsibility, the Judicial Administrator assigned tasks to various persons on his staff and to other staff members of the Court. He also created a small working group of three deputy judicial administrators to monitor the progress of implementation and to report any problems affecting that progress to him.

### Objective 1.1

**To provide a reasonable opportunity for litigants to seek review in the Supreme Court of decisions made by lower tribunals.**

#### Intent of Objective

Our judicial system recognizes that decisions made by lower tribunals may require modification. American jurisprudence generally requires litigants to be afforded a reasonable opportunity to have such decisions reviewed by an intermediate appellate court and then by a court of last resort. The Supreme Court of Louisiana is a court of last resort that provides such opportunities through a system of full-panel review, i.e. review by all seven justices. Full-panel review

allows "a degree of detachment, perspective, and opportunity for reflection [by all justices], beyond that which a single trial judge [or a panel of appellate judges] can provide . . . ." Full-panel review, therefore, provides a better opportunity for developing, clarifying, and unifying the law in a sound and coherent manner and for furnishing guidance to judges, attorneys, and the public in the application of constitutional and statutory provisions, thus reducing errors and litigation costs. *See Footnote.*

#### Responses to Objective

- **Appellate/Supervisory Review.** Appellate/supervisory review – the process of receiving, hearing, and deciding cases based



upon the decisions of lower tribunals – is one of the Court’s most important regular, ongoing activities. The Supreme Court has three types of jurisdiction: original, appellate, and supervisory. Having original jurisdiction means that the Supreme Court is the only court to hear certain matters, such as attorney discipline or disbarment proceedings, petitions for the discipline and removal of judges, and issues affecting its own appellate jurisdiction. The Supreme Court has appellate jurisdiction only in certain cases. For example, a case is directly appealed to the Supreme Court if an ordinance or statute has been declared unconstitutional or when the death penalty has been imposed. The Supreme Court has supervisory jurisdiction in all other cases.

Cases falling under the Court’s original or appellate jurisdiction are initiated by the filing of an appeal. Cases under the Court’s supervisory jurisdiction are initiated through a writ application requesting the Court to exercise in its discretion its supervisory jurisdiction by deciding whether or not to hear the case.

Writ applications must be filed within thirty days of the action of the intermediate court of appeal and no extensions are given. Writ applications are scheduled for review by the Court usually within six weeks of filing, except in the fall when the time is slightly longer. When the Court grants a writ application for oral argument, the attorneys for the applicant are given twenty-five days from the date of the grant to file their briefs. The respondent’s attorneys are given forty-five days from the grant to file their briefs. Extensions are granted if they will not impact the date of the oral arguments.

In civil and non-capital criminal cases, appeals are initiated when the record from the lower court is lodged in the Supreme Court. Attorneys for the appellant are given thirty days from the lodging of the record by the lower court to file their briefs. The attorneys for the appellee have

sixty days from the date of the lodging of the record to file their briefs. Civil cases are scheduled generally so that the last brief is received at least within a week prior to argument. The period for filing briefs may be shortened if an issue warrants quicker attention.

In capital cases, appeals are given to the Court’s Central Staff, prior to the formal lodging of the record by the lower court, to make sure the record is complete. Upon completion of the record, the record is lodged and the attorneys are given, as in civil appeals, thirty to sixty days to file their briefs. The Court hears approximately two capital cases per argument cycle, thus allowing the Court to handle up to fourteen capital cases per year.

The Court, sitting with all seven members present, addresses cases in five- or seven-week cycles. During the first week of the cycle, the Court hears oral arguments, usually hearing a maximum of twenty-four cases per week. Each justice is assigned to write two to three opinions per cycle. During the next four weeks, the opinions are researched and drafted. Also during these four weeks, the Court, as a whole, meets in weekly conferences to consider approximately seventy-five new writ applications at each conference. In the fifth week of the cycle, draft opinions are circulated and reviewed. At the last conference in the cycle, the opinions are voted upon. If an opinion receives four or more votes, it passes and is handed down. If it does not receive adequate votes, it is usually reassigned to another justice to author. Opinions are usually handed down from the bench on the second day of oral arguments.

In the performance of its adjudicative function, the Court is assisted by several staffs, including that of the Clerk of Court, the Administrative Counsel, the Civil Staff, the Central Staff, the personal staff of each justice, and the Law Library of Louisiana. The functions of each of these staffs are briefly described below.



- **The Clerk of Court.** The Office of the Clerk of Court receives, organizes, docket, and files the filings relevant to each case, after checking for compliance with the Court's rules. The Office then sends copies of the case filings to the Administrative Counsel's Office which is described below. The Clerk's Office is also responsible for the accurate data entry of all filings into the Court's information management system, a computer software system especially designed to track case filings. The Clerk's Office manages and supports the computers and information systems operated by each justice and their personal staffs, as well as those of the Administrative Counsel, the Civil Staff, the Central Staff, and the Law Library of Louisiana. The Clerk of Court also operates an in-house microfilming section and is responsible for all attorney notification and for issuing news releases on the Court's opinions.
- **The Administrative Counsel.** The Administrative Counsel's Office, upon receipt of a copy of the filing from the Clerk's Office, checks each filing for timeliness, recusals, and anything else that appears unusual, such as the need for expediting the case. The Administrative Counsel makes a random assignment of the case to an original and duplicate justice and schedules the case on the conference list. If the case involves a writ application, the Court first decides whether to hear the case. Upon acceptance of the writ by the Court, the Administrative Counsel then schedules the case for oral argument and prepares a brief abstract of facts and other factors relating to the case for the justices.
- **The Civil Staff.** The Civil Staff was created by the Supreme Court in 1997 to prepare reports in specialized cases involving interlocutory or pre-trial civil writs, bar discipline matters, and judicial discipline civil summary dockets. The Civil Staff also prepares bench memoranda on cases on direct appeal when such cases have been found by a lower court to be unconstitutional.
- **The Central Staff.** The Central Staff was created by the Supreme Court in 1978 to prepare reports for the Court on criminal appeals and to prepare extensive bench memoranda on death cases on appeal. In 1982, the duties of the Central Staff were expanded to include reviewing and reporting on inmate pro se applications for post conviction relief. The Central Staff also assists the personal staffs of the justices on other criminal matters when requested.
- **Personal Staff of the Justices.** Each justice is assisted by clerical support and by three law clerks (at least one of whom is an experienced or permanent law clerk, the others being term-limited and generally just out of law school), except for the Chief Justice who has three law clerks and an executive counsel. The personal staffs of the justices handle all appeals and writ applications not addressed by the Civil Staff or the Central Staff and assist the justices in writing opinions. Competent law clerks greatly aid the Court in its adjudicative functions. The Court's law clerks receive a thorough orientation upon commencement of their term of service. Throughout their tenure, law clerks are regularly offered training and refresher courses in computer-aided and other legal research.
- **Law Library of Louisiana.** The Law Library of Louisiana assists the justices and the Court's staffs in several ways. It helps the justices and the various legal staffs to find books and other information on particular subjects in the Law Library, other libraries throughout the nation, or via the Internet or electronic databases. It provides guidance and conducts legal research training for law clerks on the use of legal information materials and computer-assisted research services. It assists the justices and their law clerks in obtaining legislative history information and in researching non-legal topics such as science, medicine, demography, and other fields ancillary to the law.



- **Recusal.** In accordance with the Legislature’s intent in promulgating 2001 La Acts 932 (CCP art. 152(d)), the following procedure has been adopted for circumstances in which a justice recuses himself or herself in a case. In such circumstances, the recusing justice prepares a notice, stating the reasons for the recusal. The notice is then filed in the case record. If the recusal results in the appointment of a justice ad hoc, the recused justice is not allowed to participate in any way in the appointment. In addition, the recused justice is not allowed to participate in any way in the discussion or resolution of the case or matter from which he or she is recused.

### Future Steps

- **Expansion of Staff Resources.** The Court is considering expanding its Central Staff to provide greater opportunities for the consideration of prisoner writs and to meet the Court’s time standards (see Objective 2.3).
- **Law Library Strategic Plan.** The Law Library of Louisiana is in the process of implementing its strategic plan, a major part of which addresses ways to better serve the justices and their staffs with respect to all of the objectives contained in the Strategic Plan of the Supreme Court.

### Objective 1.2

**To clarify, harmonize, and develop the law and to strive to maintain uniformity in the jurisprudence.**

#### Intent of Objective

The Supreme Court of Louisiana contributes to the development and unification of the law by resolving conflicts between various bodies of law and by addressing apparent ambiguities in the law. Our complex society turns with increasing frequency to the law to resolve disputes left unaddressed by the authors of our previously established legal precepts. Interpretation of legal principles contained in state and federal constitutions and statutory enactments is at the heart of the appellate adjudicative process.

### Responses to Objective

- **Clarification and Harmonization of the Law.** The Court’s efforts to clarify, harmonize, and develop the law are regular, ongoing activities of the Court. See the Responses to Objective 1.1
- **Judicial Legal Resources.** Through the Law Library of Louisiana, the justices and their various staffs have access to an abundance of legal resources including: approximately 230,000 printed volumes – 160,000 in a bound format and 70,000 in microformat; an on-line card catalog; the Internet; web-based research tools such as LEXIS and Westlaw; Info-Trac and LOIS; all published Louisiana opinions, legislative acts, codes and statutes; many state documents and legal and historical materials relating to Louisiana; approximately 900 periodical titles, including the law reviews from most law schools and state bar journals; current and classic American legal treatises and reference books in many subject areas; a complete collection of federal statutes and case law and the statutes and case law of all fifty states; digests and citators covering all American jurisdictions; complete legislative acts from all fifty states from their beginnings to the present; complete federal legislative materials and an extensive federal document depository collection; an extensive Louisiana document depository collection; an extensive judicial administration collection, including State Justice Institute depository materials; current legal newspapers and back runs in microform; and many other materials.
- **Opinion/Writ Application Databases.** The Administrative Counsel, the Central Staff, and the Civil Staff have each developed and continue to maintain and expand their own in-house databases. The Administrative Counsel maintains and continuously improves a subject index data base to locate writ applications by subject or category. The Civil and Central Staffs maintain and continuously improve their databases for organizing and retrieving reports and opinions



on writ applications and other legal filings that appertain to their respective responsibilities.

### Future Steps

- **Clarity and Harmonization of the Law.** As part of its regular, ongoing activities, the Supreme Court shall continue to render rulings that are clear and definitive of the law.
- **Law Library Strategic Plan.** As part of the implementation of its strategic plan, the Law Library shall continue to obtain and develop materials that will assist the justices and their staffs in clarifying, harmonizing, and developing the law.
- **Opinion/Writ Application Databases.** The Administrative Counsel, Civil Staff and Central Staff shall continue to develop and improve their in-house databases to assist the Court in its ongoing efforts to clarify and unify the law.

### Objective 1.3

To provide a method for disposing of matters requiring expedited treatment

### Intent of Objective

The Supreme Court of Louisiana, pursuant to state constitutional provisions or legislative enactments, is often the designated forum for the determination of appeals, writs, and original proceedings, such as election disputes, capital appeals, post-conviction applications, and other issues. These proceedings often pertain to constitutional rights, sometimes affect large segments of the population within the court's jurisdiction, or require prompt and authoritative judicial action to avoid irreparable harm. In addition, the Court has recognized that it has a special responsibility to ensure that cases involving children are heard and decided expeditiously to prevent further harm resulting from delays in the court process.

### Responses to Objective

- **Expeditious Determination of Certain Case Types.** Currently, election cases are expedited pursuant to R.S. 18:1409 and Supreme Court Rule X, 5(c). In addition, the Court developed, adopted, and made effective on February 1, 1999 Rule XXXIV providing for the expeditious handling of all writs and appeals arising from Child in Need of Care (CINC) cases brought pursuant to Title VI of the Louisiana Children's Code, Judicial Certification for Adoption (termination of parental rights) cases brought pursuant to Title X of the Louisiana Children's Code, Surrender of Parental Rights cases brought pursuant to Title XI of the Louisiana Children's Code, Adoption cases brought pursuant to Title XII of the Louisiana Children's Code, and all child custody cases. The Clerk of Court and the Administrative Counsel are reviewing the Court's cases to determine whether to request the court to consider other types of cases for such expedited treatment.
- **Priority Treatment.** At present, priority treatment is given to individual cases on a need-by-need basis. If priority treatment of a writ application is desired, the attorney for the applicant must complete a civil or criminal priority filing sheet, outlining why priority treatment is warranted. Upon circulation of the writ application to the justices, the justice assigned as the original justice may refer the matter to staff for assistance and preparation of a memorandum, or may handle the matter in chambers. If the original justice agrees that the writ application warrants priority treatment or emergency attention, he or she will recommend a proposed disposition and will decide either to call a conference immediately, or to take the votes of the other justices by phone, or to schedule the matter at the next regularly scheduled writ conference. In all cases, all seven justices are given the opportunity to review and vote on the "emergency" writ application. Only in rare instances will action on a writ application be



taken when more than four but less than seven justices have voted.

- **Availability of Justices.** The Court has developed internal procedures for ensuring that justices are available at all times to fulfill the Court's duties and responsibilities. The internal procedures provide for a schedule of duty justices during the summer months when the Court is not in session (July and part of August). In the spring of each year, the justices prepare the summer duty schedule. Each justice, other than the Chief Justice, selects a 10-day period in the summer to handle all emergencies and other court functions that may arise, for example, the signing of motions and orders and supervising staff. The weekend schedule is maintained by the Clerk of Court who determines, according to regular rotation lists, which justice shall be assigned to handle emergencies on a particular weekend.

### Future Steps

- **Development of Valid Grounds for Expedited or Priority Consideration.** The Clerk of Court, the Administrative Counsel, and the Civil Staff are identifying the types of cases and situations in which expedited or priority treatment is warranted. They plan to present for the Court's consideration the results of their analysis and a draft rule indicating the valid grounds that should be indicated by an applicant in any request for expedited or priority treatment.

### Objective 1.4

To encourage courts of appeal to provide sufficient review to correct prejudicial errors made by lower tribunals.

### Intent of Objective

A key function of appellate courts is the correction of prejudicial errors in fact or law made by lower tribunals. Appellate court systems should have sufficient capacity to provide review

to correct these errors. The error-correcting function for a court of last resort is fundamentally different from the error-correcting function for an intermediate appellate court. A court of last resort is a court of precedent whose primary function is to interpret and to develop case law, rather than to correct errors in individual cases. On the other hand, an intermediate appellate court serves primarily as a court of error correction, following precedent created by the court of last resort. Of course, in the absence of binding precedent, an intermediate appellate court must also interpret and develop law. Because review is normally discretionary in courts of last resort, these intermediate appellate court decisions may serve an important function in the development of law. The Supreme Court of Louisiana recognizes its dual responsibility to interpret and develop case law and to encourage improved error correction in individual cases by the courts of appeal.

### Responses to Objective

- **Encouraging Error Correction by the Courts of Appeal.** The effort to encourage courts of appeal to provide sufficient review for correcting the prejudicial errors of lower tribunals is an ongoing, regular activity of the Court.

### Future Steps

- **Encouraging Error Correction by the Courts of Appeal.** The Court will consider in FY 2001-2002 specific ways to encourage the courts of appeal, in cooperation with district judges, to identify difficult areas of law that appear to induce reversals.



## Objective 2.1

**To ensure that adequate consideration is given to each case and that decisions are based on legally relevant factors, thereby affording every litigant the full benefit of the judicial process.**

### Intent of Objective

The Supreme Court should provide the ultimate assurance that the judicial branch fulfills its role in our constitutional scheme of government by ensuring that due process and equal protection of the law, as guaranteed by the federal and state constitutions, have been fully and fairly applied throughout the judicial process. The rendering of justice demands that these fundamental principles be observed, protected, and applied by giving every case sufficient attention and deciding cases solely on legally relevant factors fairly applied and devoid of extraneous considerations or influences. The integrity of the Supreme Court rests on its ability to fashion procedures and make decisions that afford each litigant access to justice. Constitutional principles of equal protection and due process are, therefore, the guideposts for the Court's procedures and decisions. Accordingly, the Court recognizes that each case should be given the necessary time, based on its particular facts and legal complexities, for a just decision to be rendered. However, the Court does not believe that each case needs to be allotted a standard amount of time for review but rather that each case should be managed—from beginning to end – in a manner consistent with the principles of fairness and justice.

### Responses to Objective

- **Due Consideration of Cases.** The Court's efforts to meet this Objective are part of its regular, ongoing activities. See the Response to Objective 1.1 above.
- **Writ Guidelines.** In 1992, the Supreme Court promulgated five writ grant considerations, one or more of which should be met before an applicant's discretionary writ application will be

granted by the Court. Prior to this Court action, writ applicants were offered little guidance as to what types of cases and controversies would prompt discretionary review by the Court. The Court continues to maintain and monitor the writ considerations set forth in Supreme Court Rule X, Section 1, and may, from time to time, make such adjustments to these guidelines as it shall deem necessary. Application of the writ grant considerations helps ensure that the Court's discretionary jurisdiction is exercised in cases and controversies where the Court's review is most urgently needed.

### Future Steps

- **Due Consideration and Writ Guidelines.** The Court will continue to meet this Objective through its ongoing, regular activities. It shall also continue to monitor its activities, from time to time, making such adjustments and improvements as may, in its judgment, be necessary.

## Objective 2.2

**To ensure that decisions of the Supreme Court are clear and that full opinions address the dispositive issues, state the holdings, and articulate the reasons for the decision in each case.**

### Intent of Objective

Clarity is essential in rendering all Supreme Court decisions. The Supreme Court believes that it should issue a written opinion only when it completely adjudicates the controversy before it. It believes that ending the controversy necessarily requires that the dispositive issues of the case be addressed and resolved. It further believes that a fuller understanding of the resolution of the dispositive issues occurs when the Court explains the reasoning that supports its decision. The Court believes that its written opinions should set forth the dispositive issues, the holding, and the reasoning that supports the holding. It recognizes that, at a minimum, the parties to the case and others interested in the area of law in question expect, and are due, an explicit rationale for the



Court's decision. In some instances, however, the Court believes that a limited explanation of the rationale for its disposition may satisfy the need for clarity. Clear judicial reasoning facilitates the resolution of unsettled issues, the reconciliation of conflicting determinations by lower tribunals, and the interpretation of new laws. Clarity is not necessarily determined by the length of exposition, but rather by whether the Court has conveyed its decision in an understandable and useful fashion and whether its directions to the lower tribunal are also clear when it remands a case for further proceedings.

### Response to Objective

- **Clarity and Scope of Opinions.** The Court's efforts to meet this Objective are part of its regular, ongoing activities. See the Response to Objective 1.1. The justices address this objective by leading or participating in workshops for judges attending judicial education sessions. Important Supreme Court decisions are routinely presented and discussed at these sessions. Sometimes, the judges from lower court tribunals will call either the Clerk of Court or the Administrative Counsel to solicit clarifications. On those occasions, the Clerk or the Administrative Counsel will bring these matters to the attention of the Chief Justice or another justice for response. In addition, trial judges in criminal matters will often file per curiam opinions to explain their decisions and actions – sometimes at the request of the Supreme Court and sometimes on their own initiative. In many cases, these per curiam opinions assist the Supreme Court to better address the dispositive issues, state the holdings, and articulate its reasons for the decision more clearly.

### Future Steps

- **Clarity of Opinions.** In the coming year, the Court shall continue to make every effort to render clear, concise, and full opinions that address the dispositive issues, state the holdings, and articulate the reasons for the decision in each case.

- **Directions to Lower Courts.** In the coming year, the Court shall ask its staff to review the methods currently used to ensure that the Court's directions to lower courts are clear and to report these findings to the Court.
- **Participation in Judicial Education.** The justices of the Supreme Court will continue to participate in and lead judicial education workshops at which Supreme Court opinions are presented, analyzed and discussed.

### Objective 2.3

To resolve cases in a timely manner.

### Intent of Objective

Once the Supreme Court acquires jurisdiction of a matter, the validity of a lower tribunal's decision remains in doubt until the Supreme Court rules. Delay adversely affects litigants. Therefore, the Supreme Court recognizes that it should assume responsibility for a petition, motion, writ, application, or appeal from the moment it is filed. The Court also believes it should adopt a comprehensive delay reduction program designed to eliminate delay in each of the three stages of the appellate/supervisory process: record preparation, briefing, and decision-making. The Court believes that a necessary component of the comprehensive delay reduction program is the use of adopted time standards to monitor and promote the progress of an appeal or writ through each of the three stages.

### Responses to Objective

- **Consistently Current Docket.** Each year, the Court holds thirty-three to thirty-five weekly conferences to discuss and cast votes on writ applications, often voting on more than one hundred writ applications per conference. The Court also holds annually at least seven oral argument sittings with twenty to twenty-four cases argued each cycle. For almost thirty years, the Court has maintained a consistently current docket in the sense that, when writ applications



are granted, they are scheduled for oral argument on the next available docket, and the opinions are almost always handed down within twelve weeks of the oral argument.

- **Time Standards and Their Use.** The time standards used by the Court for the timely resolution of its cases became effective in October of 1993. The Court measures its actual case processing against these time standards and publishes the results as key performance indicators in the annual judicial appropriations bill.
- **Cases Under Advisement (i.e. Cases Argued and Assigned for Opinion Writing).** The Court has developed internal procedures for ensuring that all cases argued and assigned for opinion writing are disposed of in a timely manner. Lists of all pending cases are circulated each cycle to all justices as a means of reducing delays in opinion writing.

### Future Steps

- **Time Standards.** The Court shall take steps in the coming year to improve its timely disposition of those types of cases in which it is out of compliance with its time standards.

### Objective 3.1

To ensure that the Supreme Court is procedurally, economically, and physically accessible to the public and to attorneys.

### Intent of Objective

Making the Supreme Court accessible to the public and to attorneys protects and promotes the rule of law. Confidence in the review of the decisions of lower tribunals occurs when the Court's process is open, to the extent reasonable, to those who seek or are affected by this review or wish to observe it. The Supreme Court believes that it should identify and remedy court procedures, costs, courthouse characteristics, and other barriers that may limit participation in the appellate process. The ever-escalating cost of

litigation, particularly at the appellate level, can limit access to the judicial process. When a party lacks sufficient financial resources to pursue a good-faith claim, Louisiana law requires that ways be found to minimize or defray the costs associated with the presentation of the case. Physical features of the courthouse can constitute formidable barriers to persons with a disability who want to observe or avail themselves of the appellate process. The Court believes that accommodations should be made so that individuals with speech, hearing, vision, or cognitive impairments can participate in the Court's process.

### Responses to Objective

- **Programmatic Accessibility.** The Court, through its Human Resource Coordinator, has taken all necessary steps to ensure programmatic accessibility, especially with respect to the Americans with Disabilities Act (ADA). The Court completed its initial assessment of accessibility in 1993 and continues to monitor programmatic accessibility. The Court has an adopted ADA policy that provides specifically for ADA accommodation in Supreme Court Rule XVII, Section 4. It has a designated ADA ombudsperson from the Law Library to answer the public's questions, to receive complaints and suggestions, and to refer parties to the proper resources or authorities to deal with their ADA-related issues. Its staff is trained to reasonably accommodate all requests for programmatic accessibility.
- **Procedural Accessibility.** The deputy clerks of court are given continuous training to answer the public's questions about the various legal procedures of the Supreme Court. In addition, the Law Library's staff is available to respond to the public's inquiries regarding procedures. The Court's rules are provided on the Court's web site.
- **Economic Accessibility: Fees and Charges.** The Court periodically reviews its fees and other user charges to assure that such assessments are reasonable. In addition, the Court makes the



library collection of the Law Library of Louisiana available to the public and the bar free of charge. Photocopying at the Library is available at a reasonable charge, and Internet access is free. The Law Library also maintains a toll-free telephone number for use within Louisiana.

- **Economic Accessibility: Criminal and Juvenile Matters.** The Court provided significant improvements to appellate indigent defense in its establishment of the Louisiana Indigent Defender Board (LIDB) in 1997 and in its support of the transition of the functions of the LIDB to an executive branch agency created in 1999 as the Louisiana Indigent Defense Assistance Board (LIDAB). The LIDAB continues to fund, maintain, and improve the appellate program created under LIDB to ensure the adequacy of the right to counsel at the appellate level. At the time of the creation of LIDB, the Court also adopted standards relating to the effectiveness of indigent defense counsel in appellate matters. These standards continue to be effective. In 1999, the Court created an inter-branch initiative to address the problem of capital post-convictions in Louisiana. That initiative resulted in the passage of R.S. 15:149.1 and R.S. 151.2 (F)(2). In FY 2000-2001, the Court assisted the LSBA in establishing a program for recruiting and training pro bono attorneys to counsel prisoners in capital post-conviction applications. It also assisted the LSBA's Access to Justice Committee in its efforts to provide civil legal services to the poor. Through its Court Improvement Program, the Court initiated a pilot program for encouraging and facilitating the use of mediation in juvenile proceedings.
- **Communications Accessibility.** The Court has obtained and continues to maintain state-of-the-art telecommunications equipment, software, and processes to facilitate communication between the Court and the public.

- **Physical Accessibility.** The Court has identified and communicated all problems affecting ADA-required physical accessibility in its current building to the Division of Administration (DOA). The Court has also worked with the Division of Administration (DOA) and the architects working on the Royal Street building renovation to ensure that the renovated new home of the Supreme Court, the 4th Circuit Court of Appeal, and other state entities will be completely compliant with all ADA standards.
- **Informational Accessibility.** The Court continues to make accessible through the Law Library of Louisiana both printed and electronic research materials and research expertise to assist both the public and attorneys with their legal information needs. The Library is open Monday through Thursday from 9 a.m. to 9 p.m. and from 9 a.m. to 5 p.m. on Fridays and Saturdays, except holidays. Reference service is also provided via telephone, fax, and e-mail. Requested copies are mailed for an affordable charge to any requesting party, including prisoners. The Law Library collection catalog is available through the Internet.
- **Web Site.** The Court is currently in the process of improving its web site. A web master shall be hired to maintain and expand the site. The current plans envision, among other improvements, the availability of a search engine and the provision of additional information, including the schedule and status of all cases before the Court.
- **Filing Accessibility.** The Clerk of Court is available to accept filings twenty-four hours a day, seven days a week. Contact phone numbers are posted at each of the Court's entrances to facilitate such filings.
- **Filing Checklist.** The Clerk of Court has developed a draft checklist to help the general public understand the Court's filing



requirements. The checklist will be presented to the justices for their review, comment, and approval in 2002.

- **Court Security.** The Court maintains a staff of highly-qualified security officers who are properly equipped with appropriate security technology and other resources to control, direct, and facilitate public and employee accessibility. All points of access to the Court are controlled by security. All Court officials and staff have ID/access badges. The Court has electronic security cameras, sound and metal detectors, and other equipment to ensure security and proper access.

### Future Steps

- **Web Site.** The Court will install its new web site in the coming year and will continuously update and improve it.
- **Filing Checklist.** The Court will publish a checklist on rules pertaining to filing.
- **Economic Accessibility.** The Court will continue to work with the Louisiana Indigent Defense Assistance Board to improve the process of capital post-conviction applications.

### Objective 3.2

To facilitate public access to its decisions.

### Intent of Objective

The decisions of the Supreme Court are a matter of public record. Making Supreme Court decisions available to all is a logical extension of the courts' responsibilities to review, develop, clarify, and unify the law. The Court recognizes its responsibility to ensure that its decisions are made available promptly to litigants, judges, attorneys, and the public, whether in printed or electronic form. The Court believes that prompt and easy access to its decisions reduces errors in other courts due to misconceptions regarding the position of the Court.

### Responses to Objective

- **Law Library of Louisiana.** The Law Library of Louisiana makes the Court's opinions immediately available in printed form and, since 1996, has also promptly posted the opinions on the Court's web site.
- **Web Site Improvements.** As previously indicated in the Response to Objective 3.1, the Supreme Court is in the process of making significant improvements to its web site. The new site will have keyword search engines and other user-friendly systems for facilitating and expanding the public's use of the Court's Web Site to access the Court's opinions, orders, rules and other decisions in a timely and effective manner.
- **Notice of Opinions.** The Clerk of Court provides timely news releases on the Court's opinions to all major media in the state.
- **File Room.** The Court maintains a highly qualified staff to ensure proper management and access to documents of all filings, exhibits, and other materials needed by litigants, attorneys, court personnel and the public for use in cases or for historical purposes.
- **File Room Technology.** The Clerk of Court continuously monitors, assesses, and utilizes new and more effective technological ways of storing, archiving, and retrieving the Court's files and records.

### Future Steps

- **Web Site.** The Court will install its new web site in the coming year.
- **Continuous Improvement.** The Court will make continuous improvements to the above processes as new problems and opportunities emerge and as its resources permit.



### Objective 3.3

To inform the public of its operations and activities.

#### Intent of Objective

Most citizens do not have direct contact with the courts. Information about courts is filtered through sources such as the media, lawyers, litigants, jurors, political leaders, and the employees of other components of the justice system. Public opinion polls indicate that the public knows very little about the courts, and what is known is often at odds with reality. This objective implies that courts have a direct responsibility to inform the community of their structure, functions and programs. The disclosure of such information through a variety of outreach programs increases the influence of the courts on the development of the law, which, in turn, affects public policy and the activities of other governmental institutions. At the same time, such disclosure increases public awareness of and confidence in the operations of the courts. The Supreme Court recognizes the need to increase the public's awareness of and confidence in its operations by engaging in a variety of outreach efforts describing the purpose, procedures, and activities of the Court.

#### Responses to Objective

- **Department of Community Relations.** The Supreme Court maintains a highly qualified staff in the Judicial Administrator's Department of Community Relations as a means of informing the public of the Court's operations and activities.
- **Public Information Program.** The Department of Community Relations of the Judicial Administrator has developed and continues to implement a comprehensive program of public information and community relations for the Court. In addition to spearheading web site renovations, the Department created several award-winning programs, including:
  - **The Courting Louisiana Students and Schools (CLASS)** program provided high-school students with the opportunity to understand the appellate process through direct experience. As part of the program, oral arguments were taped and aired to schools throughout the state, accompanied by a handbook for teachers and curriculum planners. Through an Internet lesson plan, students were asked to write their own opinions and then compare them with the Court's official decisions in the cases.
  - **Judicial Ride Along Program.** The Department also created a Judicial Ride-Along program, which enabled legislators to observe district courts in operation and to talk to their judges.
  - **The Department's Chamber to Chamber Program.** The Department's Chamber to Chamber Program provided a similar opportunity for business leaders to observe courts in operation.
  - **The Law School for Journalists Program.** The Law School for Journalists Program helped those reporters who cover courts throughout the state to hone their skills and meet their sources.
  - **The Court's Annual Report.** The Department of Community Relations prepares the Court's Annual Report. In calendar year 2000, the Press Club of Louisiana awarded the Court's Annual Report an excellence in publications award.
  - **Supreme Court Ride Along Program.** The Department assisted the justices in sponsoring two "ride-along" meetings with legislators, during which members of the legislature met with the justices, discussed the Court's procedures and operations, and observed Court processes.



- **Public Information Program of the Law Library of Louisiana.** The Law Library of Louisiana, in association with the Department of Community Relations, has developed and continues to implement a supplemental program of public information. The Law Library continues to conduct information sessions and tours for various groups. From time to time, it also exhibits materials on Louisiana law, the Louisiana judicial system, and the administration of justice.
- **Oral Arguments.** As part of the overall program of public information described above, the Supreme Court has developed and implemented a plan for conducting oral arguments at various locations in the state. In calendar years 2000 and 2001, the Court held oral arguments at the following sites: the Heymann Performing Arts Center in Lafayette (April 12, 2000); Loyola Law School (October 17, 2000); and Tulane University (October 16, 2001).

### Future Steps

- **Public Information.** The Court, through the various strategies indicated above as well as others to be developed in the coming year, will continue to develop and implement ways to inform the public of its operations and activities.
- **Oral Arguments.** The Court intends to conduct oral arguments at the LSU Law School in October of 2002. The Court has not yet scheduled other outside visits.

### Objective 4.1

To ensure the highest professional conduct, integrity, and competence of the bench.

### Intent of Objective

By virtue of the public trust placed in the bench and bar, those engaged in the practice of law should adhere to the highest standards of ethical conduct. Ethical conduct by attorneys and judges heightens confidence

in the legal and judicial systems. Standards of conduct for attorneys and judges serve the dual purpose of protecting the public and enhancing professionalism. The Supreme Court has the lead responsibility for ensuring the development and enforcement of these standards. Regulation of the bench and bar fosters public confidence, particularly when it is open to public scrutiny. A disciplinary process that evaluates expeditiously, diligently and fairly the merits of each complaint to determine whether standards of conduct have been breached is an essential component of the regulation infrastructure.

### Responses to Objective

- **Louisiana Judicial College.** The Supreme Court continues to fund, assist, and facilitate the activities of the Louisiana Judicial College. A justice chairs the College's Board of Governors. Through the judicial budgetary and appropriations process, the Court provides for the director and staff of the College and for a portion of its operations. In addition, the Court provides the services of the Court's Judicial Administrator and staff to assist the College in various ways.
- **Programs of the Judicial College.** The Louisiana Judicial College maintains and strives continuously to improve the quality and accessibility of its continuing legal education programs for the judiciary. Each year, the College offers eight CLE programs for judges. It also provides benchbooks, newsletters, and videos relating to judicial practice.
- **Judiciary Commission.** The Supreme Court continues to fund, assist, and facilitate the activities of the Louisiana Judiciary Commission to ensure the proper reception, investigation, and prosecution of complaints against judges accused of violating the Code of Judicial Conduct. The activities of the Commission are reported annually in the Supreme Court's Annual Report. The workload of the Commission is also reported as a key performance indicator in the



annual judicial appropriations bill. In calendar year 2000, the Commission received and docketed four hundred and seventy nine complaints against judges and justices of the peace. In addition, one hundred and twenty complaints filed prior to 2000 were pending as of January 1, 2000. Of the four-hundred seventy complaints filed and docketed in 2000, two-hundred ninety-two were screened out as not within the jurisdiction of the Commission, or without merit or sufficient corroborating evidence. The remaining one hundred eighty-seven cases were reviewed to consider the need for investigation. Thirty-three of the one hundred eighty-seven cases required in-depth investigation. In calendar year 2000, the Commission disposed of four-hundred ninety cases.

- **Judicial Professionalism.** The Supreme Court continues to encourage judicial and attorney professionalism in two ways - through its CLE requirements and through its adopted Code of Professionalism. The Supreme Court re-enacted its rules for continuing legal education for lawyers and judges in November of 1992 by establishing a Continuing Legal Education (CLE) Committee to manage the CLE process (Supreme Court Rule XXX). Under these rules, lawyers and judges are required to complete a minimum of fifteen hours of approved CLE each calendar year. The rules also require that one of these required fifteen hours concern legal ethics and another hour concern professionalism. In 1997, the Supreme Court adopted its Code of Professionalism in the Courts providing aspirational standards for both judges and attorneys. The Code is provided in Section 11 of Part G of the Rules of the Supreme Court. That portion of the Code pertaining to judges was printed by the Court as a poster and distributed to all judges of the state. The Court displays the poster prominently in several of its offices and encourages all judges to do the same in their courtroom halls and offices.

- **Judicial Mentoring Program.** The Supreme Court, primarily through its Judicial Administrator and his staff and in association with the Louisiana District Judges Association and the Louisiana Judicial College, facilitates the continuation and expansion of the judicial mentoring program. As part of the program, each new judge is assigned a senior judge who serves as a mentor. Through the program, judges are better able to understand and manage their caseloads, avoid ethical conflicts, and access information and resources.
- **Judicial Ethics.** The Supreme Court, through its Committee on Judicial Ethics, continues to provide a resource to receive inquiries from judges and to issue advisory opinions regarding the interpretation of the Canons of the Code of Judicial Conduct. The Court's Judicial Administrator and lawyers employed in the Judicial Administrator's office staff the work of the Committee. The Judicial Administrator's Office also provides informal assistance to judges who seek help in interpreting the Code of Judicial Conduct.
- **Cooperation with Judges.** The Supreme Court maintains and strives to continuously improve its communication and cooperation with judges and judicial associations at all levels. Its Judicial Council consists of representatives from all major judicial associations. All appellate courts are involved in the Court's Human Resource Committee and the Judicial Budgetary Control Board. The Court's Judicial Administrator provides staffing assistance to all major judicial associations and includes information on all levels of court in its newsletters. More recently, the justices of the Supreme Court have taken steps to improve their communication with the Louisiana District Judges Association by occasionally meeting with the Association's leadership.



