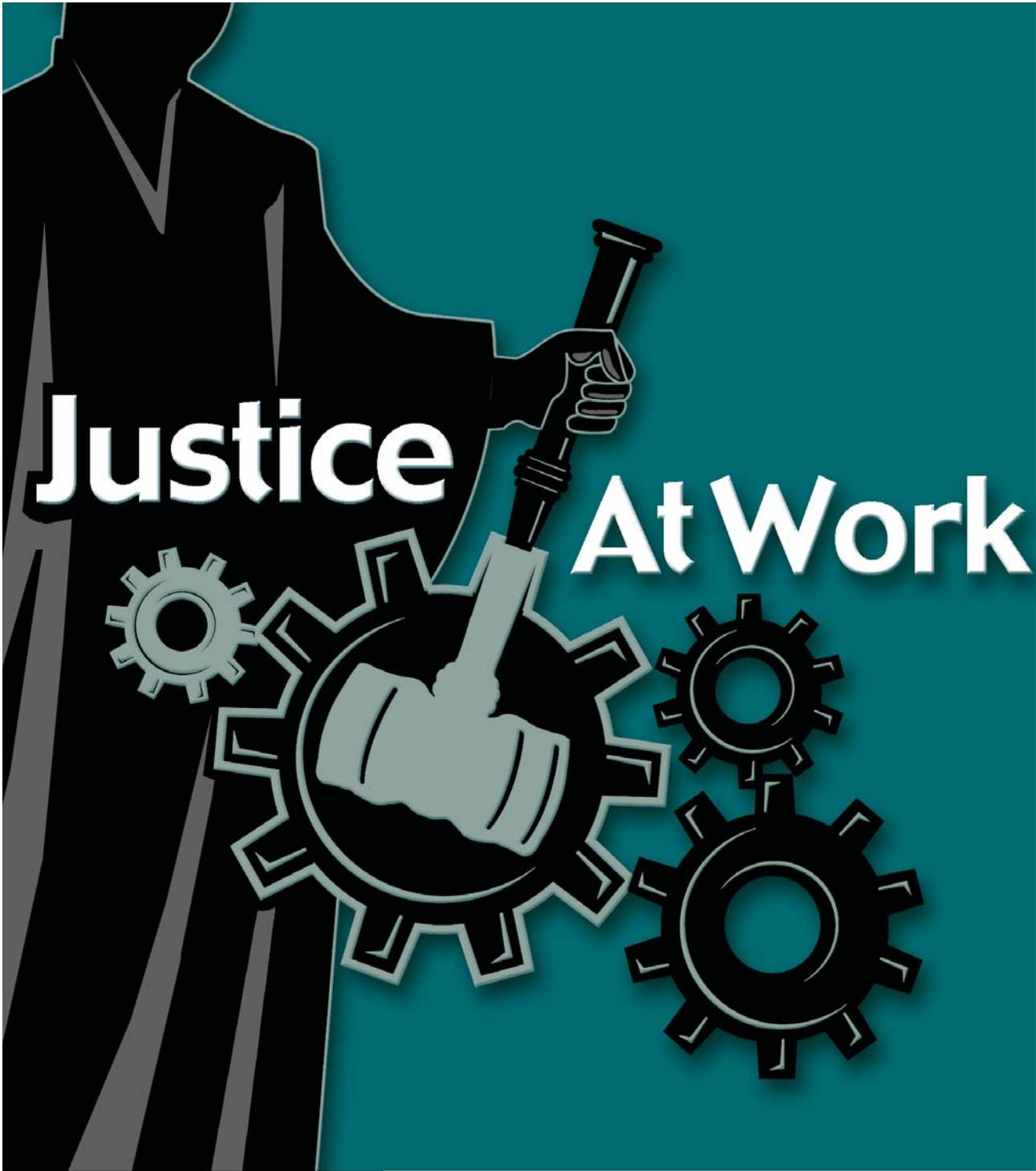


| THE SUPREME COURT OF LOUISIANA |

Justice At Work

An illustration on a teal background. On the left, a silhouette of a justice in black and white robes holds a black gavel. In the center, a hand in a white sleeve points upwards towards a large black gear. Several other black gears of various sizes are scattered around the central gear.

The State Of
Judicial Performance
In Louisiana

2001
2002

FY 2001 - 2002
The State Of Judicial Performance In Louisiana
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This public document was published at a total cost of \$15,051.16. 3,000 copies of this public document were published in this first printing at a cost of \$5.01 per copy. This document was published by the Judicial Administrator's Office, 1555 Poydras Street, Suite 1540, New Orleans, LA, 70112 as the Annual Report on The State of Judicial Performance in Louisiana pursuant to the provisions of the Judicial Accountability Act of 1999 (R.S. 13:84).



The State Of Judicial Performance In Louisiana

This third annual report on "The State of Judicial Performance in Louisiana" 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 on court performance to the Supreme Court and the people of Louisiana on an annual basis. In each 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.

This third annual report on "The State of Judicial Performance in Louisiana" indicates in its title that the period covered by the report is FY 2001-2002, i.e., the period generally from July 1, 2001 to June 30, 2002.

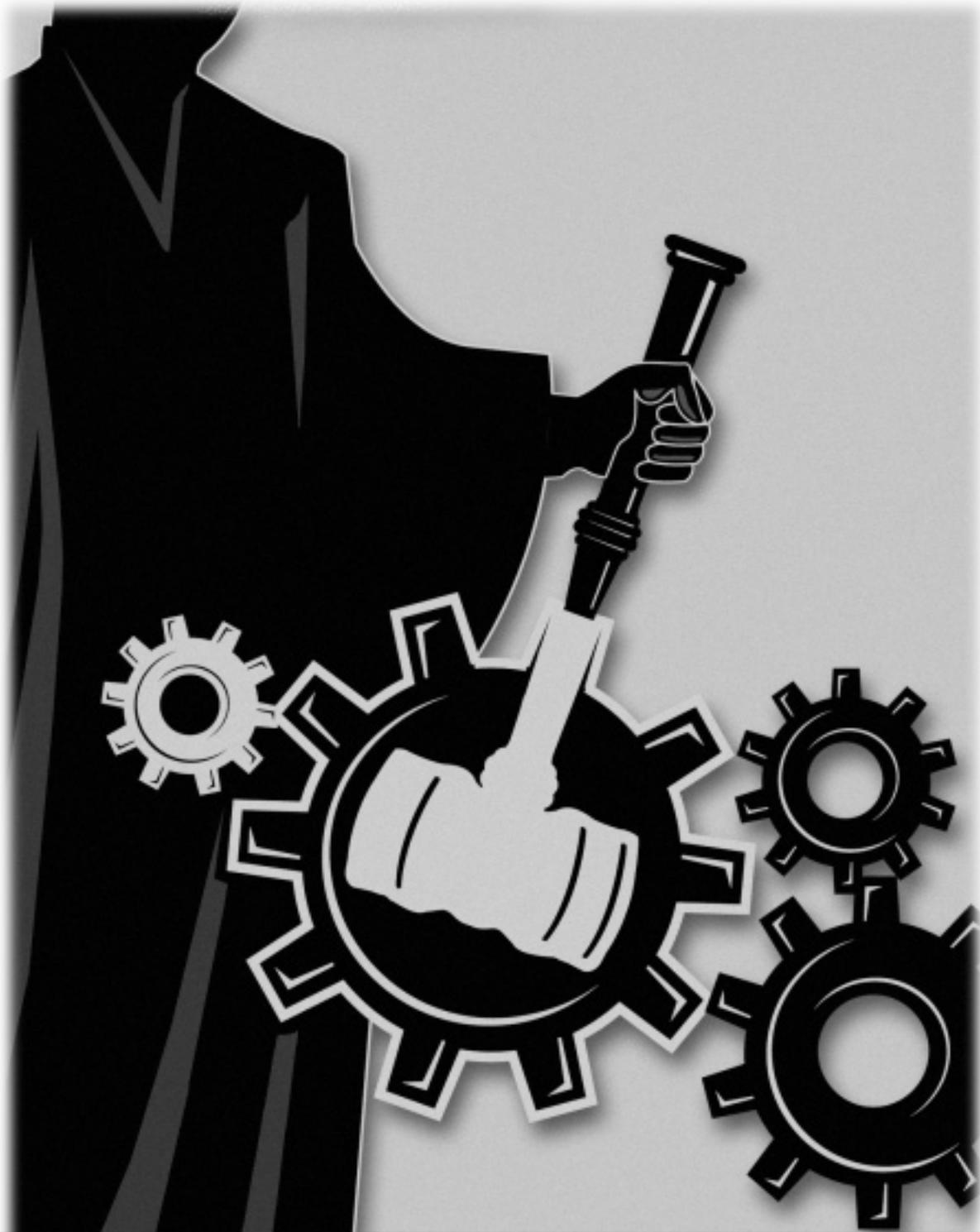
As this report shows, the strategic planning process, as well as the entire process prescribed under R.S. 13:81-85 relating to judicial budgetary and performance accountability, is providing direction, continuity, and motivation to the judiciary's long-standing interest and efforts to improve itself.

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.

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 and continued in FY 2001-2002.

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.

The information comprising the "Intent of Objective" sections of this Report was derived primarily from the Supreme Court Performance Standards and Measures, 1999. The goals and objectives of the Strategic Plan of the Supreme Court were based on the Supreme Court's Adopted Performance Standards (Cf. Louisiana Supreme Court Rules, Part G, General Administrative Rules, Section 10.) The information presented in the "Responses to Objective" and "Future Steps" sections of the Report was derived from the responses of various divisions of the Supreme Court.

SUPREME COURT OBJECTIVES

- 1.1 To provide a reasonable opportunity for litigants to seek review in the Supreme Court of decisions made by lower tribunals.
- 1.2 To clarify, harmonize, and develop the law and to strive to maintain uniformity in the jurisprudence.
- 1.3 To provide a method for disposing of matters requiring expedited treatment.
- 1.4 To encourage Courts of Appeal to provide sufficient review to correct prejudicial errors made by lower tribunals.
- 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.



- 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.
- 2.3 To resolve cases in a timely manner.
- 3.1 To ensure that the Supreme Court is procedurally, economically, and physically accessible to the public and to attorneys.
- 3.2 To facilitate public access to its decisions.
- 3.3 To inform the public of its operations and activities.
- 4.1 To ensure the highest professional conduct, integrity, and competence of the bench.
- 4.2 To ensure the highest professional conduct, integrity, and competence of the bar.
- 5.1 To seek and obtain sufficient resources from the executive and legislative branches to fulfill all duties and responsibilities of the judiciary.
- 5.2 To manage the Court's caseload effectively and to use available resources efficiently and productively.
- 5.3 To develop and promulgate methods for improving aspects of Trial and Appellate Court performance.
- 5.4 To use fair employment practices.
- 6.1 To promote and maintain judicial independence.
- 6.2 To cooperate with the other branches of state government.



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."¹ 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.

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 respondents' 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 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 and 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 staff of 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. 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 does not 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 database 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

- **Clarification 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 general 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 2002-2003 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 also address this objective by participating in and teaching workshops for judges attending judicial education sessions. Important Supreme Court decisions are routinely presented and discussed at these sessions. In addition, sometimes the judges from lower court tribunals will call either the Clerk of Court or the Administrative Counsel to solicit such 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. In CY 2001, the Court's



filings were down 108 filings from CY 2000. However, dispositions increased by 305. In CY 2000, the Court disposed of 3,028 cases, compared to 3,333 in CY 2001.

- **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 that are 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 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 17, Section 4E. 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.15:151.2(E). 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. The Court continued these initiatives in FY 2001-2002.
- **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 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. The microfilming of court records continued in 2001. Thus far, 300,000 documents, including records from 1921 to 1979 have been microfilmed. The Court is also involved in an electronic filing project with the 24th Judicial District Court and the 5th Circuit Court of Appeal. The results will help direct plans for electronic filing and data storage and retrieval.
- **Web Site.** In FY 2001-2002, the Court made substantial improvements to its web site. A web master and programmer were hired to maintain and expand the site. A new search engine was installed allowing a search of the entire site. Future plans include further upgrading, particularly interfacing the site with the case management system.
- **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 2003.

- **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 continue to improve and update its web site in the coming year.
- **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 in printed or electronic form to litigants, judges, attorneys, and the public. 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 has made and continues to make significant improvements to its web site. The new site currently has a search engine 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 continue to improve its 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.** The Courting Louisiana Students and Schools 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.
- **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.
- **Annual Report.** The Department 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. It also exhibits materials on Louisiana law, the Louisiana judicial system, and the administration of justice from time to time.
- **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 FY 2001-2002, the Court held oral arguments at the Tulane University Law School on 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 other outside locations in FY 2002-2003.

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 expeditiously, diligently and fairly evaluates 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 2001, the Commission received and docketed 451 complaints against judges and justices of the peace. In addition, 109 complaints filed prior to 2001 were pending as of January 1, 2001. Of the 451 complaints filed and docketed in 2001, 274 were screened out as not within the jurisdiction of the Commission, or without merit or sufficient corroborating evidence. The remaining 177 were reviewed to consider the need for investigation. 81 of the 177 cases required in-depth investigation. In calendar year 2001, the Commission disposed of 434 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 elections. 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. In March of 2002, the Court established a permanent Judicial Campaign Oversight Committee, consisting of 15 members, including retired judges, lawyers, and citizens who are neither lawyers nor judges. The purposes of the Committee are to educate candidates about the requirements of the Code of Judicial Conduct, to answer questions about proper campaign conduct, and to receive and respond to public complaints. However, public statements are only issued when two-thirds of the members believe clear and convincing evidence has been provided of a violation of certain enumerated Canons of the Code. The Committee will address campaign issues beginning with the judicial elections in FY 2002-2003 and thereafter.
- **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.** The permanent Judicial Campaign Oversight Committee will continue to provide information and oversight over judicial campaigns in the coming fiscal year.

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 that 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 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 was completed in March of 2002. The Court and the Board are now in the process of implementing some of the Audit's recommendations.

In CY 2001, the Office of the Disciplinary Counsel received over 3,200 complaints. After screening out matters falling outside of the Board's jurisdiction and referring other matters to the Louisiana State Bar Association's Diversion Program, the Office of the Disciplinary Counsel initiated full disciplinary investigations into more than 2,000 of the remaining complaints.

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. In 2001, the Committee on Bar Admissions administered exams during the weeks of February 12, with a passage rate of 67% and July 23, with a passage rate of 71%. These rates compared favorably to an average nationwide passage rate of 55% in February, 2001, and 69% in July, 2001. In 2001, the Committee also created a subcommittee to recommend improvements to the Bar Examination. The "Testing Subcommittee" will look at the substance of the exam, its structure, and its procedural aspects. The Committee continued to permit failing applicants to review their own exam papers as well as representative good answers. It also reorganized its Equivalency Panel and has eliminated its backlog of applications for equivalency determinations by graduates from non-U.S. law schools.

- **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. In FY 2001-2002, the Court continued these activities.



- **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 Rules for Lawyer Disciplinary Enforcement 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 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 of 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. The Committee made a number of recommendations, some of which were adopted by the Court in FY 2001-2002.



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 Clerk of 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 database 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 have 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. In the most recent quarter, these searches have yielded an average search to hit ratio of 9.14%.

- **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 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 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 Parish and 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 Parish and 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 the Louisiana Court Improvement Program (LCIP).
 - **Families in Need of Services (FINS) Assistance Program.** The 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 Administrator continues to develop the Integrated Juvenile Justice Information System being piloted at the Orleans Parish Juvenile Court. Upon completion, the IJJIS 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 2001, 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 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 Parish and City Court Judges Association, new programs for improving the adjudication of child support cases and other juvenile cases. The 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 overburdened 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 Administrator shall, with concurrence of the 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 Administrator will develop and distribute, upon request, "Good Practices Guides" 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
- **Pilot Mediation Program 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 all needed 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 has 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 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, will 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 2001-2002, 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 2001-2002 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 and 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 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 on jobs similar to those in the Louisiana system and by reviewing other salary data within Louisiana.

Future Steps

- **Management Training for Court Administrators.** The Court will provide training and all appropriate and necessary documentation on federal personnel laws and management practices, which encourage compliance with these laws.
- **E-mail and Internet usage policies.** The Court will develop and implement internet and e-mail policies for its employees that may also serve as a good practices example 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 prohibiting 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.** As part of its ongoing management training effort, the Court will develop a course designed to teach managers how to analyze needs (skills needs assessment), review resumes, interview and select candidates, and properly document the process.
- **Training Films for Court Administrators Association.** The Court's staff will review and recommend 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 circumstance 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 Louisiana 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 other matters 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 2001-2002, 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 2002-2003, 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 state 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 appointed a justice to be the primary general liaison between the Court and various intergovernmental 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 2001-2002, 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 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; Governor's Office of Women's Affairs; Louisiana Data Base Commission; and the Attorney General's Task Force Relating to Workplace Violence.

- **Cooperation with the Legislative Branch.** During fiscal year 2001-2002, 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 its 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 2001-2002, 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; 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; Conference of Court of Appeal



Judges; Louisiana District Judges Association; Louisiana Council of Juvenile and Family Court Judges; and Louisiana City Court Judges Association.

Future Steps

- **Intergovernmental Liaison.** During Fiscal year 2002-2003, 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 2002-2003, 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 and collaborate on new initiatives.

- **Cooperation with the Legislative Branch.** During fiscal year 2002-2003, the Court will continue to cooperate and collaborate with the Legislature and legislative agencies on the committees and projects referenced above, and will cooperate and collaborate on new initiatives.
- **Cooperation with Other Justice Agencies.** During fiscal year 2002-2003, 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 and collaborate on 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 goals and objectives of the Strategic Plan of the Courts of Appeal were based on the Courts of Appeal Adopted Performance Standards (Cf. Louisiana Supreme Court Rules, Part G, General Administrative Rules, Section 10.) 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 fall of 2002.

COURTS OF APPEAL OBJECTIVES

- 1.1 To provide a reasonable opportunity for multi-judge review of decisions made by lower tribunals.
- 1.2 To develop, clarify, and unify the law.
- 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.
- 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.
- 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.
- 2.3 To publish those written decisions that develop, clarify, or unify the law.
- 2.4 To resolve cases expeditiously.
- 3.1 To ensure that the Courts of Appeal are procedurally, economically, and physically accessible to the public and to attorneys.
- 3.2 To facilitate public access to their decisions.



- 3.3 To inform the public of their operations and activities.
- 3.4 To ensure the highest professional conduct of both the bench and the bar.
- 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.
- 4.2 To manage their caseloads effectively and use available resources efficiently and productively.
- 4.3 To develop methods for improving aspects of trial court performance that affect the appellate judicial process.
- 4.4 To use fair employment practices.
- 5.1 To vigilantly guard judicial independence while respecting the other coequal branches of government.
- 6.1 To conduct operational planning by the Operational Planning Team.

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..." 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.²

Responses to Objective

- **The First Circuit Court of Appeal.** The First Circuit Court of Appeal reports that it successfully incorporated additional civil cases into the Court's regular dockets to replace declining criminal appeals with minimal disruption to the efficient and normal calendaring processes used in the First Circuit. The Court has incorporated three additional staff attorneys into the Judges' staffs for one panel of the Court to produce a "civil appeals only" docket with additional civil cases assigned as an effort to address increased civil filings in the First Circuit. Three new attorneys and a secretary are expected to come on board in the spring of 2003 (delay in hiring due to FY 2002-2003 budget cuts) to reduce the time frame for handling writs and motions.
- **The Second Circuit Court of Appeal** reports that Strategies 1.1(a-d and f) are



² Daniel J. Meador, *Appellate Courts: Staff and Process in the Crisis of Volume*, St. Paul: West Publishing Co., 1974

accomplished through the Court's regular, ongoing activities. The Second Circuit utilizes a formal exchange between the reading and writing judge through written memoranda and regularly conducts pre-and post-argument conferences to achieve a multi-judge review of all matters before the Court and to promote collegiality. Deputy Clerks are certified through the Louisiana Clerk's Institute and are required to fulfill mandated continuing education to maintain their certifications. The Court continues efforts to provide a qualified legal support staff by promoting continuing legal education through the Second Circuit Judges Association and other continuing legal education initiatives. Improvements to the docketing system utilizing computer-based assistance where possible to insure random allotment of cases is a regular, ongoing activity. The Second Circuit adopted a formal procedure for recusal in compliance with the requirements of Act 932 of 2001, C.C.P. Art. 152(D) and Supreme Court Rule, Part K, Rule XXXVI on August 8, 2002. Orders of recusal are made part of the record and written reasons are maintained by the Clerk's office and made available to the public on request.

- **Third Circuit Court of Appeal.** The Third Circuit Court of Appeal reports that it continues its outreach program where a panel of judges travels the circuit. The Court has also made changes in its recusal procedures to assure compliance with the Supreme Court Rule.
- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that its judges fully participate in the 12 appellate cycles annually scheduled by the Fifth Circuit. The Clerk of Court's Office is staffed by experienced personnel who strive to provide services to the public in a professional, courteous manner. The judicial staffs are comprised of well-trained, efficient attorneys and support personnel. Attorneys and support staff assigned to the Fifth Circuit's Central Staff receive ongoing training in effective and timely review of criminal matters. The Fifth Circuit has implemented a recusal policy based on the applicable provisions of the

Code of Civil Procedure, the Code of Criminal Procedure, and the Code of Judicial Conduct. The Clerk of Court randomly allots appeals, writ applications, and motions to Fifth Circuit panels.

Future Steps

- **None Reported**

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 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 it has entered a five-year, flat fee plus reasonable inflation contract for on-line legal research "anytime, anywhere" to allow unrestricted access through internet-based service. It has also established a library committee to review hard-copy publications to eliminate duplicate and redundant subscriptions.
- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that providing adequate judicial legal resources and promoting collegiality is a regular, ongoing activity. The Court through the Second Circuit Judges Association conducts annual continuing legal education seminars to promote and improve the effective administration of justice and provides a forum for the continuing education of its member judges and their legal support staffs.



Continuing initiatives will be made to assist the trial courts by providing an annual educational forum designed to promote discussion regarding error reduction and correction.

- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that it has sufficient access to both electronic and printed resources for legal research. The judges of the Fifth Circuit conduct panel conferences after reviewing each matter and hold a monthly en banc meeting to address these issues.

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 forums 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 has adopted internal and local rules to insure children's cases are placed on the next docket after briefing is completed, and to recognize and process cases designated by statute to be heard by preference. In the public's interest, the Court recognized and treated election-related cases on an expedited basis although not required to do so by statute. The staff of the Clerk's office routinely routes emergency or expedited writ applications to Central Staff as soon as possible. The lodging deputy clerk is a highly proficient employee trained to identify cases to be heard by preference and to take appropriate action by calling these cases to the attention of the docketing clerk.
- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that the expeditious treatment of certain cases is a regular, ongoing activity. The Second Circuit operates with a rotating system of duty judges and a duty panel that are prepared to immediately act on matters warranting expeditious action.
- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that identification and expeditious determination of designated cases is an ongoing process. The Fifth Circuit requires a written statement of grounds justifying any request for expedited review. Expedited consideration of properly documented emergency matters is an ongoing practice in the Fifth Circuit. It maintains a duty panel of judges available to consider matters requiring expedited consideration, along with a trained staff to assist those judges. The Fifth Circuit conducts periodic seminars with members of lower tribunals to discussing problem trending areas.

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 is working with lower courts to establish a standardized process for identifying record inadequacies and for returning the record for correction to reduce the need for post- lodging corrections and/or supplementation. The Court continued to enhance its Internet site to provide information and timely updates to rules and calendars.

- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that, as an ongoing practice, it employs qualified legal support staff, provides adequate automated legal research tools, and continues to enhance its web page. Internal practices of weekly writ conferences, pre-and post-argument conferences, written memoranda and draft opinion circulation promote adequate consideration of each case. The judges of the Court actively participate in monthly administrative conferences reviewing and enhancing procedures and Uniform Rules. The Court's web page serves to keep the public and bar informed of any changes in rules and procedures.
- **Third Circuit Court of Appeal.** The Third Circuit Court of Appeal reports that the Central Staff has selected staff with trial experience to enhance understanding of filings before the Court. Criminal Staff has also trained a Senior Research Attorney in reorganizing and handling expedited matters. The Court's research staff has extended the use of Westlaw and has refined the Central Staff's data bank.
- **Fourth Circuit Court of Appeal.** The Fourth Circuit Court of Appeal reports that it has paid for continuing education and training.
- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that Rules 2, 3, and 4 of the Uniform Rules of Louisiana Courts of Appeal are periodically reviewed for currency and adequacy of coverage. Courteous and efficient service to the public is required of all Fifth Circuit personnel.

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. The length of exposition does not necessarily determine clarity. Clarity is manifested when the court has conveyed its decision in an understandable and useful fashion and when its directions to the lower tribunal are also clear whenever it remands a case for further proceedings.

Response to Objective

- **First Circuit Court of Appeal.** The First Circuit Court of Appeal reports that it instituted a procedure whereby the Chief Deputy Clerk (an attorney) reviews opinions prior to release to determine what action is required by the Clerk's Office and what follow-up is expected from the lower court and to ensure that this information in entered properly into the Court's case management system for tracking purposes. The Court established an informal sub-committee of Clerk's staff and law clerks to discuss and suggest standard terminology for dispositive language.

- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that as a continuing quality initiative, the Court formally circulates draft opinions promoting the exchange of editorial comments among panel members and their legal support staffs.
- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that it encourages all personnel to attend CLE programs designed to improve writing skills. One of its judges is currently attending the University of Virginia's Graduate level course for judges.

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; (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 to employ quality control measures



reviewing all opinions for compliance with the publication standards set forth in Uniform Rule 2-16.2.

- **Fifth Circuit Court of Appeal.** The Fifth Circuit closely adheres to the publication standards established by Rule 2-16.2 of the Uniform Rules of Louisiana Courts of Appeal.

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 continued the implementation and modification of a custom-based case management system to aid the Court in tracking cases through the appellate process.
- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that it has regular, ongoing procedures to monitor and reduce the backlog of all cases and time delays

from lodging to disposition employing effective electronic case management and docketing procedures. As an ongoing, regular activity, the Court strictly limits extensions and continuances. In 2001, the Second Circuit again realized a 100% clearance rate in appeals and writs and processed the majority of its cases within the published Time Standards for Louisiana Courts of Appeal. This year the Court participated in a "best practices" Louisiana Court of Appeal study by Dr. Roger Hanson and recently implemented a recommendation of that study to modify the Court's case pending report to include the age of the case. The report is circulated to the Chief Judge and members of the Court and is utilized to insure cases are disposed of within established standards. As a new initiative, the Clerk met with judges and court reporters of the 4th JDC in a cooperative effort to address problems with delay in preparation and receipt of the appellate record transcript. Several problem areas were identified and procedures to remedy the problems are being explored. Addressing transcript delays will be a continuing cooperative initiative for the 4th JDC and Second Circuit.

- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that it requires timely disposition of all writ applications, with particular emphasis on pre-trial writ applications. It has a policy to standardize handling of filing extension requests and return date extension requests. The Fifth Circuit has implemented a program to identify and timely dismiss abandoned appeals.

Future Steps

- **The Third Circuit Court of Appeal.** The Third Circuit Court of Appeal reports that the Clerk of Court is presently working with the Judicial Administrator's Office and checking the Court's own computer-generated timeliness report to assure timeliness of aging appeals and to coordinate the Court's records in the future. In the area of pending criminal cases, the Clerk of Court has taken the initiative and will continue in the direction of establishing strong, enforceable, and uniform rules governing the work of trial



courts and court records to ensure that record and transcript preparation is not delayed, incomplete and incorrect. Additionally, with the Court's new computer system, documenting both the age of overdue orders and whether the number of overdue orders is increasing, decreasing or remaining constant is easily and regularly retrievable.

The Court has been very active regarding the problem of timeliness on the part of court reporters. The Court will continue to have a full-time paralegal on its criminal staff, as it has had for the past several years. The paralegal has greatly improved the Court's day-to-day communication with the trial courts.

The Clerk of Court has been in contact with the Second Circuit and the Judicial Administrator's Office to improve certain forms such as the Notice of Appeal and the Request for Extension of Time to File Appellate Transcripts. The new forms will contain all relevant information and will reflect the importance of timeliness in the filing of the appellate transcripts.

"Holdover" cases; i.e., those cases which have been under consideration more than 30 days since the date of argument, will continue to be monitored closely. The Court's newly instituted judges' "bulletin board", a computerized case and opinion tracking program, currently reflects if a case is held over and acts as a constant reminder to each judge as to the status of their cases. This program is probably the first of its kind in the state.

Additionally, the Chief Judge receives timely and accurate monthly reports on the status of any held-over cases and monitors these closely through communication with individual judges.

A problem exists which renders all appellate statistics inaccurate. By including delays for five judge re-arguments, this statistic alone skews the current time standards and does not accurately reflect the fact that the Court is current in its workload. The Clerk of Court has been discussing this problem with the Judicial Administrator's Office and the other appellate clerks of court in the state and all are working on creating a method whereby the five judge panels will be separated out of the statistics with a different timeliness standard.

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 problems relating to court procedures, court 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 participate in 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

- **First Circuit Court of Appeal.** The First Circuit Court of Appeal reports that it is implementing a brief compliance process with appropriate checklists to inform appellants and appellees of rule requirements for brief submissions and for return and resubmission policies for non-compliant briefs. The Court has added a receptionist-clerk position whose primary job responsibility is to greet callers and route to the appropriate assistant or deputy clerk for handling.
- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that it continues to insure physical accessibility through participation in annual ADA surveys conducted through the Office of State Buildings and ORM Safety Management audits. Construction to



redesign the Court's security desk is scheduled to commence after January 1, 2003, and will increase the presence of security within the courthouse facility. The Court utilizes its web page to insure public notification of court functions and services.

- **Third Circuit Court of Appeal.** The Third Circuit Court of Appeal reports that it has added a filing checklist on the Internet and created/updated a pro se filing instruction manual.
- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that members of the Clerk of Court's Office review court fees with the judges annually during one of the scheduled en banc meetings. The Fifth Circuit courthouse has been certified as ADA compliant by the Facility Planning and Control Department and all security personnel receive formal school training and are POST certified.

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 posted to the Internet site on the morning they are rendered and e-mailed to subscribers that same day.
- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that it continues to provide timely decisions to the public and bar. Decisions are immediately electronically transmitted to five publishing companies and published on the Court's web page. News releases are provided to all media and published on the web page.
- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that its opinions are available to the public the day of issue. The filing system installed in the new Fifth Circuit courthouse promotes efficient file storage and retrieval.

Future Steps

- **None Reported**

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 continues to "ride circuit" to local universities and high schools to promote understanding of the Louisiana appellate process. The judges and the Clerk participate in Law Day events. The Court works with the LSU Law Center and the newly redesigned appellate advocacy classes to provide copies of briefs for actual cases before the Court that may be appropriate for moot court exercises. With funding assistance from the Supreme Court, the Court has preserved its historical docket books dated 1880 through 1922 and placed them on public display in the foyer of the Courthouse.
- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that its judges regularly participate in local and state bar functions including conducting programs on professionalism and ethics. The judges of the Court have served on the Board of Governors of the Louisiana Judicial College, the Northwest Law Enforcement Planning Agency, the Inns of Court, the Louisiana Supreme Court Ad Hoc Committee to Study the Feasibility of a Mandated Internship Program for New Attorneys, the Judicial Liaison Committee of the Louisiana Bar Foundation, the Louisiana Law Institute Children's Code Committee, Children's Code Project Committee and the Louisiana Task Force on Racial and Ethnic Bias. They also teach pro bono at the conferences of the trial judges associations and support groups such as law enforcement officers, Clerks of Court, legal secretaries, and paralegal associations. The judges routinely examine the practices and procedures of the Second Circuit to ensure that all support staff carry out their court functions with professionalism and courtesy. The Second Circuit and the Second Circuit Judges Association will co-sponsor with the Louisiana Supreme Court a mandated juvenile

judge training seminar regarding the Adoption and Safe Families Act in November of 2002.

- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that this objective is met through the Court's ongoing actions.