- **Judicial Campaign Conduct.** In April of 2000, the Court established an Ad Hoc Committee to study the benefits and feasibility of creating a permanent Judicial Campaign Oversight Committee to help facilitate ethical campaign conduct in Louisiana judicial cases. After studying the matter for approximately one year, the Ad Hoc committee issued a Final Report recommending the establishment of a permanent Judicial Campaign Oversight Committee. As envisioned by the Ad Hoc Committee, a permanent Judicial Campaign Oversight Committee would benefit the citizens of Louisiana by: (1) serving as an information resource for judges and judicial candidates; (2) educating judges and judicial candidates about ethical campaign conduct and; (3) helping deter unethical judicial campaign conduct. The Court is currently in the process of reviewing the Ad Hoc Committee's Final Report.
- **Costs of Judiciary Commission Matters.** In FY 2000-2001, the Court amended the Rules of the Judiciary Commission to provide for assessing judges disciplined by the Commission for all or any portion of the costs of the process of judicial discipline as recommended by the Commission.

### Future Steps

- **Ensuring the Highest Professional Conduct of the Bench.** The Court shall continue to maintain and improve ways to ensure the highest professional conduct, integrity, and competence of the bench.
- **Judicial Campaign Conduct.** In the coming year, the Court shall decide whether to establish a permanent Judicial Campaign Oversight Committee and, if so, shall determine the Committee's powers and duties.

### Objective 4.2

**To ensure the highest professional conduct, integrity, and competence of the bar.**

### Intent of Objective

See the language relating to the Intent of Objective 4.1.

### Responses to Objective

- **Cooperation with the LSBA.** The Louisiana State Bar Association (LSBA) is a non-profit corporation, established pursuant to Articles of Incorporation, which were first authorized by the Supreme Court on March 12, 1941. According to the Articles of Incorporation, the purpose of the Association is to: regulate the practice of law; advance the science of jurisprudence; promote the administration of justice; uphold the honor of the courts and of the profession of law; encourage cordial interpersonal relations among its members; and, generally, promote the welfare of the profession in the state. The Association from time to time recommends changes to its Rules of Professional Conduct for attorneys to the Supreme Court for adoption. The Supreme Court maintains and strives to continuously improve its communication and cooperation with the Louisiana State Bar Association. The leadership or members of the LSBA are involved in virtually every committee of the Court. Similarly, several justices and staff members of the Court are also involved in LSBA activities.
- **Attorney Continuing Legal Education (CLE).** The Court exercises supervision over all continuing legal education through the Mandatory Continuing Legal Education (MCLE) Committee. The Committee was established by Supreme Court Rule XXX on November 19, 1992. Its purpose was to exercise general supervisory authority over the administration of the Court's mandatory continuing legal education requirements affecting lawyers and judges and to perform such other acts and duties



as are necessary and proper to improve CLE programs within the state. In addition to its supervisory role, the Court continues to work with the LSBA to maintain and improve the quality of continuing legal education programs.

- **Attorney Professionalism.** The Court continues to work with the LSBA to encourage and support professionalism among attorneys. As previously mentioned, the Court, through its Continuing Legal Education Committee, requires all attorneys and judges to complete at least one hour of CLE per year on professionalism. The Court has also promulgated, as an aspirational standard, its Code of Professionalism in the Courts. Furthermore, as a means of instilling professionalism in attorneys at an early stage of their careers, the justices regularly participate in the Professionalism orientation sessions held at the State's four law schools in the fall of each year.
- **Louisiana Attorney Disciplinary Board.** The Louisiana Attorney Disciplinary Board was created by Supreme Court Rule XIX on April 1, 1990 to provide a structure and set of procedures for receiving, investigating, prosecuting, and adjudicating complaints made against lawyers with respect to the Rules of Professional Conduct for attorneys. The Board consists of:
  - One permanent statewide agency which administers and manages the lawyer disciplinary system as a whole, performs appellate review functions, issues admonitions, imposes probation, and makes rules on procedural matters.
  - Several hearing committees which review the recommendations of the Board's Disciplinary Counsel, conduct prehearing conferences, consider and decide prehearing motions, and review the admonitions proposed by the Disciplinary Counsel.

- The Office of the Disciplinary Counsel which performs prosecutorial functions for the Board. Since 1998, the Court has taken several steps to improve the Attorney Disciplinary Board and its process. In 1999, the Court, based on a recommendation of the American Bar Association, imposed a significantly higher assessment on all attorneys in support of the Attorney Disciplinary Board's efforts to ensure the proper reception, investigation, and prosecution of complaints against lawyers accused of violating the Rules of Professional Conduct. In FY 2001-2002, the Court contracted with the American Bar Association to perform a performance audit of the Attorney Disciplinary Board's activities. The audit began with a site visit by the ABA during the week of November 12, 2001 and will be completed in March of 2002.

In CY 2000, the Office of the Disciplinary Counsel received 3,243 complaints. After screening out matters falling outside of the Board's jurisdiction and referring two hundred and sixteen of these matters to the Louisiana State Bar Association's Diversion Program, the Office of the Disciplinary Counsel initiated investigations into 2,113 of the remaining complaints. In that same year, the aggressive investigation, prosecution, and adjudication of complaints resulted in 153 prosecutions reflecting 360 underlying complaints - a 400% increase in the rate of prosecution since 1995. In 2000, the Supreme Court issued more than eighty discipline-related orders. Nineteen of these orders called for disbarment; forty-one ordered periods of suspension.

In the past, the Board's investigative process took eighteen to twenty-four months. In 2000, the Board maintained eighty percent of its investigative files at six months or less and almost ninety percent of its files at less than a year.

- **Supervision of the Practice of Law.** The Court continues to maintain and improve its supervision of the practice of law by ensuring the quality, competency, and integrity of the bar admissions process, imposing sanctions in



disciplinary matters, and requiring continuing legal education. As part of its supervision of the practice of law, the Court, upon recommendation of the Committee on Bar Admissions, developed and promulgated in 2000 an interim procedure for allowing bar applicants who fail or conditionally fail Part I of the Louisiana State Bar Examination to review and compare their erroneous answers with representative good answers. The Court also increased the passing score on the Multi-State Professional Responsibility Exam (MPRE) from 75 to 80. Finally, through comprehensive amendments to the Bar Admissions rules, the Court moved to insure that the character and fitness of bar applicants would be carefully evaluated prior to their admission to the practice of law. Chief among these improvements is the required participation, by Louisiana Law students who intend to practice in Louisiana, in the Law Student Legislation Program sponsored by the National Conference of Bar Examiners. This program involves a comprehensive assessment of law students' character and fitness during their second year of law school, followed by a supplemental character review near the end of their law school courses.

- **Encouragement of Pro Bono Activities.** The Court continues to encourage members of the bar to participate in pro bono activities. In FY 2000-2001, the Court assisted the LSBA in establishing a program for recruiting and training pro bono attorneys to counsel prisoners in capital post-conviction applications. The Court also assisted the LSBA in its general efforts to recruit and train pro bono attorneys.
- **Committee on the Prevention of Lawyer Misconduct.** In FY 2000-2001, the Supreme Court created a Committee on the Prevention of Lawyer Misconduct to serve as a vehicle for continuing communication and dialogue among the law schools, the Attorney Disciplinary Board, the Louisiana State Bar Association, and the Court on matters and issues relating to the prevention of lawyer misconduct. The

Committee made several recommendations to the Court, which has taken appropriate action on most of these recommendations. One result of the Committee's work was the sponsorship by the Louisiana State Bar Association of orientation sessions on professionalism for new law students at each of Louisiana's four law schools in the fall of 2000.

- **Rule on the Transfer to Disability Inactive Status.** In FY 2000-2001, the Supreme Court clarified its Lawyer Disciplinary Enforcement rules relating to the transfer of attorneys to disability inactive status. The disability procedures attempt to balance the due process rights of lawyers with the need to protect the public from incapacitated lawyers.
- **Permanent Disbarment.** Through amendments to the Rules for Lawyer Disciplinary Enforcement, which became effective on August 1, 2001, the Court codified permanent disbarment as an available sanction for lawyers who commit particularly egregious acts of misconduct. These changes serve to protect the public from lawyers whose violations of the public trust are so serious as to warrant the permanent revoking of the privilege bestowed upon them of practicing law in Louisiana.

### Future Steps

- **Ensuring the Highest Professional Conduct of the Bench.** The Court will maintain and continue to improve its efforts for ensuring the highest professional conduct, integrity, and competence of the bar.

### Objective 5.1

**To seek and obtain sufficient resources from the executive and legislative branches to fulfill all duties and responsibilities of the judiciary.**

### Intent of Objective

As an equal and essential branch of our constitutional government, the judiciary requires sufficient finan-



cial resources to fulfill its responsibilities. Just as court systems should be held accountable for their performance, it is the obligation of the legislative and executive branches of our constitutional government to provide sufficient financial resources to the judiciary for it to meet its responsibility as a co-equal, independent third branch of government. Despite the soundest management, court systems will not be able either to promote or protect the rule of law or to preserve the public trust without adequate resources.

## Responses to Objective

- **Judicial Budgetary Control Board.** The Court, through its Judicial Administrator, continues to staff and otherwise support the Judicial Budgetary Control Board in its efforts to obtain and manage the resources needed by the judiciary to fulfill its duties and responsibilities.
- **Legislative/Executive Branch Coordination** The Court continues to communicate, coordinate, and cooperate with the legislative and executive branches of state government on all matters relating to the needs of the judiciary. As a result of these efforts, the Court is now working collaboratively with the other branches of state government on several programs, including the Families in Need of Services (FINS) program, Drug Treatment Courts, Truancy Centers, the Court-Appointed Special Advocate (CASA) program, the Integrated Criminal Justice Information System, the Louisiana Protective Orders Registry (LPOR), the Judicial Disposition Data Base, the Integrated Juvenile Justice Information System (IJJIS), and the Juvenile Justice Commission.
- **Judicial Budget and Performance Accountability Program.** The Supreme Court continues to develop and expand the Judicial Budget and Performance Accountability Program as required by R.S.13:81-85.
- **Strategic Plans.** The Court is aggressively implementing its strategic plan as adopted in

December of 1999 and amended in October of 2000. The Court, through its Judicial Administrator, continuously monitors the implementation of the strategic plans of the courts of appeal and the trial courts, and renders assistance to them upon request. In FY 2000-2001, the Court appointed a Commission on Strategic Planning for the Limited Jurisdiction Courts to develop performance standards and a strategic plan for the city and parish courts before December of 2002. With assistance from the Judicial Administrator of the Supreme Court, the Commission has developed draft performance standards and a draft strategic plan, both of which have been distributed to all city and parish court judges for their review and comment.

- **Operational Plans; Key Objectives; and Key Performance Indicators.** The Court has developed and submitted Operational Plans for FY 2000-2001 and FY 2001-2002 as required by R.S. 13:81-85. It has also developed and incorporated into its annual judicial appropriations bill key objectives, performance indicators, and mission statements as required by the statute.
- **Performance Audits.** Since 1999, the Court has sponsored three performance audits of aspects of judicial performance. It contracted with the National Center for State Courts to conduct a performance audit of district court compliance with the Americans with Disabilities Act (ADA) in FY 1999-2000. The results of that audit were communicated to all district courts by the Chief Justice. The courts have responded by organizing activities to achieve and maintain compliance. In FY 2000-2001, the Court contracted with the National Center for State Courts to conduct a performance audit of district and city court compliance with the federal Adoption and Safe Families Act (ASFA) and with the provisions of the Louisiana Children's Code relating to Child in Need of Care cases and Judicial Certification for Adoption. The final report of that audit is



currently being reviewed by the Court. Once finalized, the report will be sent to all courts having juvenile jurisdiction, and a request will be made that all courts take action to achieve compliance. In addition, the Judicial Administrator of the Supreme Court and the Louisiana Court Administrators Association will provide technical assistance to all district courts needing help with compliance. In FY 2001-2002, the Court contracted with the American Bar Association (ABA) to conduct a detailed performance audit of the Louisiana Attorney Disciplinary Board and its process. The ABA began the audit with a site visit in the week of November 12, 2001 and will complete the audit at the end of March 2002.

- **Judicial Compensation Commission.** The Supreme Court actively supported and assisted the work of the Judicial Compensation Commission created pursuant to Act 1077 of 1995. In FY 2000-2001, the Commission was successful in convincing the legislature to provide needed salary increases to all judges.
- **Compensation Plan and Human Resource Policies of the Supreme Court and the Courts of Appeal.** The Supreme Court, through its Judicial Administrator, continues to staff and otherwise maintain and develop the compensation plan and human resource policies for employees of the Supreme Court and the courts of appeal.
- **Judicial Employee Compensation.** The Court continues its efforts to secure adequate salaries, benefits, other compensation and emoluments appropriate to each type of employee as a means of retaining and attracting highly-qualified staff.
- **Employee Retirement and Group Benefits.** The Supreme Court, through its Judicial Administrator and Clerk of Court, continues to ensure that all courts and all judicial employees are aware of how to access the benefits of their respective retirement and group benefit

programs and are in compliance with the rules and regulations of such programs.

- **Judicial Financial Reform.** The Supreme Court continues to encourage its Judicial Administrator to study and make recommendations to the Court on ways to improve the financing of the judiciary.
- **Supreme Court Facilities.** The Supreme Court continues to advocate and pursue the renovation of the 400 Royal Street site as the future home of the Supreme Court, the 4th Circuit Court of Appeal, and other state entities. In the meantime, the Supreme Court continues to ensure that resources are available to maintain its current building at 301 Loyola Avenue and to house most of the Judicial Administrator's Office in rental facilities.

### Future Steps

- **Seeking and Obtaining Sufficient Resources.** In the coming year, the Supreme Court will continue to seek and obtain sufficient resources to fulfill its duties and responsibilities.
- **Parking for 400 Royal Street.** In the coming year, the Court will develop and take steps to implement a plan for providing parking to the employees of the 400 Royal Street Building.

### Objective 5.2

**To manage the Court's caseload effectively and to use available resources efficiently and productively.**

### Intent of Objective

The Supreme Court acknowledges that it should manage its caseload in a cost-effective, efficient, and productive manner and in a manner that does not sacrifice the rights or interests of litigants. As an institution consuming public resources, the Supreme Court recognizes its responsibility to ensure that resources are used prudently and cases are processed and resolved in an efficient and productive manner.



## Responses to Objective

- **Case Management.** The Supreme Court, through its Clerk of Court, continues to maintain and expand effective case management techniques, including the development and operation of a state-of-the-art case management information system.
- **Fiscal Management.** The Supreme Court continues to require the Fiscal Office of the Judicial Administrator and the Clerk of Court to manage the Court's fiscal resources efficiently and productively.
- **Judicial Internal Auditor.** The Supreme Court continues to require the Judicial Internal Auditor to develop and maintain internal fiscal controls within all fiscal functions of the Court.
- **Internal Audit Committee.** In FY 2000-2001, the Supreme Court created an Internal Audit Committee consisting of three justices who meet quarterly with the Internal Auditor to ensure the timely implementation of internal fiscal controls within all fiscal functions of the Court.
- **Judicial Restructuring.** The Supreme Court continues to encourage its Judicial Administrator to study and make recommendations to the Court on ways to restructure the judiciary for greater efficiency and effectiveness.
- **Committee on Judicial Leave and Temporary Appointments.** In FY 2000-2001, the Supreme Court created a Committee on Judicial Leave and Temporary Appointments for the purpose of studying and making recommendations on matters relating to the improvement of policies concerning judicial leave and temporary appointments in limited and specialized jurisdiction courts.

## Future Steps

- **Resource Management in General.**  
The Court will continue to manage its caseload effectively and to use available resources efficiently and productively.

## Objective 5.3

**To develop and promulgate methods for improving aspects of trial and appellate court performance.**

## Intent of Objective

Under Section 6 of Article V of the Constitution of Louisiana, the Chief Justice of the Supreme Court is the chief administrative officer of the judicial system of the state, subject to rules adopted by the court. The Chief Justice also has the authority, under the Constitution (Louisiana Constitution of 1974, Article V, Section 7), to select a Judicial Administrator, clerks, and other personnel to assist him or her in the exercise of this administrative responsibility. The Court, therefore, through the Chief Justice, the Judicial Administrator, the clerks of the court, and other personnel, has a constitutional responsibility to improve trial and appellate court performance. Furthermore, under the provisions of the Judicial Budget and Performance Accountability Act of 1999 (R.S. 13:81-85), the Court has an additional responsibility to ensure not only that strategic plans are developed but that they are implemented to improve judicial performance.

## Responses to Objective

- **Office of the Judicial Administrator.** The Supreme Court continues to maintain sufficient numbers of highly qualified professional and support staff in the Judicial Administrator's Office to develop and effectively promulgate methods for improving aspects of trial and court performance.
- **Judicial Budget and Performance Accountability Program.** The Supreme Court, through its Judicial Administrator, has provided assistance to the Strategic Planning



Committee of the Louisiana District Judges Association and to the Louisiana Court Administrators Association in their efforts to comply with and implement the provisions of the Judicial Budget and Performance Accountability Program.

- **Judicial Council.** The Supreme Court, through its Judicial Administrator, continues to staff and otherwise support the Judicial Council as a means of improving aspects of trial and appellate court performance that affect the judicial process. The Administrator continues to staff and support the work of the New Judgeship Committee of the Judicial Council in order to ensure that court performance does not suffer from a lack of a sufficient number of judgeships or judicial officers in individual jurisdictions.
- **CMIS.** The Supreme Court, through its Judicial Administrator, continues to develop, maintain and expand the Case Management Information System (CMIS) Project as a means of improving aspects of trial and appellate court performance that affect the judicial process. Included as part of CMIS' activities are the following programs:
  - **Louisiana Protective Order Registry (LPOR).** The Louisiana Protective Order Registry (LPOR) is a centralized, statewide computer repository of civil and criminal protective orders intended to enable law enforcement officials to protect victims from the harassing and/or abusive behavior of a spouse, intimate partner, or family member. As of October 31, 2001, district courts in all 64 parishes were using the required Louisiana Uniform Abuse Prevention Order forms and transmitting orders to the registry. In addition, four juvenile courts, one parish court, and twelve municipal or city courts were using the standardized order forms, as well. A total of 13,758 orders have been entered into the data base since January 1, 2001, bringing the total number of orders entered into the registry since the project's pilot phase in 1998 to 38,428. Of these 38,428 orders, 8,916 were active at the

close of the third quarter. More than 11,528 of these orders had been transmitted to the national database files. Approximately two-thirds of the orders were civil, including temporary restraining orders, preliminary injunctions, permanent injunctions, and court-approved consent agreements. The other third of the orders was criminal, primarily bail restrictions and peace bonds. The Louisiana database is used by the National Instant Check Systems (NICS), which reviews all applications for firearms purchase made through a licensed dealer. If the applicant is the subject of an active protection order, the application will be denied. Already this year, LPOR has responded to more than 150 NICS checks. Daily searches of the database made by law enforcement and court officials average 5,076.

- **Disposition Data.** The Judicial Administrator continues to ensure that all courts are electronically transmitting criminal, civil, traffic, and juvenile dispositions to CMIS. If courts are not doing so, the Administrator studies the reasons therefor and reports these reasons to the Court together with recommendations for improvement.
- **Standardization of Data Collection.** The Judicial Administrator has standardized the data collection and reporting on filings and other information from appellate and trial courts to CMIS.
- **Wide Area Network.** The Judicial Administrator has deployed and maintains a statewide Wide Area Network for connecting all district and city courts to CMIS.
- **Court Technology Studies.** The Judicial Administrator continues to conduct studies to determine the feasibility of implementing new technologies in Louisiana courts such as electronic filing and the development of high-tech courtrooms.



- **Other Programs.** The Judicial Administrator continues to develop, maintain, and implement, in association with the Louisiana Conference of Appellate Court Judges, the Louisiana District Judges Association, the Louisiana Council of Juvenile and Family Court Judges and the Louisiana Association of City Court Judges, other technology programs for improving those aspects of the administration of justice identified in the Appellate Court Strategic Plan, the Trial Court Strategic Plan, or the Strategic Plan of the Supreme Court.
- **Appellate Court Assistance Program.** The Supreme Court, through its Judicial Administrator, continues to develop, maintain, and implement, in association with the Conference of Appellate Court Judges and the respective chief judges and key staffs of each appellate court, an Appellate Court Performance Improvement Program for improving those aspects of the administration of justice identified in the Appellate Court Strategic Plan or the Strategic Plan of the Supreme Court.
- **Trial Court Assistance Program.** The Supreme Court, through its Judicial Administrator and in association with the Louisiana District Judges Association, continues to develop, implement, and maintain a Trial Court Assistance Program for improving those aspects of the administration of justice identified in the Trial Court Strategic Plan or the Strategic Plan of the Supreme Court.
- **District Court Rules.** In 1997, both the Judicial Council of the Supreme Court and the LSBA created committees to review local court rules in an attempt to achieve uniformity and predictability in the rules. After several years of diligent effort by both the bench and bar, in October 2001, the two committees presented to the Court the final draft of the Court Rules and appendices and requested their adoption and implementation. In November 2001, the Court adopted the Rules for Louisiana District Courts, including appendices, and Numbering Systems for Louisiana Family and Domestic Relations Court and Juvenile Courts. The Court also established a Court Rules Committee charged with receiving related comments and with making recommendations for proposed additional rules or amendments to these Rules.
- **Trial Court Facilitator.** The Judicial Administrator continues to assign a deputy judicial administrator to meet the needs of district judges and to facilitate communication and coordination between the district judges, the Supreme Court, and other bodies.
- **Juvenile Court Assistance Program.** The Supreme Court, through its Judicial Administrator, continues to maintain, develop, and implement, in association with the Louisiana Council of Juvenile and Family Court Judges, the Louisiana District Court Judges Association, and the Louisiana City Court Judges Association, a juvenile court assistance program as a means of improving aspects of juvenile court performance that affect judicial process. The specific strategies included as part of the Juvenile Court Assistance Program are:
  - **Louisiana Court Improvement Program (LCIP)** As part of this program, the Judicial Administrator continues to maintain, develop, and implement strategies for improving adjudication of child dependency cases.
  - **Families in Need of Services (FINS) Assistance Program.** The Judicial Administrator continues to maintain, develop, and implement the Families in Need of Services Assistance Program (FINSAP). FINSAP has developed a uniform data system for tracking, managing and reporting FINS informal cases, programmatic standards, performance indicators and measures, and the forms for periodic fiscal reports. FINSAP continues to make progress in developing a better needs-based allocation formula.



- **Integrated Juvenile Justice Information System.** The Judicial Administrator continues to develop the Integrated Juvenile Justice Information System being piloted at the Orleans Parish Juvenile Court. Upon completion, the IJIS shall be provided free of charge to all courts having juvenile jurisdiction. Currently, the following components are targeted for completion in December 2001: the Child in Need of Care (CINC) case management component; the Termination of Parental Rights (TPR) case management component; the Informal FINS component; and the Docketing, Calendaring, and Scheduling component.
- **Comprehensive Continuum of Children's Services.** The Administrator continues to support the initiative of the Governor's Children's Cabinet to develop and implement a comprehensive continuum of children's services in Louisiana.
- **Juvenile Justice Commission.** In response to the Chief Justice's State of the Judiciary Message for the year 2000, the Legislature enacted House Concurrent Resolution 94 to study and make recommendations regarding the reform and restructuring of the juvenile justice system of Louisiana. Several judges and judicial staff members are involved in the process of the two-year study. As part of the Commission's overall scope of work, the resource needs of the four juvenile courts of the state, together with the needs of all courts having juvenile jurisdiction, will be analyzed within the context of the needs of the entire juvenile justice system.
- **Other Programs.** The Judicial Administrator continues to develop, maintain, and implement, in association with the Louisiana Council of Juvenile and Family Court Judges, the Louisiana District Court Judges Association, and the Louisiana City Court Judges Association, new programs for improving the adjudication of child support cases and other juvenile cases. The Judicial Administrator continues also

to develop, maintain, and implement other programs for improving those aspects of the administration of juvenile justice as may be identified in the Appellate Court Strategic Plan, the Trial Court Strategic Plan, the Courts of Limited Jurisdiction Strategic Plan, or the Strategic Plan of the Supreme Court.

- **Courts of Limited Jurisdiction Strategic Plan.** In FY 2000-2001, the Supreme Court created a Commission on Strategic Planning for the Courts of Limited Jurisdiction to develop performance standards and a strategic plan for the city and parish courts. Since its creation, the Commission, with assistance from the Judicial Administrator of the Supreme Court, has surveyed city and juvenile courts to ascertain information on their jurisdictions, operations, needs, and opinions regarding gaps in treatment services. The Commission has also developed a draft of performance standards for city and parish courts and a draft strategic plan. The drafts of the performance standards and the strategic plan have been disseminated for review, comment, and approval by the city and parish court judges.
- **Cases Under Advisement.** The Supreme Court, through the Judicial Administrator, continues to manage, report on, and enforce Court rules, orders and policies relating to cases under advisement as a means of improving aspects of district court performance.
- **Judicial Assignments.** The Office of the Judicial Administrator continues to assist the Court in the exercise of its constitutionally conferred assignment authority. Through the promulgation of hundreds of Court Orders which serve to assign sitting and retired judges to over-burdened courts and time-consuming and difficult cases throughout the state, the administration of justice is advanced and litigants' access to justice ensured.



- **General Counsel.** The Supreme Court has retained a highly-qualified attorney and research associate to research legal issues involving the administration of justice and the performance of the courts.

## Future Steps

- **Uniform Commitment Document.** Within the coming year, the Judicial Administrator shall, with concurrence of the Louisiana District Judges Association, develop and deploy a statewide standardized commitment form for defendants sentenced to custody in the Department of Corrections (DOC). This form will be forwarded to both the Clerks of Court and DOC after the judge's signature, and data will be entered into their respective databases as part of their official criminal history records. Data will be forwarded to CMIS from Clerks of Court and eventually to the State Police Computerized Criminal History (CCH) file for inclusion in their official criminal history record rap sheet.
- **Good Practices Guides.** With assistance from the Louisiana District Judges Association and the Louisiana Juvenile and Family Court Judges Association, the Judicial Administrator will develop and distribute, upon request, a "Good Practices Guide" on such areas of court administration as: outreach and community relations; human resource policies and procedures; case management and delay reduction; pro se litigation; jury improvement; compliance with the Americans with Disabilities Act (ADA); compliance with the federal Adoption and Safe Families Act (ASFA) and the Louisiana Children's Code; and other matters.
- **ASFA Technical Assistance.** The Court Improvement Program will continue to offer technical assistance to courts throughout the state in an attempt to help them implement fully the Adoption and Safe Families Act of 1997. Direct assistance may take the form of site visits, including process analysis, troubleshooting

and recommendations for improvement. Additionally, CIP staff will be available to help local courts initiate inter-disciplinary facilitation teams around ASFA issues. Further assistance is offered with model forms and rules to steer court processes in compliance with state and federal law. Such forms include, but are not limited to:

- Bench Cards for Essential Judicial Functions
- Mandatory Timeframe Calculations
- Sample Minute Entry Forms
- Guidelines for Interpreting the ASFA Regulations
- Issuing and Service Requirements

- **Mediation Pilot in Child in Need of Care Cases.** The Court Improvement Program will oversee a three-year pilot mediation program in Orleans Parish Juvenile Court and Jefferson Parish Juvenile Court. This program will implement mediation in child welfare cases in accordance with legislation enacted in 1999 allowing for mediations to take place in courts exercising juvenile jurisdiction. The process will include the design and development of policies and procedures, referral criteria and forms. In addition, the project will explore ways of perpetuating the program beyond the pilot period. Once fully developed and implemented, "best practices" learned from the demonstration will be utilized to assist other courts throughout the state that wish to implement mediation in these case types.
- **Court Appointed Special Advocate (CASA) Assistance Program.** The Judicial Administrator has assumed programmatic and fiscal responsibility for the improvement and expansion of CASA statewide. The Administrator executed a Memorandum of Understanding with the Department of Social Services for expenditure of federal TANF funds designated for this purpose. The Administrator developed a program structure and process that will insure accountability through a system of reporting and monitoring between the local



CASA programs and the Court, and between the Court and the state. The program will be maintained and implemented through staff and with the assistance of a contractual program manager.

- **Truancy Assessment and Service Center (TASC) Assistance Program.** The Judicial Administrator has assumed programmatic and fiscal responsibility for the expansion of truancy centers statewide. The Administrator executed a Memorandum of Understanding with the Department of Social Services for expenditure of federal TANF funds designated for this purpose. Additional state general funds are also appropriated for this use. The Administrator developed a program structure and process that will insure accountability through a system of reporting and monitoring between the local TASC programs and the Court, and between the Court and the state. The program will be maintained and implemented through staff and with the assistance of a contractual program manager.
- **Drug Court Assistance Program.** In 1997, the Legislature enacted legislation which allows courts to establish “drug divisions” in order to reduce the incidence of alcohol and drug use, alcohol and drug addiction, and crimes committed as a result of drug and alcohol use and addiction. In the summer of 2001, the Court accepted from the legislature the responsibility of administering more than \$14 million in drug court funds. The Court has created a drug court office to assist it in administering the appropriated funds. The Judicial Administrator has assumed programmatic and fiscal responsibility for the expansion of drug courts statewide. The Judicial Administrator has developed a program structure and process that will insure accountability through a system of reporting and monitoring between the local drug court programs and the Court, and between the Court and the state. The program will be maintained and implemented through the Judicial Administrator’s staff.

- **Performance Standards and Strategic Plan of the City and Parish Courts.**

During the coming year, the Court will review and approve the performance standards and the Strategic Plan of the City and Parish Courts.

- **Assistance to Other Courts.** In the coming year, the Supreme Court, through its Judicial Administrator, will continue to provide assistance, as needed, to the courts of appeal, the trial courts, and the city and parish courts, especially with respect to the implementation of their respective strategic plans.
- **Other Matters.** The Court, through its Judicial Administrator, shall also maintain and strive to improve all other programs indicated under this Objective.

#### Objective 5.4

To use fair employment practices.

#### Intent of Objective

The judiciary stands as an important and visible symbol of government. Equal treatment of all persons before the law is essential to the concept of justice. Accordingly, the Supreme Court of Louisiana recognizes that, with respect to its own employees, it should operate free of bias in its personnel practices and decisions. The Court believes that fairness in the recruitment, compensation, supervision, and development of court personnel helps to ensure judicial independence, accountability, and organizational competence. The Court also believes fairness in employment, as manifested in the Court’s human resource policies and practices, will help to establish the highest standards of personal integrity and competence among its employees.

#### Responses to Objective

- **Human Resource Policies.** In FY 2000-2001, the Court, through the Human Resources Department of the Judicial Administrator’s Office and the Human Resources Committee of the



Supreme Court and the Courts of Appeal, continued to develop and implement consistent policies and procedures for proper human resource development at the appellate level. Among the activities planned and executed by the Department in FY 2000-2001 were:

- **ADA Compliance.** The Human Resources Department audited the Supreme Court to determine its compliance with the Americans with Disabilities Act (ADA) using a comprehensive checklist developed by the Department. The Department also provided disability awareness training to employees having regular contact with the public. It also implemented minor physical changes in the Court's current building and implemented several programs to improve accessibility to the public.
- **Sexual Harassment.** The Department conducted fourteen refresher-training sessions on sexual harassment awareness and prevention for the employees and management of the Supreme Court and the Courts of Appeal.
- **Compensatory Leave Policies.** The Department developed and obtained Court approval of a new compensatory leave policy for FLSA-exempt employees of the Supreme Court and the Courts of Appeal.
- **Pay and Classification Studies.** The Department carried out several pay and classification studies and made recommendations concerning security, legal support and attorney positions in the Supreme Court and the Courts of Appeal.
- **Comparative Compensation Studies.** The Department also worked during the year to ensure the continued integrity and competitiveness of the uniform judicial pay plan by continually surveying courts nationwide for salary information for jobs similar to those in the Louisiana system and reviewing other state and local salary data.

## Future Steps

- **Management Training for Court Administrators.** The Court will provide training on federal personnel laws and management practices, which encourage compliance with these laws and provide appropriate and necessary documentation.
- **E-mail and Internet usage policies.** The Court will develop and implement internet and e-mail policies for its employees that will also serve as a good practices example policy for the Courts of Appeal.
- **Nepotism Policy.** Currently, the judges in our system are bound by the nepotism prohibitions found in the Judicial Code of Conduct. However, this Code does not apply to staff. The Court will review current law and develop policies, which prohibit nepotism in court offices.
- **ADA Policy.** The Court will review the current ADA Policy and update it in accordance with more recent guidelines and court cases.
- **Training for Supreme Court Managers.** In an ongoing effort to train managers at the Court, we will develop a course this year which will be designed to teach our managers techniques in analysis of needs (skills needs assessment), review of resumes, interviewing and selection of candidates, and proper documentation of the process.
- **Training Films for Court Administrators Association.** Court staff will review and recommend the purchase of ADA and other personnel training films to be housed by the Supreme Court and checked out for use at district and city courts in their efforts to improve programmatic accessibility and good personnel practices.
- **Disciplinary Policy.** The Court will research and develop a disciplinary policy, which will assist managers by providing a number of suggested means of discipline.



- **Family Medical Leave Policy.** The current Family and Medical Leave Policy provides an option to request that the employee obtain documentation of the need for absence by a health care provider. There is no definition of the type of circumstances that would require such documentation. The Court will convene a personnel committee to discuss the issues surrounding such requests and define appropriate circumstances; the policy will then be revised to reflect the necessary changes.
- **ADA and Other Model Personnel Policies.** Court staff will work with the Court Administrators Association to prepare and present model ADA and other personnel policies, which can be used at any court level. The policies will include ADA and related policies for jurors, interpreters, real-time court reporting, etc. They will also include policies covering all types of personnel activities such as hiring, discipline, benefits, separation, etc.
- **Military Leave Policy.** The Court will request a legal review of the Military Leave Policy to ensure that it complies with changes in the USSERA.

### Objective 6.1

To promote and maintain judicial independence.

#### Intent of Objective

For the judiciary to be fair and impartial, it should develop and maintain its distinctive and independent status as a separate, co-equal branch of state government. It also must be conscious of its legal and administrative boundaries and vigilant in protecting them. As the court of last resort and the chief administrator of the Louisiana court system, the Supreme Court believes that it has an obligation to promote and maintain the independence of the entire judiciary.

#### Responses to Objective

- **Supreme Court Leadership.** During FY 2000-2001, the Supreme Court continued to assert the separation of powers and the need of judicial independence in its communications with the other branches of state government and in its releases to the media.

#### Future Steps

- **Supreme Court Leadership.** During FY 2001- 2002, the Supreme Court will continue to assert the separation of powers and the need for judicial independence in its communications with the other branches of government and in its releases to the media.

### Objective 6.2

To cooperate with the other branches of state government.

#### Intent of Objective

While insisting on the need for judicial independence, the Supreme Court of Louisiana recognizes that it must clarify, promote and institutionalize effective working relationships with the other branches of state government and with all other components of the State's justice system. Such cooperation and collaboration is vitally important for the maintenance of a fair, efficient, impartial, and independent judiciary as well as for the improvement of the law and the proper administration of justice.

#### Responses to Objective

- **Intergovernmental Liaison.** The Court has designated a justice to be the primary general liaison between the court and various inter-governmental functions. The justice is assisted by a deputy judicial administrator, who has responsibility for monitoring legislation and communicating with both legislative and executive branch officials and staff during the legislative sessions. In addition, the Chief Justice



and other justices, together with the Court's Judicial Administrator and Clerk of Court, and their respective staffs, have responsibilities for coordinating, collaborating and communicating with executive and legislative branch officials on specific projects or areas of responsibility.

- **Cooperation with the Executive Branch.**

During fiscal year 2000-2001, the Court cooperated and collaborated with the Governor's office and other departments of the executive branch on numerous committees and projects, including: the renovation of the 400 Royal St. Building; the Louisiana Court Improvement Program Committee (LCIP) and the SAFE Act (i.e. the Adoption and Safe Families Act ) Committee of the Office of Community Services; the Families in the Balance Conference; the Justice for Children Conference; the Governor's Children's Cabinet; the Governor's Advisory and Review commission on Additional Assistant District Attorneys; the Louisiana Commission on Law Enforcement (LCLE); the Integrated Criminal Justice Information System (ICJIS) Policy Board; the Louisiana Indigent Defense Assistance Board; Info Louisiana; the Louisiana Children's Trust Fund; the Louisiana State Police; the Governor's Justice Funding Commission; the Juvenile Justice Commission; the Governor's Office of Women's Affairs; the Louisiana Data Base Commission; and the Attorney General's Task Force Relating to Workplace Violence.

- **Cooperation with the Legislative Branch.**

During fiscal year 2000-2001, the Court cooperated and collaborated with the Legislature and legislative agencies on numerous committees and projects, including: the Integrated Criminal Justice Information System Policy Board; the Judicial Compensation Commission; the State of the Judiciary Message of the Chief Justice (Regular Session, 2001); the Judicial Ride-Along Program; the Judicial Council, especially the new judgeship evaluation process; the Judicial Budget and Performance Accountability Act (R.S. 13:81-

85); the Judicial Appropriations Bill; judicial reapportionment; annual report on special motions affecting 1st amendment rights; the Attorney Fee Review Board; the Judicial Campaign Oversight Study Committee; the Task Force to Review the Disproportionate Caseload in the First Circuit Court of Appeals (SCR 61, Regular Session, 2001); and the Juvenile Justice Commission (HCR 94, Regular Session, 2001).