Future Steps

- **None Reported**

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 it participated in LA State Bar Association's continuing education programs on the appellate practice.
- **Third Circuit Court of Appeal.** The Third Circuit Court of Appeal reports that the Central Staff has participated in training trial court judges (and have volunteered to help staff) through the Third Circuit Judges' Association. It has also utilized a paralegal in a liaison type position to handle criminal matters.
- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that judges and staff members of the Fifth Circuit are frequent lecturers at CLE programs presented by the



Louisiana Judicial College and the Louisiana State Bar Association. The Fifth Circuit requires appropriate conduct of its personnel. Customers of the Fifth Circuit are randomly and periodically questioned about their perceptions concerning court personnel courtesy and responsiveness.

Future Steps

- **None Reported**

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.
- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that the Chief Judge of that Court serves on the Judicial Budgetary Control Board, and it is a regular, ongoing initiative to maintain a system of accountability for the efficient use of resources in the operation of the Court and the management of its caseload.

- **Fourth Circuit Court of Appeal.** The Fourth Circuit Court of Appeal reports that it has bought additional computers, installed legal research software and upgraded word processing software. It has also installed network security devices.
- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that it fully supports the Judicial Budget and Performance Accountability Program and its objectives.

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 dedicated resources to the continued development and enhancement of the Court's newly designed case management system.
- **Third Circuit Court of Appeal.** The Third Circuit Court of Appeal reports that in general, filings are caught up. As of early 2001, its office automation consultant implemented the CARS (Court's Automated Reporting System) program, and its statistical reporting is now completely done online.



- **Fourth Circuit Court of Appeal.** The Fourth Circuit Court of Appeal reports that it has improved its docketing schedules and its manual system of case processing. It has also taken steps to reduce cases under advisement.
- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that it is currently evaluating its case management software.

Future Steps

- **None Reported**

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 initiated a dialogue with the 19th JDC, the First Circuit, and the Supreme Court to discuss information collection and dissemination in regard to the Prison Litigation Reform Act. The

Court routinely held training seminars and served as speakers at meetings for legal professional organizations to educate lower court personnel and the legal profession concerning changes in procedural statutes, uniform rules, and local rules.

- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that its judges exchange ideas and procedures with trial judges promoting cooperative efforts in the appellate process by participation in various CLE programs, recent development seminars, and the Second Circuit Judges Association. The Clerks of the Courts of Appeal present annual programs for the Louisiana Clerk's Institute and City Court Clerks Association addressing appellate court issues involving record preparation, transcripts, and exhibits. The Clerks of the Courts of Appeal are presently working on an initiative directed at court reporter delay issues and have initial recommendations for improvement in the notice/extension process pending before the Supreme Court. Appellate judges and appellate court clerks are participating in a Louisiana State Bar Association CLE program entitled "Navigating the Appellate Process" on November 1, 2002.
- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that these are ongoing actions at the Fifth Circuit.

Future Steps

- **None Reported**

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

- **Second Circuit Court of Appeal.** The Second Circuit Court of Appeal reports that the Chief Judge of the Second Circuit actively serves on the Human Resource Committee and its Clerk of Court/Court Administrator serves on the Human Resource Team taking an active role in the Appellate Courts' application of uniform and fair employment practices.
- **Fifth Circuit Court of Appeal.** The Fifth Circuit considers itself a full partner in the Louisiana Supreme Court's Human Resource Program.

Future Steps

- **None Reported**

Objective 5.1

To vigilantly guard judicial independence while respecting the other coequal 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 the members of the Court actively participate in the Louisiana Conference of Court of Appeal Judges and work closely to monitor legislative activity that adversely impacts the judiciary. The Judges of the Second Circuit through the Second Circuit Judges Association work to provide a means for the dissemination and discussion of efficient procedures within the legal system to improve the effective administration of justice and maintain the status and independence of the third branch of government.
- **Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that these are ongoing actions.

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

- **The Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that these are ongoing actions among the Courts of Appeal.



Future Steps

- **The Second Circuit Court of Appeal.**

The Second Circuit Court of Appeal will continue to review and improve all regular and ongoing activities to promote the effective administration of justice. It will review its strategic plan to identify strategies requiring new initiatives and the implementation and adoption of any additional objectives

- **The Fifth Circuit Court of Appeal.** The Fifth Circuit Court of Appeal reports that since the current strategic plan for the Courts of Appeal is scheduled to expire on December 31, 2004, the Fifth Circuit plans to conduct a thorough review of the components of the plan during the upcoming year in order to prepare for revising the strategic plan in the following year.





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 2001-2002 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 2002 Survey of Chief Judges on Judicial Performance.

Currently, the Committee on Strategic Planning is chaired by Judge Mary Becnel.

Forty-six of the forty-seven chief judges of the district courts responded to the Survey of the Chief Judges. 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.

The information comprising the "Intent of Objective" sections of this Report was derived primarily from the *Trial Court Performance Standards with Commentary 1990*. The goals and objectives of the Strategic Plan of the Trial Courts were based on the adopted Performance Standards of the District Courts. Cf. Louisiana Supreme Court Rules, Part G, General Administrative Rules, Section 10. The information presented in the "Responses to Objective" and "Future Steps" sections of the Report was derived from the responses of each Trial Court to a Survey of Chief Judges, which was prepared by the Office of the Judicial Administrator of the Supreme Court and disseminated to the Trial Courts during the fall of 2002.



TRIAL COURT OBJECTIVES

- 1.1 To conduct judicial proceedings that are public by law or custom openly
- 1.2 To encourage responsible parties to make court facilities safe, accessible, and convenient
- 1.3 To give all who appear before the Court reasonable opportunities to participate effectively without undue hardship or inconvenience
- 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
- 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
- 2.1 To encourage timely case management and processing
- 2.2 To provide required reports and to respond to requests for information promptly
- 2.3 To promptly implement changes in law and procedure
- 2.4 To enhance jury service
- 3.1 To faithfully adhere to laws, procedural rules, and established policies
- 3.2 To ensure that the jury venire is representative of the jurisdiction from which it is drawn
- 3.3 To give individual attention to cases, deciding them without undue disparity among like cases and upon legally relevant factors
- 3.4 To ensure that the decisions of the Court address clearly the issues presented to it and, where appropriate, to specify how compliance can be achieved
- 3.5 To ensure that appropriate responsibility is taken for the enforcement of court orders
- 3.6 To ensure that all court records of relevant court decisions and actions are accurate and preserved properly
- 4.1 To maintain the constitutional independence of the judiciary while observing the principle of cooperation with other branches of government



- 4.2 To seek, use, and account for public resources in a responsible manner
- 4.3 To use fair employment practices
- 4.4 To inform the community of the Court's structure, function, and programs
- 4.5 To recognize new conditions or emerging events and to adjust court operations as necessary

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 their proceedings are accessible and audible to all participants, including litigants, attorneys, court personnel, and other persons in the courtroom.

Responses to the Objective

- **3rd JDC.** The 3rd JDC reports that it furnishes court schedules to all attorneys, clerks, police departments, and the Office of Community Services, and posts court schedules in all courtrooms. The Court ensures openness of proceedings to the public except for juvenile hearings and for domestic cases if requested by either attorney.
- **4th JDC.** The 4th JDC reports that all proceedings are open to the public except those required to be closed by law. All courtrooms, with the exception of one that is not used regularly, are amplified and have assistive listening devices. Annual court calendars and monthly and weekly court schedules are distributed to all courthouse agencies and placed on the Court's web site (www.4jdc.com).

- **5th JDC.** The 5th JDC reports that it has instructed courtroom personnel and bailiffs of the rule requiring closed proceedings in certain cases so that they can properly inform the public of their exclusion from the courtroom. It has installed several speakers in each of its courtrooms to enhance the audibility of the proceedings. Also, a notice on all subpoenas informs those subpoenaed for court that assistance will be provided for anyone suffering a disability. A telephone number is provided for the assistance requested. In addition, jurors with hearing losses are permitted to sit in the jury box near the witness stand so that their hearing of the proceedings can be enhanced. The Court publishes court schedules in local newspapers at least twice each year. Also, each Clerk of Court, Sheriffs Office, District Attorneys' Office, DHH Office and other court-related agencies in its district and all practicing attorneys in its district are provided a court schedule and a court calendar for the coming calendar year at least three months in advance. The Clerks of Court are also provided with additional court schedules and court calendars to be given to other attorneys, litigants and interested persons using the Fifth Judicial District Court.
- **6th JDC.** The 6th JDC reports that it has installed enclosed bulletin boards in one parish for use in posting court schedules and public notices.
- **8th JDC.** The 8th JDC reports that it instructed court personnel and the bailiff on the Court's closed hearing procedures for juvenile cases and domestic cases. The Court also provides court schedules and dockets to attorneys.



- **16th JDC.** The 16th JDC reports that juvenile adjudication hearings are closed to the public in accordance with the Louisiana Children's Code. All other proceedings are open to the public. The sound systems are monitored in each of the courtrooms on a regular, ongoing basis and improvements are made as needed and individual judges make accommodations when requested. The publication of court schedules is a regular, ongoing activity of the Court. The court calendar is distributed 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. Division E maintains a web page that provides general information about the Court as well as the court docket for that division.
- **21st JDC.** The 21st JDC reports that it has improved its system for providing docket information, both by posting courtroom assignments and dockets and by utilizing an information officer in the lobby of one of the courthouses. It also reports that it has developed a pool of interpreters and signers for use in court proceedings involving hearing impaired or foreign language witnesses.
- **23rd JDC.** The 23rd JDC reports that court dockets are available for review at the bailiff's stations outside the courtrooms.
- **26th JDC.** The 26th JDC reports that assistive listening devices were purchased and are available for use in the courtrooms. Signage and language interpreters are available upon request. Sound systems have been upgraded for audibility.
- **28th JDC.** The 28th JDC reports that all personnel are trained and advised of the openness of court proceedings and any proceeding not open to the public. Court schedules are made available through the Clerk of Court's office.
- **30th JDC.** The 30th JDC reports that it conducts judicial procedures open to the public by publishing the docket on the courtroom doors

the morning of court. Juvenile proceedings are closed and such notice is given prior to the hearing.

- **35th JDC.** The 35th JDC reports that court schedules are available in the Clerk's office on a weekly basis.
- **36th JDC.** The 36th JDC reports that it posts signs and schedules in its courthouse, notifying the public of judges' offices, courtrooms, and schedules.

The 36th JDC reports that all proceedings were conducted in open court and on the record. *In camera* process was avoided on any official proceeding. The courtroom was closed only when mandated by law or requested by parties in domestic matters requiring children to testify.

- **East Baton Rouge Family Court.** The East Baton Rouge Family Court reports that it is maintaining a current web page which provides parties with duty schedules of the judges and a "contacts" section which lists the judges by division as well as their staff members.
- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court began work on a web site that will allow information to be easily accessed by the public.

Future Plans

- **1st JDC.** The 1st JDC reports that it will continue to add to its information desk services, which currently provide docket information, directions, and other assistance to visitors.
- **5th JDC.** The 5th JDC reports that it will be implementing a web site in 2003 to provide the court schedule to those using the Internet.
- **6th JDC.** The 6th JDC will install enclosed bulletin boards near courtroom entrances in two parishes for posting of court schedules and other notices and announcements.



- **16th JDC.** The 16th JDC will develop a proposal to seek grant funding to acquire real-time court reporting equipment for court reporters. It will develop a proposal to automate the court calendar and develop a resource list and standby system to obtain signage and language interpreters, and hearing assistance equipment when needed. The Court will implement a general court rule providing for ADA accessibility and compliance and include ADA accommodation wording on juror subpoenas.
- **21st JDC.** The 21st JDC reports that it will continue to develop plans for new courthouse facilities, taking into account the need for ADA compliance and better security.
- **23rd JDC.** The 23rd JDC reports that it will continue to implement listings of court dockets on the web site.
- **36th JDC.** The 36th JDC reports that it plans to develop public problem resolution procedures in the coming year.
- **40th JDC.** The 40th JDC reports that the Court will properly instruct courtroom personnel and will post required notices outside each courtroom. It will take steps to have an ADA notice included on all subpoenas.
- **Jefferson Parish Juvenile Court.** The Jefferson Parish Juvenile Court reports that it will enact a rule providing for the availability of assistive listening devices and other tools for enhancing the audibility of proceedings.

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

- **1st JDC.** The 1st JDC reports it is remodeling its courthouse to add a courtroom on the ground floor next to the holding facility for prisoners. The addition should be completed by spring 2003.
- **2nd JDC.** The 2nd JDC reports that it has commissioned an ADA accessibility audit for its three courthouses. A contact has been made with the U. S. Marshall's Service for security audits but audits have not been conducted yet.
- **3rd JDC.** The 3rd JDC reports that it provides a list of court certified interpreters who are paid by the Judicial Expense Fund for those who speak other languages and those who are cognitively impaired. It built a new courtroom on ground level with wheelchair access, Braille under all signs, amplification systems, good acoustics, new recording equipment, and a separate and secure holding facility with restrooms for male and female prisoners. It has a new jury deliberation room and separate seating for the jury. A bulletproof shield was built into the judge's bench and a security door was added to protect the judge's chambers. Employees are trained on new mail opening



procedures and handling bomb threats and other security threats. New furniture and equipment were added for conducting court and transcription. All courtrooms are now handicapped accessible.

- **4th JDC.** The 4th JDC reports that during the remodeling of the courthouses in both parishes a security audit was conducted by the U.S. Marshall's Service. A Court Security Council comprised of representatives of the Police Juries, Sheriffs' Departments, District Attorney, Judges, Clerks of Court and Assessor was formed and meets regularly in each parish. Those audit recommendations that have been implemented by the committee include:
 - Metal detectors/scanners were placed in entrances to the courthouse.
 - Surveillance cameras were placed in each courtroom, in the halls, and on the grounds of the courthouse in Ouachita Parish.
 - Security staff was hired by the Sheriffs of both parishes.
 - A security command and control center was built in the Ouachita Parish Courthouse with multiple monitors for surveillance.
 - After hours courthouse access is limited and monitored.
 - An alarm system allowing limited entry access to the courthouses was installed.
 - An Emergency/Bomb Threat/Evacuation Plan for Ouachita Parish Courthouse was published by the Sheriff and distributed to all employees in the courthouse.
 - Panic alarms were installed in every courtroom and in the judges' offices.

Also, ADA coordinators were appointed for Morehouse and Ouachita Parishes and notices of ADA accommodations were posted in both

courthouses. New doors were installed on the Ouachita Parish Courthouse. The Clerk of Court is placing a notice of ADA accommodation in summonses to jurors. The Police Jury in Ouachita Parish installed a TDD telephone. New ADA accessible restrooms were added in each courthouse during their remodeling, and additional handicapped parking was added at both courthouses.

- **5th JDC.** The 5th JDC reports that it has scheduled a security audit with the U. S. Marshall's Office. It has installed emergency buzzers in the judge's chambers in each courthouse and at the bench in each courtroom. Also, the Court has installed video cameras in each courtroom that are monitored by the Sheriff's Office. Each bailiff has attended a seminar recently in courtroom security. The Court has provided those answering telephones in each judge's office with recommendations concerning courtesy and accuracy of information. The Court has also requested an ADA accessibility audit.
- **8th JDC.** The 8th JDC reports that it has installed emergency pagers for the bailiff and Sheriff's Office.
- **13th JDC.** The 13th JDC reports that it has requested a security audit.
- **15th JDC.** The 15th JDC reports that courthouse security audits and emergency procedures are a regular, ongoing activity of the Court.
- **16th JDC.** The 16th JDC reports that its judges continue to meet periodically with the District Attorney, Sheriffs, Clerks of Court, parish government representatives and other courthouse agencies in an attempt to identify and address current and future security needs. There are walk-through metal detectors located on the second floor of the Iberia Parish Courthouse, on the sixth floor of the St. Mary Parish Courthouse, and in the large courtroom in St. Martin Parish,



which are monitored by deputies when court is in session. A security audit was conducted in St. Martin Parish by the U.S. Marshal's Office to determine what steps may be taken to implement security procedures. The judges obtained the loan of an x-ray machine from the U. S. Marshall's Office for the St. Martin Parish Courthouse. The judges continue to work with local officials to bring the Court's physical facilities into compliance with the ADA.

- **21st JDC.** The 21st JDC reports that it has adopted the plan of the Uniform Rules to have all court sessions start at the same hour. It has employed receptionists at two courthouses to expedite telephone communications and has taken steps to ensure that these personnel are trained to be courteous and responsive. It is also in the planning stages of construction of a new courthouse in Livingston Parish, and a courthouse expansion in Tangipahoa Parish. The Court intends to work through the National Center for State Courts to obtain plans for model courtrooms and to bring these facilities into ADA compliance, and to improve courthouse and courtroom security.
- **22nd JDC.** The 22nd JDC reports that assistive listening devices were purchased for jurors and trial participants.
- **25th JDC.** The 25th JDC reports that it undertook creation of a web site that will include court schedules and docketed cases. The web site will also increase access to other information by litigants, defendants and jurors.
- **26th JDC.** The 26th JDC reports that the Judicial Administrator conducted sensitivity training relating to communicating with persons with disabilities to the judges' office staff, the Clerk of Court's staff, the Sheriff's Office staff, the Drug Court staff, the FINS staff, and the Police Jury staff in Bossier and Webster Parishes.
- **27th JDC.** The 27th JDC reports that the Court, along with a representative from each

department housed within the St. Landry Parish courthouse, initiated a courthouse security committee to address security concerns.

- **28th JDC.** The 28th JDC reports that the courtroom has been remodeled to meet ADA standards such as wheelchair accessibility, improved lighting and audio equipment.
- **30th JDC.** The 30th JDC reports that it is in the process of installing metal detectors that will be staffed by the Sheriff. The Court installed a wheelchair lift to the bench, jury box and witness box. The Court maintains a list of interpreters of major foreign languages spoken in the district, as well as a sign language expert for the hearing impaired.
- **34th JDC.** The 34th JDC reports that it conducted a security audit and implemented a new security system.
- **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. 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.

The 36th JDC reports that, in the coming year, it will continue to encourage local funding authorities to renovate the courthouse for ADA compliance.

The 36th JDC reports that the courthouse is an old building in a state of disrepair with no dedicated maintenance millage. ADA compliance and security are marginal. This year the judges have worked with other tenants to encourage the local funding authority to seek a maintenance tax for renovation and repair of the building.



- **Caddo Parish Juvenile Court.** The Caddo Parish Juvenile Court reports that it has conducted training for emergency procedures.
- **East Baton Rouge Parish Juvenile Court.** The East Baton Rouge Parish Juvenile Court reports that it has developed and implemented appropriate policies and procedures to ensure ADA accessibility. The Court structurally modified one of its three courtrooms with access ramps to both the witness stand and the judge's bench. It also lowered the height of door handles and modified doorknobs with required levers. The name and phone number of the ADA Coordinator was added to all service of process documentation to allow someone with a disability to contact the Court for special accommodations. The Court identified staff members who will be trained to meet the specific needs of the disabled. It also conducted ADA sensitivity training for the Court's staff.
- **Jefferson Parish Juvenile Court.** The Jefferson Parish Juvenile Court reports development and promulgation of procedures for dealing with emergencies.
- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court continued to improve ADA accessibility by partnering with the City of New Orleans to install a unisex handicapped bathroom on the first floor of Civil District Court, remove the carpet and replace it with a tile floor for wheelchair accessibility, install warning posts to avoid blockage of the curb cuts for the handicapped, and purchase two wheelchairs for the building.
- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court is working with the City of New Orleans' officials to bring physical facilities into compliance.

Future Plans

- **4th JDC.** The 4th JDC has started construction on a secure parking area for the judges, and the basement entry will become a

secure basement port for deliveries and prisoner transportation. Also, a pool of deaf and language interpreters is being developed.

- **5th JDC.** The 5th JDC reports that it plans to conduct a survey of lawyers regarding court security at its annual Bench Bar Conferences. The Court also plans to conduct a survey of its bailiffs, court reporters, Clerks of Court, grand jurors and other court personnel to receive input on their opinions concerning court security.
- **6th JDC.** The 6th JDC will finish work on the creation and implementation of a web site for the judicial district to include court calendars, driving instructions, jury instructions and other helpful information for court users.
- **8th JDC.** The 8th JDC reports that it will finish plans for emergency actions, improve courtroom security and conduct a security audit.
- **14th JDC.** The 14th JDC reports that it will continue planning for and possibly begin work on renovations or on the relocation of Family Court facilities to obtain needed additional space and cure deficiencies in security. A special committee of judges and parish officials oversees this.
- **16th JDC.** The 16th JDC will continue to work in cooperation with parish governments, the District Attorney, Sheriffs, and Clerks of Court to identify security needs, and develop and implement a security plan in each courthouse. It will develop evacuation procedures for fire, severe weather, and bomb threats, conduct evacuation drills, and sponsor emergency preparedness training for employees. The Court will install panic alarms on judges' benches to signal directly to the Sheriff's Office in the event of a courtroom emergency. It will conduct an audit on ADA compliance in each parish to identify and address needs. The Court will compile a resource directory to facilitate its efficient response to requests for accommodation and to communicate the availability of reasonable accommodation to court users.



- **17th JDC.** The 17th JDC reports that it will implement a survey system for jurors, lawyers, and litigants on court facilities, processes, and treatment of disabled and handicapped persons.
- **19th JDC.** The 19th JDC is in receipt of a study done by the National Center for State Courts on our courthouse, which emphatically states the need for a new facility, especially due to security issues. The court will continue to pursue funding for a new facility in the upcoming year.
- **21st JDC.** The 21st JDC reports that it will continue to develop plans for new courthouse facilities to include ADA compliance and better security. It also intends to intensify bailiff training, to upgrade security and to make certain that attorneys, litigants and witnesses are treated with courtesy.
- **22nd JDC.** The 22nd JDC will move into the new St. Tammany Parish Courthouse in May of 2003. Some of the features planned for the new facility will include a dedicated jury pool room, electronic evidence presentation in all courtrooms, and enhanced security for all areas of the courthouse. The St. Tammany Sheriff's Office will provide security for the building with bailiffs, specially trained court security officers, and emergency response teams. The phone system design includes an automated jury notification system and a new expanded LAN system with additional interoffice communication capabilities.
- **26th JDC.** The 26th JDC will continue to work to improve structural compliance with the ADA in the expansion and renovation of the Bossier Parish courthouse.
- **27th JDC.** The 27th JDC reports that it should have a courthouse security plan in place to address the security concerns by the end of the FY 2002-2003. Courthouse security is the major concern for the 27th JDC for FY 2002-2003.
- **29th JDC.** The 29th JDC will explore various options for promulgation of court schedules, preferably by use of an Internet web site. It will explore the possibility of the creation of a facilitation team to ensure compliance with ASFA.
- **30th JDC.** The 30th JDC reports that it will complete the installation of metal detectors as well as purchase hand-held metal detectors to supplement current detectors.
- **33rd JDC.** The 33rd JDC will commission a courthouse security audit and develop emergency procedures.
- **36th JDC.** The 36th JDC reports that it will continue to work with other elected officials to seek a dedicated millage for maintenance, repair and improvement of the courthouse. It will also seek to enhance the security of the courtroom and court proceedings by the use of metal detectors and increased police presence in potentially hostile cases.
- **40th JDC.** The 40th JDC reports that the Court will implement procedures for dealing with emergencies and will continuously train and ensure that employees are courteous and accurate in answering telephones.
- **Caddo Parish Juvenile Court.** The Caddo Parish Juvenile Court reports that it will ask the U. S. Marshall to conduct a security audit and will conduct a survey on accessibility of the Court and ask for suggested improvements.
- **East Baton Rouge Parish Juvenile Court.** The East Baton Rouge Parish Juvenile Court reports that it will continue to work toward improvements in court security and procedures for emergencies. The Court will continue to work closely with the city's Department of Public Works to finalize structural modification to comply with ADA requirements. It will also conduct more extensive ADA sensitivity training for court staff using expert trainers.



- **Jefferson Parish Juvenile Court.** The Jefferson Parish Juvenile Court will conduct a courthouse security audit. The Court will make available to the public copies of the Supreme Court's Code of Professionalism.
- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court will conduct a survey of opinions on accessibility and security.

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

- **2nd JDC.** The 2nd JDC reports that it has contacted the foreign language department at LSU-S to develop an interpreter pool.
- **5th JDC.** The 5th JDC has determined that Spanish is the most prominent language spoken by those in its district who cannot speak or understand the English language. In addition, the Court has determined that many of the hearing-or cognitively-impaired in its district are able to understand sign language, read lips or read the printed word. The Court has located deputy Sheriffs who are able to speak and communicate in both English and Spanish to assist those Spanish-speaking people who cannot understand English. Also, the Court has located speech therapists in its district who will be able to assist

the hearing-or cognitively-impaired. The Court has provided and will provide hereafter instructions to all interpreters concerning the proper protocol for simultaneous interpretation in the courtroom and the Court's policies and procedures regarding the use of interpreters. The bills of these interpreters who seek reimbursement for their services are given a high priority request by the Court to the Police Jury responsible for payment.

- **16th JDC.** The 16th JDC reports that language interpreters are provided by the Court when needed.
- **17th JDC.** The 17th JDC reports that it has compiled and circulated a list of interpreters available for court proceedings.
- **21st JDC.** The 21st JDC reports that it has developed a pool of interpreters and signers for use in court proceedings involving hearing impaired or foreign language witnesses.
- **36th JDC.** The 36th JDC reports that it has developed a roster of signage and language interpreters for use in court proceedings.
- **East Baton Rouge Parish Juvenile Court.** The East Baton Rouge Parish Juvenile Court reports that it co-sponsored with the Office of Community Services CLE training focused on child welfare best practices and promoting pro bono representation of children and parents.

Future Plans

- **5th JDC.** The 5th JDC reports that following the ADA accessibility audit, the Court intends to follow audit recommendations concerning programmatic participation by non-English speaking persons and by persons with disabilities.
- **16th JDC.** The 16th JDC plans to develop a resource list of certified sign and language interpreters and disseminate it to court personnel in all three parishes.



- **21st JDC.** The 21st JDC reports that it will continue to develop plans for new courthouse facilities that will address ADA compliance and better security. It also reports that it intends to acquire equipment to provide assistance to the hearing impaired.

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

- **Courtesy Training.** Six said that they had provided courtesy training (3rd JDC; 5th JDC; 19th JDC; 26th JDC; 32nd JDC; 36th JDC).
- **Use of Training Videos, CDs, etc.** Six said that they had used training videos, CDs, etc. (4th JDC; 15th JDC; 19th JDC; 26th JDC; Caddo Parish Juvenile Court; East Baton Rouge Parish Juvenile Court).
- **Management Training.** Eight said that they had provided management training (9th JDC; 14th JDC; 15th JDC; 19th JDC; 24th JDC; 26th JDC; Caddo Parish Juvenile Court; Orleans Parish Criminal District Court).
- **Technology Training.** Fifteen said that they had provided technology training (1st JDC; 4th JDC; 5th JDC; 14th JDC; 15th JDC; 17th JDC;

19th JDC; 23rd JDC; 26th JDC; 29th JDC; 36th JDC; Caddo Parish Juvenile Court; East Baton Rouge Family Court; Orleans Parish Criminal District Court; Orleans Parish Juvenile Court).

- **ADA Training.** Seven said that they had provided ADA training (4th JDC; 7th JDC; 9th JDC; 26th JDC; Caddo Parish Juvenile Court; East Baton Rouge Family Court; East Baton Rouge Parish Juvenile Court).
- **Continuing Education and Training.** Twenty-eight said that they had provided continuing education and training (1st JDC; 2nd JDC; 5th JDC; 6th JDC; 7th JDC; 9th JDC; 11th JDC; 14th JDC; 15th JDC; 16th JDC; 17th JDC; 19th JDC; 23rd JDC; 26th JDC; 28th JDC; 29th JDC; 30th JDC; 33rd JDC; 35th JDC; 36th JDC; 37th JDC; 40th JDC; Caddo Parish Juvenile Court; East Baton Rouge Family Court; East Baton Rouge Parish Juvenile Court; Jefferson Parish Juvenile Court; Orleans Parish Criminal District Court; Orleans Parish Juvenile Court).
- **Sent Employees to Conferences.** Twenty-six said that they sent employees to conferences (1st JDC; 2nd JDC; 3rd JDC; 6th JDC; 7th JDC; 8th JDC; 15th JDC; 17th JDC; 19th JDC; 22nd JDC; 23rd JDC; 24th JDC; 26th JDC; 28th JDC; 29th JDC; 30th JDC; 33rd JDC; 35th JDC; 36th JDC; 37th JDC; 40th JDC; Caddo Parish Juvenile Court; East Baton Rouge Family Court; East Baton Rouge Parish Juvenile Court; Jefferson Parish Juvenile Court; Orleans Parish Juvenile Court).

Responses of Individual Courts

- **2nd JDC.** The 2nd JDC reports that the judges regularly attend professionalism training and continuing legal education seminars. The Chief Judge functions as a judicial mentor.
- **3rd JDC.** The 3rd JDC reports that it ensures the courtesy and responsiveness of its court personnel and judges. The Code of Professionalism is posted in all courtrooms and in the judges' chambers.



- **4th JDC.** The 4th JDC reports that it has a computer course for employees. The Judicial Ride-Along Program is in effect. The judges have developed and taken a course especially designed to raise the level of computer competency in the Court. The training was made mandatory for all employees. All judges and their employees are given the opportunity to take computer courses on an annual basis. Human resource training videos are shown monthly for judges and employees of the Court. They are shared with other agencies in the courthouse complex.
- **5th JDC.** The 5th JDC reports that all three judges of the Fifth Judicial District Court have received and will continue to receive instruction annually in civility and professionalism in the seminars provided by the Louisiana Judicial College and other organizations. The Court has made available copies of the Code of Professionalism in the Courts in conjunction with the court schedule and court calendars to various persons upon request. The Court has proposed a public problem resolution process to attorneys attending the annual Bench/Bar Conference as a means of improving customer services and the user-friendliness of the Court. Also, the Court has periodically questioned court reporters, bailiffs, Clerks of Court, other court personnel as well as litigants to determine if there exist problems with the Court or with a particular court employee. Should problems in this area arise, the Court sitting en banc will promptly address the issue. All three judges have provided mentoring advice and help to each other and to recently elected judges. The judges are also prepared to assist judges in the future should the need arise. The Court's judges take advantage of the legal education and judicial training offered each year by the Louisiana Judicial Council and other organizations. Its judges have also attended seminars with judges from other states and have participated both as attendees as well as lecturers.
- **6th JDC.** The 6th JDC reports that it has displayed the Code of Professionalism in all three courtrooms.
- **8th JDC.** The 8th JDC reports that the staff has great experience and that it will do more training next year.

The 8th JDC reports that it has displayed the Code of Professionalism in the reception area and has developed a policy of courtroom decorum with the bailiff.
- **9th JDC.** The 9th JDC reports that it scheduled for the fall "Lunch & Learn" employee meetings with videos acquired from the Louisiana Court Administrators Association.
- **14th JDC.** The 14th JDC reports that Lexis and Westlaw representatives conducted in-house seminars.
- **15th JDC.** The 15th JDC reports that it has established procedures to address public requests or complaints. All requests/complaints must be submitted in written form and presented to the Chief Judge, who will either address the matter or forward it to the area of the Court that can best handle the issue.
- **16th JDC.** The 16th JDC reports that judges participate in the Inn on the Teche and the American Inn to promote ethics and professionalism for the bench and the bar on a regular, ongoing basis. The Supreme Court's Code of Professionalism is displayed in some of the judges' chambers. Judges address and participate in judicial training and judicial exchanges of information on a regular, ongoing basis. The Court's judges attend various training programs such as national drug court training conferences, National Judicial College courses, and training conferences sponsored by the Louisiana Judicial College. The judges also participate in regional, state and national judiciary associations and attend meetings to network and exchange ideas with other judges.
- **19th JDC.** The 19th JDC reports that it sent a team of court managers to the National Judicial College for a weeklong course in "Court



Management for Judges and Court Administrators". The exchange of ideas among the administrators of over 30 courts from around the country was invaluable and set forth "best practices" for effective use of resources. Each member of the management team took an entire year's worth of management training administered by and designed for the Court by the state's Comprehensive Public Training Program. The MIS Director began a rigorous in-house training schedule. One day a month, each employee was required to research and teach the rest of the staff on a topic chosen from a list of categories. The Court has also entered into an advanced service assessment along with the MIS employees of the Clerk of Court and is currently planning the training for these staffs to address the needs shown by the assessment. The Court successfully requested computer software training for most of the employees of the Clerk of Court's office from the city-parish training facility at no cost to the Clerk. These employees had not been able to participate in this excellent program in the past, but in light of the planned Clerk's and the Court's partnership in an innovative, far-reaching software solution, the local government acquiesced to the request. More than 200 employees took classes in Windows, Word and Outlook. Employees have been participating in these and other offered classes for over two years. The Court undertook a salary/compensation study in an effort to determine market comparables for the Court's employees with the intent of improving morale and eliminating turnover, especially in entry-level positions. In order to implement the plan, the Court's management team proposed a series of budget reductions, the elimination of several positions, and an increase in revenues which allowed for pay increases for the majority of employees with little or no net impact on the Judicial Expense Fund. The Judges adopted the plan with no changes.