- **Cooperation with Other Justice**

**Agencies.** During fiscal year 2000-2001, the Court cooperated and collaborated with numerous local or district justice associations, agencies, and programs, including: the Louisiana District Attorneys Association; the Louisiana Clerks of Court Association; the Louisiana City Court Clerks of Court Association; the Louisiana FINS Association; the Louisiana CASA Association; the Louisiana Sheriffs Association; the Louisiana Public Defenders Association; the New Orleans Integrated Coordinating Committee; the Louisiana Association of Drug Court Professionals; the Louisiana Court Administrators Association; the Louisiana Conference of Court of Appeal Judges; the Louisiana District Judges Association; the Louisiana Council of Juvenile and Family Court Judges; and the Louisiana City Court Judges Association.

## Future Steps

- **Intergovernmental Liaison.** During Fiscal year 2001-2002, the Court, through its justices and the Court's staff, will maintain and improve the linkages it has with the officials and staffs of the executive and legislative branches.

- **Cooperation with Executive Branch.**

During fiscal year 2001-2002, the Court will continue to cooperate and collaborate with the Governor's office and other departments of the executive branch on the committees and projects referenced above, and will cooperate with and



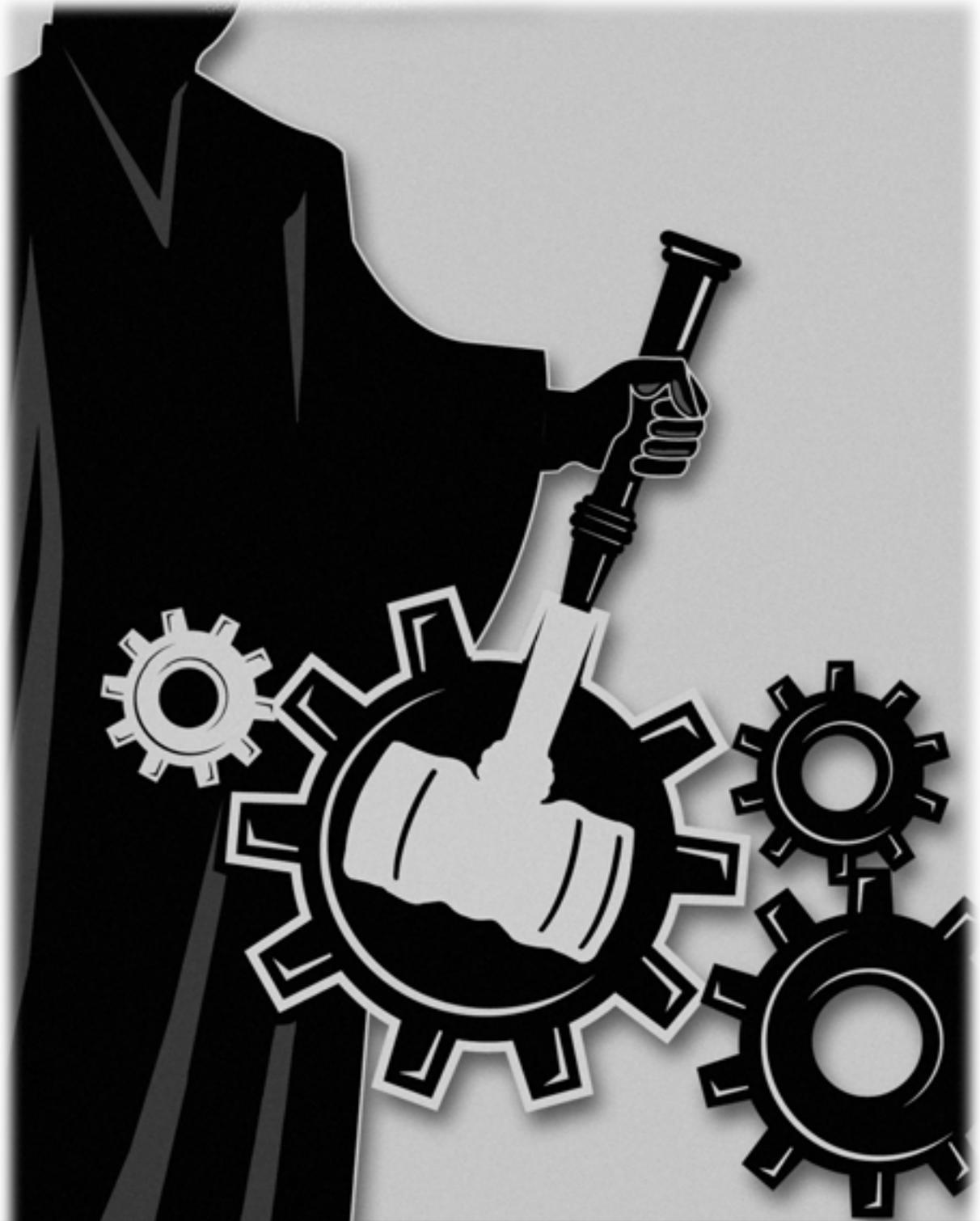
collaborate on the Executive Branch's continuing projects and new initiatives.

- **Cooperation with the Legislative Branch.** During fiscal year 2001-2002, the Court will continue to cooperate and collaborate with the Legislature and legislative agencies on the committees and projects referenced above, and will cooperate with the Legislative Branch's continuing projects and new initiatives.

- **Cooperation with Other Justice Agencies.**

During fiscal year 2000-2001, the Court will continue to cooperate with other Justice Agencies on the committees and projects referenced above and their new initiatives.





PERFORMANCE REPORTS:

**PERFORMANCE OF THE  
COURTS OF APPEAL**

# PERFORMANCE OF THE COURTS OF APPEAL

## INTRODUCTION

The chief judges of the five Courts of Appeal adopted the Strategic Plan of the Courts of Appeal in early December 1999. The Supreme Court of Louisiana approved the Plan together with the Plans of the Supreme Court and the Trial Courts on December 31, 1999. Currently, the Strategic Plan of the Courts of Appeal contains six goals, sixteen objectives, and eighty-one strategies.

The information comprising the “Intent of Objective” sections of this Report was derived primarily from the *Appellate Court Performance Standards and Measures, June 1999*.

The information presented in the “Responses to Objective” and “Future Steps” sections of the Report was derived from the responses of each Court of Appeal to a Survey of the Chief Judges, which was prepared by the Office of the Judicial Administrator of the Supreme Court and disseminated to each Court of Appeal during the summer of 2001.

### Objective 1.1

**To provide a reasonable opportunity for multi-judge review of decisions made by lower tribunals.**

#### Intent of Objective

Our judicial system recognizes that decisions made by lower tribunals may require modification. American jurisprudence generally requires litigants to be afforded a reasonable opportunity to have such decisions reviewed by an intermediate appellate court and then by a court of last resort. The courts of appeal of Louisiana, as intermediate appellate courts, provide such opportunities through a system of multi-judge review, i.e. review by a panel of judges. Multi-judge review allows a “degree of detachment, perspective, and opportunity for reflection by [all] judges, beyond that which a single trial judge can provide ...”<sup>2</sup> Multi-judge review, therefore, provides a better opportunity for developing, clarifying, and unifying the law in a sound and coherent manner and for furnishing guidance to judges, attorneys, and the public as to the application of constitutional and statutory provisions, thus reducing errors and litigation costs. For multi-judge review to be fair and effective, however, appellate courts should not only comply with existing legal provisions regarding recusals and random allotment of cases, but should also develop internal procedures for ensuring that recusals and random allotment of cases

are properly accomplished. *See Footnote.*

#### Responses to Objective

- **The First Circuit Court of Appeal.**  
The First Circuit Court of Appeal reports that it has promoted a new First Deputy Clerk of Court and appointed a new Chief Deputy Clerk to enhance the quality of the docketing process. The Court reports that it does not have a computer-based program for randomly allotting cases to panels. The Court uses “bingo” balls with each judge’s name associated with a “bingo” ball. As cases are ready for allotment (first lodged, first allotted), a judge’s “bingo” ball is spun from the hopper. At least two persons participate in the allotment process to insure randomness.
- **The Second Circuit Court of Appeal**  
reports that promoting interaction among its panel members to achieve unanimity in decision-making by using pre- and post-argument conferences and written reading memoranda is a regular, ongoing activity of the Court. The Court also reports that two deputies in the Clerk’s office have recently completed requirements as certified deputy clerks through the Louisiana Clerk’s



Institute. The Court reports that it does not have a computer-based system for randomly allotting cases to panels. Within the Second Circuit there are eighty-four possible panels – nine panels per cycle with each judge sitting on three of the nine panels together with two additional judges. The panel group is drawn for a particular cycle; the cases are assigned to the panels in chronological order (working within recusals and other mandatory factors established by the Court). The reading, writing, and third judge assignments are drawn once the cases are placed in panel groups. The Court utilizes computer programs to identify cases ready for docketing. A computer-generated program establishes the make-up of the panels; however, manual intervention is required to work within the mandatory factors such as equality in case make-up (i.e. civil and criminal), equality in reading, writing, and third-judge assignments, equality in argued cases versus non-argued cases, recusals, and pre-determined writing assignments on writs granted to docket (i.e. the writing judge drawn at the time the writ is granted).

- **Third Circuit Court of Appeal.** The Third Circuit Court of Appeal reports that it has a computer-based system for randomly allotting cases to panels.
- **Fourth Circuit Court of Appeal.** The Fourth Circuit Court of Appeal reports that this objective is met through the regular, ongoing activities of the Court. The Court also reports that it does not have a computer-based system for randomly allotting cases to panels. It reports, however, that it assures random allotment through a list of random combinations.
- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that it meets this objective through its regular, ongoing activities. It also reports that it has a computer-based system for randomly allotting cases to panels.

## Future Steps

- **First Circuit Court of Appeal.** The First Circuit Court of Appeal reports that it is working on the development of a computer-based random allotment system to assign cases.
- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that it will review the Court's recusal policy to ensure compliance with recent legislation.

## Objective 1.2

To develop, clarify, and unify the law.

### Intent of Objective

The Courts of Appeal of Louisiana contribute to the development and unification of the law by resolving conflicts between various bodies and by addressing apparent ambiguities in the law. Our complex society turns with increasing frequency to the law to resolve disputes left unaddressed by the authors of our previously established legal precepts. Interpretation of legal principles contained in state and federal constitutions and statutory enactments is at the heart of the appellate adjudicative process.

### Responses to Objective

- **First Circuit Court of Appeal.** The First Circuit Court of Appeal reports that, as an efficiency measure, it has added two paralegal positions in Central Staff (one civil and one criminal) to free attorneys for more substantive work. It has also initiated a procedure to allow its judges and staff to electronically search and review prior decisions, both published and unpublished, to insure uniformity in First Circuit decisions. The Court also reports that it has sufficient access to published and automated legal resources to facilitate its task of clarifying, harmonizing, and developing the law, and maintaining uniformity in jurisprudence.



- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that its continued efforts to provide qualified legal support staff, cost-effective electronic research, and pre- and post-argument conferences for promoting collegiality and unanimity in the decision-making process are part of the Court’s regular, ongoing activities. The Court reports that it has sufficient access to published and automated legal resources to facilitate its task of clarifying, harmonizing, and developing the law, and maintaining uniformity in jurisprudence. However, the Court notes that escalating prices for electronic research need to be addressed to insure that courts can continue to utilize these services within budget restraints. Perhaps a statewide, flat-rate pricing approach would benefit the courts. The Court also believes that video conferencing would be beneficial to facilitate the administrative functions of the judges, thus alleviating the expense of travel and time out of the office attending administrative conferences and meetings in other parts of the state. In addition, the Court believes that video conferencing could be a valuable educational tool in providing Continuing Legal Education to its judges and legal support staffs, as well as mandated education and employee training under the Court’s human resource policies.
- **Third Circuit Court of Appeal.** The Third Circuit Court of Appeal reports that it has sufficient access to published and automated legal resources to facilitate its task of clarifying, harmonizing, and developing the law, and maintaining uniformity in jurisprudence.
- **Fourth Circuit Court of Appeal.** The Fourth Circuit Court of Appeal reports that it has sufficient access to published and automated legal resources to facilitate its task of clarifying, harmonizing, and developing the law, and maintaining uniformity in jurisprudence.
- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that it meets this objective through its regular, ongoing activities. It also reports that it has sufficient access to published and automated legal resources to facilitate the task of clarifying, harmonizing, and developing the law, and maintaining uniformity in jurisprudence. In addition, the Court reports that it employs immediate conferencing (face-to-face) after oral arguments as a means of reducing minor disagreements among panel members.

### Future Steps

- **None Reported**

### Objective 1.3

**To determine expeditiously those petitions and/or applications for which no other adequate or speedy remedy exists, including mandamus, habeas corpus, election proceedings, termination of parental rights and other matters affecting children’s rights, and to consider expeditiously those writ applications filed under the court’s supervisory jurisdiction in which expedited consideration, or a stay, is requested.**

### Intent of Objective

The Courts of Appeal of Louisiana, pursuant to state constitutional provisions or legislative acts, are often the designated forum for the determination of appeals, writs, and original proceedings. These proceedings sometimes affect large segments of the population within the courts’ jurisdiction, or require prompt and authoritative judicial action to avoid irreparable harm. In addition, the Courts of Appeal have recognized that they have a special responsibility to ensure that cases involving children are heard and decided expeditiously to prevent further harm resulting from delays in the court process.



## Responses to Objective

- **First Circuit Court of Appeal.** The First Circuit Court of Appeal reports that it has adopted internal and local rules to insure that children's cases are placed on the next docket after completion of briefing and to insure that cases designated by statute to be heard by preference are processed expeditiously. It has also developed procedures for ensuring that the Clerk's office staff routinely route emergency or expedited writ applications to the Central Staff as quickly as possible. It also reports that its assigned civil lodging deputy clerk is a highly proficient employee trained to identify cases to be heard by preference and to bring such cases to the attention of the docketing clerk.
- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that it has joined with other courts of appeal in adopting and implementing Uniform Rule 5 which provides for the expedition of certain cases involving minors. The Court also reports that it utilizes a rotating system of duty judges who act on various matters for a period of one week and that its staff always has access to a panel of judges. In addition, the Court reports that its judges participate in local and state CLE programs and work closely with trial court judges within the jurisdiction of the Second Circuit Judges Association to develop CLE programs addressing cooperative efforts among trial and appellate court judges. Two judges from the Second Circuit Court of Appeal also serve on the Supreme Court's Mandatory CLE Committee.
- **Fourth Circuit Court of Appeal.** The Fourth Circuit Court of Appeal reports that this objective is met through the regular, ongoing activities of the Court. The Fourth Circuit did not provide any further details as to how this objective is being met.

- **Fifth Circuit Court of Appeal.**

The Fifth Circuit Court of Appeal reports that it meets this objective through the Court's regular, ongoing activities. However, particular focus has been placed on the expeditious handling of juvenile matters on appeal or in writ applications.

## Future Steps

- **None Reported**

## Objective 2.1

**To ensure that adequate consideration is given to each case and that decisions are based on legally relevant factors, thereby affording every litigant the full benefit of the judicial process.**

## Intent of Objective

The courts play a major role in our constitutional framework of government by ensuring that due process and equal protection of the law, as guaranteed by the federal and state constitutions, have been fully and fairly applied throughout the judicial process. The rendering of justice demands that these fundamental principles be observed, protected, and applied by giving every case sufficient attention and deciding cases solely on legally relevant factors fairly applied and devoid of extraneous considerations or influences. The integrity of the entire court system rests on its ability to fashion procedures and make decisions that afford each litigant access to justice. The constitutional principles of equal protection and due process are, therefore, the guideposts for the procedures and decisions of the Courts of Appeal. Each case should be given the necessary time based on its particular facts and legal complexities for a just decision to be rendered. However, each case does not need to be allotted a standard amount of time for review. Rather, each case should be managed – from beginning to end – in a manner consistent with the principles of fairness and justice.



## Responses to Objective

- **First Circuit Court of Appeal.** The First Circuit Court of Appeal reports that it has re-allocated and re-assigned “assistant clerk” positions to “deputy clerk” positions, placing greater responsibility for record compliance at intake rather than after lodging. The Court has participated in the process of supporting rule changes to provide consistency in document formatting for briefs and other filings as a means of eliminating time-consuming compliance checks with outdated “typewriter” rules. It has enhanced the Court’s web site to provide information and timely updates to rules and calendars. It has included in every notice of lodging a flyer encouraging access to and use of the web site. It has also established a consistent procedure to notify all criminal defendants of their right to file a pro se brief and of the consequences of not following the standard procedure.
- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that it meets this objective by employing qualified legal support staff, providing adequate automated legal research tools, and developing and enhancing its web page. Additionally, the Court believes that its internal practices of pre- and post-argument conferences, written memoranda, and draft opinion circulation promote adequate consideration of each case. Furthermore, members of the Court actively participate in the Uniform Rules Committee to ensure that rules are reviewed on an annual basis. In addition, the Court’s web page serves to inform the bar and the public of any changes in law and procedures.
- **Fourth Circuit Court of Appeal.** The Fourth Circuit Court of Appeal reports that this objective is met through the regular, ongoing activities of the Court.

- **Fifth Circuit Court of Appeal.**

The Fifth Circuit Court of Appeal reports that it meets this objective through its regular, ongoing activities.

## Future Steps

- **None Reported**

## Objective 2.2

**To ensure that decisions of the Courts of Appeal are clear and the form of the opinion is controlled by Rule 2-16, Uniform Rules, Courts of Appeal.**

## Intent of Objective

Clarity is essential in rendering all appellate decisions. An appellate court should issue a written opinion when it completely adjudicates the controversy before it. Ending the controversy necessarily requires that the dispositive issues of the case be addressed and resolved. A fuller understanding of the resolution of the dispositive issues occurs when the court explains the reasoning that supports its decision. Written opinions should set forth the dispositive issues, the holding, and the reasoning that supports the holding. At a minimum, the parties to the case and others interested in the area of law in question expect, and are due, an explicit rationale for the court’s decision. In some instances, however, a limited explanation of the rationale for its disposition may satisfy the need for clarity. Clear judicial reasoning facilitates the resolution of unsettled issues, the reconciliation of conflicting determinations by lower tribunals, and the interpretation of new laws. Clarity is not necessarily determined by the length of exposition, but rather by whether the court has conveyed its decision in an understandable and useful fashion and whether its directions to the lower tribunal are also clear when it remands a case for further proceedings.



## Response to Objective

- **Second Circuit Court of Appeal.**  
The Second Circuit Court of Appeal reports that it continues to promote quality control of all opinions through a formal opinion circulation process, the exchange of editorial comments, and review for compliance with Rule 2-16.2. In addition, the Court continues to work cooperatively with CARS (the Court of Appeal Reporting System) to define uniform data elements. The Court plans to test its first electronic transmission of statistical data later in the year.

## Future Steps

- **None Reported**

## Objective 2.3

To publish those written decisions that develop, clarify, or unify the law.

## Intent of the Objective

The designation of judicial opinions as precedential authority is essential to achieving clarity and uniformity in the development of the law. The publication of these opinions as binding authority provides an easily accessible means of interested parties to ascertain the holdings of the court and the rationale for its findings, thereby promoting understanding of the law and reducing confusion regarding the law. Decisions should be published or otherwise designated as authority when they: (1) establish a new rule of law, alter or modify an existing rule, or apply an established rule to a novel fact situation; (2) decide a legal issue of public interest; (3) criticize existing laws; or (4) resolve an apparent conflict of authority; or (5) will serve as a useful reference, such as one reviewing case law or legislative history. See Uniform Rule 2-16.2.

## Responses to Objective

- **Second Circuit Court of Appeal.**  
The Second Circuit Court of Appeal reports that it continues its efforts to insure that cases are designated for publication or not designated for publication in compliance with the standards set forth in Uniform Rule 2-16.2.

## Future Steps

- **None Reported**

## Objective 2.4

To resolve cases expeditiously.

## Intent of Objective

Once an appellate court acquires jurisdiction of a matter, the validity of a lower tribunal's decision remains in doubt until the appellate court rules. Delay adversely affects litigants. Therefore, appellate courts should assume responsibility for a petition, motion, writ, application, or appeal from the moment it is filed. Appellate courts should adopt a comprehensive delay reduction program designed to eliminate delay in each of the three stages of the appellate/supervisory process: record preparation, briefing, and decision-making. A necessary component of the comprehensive delay reduction program is the use of adopted time standards to monitor and promote the progress of an appeal or writ through each of the three stages.

## Responses to Objective

- **First Circuit Court of Appeal.** The First Circuit Court of Appeal reports that it has instituted and continues to modify a new case management system for better case processing results.
- **Second Circuit Court of Appeal.**  
The Second Circuit Court of Appeal reports that it has effectively reduced its backlog of all cases and time delays from lodging to briefing and



briefing to docketing. Presently, the delays from lodging to docketing are approximately 4.5 months and docketing to disposition is averaging forty-eight days. The Court has also effectively reduced the number of extensions to file briefs, resulting in further expeditious docketing. The Court expedites all juvenile and custody matters to the first available docket after a reduced thirty-day briefing period. The Court has realized a 100% clearance rate in appeals. Furthermore, the Court has an internal formal procedure for reporting on the status of cases pending without disposition for over sixty days.

- **Third Circuit Court of Appeal.** The Third Circuit Court of Appeal reports that it will continue to insure that its caseload is current and will prevent a backlog from building. The Court reports that it has installed a new case management information system to aid in keeping track of cases and in continuing to improve the Court's case management. It also reports that it has established a Judges Bulletin Board to help judges and staff keep track of cases and votes on line.
- **Fourth Circuit Court of Appeal.** The Fourth Circuit Court of Appeal reports that the Office of the Chief Judge tracks writ dispositions and follows up on those that appear to be untimely. It reports that it has rules and other procedures for expediting all cases under advisement or submitted with no finalized opinion, and has the capability of tracking all appeals, applications, and motions filed with the Court. It also reports that it has rules in place regarding the time for lodging records and that it is continuously working with lower courts to speed up the process.
- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that it meets this objective through its regular, ongoing

activities. However, it places great emphasis on meeting the time standards promulgated in Section 6 of Part G of the Supreme Court rules.

## Future Steps

- **None Reported**

## Objective 3.1

**To ensure that the Courts of Appeal are procedurally, economically, and physically accessible to the public and to attorneys.**

## Intent of Objective

Making courts accessible to the public and to attorneys protects and promotes the rule of law. Confidence in the review of the decisions of lower tribunals occurs when the appellate court process is open, to the extent reasonable, to those who seek or are affected by its review or wish to observe it. Appellate courts should identify and remedy court procedures, costs, courthouse characteristics, and other barriers that may limit participation in the appellate process. The cost of litigation, particularly at the appellate level, can limit access to the judicial process. When a party lacks sufficient financial resources to pursue a good-faith claim, provision should be made to minimize or defray the costs associated with the presentation of the case. Physical features of the courthouse can constitute formidable barriers to persons with disabilities who want to observe or avail themselves of the appellate process. Accommodations should be made so that individuals with speech, hearing, vision, or cognitive impairments can participate in the court's process.

## Responses to Objective

- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that it continues to enhance the services provided through its web page by including



checklists for filings and information regarding the adoption of new court rules and changes in procedures. The Court's fees are published on the web page as well as West's Rules of Court. The Court participates in state ADA physical accessibility surveys through the Office of State Buildings and takes a pro-active approach to insure physical accessibility to all citizens. The Court consistently reviews its internal procedures and policies to promote equal accessibility to all services. The Court is working with the Office of State Buildings and Grounds to implement a state-wide electronic security system, and is awaiting architectural plans to redesign the Court's security desk as a means of increasing the protection of the Court's occupants and users.

- **Third Circuit Court of Appeal.** The Third Circuit Court of Appeal reports that it is working in conjunction with the Office of Risk Management on a comprehensive safety program.
- **Fourth Circuit Court of Appeal.** The Fourth Circuit Court of Appeal reports that it has taken steps to ensure that it is accessible procedurally, economically, and physically to the public and to attorneys.
- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that its new courthouse is totally ADA compliant.

### Future Steps

- **None Reported.**

### Objective 3.2

To facilitate public access to their decisions.

### Intent of Objective

The decisions of the Courts of Appeal are a matter of public record. Making the decisions of the Courts of Appeal available to all is a logical extension of the Courts' responsibilities

to review, develop, clarify, and unify the law. The Courts of Appeal should ensure that their decisions are made available promptly to litigants, judges, attorneys, and the public, whether in printed or electronic form. Prompt and easy access to decisions reduces errors in other courts due to misconceptions regarding the position of the Courts.

### Responses to Objective

- **First Circuit Court of Appeal.** The First Circuit Court of Appeal reports that its published decisions are now posted on the Court's web site and e-mailed to subscribers on the same day as they are released. The Court has also assigned an assistant clerk "full-time" to the file room to provide more efficient and responsible access to court records.
- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that it continues its efforts to provide timely decisions to the public and the bar. The Court's decisions are provided immediately by electronic means to five publishing companies. In addition, the decisions are published on the Court's web page.
- **Third Circuit Court of Appeal.** The Third Circuit Court of Appeal reports that its judges continue to give speeches and provide instruction at CLE seminars for local and state bar associations. Its judges also continue to speak to private groups. In addition, the Court has developed a pro se manual to aid pro se litigants in filing appeals and briefs.
- **Fourth Circuit Court of Appeal.** The Fourth Circuit Court of Appeal reports that it employs a number of strategies to facilitate public access to its decisions. The Fourth Circuit did not provide any information as to how decisions are made available to the public.



- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that it posts its decisions and dockets on its web site.

### Future Steps

- **The First Circuit Court of Appeal.** The First Circuit Court of Appeal reports that it intends to place case processing information on its web site for public access.
- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that it will enhance the Court’s web site to provide additional case information to the public and to create search capabilities for court opinions including providing status information on pending cases.

### Objective 3.3

To inform the public of their operations and activities.

### Intent of Objective

Most citizens do not have direct contact with the courts. Information about courts is filtered through sources such as the media, lawyers, litigants, jurors, political leaders, and the employees of other components of the justice system. Public opinion polls indicate that the public knows very little about the courts, and what is known is often at odds with reality. This objective implies that courts have a direct responsibility to inform the community of their structure, functions and programs. The disclosure of such information through a variety of outreach programs increases the influence of the courts on the development of the law, which, in turn, affects public policy and the activities of other governmental institutions. At the same time, such disclosure increases public awareness of and confidence in the operations of the courts.

### Responses to Objective

- **First Circuit Court of Appeal.** The First Circuit Court of Appeal reports that the Court “rides circuit” to local universities and high schools to promote understanding of the Louisiana appellate process. It specifically invites area high school students to attend the oral arguments presented at these proceedings. Occasionally, the Court issues press releases about these court events and other activities. The Court also reports that its web site provides information to the public and is under constant review for improvement.
- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that it invites schools and community groups to tour the courthouse. It also hosts receptions during which it opens the courthouse to the public and provides information about the Court and its judges. In addition, the Court continues to enhance its web page, providing the public and the bar with current and historical information about the work of the Court, its judges and staff. The judges of the Court also actively participate in state and local bar functions.
- **Third Circuit Court of Appeal.** The Third Circuit Court of Appeal reports that it has created an on-line web site to provide information on the Court to the public and to attorneys. Twice a year, in the spring and fall, the Court rides circuit to other cities within its jurisdiction. At these hearings, school children and the public are encouraged to attend the proceedings and all media are notified.
- **Fourth Circuit Court of Appeal.** The Fourth Circuit Court of Appeal reports that it has taken steps to inform the public of its operations and activities, but reports no specific information relating to this strategy.



- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that it meets this objective through its regular, ongoing activities, especially its web site.

### Future Steps

- **The First Circuit Court of Appeal.** The First Circuit Court of Appeal reports that it intends to place case processing information on its web site for public access.
- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that it will enhance the Court's web site to provide additional case information to the public and to create search capabilities for court opinions, including providing status information on pending cases. In addition, it will expand the Court's outreach efforts, including broadening the Court's circuit riding efforts to include educational benefits to schools within the Court's jurisdiction.
- **Third Circuit Court of Appeal.** The Third Circuit Court of Appeal will continue its outreach programs, including its circuit riding program to various cities within the Third Circuit.

### Objective 3.4

To ensure the highest professional conduct of both the bench and the bar.

### Intent of Objective

By virtue of the public trust placed in the bench and bar, those engaged in the practice of law should adhere to the highest standards of ethical conduct. Ethical conduct by attorneys and judges heightens confidence in the legal and judicial systems. Standards of conduct for attorneys and judges serve the dual purpose of protecting the public and enhancing professionalism.

### Responses to Objective

- **First Circuit Court of Appeal.** The First Circuit Court of Appeal reports that its Court developed several special initiatives in FY 2000-2001 to improve the quality and accessibility of continuing legal education programs to the judiciary or to the bar. The Court reports that its judges, clerk, and legal staff participated in various CLE programs throughout the year, particularly programs about the appellate process.
- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that its Court developed several special initiatives in FY 2000-2001 to improve the quality and accessibility of continuing legal education programs to the judiciary or to the bar. It reports that its judges take an active role in participating in local and state bar functions, including participating in and conducting CLE seminars on professionalism and ethics. Two of the Court's judges serve on the Supreme Court's Mandatory CLE Committee. In addition, the judges of the Court teach pro bono for legal support groups such as law enforcement officers, clerks of court, legal secretaries, paralegal associations, and trial court judges associations. The Court's judges exchange ideas with trial court judges through the forum of the Second Circuit Judges Association, providing CLE programs focused on the promotion of cooperative efforts among trial and appellate judges.
- **Third Circuit Court of Appeal.** The Third Circuit Court of Appeal reports that it developed several special initiatives in FY 2000-2001 to improve the quality and accessibility of continuing legal education programs to the judiciary or to the bar. Through the Third Circuit Judges Association, which the Court established, a variety of CLE programs for district and appellate judges are provided. In addition, the judges and staff of



the Court regularly accept invitations to speak to or conduct CLE sessions for the area bar associations.

- **Fourth Circuit Court of Appeal.** The Fourth Circuit Court of Appeal reports that it has taken several steps to ensure the highest professional conduct of both the bench and the bar. The Fourth Circuit did not provide any details as to what steps had been taken.
- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that its Court developed several special initiatives in FY 2000-2001 to improve the quality and accessibility of continuing legal education programs to the judiciary or to the bar. The Court reports that its members work with the Louisiana State Bar Association and other CLE sponsors to provide quality and timely CLE programs.

### Future Steps

- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that it will continue its CLE efforts by working with local and state bar associations, schools, the Second Circuit Judges Association, and community groups.

### Objective 4.1

To seek and obtain sufficient resources from the legislative and executive branches to fulfill their responsibilities, and to institute and maintain a system of accountability for the efficient use of these resources.

### Intent of Objective

As an equal and essential branch of our constitutional government, the judiciary requires sufficient financial resources to fulfill its responsibilities. Just as court systems should be held accountable for their performance, it is the obligation of the legislative and executive

branches of our constitutional government to provide sufficient financial resources to the judiciary for it to meet its responsibility as a co-equal, independent third branch of government. Despite the soundest management practices, court systems will not be able either to promote or protect the rule of law or to preserve the public trust without adequate resources.

### Responses to Objective

- **First Circuit Court of Appeal.** The First Circuit Court of Appeal reports that it has appointed an assistant clerk as a “full-time” assistant to the Business Services Manager to specifically improve cash, property, payroll, and payables management, as recommended by the Legislative Auditor.
- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that its chief judge chaired the Judicial Compensation Commission in 2000 and worked at the side of the Commission’s chair in 2001 to obtain a pay raise for all levels of the judiciary. In addition, the Court reports that it has completed installation of a Windows-based government fund accounting software which will provide expanded capabilities for reporting and a comparative review of revenues and expenditures. The new accounting software will also work interactively with other Windows-based applications such as spreadsheets and presentation software. The Court also reports that it is working with the Supreme Court and other Courts of Appeal to request and promote the adoption of a technology funding program that will address the ongoing needs of the appellate courts, and that will develop a realistic approach for supporting and controlling the escalating costs of providing legal research tools, computer networks, and communication servers.



- **Third Circuit Court of Appeal.** The Third Circuit Court of Appeal reports that it utilizes a Solomon IV program to manage its financial operations and that it runs Excel to generate spreadsheets. The Court also runs SQL in conjunction with Solomon.
- **Fourth Circuit Court of Appeal.** The Fourth Circuit Court of Appeal reports that it developed special initiatives in FY 2000-2001 to improve its management of finances and other resources. The Fourth Circuit did not provide any details regarding these special initiatives.
- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that it developed special initiatives in FY 2000-2001 to improve its management of finances and other resources. It reports that financial and resource oversight is exercised by the Court through monthly en banc meetings and through meetings called at the direction of the chief judge.

### Future Steps

- **None Reported**

### Objective 4.2

To manage their caseloads effectively and use available resources efficiently and productively.

### Intent of Objective

The Courts of Appeal should manage their caseloads in a cost-effective, efficient, and productive manner and in a manner that does not sacrifice the rights or interests of litigants. As an institution consuming public resources, the Courts of Appeal recognize their responsibility to ensure that resources are used prudently and that cases are processed and resolved in an efficient and productive manner.

### Responses to Objective

- **First Circuit Court of Appeal.** The First Circuit Court of Appeal reports that it has purchased and updated new case management software. It is currently clearing out its cases stayed due to bankruptcy, and is implementing a system to monitor and dispose of future stayed cases by contracting and working with lower courts to dispose of cases which have been “pending” in the lower courts for an inordinate amount of time.
- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that it has an ongoing initiative to expand effective case management methods and to enhance the Court’s case management information system. Through the reporting capabilities of the Court’s case management information system, the Court’s backlog is evaluated each month and steps are taken to adjust the docketing process as a means of meeting the demands of the caseload and for insuring the efficient and timely disposition of all cases. The Court also continues to cooperate with CARS (a joint initiative of the Supreme Court and the courts of appeal to develop a Court of Appeal Reporting System) in the development of a data dictionary and file format in compliance with the standards of the National Center for State Courts.
- **Third Circuit Court of Appeal.** The Third Circuit Court of Appeal reports that it developed special initiatives in FY 2000-2001 to improve the efficiency and effectiveness of its case management. However, it did not specify these initiatives.
- **Fourth Circuit Court of Appeal.** The Fourth Circuit Court of Appeal reports that it developed special initiatives in FY 2000-2001 to improve the efficiency and effectiveness of its case management. It reports



that it has formed a budget oversight committee to manage the budget and monitor expenditures.

- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that efficiency in case management is a continuing process of procedure revision.

### Future Steps

- **First Circuit Court of Appeal.** The First Circuit Court of Appeal reports that it will continue to develop its case management system.
- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that it will continue its cooperative efforts with CARS and the National Center of State Courts to develop a Uniform Statistical Reporting System for the courts of appeal via electronic transmission. It will also continue its efforts to effectively manage its caseload with focus on processing all cases within established time standards and clearance rates.

### Objective 4.3

To develop methods for improving aspects of trial court performance that affect the appellate judicial process.

### Intent of Objective

The efficiency and workload of appellate court systems are, to some extent, contingent upon trial court performance. If appellate courts do not properly advise the trial courts of the decisional and administrative errors they are making, appellate court systems waste valuable resources in repeatedly correcting or modifying the same or similar trial court errors. Appellate courts can contribute to a reduction in trial court error by identifying patterns of error, and by collecting and communicating information concerning the nature of errors and the

conditions under which they occur. Appellate courts, working in conjunction with state judicial education functions, might further this work by periodically conducting a variety of educational programs, seminars and workshops for appellate and trial court judges.

### Responses to Objective

- **First Circuit Court of Appeal.** The First Circuit Court of Appeal reports that it has appointed a deputy clerk to serve as a co-trainer for trial court personnel. The Court has also begun work on the development of training materials.
- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that its clerks, together with clerks from other courts of appeal, participated in an educational program addressing record preparation, transcripts, and exhibits that was presented to the trial court clerks by the Louisiana Clerk's Institute. The Clerks will be participating in a similar program for the City Court Clerks Association at its mid-year educational conference. In addition, the Court reports that its clerks meet on an annual basis with the young lawyers group of the bar association in an informational program regarding the appellate process.
- **Third Circuit Court of Appeal.** The Third Circuit Court of Appeal reports that its judges will continue to provide CLE programs through the Third Circuit Judges Association, and will provide help to district and city court judges through the Association.
- **Fourth Circuit Court of Appeal.** The Fourth Circuit Court of Appeal reports that it has developed strategies to fulfill this objective.



## Future Steps

- **First Circuit Court of Appeal.** The First Circuit Court of Appeal reports that it is developing training materials and educational programs to assist lower court clerks in record preparation and in understanding the appellate process.