- **21st JDC.** The 21st JDC reports that it has employed receptionists at two courthouses to expedite telephone communications and has taken steps to ensure that these personnel are trained to

be courteous and responsive. All of its judges continue to participate actively in the local Inn of Court, and some are team leaders for presentation of programs on civility and professionalism. The Court has also upgraded its efforts to try to improve communications and the exchange of suggestions for improvement with the local bar association.

- **22nd JDC.** The 22nd JDC reports that its judges have held preliminary meetings for the creation of an Inn of Court in the 22nd Judicial District.
- **25th JDC.** The 25th JDC reports that it began a process by which the local bar association may, by committee, offer input into the operations of the Court.
- **26th JDC.** The 26th JDC reports that the Judicial Administrator conducted sensitivity training relating to communicating with persons with disabilities for the judges' office staff, the Clerk of Court's staff, the Sheriff's Office staff, the Drug Court staff, the FINS staff, and the Police Jury staff in Bossier and Webster Parishes. Additionally, judicial training and exchanges of information are addressed as part of regular, ongoing activities.
- **28th JDC.** The 28th JDC reports that it has displayed the Code of Professional Conduct for public viewing. The Court Administrator is now responsible for public problem resolution. The judge attends numerous training sessions and new uniform rules have been implemented.
- **30th JDC.** The 30th JDC reports that its staff attended conferences and continuing education classes.
- **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. The 36th JDC reports that its staff was counseled with respect to procedures for managing public complaints and referral to appropriate agencies



where the judicial branch is not an appropriate facilitator.

- **40th JDC.** The 40th JDC reports that it has paid for the continuing education of its judges and court personnel and has sent its employees to various educational conferences. In addition, all judges have attended mandated conferences.
- **Caddo Parish Juvenile Court.** The Caddo Parish Juvenile Court reports that it has conducted training for court employees on ethics and professionalism.
- **East Baton Rouge Parish Juvenile Court.** The East Baton Rouge Parish Juvenile Court reports that it has conducted in-house training for minute clerks relative to the preparation of minute entries and judgments using correct ASFA language incorporated into uniform minute entries programmed into the Court's AS/400 computer system.

The East Baton Rouge Parish Juvenile Court reports that it has developed a survey instrument of regular court users including court employees, lawyers and probation officers to assess the users' perception of courtesy and responsiveness of court personnel. The Court has also posted non-discriminatory statements in various areas around the court facility.

- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court reports that its new minute entry application will be completed in early 2003. This application standardizes all court minute and entry forms.

Future Plans

- **8th JDC.** The 8th JDC reports that it will do more employee training, including sessions for telephone accuracy and courtesy.
- **15th JDC.** The 15th JDC reports that its judges will continue to participate in the Judicial Mentoring Program.

- **16th JDC.** The 16th JDC reports that it will establish a Public Problem Resolution Process and will conduct periodic surveys of jurors, court personnel, attorneys, and litigants regarding court security, accessibility, courtesy, responsiveness and overall court performance.
- **19th JDC.** The 19th JDC reports that its management team is in the process of completely rewriting the Court's Policies and Procedures Manual, using the "Model ADA & Other Human Resource Policies" manual compiled by the Court Administrators Association ADA Committee. The management team plans to present its recommendations to the judges the next year. The issues that will be addressed in the new manual include ADA compliance, revised military leave policy, public problem resolution, computer and electronic communications, and other issues not addressed in the Court's current manual. The judges set the calendar for the Court for the upcoming year so that, in lieu of one of the court holidays, the Court will not be in session on a "Professional Development Day", during which the entire staff will participate in training and professional development. The program will include topics of interest to all employees, such as professionalism, civility training, customer service, etc., as well as individual training tailored to specific job classifications.
- **21st JDC.** The 21st JDC reports that it intends to intensify bailiff training, to upgrade security and to make certain that attorneys, litigants and witnesses are treated with courtesy.
- **26th JDC.** The 26th JDC reports that its Court Administrator will continue to provide training to court personnel on professionalism, courtesy and responsiveness to the public.
- **29th JDC.** The 29th JDC will continue to fund professional training through seminars and conferences for judges and staff.
- **30th JDC.** The 30th JDC reports that it will enhance the training of court employees and staff and display the Code of Professionalism.



- **40th JDC.** The 40th JDC reports that the Court will make copies of the Code of Professionalism available to the public, via the Clerk’s office and/or the public library.
- **East Baton Rouge Parish Juvenile Court.** The East Baton Rouge Parish Juvenile Court reports that it will begin using a survey to assess the courtesy and responsiveness of court personnel. It will conduct periodic surveys of regular court users to assess the users’ perception of the courtesy and responsiveness of court personnel. It will also take steps to improve telephone courtesy and accuracy.

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

- **2nd JDC.** The 2nd JDC reports that its judges are involved in the Domestic Abuse Resistance Team, which provides services to assist victims.

- **3rd JDC.** The 3rd JDC reports that the Indigent Defender Board is regularly appointed to financially disadvantaged defendants and that the Court’s Domestic Abuse Resistance Team provides free legal assistance to victims of domestic abuse.
- **4th JDC.** The 4th JDC reports that its court costs have been raised to assist the indigent defender board in providing defense services to those unable to afford private attorneys.
- **5th JDC.** The 5th JDC reports that many of the attorneys in the district provide reduced fee legal services to those who are financially disadvantaged in its district. Indigent criminal defendants are provided legal counsel free of charge. Civil litigants who are financially disadvantaged also receive assistance from a federally funded legal assistance service that provides counsel in the district. The Court intends to implement a uniform rule on *in forma pauperis* filings when the Louisiana Supreme Court adopts the uniform rules. The Court grants *in forma pauperis* filings to the financially needy and cooperates with legal services and *pro bono* programs in the district. The Court works with the Indigent Defender Board to provide quality indigent defender services for those who qualify in our district. The Court also ensures fairness in all judicial proceedings for all *pro se* litigants using the services offered in the district. A full-time victim assistance coordinator meets regularly with victims in each parish in its district to discuss their needs. The coordinator acts as a liaison between the Court and the victims of crime to keep the victims and their families informed of court procedures, dates, and expectations, and to keep the Court informed of the victims’ needs.
- **8th JDC.** The 8th JDC reports that it has developed a system of processing indigent applications for services and reports with the Indigent Defender Board and bailiff.
- **15th JDC.** The 15th JDC reports that it has established a committee to meet with the Indigent Defender Board to discuss the effect of staff cuts and future plans for the program.



- **16th JDC.** The 16th JDC reports that its judges meet with the Indigent Defender Board on an ongoing basis to improve and monitor the availability and quality of indigent defender services. Judges receive written reports from the Indigent Defender Board regarding the Board's services. The judges maintain a juvenile docket coordinator program in Iberia Parish and have expanded the program into St. Martin Parish. The Coordinator maintains a resource list of attorneys for appointment to ensure representation of children and parents. The juvenile docket coordinator also coordinates pretrial conferences (Parent Legal Orientation Conferences) conducted by Indigent Defense attorneys to advise participants of the nature and consequences of the proceedings. The Court also maintains a DWI Victim Impact Panel.
- **21st JDC.** The 21st JDC reports that it has taken steps to provide additional funding through increased court costs to assist in the funding of its local indigent defender and legal services programs.
- **23rd JDC.** The 23rd JDC reports that a Victims Notification and Assistance Program was set up through the Sheriff's Office and District Attorney's Office to notify victims of all stages of court proceedings and the outcome of cases.
- **30th JDC.** The 30th JDC reports that it refers indigent clients to Central Legal Aid. It facilitates *pro se* protective orders through the Clerk of Court.
- **35th JDC.** The 35th JDC reports that it has a person assigned for crime victims' assistance and that it uses uniform *in forma pauperis* forms.
- **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.

The 36th JDC reports that *pro se* litigants were advised of court procedural requirements where appropriate without interfering with adversarial balance in the process.

- **Caddo Parish Juvenile Court.** The Caddo Parish Juvenile Court reports that it has continued to provide funding for indigent defense services.
- **East Baton Rouge Parish Juvenile Court.** East Baton Rouge Parish Juvenile Court reports that it enacted fee assessments on delinquency matters. The allocation of \$17.50 from each assessment to the Office of Public Defender helps fund the cost of indigent defense.

Future Plans

- **14th JDC.** The 14th JDC reports that it will focus on improving the quality of indigent defendant representation. A special committee comprised of judges, defender board members and staff is being formed for this purpose. Commencement of the committee's work awaits receipt of a study currently being done by Dr. Michael Kurth of McNeese State University. Dr. Kurth is conducting an in-depth study of all aspects of the indigent defender representation in the 14th Judicial District as part of a grant under the American Bar Association's Project Gideon.
- **16th JDC.** The 16th JDC reports that the Juvenile Docket Coordinator Program will be expanded to include St. Mary Parish in January 2003.
- **40th JDC.** The 40th JDC reports that the Court will set up a meeting with the local bar association to encourage development of ways to help financially disadvantaged litigants.

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 time aspirational 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

- **Improvement of Docketing Schedule.** Seventeen district courts said that they had improved the docketing schedule (1st JDC; 8th JDC; 9th JDC; 11th JDC; 12th JDC; 14th JDC; 17th JDC; 23rd JDC; 25th JDC; 28th JDC; 29th JDC; 30th JDC; 31st JDC; 33rd JDC; 36th JDC; 40th JDC; Family Court of East Baton Rouge Parish).

- **Improvement of Manual System of Case Processing.** Eleven said that they had improved their manual system of case processing (5th JDC; 8th JDC; 9th JDC; 11th JDC; 12th JDC; 13th JDC; 23rd JDC; 29th JDC; 33rd JDC; 36th JDC; 37th JDC).
- **Installation of an Automated Case Management Information System.** Seven said that they had installed an automated case management information system (8th JDC; 14th JDC; 19th JDC; 23rd JDC; 25th JDC; Orleans Parish Juvenile Court; Orleans Parish Criminal District Court).
- **Reducing Cases Under Advisement.** Eighteen said that they had taken steps to reduce cases under advisement (2nd JDC; 5th JDC; 6th JDC; 8th JDC; 9th JDC; 10th JDC; 13th JDC; 23rd JDC; 25th JDC; 26th JDC; 31st JDC; 33rd JDC; 34th JDC; 35th JDC; 36th JDC; 37th JDC; 40th JDC; Family Court of East Baton Rouge Parish).
- **Direct Calendaring.** Four said that they had implemented direct calendaring (2nd JDC; 5th JDC; 8th JDC; 23rd JDC).
- **Case Management Conferences.** Six said that they had implemented case management conferences (2nd JDC; 6th JDC; 8th JDC; 23rd JDC; 25th JDC; 32nd JDC).

Responses of Individual Courts

- **1st JDC.** The 1st JDC reports that it has improved the docketing schedule and added additional jury terms.

The 1st JDC reports that it studied the possibility of implementing a case management system for civil filings in order to track cases more effectively. Although no final decision was made, the Court is considering a program that monitors the filing and final disposition date in order to focus on files remaining in the system for more than 24 months. The Court also studied the possibility of allocating additional judges to the



criminal sections of the Court to respond to an increase in armed robbery and drug offenses in order to dispose of those cases more effectively, and it studied adding a criminal misdemeanor section to provide the criminal judges with more trial time to handle juries. The Court also studied changing the argument calendars in the civil courts to provide for submissions of cases without oral argument. It also studied ways to reduce the number of court appearances and change the hearing time in civil courts for Monday arguments to 1:30 p.m. instead of 9:30 a.m. as a means of accommodating out-of-town attorneys.

- **2nd JDC.** The 2nd JDC reports that its judges personally set their own trial dates in their three parishes and do not allow continuances except for good cause. Child-in-Need-of-Care cases are set within 48 hours of the issuance of instant orders. Child custody cases are usually set within seven days of filing.
- **3rd JDC.** The 3rd JDC reports that it created a third division as of June 1, 2002 and divided the caseload into thirds to each division. The 3rd JDC reports that the new division has improved the Court's docketing schedule.
- **4th JDC.** The 4th JDC reports that it has civil and criminal divisions. The Court adopted a system of judicial specialization, implementing civil and criminal sections. This was accomplished by enabling legislation and by local court rule. The January 1, 2002 realignment coincided with the completion of the remodeling of the Ouachita Parish Courthouse, affording the Court three additional courtrooms and more courtroom time in both the civil and criminal arenas. Numerous procedures dealing with case management were adopted to include:
 - Motion hour every day in both parishes.
 - Seventy-two hour hearings every day in both parishes.
 - Orders signed at least daily in both parishes.

- Two judges assigned to Morehouse Parish each week instead of one.
- More civil and criminal jury weeks scheduled in both parishes.
- ASFA courtroom checklists implemented to ensure timeliness of cases.
- Copy machines placed in or near courtrooms to speed up proceedings.
- The Court has three locations that have wireless Internet connections and are used for non-support proceedings for DSS database access.
- **5th JDC.** The 5th JDC is composed of three parishes: Franklin, Richland and West Carroll Parishes. Each of its judges rotates to a different parish every two weeks. In this way, the judge assigned to a bench trial case whether civil or criminal is generally able to try the case within two to six weeks after it is assigned for trial by the moving party. The cases are manually docketed via court fixing documents available at the judge's office and the offices of the Clerks of Court. If a bench trial is not concluded prior to the judge's rotation to another parish and if the court dockets allow, the judge often attempts to accommodate the litigants by offering two alternatives. He either finishes the trial in another parish, or he swaps out a court date with the then sitting judge in the parish where the case was originally heard. Criminal jury trials and civil jury trials are allocated special weeks in each parish for each judge, with each judge setting criminal and civil jury trials in each parish according to the rotating court schedule. The Court has attempted to provide all litigants with ample opportunities to try their cases in the district without unnecessary delay while at the same time maintaining a "hands on" case management system that is user friendly for Attorneys and litigants in the district.

The 5th JDC has considered and will continue to study the need for an automated case management information system in our district.



The Court provides all civil jury trial litigants and many civil bench trial litigants with status hearings and pre-trial conferences to assist the litigants in pre-trial discovery matters and in trial preparation to reduce delay and expedite case processing. It monitors the setting of all trial dates to ensure the certainty of trial proceedings to the extent possible while realizing the need for flexibility when emergencies occur.

The Court has implemented a CASA Program for the district and has insured compliance with the Louisiana Children's Code and the standards of the Supreme Court's Louisiana Court Improvement Program with the cooperation of the District Attorney's Office, the Office of Community Services and the CASA representatives. The Court works diligently to provide those involved in child custody and support cases with adequate court time to adjudicate these important issues in the district.

- **6th JDC.** The 6th JDC has continued to use pre-trial conferences where appropriate to expedite and facilitate the efficient trial of cases and has used trial management conferences in more complex cases to achieve the same results. Status conferences in chambers or by phone are encouraged and frequently used to resolve issues that arise during litigation and to set timelines for discovery and trial.
- **8th JDC.** The 8th JDC reports that it has sent out docket calendars to attorneys to improve notice and has changed the Clerk's system of order presentation to reduce delays.

The 8th JDC reports that it has installed a system of notices and case management for criminal cases in the courtroom including a calendar of court appearances for each defendant. It has established a system of trial docket notices of case setting and established a system of protocol reports and status conference reports to attorneys. It has improved procedures for case management of cases under advisement. It has also implemented a hearing officer system for child support.

- **12th JDC.** The 12th JDC reports that it has generated a computerized program for civil and criminal dockets.
- **14th JDC.** The 14th JDC reports that it has improved the docketing schedule in its Family Court Divisions by amending rules and updating existing automated case management information systems and that it has reviewed and rejected alternate systems. It has also changed from a manual method to a computer software program to allot capital cases.
- **15th JDC.** The 15th JDC reports that it has formed a committee to meet with the Indigent Defender Board to discuss the effect of staff cuts on case management, overall effectiveness and future plans for the program.
- **16th JDC.** The 16th JDC reports that it implemented a Family Court Program in St. Mary Parish on July 1, 2002 and in Iberia Parish on January 1, 2002. Two full-time hearing officers conduct pre-trial conferences in all Family Court matters in Iberia and St. Mary Parishes. The Court maintains a criminal case allotment system whereby cases are allotted to specific judges for one year. This procedure has enabled case management by the judiciary, resulting in the reduction of time between arrest and arraignment, and reduction in the time between arrest and case disposition. The Court maintains juvenile court dockets assigned to one judge in each parish. This has resulted in continuity, better judicial oversight, and improved efficiency. The judges conduct periodic review of domestic violence cases, requiring in-court status conferences with the parties on an ongoing basis. The judges also conduct periodic review of certain domestic relations cases with the parties on an ongoing basis, especially in contested custody-visitation cases. The Court plans to maintain the Family Court program in St. Mary Parish and to expand the program to Iberia Parish on January 1, 2003. The Family Court hearing officers conduct intake procedures and hearing officer conferences between involved parties and attorneys in all matters concerning



divorce, child custody and visitation, child support, spousal support, use and occupancy of the home and of movables, community property, and petitions for protective orders. The hearing officers make recommendations for the continued development and expansion of the program. The Court also maintains a program to reduce delays in Child-In-Need-of-Care cases through a Juvenile Docket Coordinator 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, maintains a resource list of attorneys for appointment to ensure representation of parents and children, and communicates with attorneys, clients and caseworkers to reduce delays. The coordinator maintains data in a juvenile court management database to monitor and track cases.

- **17th JDC.** The 17th JDC reports that it has acquired an additional judge.
- **19th JDC.** The 19th JDC reports that the Court has entered into a cooperative endeavor with its Clerk of Court under which a Request for Proposals (RFP) was recently issued by both parties for a single relational database and software solution to the problem of the management /retention/access of court records. The completed phases of this ambitious project include: a complete rebuild of the Court's network; a rebuild from the ground up of the Clerk's network; the purchase of over 250 personal computers, switches and routers; the purchase of 250 word processing and e-mail licenses for the Clerk's employees; the training of these employees on such software; the establishment of an ISP provider for the Clerk's office; and the implementation of a strategic security plan to eliminate unauthorized network access. The RFP is for complete court management software and the necessary hardware (servers, etc.) to implement the solution. This project will facilitate faster and more efficient processing of records combined with effective case management, as well as prepare both agencies for electronic filing of appeals and for such electronic

filing of all court-related documents by the public in the future. Because of the single shared database, it will also eliminate countless duplications of effort by court and Clerk employees throughout the judicial process.

- **21st JDC.** The 21st JDC reports that it has improved the docketing schedule by implementing some calendar changes that allow its judges to expand on the number of scheduled civil rule days and criminal motion hearings on serious felony cases. It has obtained approval from the Supreme Court to implement designated divisions of court to hear delinquency and child protection cases timely, within the requirements of ASFA and Louisiana law. It also reports that it will continue to make available dates for pre-trial status conferences to manage the flow of civil cases. However, it relies on attorneys to request these conferences if a case has bogged down.
- **24th JDC.** The 24th JDC reports that it has done an excellent job in case management and was recognized by the Metropolitan Crime Commission for its efforts.
- **26th JDC.** The 26th JDC reports that it has drafted forms for use by judges and court personnel for tracking and has met with secretaries to establish a "tickler" system for calendaring due dates of briefs by attorneys.
- **27th JDC.** The 27th JDC reports that there are no major delays and that its dockets are current. The majority of criminal appeals formerly handled by the Indigent Defender Board are now assigned to the Appellate Project Program.
- **28th JDC.** The 28th JDC reports that the case management system is being addressed with input from all agencies involved in the process.
- **29th JDC.** The 29th JDC reports that it has a pre-clearing of court dates in order to avoid continuances.
- **30th JDC.** The 30th JDC reports that the Legislature approved a third judgeship and that it



has modified its docking procedure by shortening the time between filing rules and hearings in domestic cases.

- **34th JDC.** The 34th JDC reports that Division "B" is developing a web site to assist with docketing.
- **35th JDC.** The 35th JDC reports that it has taken steps to expedite custody and support cases and is addressing problems of lack of staff.
- **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 improved its docketing schedule and its manual case processing system as a means of ensuring compliance with ASFA. It has also taken steps to reduce cases under advisement.

The 36th JDC reports that, to comply with ASFA requirements, management forms were developed and inserted in all active juvenile files. The Court also worked with the local indigent board to formulate a means of assuring that contract attorneys make initial contact with assigned clients promptly after appointment.

- **40th JDC.** The 40th JDC reports that it has improved the docketing schedule.
- **Family Court of East Baton Rouge Parish.** The Family Court of East Baton Rouge Parish reports that it has been utilizing a case management system (SoftDock) for over five years. The Court has added sections to prepare notices to be sent to litigants in an efficient manner. The web page also provides ways to order transcripts of proceedings on line and insures the accuracy of the request by refusing to forward the information should the requestor omit one of the fields of information. The system has been updated on a regular basis and improvements will continue to be made.

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

The East Baton Rouge Parish Juvenile Court reports that CINC case delays have been reduced by appointing counsel when the verified complaint is filed so that counsel is present at the very first hearing.

The East Baton Rouge Parish Juvenile Court reports that it worked closely with the District Attorney and the Department of Social Services to ensure continued success of expedited process of child support matters. The Child-in-Need-of-Care facilitation team set and implemented goals to achieve effective case management techniques by improving the timeliness and quality of child abuse and neglect adjudication in the state. Also, the Court appointed attorney focus groups to study reasons for delays and continuances and to support ways to reduce it. It also appointed an attorney focus group to look into ways of generating interest from more lawyers to accept appointments on juvenile matters. The Court also coordinated efforts with the Truancy Assessment Service Center to ensure cases are promptly processed for court hearings.

- **Jefferson Parish Juvenile Court.** The Jefferson Parish Juvenile Court reports development and implementation of effective case management techniques for Child-in-Need-of-Care cases.

Future Plans

- **4th JDC.** The 4th JDC reports that the Court has initiated the development of a database and case management system.
- **16th JDC.** The 16th JDC reports that it will expand the Family Court Program into St. Martin Parish and expand the Juvenile Docket Coordinator into St. Mary Parish. It will also develop a proposal to implement a case management system and look for ways to improve case management.
- **26th JDC.** The 26th JDC reports that it will address delay reduction and docketing issues through its newly created sixth judgeship.



- **30th JDC.** The 30th JDC reports that it will re-evaluate and assess the current docketing procedures to determine compliance and timely case management. It will track the progress of cases through each division of the Court.
- **33rd JDC.** The 33rd JDC reports that it will add another judgeship and implement automated case management information systems.
- **36th JDC.** The 36th JDC reports that it will revise its court calendar to provide management of ASFA timelines without undue neglect of all other matters that require timely attention in a general jurisdiction court. It will seek funding for a court clerk/administrator to assist the Court with increasingly burdensome administrative demands and to assist in case management efficiency. It will also encourage the Clerk of Court to further automate his office to ensure unnecessary delays do not occur as a result of manual case file management.
- **40th JDC.** The 40th JDC reports that it will begin development of case management system with the assistance of the Supreme Court and court staff.
- **East Baton Rouge Parish Family Court.** The East Baton Rouge Parish Family Court will maintain its goal of keeping its dockets current so that all custody cases are heard within 60 days of filing. The Court will continue to take few cases under advisement and render judgments in a timely manner.
- **East Baton Rouge Parish Juvenile Court.** The East Baton Rouge Parish Juvenile Court reports that it will improve case management techniques through modifications to the Court's automated system to efficiently implement expedited process of child support matters.
- **Jefferson Parish Juvenile Court.** The Jefferson Parish Juvenile Court will undertake a self-study in key areas of performance such as case processing time and compliance with applicable time standards for all case types.

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

- **5th JDC.** The 5th JDC reports that it attempts to provide required reports and requests for information timely.
- **16th JDC.** The 16th JDC reports that providing requested information promptly is a regular, ongoing activity of the Court.
- **25th JDC.** The 25th JDC reports that it has restructured its case management system that is networked with the Sheriff's Office and District Attorney's Office.

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

- **Child-In-Need-of-Care Cases.** Six district courts said that they had consolidated Child-In-Need-of-Care Cases into a specialized section or



division (9th JDC; 10th JDC; 14th JDC; 16th JDC; 26th JDC; 35th JDC).

- **Facilitation Teams.** Nine said that they had created facilitation teams (2nd JDC; 3rd JDC; 4th JDC; 6th JDC; 9th JDC; 14th JDC; 15th JDC; 22nd JDC; 26th JDC).
- **Automated Case Management Information System.** Eight said that they had installed an automated case management system (3rd JDC; 7th JDC; 8th JDC; 9th JDC; 12th JDC; 14th JDC; 16th JDC; Orleans Parish Juvenile Court).
- **Improvements to Manual Case Management System.** Ten said that they had improved their manual case management system (2nd JDC; 5th JDC; 8th JDC; 11th JDC; 16th JDC; 25th JDC; 28th JDC; 31st JDC; 35th JDC; 36th JDC).

Responses of Individual Courts

- **2nd JDC.** The 2nd JDC reports that its judges rely heavily on the Office of Community Services to make sure all proper deadlines under ASFA are met.
- **3rd JDC.** The 3rd JDC reports that it has a new current bail schedule and fine waiver list that is updated when new changes apply.
- **4th JDC.** The 4th JDC reports that it uses the checklists developed by the Judicial Administrator of the Supreme Court in its child dependency proceedings. The Court has also developed a facilitation team and is using the courtroom checklists developed during the ASFA audit. It also continues to provide local supplemental funding for FINS.
- **5th JDC.** The 5th JDC reports that all three of its judges have received or will receive the ASFA compliance training offered by the Louisiana Judicial College and have scheduled a meeting with ASFA compliance team members to

determine ASFA compliance. The judges meet at least every other month en banc to discuss court needs as well as recent changes of law and procedure. In addition, the three judges provide each other by mail, telephone and fax machine the law updates from judicial seminars and current jurisprudence that affect cases handled in the district. The judges have recently attended two workshops held locally where the judges and other court personnel were trained in the requirements of ASFA. In addition, the judges have attended judicial seminars and plan to attend future seminars where ASFA training will be offered. Also, the judges plan to meet with other court personnel periodically to insure the district's compliance with ASFA Compliance Orders. The Court has employed a FINS officer who reports directly to the judges. The FINS Officer acts as case manager of all FINS cases handled in the district. FINS cases are generally handled at least every two weeks and the FINS officer maintains an automated case management system to ensure that FINS services are being provided in an efficient and effective manner. The Court meets en banc at least six times a year to discuss needed changes and adjustments in its operations. In addition, through the Bench/Bar Conferences and the informal surveys conducted by the judges with attorneys, litigants, jurors and court personnel, the Court is able to identify trends and anticipate new conditions requiring new methods of court performance. The Court will abide by the decisions of those courts responsible for appellate rules allowing the publishing and citation of unpublished appellate opinions. The Court has implemented a CASA program in the district to enhance court procedures in child abuse and neglect cases and to insure implementation of ASFA requirements. The Court has also implemented, with the cooperation of the FINS officer, the District Attorney's Office and the truancy officials in each school district, a program to ensure compliance by parents and children with all truancy laws. The program includes special court proceedings to handle cases where truancy has become a problem for a child and his/her parents.



- **8th JDC.** The 8th JDC reports that it held a conference with its staff involved in juvenile cases to improve ASFA compliance.
- **10th JDC.** The 10th JDC reports that it met with its city judge and also the local and regional heads of Department of Community Services to coordinate implementation of ASFA.
- **14th JDC.** The 14th JDC reports that it had installed an automated case management information system but terminated its use due to flaws. It also hired personnel for case management and provided specialized training for CINC Attorneys and for other personnel involved with ASFA.
- **15th JDC.** The 15th JDC reports that implementation of changes of law and procedure is a regular, ongoing activity of the Court. The Court created a facilitation team to work towards ASFA compliance.
- **16th JDC.** The 16th JDC reports that changes in the law and legal proceedings are addressed through regular and special en banc meetings. The court continues to take steps to ensure compliance with the federal Adoption and Safe Families Act and the Louisiana Children's Code. Child dependency cases have been consolidated into a specialized division. A Juvenile Docket Coordinator monitors and tracks 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 caseworkers to reduce delays. The Coordinator also maintains data in a juvenile court management database to monitor and track cases, and continues to work to improve the manual case management system. The judges meet regularly with FINS intake officers and the FINS committee to monitor the efficiency and effectiveness of the FINS program and to continue to improve services.
- **17th JDC.** The 17th JDC reports that it made certain that all judges and the District Attorney had and used the information and aids provided by the Supreme Court.
- **21st JDC.** The 21st JDC reports that it obtained Supreme Court approval of a local rule to implement special divisions of court to hear Child-In-Need-of-Care cases timely. It also obtained a bench book from the Office of Community Services that gives detailed compliance guidelines and required findings.
- **23rd JDC.** The 23rd JDC reports that all judges have or will attend ASFA Audit Readiness Education Programs to familiarize themselves with the requirements of the Act. It also reports that a CASA program was implemented in May 2002 in Ascension Parish.
- **25th JDC.** The 25th JDC reports that it created a method of notification of calendar settings and tickler reminders for timely handling.
- **26th JDC.** The 26th JDC reports that it discussed the Louisiana court rules at en banc meetings and helped educate members of the bar regarding the rules.
- **28th JDC.** The 28th JDC reports that ASFA is being implemented to every extent possible under the law. Any change in law and procedures is implemented as soon as feasible.
- **29th JDC.** The 29th JDC reports it required law clerks and the juvenile coordinator to attend the ASFA presentation at the Fall Judge's Conference.
- **30th JDC.** The 30th JDC reports that its judges attended a seminar in Shreveport and are working closely with the local Office of Community Services to ensure ASFA compliance.



- **32nd JDC.** The 32nd JDC reports that CASA has become involved in its child dependency cases.
- **36th JDC.** The 36th JDC reports that it took its staff to an ASFA training program.

The 36th JDC reports that the Court actively developed and supported a local CASA program to assist in Juvenile matters. The Court assisted in promoting public awareness of CASA and in recruiting and training of CASA volunteers. The Court also revised the bail schedule to promote consistency in setting bail amounts for misdemeanor offenses.

- **East Baton Rouge Parish Juvenile Court.** The East Baton Rouge Juvenile Court reports that it has attained its goals to reduce delays, to eliminate discrepancies between orders and minute entries, and to ensure documentation of required ASFA findings using required ASFA language through the programming of uniform ASFA minute entries into the Court's computer system.

The East Baton Rouge Juvenile Court also reports that it reviewed and updated policies regarding the Court's restitution process and implementation of the Court's Victim of Juvenile Crime Compensation Fund.

- **Jefferson Parish Juvenile Court.** The Jefferson Parish Juvenile Court reports ongoing efforts to address issues related to the processing of ASFA-related cases, including staff meetings, meetings between court and representatives of other child-serving agencies and consultation with the Supreme Court's Court Improvement Program staff. The Court reports that it supports and promotes the CASA program and the TASC program in the jurisdiction. The Court is monitoring trends in best practices and, as appropriate, implementing changes to court policies, procedures and programs to reflect these practices (e.g., drug court, mediation in permanency cases, mental health court).
- **Orleans Parish Juvenile Court.** The Orleans Parish Juvenile Court reports that it has begun mediations in Child-in-Need-of-Care cases and continues to use automated case management information systems.