## Objective 4.4

To use fair employment practices.

### Intent of Objective

The judiciary stands as an important and visible symbol of government. Equal treatment of all persons before the law is essential to the concept of justice. Accordingly, courts should operate free of bias in their personnel practices and decisions. Fairness in the recruitment, compensation, supervision, and development of court personnel helps to ensure judicial independence, accountability, and organizational competence. Fairness in employment, as manifested in the Courts' human resource policies and practices, will help to establish the highest standards of personal integrity and competence among its employees.

### Responses to Objective

- **First Circuit Court of Appeal.** The First Circuit Court of Appeal reports that it has adopted policies and procedures on harassment in the work place, violence and weapons, anti-discrimination, and the use of e-mail and the Internet.
- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that it continues to meet this objective primarily through the Court's involvement in the Human Resource Committee and Human Resource Team. The Court's chief judge serves on the Human Resource Committee and the

Court's clerk serves on the Human Resource Team. Through both of these organizations, the Court takes an active role in the appellate courts' application of uniform and fair employment practices. The Court also reports that, during the fiscal year, it adopted a Violence and Weapons Policy and a Workplace Safety Plan. From previous years, the Court also has formal, written human resource policies or procedures on harassment, public problem resolution, ADA, e-mail and the Internet, and employee grievances.

- **Third Circuit Court of Appeal.** The Third Circuit Court of Appeal reports that it will continue to have monthly meetings with the entire staff to resolve work issues. It also reports that it has formal, written human resource policies and procedures on harassment, ADA, violence and weapons, e-mail and the Internet, anti-discrimination, and employee grievances.
- **Fourth Circuit Court of Appeal.** The Fourth Circuit Court of Appeal reports that it has formal, written human resource policies on harassment.
- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that it has the following formal, written human resource policies or procedures: harassment, public problem resolution; ADA; violence and weapons; e-mail and the Internet; anti-discrimination; and employee grievances.

## Future Steps

- **None Reported**



### **Objective 5.1**

**To vigilantly guard judicial independence while respecting the other co-equal branches of government.**

#### **Intent of Objective**

For the judiciary to be fair and impartial, it should develop and maintain its distinctive and independent status as a separate, co-equal branch of state government. It also must be conscious of its legal and administrative boundaries and vigilant in protecting them.

The judiciary has an obligation to promote and maintain its independence. While insisting on the need for judicial independence, the judiciary should clarify, promote and institutionalize effective working relationships with the other branches of state government and with all other components of the State's justice system. Such cooperation and collaboration is vitally important for the maintenance of a fair, efficient, impartial, and independent judiciary as well as for the improvement of the law and the proper administration of justice.

#### **Responses to Objective**

- **Second Circuit Court of Appeal.**  
The Second Circuit Court of Appeal reports that its members actively participate in the Louisiana Conference of Court of Appeal Judges and work closely to monitor legislative activity that adversely impacts the judiciary. Through the Second Circuit Judges Association, the members of the Court promote an annual exchange of ideas with local legislators and encourage cooperative efforts among the branches of government. The Court also participates in outreach programs working with local schools and community groups. It is the plan of the Court to enlarge on the Court's circuit riding program by extending an educational opportunity to civic classes within

the geographic jurisdiction of the Second Circuit Court of Appeal.

#### **Future Steps**

- **None Reported**

### **Objective 6.1**

**To conduct operational planning by the Operational Planning Team.**

#### **Intent of Objective**

The intent of the Objective is to establish an ongoing mechanism, under the supervision of the Conference of Chief Judges, Courts of Appeal, for ensuring the continued development and implementation of the Strategic Plan of the Courts of Appeal.

#### **Responses to Objective**

- **None Reported**

#### **Future Steps**

- **None Reported**





PERFORMANCE REPORTS:

**PERFORMANCE OF THE  
TRIAL COURTS**

# PERFORMANCE OF THE TRIAL COURTS

## INTRODUCTION

The Board of the Louisiana District Judges Association adopted the Strategic Plan of the Trial Courts in November of 1999. The Supreme Court of Louisiana approved the Plan together with those of the Supreme Court and the Courts of Appeal on December 31, 1999. At the time of adoption, the Strategic Plan of the Trial Courts contained five goals, twenty-three objectives, and seventy-four strategies.

To plan and guide the implementation of the Strategic Plan of the Trial Courts, the Louisiana District Judges Association established a Committee on Strategic Planning chaired by Judge Robert H. Morrison, III, and consisting of Judge Michael Bagneris, Judge Mary Hotard Becnel, and Judge Durwood Conque. The Committee met several times with the Judicial Administrator of the Supreme Court to develop and monitor an implementation plan consisting of the following elements:

- (1) Distribution to each district judge of a copy of the plan and a letter from the Chair of the Committee on Strategic Planning listing FY 2000-2001 priorities and urging serious attention and action.
- (2) Regular, periodic meetings of the Committee on Strategic Planning to monitor and facilitate further planning and implementation.
- (3) Regular briefing of the Board of the Louisiana District Judges Association on the Committee's progress.
- (4) Meetings with the Louisiana Court Administrators Association to brief the district court administrators on the strategic plan and to enlist their help with the plan's implementation.
- (5) Development and distribution of the 2001 Survey of Chief Judges on Judicial Performance.

The Committee implemented each of the above elements during FY 2000-2001. The meetings with the Louisiana Court Administrators Association proved to be particularly helpful. At the first meeting with the Association, materials relating to various aspects of the plan's implementation were distributed to the court administrators. These materials included performance measurement tools from the Trial Court Performance Standards and Measurements Manual, copies of the Supreme Court's Vision of Fairness Manual on fair employment, fair procurement, and public problem resolution procedures, and copies of the Supreme Court's Code of Professionalism poster. At this meeting, two committees of the Association were created - one to address compliance with the Americans with Disabilities Act (ADA) and certain specified general employment issues; the other to address compliance with the federal Adoption and Safe Families Act (ASFA) and the Louisiana Children's Code.



During the fiscal year, the Committee on ADA/Employment gathered and disseminated checklists and other materials relating to ADA compliance. It also developed, with assistance from the Judicial Administrator of the Supreme Court, a model employment manual that it distributed to each district court for possible use and adoption. The Committee on ASFA Compliance helped develop the checklist to be used in the ASFA audit and facilitated the site visits of the consultant conducting the audit. The ASFA Committee also helped in the distribution of the preliminary reports and has begun work on developing forms and other tools for assuring ASFA compliance. The ASFA Committee will also be available to assist the Joint Legislative Juvenile Justice Commission in its efforts to reform and restructure the juvenile justice system of Louisiana (see Objective 4.5).

Forty-three of the chief judges of the district courts responded to the Survey of the Chief Judges. In addition, the presiding judge of the Family/Juvenile Division of the 14th JDC also responded, making forty-four total responses. In most cases, the chief judges of the responding courts answered both the objective and open-ended questions included in the Survey. In some cases, the chief judges elected only to answer the objective questions. In answering the open-ended questions, most of the chief judges provided lists of activities that they either were using or planned to use to address the objectives. Sometimes, the chief judges simply indicated that their responses to certain objectives were part of the regular, ongoing activities of their courts. In other cases, the chief judges responded to the open-ended questions by indicating that their courts were either already in compliance with the objective or would take steps to be compliant in the coming year. In one court, the 13th JDC, the two judges of the district submitted the results of surveys provided to jurors, attorneys, and court-related personnel indicating the quality of each judge's performance as well as the court as a whole. Several courts (e.g. the 2nd JDC; the 16th JDC; and the 32nd JDC) indicated that they either had or would be developing comprehensive plans of their own for systematically addressing each year the objectives contained in the Strategic Plan.

Four of the chief judges of the forty-seven district courts in the state did not respond, in any way, to the Survey of Chief Judges. These chief judges were from the following courts: the 20th JDC; the 23rd JDC; the 31st JDC; and the 39th JDC.

### Objective 1.1

**To conduct judicial proceedings that are public by law or custom openly**

#### Intent of the Objective

The general intent of the objective is to encourage openness in all appropriate judicial proceedings. The courts should specify proceedings to which the public is denied access and ensure that the restriction is in accordance with the law and reasonable public expectations. Further, the courts should ensure that its proceedings are accessible and audible to all participants, including litigants, attorneys, court personnel, and other persons in the courtroom.

### Responses to the Objective

**General Responses.** The following general responses were reported:

- **Rule on Openness.** The Committee on Strategic Planning of the Louisiana District Judges Association has, with the assistance of the Judicial Administrator of the Supreme Court, developed a draft rule on openness. The draft is being reviewed by the Committee prior to dissemination to all district court judges for their review and comment. If approved, the draft rule would be presented either to each court for possible adoption or to the District Court Rules



- Committee for possible adoption as a uniform rule.
- **Rule on the Availability of Assistive Listening Devices.** The Committee on District Court Rules has included in its draft uniform rules a rule providing for general ADA accessibility and compliance.

**Responses of Individual Courts.** The following responses were reported by each court:

### Openness of Proceedings

- **2nd JDC.** The 2nd JDC reports that its judges close juvenile adjudication hearings in accordance with the Louisiana Children’s Code. They also close domestic hearings when requested by either or both attorneys and as authorized by statute. All other hearings are open to the public.
- **7th JDC.** The 7th JDC reports that it has made its courtroom personnel and bailiffs aware of its rules for closed hearings.
- **10th JDC.** The 10th JDC reports that it has developed a rule on openness and has taken other steps to inform the public of why some proceedings have limited access.
- **13th JDC.** The 13th JDC reports that it conducts all proceedings in public, except juvenile proceedings.
- **14th JDC.** The 14th JDC reports that it addresses the objective through its regular, ongoing activities.
- **24th JDC.** The 24th JDC reports that, under General Rule 4.3, all of its proceedings are open to the public except when the Court clears the courtroom for reasons of decorum and safety (General Rule 4.1). Notices are posted when required.
- **26th JDC.** The 26th JDC reports that its judges close juvenile adjudication hearings in accordance with the Louisiana Children’s Code. Domestic hearings are also closed when requested by either or both counsel and as authorized by law. Courtroom personnel and bailiffs are aware of these rules and notify the public accordingly. All other hearings are open to the public.
- **27th JDC.** The 27th JDC reports that it addresses the objective through its regular, ongoing activities.
- **30th JDC.** The 30th JDC reports that, whenever the Court does close a proceeding, its judge informs those being excused why their presence is not permitted.
- **32nd JDC.** The 32nd JDC reports that it posts on its bulletin board a daily listing of the proceedings that are open to the public.
- **34th JDC.** The 34th JDC reports that all of its proceedings are open to the public with the exception of adoption and juvenile adjudication proceedings. All exceptions to the general rule of openness are considered only on motion of one of the parties and after an open adversarial hearing is held on each request. If a proceeding is closed, the reasons are published and made available to all interested persons.
- **40th JDC.** The 40th JDC reports that it closes juvenile adjudication hearings in accordance with the provisions of the Louisiana Children’s Code. It also closes hearings on domestic matters when requested by either or both parties and as authorized by law. All other hearings are open to the public.
- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court reports that it addresses the objective through its regular, ongoing activities.
- **East Baton Rouge Juvenile Court.** The East Baton Rouge Juvenile Court reports that it is currently revising its local court rules and will consider the need for having a rule defining the limits of open proceedings.



## Audibility of Proceedings

- **1st JDC.** The 1st JDC reports that it has designed a courtroom for use by persons with disabilities. The courtroom has wheelchair access, hearing assistance equipment, and real-time reporting. The special audio listening devices are specifically designed to assist individuals with hearing problems. The 1st JDC has also developed a system of standby signage and language interpreters.
- **2nd JDC.** The 2nd JDC reports that it has provided very sophisticated amplification systems in its three courtrooms. For persons who still cannot hear the proceedings comfortably, the judges arrange for accommodations, including allowing the attorneys to approach a witness closely, changing the seating of jurors, and providing for certified sign-language interpreters.
- **5th JDC.** The 5th JDC reports that it has installed a better sound system in one of its courtrooms.
- **13th JDC.** The 13th JDC reports that it has ordered court personnel to include on all subpoenas a notice asking persons requiring enhanced audibility to immediately inform the Court of the need for assistance and accommodation.
- **15th JDC.** The 15th JDC reports that it is working with its clerks of court to include a contact name and telephone number on the jury summons as a means of enabling those persons to request accommodations for assistive listening devices, sign interpreters, and other forms of assistance.
- **17th JDC.** The 17th JDC reports that it has installed assistive listening devices for the benefit of its jurors and witnesses in all of its courtrooms.
- **22nd JDC.** The 22nd JDC reports that it has purchased assistive listening devices for each of its courtrooms.
- **24th JDC.** The 24th JDC reports that assistive listening devices are available on a phone in the clerk's office and on all public telephones in the courthouse. It also reports that the public is notified on all subpoena notices of the availability of reasonable accommodations upon request. In addition, the Court also reports that both signage and language interpreters are routinely available when needed.
- **27th JDC.** The 27th JDC reports that it has upgraded its courtrooms and has installed a new sound system.
- **28th JDC.** The 28th JDC reports that it has adopted a rule providing for the use of assistive listening devices in its courtrooms.
- **32nd JDC.** The 32nd JDC reports that it has installed new sound systems in its courtrooms to allow greater audibility for jurors, witnesses, and attorneys. It has also included on its subpoenas and summons to jurors and witnesses a notice of the availability of ADA accommodation upon request.
- **34th JDC.** The 34th JDC reports that its judges are not aware of any recent requests for assistive listening devices. The individual judges of the district will make accommodations for assistive listening devices whenever the need is brought to their attention. In addition, the Court reports that it has included the ADA accommodation language in its subpoenas and that it is exploring the feasibility of incorporating a similar notice on its jury summons.
- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court reports that



- general court information as well as court schedules.
- **30th JDC.** The 30th JDC reports that it publishes the daily court docket on a bulletin board in the courthouse.
- **32nd JDC.** The 32nd JDC reports that it posts the daily schedules of each proceeding on a bulletin board in the courthouse.
- **34th JDC.** The 34th JDC reports that it currently posts court schedules on a bulletin board in a public area of the clerk of court's office.
- **36th JDC.** The 36th JDC reports that it posts signs and schedules in its courthouse, notifying the public of judges' offices, courtrooms, and schedules.
- **40th JDC.** The 40th JDC reports that it posts the schedules of court daily.
- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court reports that it notifies the public of court schedules through its bulletin boards, web site, and VRT messaging system.
- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court reports that it posts daily court schedules on the bulletin board outside each courtroom. It also reports that it is developing a web site that will communicate court schedules and other court information.

## Future Steps

The following future steps were reported by each court:

- **3rd JDC.** The 3rd JDC reports that it is in the process of getting quotes for assistive listening devices to be installed in its courtrooms.
- **5th JDC.** The 5th JDC reports that it is considering providing assistive listening devices

in its courtrooms.

- **6th JDC.** The 6th JDC reports that it will provide posted notices on courtroom doors during closed proceedings explaining the basis for the limited access. It also intends to continue improving its web site for the benefit of court users.
- **7th JDC.** The 7th JDC reports that it will post notices on its courtroom doors during closed proceedings explaining the basis for the limited access. It also reports that it will upgrade its courtroom acoustical equipment to provide better amplification and recording.
- **8th JDC.** The 8th JDC reports that it will enhance the audibility of its courtrooms in the coming year.
- **14th JDC.** The 14th JDC reports that it will work to install assistive listening devices in its courtrooms during the coming year. It will also try to establish a web site for improved communication with the public.
- **19th JDC.** The 19th JDC reports that, with assistance from the National Center for State Court, the Court has developed a plan for a new courthouse containing adequate space and providing greater security and ADA compliance.
- **21st JDC.** The 21st JDC reports that it is working on the development of a web site to provide court schedules and other information.
- **26th JDC.** The 26th JDC reports that it will create, with assistance from the Bossier Parish Police Jury, a web site to post information on the services and calendars of the Court. It will also upgrade its sound system and install assistive listening devices in all courtrooms.
- **33rd JDC.** The 33rd JDC reports that it plans to address this objective in 2002.
- **34th JDC.** The 34th JDC reports that it is developing a web site for posting docketing and other court information.



it has placed on its subpoenas a notice of the availability of ADA accommodations upon request.

- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court reports that it uses real-time court reporting in one of its sections.

### Publication of Court Schedules

- **1st JDC.** The 1st JDC reports that it has developed a web site to provide information on the Court, its judges, and the proceedings of each section.
- **2nd JDC.** The 2nd JDC reports that its court schedules are currently published in the local rules of court and posted in the offices of the various clerks of court.
- **5th JDC.** The 5th JDC reports that it is publishing court schedules in local newspapers at least twice per year.
- **6th JDC.** The 6th JDC reports that it has obtained appropriate display boards for posting the Court's schedule. The Court has also contracted for the development of a web site to communicate court schedules, court rules, travel directions, jury instructions, and other matters to court users.
- **7th JDC.** The 7th JDC reports that it is posting the court schedule on every courtroom door.
- **10th JDC.** The 10th JDC reports that it has taken steps to provide notice of court schedules.
- **13th JDC.** The 13th JDC reports that it publishes court schedules each week and prominently displays these schedules in the courthouse.
- **14th JDC.** The 14th JDC reports that it utilizes an electronic bulletin board to provide daily

updates on court information. It also provides an information officer to give out information on the court and each section's docket.

- **15th JDC.** The 15th JDC reports that the promulgation of court schedules is currently a regular, ongoing activity of its court. However, the Court is developing a web site, one purpose of which would be to post court schedules.
- **16th JDC.** The 16th JDC reports that it distributes its court calendars annually to the clerks of court, district attorney, sheriffs, detention facilities, and members of the local bar. Revisions are also distributed on an ongoing basis. In addition, Division E of the Court maintains a web page which provides information on the Court in general and on the Division E docket.
- **19th JDC.** The 19th JDC reports that it has provided for the promulgation of all court schedules by the daily posting of the schedule outside each courtroom.
- **22nd JDC.** The 22nd JDC reports that some of its judges publish their dockets on their own divisional web pages.
- **24th JDC.** The 24th JDC reports that its schedules are provided in its court rules, on its web page, on bulletin boards in the court house, and through voice mail. In addition, a special dial-in system is available to jurors.
- **25th JDC.** The 25th JDC reports that it has developed a web page for posting court schedules and other court information.
- **27th JDC.** The 27th JDC reports that it has addressed the objective through its regular, ongoing activities.
- **29th JDC.** The 29th JDC reports that it posts the daily court docket outside of each courtroom and that it has developed a web site containing



- **Orleans Parish Criminal District Court.**

The Orleans Parish Criminal District Court reports that it is actively seeking resources to install real-time court reporting in at least one other section of the Court during the coming year. It also hopes to have its web site operational in the coming year.

### **Objective 1.2**

**To encourage responsible parties to make court facilities safe, accessible, and convenient.**

### **Intent of Objective**

The objective presents three distinct aspects of court performance – the security of persons and property within the courthouse and its facilities; access to the courthouse and its facilities; and the reasonable convenience and accommodation of the general public in court facilities. In Louisiana, local governments are generally responsible, under the provisions of R.S. 33:4713, 4714, and 4715, for providing suitable courtrooms, offices, juror facilities, furniture, and equipment to courts and other court-related functions and for providing the necessary heat and illumination in these buildings. They are also responsible, by inference and by subsequent interpretation of these statutes, for the safety, accessibility, and convenience of court facilities. District courts and judges, therefore, do not have direct responsibility for the facilities in which they are housed. However, the intent of Objective 1.2 is to encourage district courts and judges to work with responsible parties to make court facilities safe, accessible, and convenient.

### **Responses to the Objective**

**General Responses.** The following general responses were reported:

- In response to the 2001 Survey of Chief Judges, twenty-seven of the forty-four (61.4%) responding judges indicated that their courts needed

significant improvements in security. Those twenty-seven courts were the 2nd JDC; the 3rd JDC; the 4th JDC; the 5th JDC; the 6th JDC; the 7th JDC; the 8th JDC; the 9th JDC; the 10th JDC; the 11th JDC; the 13th JDC; the 14th JDC; Family Court Division; the 16th JDC; the 18th JDC; the 19th JDC; the 21st JDC; the 24th JDC; the 25th JDC; the 26th JDC; the 27th JDC; the 30th JDC; the 34th JDC; the 37th JDC; the 39th JDC; the 40th JDC; the Orleans Parish Juvenile Court; and the East Baton Rouge Parish Juvenile Court. Of the twenty-seven chief judges who indicated that their courts did need significant improvements in security, nine (33.3%) stated that they had conducted or sponsored recent security audits to evaluate their security needs. Those nine courts were: the 4th JDC; the 13th JDC; the 14th JDC; Family Court Division; the 19th JDC; the 21st JDC; the 24th JDC; the 26th JDC; the 34th JDC; and the 40th JDC

- In response to the 2001 Survey of Chief Judges, six of the forty-four responding chief judges (13.6%) stated that their court facilities were not accessible or convenient and stated that this need had been communicated to their local governments. The six courts were: the 3rd JDC; the 11th JDC; the 21st JDC; the 22nd JDC; the 24th JDC; and the Orleans Parish Juvenile Court.
- **District Court Rules.** As stated earlier, the Committee on District Court Rules has included in its draft uniform rules a specific rule providing for general ADA accessibility and compliance. The rule provides procedures and a form for requesting accommodations and provides for timely response.



- **ADA Performance Audit.**

In the beginning of calendar year 2000, the Supreme Court sponsored a performance audit on district court compliance with the Americans with Disabilities Act (ADA). The courts included in the scope of the audit were: the 2nd JDC; the 3rd JDC; the 4th JDC; the 9th JDC; the 11th JDC; the 15th JDC; the 17th JDC; the 18th JDC; the 19th JDC; the 22nd JDC; the 24th JDC; the 27th JDC; the 29th JDC; the 30th JDC; the 36th JDC; and the Orleans Parish Criminal District Court. The audit included an assessment of both physical and programmatic compliance. Upon completion of the audit, the audit checklist and general results were distributed, with a cover letter from the Chief Justice, to all district courts for their use in attaining compliance. Copies of the individual reports were sent to the chief judge and court administrator of each audit site.

- **The ADA/Personnel Committee of the LCAA.**

The ADA/Personnel Committee of the Louisiana Court Administrators Association (LCAA), with the assistance of the Judicial Administrator of the Supreme Court, has disseminated information on all aspects of the Americans with Disabilities Act (ADA) to all district courts. Included in the disseminated information were checklists, the model rule, and model language communicating ADA rights and procedures on subpoenas, summons, and other court documents.

- **ADA Compliance Checklist.** In response to the 2001 Survey of Chief Judges, thirty-eight of the forty-four responding chief judges (86.4%) indicated that their courts had used the checklist developed by the Judicial Administrator of the Supreme Court to determine their compliance with the American with Disabilities Act (ADA). Among the courts indicating that they had used the compliance checklist were: the 1st JDC; the 2nd JDC; the 3rd JDC; the 4th JDC; the 5th JDC; the 6th JDC; the 7th JDC; the 8th JDC; the 10th JDC; the 11th JDC; the 12th JDC; the 13th JDC; the 14th JDC; the 15th

JDC; the 16th JDC; the 17th JDC; the 19th JDC; the 21st JDC; the 22nd JDC; the 24th JDC; the 26th JDC; the 27th JDC; the 28th JDC; the 29th JDC; the 30th JDC; the 31st JDC; the 32nd JDC; the 35th JDC; the 36th JDC; the 37th JDC; the 39th JDC; the 40th JDC; the Orleans Parish Civil District Court; the Orleans Parish Criminal District Court; the Caddo Parish Juvenile Court; the East Baton Rouge Parish Juvenile Court; the Jefferson Parish Juvenile Court; and the East Baton Rouge Parish Family Court.

- **ADA Compliance.** When asked in that same survey to indicate the steps their courts had taken in the last two years to ensure compliance with the Americans with Disabilities Act (ADA), the chief judges responded as follows:

- Sixteen of the forty-four responding chief judges (36.4%) indicated that their courts had implemented an ADA policy or court rule (the 1st JDC; the 3rd JDC; the 4th JDC; the 15th JDC; the 16th JDC; the 17th JDC; the 19th JDC; the 21st JDC; the 22nd JDC; the 24th JDC; the 26th JDC; the 28th JDC; the Orleans Parish Civil District Court; the Orleans Parish Criminal District Court; the Caddo Parish Juvenile Court; and the East Baton Rouge Parish Family Court.)
- Twenty-one of the forty-four responding chief judges (47.7%) indicated that their courts had communicated the availability of reasonable accommodations to the general public (the 1st JDC; the 2nd JDC; the 4th JDC; the 5th JDC; the 6th JDC; the 7th JDC; the 12th JDC; the 13th JDC; the 15th JDC; the 19th JDC; the 22nd JDC; the 24th JDC; the 26th JDC; the 32nd JDC; the 36th JDC; the Orleans Parish Civil District Court; the Orleans Parish Criminal District Court; the Caddo Parish Juvenile Court; the East Baton Rouge Parish Juvenile Court; the Orleans Parish Juvenile Court; and the East Baton Rouge Parish Family Court.)



- Thirty-four of the forty-four responding chief judges (77.3%) indicated that their courts had worked with local officials to bring the physical facilities into compliance (the 2nd JDC; the 3rd JDC; the 4th JDC; the 5th JDC; the 6th JDC; the 8th JDC; the 10th JDC; the 11th JDC; the 12th JDC; the 15th JDC; 16th JDC; 17th JDC; 19th JDC; 21st JDC; 22nd JDC; 24th JDC; 25th JDC; 26th JDC; 27th JDC; 28th JDC; 29th JDC; 32nd JDC; 33rd JDC; 35th JDC; the 36th JDC; the 37th JDC; 38th JDC; 40th JDC; the Orleans Parish Civil District Court; the Orleans Parish Criminal District Court; the East Baton Rouge Parish Juvenile Court; the Jefferson Parish Juvenile Court; the Orleans Parish Juvenile Court; and the East Baton Rouge Parish Family Court.)
- Fifteen of the forty-four responding chief judges (34.1%) indicated that their courts had taken steps to bring themselves into programmatic compliance (the 1st JDC; the 2nd JDC; the 4th JDC; the 5th JDC; the 13th JDC; the 15th JDC; the 19th JDC; the 22nd JDC; the 24th JDC; the 26th JDC; the 33rd JDC; the 34th JDC; the 36th JDC; the Orleans Parish Civil District Court; and the Orleans Parish Criminal District Court.)

**Responses of Individual Courts.** The following responses were reported by each court:

### Security/Emergency Procedures

- **1st JDC.** The 1st JDC reports that a security specialist of the U.S. Marshal's office recently updated the Court's original security audit. The new audit's results will be taken into consideration in the Court's upcoming renovations.
- **2nd JDC.** The 2nd JDC reports that it has completed security audits of each of its courthouses and has communicated the results of each audit to the respective parish police jury. Each of the courtrooms and judges' offices has been equipped with alarm buttons that ring in the

respective Sheriffs' offices. The courtroom bailiffs, appointed by the sheriffs, have had or will have security training.

- **3rd JDC.** The 3rd JDC reports that it has developed new office procedures for handling bomb threats or other security threats.
- **5th JDC.** The 5th JDC reports that it has installed in the chambers and at the benches of its judges emergency buzzers linked directly to each sheriff's office. It also reports that it has installed in each courtroom video cameras that are monitored by each sheriff's office.
- **6th JDC.** The 6th JDC reports that it periodically advises the police juries in the district of the safety and security deficiencies of each respective courthouse.
- **7th JDC.** The 7th JDC reports that its sheriff's office periodically reviews the security of the courtroom. In addition, emergency procedures have been developed and are being maintained.
- **8th JDC.** The 8th JDC reports that it has assigned a bailiff to ensure security in the hallway to the courtroom.
- **9th JDC.** The 9th JDC reports that it is formulating a plan to restrict entry to the courthouse to an area with a metal detector.
- **13th JDC.** The 13th JDC reports that it has requested the U.S. Marshal's office in Lafayette to conduct a security audit and that the Court is conducting surveys requesting juror opinions regarding security, the court itself, its personnel, and the lawyers who come before the court.
- **14th JDC.** The 14th JDC reports that its approaches to security and emergency procedures are regular, ongoing activities of the court.
- **14th JDC, Family/Juvenile Division.** The 14th JDC, Family/Juvenile Division, reports that



it has had a security audit performed by the U.S. Marshal.

- **15th JDC.** The 15th JDC reports that it has had a security audit done of the Lafayette Parish courthouse in association with members of the offices of the local and state fire marshals and the city/parish department of safety and security. Recommendations were made in the audit regarding after-hours egress, unrestricted access to hallways, stairwells, signs, audible alarms, and other matters. The Court also developed an Emergency Planning Committee consisting of law enforcement officers, emergency preparedness personnel from city/parish government, and representatives of each courthouse facility. The purpose of the Committee is to study and make recommendations regarding effective evacuation procedures, methods of communication, etc.
- **17th JDC.** The 17th JDC reports that it has taken several major steps to improve its security and safety. Each courtroom has been equipped with panic alarms that are tested monthly. Both courthouses have secure points of entry and controlled access. There are walk-through metal detectors and scanners at both points of entry with full-time security officers on duty every day. Both courthouses have cameras in strategic locations – hallways, stairways, waiting rooms, courtrooms, etc., and security officers monitor all points of entry to the courthouse.
- **19th JDC.** The 19th JDC reports that it has conducted regular emergency drills for the entire courthouse.
- **22nd JDC.** The 22nd JDC reports that it completed a security audit some years ago. Currently, the Court's security officers are undergoing specialized training. The Court's security office has compiled a handbook on security relating to sequestered juries. The Court has also sponsored emergency preparedness training for its employees.
- **24th JDC.** The 24th JDC reports that the Gretna Police Department conducted a security audit of the courthouse within the last two years. It also reports that Gretna police officers are routinely trained in and tested on security matters and that they have developed and placed notices of emergency procedures on bulletin boards in the halls and courtrooms of the courthouse. In addition, daily surveys of the opinions of users of the courthouse regarding safety, accessibility, and convenience are conducted and compiled by the clerk of court and later communicated to all appropriate agencies.
- **26th JDC.** The 26th JDC reports that an independent project management firm has developed a needs assessment to ensure that security needs are met in the renovation of the Bossier Parish courthouse. The Court also reports that evacuation procedures have been developed to handle fire, severe weather, and bomb threats and that these policies have been disseminated in writing to the judges' office personnel. Evacuation drills have also been conducted that include all occupants of the courthouse.
- **27th JDC.** The 27th JDC reports that its serious security concerns have been regularly communicated to the St. Landry Police Jury.
- **32nd JDC.** The 32nd JDC reports that it has asked a local police department to conduct a security survey. It also reports that it has drafted a questionnaire to survey the opinions of jurors, court personnel, attorneys, and other court users regarding security. Currently, each courtroom has an alert system and instructions on how to evacuate in case of emergencies.
- **34th JDC.** The 34th JDC reports that it has completed a security audit of its courtroom. Its judges have conducted several public meetings to elicit opinions on courthouse security and have recently appeared before the parish council concerning the issue. It also reports that



emergency procedures are currently in place and that a court security plan is under development. Once the plan is implemented, it will be carefully monitored through the use of surveys of jurors and litigants regarding their recommendations for balancing the needs of accessibility and security.

- **36th JDC.** The 36th JDC reports that it has installed an emergency response system in its courtrooms and judges' offices for instantly notifying the sheriff's office of emergencies.
- **38th JDC.** The 38th JDC reports that it has discussed security issues with its Sheriff's Office and that certain procedures have been implemented. A portable metal detection portal is available when circumstances require it. A request for a security audit by the Sheriff's Office has been made. Upon completion of the audit, the results will be sent to the Judicial Administrator of the Supreme Court.
- **40th JDC.** The 40th JDC reports that a bailiff is on duty during all business hours at the courthouse.
- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court reports that it has conducted or sponsored a recent security audit.
- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court reports that the security and safety of the Court is the responsibility of the Criminal Sheriff. The sheriff periodically meets with the Court to discuss, refine, and update security procedures. The Court also reports that it has approved an emergency preparedness plan and has conducted informal surveys of jurors and court personnel to get feedback on security issues.
- **East Baton Rouge Parish Juvenile Court.** The East Baton Rouge Parish Juvenile Court reports that the East Baton Rouge Sheriff's office has conducted a security audit of the Court's facilities. As a result of the audit, the Court has

implemented several security measures. It has installed panic buttons on judges' benches to alert security in the event of courtroom emergencies, and it has installed security access codes at all corridor entrances leading to the offices of the judges and the staff.

## Telephone Courtesy and Accuracy

The efforts to address telephone courtesy and accuracy are reported under Objective 1.4 below in the section entitled "Courtesy and Responsiveness."

## Accessibility

- **1st JDC.** The 1st JDC participated in the ADA compliance review conducted by the Judicial Administrator of the Supreme Court in 1998-99. As a result of this review, the Court has taken several steps to improve its compliance with the ADA and to ensure accessibility for everyone. It has designed a courtroom for use by persons with disabilities. The courtroom has wheelchair access, hearing assistance equipment, and real-time reporting.
- **2nd JDC.** The 2nd JDC participated in the FY 1999-2000 performance audit on ADA compliance conducted by the National Center for State Courts. As a result of the audit, the Court has worked with local officials to bring the physical facilities of all three courthouses into compliance. It has also communicated the availability of reasonable accommodations to court users and has taken steps to attain programmatic compliance.
- **3rd JDC.** The 3rd JDC participated in the FY 1999-2000 performance audit on ADA compliance conducted by the National Center for State Courts. As a result of the audit and the subsequent assistance provided by the ADA/Personnel Committee of the Louisiana Court Administrators Association, the following improvements were made:



- ADA coordinators were appointed for Lincoln and Union Parishes.
  - Appropriate modifications were made to ensure proper methods of communication within the Court.
  - Notice of ADA requirements were made available to attorneys and litigants.
  - Access ramps into the courthouses were added.
  - Outside door knobs to the courthouses were replaced at ADA-required heights for the benefit of persons with disabilities, especially those in wheelchairs.
  - Bathrooms were made accessible on the ground floors and the courtroom floor.
  - All courtrooms were made wheelchair accessible, and all tables were adjusted to accommodate wheelchairs.
  - Evacuation signs and procedures were developed to assist persons with hearing disabilities who happen to be in bathrooms during emergencies.
  - A statement on ADA accommodation was placed in all notices and summons to jurors.
  - Access to the courthouse for persons with disabilities was improved.
- **4th JDC.** The 4th JDC participated in the FY 1999-2000 performance audit of ADA compliance conducted by the National Center for State Courts. The Court Administrator of the 4th JDC chaired the ADA/Personnel Committee of the Louisiana Court Administrators Association (LCAA). As a result of the audit and the subsequent assistance provided by the ADA/Personnel Committee of the Louisiana Court Administrators Association, the court has begun to work with other officials in the district to improve ADA compliance.
  - **5th JDC.** The 5th JDC reports that it has taken steps in the last two years to ensure compliance with the ADA. It has used the checklist provided by the Judicial Administrator of the Supreme Court to assess compliance with the ADA. It has worked with local officials to bring the physical

facilities of its courthouses into compliance. It has communicated the availability of reasonable accommodations to court users and has taken steps to attain programmatic compliance.

- **6th JDC.** The 6th JDC reports that it has taken steps in the last two years to ensure compliance with the ADA. It has worked with local officials to bring the physical facilities of the courthouse into ADA compliance. It has also communicated the availability of reasonable accommodation to court users.
- **7th JDC.** The 7th JDC reports that it has completed a survey on ADA accessibility and has communicated the results of the survey to its judicial administrator and to appropriate local officials. It has also placed a notice of the availability of reasonable accommodation in all of its subpoenas and jury notices.
- **8th JDC.** The 8th JDC reports that it has worked with local officials to bring the physical facilities of the courthouse into compliance with the ADA.
- **9th JDC.** The 9th JDC participated in the FY 1999-2000 performance audit on ADA compliance conducted by the National Center for State Courts.
- **10th JDC.** The 10th JDC reports that it is working with local officials to bring the physical facilities of the courthouse into compliance with the ADA.
- **12th JDC.** The 12th JDC reports that it is working with local officials to bring the physical facilities of the courthouse into compliance with the ADA and that it has communicated the availability of reasonable accommodation to court users through various means.
- **13th JDC.** The 13th JDC reports that it has initiated an ADA compliance audit.



- **14th JDC.** The 14th JDC reports that its non-Family/Juvenile Division is housed in a relatively new building that was built with the ADA in mind. Consequently, persons with disabilities have easy access to the courthouse.
- **15th JDC.** The 15th JDC participated in the FY 1999-2000 performance audit on ADA compliance conducted by the National Center for State Courts. Copies of the audit results were sent to each respective parish governing authority for implementation. In addition, the judicial administrator of the Court worked on the ADA/Employment Committee of the Louisiana Court Administrators Association to develop an ADA-responsive policy with a specific focus on jurors. The policy was disseminated at the Judges' Fall Conference in October of 2001 for adoption and implementation by all district courts. The Court has worked with local officials to bring the physical facilities into ADA compliance and has communicated the availability of reasonable accommodations to court users through notices on subpoenas and summons. It has taken steps to attain programmatic compliance with ADA requirements and has developed and promulgated a rule on language interpreters, requiring, among other things, that lists of available interpreters be compiled and sent to the clerk of court of each parish in the district.
- **16th JDC.** The 16th JDC reports that it has implemented a general policy on the ADA and that it is working with local officials to bring the Court's physical facilities into compliance with the ADA.
- **17th JDC.** The 17th JDC participated in the FY 1999-2000 performance audit on ADA compliance conducted by the National Center for State Courts. All deficiencies uncovered by the audit were noted and sent to the parish governing authority for remedy. Some areas of concern have been addressed including street and building disability access points and a restroom especially equipped for persons with disabilities.
- **19th JDC.** The 19th JDC participated in the FY 1999-2000 performance audit on ADA compliance conducted by the National Center for State Courts. As a result of the audit, the Court has implemented an ADA policy. It has worked with local officials to bring its physical facilities into compliance. It has developed a new jury summons containing the appropriate ADA language regarding accommodations and has taken steps to bring itself into programmatic compliance with the ADA.
- **22nd JDC.** The 22nd JDC participated in the FY 1999-2000 performance audit on ADA compliance. As a result of the audit, the Court has implemented an ADA policy. It has worked with local officials to bring the Court's physical facilities into ADA compliance. It has communicated the availability of reasonable accommodation to court users and has taken steps to bring itself into programmatic compliance.
- **24th JDC.** The 24th JDC participated in the FY 1999-2000 performance audit on ADA compliance. As a result of the audit, the Court has implemented an ADA policy. It has communicated the availability of reasonable accommodation to court users. It has taken steps to bring itself into programmatic compliance. It has worked with parish leaders to create an ADA Compliance Committee. Thus far, the Committee has overseen the installation of ramps and other assistive devices throughout the courthouse and Braille signage in all elevators. It has also sponsored ADA training seminars for all courthouse employees. The Committee is now working with the ADA Office of Jefferson Parish to conduct an ADA audit of the entire courthouse.
- **26th JDC** The 26th JDC participated in the FY 1999-2000 performance audit on ADA compliance. In addition, its judicial administrator served on the ADA Committee of the Louisiana Court Administrators Association. As a result of both of these activities, the Court has taken



several steps to improve its compliance with the ADA. The Court implemented an ADA policy. It worked with local officials to bring the physical facilities into compliance. It communicated the availability of reasonable accommodations to court users and it took several other steps to achieve programmatic compliance. The judicial administrator met with the ADA coordinators in Bossier and Webster parishes and provided them with the ADA manual (Equal Access to Justice) supplied by the Supreme Court. The judicial administrator also conducted sensitivity training sessions relating to ADA responsibilities for members of the sheriff's Department of Security, personnel department heads, bailiffs, and probation officers.

- **27th JDC.** The 27th JDC reports that it has used the checklist supplied by the Supreme Court to ensure compliance with the ADA and that it has worked with local officials to bring the physical facilities of the courthouse into compliance with the ADA.
- **28th JDC.** The 28th JDC participated in the FY 1999-2000 ADA audit conducted by the National Center for State Courts. In addition, its judicial administrator served on the ADA Committee of the Louisiana Court Administrators Association. As a result of both of these activities, the Court has taken several steps to improve its compliance with the ADA. The Court has adopted a rule providing for ADA compliance and it has worked with local officials to bring the physical facilities of the courthouse into compliance.
- **29th JDC.** The 29th JDC reports that it has taken steps in the last two years to ensure compliance with the ADA, principally by working with local officials to bring the physical facilities of the courthouse into compliance.
- **30th JDC.** The 30th JDC reports that its new courthouse was opened in 2001 and will provide convenient and accessible facilities to the public.
- **32nd JDC.** The 32nd JDC reports that it has used the checklist provided by the Judicial Administrator of the Supreme Court to assess the Court's compliance with the ADA. It also reports that it has taken several steps in the last two years to ensure ADA compliance. It has communicated the availability of reasonable accommodations to court users. It has worked with local officials to bring the physical facilities of the courthouse into compliance. It has developed a list of interpreters both for the hearing-impaired and for court users needing language interpreters. It is also developing a questionnaire for surveying the opinions of jurors, court personnel, attorneys and other court users regarding security, accessibility, fairness, courtesy, responsiveness, and the overall performance of the Court.
- **33rd JDC.** The 33rd JDC reports that it has worked with local officials to bring the physical facilities of the courthouse into ADA compliance and that it has taken steps to bring itself into programmatic compliance.
- **34th JDC.** The 34th JDC reports that it has taken several steps to comply with ADA requirements. Wheelchair-accessible ramps have been installed at the ground level of the building and a designated elevator is available to provide ADA compliant access to the second floor. Furthermore, all public bathroom facilities have been modified for ADA accessibility.
- **35th JDC.** The 35th JDC reports that it has taken several steps to comply with ADA requirements. It has used the checklist provided by the Judicial Administrator of the Supreme Court to assess ADA compliance and it has worked with local officials to bring the physical facilities of the courthouse into compliance.
- **36th JDC.** The 36th JDC reports that it has taken several steps within the last two years to comply with ADA requirements. It has worked with local officials to bring the physical facilities



into compliance. It has also communicated to the public the availability of reasonable accommodations and has taken steps to bring the court into programmatic compliance.

- **37th JDC.** The 37th JDC reports that it has taken several steps to comply with ADA requirements. It has used the checklist provided by the Judicial Administrator of the Supreme Court to assess ADA compliance and it has worked with local officials to bring the physical facilities of the courthouse into compliance.
- **39th JDC.** The 39th JDC reports that all facilities in the courthouse are accessible in terms of ADA requirements.
- **40th JDC.** The 40th JDC reports that it has used the checklist provided by the Judicial Administrator of the Supreme Court to assess the court's compliance with the Americans with Disabilities Act and it has worked with local officials to bring the physical facilities into compliance. The Court also reports that recent renovations were undertaken at the courthouse to make restrooms ADA compliant and that the parking lot of the courthouse has reserved parking spaces for those with disabilities.
- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court reports that it has implemented several strategies to ensure ADA compliance and that it continually monitors its compliance through its ADA coordinator. Through its ADA coordinator, who serves on the ADA/Personnel Committee of the Louisiana Court Administrators Association, the Court has used the checklist provided by the Judicial Administrator of the Supreme Court to assess its compliance with ADA requirements. It has adopted an ADA policy. It has added the ADA-accommodation language to its subpoenas and juror notices. It has taken significant steps to comply with all ADA programmatic requirements. It has worked with local officials to bring the physical facilities of the courthouse into compliance. Thus far, it has gotten the City of

New Orleans to take the following steps toward compliance:

- Installed power-assisted doors in the main lobby, a push-button swinging door on Loyola Avenue and a set of electric eye-activated sliding doors on the breezeway side entrance
  - Installed warning posts to prevent curb blockage by vehicles
  - Installed TDD public telephone
  - Trained employees on ADA sensitivity
  - Posted ADA non-discrimination policy through out the building in regular print and Braille
  - Replaced the corridor carpet with Endura tile for easier wheelchair movement
  - Designated reserved handicapped parking in the breezeway near accessible entrance
  - Installed smoke and fire detection systems throughout the building with complete ADA compliance and Fire Marshall approval
  - Upgraded the main elevators in accordance with ADA requirements
  - Began ADA compliance upgrade to second-floor restroom which will include a power-assisted door
- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court participated in the FY 1999-2000 performance audit on ADA compliance. In addition, its judicial administrators served on the ADA/Personnel Committee of the Louisiana Court Administrators Association. As a result of both of these activities, the Court has taken several steps to improve its compliance with the ADA. It has used the checklist provided by the Judicial Administrator of the Supreme Court to assess ADA compliance and it has worked with local officials to bring the physical facilities of the courthouse into compliance. As a result of these efforts, handrails have been installed on the entrance side of the first floor of the building, and railings are currently being installed on the second-floor staircases. All new elevators have been made ADA-compliant. Parking for persons



with disabilities has been provided in two areas. In addition to these efforts, the Court has communicated the availability of reasonable accommodations to court users and has taken significant steps to bring itself into programmatic compliance. Jury notices have been updated to refer jurors with disabilities to specialized areas.

- **Caddo Parish Juvenile Court.** The Caddo Parish Juvenile Court reports that it has used the checklist provided by the Judicial Administrator of the Supreme Court to assess the extent of its compliance with the ADA. It has also adopted and implemented an ADA policy and has communicated the availability of reasonable accommodations to court users.
- **East Baton Rouge Parish Juvenile Court.** The East Baton Rouge Parish Juvenile Court reports that it has appointed an ADA coordinator. It has also conducted an ADA compliance survey using the checklist supplied by the Supreme Court for identifying problem areas. It has also worked with the Parish's Department of Public Works to make structural modifications relating to ADA compliance. It has also incorporated changes in its service of process forms to communicate the availability of reasonable accommodations upon request. Currently, the Division A courtroom and chambers are wheelchair accessible, as is the courthouse. The witness stand is not accessible, but the Court is exploring the possibility and effectiveness of using a hydraulic lift.
- **Jefferson Parish Juvenile Court.** The Jefferson Parish Juvenile Court reports that it has used the checklist provided by the Judicial Administrator of the Supreme Court to assess the extent of its compliance with the ADA. It reports having worked with its local officials to bring the physical facilities into compliance. It has also solicited technical assistance from parish officials as well as from ADA consultants at the University of New Orleans to recommend solutions to the identified areas of deficiency.

- **Orleans Parish Juvenile Court.** The Orleans Parish Juvenile Court reports that it has taken steps in the last two years to ensure compliance with the ADA. It has worked with local officials to bring the physical facilities of the courthouse into compliance. It has also communicated the availability of reasonable accommodations to court users.
- **East Baton Rouge Parish Family Court.** The East Baton Rouge Family Court reports that it has used the checklist provided by the Judicial Administrator of the Supreme Court to assess the extent of its compliance with the ADA. It has adopted and implemented an ADA policy. It has also communicated the availability of reasonable accommodations to court users and has worked with local officials to bring the physical facilities of the courthouse into compliance.

## Future Steps

The following future steps were reported by each court:

- **1st JDC.** The 1st JDC plans to work with local government officials to construct several new courtrooms. It is the Court's intention, subject to financial limitations, to ensure that these new courtrooms contain the latest in technology and design. Consideration is being given to using the model courtroom designed by the American Bar Association and located at the National Judicial College.
- **2nd JDC.** The 2nd JDC plans to develop and implement the following strategies:
  - It will ensure that the courthouses in Bienville and Jackson Parishes are brought into compliance with the suggestions of the ADA audit.
  - It will ensure that Bienville, Claiborne, and Jackson Parishes all have lists of interpreters for court proceedings.



- **3rd JDC.** The 3rd JDC plans to involve the local bar association, community agencies, and individual attorneys in bar meetings to discuss other ways to improve access, especially with respect to the ADA. The 3rd JDC plans to sponsor an appropriate security audit as a basis for both courthouse and courtroom security and to post an evacuation plan by the elevator. It also plans to distribute signs in bathrooms to notify persons with hearing disabilities of emergencies.
- **5th JDC.** The 5th JDC plans to conduct an ADA audit and a security audit in the coming year. It will also survey its jurors on security and accessibility issues.
- **6th JDC.** The 6th JDC plans to improve its compliance with the ADA.
- **10th JDC.** The 10th JDC plans to conduct a security review in the coming year.
- **13th JDC.** The 13th JDC plans to ask the Evangeline Parish Bar Association to assist the court in promoting and ensuring compliance with the ADA.
- **14th JDC, Family/Juvenile Division.** The 14th JDC, Family/Juvenile Division, plans to conduct surveys of the public regarding security, accessibility and courtesy.
- **17th JDC.** The 17th JDC plans to survey, with the cooperation of its clerk of court, all court users to determine where changes or improvements are needed.
- **19th JDC.** The 19th JDC reports that the National Center for State Courts has developed a plan for a new courthouse that will add new space, be ADA compliant, and provide for greater security. The 19th JDC intends to seek funding for the construction of the new court house in the coming year. The Court also intends to negotiate with the parish clerk of court and the local government on ways to upgrade the Court's computers for electronic filing and for better use of the Internet.
- **26th JDC.** The 26th JDC intends to make sure that all new structural renovations are in compliance with the ADA.
- **27th JDC.** The 27th JDC reports that it will continue to communicate its serious security concerns to the St. Landry Police Jury.
- **29th JDC.** The 29th JDC plans to commission a courthouse security audit to be done by the federal marshal's service. It will also develop emergency procedures for the courtroom, the judges' chambers, and the courthouse.
- **30th JDC.** The 30th JDC plans to have a security audit conducted by the Louisiana State Police and will take appropriate action based on the audit's findings.
- **32nd JDC.** The 32nd JDC plans to have ongoing discussions with local officials regarding ADA compliance. It expects to have a security audit completed and will act on its results. It also plans to survey the opinions of jurors, court personnel, attorneys and other court users regarding security, accessibility, fairness, courtesy, responsiveness, and the overall performance of the Court.
- **34th JDC.** The 34th JDC plans to commission a security audit of the courthouse to be performed by the federal marshal's office. It also plans to develop emergency procedures for the courtroom, the judges' chambers, and the court house. A portion of the security plan to be implemented will include further training for courtroom personnel in dealing with emergencies in the courtroom or the judges' chambers. The Court also intends to conduct periodic surveys of the opinions of jurors, court personnel, lawyers, and litigants regarding accessibility.



- **36th JDC.** The 36th JDC reports that, in the coming year, it will continue to encourage local funding authorities to renovate the courthouse for ADA compliance.
- **38th JDC.** The 38th JDC plans to develop and distribute to its jury pool questionnaires on safety, security and courtesy. On the basis of the results of these surveys, the Court plans to take appropriate action.
- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court plans to work with the City of New Orleans to remove ADA physical barriers and increase ADA physical accessibility.
- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court intends to work with the City of New Orleans to remove ADA barriers and increase accessibility. It also intends to institute ADA personnel training.
- **East Baton Rouge Parish Juvenile Court.** The East Baton Rouge Parish Juvenile Court plans to develop a survey instrument for eliciting the opinions of court personnel, lawyers, and litigants on issues relating to security and accessibility. It plans to enact and promulgate policies providing for effective programmatic participation by non-English speaking persons and persons with disabilities. It plans to conduct sensitivity training sessions for selected personnel on ADA matters. It also plans to identify staff members who will be trained to meet the specific needs of persons with disabilities.
- **Jefferson Parish Juvenile Court.** The Jefferson Parish Juvenile Court plans to review its security policies and procedures in the coming year. It also plans to resolve any outstanding ADA compliance issues.

### Objective 1.3

**To give all who appear before the court reasonable opportunities to participate effectively without undue hardship or inconvenience**

#### Intent of the Objective

Objective 1.3 focuses on how a trial court should accommodate all participants in its proceedings, especially those who have disabilities, difficulties communicating in English, or mental impairments. Courts can meet the objective by their efforts to comply with the “programmatic requirements” of the Americans with Disabilities Act (ADA) and by the adoption of policies and procedures for ascertaining the need for and the securing of competent language interpreters.

#### Responses to the Objective

**General Responses.** The following general responses were reported:

See the general responses relating to ADA Compliance reported under Objective 1.2 above.

**Responses of Individual Courts.** The courts listed below have reported the following responses to the objective:

#### Interpreters

- **1st JDC.** The 1st JDC reports that it has developed a system of standby signage and language interpreters for use in court proceedings. It has also utilized real-time reporting to assist those with hearing disabilities.
- **2nd JDC.** The 2nd JDC reports that its Division A judge has developed, with the help of the Federal District Court in the Western District of Louisiana, a list of court-certified interpreters for those who speak other languages and for those who are cognitively impaired. The list will be given to the Division B and Division C judges for their use. Currently, those services, when needed, are paid out of the Judicial Expense Fund.



- **5th JDC.** The 5th JDC reports that it has made language interpreters available for court.
- **6th JDC.** The 6th JDC reports that it has established a language interpreter pool for use in court proceedings.
- **13th JDC.** The 13th JDC reports that it has developed a policy on the use of interpreter services in the court.
- **14th JDC.** The 14th JDC reports that its use of interpreters is part of its regular, ongoing activities.
- **15th JDC.** The 15th JDC reports that it has developed and promulgated a rule on language interpreters that provides the procedures and form for obtaining a language interpreter, the time for filing the form, the source of payment, and the oath to be taken. In addition, the Court has required its judicial administrator to compile a list of interpreters and to send that list to the clerk of court of each parish in the district.
- **17th JDC.** The 17th JDC reports that it has developed a pool of language interpreters that is available to all divisions of the court.
- **19th JDC.** The 19th JDC reports that it has provided for the availability of a pool of signage and language interpreters.
- **22nd JDC.** The 22nd JDC reports that it has directed its judicial administrator to compile and maintain a list of language interpreters and has instructed the administrator to coordinate with other agencies on the use of interpreters.
- **24th JDC.** The 24th JDC reports that both signage and language interpreters are routinely available when needed.
- **25th JDC.** The 25th JDC reports that it has compiled a list of interpreters for use in the courtroom.
- **26th JDC.** The 26th JDC reports that it provides language interpreters and signage interpreters for court proceedings.
- **32nd JDC.** The 32nd JDC reports that it has directed its judicial administrator to develop and maintain a list of interpreters for both the hearing-impaired and for those court users needing language interpreters.
- **34th JDC.** The 34th JDC reports that there are currently very few non-English speaking residents in the area. On the limited occasions when individuals attending court could not speak English, the individuals came with someone to assist them. On those occasions when such individuals did not have assistance, the proceedings were recessed and appropriate interpreters were obtained.
- **36th JDC.** The 36th JDC reports that it has developed a roster of signage and language interpreters for use in the court.
- **40th JDC.** The 40th JDC reports that it maintains a list of certified interpreters.
- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court reports that it has contracted with the Deaf Action Center to provide signage and foreign language interpreters.
- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court reports that it has contracted with the Deaf Action Center to provide a pool of signage and language interpreters. It also reports that an oath is administered to each interpreter before the commencement of any proceeding in which an interpreter is used.
- **East Baton Rouge Parish Juvenile Court.** The East Baton Rouge Parish Juvenile Court reports that it addresses the issue of interpreters through its regular, ongoing activities. It works with Sign Language Services, Inc., the LSU schools of foreign languages, and Catholic Community Services to obtain both signage and language interpreters.



- **Orleans Parish Juvenile Court.**

The Orleans Parish Juvenile Court reports that it uses the services of the Deaf Action Center through a contract.

### Programmatic Participation

- **General Response.** Compliance with the programmatic requirements of the ADA is generally and specifically reported under Objective 1.2 above.

### Future Steps

The following future steps were reported by each court:

- **2nd JDC.** The 2nd JDC intends to have lists of interpreters for court proceedings available in all three of its parishes.
- **6th JDC.** The 6th JDC plans to provide instruction to members of its current interpreter pool and will develop a fee policy on the use of interpreters.
- **14th JDC.** The 14th JDC intends to address the issue of programmatic participation in the coming year.

### Objective 1.4

**To ensure that all judges and other trial court personnel are courteous and responsive to the public and accord respect to all with whom they come into contact.**

### Intent of the Objective

The intent of Objective 1.4 is to make courts more accommodating, courteous, and user-friendly. The Objective is intended to remind judges and all court personnel that they should reflect the law's respect for the dignity and value of the individuals who serve, come before, or make inquiries of the court, including litigants, defendants, lawyers, witnesses, jurors, the general public, and one another.

### Responses to the Objective

**General Responses.** The following general responses were reported:

- **Courtesy and Responsiveness.** In response to the 2001 Survey of Chief Judges, forty-two of the forty-three responding chief judges (95.0%) reported that their courts had taken steps within the last two years to ensure the courtesy and responsiveness of their court personnel (the 1st JDC; the 2nd JDC; the 3rd JDC; the 4th JDC; the 5th JDC; the 6th JDC; the 7th JDC; the 8th JDC; the 9th JDC; the 10th JDC; the 11th JDC; the 12th JDC; the 13th JDC; the 14th JDC, Family Division; the 16th JDC; the 17th JDC; the 18th JDC; the 19th JDC; the 22nd JDC; the 24th JDC; the 25th JDC; the 26th JDC; the 27th JDC; the 28th JDC; the 29th JDC; the 30th JDC; the 32nd JDC; the 33rd JDC; the 34th JDC; the 35th JDC; the 36th JDC; the 37th JDC; the 38th JDC; the 39th JDC; the 40th JDC; the Orleans Parish Civil District Court; the Orleans Parish Criminal District Court; the Caddo Parish Juvenile Court; the East Baton Rouge, Parish Juvenile Court; the Jefferson Parish Juvenile Court; the Orleans Parish Juvenile Court; and the East Baton Rouge Parish Family Court.
- **Public Problem Resolution Processes.** In response to the 2001 Survey of Chief Judges, four of the forty-four responding chief judges (9.1%) reported that they used formal public problem resolution procedures (the 12th JDC; the 24th JDC; the Orleans Parish Civil District Court, and the Jefferson Parish Juvenile Court.)
- **Judicial Mentoring Program.** The Judicial Mentoring Program is a program that matches seasoned judges with new judges. The seasoned judges provide advice and counsel to the new judges on courtroom procedures, ethics and other matters. Currently, the Judicial Mentoring Program Committee is reorganizing the program. The Committee is formulating criteria



and procedures for mentor selection and assignment. The Committee is also planning with the Louisiana Judicial College to prepare for the upcoming election of new judges.

- **Judicial Retreat Program.** The Judicial Retreat Program, a program to encourage judicial communication and motivation, was begun in FY 2000-2001 and will continue as a regular annual program. In the coming year, efforts will be made to expand the program to other states in order to facilitate an exchange of information.
- **Responses of Individual Courts:**  
The following responses were reported by each court:

### Courtesy and Responsiveness

- **1st JDC.** The 1st JDC reports that it has taken steps in the last two years to ensure that court personnel are courteous and responsive. In addition, the Court periodically invites attorneys to meet with its civil, criminal, and family law judges to discuss matters of concern involving each section of the bar. These meetings encourage the resolution of problems and foster good will and cooperation between the bar and the bench.
- **2nd JDC.** The 2nd JDC reports that the office staffs of its judges have been trained to answer the telephones with courtesy and accuracy.
- **3rd JDC.** The 3rd JDC reports that it has taken steps within the last two years to ensure that its personnel are courteous and responsive. It has adopted new office procedures on telephone etiquette and service, and has trained its employees in these procedures.
- **5th JDC.** The 5th JDC reports that it has taken steps within the last two years to ensure that its personnel are courteous and responsive.
- **6th JDC.** The 6th JDC report reports that it has taken steps within the last two years to ensure that its personnel are courteous and responsive.
- **7th JDC.** The 7th JDC reports that it has trained its employees to answer telephones courteously and to provide accurate information.
- **11th JDC.** The 11th JDC reports that it has taken steps within the last two years to ensure that court personnel are courteous and responsive.
- **13th JDC.** The 13th JDC reports that it has trained its personnel to answer phones courteously and accurately. It also reports that it has conducted juror surveys concerning the courtesy and civility of all court personnel.
- **14th JDC.** The 14th JDC reports that its efforts to ensure the courtesy and responsiveness of its employees are part of the Court's regular, ongoing activities.
- **14th JDC, Family/Juvenile Division.** The 14th JDC, Family/Juvenile Division, reports that it has taken steps within the last two years to ensure that its personnel are courteous and responsive. Among the steps taken were the reassignment of personnel and their duties, and extended staff training.
- **16th JDC.** The 16th JDC reports that it has taken steps within the last two years to ensure that its personnel are courteous and responsive.
- **17th JDC.** The 17th JDC reports that it has taken steps within the last two years to ensure that its personnel are courteous and responsive.
- **19th JDC.** The 19th JDC reports that it has provided numerous customer-service training sessions for all court personnel.



- **22nd JDC.** The 22nd JDC reports that it has taken steps within the last two years to ensure that its personnel are courteous and responsive.
- **26th JDC.** The 26th JDC reports that it has taken steps within the last two years to ensure that its personnel are courteous and responsive.
- **27th JDC.** The 27th JDC reports that it has taken steps within the last two years to ensure that its personnel are courteous and responsive.
- **28th JDC.** The 28th JDC reports that it has taken steps within the last two years to ensure that its personnel are courteous and responsive.
- **29th JDC.** The 29th JDC reports that it has taken steps within the last two years to ensure that its personnel are courteous and responsive.
- **30th JDC.** The 30th JDC reports that it has taken steps within the last two years to ensure that its personnel are courteous and responsive. It also reports that its employees are trained to answer phones courteously and provide accurate information.
- **32nd JDC.** The 32nd JDC reports that it has taken steps within the last two years to ensure that its personnel are courteous and responsive. It has encouraged telephone accuracy and courtesy from every clerical employee in the Court.
- **33rd JDC.** The 33rd JDC reports that it has taken steps within the last two years to ensure that court personnel are courteous and responsive.
- **34th JDC.** The 34th JDC reports that its employees have been trained to answer phones courteously and to provide accurate information. The Court also reports that it obtains and communicates the perceptions of court users regarding the courtesy and responsiveness of the court personnel to each section of court. Each section then uses this feedback to improve customer service and user friendliness.
- **35th JDC.** The 35th JDC reports that it has taken action within the last two years to ensure that its personnel are courteous and responsive.
- **36th JDC.** The 36th JDC reports that it has taken action within the last two years to ensure that its personnel are courteous and responsive.
- **37th JDC.** The 37th JDC reports that it has taken steps within the last two years to ensure that its personnel are courteous and responsive.
- **39th JDC.** The 39th JDC reports that it has taken steps within the last two years to ensure that its personnel are courteous and responsive.
- **40th JDC.** The 40th JDC reports that it has taken steps within the last two years to ensure that its personnel are courteous and responsive.
- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court reports that, in 2000, it began providing training to its employees and those of the 1st City Court on telephone etiquette and on how to properly answer the public's questions. The Court intends to provide this type of training on a periodic basis.
- **Orleans Criminal District Court.** The Orleans Parish Criminal District Court reports that it has taken steps within the last two years to ensure that its personnel are courteous and responsive. It also reports that it conducts informal surveys of jurors and the general public to obtain feedback on the courtesy and responsiveness of its personnel.
- **Caddo Parish Juvenile Court.** The Caddo Parish Juvenile Court reports that it has taken steps in the last two years to ensure that its personnel are courteous and responsive.
- **East Baton Rouge Parish Juvenile Court.** The East Baton Rouge Parish Juvenile Court reports that it has taken steps within the last two years to ensure that its personnel are courteous



and responsive and considers these actions to be part of its regular, ongoing activities.

- **Jefferson Parish Juvenile Court.**

The Jefferson Parish Juvenile Court reports that it has taken steps in the last two years to ensure that its personnel are courteous and responsive.

- **Orleans Parish Juvenile Court.**

The Orleans Parish Juvenile Court reports that it has taken steps in the last two years to ensure that its personnel are courteous and responsive.

- **East Baton Rouge Parish Family Court.**

The East Baton Rouge Parish Family Court reports that it has taken steps in the last two years to ensure that its personnel are courteous and responsive.

## Professionalism

- **2nd JDC.** The 2nd JDC reports that, at least once every year, its judges host a meal for the attorneys in the judicial district and arrange for the presentation of CLE training in ethics and professionalism. One of the judges of the Court is a judicial mentor and has participated in the mentoring program since its inception.
- **6th JDC.** The 6th JDC reports that it displays copies of the Supreme Court's Code of Professionalism in all of its courtrooms. It also reports that it has participated in programs on professionalism for law students and has participated in and supported the Judicial Mentoring Program and the Judicial Retreat.
- **7th JDC.** The 7th JDC reports that it has participated in training on civility and professionalism for judges and court personnel. It also reports that the Supreme Court's Code of Professionalism is displayed in the judge's office.
- **13th JDC.** The 13th JDC reports that it displays prominently in its courtrooms the Supreme Court's Code of Professionalism in the Courts.

- **14th JDC.** The 14th JDC reports that it addresses professionalism through its regular, ongoing activities.
- **16th JDC.** The 16th JDC reports that its judges formed and continue to participate in the Inn on the Teche and the American Inn to promote ethics and professionalism for the bench and the bar.
- **21st JDC.** The 21st JDC reports that all of its judges have participated in the professionalism/civility training sessions of the area's Inn of the Court.
- **22nd JDC.** The 22nd JDC reports that it has displayed the Supreme Court's Code of Professionalism in the main courtroom.
- **26th JDC.** The 26th JDC reports that it has displayed the Supreme Court's Code of Professionalism in the duty judge's chambers.
- **27th JDC.** The 27th JDC reports that it has posted the Supreme Court's Code of Professionalism in each of its courtrooms.
- **28th JDC.** The 28th JDC reports that it has displayed the Supreme Court's Code of Professionalism in the courthouse.
- **29th JDC.** The 29th JDC reports that it conducts bimonthly informal discussions with its court staff about civility and professionalism and that it requires each new employee to review the Supreme Court's Code of Professionalism.
- **32nd JDC.** The 32nd JDC reports that it has posted the code of professional responsibility in its courthouse.
- **34th JDC.** The 34th JDC reports that its judges are willing to participate in civility and professionalism programs and will support such training for court staff members. The Court has participated in the annual seminar on professionalism and ethics sponsored by the



34th Judicial District Bar Association. At the most recent seminar, the Court distributed copies of the Supreme Court's Code of Professionalism to all attendees. The Court has also made other efforts to communicate the provisions of the Code of Professionalism to court personnel and the general public by posting the Code on its pilot web site.

- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court reports that many of its judges display the Supreme Court's Code of Professionalism in either their court rooms or their chambers.
- **Orleans Criminal District Court.** The Orleans Criminal District Court reports that its judges and legal personnel regularly attend training sessions on professionalism and civility. In addition, copies of the Supreme Court's Code of Professionalism are displayed in various courts and in the judicial administrator's office.
- **East Baton Rouge Juvenile Court.** The East Baton Rouge Juvenile Court reports that the Supreme Court's Code of Professionalism is displayed in all waiting areas of the Court and in one of its judge's chambers.

### Judicial Training and Exchanges

- **1st JDC.** The 1st JDC reports that its judges participate in various educational programs.
- **2nd JDC.** The 2nd JDC reports that at least once a year, its judges host a meal for all the attorneys in the JDC and arrange for the presentation of CLE training in ethics or professionalism. The cost of this function is paid out of the Judicial Expense Fund. The Division A judge is a judicial mentor and has participated in the mentoring program since its inception.
- **6th JDC.** The 6th JDC reports that it addresses judicial training and judicial exchanges of information as part of its regular, ongoing activities.

- **9th JDC.** The 9th JDC reports that it continues to manage and assist the Judicial Mentoring Program.
- **14th JDC.** The 14th JDC reports that it addresses judicial training and judicial exchanges of information through its regular, ongoing activities.
- **26th JDC.** The 26th JDC reports that it addresses judicial training and judicial exchanges of information as part of its regular, ongoing activities.
- **29th JDC.** The 29th JDC reports that its chief judge attends the National Judicial College annually and will receive the College's Certification in Judicial Development (for General Jurisdiction Trial Skills). The other judges of the court also attend various annual CLE programs. In addition, all judges will complete the federal drug court training program in preparation for the implementation of a drug court program in the district.
- **34th JDC.** The 34th JDC reports that it participates in the mentoring program.
- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court reports that its judges and administrators regularly participate in training sessions throughout the state. The court also hosts and participates in various judge-to-judge exchanges and other types of cooperative exchanges each year.

### Public Problem Resolution Procedures

- **6th JDC.** The 6th JDC reports that it addresses public problem resolution through its regular, ongoing activities.
- **12th JDC.** The 12th JDC reports that it has formal public problem resolution procedures.
- **14th JDC.** The 14th JDC reports that, although it does not have formal public problem procedures, its administrator receives all



complaints and directs them to the attention of the Chief Judge. In addition, a record is made of each complaint.

- **24th JDC.** The 24th JDC reports that it has formal public problem resolution procedures.
- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court reports that it has formal public problem resolution procedures.
- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court reports that, although it does not have a formal public problem resolution process, it handles public complaints, which are requested to be in writing, through its judicial administrator's office.
- **Jefferson Parish Juvenile Court.** The Jefferson Parish Juvenile Court reports that it has formal public problem resolution procedures.

## Future Steps

The following future steps were reported by each court:

- **5th JDC.** The 5th JDC reports that it will establish a Public Problem Resolution Process in the coming year and will make copies of the Supreme Court's Code of Professional Conduct available to the public.
- **14th JDC.** The 14th JDC plans to display and distribute to the public copies of the Supreme Court's Code of Professionalism.
- **32nd JDC.** The 32nd JDC reports that it is working with the local bar association to develop a public problem resolution process. The Court also intends to survey the opinions of jurors, court personnel, attorneys and other court users regarding security, accessibility, courtesy, responsiveness, and overall court performance.

- **36th JDC.** The 36th JDC reports that it plans to develop public problem resolution procedures in the coming year.
- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court reports that it intends to conduct periodic surveys of the opinions of its jurors, court personnel, and litigants regarding court security, courtesy, and responsiveness.
- **East Baton Rouge Parish Juvenile Court.** The East Baton Rouge Parish Juvenile Court reports that it plans to develop a survey instrument for ascertaining the perceptions of court users, including court personnel, attorneys, and probation officers, regarding the courtesy and responsiveness of court personnel.
- **Jefferson Parish Juvenile Court.** The Jefferson Parish Juvenile Court reports that it will consider ways to involve the public and others in the process of assessing the courtesy and responsiveness of court employees.

## Objective 1.5

**To encourage all responsible public bodies and public officers to make the costs of access to trial court proceedings and records – whether measured in terms of money, time, or the procedures that must be followed – reasonable, fair, and affordable.**

### Intent of the Objective.

Litigants and others who use the services of the trial courts face five main financial barriers to effective access to the trial court: fees and court costs; third-party expenses (e.g. deposition costs and expert witness fees); attorney fees and costs; the cost of time; and the cost of regulatory procedures, especially with respect to accessing records. Objective 1.5 calls on courts to exercise leadership by working with other public bodies and officers to make the costs of access to trial



court proceedings and records reasonable, fair, and affordable. The means to achieve the objective include: actions to simplify procedures and reduce paperwork; efforts to improve alternative dispute resolution, in forma pauperis filings, indigent defense, legal services for the poor, legal clinics, pro bono services and pro se representation; and efforts to assist the victims of crime.

## Responses to the Objective

**General Responses.** The following general responses were reported:

- **Indigent Defense.** In response to the 2001 Survey of Chief Judges, eleven of the forty-four responding chief judges (25.0%) reported that adequate indigent defense was a problem in their courts (the 1st JDC; the 14th JDC; the 14th JDC, Family Division; the 15th JDC; the 16th JDC; the 19th JDC; the 22nd JDC; the 25th JDC; the 28th JDC; the Orleans Parish Criminal District Court; and the Orleans Parish Juvenile Court.)
- **Civil Legal Services.** In response to the 2001 Survey of Chief Judges, twenty-three of the forty-four responding chief judges (52.3%) reported that the availability of civil legal services to the poor was a problem in their courts (the 5th JDC; the 11th JDC; the 12th JDC; the 13th JDC; the 15th JDC; the 16th JDC; the 17th JDC; the 18th JDC; the 19th JDC; the 21st JDC; the 22nd JDC; the 24th JDC; the 25th JDC; the 27th JDC; the 28th JDC; the 31st JDC; the 33rd JDC; the 36th JDC; the 37th JDC; the 38th JDC; the 40th JDC; the Caddo Parish Juvenile Court; the Orleans Parish Juvenile Court.)
- **Uniform In Forma Pauperis Rule.** The District Court Rules Committee has developed and included in its general rules a uniform in forma pauperis rule.

**Responses of Individual Courts:** The following responses were reported by each court:

- **1st JDC.** The 1st JDC reports that it is assisting the Shreveport Bar's efforts to alleviate the financial problems of the district indigent defender's office. The Court continues to support the local bar's Lawyer Referral Service and the bar's pro bono program. It works regularly with the Northwest Legal Services Corporation and other local agencies furnishing civil legal services to the financially disadvantaged. It has hired two information clerks to assist the public with court-related matters, particularly pro se representation. It has also purchased for the public's use pamphlets on various legal topics which are distributed from an information kiosk of the clerk.
- **2nd JDC.** The 2nd JDC reports that, because of its nature as a rural judicial district, all attorneys in the district do an extensive amount of pro bono work without seeking credit for that work. The Court also has two legal assistance offices in Shreveport and Monroe that serve the 2nd judicial district. The Domestic Abuse Resistance Team (D.A.R.T.) of Ruston provides free legal services, as needed, to victims of domestic abuse in the three parishes of the 2nd JDC. The 2nd JDC's local rule on proceeding in forma pauperis complies with the Louisiana Code of Civil Procedure requirements. The judges of the 2nd JDC have done whatever is statutorily authorized to make sure that the attorneys who serve as indigent defenders are paid adequately. The Court reports that, in order to preserve the rights of victims of crimes, the judges of the 2nd JDC require the district attorney to obtain a victim's impact statement before the judges will make their decisions regarding any sentence offered in response to a plea of guilty. Depending on the severity of the damages suffered by the victim, the judges will order a special hearing, giving the victim the opportunity to testify about the impact of the crime. Restitution is often ordered as a condition of probation.