Future Plans

- **6th JDC.** The 6th JDC will evaluate available automated case management information systems as to need, cost and feasibility.
- **15th JDC.** The 15th JDC reports that the new Lafayette FINS coordinator is exploring possibilities for the expansion of the program and for further funding through grant applications.
- **16th JDC.** The 16th JDC juvenile docket coordinator program will expand into St. Mary Parish. The coordinator will monitor and track cases and coordinate parent legal orientation conferences in St. Mary Parish.
- **21st JDC.** The 21st JDC reports that it has received a grant to plan the creation of a juvenile drug court program in 2003.
- **36th JDC.** The 36th JDC reports that it will work with the newly organized CASA to expand services regionally to surrounding parishes and to recruit and train workers for the program.
- **Jefferson Parish Juvenile Court.** The Jefferson Parish Juvenile Court will refine its procedure for tracking changes in law and procedure, notifying necessary parties of changes, and implementing changes uniformly and systematically. The Court reports ongoing efforts to identify trends and anticipate new conditions that might require adjustments in court operations.
- **Orleans Parish Juvenile Court.** The Orleans Parish Juvenile Court reports that it will begin promulgation of court schedules.

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, or 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

- **Exit Surveys of Jurors.** Eight district courts said that they conducted exit surveys of jurors (2nd JDC; 4th JDC; 5th JDC; 23rd JDC; 34th JDC; 39th JDC; 40th JDC; Orleans Parish Criminal District Court).
- **Improvement in Conveniences in the Jury Room.** Sixteen said they had improved conveniences in the jury room (1st JDC; 2nd JDC; 8th JDC; 12th JDC; 17th JDC; 19th JDC; 25th JDC; 26th JDC; 30th JDC; 32nd JDC; 33rd JDC; 35th JDC; 36th JDC; 37th JDC; 39th JDC; 40th JDC).
- **Installation of an Automated System for Notifying Jurors.** Eleven said that they had installed an automated system for notifying jurors of cancellations and postponements (1st JDC; 2nd JDC; 5th JDC; 8th JDC; 19th JDC; 23rd JDC; 33rd JDC; 34th JDC; 35th JDC; 37th JDC; 40th JDC).
- **Improved Meals of Jurors.** Twelve said that they had improved the meals of jurors (1st JDC; 3rd JDC; 10th JDC; 12th JDC; 17th JDC; 19th JDC; 31st JDC; 32nd JDC; 33rd JDC; 35th JDC; 36th JDC; 39th JDC).
- **Provided Information on Jury Service.** Eight said that they had provided information on jury service (1st JDC; 5th JDC; 12th JDC; 16th JDC; 19th JDC; 25th JDC; 40th JDC; Orleans Parish Criminal District Court).

- **Changes to the Venire Selection Process.** Four said that they had made changes to the venire selection process (3rd JDC; 7th JDC; 12th JDC; 25th JDC).
- **Inclusion of ADA Accommodation Language in the Jury Summons.** Eleven said that they had included the ADA accommodation language in the jury summons (1st JDC; 4th JDC; 5th JDC; 13th JDC; 15th JDC; 19th JDC; 22nd JDC; 25th JDC; 26th JDC; 36th JDC; Orleans Parish Criminal District Court).
- **Implementation of Other ADA Improvements.** Six said that they had implemented other ADA improvements (3rd JDC; 7th JDC; 15th JDC; 19th JDC; 26th JDC; 32nd JDC).

Responses of Individual Courts

- **1st JDC.** The 1st JDC reports that a system was implemented in which jurors could be paid directly for their services on the last day of trial rather than checks being mailed to them. The Court also studied additions to the automated system of notifying jurors as to when the cases to which they have been assigned will begin thus reducing the waiting time in court.
- **2nd JDC.** The 2nd JDC reports that its judges try to select juries for all cases to be tried in one week so jurors will know when their trials will begin.
- **3rd JDC.** The 3rd JDC reports that any prospective juror who calls in with a disability is given the opportunity to serve on a jury because the Court is willing to provide interpreters, hearing devices or special accommodations in the courtroom.
- **4th JDC.** The 4th JDC reports that it has produced a new jury instruction film and supplied cable television to entertain jurors while waiting during jury selection. The Court provided



the jury manager with instructional material and books on jury management. Certificates are given to serving jurors and questionnaires about jury service are provided. Also, an improved call-in telephone service was provided for jury instructions.

- **5th JDC.** The 5th JDC stands ready to support the Louisiana District Judges Association and the Louisiana Supreme Court should a decision be made hereafter to air public service announcements regarding the nature and importance of jury service. The Court routinely attempts to accommodate potential jurors for whom lengthy jury service would create an extreme hardship. These jurors are either released from jury service altogether or they are given an alternative date to appear for voir dire more in keeping with their work schedule. The Court has printed pamphlets that explain court procedures and jury service information for potential jurors in the district. It has implemented a telephone call-in service for potential jurors so that they can call the phone number printed on their juror summons to determine if and when their juror service is required. Jury pool members who are not selected for a trial and who appear in court are informed by the judges in the district of the value of their presence and thanked for their willingness to serve. The judges monitor the comfort and morale of the potential jurors during jury selection and the comfort and morale of actual jurors during the trial so as to provide for changes in conditions and procedures whenever feasible. The judges also send thank-you letters to those jurors who actually serve following the conclusion of trial. A survey has been prepared and will also be used to determine the Court's sensitivity to jury morale.
- **8th JDC.** The 8th JDC reports that it provides public notice by paper or radio of any jury cancellations and uses a call system to notify jurors of cancellation or change of jury service.
- **12th JDC.** The 12th JDC reports that it has revised jury lists to remove the names of the deceased.

- **14th JDC.** The 14th JDC reports that it reduced delays on the first day of jury weeks by eliminating sessions to consider hardship excuses. Jurors are instructed on subpoenas to send in written requests for excuses by the Wednesday prior to the Monday reporting date. The Court has also relaxed the dress code to conform to the local federal rule, while still maintaining proper decorum.
- **15th JDC.** The 15th JDC reports that it has worked with local and state agencies to provide closed-circuit equipment for jurors. It has also had a portable ramp constructed for wheelchair access to jury boxes.
- **16th JDC.** The 16th JDC reports that it maintains jury pool procedures from which petit and civil jurors may be chosen. Its judges continue to monitor and improve procedures for selecting and impaneling jurors. It maintains jury questionnaire procedures to eliminate unqualified persons and to constantly monitor its process for improvement. The judges meet with the Jury Commissioners to grant additional authority in accordance with Supreme Court Rules and statutory provisions. The judges conduct exit questionnaires of jurors for feedback regarding jury service. The judges send letters to jurors after service in appreciation for their service. The judges have also approved a public information jury booklet prepared and printed by the St. Martin Parish Clerk of Court to be distributed to jurors.
- **19th JDC.** The 19th JDC reports that it has entered into a contract with a local media specialist to produce a jury service video. This video is to be used not only to educate potential jurors summoned to the courthouse, but is also to be used on public-access television and other outlets. The video, which features judges, members of the local bar, and court employees as well as members of past jury pools, emphasizes the importance of jury service in the justice system and answers frequently asked questions. The Court has placed its compilation of the names of various available interpreters on its



Intranet site and continues to update this information on a regular basis. Its partnership with the public library which enables jurors to spend all of their "down time" at the library with full use of its facilities, computers, etc. continues to be refined. This program is immensely popular with the citizenry. In addition, this library branch, which receives its funding based on circulation, is thrilled to have 300-400 new patrons every Monday morning. The 19th JDC has added ADA language to each written communication made with potential jurors. The ADA access features of the library are also an improvement over past situations. It has also added a jury management component to its RFP recently issued for a new case management software solution. It is hoped that this new software vendor will be able to include in its proposal automation of jury services such as kiosk payment of jurors, automated notification through third party IVR phone snap-in using a new telephony system, and other features which will make all aspects of jury service as convenient and pleasant an experience as possible.

- **21st JDC.** The 21st JDC reports that it has provided more effective pooling of civil juries to minimize the number of citizens called for that service. It also continues a program to systematically purge jury rolls to enable calling fewer numbers of people for jury service. It has taken steps to provide meals for jurors in all civil and criminal cases and is in the process of obtaining assistive listening devices for hearing impaired jurors and witnesses. The Court will continue to maintain an automated system that prospective jurors can access to notify them of cancellations or postponements.
- **22nd JDC.** The 22nd JDC reports that its judges meet with jurors after jury service to receive feedback on their jury service.
- **24th JDC.** The 24th JDC reports that it has limited the hours that jurors are held at the courthouse waiting to be called for jury service.
- **25th JDC.** The 25th JDC reports that it has

changed the notice to jurors from Sheriff's service to notice by mail and includes in such notice a pre-qualification questionnaire and a notice of disqualification or exemption.

- **26th JDC.** The 26th JDC reports that it has taken several steps within the last two years to make jury service more convenient or effective.
- **27th JDC.** The 27th JDC reports that the Clerk's office will notify jurors by telephone after the selection of jurors if the case has been settled prior to trial.
- **28th JDC.** The 28th JDC reports that it has instituted a reassignment program for hardship.
- **30th JDC.** The 30th JDC reports that it has new accommodations for prospective jurors awaiting selection.
- **31st JDC.** The 31st JDC reports that it sent additional postcard reminders to jurors of jury service or, in case of cancellation of jury trial, notices of cancellation to prospective jurors.
- **32nd JDC.** The 32nd JDC reports that it has obtained special aids for the hearing-impaired.
- **35th JDC.** The 35th JDC reports that it has taken steps to ensure jury comfort.
- **40th JDC.** The 40th JDC reports that it has conducted exit surveys of jurors by giving questionnaires to each juror at the end of jury service. It has installed an automated system for notifying jurors of cancellations and postponements and has provided information on jury service on all subpoenas. It has also refurbished the jury room.

Future Plans

- **1st JDC.** The 1st JDC reports that additional remodeling of the courthouse will continue to improve the jury assembly room and will add to and update the jury deliberation rooms. A real-



time court reporter has been added, and a second reporter will be trained.

- **10th JDC.** The 10th JDC reports that it will implement juror exit surveys in 2002-2003.
- **21st JDC.** The 21st JDC reports that it intends to support legislation to reduce the number of peremptory challenges in non-capital criminal trials to reduce the frustrations of those challenged and to speed the process of jury selection in these cases.
- **29th JDC.** The 29th JDC will create an exit survey for jurors in order to enhance the jury service experience.
- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court will study sensitivity to jury morale.

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

- **4th JDC.** The 4th JDC reports that meetings of the Bench/Bar Liaison Committee and its subcommittee, the Rules Committee, worked closely to adopt new rules and policies for the new system of separate civil and criminal judicial sections.
- **5th JDC.** The 5th JDC has implemented an annual Bench/Bar Conference at which representatives of the bar associations in each parish are asked to provide input via a survey as well as discussion regarding needed changes in court procedures, judicial performance and related topics. Suggested changes are then discussed with the entire bar membership at a semi-annual meeting. Recommended changes are then voted upon by the attorneys and implemented by court rule. The Court has also prepared a survey to determine opinions on the Court's compliance with laws and court rules.
- **16th JDC.** The 16th JDC reports that it faithfully adheres to laws, procedural rules, and established policies as regular, ongoing activities of the Court.
- **19th JDC.** The 19th JDC is finalizing plans to conduct performance audits in each of the sections of court in an effort to ensure efficiency, use of "best practices" and quality control. An anticipated result of these audits is a complete procedure manual for each section, which will be used in the future for training purposes.
- **28th JDC.** The 28th JDC reports that the Court is very meticulous in assuring these areas are addressed.
- **36th JDC.** The 36th JDC reports that regular conferences were scheduled with the Office of Community Services' attorney to review required ASFA timelines and assure compliance with mandates of law.
- **East Baton Rouge Parish Juvenile Court.** The East Baton Rouge Parish Juvenile Court



reports that it fully implemented use of the "Essential Judicial Functions Bench Cards" and the model minute entry checklists disseminated by the Louisiana Supreme Court's Court Improvement Program.

Future Plans

- **6th JDC.** The 6th JDC will install necessary equipment in the courtroom to permit legal research by judges and law clerks.
- **16th JDC.** The 16th JDC reports that it will take steps to implement procedures to foster interaction between the bench and the bar to encourage and obtain feedback regarding procedures, rules and policies and the overall operation of the Court.
- **40th JDC.** The 40th JDC reports that the Court will set up meetings to organize attorney focus groups to address various concerns.

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 is 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

- **5th JDC.** The 5th JDC reports that it uses the voter registration lists in each parish to ensure that the jury venire is representative of the

jurisdiction from which it is drawn. The Court in cooperation with the Clerk of Court in each parish has implemented a computerized random selection process to ensure that the selection of prospective jurors from the jury lists is random.

- **16th JDC.** The 16th JDC reports that jurors are selected using a random computer process.

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

- **4th JDC.** The 4th JDC reports that it has published a uniform Bail Schedule for certain offenses.
- **5th JDC.** The 5th JDC reports that it has implemented an annual Bench/Bar Conference attended by all judges and attorneys from all three parishes in the district. The Conference is used to obtain information from the bar via surveys as well as discussion regarding the Court's fairness and its treatment of attorneys, litigants and other users of the Court. The Court



then meets en banc to discuss needed changes in this area. The Court has established a bail schedule to provide each judge with a suggested bail amount for most crimes requiring a bail bond to ensure fairness in bail decisions. When the judges meet en banc, fairness of sentences is often a topic of discussion. Also, a survey to determine court personnel opinion on these issues has been prepared for distribution. The Court stands ready to assist those reviewing its affirmance and reversal patterns.

- **16th JDC.** The 16th JDC reports that it will provide integrity, fairness and equality in all matters before the Court.
- **21st JDC.** The 21st JDC reports that it continues to use a standardized felony bail bond schedule. It continues to employ a system whereby those persons convicted of felonies or misdemeanors are given regular, periodic monitoring dates in court to assure that probation conditions such as victim restitution, attendance in anger management and domestic abuse prevention programs, etc. are being complied with.
- **East Baton Rouge Parish Juvenile Court.** The East Baton Rouge Parish Juvenile Court reports that it restructured the schedule of traffic fines to ensure equality and fairness within the Court among like cases. The Court's Judicial Administrator is serving on the Louisiana Supreme Court's committee to establish uniform court rules. The Court also participated in the organizational planning of the first statewide public hearing in conjunction with the Juvenile Justice Commission and continues to support the goals, mission and process of the Juvenile Justice Commission.

Future Plans

- **21st JDC.** The 21st JDC reports that it intends to work with the committee to come up with uniform sentencing forms in felony cases, to provide accurate information to the Department of Corrections as to sentences.

- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court will create an attorney focus group or panel to solicit feedback on the Court's equality and fairness in the treatment of attorneys, litigants, and other users of the Court.

Objective 3.4

To ensure that the decisions of the court address clearly the issues presented to it and, where appropriate, to 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 should 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

- **3rd JDC.** The 3rd JDC reports that criminal sentence matters are provided in written form and provided in duplicate to defendants and all other interested agencies. Probation dates are set within six months to ensure that probation conditions are followed. 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.

- **5th JDC.** The 5th JDC reports that it diligently strives to provide clarity of sentences in criminal cases and injunctive or declaratory orders or judgments in civil cases. When a judgment or sentence is unclear, the Court attempts to clarify the judgment or sentence so that its rulings will be properly understood and implemented. A survey regarding this issue has been prepared for distribution. The Court meets annually with attorneys who practice in the district to solicit feedback on the clarity of orders and judgments in criminal and civil cases. The Court considers recommendations for improved clarity in these areas during en banc judge's meetings.
- **16th JDC.** The 16th JDC reports that its judges adopted a uniform bond form order for written bond orders.

Future Plans

- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court will create an attorney focus group or panel to solicit feedback on the clarity of orders and judgments.