- **3rd JDC.** The 3rd JDC reports that it has taken steps to assure that financially disadvantaged persons are notified of the free legal services available to them. It also reports that it has revamped its district indigent defender board by establishing proper guidelines and procedures and by ensuring proper funding.
- **4th JDC.** The 4th JDC reports that it has encouraged lawyers to provide pro bono services.
- **5th JDC.** The 5th JDC reports that it has increased fines to provide greater funding to its district indigent defender office. It also reports that the district attorney has hired a full-time victim assistance coordinator who meets regularly in each parish to discuss the needs of victims and who acts as a liaison between the court and the victims of crime.
- **6th JDC.** The 6th JDC reports that it addresses this objective through its regular, ongoing activities.
- **7th JDC.** The 7th JDC reports that it has encouraged the local bar's participation in legal programs for the financially disadvantaged. The Court has instructed its court personnel to refer needy persons to the area's legal aid society. It has also worked with the district indigent defender board to improve its services to indigent defendants.
- **9th JDC.** The 9th JDC reports that it has obtained a grant from a local foundation to provide a staff person for assisting applicants who wish to properly prepare and file protective orders.
- **11th JDC.** The 11th JDC reports that its judges have appointed a new IDB chief and have met en banc with members of the district indigent defender board to discuss concerns.
- **14th JDC.** The 14th JDC reports that it works closely with the district indigent defender board to ensure adequate representation, especially in capital cases.
- **15th JDC.** The 15th JDC reports that it has approved the collection of a \$3.00 civil filing fee to generate funds for distribution to Lafayette Volunteer Lawyers, an organization that recruits, trains, and assigns pro bono lawyers to assist the financially disadvantaged in civil matters. The Court also reports that victim assistance is a regular, ongoing activity of the district.
- **16th JDC.** The 16th JDC reports that its judges frequently meet with the district indigent defender board to develop ways of enhancing indigent defender services. The judges also receive written reports from the district indigent defender board regarding the services being provided. In addition, the Court maintains a juvenile docket coordinator in the parishes of Iberia and St. Martin to keep an accurate list of attorneys available for appointment in child-related cases and to coordinate pretrial conferences conducted by indigent defenders. The Court reports that it also maintains a DWI Victim Impact Panel.
- **19th JDC.** The 19th JDC reports that it has implemented a three-attorney conflict panel to handle indigent defense in criminal matters whenever the district board cannot do so due to conflicts. It also reports that it has voted to increase court costs for indigent defense to the maximum allowed by law.
- **21st JDC.** The 21st JDC reports that it has increased court costs to fund civil legal services and indigent defense services in its jurisdiction.
- **22nd JDC.** The 22nd JDC reports that it works closely with its district indigent defender board to improve services.
- **27th JDC.** The 27th JDC reports that some of its judges are allowing funds from the judicial expense fund to be used for compensating attorneys in certain civil cases involving indigents.
- **28th JDC.** The 28th JDC reports that it works closely with the district indigent defender board



to assist the Board's efforts in meeting its staffing and financial needs. It also reports that it has gotten its district indigent defender board to contract with a private law firm to handle some of its criminal cases. The Court reports that it works closely with the victim assistance coordinator employed by the district attorney and the civil minute clerk to address issues relating to victim assistance, especially in cases involving family violence. It also reports that it has adopted a new court rule supplementing statutory provisions relating to in forma pauperis filings.

- **29th JDC.** The 29th JDC reports that it monitors and maintains a close working relationship with its district indigent defender board. It also reports that it has hired and funded an IDB administrator to serve the district indigent defender board.
- **30th JDC.** The 30th JDC reports that it has encouraged local attorneys to take more pro bono cases.
- **32nd JDC.** The 32nd JDC reports that it is working with the local bar association to develop and distribute a list of pro bono attorneys who are willing to supplement the work of the district indigent defender's office and the Capitol Area Legal Services Corporation. In addition, the Court has developed a standard in forma pauperis application for use in each of its sections.
- **34th JDC.** The 34th JDC reports that its judges intend to adopt a uniform rule on in forma pauperis filings within the coming year. Implementation of this strategy shall require participation of entities that are not under the direct control of the judges of this district. It should be noted that this district currently uses federal poverty guidelines in granting in forma pauperis applications. The Court also reports that the judges of this district feel that victim assistance is a priority objective and is willing to participate with the Judicial Administrator of the Supreme Court in any programs relating to this strategy. The Court reports that surveys of the

opinions of court personnel and lawyers on accessibility have and are being conducted in connection with the courtroom security plan. Upon implementation of a court security plan, further surveys on accessibility will be conducted. The Court works closely with the district indigent defender board to comprehensively, consistently and continuously to approve the availability and quality of indigent defender services. The Court and the district attorney's office work closely to advise victims of crime of the nature of the court process without the victim necessarily being in court, while at the same time, respecting the right of the victim to attend the court proceedings.

- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court reports that, in December 2000, the Court approved adding a \$3.00 charge to the filing of a petition in the Civil District Court, the 1st City Court, and the 2nd City Court to support legal services to the poor. This action has resulted in the remittance of more than \$32,000 to the LSBA Pro Bono Project, the New Orleans Legal Aid Society, and the New Orleans Legal Assistance Corporation in the first half of 2001.
- **East Baton Rouge Parish Juvenile Court.** The East Baton Rouge Juvenile Court reports that it is working with the Baton Rouge Bar Association to develop an inventory of assistance alternatives to the financially disabled. It is working with the association to develop a program for soliciting and training pro bono attorneys to represent children and other persons in the juvenile court. It maintains a close working relationship with the district indigent defender office. It also provides office space, computer access, and periodic training to the indigent defenders working in the Court.
- **East Baton Rouge Parish Family Court.** The East Baton Rouge Parish Family Court reports that it distributes some of its own funding to pro bono agencies in the Parish.



## Future Steps

The following future steps were reported by each court:

- **4th JDC.** The 4th JDC reports that it is considering assessing a court cost to aid the civil legal services program in its district.
- **5th JDC.** The 5th JDC reports that it will take steps to encourage the local bar to participate more actively in pro bono work.
- **34th JDC.** The 34th JDC intends to place referral information and the names of contact persons relating to legal assistance alternatives on the Court's pilot web program. The Court intends to work with the Access to Justice Committee of the Louisiana State Bar Association to provide access to civil services for the financially disadvantaged. The Court also regards victim assistance as a priority and is willing to participate in any programs developed by the Judicial Administrator of the Supreme Court that address the issue.
- **36th JDC.** The 36th JDC reports that it plans to reassess its forms and procedures to make them better serve the needs of pro se litigants.
- **East Baton Rouge Juvenile Court.** The East Baton Rouge Juvenile Court intends to restructure its schedule of fines and court costs to ensure equality and fairness within the court among like cases.

### Objective 2.1

To encourage timely case management and processing.

#### Intent of the Objective

The American Bar Association, the Conference of Chief Justices, and the Conference of State Court Administrators have recommended that all courts adopt time standards for expeditious case management at the district court level. Such time

standards, according to their proponents, were intended to serve as a tool for expediting case processing and reducing delay. The Louisiana Supreme Court adopted aspirational time standards in 1993 for itself, the Courts of Appeal, and for the general civil, summary civil, and domestic relations cases at the district court level. At the Supreme Court and intermediate appellate court levels, the adopted time standards are measured with the assistance of automated case management information systems and are reported on annually in the Annual Report of the Supreme Court and as performance indicators in the judicial appropriations bill. At the district court level, however, the time standards cannot be measured for the district courts as a whole or for most individual courts due to the low level of automation or the types of systems operated by the clerks of court. Time standards are also imbedded in the Louisiana Children's Code in the form of maximum time limits for the holding of hearings in Child in Need of Care (CINC) cases and other types of juvenile cases. However, these mandated time standards also cannot be monitored or measured efficiently at the present time due to the lack of automation in the district court system. For these reasons, Objective 2.1 focuses on strategies for developing interim manual case management systems and techniques while automated case management information systems are being developed. The Objective also focuses on timeliness in the sense of the punctual commencement of scheduled proceedings.

### Responses to the Objective

**General Responses.** The following general responses were reported:

- **Delay Reduction.** In response to the 2001 Survey of Chief Judges, forty-one of the forty-four responding chief judges (93.2%) reported that their courts had taken steps within the last two years to reduce delays and to improve the timeliness of case processing (the 1st JDC; the 2nd JDC; the 3rd JDC; the 4th JDC; the 5th



JDC; the 6th JDC; the 7th JDC; the 8th JDC; the 9th JDC; the 10th JDC; the 11th JDC; the 12th JDC; the 13th JDC; the 14th JDC; the 14th JDC, Family Division; the 15th JDC; the 16th JDC; the 17th JDC; the 19th JDC; the 21st JDC; the 22nd JDC; the 24th JDC; the 25th JDC; the 26th JDC; the 27th JDC; the 28th JDC; the 29th JDC; the 30th JDC; the 32nd JDC; the 33rd JDC; the 34th JDC; the 36th JDC; the 39th JDC; the 40th JDC; the Orleans Parish Civil District Court; the Orleans Parish Criminal District Court; the Caddo Parish Juvenile Court; the East Baton Rouge Parish Juvenile Court; the Jefferson Parish Juvenile Court; the Orleans Parish Juvenile Court; and the East Baton Rouge Parish Family Court.)

- **Techniques of Delay Reduction.**

In response to the question in the 2001 Survey of Chief Judges regarding actions taken to reduce delays and improve case management, the responding chief judges reported as follows:

- **Improvement of Docketing Schedule.**

Thirty-two (72.7%) said that they had improved their docketing schedules (the 1st JDC; the 2nd JDC; the 3rd JDC; the 5th JDC; the 6th JDC; the 7th JDC; the 8th JDC; the 9th JDC; the 10th JDC; the 11th JDC; the 12th JDC; the 13th JDC; the 14th JDC, Family Division; the 15th JDC; the 16th JDC; the 17th JDC; the 21st JDC; the 24th JDC; the 25th JDC; the 27th JDC; the 28th JDC; the 32nd JDC; the 33rd JDC; the 34th JDC; the 35th JDC; the 36th JDC; the 39th JDC; the 40th JDC; the Caddo Parish Juvenile Court; the Jefferson Parish Juvenile Court; the Orleans Parish Juvenile Court; and the East Baton Rouge Parish Family Court).

- **Installation of an Automated Case Management Information System.**

Eight (18.2%) said that they had installed an automated case management information system (the 14th JDC; the 14th JDC, Family Court Division; the 24th JDC; the 35th JDC; the Orleans Parish Civil District Court; the Caddo

Parish Juvenile Court; the Orleans Parish Juvenile Court; and the East Baton Rouge Parish Family Court.)

- **Improvement of Manual Case Management Systems.**

Thirteen (29.5%) said that they had improved their manual system of case processing (the 3rd JDC; the 5th JDC; the 9th JDC; the 11th JDC; the 14th JDC, Family/Juvenile Section; the 16th JDC; the 17th JDC; the 25th JDC; the 32nd JDC; the 33rd JDC; the 36th JDC; the 40th JDC; and the Orleans Parish Criminal District Court.)

- **Reduction of Cases under Advisement.**

Sixteen (36.4%) said that they had taken steps to reduce cases under advisement (the 2nd JDC; the 3rd JDC; the 5th JDC; the 7th JDC; the 8th JDC; the 10th JDC; the 14th JDC, Family/Juvenile Section; the 24th JDC; the 25th JDC; the 27th JDC; the 32nd JDC; the 33rd JDC; the 36th JDC; the 37th JDC; the 39th JDC; and the Caddo Parish Juvenile Court.)

**Responses of Individual Courts:** The following responses were reported by each court:

- **1st JDC.** The 1st JDC reports that it has taken action in the last two years to reduce delays and to improve the timeliness of case processing primarily by improving its docketing schedule.
- **2nd JDC.** The 2nd JDC reports that it has taken action in the last two years to reduce delays and to improve the timeliness of its case processing. It has improved its docketing schedule and has taken steps to reduce cases under advisement. Each of the judges in the district is responsible for his/her own docket. The three judges rotate service in each of the Court's three parishes for civil motion hours, civil trials, criminal arraignments, criminal motions, misdemeanor trials and felony trials. Although the practice is to set the trials as quickly as possible after the cases are ready for trial, the trials will be



continued upon a reasonable request of a party or by agreement between the parties. The cases set for trial in the 2nd JDC are heard when they are scheduled unless a party seeks a continuance for good cause. Or, should a personal emergency arise, the judge may reschedule a trial. In the 2nd JDC, cases involving children are given expedited treatment. Civil domestic cases which contain a rule for custody are set for the civil motion hour following seven days after the court signs the order. Cases under the Children's Code that involve taking a child into custody are heard within 72-hours of the custody.

- **3rd JDC.** The 3rd JDC reports that it has taken action in the last two years to reduce delays and to improve the timeliness of its case processing. It has improved its docketing schedule and its manual system of case processing. As part of these improvements, it has upgraded its computer system to be part of a courthouse-wide Local Area Network (LAN). It has improved its court calendaring processes to provide more civil and criminal days and to accommodate more juvenile and child support cases in each of the parishes of the district. It has instituted a new criminal pre-trial procedure for felony cases as a means of reducing delay. It obtained a new judge pro tempore, as an interim step in moving cases faster, pending the election of a permanent judge in 2002. It has made certainty of trial dates a high priority and notifies litigants in advance, if, for any reason, their cases cannot be heard at the scheduled times. It also reports that it has taken steps to reduce cases under advisement.
- **5th JDC.** The 5th JDC reports that it has taken action in the last two years to reduce delays and to improve the timeliness of case processing. It has improved its docketing schedule and its manual system of case processing. It has also taken steps to improve cases under advisement.
- **6th JDC.** The 6th JDC reports that it has taken action in the last two years to reduce delays and to improve the timeliness of case processing, principally by improving its docketing schedule.

- **7th JDC.** The 7th JDC reports that manual case management is performed by each judge in the district through the use of docketing calendars and tickler systems for cases under advisement. In addition, automated case management is used in Concordia Parish by the clerk of court. Automated case management is used in Catahoula Parish by the judge's office staff. The judges of the Court use various case management techniques to expedite case processing, including pre-trial schedules, and status conferences by phone and in person. The Court also encourages scheduled cases to be tried on scheduled dates.
- **8th JDC.** The 8th JDC reports that it has added a computer and printer to its courtroom to generate minute entries and to communicate these minute entries to the computers of the clerk of court, the sheriff, the district attorney, and the judge's office. It has developed a computerized docket, the printouts of which are sent to appropriate attorneys each month. It has set aside a full day for the hearing of juvenile cases exclusively. It has installed a courtroom clock to encourage promptness in hearings. It has also instituted a summary docketing procedure, which is provided for in its court rules and in its computerized docketing system.
- **9th JDC.** The 9th JDC reports that it has improved its docketing schedule and its manual system of case processing. It is also developing a wireless LAN system so that all judges and their staffs will have access to computerized legal research, court records, e-mail, and the National Crime Information Computer (NCIC), regardless of where the judges and personnel are located in the courthouse.
- **10th JDC.** The 10th JDC reports that it has improved its docketing schedule and has taken steps to reduce cases under advisement.
- **11th JDC.** The 11th JDC reports that it has improved its docketing schedule and its manual system of case processing.



- **13th JDC.** The 13th JDC reports that it is current with all cases and that it meets the Supreme Court's adopted aspirational time standards.
- **14th JDC.** The 14th JDC reports that it has taken action in the last two years to reduce delays and to improve the timeliness of its case processing. It has installed an automated case management information system and has obtained more effective case management software. It has also provided its judges with automated accessibility to the minute entries of each section's clerk.
- **14th JDC, Family/Juvenile Division.** The 14th JDC, Family/Juvenile Division, reports that it has revised its docketing schedule and its manual case management system to move its docket faster. It has worked with the clerk of court to automate its minute entries and has initiated a focus group to develop ways to use facilitators in high-conflict divorce cases. The Division reports that it has appointed a staff person to work with domestic abuse persons and another staff person to help expedite child dependency cases. It has also installed the tracking system supplied by the Judicial Administrator of the Supreme Court for improving the management of child dependency cases and has begun using hearing officers to help move the docket faster.
- **15th JDC.** The 15th JDC reports that it has improved its docketing schedule and has tried to better coordinate its case management with the district attorney.
- **16th JDC.** The 16th JDC reports that it has improved its docketing schedule and its manual system of case processing. In addition, it has instituted review hearings to better monitor and manage criminal cases. The Court maintains a criminal case allotment system whereby criminal cases are allotted to specific judges for one year. This procedure has facilitated better case

management by reducing the time between arrest and arraignment and between arrest and case disposition. The Court also allots juvenile cases to one judge in each parish -- a system that has resulted in greater continuity of adjudication, better judicial oversight, and improved efficiency. The Court conducts periodic reviews of domestic violence cases and domestic relations cases. It has instituted a Family Court Program in St. Mary Parish. Under newly adopted Family Court rules, a Family Court hearing officer conducts intake procedures and pretrial conferences involving the parties and the attorneys in all matters relating to divorce, child custody and visitation, child support, use and occupancy of the home and its moveables, community property, and petitions for protective orders. The Court has also met with its clerks of court, the Supreme Court's CMIS staff, and COTT representatives to develop uniform coding procedures for data entry into the case management information systems of the clerks of court.

- **17th JDC.** The 17th JDC reports that it has improved its docketing schedule and its manual system of case processing. A computer has been installed in every division of the Court for use solely by the bailiff to access the National Crime Information Computer (NCIC) for information regarding arrests, warrants, criminal histories, protective orders and payment of fines.
- **19th JDC.** The 19th JDC reports that it has developed an automated case management information system for scheduling and tracking cases and that it is seeking funding for its implementation. The Court has also reorganized its personnel system, creating a management team to handle daily court problems, particularly personnel. As a result of the reorganization, the judges have more time to apply to their dockets.
- **21st JDC.** The 21st JDC reports that it has improved its docketing schedule and has added two new judges to the Court.



- **22nd JDC.** The 22nd JDC reports that it has hired a credentialed social worker to provide mediation services and family classes on child custody and visitation.
- **26th JDC.** The 26th JDC reports that it has split the weeks on its judges' calendars to enable its five judges to have more days in each parish for hearing motions and making rulings in child custody and child support cases, as well as in other domestic matters. It has also used law clerks to help facilitate status conferences in civil cases.
- **27th JDC.** The 27th JDC reports that it has improved its docketing schedule and its manual case processing system. It has taken steps to reduce cases under advisement. It makes ongoing efforts to keep its dockets moving and current. It also reports that it continues to make efforts to maintain punctuality in its proceedings.
- **28th JDC.** The 28th JDC reports that it has taken action in the last two years to reduce delays and to improve the timeliness of case processing. It has improved its docketing schedule and its manual case management system. It also reports that it uses various case management techniques relating to scheduling, including status conferences and civil and criminal case management orders.
- **29th JDC.** The 29th JDC reports that it has taken action in the last two years to reduce delays and to improve case management. Each of its judges maintains a uniform automated case management/docketing information system as well as a back-up manual case management system. In addition, the Court regularly counsels attorneys concerning the use of continuances.
- **30th JDC.** The 30th JDC reports that it has taken action in the last two years to reduce delays and to improve the timeliness of case processing. It has applied and received approval for another judgeship. It has added more court time by reducing some of the time spent on administration.
- **32nd JDC.** The 32nd JDC reports that it has taken action in the last two years to reduce delays and to improve the timeliness of case processing. It has improved its docketing schedule. It has improved its manual system of case processing and has taken steps to reduce cases under advisement. It has scheduled child custody and support cases on several dates per month in order to ensure the prompt handling of these cases. The chief judge also reports that, in his section, he takes the bench promptly at 9:00 a.m. and that he has never had a case under advisement.
- **33rd JDC.** The 33rd JDC reports that it has taken action within the last two years to reduce delays and to improve the timeliness of case processing. It has improved its docketing schedule and its manual system of case processing. It has also taken steps to reduce cases under advisement.
- **34th JDC.** The 34th JDC reports the following:
  - All judges are committed to scheduling and hearing all matters as quickly as possible. Continuances are granted only for good causes.
  - The Court evaluates the frequency with which cases scheduled for trial are actually heard and endeavors to develop techniques to improve the certainty of trial dates, including polling the trial docket in advance of trial.
  - The Court, in cooperation with the district attorney's office and the juvenile probation office, endeavors to effectively manage child dependency cases. The Court schedules child custody and support cases at least weekly in each division and assigns additional dates for the handling of these matters whether they appear in ordinary civil action cases or arise as domestic abuse petitions for protective orders.
  - The Court endeavors to punctually commence all court proceedings in each division. The Court is also constantly



analyzing and seeking to discover ways for the proper rendition of judgments.

- The Court tracks all changes in law and legal procedure, along with effective dates, for circulation to the judges and provides this information to members of the bar at an annual seminar. It also lists changes in law on its pilot web site. At least one judge of the district is assigned this task.
  - The Court sets hearings one day per week. Additionally, the Court is investigating alternative ways to provide custody evaluations more expeditiously and economically.
  - The Court has in place a manual case management system using calendars. It employs time-certain scheduling requiring pre-trial conferences, status conferences and case management orders to be held or delivered on time-certain dates.
  - The Court addresses certainty of trial dates and punctual commencement of court proceedings through its regular, ongoing activities.
- **36th JDC.** The 36th JDC reports that it has taken action within the last two years to reduce delays and to improve the timeliness of case processing. It has also taken steps to reduce cases under advisement.
  - **37th JDC.** The 37th JDC reports that it has taken steps to reduce cases under advisement.
  - **39th JDC.** The 39th JDC reports that it has improved its docketing schedule and has taken steps to reduce cases under advisement.
  - **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court reports that it has taken action in the last two years to reduce delays and to improve the timeliness of case processing. It has done this mainly through enhancements to its automated case management information system.
  - **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court reports

that it has taken action in the last two years to reduce delays and to improve the timeliness of case processing. It has applied for a grant to assist it in developing an automated case management information system. It has improved its manual system of case processing and is currently designing a database to ultimately support an automated case management information system. The criminal sheriff has re-wired the building and is in the process of placing terminals in each section to receive court orders and minute entries automatically. The Court also reports that it is addressing the objective through its regular, ongoing activities by using case management techniques and techniques for ensuring the punctual commencement of proceedings, the certainty of trial dates, and the prompt and timely rendition of judgments. In addition, its magistrate section, consisting of one judge and four commissioners, has greatly reduced the pre-trial workload of the other judges of the Court, thus allowing them more time to conduct criminal trials and other hearings.

- **Caddo Parish Juvenile Court.** The Caddo Parish Juvenile Court reports that it has taken action in the last two years to reduce delays and to improve case management. It has improved its docketing schedule. It has installed an automated case management information system. It has increased its use of its hearing officers; and it has taken steps to reduce cases under advisement.
- **East Baton Rouge Parish Juvenile Court.** The East Baton Rouge Parish Juvenile Court reports that it has taken action in the last two years to reduce delays and to improve the timeliness of case processing. It has modified its current automated case management information system to provide automated minute entries in child dependency cases that are consistent with the checklists supplied by the Judicial Administrator of the Supreme Court. One of its sections utilizes pre-hearing conferences in child dependency cases as a means of effective case management. It has upgraded its hearing officer for child support to a full-time status, thus allowing additional child support cases to be docketed as the case



load increases. In addition, one of its judges has developed and uses a time-certain scheduling checklist for CINC cases.

- **Jefferson Parish Juvenile Court.**  
The Jefferson Parish Juvenile Court reports that it has taken action in the last two years to reduce delays and to improve case management. It has improved its docketing schedule and has enhanced its oversight of cases for ASFA compliance.
- **Orleans Parish Juvenile Court.**  
The Orleans Parish Juvenile Court reports that it has taken action in the last two years to reduce delays and to improve its case management. It has improved its docketing schedule and is in the process of installing an automated case management information system.
- **East Baton Rouge Parish Family Court.**  
The East Baton Rouge Parish Family Court reports that it has taken action in the last two years to reduce delays and to improve its case management, principally by improving its docketing schedule and by installing an automated case management information system.

## Future Steps

The following future steps were reported by each court:

- **5th JDC.** The 5th JDC intends to implement an automated case management information system in the coming year.
- **6th JDC.** The 6th JDC intends to initiate the process of developing an automated case management system in the coming year.
- **16th JDC.** The 16th JDC is considering extending its Family Court program to the parishes of Iberia and St. Martin.
- **21st JDC.** The 21st JDC reports that it is working on the development of an automated case management information system.

- **34th JDC.** The 34th JDC reports the chief judge shall seek assistance from the Supreme Court and any other appropriate agency for implementation of a manual tracking system to handle the cases filed annually within their court. The Court shall seek an appropriate grant to purchase the necessary computer and appropriate software plus the necessary employees to input the necessary data for each case to be tracked automatically. The Court is developing a pilot program for an automated case management system for the scheduling and tracking of cases using online and internet access.
- **40th JDC.** The 40th JDC reports that it is working with its clerk of court to develop a court-house-wide LAN system.
- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court intends to computerize data on its community service programs.
- **Jefferson Parish Juvenile Court.**  
The Jefferson Parish Juvenile Court intends to undertake a self-study in several key areas of performance including case processing time and compliance with applicable time standards for all case types. It plans to assess its case processing procedures and caseload demands particularly in non-support cases and child dependency cases.

## Objective 2.2

**To provide required reports and to respond to request for information promptly**

### Intent of the Objective

As public institutions, district courts have a responsibility to provide mandated reports and requested legitimate information to other public bodies and to the general public. Objective 2.2 emphasizes that the district courts' responses to these mandates and requests should be timely and expeditious.



## Responses to the Objective

**Responses of Individual Courts.** The following responses were reported by each court:

- **7th JDC.** The 7th JDC reports that all required reports and requests for information are provided in a timely manner to its judicial administrator for processing.
- **14th JDC.** The 14th JDC reports that it addresses this objective through its regular, ongoing activities.
- **16th JDC.** The 16th JDC reports that it addresses the objective through its regular, ongoing activities.
- **34th JDC.** The 34th JDC reports that it addresses this objective through its regular, ongoing activities.
- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court reports that it has improved its system of providing timely reports and requests for information.

## Future Steps

The following future steps were reported by each court:

- **Jefferson Parish Juvenile Court.** The Jefferson Parish Juvenile Court reports that it intends to review and modify, as necessary, the parameters of all reports generated by the Court's management information system to ensure timeliness of reporting and to develop new reports as warranted.
- **Orleans Parish Juvenile Court.** The Orleans Parish Juvenile Court reports that, with full implementation of the Court's management information system, the Court anticipates that it will be better able to provide required reports and to respond to requests for information about the work of the Court.

## Objective 2.3

**To promptly implement changes in law and procedure.**

### Intent of the Objective

Tradition and formality can obscure the reality that both the substantive and procedural laws are subject to change. Changes in statutes, case law, and court rules affect what is done in the courts, how it is done, and those who conduct business in the courts. Trial courts should make certain that mandated changes are implemented promptly and correctly.

### Responses to the Objective

**General Responses.** The following general responses were reported:

- **ASFA Compliance.** In response to the question on the 2001 Survey of Chief Judges regarding the steps taken to comply with ASFA, the responding chief judges reported as follows:
  - **Specialized Division.** Nine of the responding chief judges (20.5%) said that their courts had consolidated child dependency cases into a specialized section of their Court (the 4th JDC; the 10th JDC; the 14th JDC, Family/Juvenile Division; the 15th JDC; the 16th JDC; the 22nd JDC; the 26th JDC; the Caddo Parish Juvenile Court; and the Orleans Parish Juvenile Court.)
  - **Automated Case Management Information System.** Four (9.1%) said that they had installed an automated case management system to assist in compliance (the 7th JDC; the 14th JDC, Family/Juvenile Division; the Caddo Parish Juvenile Court; and the Orleans Parish Juvenile Court.)
  - **Facilitation Teams.** Nine (20.5%) said that they had created facilitation teams (the 4th JDC; the 5th JDC; the 13th JDC; the 14th JDC,



Family/Juvenile Division; the 15th JDC; the 21st JDC; the 25th JDC; the East Baton Rouge Parish Juvenile Court; and the Orleans Parish Juvenile Court.)

- **Improvements to Manual Case Management Processing.**

Twenty (45.5%) said that they had improved their manual case management system to assist in compliance with ASFA (the 2nd JDC; the 3rd JDC; the 5th JDC; the 6th JDC; the 11th JDC; the 12th JDC; the 14th JDC, Family/Juvenile Division; the 15th JDC; the 16th JDC; the 21st JDC; the 28th JDC; the 29th JDC; the 32nd JDC; the 33rd JDC; the 35th JDC; the 36th JDC; the 39th JDC; the 40th JDC; the East Baton Rouge Parish Juvenile Court; and the Jefferson Parish Juvenile Court.)

**Responses of Individual Courts.** The following responses were reported by each court:

- **2nd JDC.** The 2nd JDC reports that the judges of its district meet en banc at least quarterly, and more often as necessary, to discuss changes in substantive and procedural laws, and to implement those changes whenever agreement is reached.
- **3rd JDC.** The 3rd JDC reports that it converted to West Law Access to have a more complete law library of materials and, at the same time, to save money on the annual purchase of hard copies of law books.
- **7th JDC.** The 7th JDC reports that both of its judges receive information from different sources concerning changes in law and procedure. The judges discuss these changes in an en banc session and then communicate their decision regarding these changes to the Court's judicial administrator who, in turn, disseminates the information to all appropriate parties.
- **14th JDC.** The 14th JDC reports that it addresses this objective through its regular, ongoing activities.

- **16th JDC.** The 16th JDC reports that it addresses changes in the law and legal procedure through its regular and special en banc meetings.
- **17th JDC.** The 17th JDC reports that its chief judge monitors changes in the law and procedure and provides this information to all other judges in the Court. Any changes in procedure required by changes in the law are discussed at the judges' regularly scheduled monthly business meetings.
- **29th JDC.** The 29th JDC reports that it requires its law clerk to keep abreast of changes in law and procedure and to notify each judge of such changes, particularly after each legislative session.
- **32nd JDC.** The 32nd JDC reports that it uses newsletters and other readily available sources of information to track and promptly implement changes in the law and procedures.
- **34th JDC.** The 34th JDC reports that each of its judges receives a summary of all new legislation and trends in practice. The judges then discuss the legislation and trends at their monthly meetings and determine those changes that need to be made.
- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court reports that it has hired a legislative liaison agent to track potential and actual changes in the law and procedures and to report these changes to each of the Court's judges.
- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court reports that it addresses this objective through its regular, ongoing activities. Generally, the responsibility for tracking changes in the law and informing the judges of these changes is a responsibility of each section's law clerk. In addition, the Court itself tracks trends and new conditions and proactively makes adjustments or seeks needed laws and procedures to do so.



- **Jefferson Parish Juvenile Court.**  
The Jefferson Parish Juvenile Court reports that changes in law and procedure are monitored and communicated as needed.
- **Orleans Parish Juvenile Court.**  
The Orleans Parish Juvenile Court reports that it is reviewing its processes to ensure compliance with all procedures, rules, and regulations.

### ASFA Compliance

- **2nd JDC.** The 2nd JDC reports that it has improved its manual case management system for better ASFA compliance and that its judges have met with the staff of the Office of Community Services to make sure that its procedures comply with AFSA.
- **3rd JDC.** The 3rd JDC reports that its two judges and their staffs attended a meeting sponsored by the Office of Community Services (OCS) to educate everyone in the district on the requirements of the federal Adoption and Safe Families Act, the Louisiana Children’s Code, and the new OCS regulations relating to child dependency cases.
- **5th JDC.** The 5th JDC reports that it has taken several steps in the last year to ensure compliance with the federal Adoption and Safe Families Act (ASFA) and the Louisiana Children’s Code. Its judges and their staffs have attended meetings sponsored by the Office of Community Services (OCS) to educate everyone in the district on the requirements of ASFA, the Louisiana Children’s Code, and the new OCS regulations relating to child dependency cases. The Court has also created a facilitation team and has improved its manual case management system.
- **6th JDC.** The 6th JDC reports that it has improved its manual case processing system as a means of attaining compliance with ASFA.
- **7th JDC.** The 7th JDC participated in the FY 2001-2002 performance audit on compliance with the federal Adoption and Safe Families Act (ASFA) and the Louisiana Children’s Code, and is now taking steps to correct all deficiencies. To aid in this effort, the Court has installed the case-tracking program supplied by the Judicial Administrator of the Supreme Court to improve the management of child protection cases. It has also placed on the bench of each judge the checklists supplied by the Judicial Administrator of the Supreme Court to aid in ASFA compliance.
- **8th JDC.** The 8th JDC reports that it is using the checklists developed by the Judicial Administrator of the Supreme Court to improve the management of child dependency cases.
- **10th JDC.** The 10th JDC reports that it has consolidated child dependency cases into a specialized juvenile court division.
- **11th JDC.** The 11th JDC reports that it has improved its manual case management system as a means of attaining ASFA compliance.
- **14th JDC, Family/Juvenile Division.**  
The 14th JDC, Family/Juvenile Division, participated in the FY 2001-2002 performance audit on compliance with the federal Adoption and Safe Families Act (ASFA) and the Louisiana Children’s Code, and is now taking steps to correct all deficiencies. It continues to consolidate child dependency cases into the specialized division. It has created a facilitation team and is working on utilizing mediation in its process. It has installed an automated case management tracking system and has improved its manual case management system. It has also designated a staff person to facilitate the processing of child dependency cases.
- **15th JDC.** The 15th JDC participated in the FY 2001-2002 performance audit on compliance with the federal Adoption and Safe Families Act



(ASFA) and the Louisiana Children’s Code, and is now taking steps to correct all deficiencies. It has consolidated its child dependency cases into a specialized division. It has created a facilitation team and has improved its manual case management system.

- **16th JDC.** The 16th JDC participated in the FY 2001-2002 performance audit on compliance with the federal Adoption and Safe Families Act (ASFA) and the Louisiana Children’s Code, and is now taking steps to correct all deficiencies. It has consolidated child dependency cases into a specialized division. It has improved its manual case management system. It has hired a juvenile docket coordinator to monitor and track child dependency cases in Iberia and St. Martin Parishes. The juvenile docket coordinator coordinates parent legal orientation conferences to advise participants of the nature and consequences of the proceedings. The coordinator maintains a resource list of attorneys to ensure proper representation of parents and children in child dependency cases and communicates regularly with attorneys, clients and case workers to reduce delays. The coordinator also maintains data in a juvenile court management database to monitor and track cases.
- **17th JDC.** The 17th JDC reports that it has distributed the checklists and other materials provided by the Judicial Administrator of the Supreme Court for ASFA compliance. Division D of the Court reports that the judge and the district attorney maintain a checklist in the court room to assure the rendering of findings of fact by the Court as a means of assuring ASFA compliance.
- **21st JDC.** The 21st JDC reports that it is working on the establishment of a juvenile division that will enable the Court to comply more quickly and completely with the requirements of ASFA and the Louisiana Children’s Code.

- **22nd JDC.** The 22nd JDC participated in the FY 2000-2001 performance audit on compliance with the federal Adoption and Safe Families Act (ASFA) and the Louisiana Children’s Code, and is now taking steps to remedy all deficiencies. It has continued its use of a specialized division consisting of three judges to hear all juvenile cases in the district. It has also created a facilitation team and has improved its manual case management system.
- **26th JDC.** The 26th JDC reports that it has taken several steps to ensure compliance with ASFA. It has consolidated child dependency cases into a specialized division of court. It has created a facilitation team and has provided the checklists developed by the Judicial Administrator of the Supreme Court in each courtroom. In addition, it has supplied sample minute entry forms and other forms to its clerks of court to further ensure ASFA compliance.
- **28th JDC.** The 28th JDC participated in the Supreme Court’s ASFA performance audit and is now in the process of implementing the audit’s recommendations. It has developed court rules to ensure strict adherence to the deadlines and timelines of ASFA and the Louisiana Children’s Code. It has improved its manual case management system and has worked closely with its district attorney, OCS, and other agencies to ensure compliance.
- **32nd JDC.** The 32nd JDC reports that it has attempted to ensure ASFA compliance by improving its manual case management system. Most of the ASFA case tracking in the Court is done manually, although some is done by computer. The Court discourages continuances and only grants them for good cause. The Court works closely with OCS to meet all mandatory timelines and to resolve child dependency cases as quickly as possible. In addition, the chief judge reports that he manually reviews the cases allotted to his section and calls the attorneys for the purpose of establishing trial dates and cut-off dates as a means of meeting the mandatory time lines of the Louisiana Children’s Code.



- **33rd JDC.** The 33rd JDC reports that it has improved its manual case processing system as a means of ensuring compliance with ASFA.
- **35th JDC.** The 35th JDC reports that it has improved its manual case processing system as a means of ensuring compliance with ASFA.
- **36th JDC.** The 36th JDC reports that it has improved its manual case processing system as a means of ensuring compliance with ASFA.
- **39th JDC.** The 39th JDC reports that it has improved its manual case processing system as a means of ensuring compliance with ASFA.
- **40th JDC.** The 40th JDC reports that it has improved its manual case processing system as a means of ensuring ASFA compliance.
- **Caddo Parish Juvenile Court.** The Caddo Parish Juvenile Court participated in the Supreme Court's ASFA performance audit and is now in the process of implementing the audit's recommendations. Prior to the audit, the Court had already consolidated its child dependency cases into one section. It had also already installed an automated case management information system and had implemented a project for expediting child dependency cases.
- **East Baton Rouge Parish Juvenile Court.** The East Baton Rouge Juvenile Court participated in the Supreme Court's ASFA performance audit and is now in the process of implementing the audit's recommendations. It has created a facilitation team to address all items of deficiency indicated in the audit. In one of its sections, it uses time-certain scheduling to reduce continuances and facilitate compliance with the timelines of ASFA and the Louisiana Children's Code. It has modified its automated case management information system to provide automated minute entries that are consistent with the checklists provided by the Supreme Court.

- **Jefferson Parish Juvenile Court.** The Jefferson Parish Juvenile Court participated in the Supreme Court's ASFA performance audit and is now in the process of implementing the audit's recommendations. It has established a court-based work group to conduct a self-assessment of the Court's compliance with ASFA, develop policies and procedures for ASFA compliance, and troubleshoot problems with OCS and OYD. In addition, it has upgraded and modified its automated management information system and improved its manual case management system to better comply with ASFA requirements.
- **Orleans Parish Juvenile Court.** The Orleans Parish Juvenile Court participated in the Supreme Court performance audit on ASFA compliance and is now in the process of remedying the deficiencies indicated in the audit. Prior to the audit, however, the Court had already consolidated its child dependency cases into a two-judge division. It had also already established a facilitation team and had begun the process of building and installing an automated case management information system.

### Improvements to FINS and CASA

- **3rd JDC.** The 3rd JDC reports that it has also made several improvements to its Families In Need of Services Program (FINS), including appointing its judicial administrator to be the primary FINS officer, hiring contractors to oversee FINS cases, educating schools and the public about the program, and providing judicial oversight. As a result of FINS, the Court reports a 90% success rate, measured chiefly in terms of a low rate of recidivism.
- **5th JDC.** The 5th JDC reports that it is in the process of creating a Court-Appointed Special Advocate (CASA) program for the district and that the court directly manages its FINS program.



- **7th JDC.** The 7th JDC reports that its judges and its judicial administrator actively oversee the Families In Need of Services (FINS) program in the district and have complied with all requirements of the Supreme Court’s FINS Assistance Program (FINSAP).
- **8th JDC.** The 8th JDC reports that it is directly managing its FINS program.
- **16th JDC.** The 16th JDC reports that its judges regularly meet with the FINS intake officers and the FINS Committee to monitor the efficiency and effectiveness of the FINS program in the district and to make improvements thereto.
- **22nd JDC.** The 22nd JDC reports that it provides some of its own funds to its FINS office as a supplement to the state funds received from the Supreme Court.
- **26th JDC.** The 26th JDC reports that it has hired an administrative assistant to assist the FINS intake officer with data collection and reporting to the Supreme Court, and to handle other essential clerical functions.
- **29th JDC.** The 29th JDC reports that it continues its support of the Center for Family and Youth Services as the intake function for its FINS program.
- **32nd JDC.** The 32nd JDC reports that it has an active FINS program.
- **34th JDC.** The 34th JDC reports that one of its judges has been given the responsibility of supervising the Family In Need of Services (FINS) program in the district. The judge works closely with the FINS office and oversees its procedures and implementation.
- **40th JDC.** The 40th JDC reports that its judges regularly appear at CASA training programs to speak on various topics.
- **East Baton Rouge Juvenile Court.** The East Baton Rouge Juvenile Court reports that, through a supervising judge, it maintains a close working relationship with the FINS intake office and the Parish’s Department of Juvenile Services. It also assists the FINS office through the Court’s Family Strengthening Program and its Parents-In-Control Group, and through the development and implementation of the newly established Truancy Assessment Service Center.
- **Jefferson Parish Juvenile Court.** The Jefferson Parish Juvenile Court reports that it is reviewing and modifying its FINS process to ensure compliance with all recently adopted procedures, rules, and regulations. It also reports that its CASA program has experienced a period of aggressive growth.
- **Orleans Parish Juvenile Court.** The Orleans Parish Juvenile Court reports that it is working with its CASA program to increase the quality and quantity of volunteers. The Court is also working to establish on firm foundations its new Truancy Assessment Service Center.

### Future Steps

The following future steps were reported by each court:

- **8th JDC.** The 8th JDC reports that it plans to develop a CASA program in the coming year.
- **21st JDC.** The 21st JDC reports that it is working on the establishment of a juvenile division that will enable the Court to comply more quickly and completely with the requirements of ASFA and the Louisiana Children’s Code. It will also take steps to improve its FINS program and its truancy center.



## Objective 2.4 To Enhance Jury Service.

### Intent of the Objective

Jury service is one of the most important civic duties in our nation. And yet, many citizens do their best to escape this obligation either because they do not understand its importance or because they find jury service mystifying, intimidating, and inconvenient. The judicial system has an obligation to educate jurors and to make their service as convenient and efficient as possible. Fortunately, the judicial system has developed a broad range of innovative techniques and tested methodologies for addressing this need effectively. The intent of this objective is to encourage the use of these techniques and methodologies in a systematic and strategic manner.

### Responses to the Objective

**General Responses.** The following general responses were reported:

- **Jury Service Enhancements.** In response to the 2001 Survey of Chief Judges, thirty-one of the responding chief judges (81.6%) reported that their courts had taken steps within the last two years to make jury service more convenient or effective (the 1st JDC; the 2nd JDC; the 3rd JDC; the 4th JDC; the 5th JDC; the 8th JDC; the 9th JDC; the 10th JDC; the 12th JDC; the 14th JDC; the 15th JDC; the 16th JDC; the 17th JDC; the 9th JDC; the 21st JDC; the 22nd JDC; the 24th JDC; the 25th JDC; the 26th JDC; the 27th JDC; the 28th JDC; the 29th JDC; the 30th JDC; the 32nd JDC; the 33rd JDC; the 34th JDC; the 36th JDC; the 38th JDC; the 39th JDC; the Orleans Parish Civil District Court; and the Orleans Parish Criminal District Court.)

**Responses of Individual Courts.** The following responses were reported by each court:

- **1st JDC.** The 1st JDC reports that it has taken steps in the last two years to make jury service more convenient and effective. The Court has produced its own video orientation tape and utilizes it as a major part of its jury orientation program. The Court also has a full-time jury coordinator and jury pool program to keep jurors informed and to address problems relating to juror comfort and morale.
- **2nd JDC.** The 2nd JDC reports that it has taken steps in the last two years to make jury service more convenient and effective. It attempts to select all juries on one day for the felony jury trials set for a particular week so that those in the venire who have not been selected will not have to return. The judges also attempt to set only one civil jury for a particular day so those on the civil jury venire will know, by the end of the day, whether they will have to return.
- **3rd JDC.** The 3rd JDC reports that it has taken steps in the last two years to make jury service more convenient and effective. It has instituted the use of jury questionnaires in every jury term in order to save time for jurors and the court in the jury trial process. It has implemented a policy whereby prospective jurors are not called until all pleas are made, thereby saving public funds and providing greater convenience to jurors. It has set up a system to contact jurors by phone if a case pleads out. It has also instituted a policy of sending thank-you letters and certificates of appreciation to all jurors who actually serve on a jury.
- **5th JDC.** The 5th JDC reports that it provides prospective jurors with booklets and pamphlets explaining court procedures and jury service. It has also implemented a telephone call-in service for jurors to check on the necessity for reporting for jury duty.
- **8th JDC.** The 8th JDC reports that it uses public service announcements to advise on the status of jury service. Notice of hearing cancellations is also provided to jurors by radio.



- **9th JDC.** The 9th JDC reports that it provides a questionnaire to each juror after each jury trial to obtain information on the juror's likes, dislikes and suggestions for improvement. The information is then presented and discussed at the next en banc meeting for possible action. In addition, all members of the venire panels are given a live pretrial orientation, at which a judge addresses the panel and tells its members of the importance of jury service and what to expect at the time of trial.
- **14th JDC.** The 14th JDC reports that it has updated its jury management software, juror instructional video, and other juror training materials.
- **16th JDC.** The 16th JDC reports that it conducts surveys of jurors in civil and criminal cases in all three of its parishes. The information derived from the surveys is then communicated to the judges of the Court, the parish governments, and the sheriffs for their information and possible action. The Court also sends letters of appreciation to jurors after their jury service.
- **19th JDC.** The 19th JDC reports that it has provided a new and comfortable area for jury venires to wait during the jury selection process.
- **22nd JDC.** The 22nd JDC reports that it has hired a jury coordinator to inform the jury pools of the jury selection process and jury service. As part of this effort, the coordinator presents a film on jury service and answers the questions of jurors. In addition, the Court has recently implemented a new informational program to address juror hardship and to make communication with the Court easier.
- **26th JDC.** The 26th JDC reports that it has created a "break" area for jurors. The area has a refrigerator, microwave, and refreshments for jurors.
- **27th JDC.** The 27th JDC reports that it has taken steps in the last two years to make jury

service more convenient and effective. It provides information to prospective jurors on the nature of the proceedings in which they may be involved and on the purpose and duty of jury service.

- **28th JDC.** The 28th JDC reports that it has taken steps in the last two years to make jury service more convenient and effective. It has developed a consistent juror re-assignment program. Under the program, the respective counsel in each case are asked to consent to the re-assignment procedure which operates, in effect, like a central jury pool.
- **29th JDC.** The 29th JDC reports that it has taken steps in the last two years to make jury service more convenient and effective.
- **30th JDC.** The 30th JDC reports that it has taken steps in the last two years to make jury service more convenient and effective.
- **32nd JDC.** The 32nd JDC reports that it has taken steps in the last two years to make jury service more convenient and effective. Currently, the Court operates a one-day service type of system for civil cases in that each civil case set for jury trial has a separate jury pulled for that case. In criminal cases, jurors provide a week of service. When jurors come in for jury service, the judges explain what jury service entails and how the courtroom operates. In addition, the Court has established a voice messaging system to notify potential jurors of the time and place they may be needed for jury service or whether or not jury service has been terminated because of case settlement.
- **33rd JDC.** The 33rd JDC reports that it has taken steps within the last two years to make jury service more convenient and effective.
- **34th JDC.** The 34th JDC reports that it has already implemented single service juries that are called for service only for individual cases. All jurors after service, are written letters to thank



them and to solicit their suggestions for improving jury service. The Court has additionally provided information on the nature of the importance of jury service and the operations of jury service on its pilot web site.

- **36th JDC.** The 36th JDC reports that it has taken several steps within the last two years to make jury service more convenient or effective.
- **39th JDC.** The 39th JDC reports that it has taken steps within the last two years to make jury service more convenient and effective.
- **40th JDC.** The 40th JDC reports that its clerk of court has developed a court-approved jury handbook which is mailed with every jury subpoena. In addition, new furniture has been purchased and installed in the jury deliberation room. Voice messaging has been installed to inform jurors as to whether they are needed for jury service on a particular day.
- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court reports that it has taken steps in the last two years to make jury service more convenient and effective.
- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court reports that it has taken steps in the last two years to make jury service more convenient and effective. The Court provides an orientation session for jurors using a written handbook and an oral presentation. It surveys jurors on a monthly basis to get feedback on juror morale and issues. It provides timely docketing information to jurors.

## Future Steps

The following future steps were reported by each court:

- **32nd JDC.** The 32nd JDC reports that it is working with the parish government to provide adequate parking and better facilities for jurors. The Court also intends to survey the opinions of

jurors, court personnel, attorneys and other court users regarding security, accessibility, courtesy, responsiveness, and overall court performance.

- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court reports that it has identified a need for public service announcements to encourage jury service. It intends to investigate successful communication strategies used in other jurisdictions and to develop a plan for the effective use of PSAs in the district.

## Objective 3.1

**To faithfully adhere to laws, procedural rules, and established policies.**

### Intent of the Objective

This objective is based largely on the concept of due process, including the provision of proper notice and the provision of a fair opportunity to be informed and heard at all stages of the judicial process. Fairness should characterize the court's compulsory process and discovery. Courts should respect the right to legal counsel and the rights of confrontation, cross-examination, impartial hearings, and jury trials. The objective requires fair judicial processes through adherence to constitutional and statutory law, case precedents, court rules, and other authoritative guidelines, including policies and administrative regulations. Adherence to law and established procedures contributes to the court's ability to achieve predictability, reliability, and integrity. It also greatly helps to ensure that justice "is perceived to have been done" by those who directly experience the quality of the court's adjudicatory process and procedures.

### Responses to the Objective

**Responses of Individual Courts.** The following responses were reported by each court:

- **1st JDC.** The 1st JDC reports that it has



periodic meetings with the criminal, civil, and family law sections of the bar to hear and resolve problems between the bench and bar.

- **2nd JDC.** The 2nd JDC reports that the judges currently do not have a plan to set up attorney focus groups or panels because the judicial district is rural and all of the lawyers feel comfortable with expressing their opinions directly to the judges. At the meetings hosted by the judges, the topics covered by this objective are discussed, and the judges have frequently made changes when the comments from the lawyers indicated that such changes were needed.
- **5th JDC.** The 5th JDC reports that it addresses this objective through its regular, ongoing activities, particularly through its discussions with attorneys at semi-annual bar association meetings and through the annual meetings of its Bench-Bar Liaison Committee. At the Bench-Bar Liaison Committee meetings, the judges and area attorneys discuss needed changes in the judicial system, which are then voted on and submitted to the entire bar association at its semi-annual meeting. Upon approval of the recommended changes by the bar, the court then considers these recommendations for implementation by court rule.
- **13th JDC.** The 13th JDC reports that it has circulated a survey questionnaire to area attorneys to ascertain their views on the judges' fidelity to law.
- **17th JDC.** The 17th JDC reports that this objective is met through its regular, ongoing activities.
- **34th JDC.** The 34th JDC reports that it has a Bar Association that interacts well with the bench. The Bar Association is generally proactive in its sponsorship of CLE programs and bench and bar interchanges dealing with problems. The court then addresses these problems at its regular en banc meetings and staff meetings. The faithful

adherence to the law, procedural rules, and established policies is, therefore, being met by the regular, ongoing activities of the bench, bar and staff of the Judicial District working together.

## Future Steps

The following future steps were reported by each court:

- **14th JDC.** The 14th JDC reports that it will organize attorney focus groups for soliciting feedback on needed changes in procedures, rules, and policies. It will also consider developing and distributing a questionnaire on fidelity to the law.
- **17th JDC.** The 17th JDC reports that it will reinstate and reform its standing committee on relations between the bench and bar in Lafourche Parish as a means of obtaining attorney feedback on the operations of the court.
- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court reports that it plans to assemble attorney focus groups to solicit feedback on the Court's faithfulness to law, procedural rules and established policies.

## Objective 3.2

**To ensure that the jury venire is representative of the jurisdiction from which it is drawn.**

### Intent of the Objective

Courts cannot guarantee that juries will always reach decisions that are fair and equitable. Nor can courts guarantee that the group of individuals chosen through the voir dire are representative of the community from which they are chosen. Courts can, however, provide a significant measure of fairness and equality by ensuring that the methods employed to compile source lists and to draw the venire provide jurors who are representative of the total adult population of the jurisdiction. Ideally, all individuals qualified to serve on a jury should have equal opportunities to participate, and all



parties and the public should be confident that jurors are drawn from a representative pool.

## Responses to the Objective

**General Responses.** The following general responses were reported:

- In response to the question on the 2001 Survey of Chief Judges regarding how the jury venire is selected, the responding chief judges reported as follows:
- Sixteen (42.1%) said from voter registration rolls (the 1st JDC; the 2nd JDC; the 3rd JDC; the 5th JDC; the 11th JDC; the 14th JDC; the 16th JDC; the 21st JDC; the 26th JDC; the 27th JDC; the 30th JDC; the 32nd JDC; the 33rd JDC; the 36th JDC; the 37th JDC; and the 39th JDC).
- Twenty-two (57.9%) said from a combination of sources (the 4th JDC; the 6th JDC; the 7th JDC; the 8th JDC; the 9th JDC; the 10th JDC; the 12th JDC; the 13th JDC; the 15th JDC; the 17th JDC; the 19th JDC; the 22nd JDC; the 24th JDC; the 25th JDC; the 28th JDC; the 29th JDC; the 34th JDC; the 35th JDC; the 38th JDC; the 40th JDC; the Orleans Parish Civil District Court; and the Orleans Parish Criminal District Court)

**Responses of Individual Courts.** The following responses were reported by each court:

- **2nd JDC.** The 2nd JDC reports that its jury lists are based on the registered voters of the respective parishes. They have attempted, at a large cost paid to a computer consultant, to add names from other sources. However, these other databases ultimately were unreliable. Using two separate jury venires based on data obtained from jury questionnaires, the Court analyzed the parish's racial demographics (but not gender demographics) with the representation of those persons on the venire who appeared for jury service. In both venires, the demographics of the jury venire were the same as the parish demo-

graphics. The judges of the 2nd JDC pay for its clerks of court to annually update their computer databases. The Court also pays for the software used by the clerks for the random selection of jury venires.

- **6th JDC.** The 6th JDC reports that it selects its jury venire from a combination of information sources.
- **12th JDC.** The 12th JDC reports that it is slowly purging its jury pool for the first time in twenty-plus years.
- **13th JDC.** The 13th JDC reports that it uses a random computer process to select jurors from a combination of voter registration rolls, motor vehicle records, and utility records.
- **14th JDC.** The 14th JDC reports that it selects jurors from the voter registration rolls randomly using a computer program.
- **28th JDC.** The 28th JDC reports that it selects its jury venire from a combination of information sources and that it examines each petit jury list to ensure that the jury venire is representative and balanced.
- **29th JDC.** The 29th JDC reports that it selects its jury venire from a combination of information sources.
- **32nd JDC.** The 32nd JDC reports that it selects its jury venire from a combination of information sources. It also reports that its clerk of court will add any person to the jury venire list upon request.
- **33rd JDC.** The 33rd JDC reports that it selects its jury venire from a combination of information sources.
- **34th JDC.** The 34th JDC reports that it selects its jury venire from a combination of information sources.



- **35th JDC.** The 35th JDC reports that it selects its jury venire from a combination of information sources.
- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court reports that it selects its jury venire from a combination of information sources.
- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court reports that it selects its jury venire from a combination of information resources. It also reports that it engages in regular, ongoing efforts to ensure that the selection of prospective jurors is randomly allotted by computer.

### Future Steps

The following future steps were reported by each court:

- **None Reported**

### Objective 3.3

**To give individual attention to cases, deciding them without undue disparity among like cases and upon legally relevant factors.**

### Intent of the Objective

This objective upholds the standard that litigants should receive individual attention without variation due to the judge assigned or the legally irrelevant characteristics of the parties. To the extent possible, persons similarly situated should receive similar treatment. The objective further requires that court decisions and actions be in proper proportion to the nature and magnitude of the case and to the characteristics of the parties. Variations should not be predictable due to legally irrelevant factors, nor should the outcome of a case depend on which judge within a court presides over a hearing or trial. The objective relates to all decisions, including sentences in criminal cases, the conditions of

bail, the amount of child support, the appointment of legal counsel, and the use of court-supervised alternatives to formal litigation.

### Responses to the Objective

**Responses of Individual Courts.** The following responses were reported by each court:

- **2nd JDC.** The 2nd JDC reports that, currently, the judges have published a bail schedule authorized by statute, which includes the bail for a particular offense if the offense is one for which the statute authorizes a scheduled bail amount.
- **5th JDC.** The 5th JDC reports that it accomplishes this objective through its regular, ongoing activities, particularly through its discussions with attorneys at semi-annual bar association meetings and through the annual meetings of its bench-bar liaison committee.
- **14th JDC.** The 14th JDC reports that it works closely with its local bar association and gets feedback from it on the types of issues suggested by the objective.
- **30th JDC.** The 30th JDC reports that it will provide integrity, fairness and equality in all matters before the court.
- **34th JDC.** The 34th JDC reports that it addresses the objective through its regular, ongoing activities.

### Future Steps

The following future steps were reported by each court:

- **14th JDC.** The 14th JDC reports that it will organize attorney focus groups for soliciting feedback on needed changes in procedures, rules, and policies.



- **17th JDC.** The 17th JDC reports that it will reinstate and reform its standing committee on relations between the bench and bar in Lafourche Parish as a means of obtaining attorney feedback on the operations of the court.

### Objective 3.4

To ensure that the decisions of the court address clearly the issues presented to it and, where appropriate, specify how compliance can be achieved.

#### Intent of the Objective

An order or decision that sets forth consequences or articulates rights but fails to tie the actual consequences resulting from the decision to the antecedent issues breaks the connection required for reliable review and enforcement. A decision that is not clearly communicated poses problems both for the parties and for judges who may be called upon to interpret or apply the decision. This objective implies that dispositions for each charge or count in a criminal complaint, for example, be easy to discern, and that the terms of punishment and sentence be clearly associated with each count upon which a conviction is returned. Noncompliance with court pronouncements and subsequent difficulties of enforcement sometimes occur because orders are not stated in terms that are readily understood and capable of being monitored. An order that requires a minimum payment per month on a restitution obligation, for example, is clearer and more enforceable than an order that establishes an obligation but sets no time frame for completion. Decisions in civil cases, especially those unraveling tangled webs of multiple claims and parties, should also connect clearly each issue and its consequences.

#### Responses to the Objective

**Responses of Individual Courts.** The following responses were reported by each court:

- **2nd JDC.** The 2nd JDC reports that its judges use standard Boykinization forms for felonies and standard judgments for certain misdemeanor offenses that are uniform throughout the district.
- **8th JDC.** The 8th JDC reports that its sentences in criminal matters are provided in written form to each defendant in open court.
- **22nd JDC.** The 22nd JDC reports that it has adopted a uniform felony bond list applicable to all defendants as a means of ensuring equal treatment and clarity of compliance.
- **34th JDC.** The 34th JDC reports that it addresses this objective through its regular, ongoing activities.

#### Future Steps

The following future steps were reported by each court:

- **17th JDC.** The 17th JDC reports that it will reinstate and reform its standing committee on relations between the bench and bar in Lafourche Parish as a means of obtaining attorney feedback on the operations of the court.

### Objective 3.5

To ensure that appropriate responsibility is taken for the enforcement of court orders.

#### Intent of the Objective

Courts should not direct that certain actions be taken or prohibited, and then allow those bound by their orders to honor them more in the breach than in the observance. This objective encourages courts to ensure that their orders are enforced. The integrity of the dispute resolution process is reflected in the degree to which the parties adhere to awards and settlements arising out of them. Noncompliance may indicate misunderstanding, misrepresentation, or lack of respect for or confidence in the courts. Obviously, courts cannot assume total responsibility for the



enforcement of all of their decisions and orders. The responsibility of the courts for enforcement varies from jurisdiction to jurisdiction, program to program, case to case, and event to event; However, all courts have a responsibility to take appropriate action for the enforcement of their orders.

## Responses to the Objective

**Responses of Individual Courts.** The following responses were reported by each court:

- **2nd JDC.** The 2nd JDC reports that, with regard to civil judgments including those relating to child support, the judges rely on the procedures available to litigants to enforce judgments, including contempt proceedings. The probation officers that supervise felony and misdemeanor probationers are instructed to file a rule to revoke the probation if any condition of probation is not met, including the payment of fines, court costs or restitution.
- **16th JDC.** The 16th JDC reports that its judges maintain direct contact with domestic abuse counselors to ensure compliance by those ordered. The judges maintain direct contact with providers of driving improvement and substance abuse evaluations and treatment to ensure compliance with court orders by DWI defendants. The judges conduct conferences with probation officers to review the compliance of defendants with probation requirements or to order probation revocation hearings. The judges have authorized hearing officers to conduct probation review hearings for misdemeanor and felony probationers and to monitor probationers as a means for better assuring compliance with probation requirements. The judges have created a task force, consisting of the sheriffs, other law enforcement agencies, the clerks of court, the district attorney, probation and parole officers and others, to develop a plan for remedying the growing number of outstanding warrants and the handling of “failure to appear warrants”. The judges have implemented procedures, in a

coordinated effort with sheriffs and the district attorney, to monitor the collections and disbursement of fines and forfeitures. The judges have also implemented a procedure whereby the probation office of the Department of Corrections provides within thirty days of sentencing a written report to the judges, notifying the Court when a probationer has been signed up and who the probation officer is. Upon such notification, the Court may then schedule probation review hearings.

- **34th JDC.** The 34th JDC reports that it addresses this objective through its regular, ongoing activities.
- **40th JDC.** The 40th JDC reports that it receives monthly reports from substance abuse counselors after DWI sentencing.
- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court addresses this objective through its regular, ongoing activities.

## Future Steps

The following future steps were reported by each court:

- **14th JDC.** The 14th JDC reports that it will consider in the coming year the possible implementation of attorney focus groups and surveys to address this objective.
- **17th JDC.** The 17th JDC reports that it will reinstate and reform its standing committee on relations between the bench and bar in Lafourche Parish as a means of obtaining attorney feedback on the operations of the court.



### Objective 3.6

To ensure that all court records of relevant court decisions and actions are accurate and preserved properly.

#### Intent of the Objective

Equality, fairness, and integrity in trial courts depend in substantial measure upon the accuracy, availability, and accessibility of records. This objective recognizes that court records may be maintained by other officials. Nevertheless, the objective does place an obligation on courts, perhaps in association with other officials, to ensure that records are accurate and preserved properly.

#### Responses to the Objective

**General Responses.** The following general responses were reported:

- In response to the 2001 Survey of Chief Judges, sixteen of the forty-four responding chief judges (36.6% ) reported that there was a need for major improvements in the way in which records were kept in their courts. Twenty-seven of the forty-four responding chief judges (61.4%) reported that there was not a need for major improvements in the way in which records were kept.

**Responses of Individual Courts.** The following responses were reported by each court:

- **14th JDC.** The 14th JDC reports that it is addressing this objective through its regular, ongoing activities.
- **26th JDC.** The 26th JDC reports that it has established a computer connection to the clerk of court's office in Bossier Parish to retrieve minutes and other information on civil and criminal matters more effectively.
- **34th JDC.** The 34th JDC reports that it addresses this objective through its regular, ongoing activities.

- **Orleans Parish Criminal District Court.**

The Orleans Parish Criminal District Court reports that its court administrators participate on the Supreme Court's Task Force established to identify problems and open lines of communication for resolving the accuracy and timely delivery of records to the Fourth Circuit Court of Appeal. As part of its regular, ongoing activities, the Court continues its efforts to standardize the minute entries of its various sections of court and to develop ways to electronically transmit this information to the criminal sheriff and to the clerk of court.

#### Future Steps

The following future steps were reported by each court:

- **None Reported**

### Objective 4.1

To maintain the constitutional independence of the judiciary while observing the principle of cooperation with other branches of government.

#### Intent of the Objective

The judiciary must assert and maintain its independence as a separate branch of government. Within the organizational structure of the judicial branch of government, trial courts should establish their legal and organizational boundaries, monitor and control their operations, and account publicly for their performance. Independence and accountability support the principles of a government based on law, access to justice, and the timely resolution of disputes with equality, fairness, and integrity, and they engender public trust and confidence. Courts must both control their proper functions and demonstrate respect for their co-equal partners in government.



## Responses to the Objective

**Responses of Individual Courts.** The following responses were reported by each court:

- **2nd JDC.** The 2nd JDC reports that its judges each have a commitment to maintaining a relationship with the state legislators representing the district. Because of these relationships, the judges have the ability to communicate effectively with these legislators about legislation affecting the judiciary.
- **14th JDC.** The 14th JDC reports that it is addressing this objective through its regular, ongoing activities.
- **16th JDC.** The 16th JDC reports that its judges participate in local Council of Government meetings and that they host meetings with legislators to promote better judicial/legislative relations. The judges also participate in the Supreme Court's Chamber to Chamber program with legislators and members of the area's Chamber of Commerce.
- **17th JDC.** The 17th JDC reports that its judges now meet with the area's legislative delegation before each session to discuss legislation that impacts the judiciary and the administration of justice. Contact with the delegation is maintained during the session by fax and telephone on all pending bills affecting the district.
- **21st JDC.** The chief judge of the 21st JDC has provided information to the legislature on behalf of the Louisiana District Judges Association as well as on behalf of his own district.
- **22nd JDC.** The 22nd JDC reports that it has instituted annual meetings with the area's legislative delegation as a means of fostering better communication between the judiciary and the legislature.
- **27th JDC.** The 27th JDC reports that it makes an ongoing effort to maintain and build communication and cooperation among its judges, district attorney, clerk of court, and police jury.
- **29th JDC.** The 29th JDC reports that its judges maintain a continuing information exchange with the jurisdiction's legislative representatives on matters relating to judicial resource needs.
- **32nd JDC.** The 32nd JDC reports that it maintains contact with area legislators as well as members of the executive branch to encourage cooperation and, at the same time, maintain the independence of the judiciary. If proposed legislation will adversely impact the judiciary or the proper administration of justice, the Court will oppose such matters.
- **34th JDC.** The 34th JDC reports that its judges meet at least once per year with the legislative delegation. In recent years, the 34th JDC has invited and participated in having its legislators spend a day in court with respective judges on the bench.
- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court reports that it has hired a legislative liaison agent to assist the Court in communicating, coordinating, and cooperating with the legislative and executive branches.
- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court reports that it has worked diligently to maintain open lines of communication with the legislature through the judicial ride-along program, participation in committee hearings in Baton Rouge, and the provision of information to legislators on bills affecting the judiciary. Its judges meet annually with the area's legislative delegation. The Court has also engaged actively in the legislative process to secure funding for its alternatives to incarceration programs. Last year,



it hosted a hearing of the Senate Judiciary B Committee at the courthouse and has extended an open invitation to the legislature for any future hearings.

## Future Steps

The following future steps were reported by each court:

- **None Reported**

## Objective 4.2

To seek, use, and account for public resources in a responsible manner.

## Intent of the Objective

Effective court management requires sufficient resources to do justice and to keep costs affordable. This objective requires that a trial court responsibly seek the resources needed to meet its judicial responsibilities, that it use those resources prudently (even if the resources are inadequate), and that it properly account for the use of the resources.

## Responses to the Objective

**Responses of Individual Courts.** The following responses were reported by each court:

- **1st JDC.** The 1st JDC reports that its local parish governing authority manages the Court's judicial expense fund using proper accounting procedures. Expenditures made from the fund are in accordance with accepted procurement procedures. In addition, the judicial expense fund is audited annually.
- **2nd JDC.** The 2nd JDC's operating account, primarily the judicial expense fund, is audited annually by a certified public accountant who, since September of 2001, submits monthly financial statements to the judges. Previously, the statements were submitted on a quarterly basis.
- **3rd JDC.** The 3rd JDC reports that it has appointed judicial administrators in each of its parishes to better seek, use, and account for public resources in a responsible manner.
- **14th JDC.** The 14th JDC reports that it is addressing this objective through its regular, ongoing activities.
- **15th JDC.** The 15th JDC reports that it is addressing this objective through its regular, ongoing activities.
- **16th JDC.** The 16th JDC reports that it has implemented policies and guidelines for the proper expenditure of judicial expense funds. Its judges and court administrator meet periodically with the Court's certified public accountant to develop and implement policies and procedures for establishing better accounting and financial controls over the judicial expense funds.
- **17th JDC.** The chief judge of the 17th JDC reports to the judges each month on the status of the judicial expense fund and on the expenditures for the month to ensure compliance with procurement law and policy and to preserve the integrity of the fund.
- **22nd JDC.** The 22nd JDC reports that it has adopted the Supreme Court's travel and property inventory rules to apply to its judicial expense fund, except that the local rules prohibit the reimbursement of any travel outside of the continental United States.
- **29th JDC.** The 29th JDC reports that its judicial expense fund is controlled by the clerk of court and that all disbursements from the fund are monitored by the clerk of court, each judge, and the certified public accountant who performs quarterly and annual audits and financial reports on the Fund.
- **30th JDC.** The 30th JDC reports that it continues to operate in an economically prudent and effective manner.



- **32nd JDC.** The 32nd JDC reports that it conducts an annual audit of its financing and that it tries to maintain its staffing at an appropriate level. As a means of using resources effectively, it has its judicial administrator and a hearing officer handle child support cases filed by the district attorney.
- **34th JDC.** The 34th JDC reports that it has been properly staffed with secretaries, law clerks, and court reporters, but has recently lobbied local government for additional court security officers. Every section of court has on-line computers and improved and expanded legal resources. The Court generally follows Supreme Court guidelines and directions relating to the proper use of judicial expense funds. Use of the funds is closely monitored in monthly en banc meetings of the court. The Court also has a private CPA who provides an annual accounting and audit. Because of its volume of cases (criminal and civil), the Court was able to obtain a new judgeship several years ago. Although civil filing fees are controlled by the clerk of court, the Court has reduced the need of some of these fees by limiting the civil pleadings that need to be filed with the clerk.
- **40th JDC.** The 40th JDC reports that each division of the court is audited by a CPA every year. Each division also oversees its own judicial expense fund.
- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court reports that it meets the objective through its ongoing, regular activities as documented in the newly developed policies and procedures manual of its judicial expense fund. The manual is updated regularly to reflect the Court's en banc decisions, Supreme Court rules and orders, and GASB policy changes.
- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court reports that it has continued its efforts to maintain a

sufficient number of highly qualified staff to support and facilitate the Court's adjudicative and administrative functions. It also continues to develop general guidelines for its judicial expense fund and has hired an internal auditor to develop common approaches to accounting and financial controls.

- **East Baton Rouge Parish Juvenile Court.** The East Baton Rouge Parish Juvenile Court reports that it maintains a close working relationship with the local governing authority to ensure adequate staffing of the Court with qualified personnel. The Court also works with a certified public accountant to ensure that internal financial controls are in place and are closely adhered to, and that all employees are aware of proper accounting procedures and controls within their various departments.
- **Orleans Parish Juvenile Court.** The Orleans Parish Juvenile Court reports that it continually seeks support to maintain sufficient staffing and programming assistance to meet the needs of the children and families coming to the attention of the Court. It is also continuing its efforts to develop guidelines for its judicial expense fund and to work with its auditors on developing proper accounting methods.

## Future Steps

The following future steps were reported by each court:

- **17th JDC.** The 17th JDC reports that it will reinstate and reform its standing committee on relations between the bench and bar in Lafourche Parish as a means of obtaining attorney feedback on the operations of the court. The Court will also survey, with the assistance of the clerk of court, users of the court system, including jurors, witnesses, and visitors, to determine where change and improvement is needed.
- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court intends



to institute three to four year budget projections. It also intends to install an advanced accounting system and to increase funding for the Court.

### Objective 4.3

#### To use fair employment practices

#### Intent of the Objective

The judiciary stands as an important and visible symbol of government. Equal treatment of all persons before the law is essential to the concept of justice. Accordingly, the trial courts should operate free of bias in their personnel practices and decisions. Fairness in the recruitment, compensation, supervision, and development of court personnel helps to ensure judicial independence, accountability, and organizational competence. Fairness in employment also helps establish the highest standards of personal integrity and competence among employees.

#### Responses to the Objective

**General Responses.** The following general responses were reported:

- In response to the 2001 Survey of Chief Judges, twenty-two of the forty-four responding chief judges (50.0%) reported that their courts had written employment policies (the 3rd JDC; the 4th JDC; the 8th JDC; the 14th JDC; the 14th JDC, Family/Juvenile Division; the 15th JDC; the 16th JDC; the 17th JDC; the 19th JDC; the 22nd JDC; the 26th JDC; the 32nd JDC; the 36th JDC; the 37th JDC; the 39th JDC; the Orleans Parish Civil District Court; the Orleans Parish Criminal District Court; the Caddo Parish Juvenile Court; the East Baton Rouge Parish Juvenile Court; the Jefferson Parish Juvenile Court; the Orleans Parish Juvenile Court; and the East Baton Rouge Parish Family Court.)

**Responses of Individual Courts.** The following responses were reported by each court:

- **3rd JDC.** The 3rd JDC reports that it has

developed an employee manual outlining the duties of each employee and providing detailed instructions on how to perform these duties. It has begun the process of developing and implementing employee policies and procedures. It has also adopted a yearly employee salary raise review procedure overseen by its judicial administrators.

- **14th JDC.** The 14th JDC reports that it is addressing this objective through its regular, ongoing activities.
- **14th JDC, Family/Juvenile Division.** The 14th JDC reports that it has written employment policies. It utilizes a portion of the parish government's manual and is working on creating its own manual.
- **15th JDC.** The 15th JDC reports that it is addressing this objective through its regular, ongoing activities.
- **16th JDC.** The 16th JDC reports that it is addressing this objective through its regular, ongoing activities.
- **26th JDC.** The 26th JDC has developed and implemented an employee policy and procedure manual for district courts. Additionally, the Court's judicial administrator has worked with the ADA/Employment Committee of the Louisiana Court Administrators Association to create a model set of policies and procedures for use by district courts.
- **34th JDC.** The 34th JDC reports that it has written employment policies and procedures.
- **36th JDC.** The 36th JDC reports that it has written employment policies and procedures.
- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court reports that it has written employment policies that are updated regularly as the need arises.



- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court reports that it has written employment policies. It also reports that it has recently revised its organizational chart and its structural system of administration and that its administrators have attended human resource training seminars.
- **Caddo Parish Juvenile Court.** The Caddo Parish Juvenile Court reports that it has written employment policies.
- **East Baton Rouge Parish Juvenile Court.** The East Baton Rouge Parish Juvenile Court reports that it has written employment policies.
- **Jefferson Parish Juvenile Court.** The Jefferson Parish Juvenile Court reports that it has written employment policies.
- **Orleans Parish Juvenile Court.** The Orleans Parish Juvenile Court reports that it has written employment policies.
- **East Baton Rouge Parish Family Court.** The East Baton Rouge Parish Family Court reports that it has written employment policies.

### Future Steps

The following future steps were reported by each court:

- **17th JDC.** The 17th JDC plans to revise its existing employment policies, using the human resource policies of the Supreme Court and the Courts of Appeal as a model.
- **29th JDC.** The 29th JDC reports that it will develop uniform human resource policies in the coming year.
- **34th JDC.** The 34th JDC intends to develop uniform human resource policies in the coming year.
- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court

plans to begin a cross-training program for its personnel.

- **East Baton Rouge Parish Juvenile Court.** The East Baton Rouge Parish Juvenile Court plans to update its human resource policies and procedures in the coming year.
- **Jefferson Parish Juvenile Court.** The Jefferson Parish Juvenile Court plans to review and update its employee personnel manual in the coming year.

### Objective 4.4

**To inform the community of the court's structure, function, and programs.**

#### Intent of the Objective

Most citizens do not have direct contact with the courts. Information about courts is filtered through sources such as the media, lawyers, litigants, jurors, political leaders, and the employees of other components of the justice system. Public opinion polls indicate that the public knows very little about the courts, and what is known is often at odds with reality. This objective implies that courts have a direct responsibility to inform the community of their structure, functions and programs. The disclosure of such information, through a variety of outreach programs, increases the influence of the courts on the development of the law, which, in turn, affects public policy and the activities of other governmental institutions. At the same time, such disclosure increases public awareness of and confidence in the operations of the courts.

#### Responses to the Objective

**Responses of Individual Courts.** The following responses were reported by each court:

- In response to the 2001 Survey of Chief Judges, twenty-eight of the forty-four responding chief judges (63.6%) reported that their courts regularly



provided public education and public outreach services (the 1st JDC; the 2nd JDC; the 3rd JDC; the 4th JDC; the 5th JDC; the 6th JDC; the 7th JDC; the 10th JDC; the 12th JDC; the 14th JDC; the 15th JDC; the 16th JDC; the 21st JDC; the 22nd JDC; the 24th JDC; the 26th JDC; the 30th JDC; the 32nd JDC; the 33rd JDC; the 34th JDC; the 35th JDC; the 36th JDC; the 40th JDC; the Orleans Parish Civil District Court; the Orleans Parish Criminal District Court; the Caddo Parish Juvenile Court; the East Baton Rouge Parish Juvenile Court; and the East Baton Rouge Parish Family Court.)

- The Louisiana District Judges Association created an outreach program called Judges in the Classroom that encouraged and facilitated the efforts of district judges to explain the law and the administration of justice to high school students in their classrooms.

**Responses of Individual Courts:** The following responses were reported by each court:

- **1st JDC.** The 1st JDC reports that it regularly provides public education and public outreach services.
- **2nd JDC.** The 2nd JDC reports that, because the district is rural, the judges have had no problem in developing effective, inexpensive ways to inform the community of the court's structure, functions and programs. The Court's staff has appeared as speakers at Lions Clubs or Kiwanis Clubs, discussing changes in the law and the differences between common law and civil law. The staff has appeared as guest lecturers in civics classes in various schools. The staff has developed a program for students who take field trips to observe court proceedings. The staff has conducted training with law enforcement officers, particularly in the area of domestic violence.
- **3rd JDC.** The 3rd JDC reports that it has engaged in the following public education and outreach programs in Lincoln and Union Parishes:

- Children in the Middle – a program offered by the LSU Extension Service and recommended by the judges of the 3rd JDC to divorcing parents engaged in difficult divorce or custody cases.
- Every Touch Counts – a program offered by the LSU Extension Service focusing on the care, bonding, and nutrition of infants from birth to two-years old.
- Dad's Make a Difference – a program offered by the LSU Extension Service to teach young fathers about how to provide a stable home life.
- Positive Parenting – a program for developing effective parenting skills.
- Power of Choice – a program for helping to prevent children from using drugs and alcohol and from engaging in sexual activities.
- Parent to Parent – a drug prevention program.
- Juvenile and Family Counseling – a program funded by the Lincoln and Union Parish Police Juries and the City of Ruston that provides individual counseling to juveniles and their families for anger management and for other issues involving family law.

- **5th JDC.** The 5th JDC reports that it regularly provides public education and public outreach services.
- **6th JDC.** The 6th JDC reports that it regularly provides public education and public outreach services.
- **9th JDC.** The 9th JDC continues to sponsor its Partners in Education program with the local high school. As part of the program, the judge helps to teach a class, has lunch with the students, and tells them more about the judiciary from a human perspective. At least one of the divisions of the Court is developing a web site that will provide information on the division's docket, its minute entries, opinions, etc. The web site will be used as a pilot to help prepare for a court-wide web site.



- **14th JDC.** The 14th JDC reports that it regularly provides public information and outreach services.
- **15th JDC.** The 15th JDC has allowed students to sit in, as observers, on actual trial proceedings. The Court has allowed students to “shadow” judges for a day and allows groups to tour the courthouse and meet judges and attorneys as a means of learning more about the court system. The judges of the Court have traveled to high-school classrooms to lecture on the law and the administration of justice. They have participated in the People’s Law program sponsored by a local attorney. In addition, citizens are regularly given the opportunity to tour the courthouse and learn more about the court system from attorneys and judges. The Court is also creating a web site for posting court schedules and other information.
- **16th JDC.** The 16th JDC reports that its judges regularly speak at schools and to civic clubs. The judges participate in the Judges in the Classroom program sponsored by the Louisiana District Judges Association (see above) and regularly teach and lecture on domestic violence and juvenile justice issues to law enforcement officers and to the general public. In addition, the judges participate in the Supreme Court’s Chamber to Chamber program.
- **21st JDC.** The 21st JDC reports that it sponsors annually an opening of court ceremony to provide an opportunity for the public to visit the court and to learn more about its operations. The Court also participates in the Judges in the Classroom Program (see above).
- **26th JDC.** The 26th JDC reports that it has initiated several public outreach efforts during the reporting year. Its judges and court administrator spoke to several civic groups regarding a number of aspects of the judicial system, including jury selection and service, parenting classes in domestic cases, drug courts

and their operation, and juvenile justice programs. The judges of the court also presided over mock trial competitions involving area high schools and allowed high school students to “shadow” them during the day.

- **27th JDC.** The 27th JDC reports that some of its judges regularly provide public education and public outreach services.
- **32nd JDC.** The 32nd JDC reports that it regularly provides public education and public outreach services. Talks are given at various times throughout the year to different organizations on the Court’s structure, function, and new programs.
- **34th JDC.** The 34th JDC reports that it has cooperated each year with the local Sheriff’s office in a lecture program for interested citizens at which the Court’s structure, function and programs are discussed. The Court also reports that every section of court has invited local elementary and secondary classes to view court actions and to participate in mock trials.
- **36th JDC.** The 36th JDC reports that it regularly provides public education and public outreach services, particularly to school classes.
- **40th JDC.** The 40th JDC reports that its judges regularly speak before community groups on various topics, principally jury duty. The judges also participate in mock trial competitions and attend “Crime Night Out” functions.
- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court reports that it regularly provides public education and outreach services. It has a web page providing information on the schedules of duty judges, filing fees, the rules of court, court structure, and various court programs. The Court hosts an annual outreach program to inform citizens of available resources. It also has a quarterly newsletter, “Court Crier”, which is used to



inform the general public of the Court's outreach efforts and improvements within the Court.

- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court reports that its judges have appeared on radio and television, and have attended numerous meetings of civic organizations to discuss court functions and alternatives to incarceration. The judges of the Court have also served meals at homeless shelters, led clean-up efforts in the City, and begun a doll and toy fund for the less fortunate. The administrators of the Court regularly meet with the staff of the Community Relations Department of the Supreme Court to discuss ways to better educate the public about the District Court. The Court also participates in the United Way.
- **Caddo Parish Juvenile Court.** The Caddo Parish Juvenile Court reports that it regularly provides public education and outreach services.
- **East Baton Rouge Juvenile Court.** The East Baton Rouge Parish Juvenile Court reports that it regularly provides public education and outreach services.
- **Orleans Parish Juvenile Court.** The Orleans Parish Juvenile Court reports that it regularly provides public education and outreach services.
- **East Baton Rouge Parish Family Court.** The East Baton Rouge Parish Family Court reports that it regularly provides public education and outreach services.

## Future Steps

The following future steps were reported by each court:

- **2nd JDC.** The 2nd JDC plans to participate in the Judges in the Classroom Program sponsored by the Louisiana District Judges Association (see above).

- **14th JDC.** The 14th JDC, Family/Juvenile Division, reports that it is looking into creating a web site on family and juvenile matters.
- **17th JDC.** The 17th JDC reports that it will create a Judges in the Classroom Program (see above) as well as other outreach programs in the coming year.
- **21st JDC.** The 21st JDC reports that it is working on the development of a web site that will provide information on court schedules. It is also rewriting its court rules to provide for better public information.
- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court intends to develop a web site in the coming year. It also plans to improve its community outreach and customer service programs, including improving its relations with the media and its courtesy training.

## Objective 4.5

**To recognize new conditions or emerging events and to adjust court operations as necessary**

### Intent of the Objective

Effective trial courts are responsive to emergent public issues such as drug abuse, child and spousal abuse, AIDS, drunken driving, child support enforcement, crime and public safety, consumer rights, racial, ethnic, and gender bias, and in efficiency in government. This objective requires trial courts to recognize and respond appropriately to such emergent public issues. A trial court that moves deliberately in response to emergent issues is a stabilizing force in society and acts consistently with its role in maintaining the rule of law and building public trust and confidence.



## Responses to the Objective

**Responses of Individual Courts.** The following responses were reported by each court:

- **1st JDC.** The 1st JDC reports that it has implemented specialized sections to handle different types of legal issues. The Court is currently divided into civil, family law, and criminal sections. In addition, it has created a drug court to handle all drug cases.
- **2nd JDC.** The 2nd JDC reports the judges are interested in developing a drug court for the judicial district and plan on seeking guidance from the Supreme Court on this goal, given the particularities of the geographical size and population of the 2nd JDC.
- **5th JDC.** The 5th JDC reports that it has implemented a special drug court section to address drug offenses and drug-related crime.
- **14th JDC.** The 14th JDC reports that it addresses this objective through its regular, ongoing activities.
- **15th JDC.** The 15th JDC has established a domestic section or family court to handle all domestic cases. The Court has also created a LAN system connecting the offices of the various judges within each respective courthouse. It has switched to high-speed Internet connections and is in the process of creating a web site.
- **16th JDC.** The 16th JDC reports that it maintains adult drug court programs in St. Mary and Iberia Parishes. It maintains a Juvenile and Family Focus Drug Court program in St. Mary Parish and has implemented a Juvenile Family Focus Drug Court in Iberia Parish. It has implemented an Addictive Recovery Community Home Network program and a family court pre-trial proceeding program. It maintains an allotment system of felony cases to assigned judges for a one-year period. It maintains juvenile court dockets assigned to one judge in each parish. It has implemented a Court Appointed Special Advocates (CASA) program in Iberia Parish.
- **22nd JDC.** The 22nd JDC reports that it continues to allot all juvenile cases to three judges within the district. It also continues to operate both an adult and a juvenile drug treatment court.
- **26th JDC.** The 26th JDC reports that it created a Juvenile Drug Treatment Court and an Adult Gambling/Drug Treatment Court. The Court also appointed a hearing officer to hear all cases requesting protective orders. It has also created a Teen Court and a community service program for juveniles. In addition, it has instituted electronic monitoring as an alternative sanction in juvenile delinquency cases.
- **34th JDC.** The 34th JDC reports the court has handled a series of complex litigation/class actions. The Court discusses strategies at its en banc meetings occasionally and has monthly meetings on how to better deal with this kind of litigation. The Court also reports it has a close working relationship with juvenile and criminal probation officers. Each judge in the 34th JDC is furnished with recently acquired computers having internet and other on-line technology. The Court has always cooperated with local and state programs to develop children's services.
- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court reports that it has six successful drug treatment courts and one pre-trial drug treatment court. It also operates its own drug testing lab and court intervention services program. In addition, the Court established the first and only domestic violence monitoring court in the state. The Court is also in the process of developing an automated case management information system and automated standard minute entries. A database for maintaining drug treatment court statistics is in operation.



- **Jefferson Parish Juvenile Court.**  
The Jefferson Parish Juvenile Court reports that it continually monitors trends in best practices and, when needed, implements changes to its policies, procedures, and rules to reflect these practices. The Court has adopted a new treatment protocol for its drug treatment court. It is piloting the use of mediation in child dependency cases. It is assessing and addressing a number of court technology needs, including those needs requiring data sharing with other agencies. In addition, the Court continues to collaborate with other parish and state agencies on initiatives affecting the welfare of youth in the parish. These interagency initiatives include the Jefferson Parish Truancy Assessment and Services Center (TASC), the Jefferson Parish Juvenile Assessment Center (JAC), and the Westbank Alternative School.
- **Orleans Parish Juvenile Court.**  
The Orleans Parish Juvenile Court reports that it monitors trends, reviews national literature, and uses other methods to keep current with best practices. The Court also intends to improve its pilot mediation program to be used in child dependency cases; it plans to complete an Information Sharing Manual to encourage data sharing with the Court; and it will continue its collaborative efforts to develop and improve its Truancy Assessment Service Center.

## Future Steps

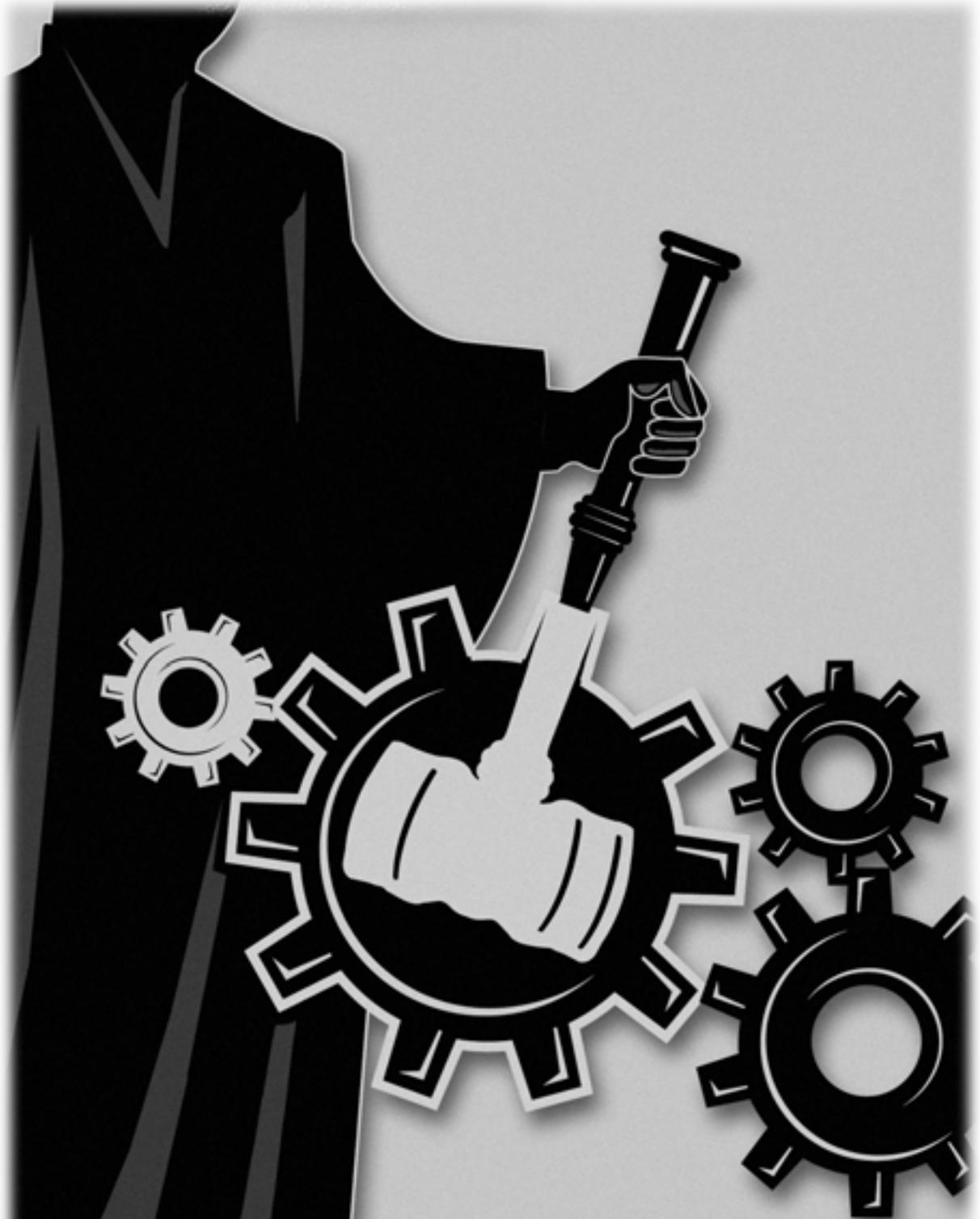
The following future steps were reported by each court:

- **1st JDC.** The 1st JDC reports that it has utilized a hearing officer for the past eight years to expedite paternity and child support matters. In the coming year, the Court plans to explore ways to broaden the authority of the hearing officer as a means of enabling the elected judges to devote more time and effort to complex cases.
- **2nd JDC.** The 2nd JDC intends to seek guidance from the Supreme Court on how to implement a drug court serving the entire district.
- **21st JDC.** The 21st JDC reports that it is working on the establishment of a juvenile division that will enable the Court to comply more quickly and completely with the requirements of ASFA and the Louisiana Children's Code.
- **26th JDC.** The 26th JDC intends to create a teen court in the coming year as well as a community service program for juveniles. It also intends to implement a program of electronic monitoring for juveniles
- **34th JDC.** The 34th JDC reports that it will participate in developing a system of uniformity throughout the state and will assist in studying the need for specialized courts. It will assist in developing a comprehensive continuum of children's services. The Court reports that it stands ready to assist in a study of the resource needs of the juvenile courts, their facilities and their services. It also is ready and willing to cooperate in developing a plan for adult alternative sanctions.
- **36th JDC.** The 36th JDC reports that it intends to increase its reliance on computer-assisted automation.
- **Orleans Parish Criminal District Court.**  
The Orleans Parish Criminal District Court intends to continue its efforts to improve its court intervention services program, its alternatives to incarceration program, its drug treatment courts, its domestic violence court, its intensive probation services, its drug testing lab, and its program of community service.
- **East Baton Rouge Juvenile Court.**  
The East Baton Rouge Parish Juvenile Court plans to develop additional court programs that will strengthen families, prevent violence, and build character. It also intends to implement a program to effectively communicate court processes to victims of crime.



- **Jefferson Parish Juvenile Court.**  
The Jefferson Parish Juvenile Court intends to participate actively in the work of the Joint Legislative Juvenile Justice Commission.





PERFORMANCE REPORTS:

**SUPREME COURT DATA  
GATHERING SYSTEMS**

# SUPREME COURT DATA GATHERING SYSTEMS

The Supreme Court has either developed or is in the process of developing the following twelve automated and manual systems for gathering data on itself, the courts of appeal, and the district courts:

- The Clerk of Court Case Management Information System
- CMIS Criminal Disposition Data System
- The Louisiana Protective Order Registry (LPOR)
- The Drug Court Information System
- The Traffic Violation System
- The Court of Appeal Reporting System (CARS)
- The Trial Court Reporting System
- The Juvenile and Family Court Reporting System
- The Parish and City Court Reporting System
- The FINS Data Base System
- The Integrated Juvenile Justice Information System (IJJIS)

Each of these systems is briefly described in this section.

## Louisiana Supreme Court Case Information Management System (CIMS)

The Louisiana Supreme Court Case Information Management System (CIMS) was developed in 1999 on a PC-Server platform using the Access data base as a front-end tool and Oracle as a back-end process-

ing tool for storing, tracking, retrieving, and reporting Supreme Court information on Supreme Court filing, transactions, and actions, and Louisiana bar rolls. The system replaces an earlier system developed on a WANG mini-computer -- a system developed in 1982 and one of the earliest Supreme Court case management systems in the nation.

The new system was designed:

- to handle the migration of data from the old WANG system to the new system;
- to have an open architecture for accommodating growth, enhancements, and new components;
- to exchange information with other courts, particularly the courts of appeal; and
- to be completely Y2K compliant.

The system can generate several standard reports including financial reports, specific case filing reports, and statistical information. The data for the performance indicators in the FY2000-2001 judicial appropriations bill were generated by the system.

## CMIS Criminal Disposition Data System

The Court Management Information System (CMIS) Criminal Disposition Data System, once completed, will be a complete database of information on district court criminal dispositions. Currently, the CMIS staff has created a database for criminal dispositions and is receiving criminal filing information from 60 parishes and dispositions from 59 parishes. West Baton Rouge is expected to begin forwarding criminal information shortly. The CMIS staff is working with the district courts listed below to get them automated and transmitting criminal dispositions to CMIS as quickly as possible: Bossier, East Carroll, and Lafourche.



The CMIS staff continues working with the Department of Public Safety (DPS) to develop an automated procedure for matching dispositions in the CMIS database to the Computerized Criminal History (CCH) database. Jefferson Parish is the initial pilot parish and is currently attempting to match dispositions forwarded by CMIS to arrest records in the Computerized Criminal History (CCH) database. After positive identifications of felons are made between the CMIS and DPS databases, arrest charges are Amatched<sup>©</sup> with filed charges, court dispositions will be added to the CCH Arap<sup>©</sup> sheets for use by the judiciary, law enforcement, and district attorneys as part of the official criminal records for the state.

Required for the match between the CMIS and DPS databases are the Arrest Tracking Number (ATN), State Identifier (SID), personal identifiers (name, race, sex, date of birth), and date of arrest or arrest charge. Upon completion of the criminal disposition database, performance indicators will be able to be generated on the number, percentage and types of dispositions by race, age, sex, type of crime, and other factors affecting the convicted party, and by judge, court, number of cases, types of cases, and other factors affecting judicial work performance.

### **The Louisiana Protective Order Registry (LPOR)**

The Louisiana Protective Order Registry (LPOR) is a statewide repository for court orders issued to prevent harassing, threatening, or violent acts against a spouse, intimate partner, dating partner, or family member. The Registry was established by state legislation passed in 1997. La. R.S. 46:21 36.2 charged the Judicial Administrator's Office of the Louisiana Supreme Court with responsibility for the LPOR's development and maintenance, as well as for the creation and dissemination of standardized order forms to be used by all courts.

The LPOR was officially launched in April, 1999, when the first version of the standardized forms was released and training was provided at regional seminars held across the state to introduce the registry,

explain how it works, and disseminate the forms. Since that date, training teams have reached more than 3,000 people with LPOR information and materials.

As of March 31, 2002, the LPOR contained 47,296 orders. Of these, 31,452 (66.5%) are civil orders, including temporary restraining orders, protection orders, preliminary injunctions, permanent injunctions, and court approved consent agreements. The remaining records, 15,844 (33.5%), are criminal stay away orders, including peace bonds, bail restrictions, sentencing orders, and probation conditions.

Law enforcement agencies, prosecutors and the courts are authorized to access information in the LPOR. Law enforcement officials can search the LPOR for active orders as part of a routine background or warrant check. If an order is in the Registry, the search will yield a summary of its terms and conditions. The official conducting the search can also request a fax-back copy of the actual order. Instant access to protective order information can improve the response to domestic violence incidents and enhance safety for victims and their children, as well as for the responding officers.

In addition to law enforcement officials, judges, prosecutors, and probation personnel can obtain information from the LPOR for consideration in domestic violence and stalking cases. Also, state and federal law enforcement agencies can search the LPOR when conducting background checks on those who apply to purchase a firearm through a licensed dealer. Anyone who is the subject of a qualifying protective order is prohibited under federal law from possessing, purchasing, transporting or selling a firearm or ammunition during the period of the order.

The LPOR will be able to provide performance indicators on domestic violence in terms of the victims and perpetrators, as well as on court workload and processing.



## **The Drug Court Information Management System (DCIMS)**

In July 2001, the responsibility for the development of the Drug Court Information Management System (DCIMS) was transferred to the Louisiana Supreme Court from the Office of Addictive Disorders. The first phase of the development of the database, which is a web-based application that utilizes Active Server Pages on the front end and an Access database on the back end, was completed in February 2002.

Drug courts are currently piloting the application statewide and feedback from this pilot period will be used to further enhance the database.

Presently, the DCIMS is designed to assist drug courts with tracking their clients through the drug court process by maintaining demographic, program status, treatment-related and discharge data. In the next phase of development, further capabilities will be added to the application to achieve the goal of a comprehensive case management system. Reporting capabilities will also be enhanced so that drug courts can easily meet federal reporting requirements, as well as Louisiana Supreme Court requirements. These enhancements in data collection and reporting will assist the Louisiana Supreme Court in its goal of an annual report on the performance of drug courts in the state.

## **The Traffic Violation System**

The traffic violation system, when complete, will electronically accept in CMIS all traffic filings from most district, city and mayors' courts statewide. Along with the filings will be the dispositions of the traffic cases. Once CMIS collects dispositions of the traffic cases, an electronic file is placed on the CMIS server for retrieval by the Office of Motor Vehicles (OMV). Records retrieved by OMV are then attached to driver history records. This process gives judges and prosecutors statewide the ability to query driver history records within a short time frame of when the offense was committed. DWI, serious traffic offenses, and commercial driver license / hazard material (required for federal reporting) information will become almost instantaneously available on driver history records.

This electronic system also relieves the clerks of court from maintaining and mailing blue copies of tickets with disposition information to OMV. Ten district courts are currently forwarding electronic information to CMIS, and an additional thirteen city courts are expected to be transmitting traffic dispositions to CMIS shortly. CMIS has received grant funding to modify court software so approximately twenty-five additional courts can report electronic traffic dispositions to CMIS.

Once completed, the traffic violation system will be able to generate performance indicators on workloads, types of traffic violations, and recidivism.

## **The Court of Appeals Reporting System (CARS)**

CMIS continues to work with the appellate courts in the design of their new systems and the collection of common data elements for both the appellate courts and CMIS. An agreement has been reached with the appellate courts on the reporting of case types, dispositions, manners of disposition, common data elements and event triggers for the automation of CARS, all in alignment with reporting criteria for the National Center for State Courts (NCSC). The appellate courts may now implement these standards in their respective databases. Additionally, CMIS will be collecting the same information for reporting to NCSC. The CARS system is currently providing the performance indicators included in the FY 2000-2001 judicial appropriations bill.

## **The Trial Court Reporting System**

The Trial Court Reporting System is essentially a manual system through which the Supreme Court receives at the end of each calendar year from the clerks of court data on juvenile, civil, and criminal case filings, and the number of civil and criminal jury trials. In all but thirteen of the parishes, traffic filings are separated from criminal filings. In somewhat less than half of the parishes, criminal filings are able to be broken down into felonies and misdemeanors. Jury trial data is reported monthly by each judge to the Supreme Court on manual formats that



request information on the number of civil and criminal jury trials. The data derived from the manual forms submitted by the clerks of court and the judges are later computerized by the Supreme Court using Excel Spreadsheet software. The performance indicators potentially available from the system in its current form would consist of the number of juvenile, civil and criminal filings and the number of civil and criminal jury trials for each judicial district, and all district courts, and the percentage of filings and jury trials of each district compared to the sum of all districts.

### **The Juvenile and Family Court Reporting System**

The Juvenile and Family Court Reporting System is a manual system through which the Supreme Court receives from the four juvenile courts within the state data on juvenile delinquency cases, juvenile traffic cases, adoption cases, child support cases, and other cases, and from the one family court in the state data on family court filings by type of case. The juvenile court data includes information on formal and informal case processes and dispositions and other data. The data derived from the manual forms submitted by each court is computerized on Excel spreadsheets by the court staff and maintained by year. The performance indicators available from the juvenile component of the system would consist generally of the number and percentage of cases or children involved in the system and affected by various parts of the courts' case processing. The performance indicators potentially available from the family court component of the system would consist of the number and percentage of filings by type of case.

### **The Parish and City Court Reporting System**

The Parish and City Court Reporting System is a manual system through which the Supreme Court receives from each parish and city court data on the number of civil, criminal, traffic, and juvenile cases filed and terminated in the previous calendar year. The data derived from the manual forms submitted

by each court is computerized on Excel spreadsheets by the Court staff and maintained by year. The performance indicators potentially available from the system in its current form would consist of the number and percentage of filings by case type.

### **The FINS Data Base System (GUIDANCE)**

The FINS data base system, called Guidance, is a software system for recording, calculating, tracking, and reporting informal case information pertaining to the Families in Need of Services (FINS) process. Guidance has been incorporated into the Integrated Juvenile Justice Information System using SQL and ACCESS database formats and a combination of Microsoft Visual Basic and other PC-oriented programming languages. The software is designed to run on either a stand-alone computer or within a Novell or Windows NT network using one of many operating platforms including Windows95, Windows98, or Windows NT. The software has numerous levels of functionality including: data capture and tracking; event scheduling; correspondence, notice, and report generation; service monitoring; case linking and coordination; and many other features. The system has been updated and enhanced, and will be fully operational soon. Once it is fully operational, each FINS office shall be required to submit to the Supreme Court periodic reports that will be automatically generated by the data base system. Contained in these reports will be data for the development of very comprehensive performance indicators that should be available in FY 2002-2003.

### **The Integrated Juvenile Justice Information System (IJJIS)**

The Integrated Juvenile Justice Information System (IJJIS) is being developed to accomplish three levels of integration:

- (1) the integration of all functions within the juvenile court, i.e. intake and assessment, docketing, calendaring, case management, notice and document generation, appeals tracking, warrant



tracking, automated minute entry, and financial record keeping;

- (2) the integration of all case types (child abuse and neglect, delinquency, families in need of services, adoption, child support, etc.) by the use of common family identifiers; and
- (3) the integration of information from all agencies involved in juvenile court proceedings (the protective services agency, law enforcement agencies, the district attorney, the indigent defender, the probation and parole agencies, treatment facilities, corrections agencies, the public school system, etc.)

The system will be built on a PC-server platform using a Windows GUI and a PC-oriented database design. Once completed, the system will be in the public domain and can be adapted, enhanced, and changed as needed.

Currently, the IJJIS consists of the following components: a docketing, calendaring, scheduling subsystem, and subsystems for tracking CHILD in Need of CARE (CINC) cases, Termination of Parental Rights (TPR or Certification for Adoption) cases, FINS Guidance cases (see above), and Truancy cases . Once completed, the system will also track cases involving delinquency, traffic, formal FINS, mental health, and other case types and could potentially provide, depending on district and city court usage, comprehensive performance indicators on workload, the effectiveness of various type of interventions, the availability of services, and many other factors.





PERFORMANCE REPORTS:  
**DATA STANDARDS**

## Data Standards

The data standards upon which the completed systems have been built and the standards guiding the development of future systems are indicated in the chart below:

System	Basis of Standards
<ul style="list-style-type: none"> <li>• Clerk of Court Case Management Information System</li> </ul>	State
<ul style="list-style-type: none"> <li>• CMIS Criminal Disposition Data System</li> </ul>	National Center of Crime Information (NCIC); State
<ul style="list-style-type: none"> <li>• The Louisiana Protective Order Registry (LPOR)</li> </ul>	NCIC; State
<ul style="list-style-type: none"> <li>• The Drug Court Information System</li> </ul>	Drug Court Program Office
<ul style="list-style-type: none"> <li>• The Traffic Violation System</li> </ul>	State
<ul style="list-style-type: none"> <li>• The Court of Appeal Reporting System (CARS)</li> </ul>	National Center for State Courts (NCSC)
<ul style="list-style-type: none"> <li>• The Trial Court Reporting System</li> </ul>	NCSC
<ul style="list-style-type: none"> <li>• The Juvenile and Family Court Reporting System</li> </ul>	NCSC; State
<ul style="list-style-type: none"> <li>• The Parish and City Court Reporting System</li> </ul>	NCSC
<ul style="list-style-type: none"> <li>• The FINS Data Base System (Guidance)</li> </ul>	State
<ul style="list-style-type: none"> <li>• The Integrated Juvenile Justice Information System (IJJIS)</li> </ul>	Louisiana Children’s Code

Many of the problems impairing the development of information systems capable of producing meaningful indicators on judicial performance are deeply rooted in the chaotic way in which the judicial system is structured, governed, and financed.

The present set of fragmented arrangements involves more than 747 elected judges and justices of the peace spread over five layers of courts -- supreme court, courts

of appeal, district courts, parish and city courts, and justices of the peace. It also involves 41 elected district attorneys, 69 elected clerks of court, 66 elected sheriffs, 64 coroners, approximately 390 elected constables serving justices of the peace, 50 elected city court constables, and 250 mayors or their designees managing mayors' courts -- all of whom exercise individual, independent authority and are funded through different financing mechanisms.



The current set of financial arrangements is equally bewildering and problematic. As part of these arrangements, local governments are required to carry the heavy burden of funding a large part of the operations of the courts, the district attorneys, and the coroners - all of which are state constitutional functions. Citizens are also required to pay rather high fees, fines, court costs and assessments to also help pay for the costs of judicial branch functions. These arrangements create a condition of "rich" offices" and "poor" offices, and force agencies that should work together to compete with one another for limited resources. Furthermore, the present funding arrangements prevent uniformity and consistency in judicial services, and threaten judicial impartiality by making judicial functions too dependent on local governments and user-generated income. In addition, the current financing arrangements make it impossible for citizens and the legislature to understand the total amount of financing being provided to each agency, thus making public accountability nearly impossible.

The fragmentation of the structure of the judicial branch and the fragmentation of its funding seriously affect the Supreme Court's ability to gather data, to achieve effective coordination and collaboration within the system, and to improve judicial performance and the administration of justice.

As a result of the fragmented structure and financing of the judicial branch, the judicial system lacks many types of data that would help the Supreme Court and the lower courts to manage and expedite cases and improve the administration of justice. This is particularly true in the district courts. In most judicial districts, the reason for the lack of data is the general lack of appropriate automated case management systems for capturing and reporting the information. To report data manually for hundreds and thousands of cases per month is time consuming and costly. Another factor is the time and cost of reprogramming. Even where information systems do exist, they may not be programmed to provide the type of information being requested.

Because of the constitutional and other factors affecting the structure and financing of the judicial branch, many judicial districts do not have, under the present system, the resources or the ability to generate the types of data needed to allocate resources properly, reduce delays, and, in general, manage cases more effectively. Some examples of the types of data that are currently not available within judicial district courts are provided in Exhibit 1 of this part of the Supreme Court's Strategic Plan.

The ability of family, juvenile, city and parish courts to generate needed data is also limited. Only a few of these types of courts have sophisticated management information systems capable of generating needed data. The great majority of these courts are very limited in the types of data they can produce. Most are able to generate filing data on certain types of cases in terms of number filed and number terminated but the case typing is very limited, and case management information and specific disposition data are generally unavailable in an automated form.

The capacity to generate automated case management and disposition information is virtually non-existent within the jurisdictions of justices of the peace and the mayors courts, primarily because of the lack of financial, staffing, and technological resources in these jurisdictions.