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 a 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

- **4th JDC.** The 4th JDC reports that follow-up reports on the Court's orders are obtained from the Court's misdemeanor probation office.
- **5th JDC.** The 5th JDC reports that, in addition to soliciting feedback from practicing attorneys, it plans to periodically survey court personnel to determine the level of compliance with orders and judgments issued in the district. The Court meets annually with attorneys practicing in the district and its judges meet daily with attorneys litigating cases to solicit feedback on the level of compliance with the Court's orders and judgments so that needed changes can be implemented. A survey has been prepared on this issue for distribution.
- **15th JDC.** The 15th JDC reports that the staff of the Misdemeanor Probation Program tracks compliance with court orders through individual reports submitted and through communication with other court agencies.
- **16th JDC.** The 16th JDC reports that it will maintain direct contact with domestic abuse counselors to ensure participation by those so ordered. The judges maintain direct contact with providers of driving improvement/substance abuse evaluations and treatment to ensure compliance by DWI defendants. The judges conduct conferences with probation officers to review the probation compliance of defendants and to review probation officer files to ensure compliance or order revocation hearings. The judges authorize 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 obligations. The judges continue to work in cooperation with the Sheriffs, law enforcement agencies, the Clerks of Court, the District Attorney, Probation and Parole, and others to remedy the growing number of outstanding warrants and the handling of failure to appear warrants. The judges continue to work in a coordinated effort with the Sheriffs and the District Attorney, to monitor the collection and disbursement of fines and forfeitures. The judges maintain a procedure whereby the Department of Corrections probation office provides a written report to the judges, notifying the Court when the probationer has been signed up, and who the assigned probation officer is, within thirty days of sentencing. Upon notification, the judges may then schedule probation review hearings.

- **21st JDC.** The 21st JDC reports that it continues to employ a system whereby those persons convicted of felonies or misdemeanors are given regular, periodic monitoring dates in court to assure that probation conditions such as victim restitution, attendance in anger management and domestic abuse prevention programs, etc. are being complied with.
- **36th JDC.** The 36th JDC reports that it has worked with the court probation office to develop a policy and procedures manual to assure fair and consistent management of probation clients while they are under supervision.

Future Plans

- **33rd JDC.** The 33rd JDC reports it will support the Truancy Assessment and Service Center.

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 other officials may maintain court records. 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

- **5th JDC.** The 5th JDC reports that it stands ready to assist those who seek to identify ways to improve the method used to store, retrieve and preserve court records and decisions in this district.

Future Plans

- **16th JDC.** The 16th JDC reports that it will develop a policy on lawyers checking out court files. The Court will continue to address this issue in its regular, ongoing operations.
- **21st JDC.** The 21st JDC reports that it will continue to work with the Clerk of Court in Livingston Parish to establish a computer link to access prior court minutes in the judges' chambers and on their benches to ensure that accurate information is available.

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

- **4th JDC.** The 4th JDC reports that it has participated in the Supreme Court's Chamber-to-Chamber program and in the annual Second Circuit's meeting with the legislators. It also has implemented a judicial ride-along program.
- **5th JDC.** The 5th JDC reports that it applauds efforts to encourage a working relationship between the judiciary and the legislature on such matters as the judicial impact of legislation, judicial advocacy and matters relating to the administration of justice, procurement, and other matters of mutual concern. The Court will continue to cooperate with the legislative and executive branches on all matters relating to judicial resource needs.
- **16th JDC.** The 16th JDC reports that its judges participate in local Council of Government meetings and periodically host meetings with legislators to promote better judicial/legislative relations. Its judges participate in the Supreme Court's Chamber-to-Chamber program with legislators and members of the area's Chamber of Commerce. The judges communicate and cooperate on a regular, ongoing basis with parish governments, the District Attorney, the Clerks of Court and the Sheriffs.
- **21st JDC.** The 21st JDC reports that it continues to have an annual meeting with its legislative delegation, as well as periodic meetings with local heads of various branches of government and service providers.
- **26th JDC.** The 26th JDC reports that representatives of the Court meet regularly with representatives of the Clerk's Office, the District Attorney's Office, the Indigent Defender's Office, and law enforcement agencies.
- **28th JDC.** The 28th JDC reports that it is very active in cooperating with all branches of government to assure the system works properly.

Future Plans

- **28th JDC.** The 28th JDC reports that it continues to maintain a high level of cooperation with all elected officials and will work toward improvement of ADA and ASFA implementation.

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

- **2nd JDC.** The 2nd JDC reports that its judges do not have law clerks.
- **3rd JDC.** The 3rd JDC reports that its operating account and all other accounts under the direction of the judge's office are audited annually by a certified public accountant who submits monthly financial statements to the judges.
- **4th JDC.** The 4th JDC reports that it retains a private certified public accountant who provides monthly budget reports and variance reports for the various court funds and insures that proper accounting procedures and financial controls are in place. The Court attends an annual budget meetings with the Police Jury. All payments and reimbursements from all funding sources to court personnel and vendors are made through the Court Administrator's office, which is audited annually by a certified public accounting firm. The Court adheres to state travel, spending, and property regulations in its use of locally generated funds. The Court also continues to use less than the allowed number of law clerks.



- **5th JDC.** The 5th JDC reports that it has implemented a misdemeanor probation program to provide additional funds so that the Court can attempt to secure a sufficient number of highly qualified staff. The Court has at its disposal legal resources providing access to published opinions and statutes to facilitate judicial adjudicative and administrative functions in most instances. It monitors a Judicial Expense Fund to help defray the costs of judicial expenses occurring in the district and maintains a system of checks and balances to ensure proper accounting and financial controls. The Court requires budget and performance accountability from all those who invoice and/or provide work for the Court. The Court will cooperate with and provide assistance regarding any performance audits commissioned by the Judicial Administrator of the Supreme Court.
- **15th JDC.** The 15th JDC reports that proper staffing is a regular, ongoing activity of the Court. The Court provides a research service for all staff members who request it. Accounting for the Judicial Expense Fund is a regular ongoing activity of the Court. The Court has been proactive in efforts to control or eliminate its costs of operation.
- **16th JDC.** The 16th JDC reports that it maintains policies and guidelines for the expenditure of Judicial Expense Funds. Its judges and court administrator meet periodically with a certified public accountant to develop and implement policies and procedures for establishing better accounting and financial controls over the Judicial Expense Funds. The Court has also adopted written fixed asset inventory procedures for the management of fixed assets.
- **19th JDC.** The 19th JDC has conducted an in-depth survey of the books and other legal materials ordered throughout the court system. On the basis of the survey, it has determined that significant savings will be recouped in the upcoming year, due to the elimination of duplicate orders, the discontinuation of publications now

available electronically, and the employment of other economy measures. At the same time, it will ensure that the judges and law clerks have access to the best, most current legal research material available.

- **21st JDC.** The 21st JDC reports that it continues to comply with audit and inventory control requirements.
- **Orleans Parish Civil District Court.** The Orleans Parish Civil District Court continues to develop guidelines and policies for managing its Judicial Expense Fund, especially in light of the Court's early implementation of GASB Statement No. 34 and the certification and recognition from Tom Allen, GASB Chairman, and an audit without any reportable conditions.
- **East Baton Rouge Parish Juvenile Court.** East Baton Rouge Parish Juvenile Court reports that it has established a centralized location with camera surveillance for the collection of all court costs, fines, restitution, bonds and child support as a convenience to the clientele the serve and to better ensure the safety of court personnel. The new process also provides for a more efficient accounting process and better financial controls. Also, the Judicial Administrator of the Juvenile Court works closely with the auditor to ensure proper internal controls are in place within the Court's financial structure.

Future Plans

- **15th JDC.** The 15th JDC is working toward documenting expenditure guidelines and regulations. The Court has scheduled a meeting between Supreme Court Personnel and the judges' secretaries to clarify reimbursement limitations and the procedures for filing expense reports.
- **19th JDC.** The 19th JDC reports that because the Court has successfully developed new, state-of-the-art payroll and human resource software, the Court anticipates bringing the payroll functions currently outsourced in-house. The resulting



savings to the JEF will be significant, and the Court will continue to do research on ways and strategies to better and more efficiently use its resources.

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

The East Baton Rouge Parish Juvenile Court reports that it will work closely with city and parish officials to ensure continued financial support to hire and maintain essential and qualified court personnel.

The East Baton Rouge Parish Juvenile Court reports that it will promote training of court personnel and continue to develop and implement policies and procedures for proper human resources development. It will promote training in personnel law and management practices.

- **Orleans Parish Criminal District Court.**

The Orleans Parish Criminal District Court will begin implementation of an advanced accounting system, and will attempt to expand its funding sources.

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

- **4th JDC.** The 4th JDC reports that the Court's Judicial Administrator chaired the

Louisiana Court Administrators Association ADA/Employment Committee to create a model set of policies and procedures for use by district courts. The Court has had an employee manual since 1992 with periodic revisions. It is again revising its manual to incorporate the policies and procedures adopted by the ADA/Employment Committee.

- **15th JDC.** The 15th JDC reports that the maintenance and development of its human resource policies are a regular ongoing activity.
- **21st JDC.** The 21st JDC reports that it has adopted a formal job description for its Court Administrator. It has adopted a policy to pay the costs of its employees' attendance at approved continuing education seminars. It has also sent bailiffs to an educational programs geared to their job duties and provided training for office staff on dealing with domestic abuse protective order cases.
- **36th JDC.** The 36th JDC reports that it has written employment policies and procedures.
- **East Baton Rouge Family Court.** The East Baton Rouge Family Court reports that it has published and distributed a Policy and Procedures Manual to all employees of the Court. The manual was developed with the help of the Louisiana Supreme Court Human Resources Department.

Future Plans

- **16th JDC.** The 16th JDC will develop written employment policies and procedures.
- **19th JDC.** The 19th JDC is in the final editing stages of drafting, for the first time, true job descriptions for each employee of the Court. Included in each of the job descriptions is an "essential functions" checklist necessary for ADA compliance.
- **21st JDC.** The 21st JDC intends to revise and promulgate its employee manual in 2002-2003.



- **Jefferson Parish Juvenile Court.** The Jefferson Parish Juvenile Court will review and update its Employee Personnel Manual.

Objective 4.4

To inform the community of the court's structure, functions, 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.

Response to the Objective

- **2nd JDC.** The 2nd JDC reports that its judges regularly discuss the functions of the Court at community civic group meetings and have classes of school children attend court sessions.
- **3rd JDC.** The 3rd JDC reports that it added to its public education and outreach programs by hosing classes of school children whom can come and watch court proceedings. The Court also has interns from the Louisiana School for the Blind who are interested in pursuing a career in law.
- **4th JDC.** The 4th JDC reports that the Court has retained a publicist to provide newsworthy actions by the Court to the media. The Court has designed and implemented the Judges in the Classroom Program and it has been adopted

statewide. Also, students from local high schools sit in and observe court proceedings.

- **16th JDC.** The 16th JDC reports that judges teach and lecture police and the public on domestic violence issues. The judges teach and lecture on juvenile court issues including truancy, FINS and delinquency. They also speak at schools and civic clubs, and participate in the Judges in the Classroom Program and in the Chamber-to-Chamber program.
- **17th JDC.** The 17th JDC reports that each judge made at least one presentation at a local school in May 2002.
- **21st JDC.** The 21st JDC reports that it has encouraged judges to participate in the Judges in the Classroom program.
- **26th JDC.** The 26th JDC reports that its judges continue to speak to civic groups regarding different aspects of the juvenile system. In addition, high school students are provided opportunities to shadow different court personnel and observe court proceedings.
- **35th JDC.** The 35th JDC reports that it makes the Court available for tours and presentations for civic and educational groups.
- **36th JDC.** The 36th JDC reports that it regularly provides public education and public outreach services, particularly to school classes.

The 36th JDC reports that its judges actively participated in public information programs in communities and schools to educate the public of issues of importance to the effective administration of justice. The Court organized Law Day activities with the local bar association with a ceremony and reception in the courtroom. The program highlighted the Court's history, its public officials, its student moot court trial team, and featured an appellate court judge speaker on quality goals in the court system.



Future Plans

- **10th JDC.** The 10th JDC reports that it will create a web site for the Court in 2002-2003.
- **33rd JDC.** The 33rd JDC will implement the Judges in the Classroom Program.
- **East Baton Rouge Parish Juvenile Court.** The East Baton Rouge Parish Juvenile Court reports that it will create a web site for Juvenile Court. The Court will also work with the District Attorney to develop a brochure explaining "victims rights" to victims of juvenile cases. The brochure will explain the court process to the victim.

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 more 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

General Responses

- **Additional Personal Computers.** Thirty-five district courts said that they had bought additional personal computers (1st JDC; 3rd JDC; 4th JDC; 5th JDC; 6th JDC; 9th JDC; 10th JDC; 11th JDC; 12th JDC; 13th JDC; 14th JDC; 15th JDC; 16th JDC; 17th JDC; 19th JDC; 21st JDC; 22nd JDC; 23rd JDC; 24th JDC; 25th JDC; 26th

JDC; 27th JDC; 28th JDC; 29th JDC; 30th JDC; 31st JDC; 32nd JDC; 33rd JDC; 40th JDC; Caddo Parish Juvenile Court; East Baton Rouge Parish Family Court; East Baton Rouge Parish Juvenile Court; Jefferson Parish Juvenile Court; Orleans Parish Criminal District Court; Orleans Parish Juvenile Court).

- **Video-conferencing/ Arraignment System.** Eight said that they had installed video-conferencing/ arraignment systems (2nd JDC; 9th JDC; 11th JDC; 17th JDC; 23rd JDC; 26th JDC; 29th JDC; 30th JDC).
- **Electronic Monitoring.** Seven said that they had installed electronic monitoring (9th JDC; 12th JDC; 17th JDC; 23rd JDC; 25th JDC; 26th JDC; Caddo Parish Juvenile Court).
- **PowerPoint Software.** Five said that they had installed and used PowerPoint software (17th JDC; 24th JDC; 25th JDC; Caddo Parish Juvenile Court; Jefferson Parish Juvenile Court).
- **Audio-visual Equipment.** Eight said that they had installed new audio-visual equipment (2nd JDC; 4th JDC; 5th JDC; 7th JDC; 9th JDC; 25th JDC; 32nd JDC; East Baton Rouge Parish Family Court).
- **LAN System.** Nine said that they had installed a LAN system (3rd JDC; 9th JDC; 14th JDC; 15th JDC; 16th JDC; 19th JDC; 22nd JDC; 23rd JDC; 33rd JDC).
- **Real-time Reporting.** Two said that they had installed real-time reporting (1st JDC; 17th JDC).
- **Email/Internet.** Nineteen said that they had installed e-mail/Internet (1st JDC; 3rd JDC; 6th JDC; 14th JDC; 15th JDC; 16th JDC; 17th JDC; 19th JDC; 22nd JDC; 23rd JDC; 25th JDC; 26th JDC; 28th JDC; 29th JDC; 32nd JDC; 33rd JDC; 36th JDC; Orleans Parish Criminal District Court; Orleans Parish Juvenile Court).



- **Word-processing Software.** Twenty-six said that they had upgraded word-processing software (1st JDC; 3rd JDC; 6th JDC; 8th JDC; 9th JDC; 10th JDC; 12th JDC; 13th JDC; 14th JDC; 16th JDC; 17th JDC; 19th JDC; 20th JDC; 22nd JDC; 23rd JDC; 25th JDC; 26th JDC; 28th JDC; 29th JDC; 31st JDC; 32nd JDC; 33rd JDC; Caddo Parish Juvenile Court; East Baton Rouge Parish Family Court; East Baton Rouge Parish Juvenile Court; Orleans Parish Criminal District Court).
- **Digital Audio/Video.** Five said that they had installed digital audio/video (9th JDC; 14th JDC; 19th JDC; 23rd JDC; 31st JDC).
- **Legal Research Software.** Twenty-two said that they had installed legal research software (1st JDC; 3rd JDC; 5th JDC; 6th JDC; 9th JDC; 10th JDC; 12th JDC; 14th JDC; 15th JDC; 16th JDC; 17th JDC; 19th JDC; 22nd JDC; 23rd JDC; 25th JDC; 26th JDC; 28th JDC; 31st JDC; 32nd JDC; 33rd JDC; 36th JDC; 37th JDC).

Responses of Individual Courts

- **2nd JDC.** The 2nd JDC reports that it is developing a plan for instituting real time court reporting.
- **4th JDC.** The 4th JDC reports that it continually assesses the new needs of the community and it has responded with various programs and departments to address these issues such as: an expedited child support court process, a drug court, a misdemeanor probation department, FINS, and a truancy court. It has also installed electronic security measures.
- **5th JDC.** The 5th JDC reports that it has established a special drug court section administered by Division "A" that offers drug and alcohol rehabilitation opportunities for those involved in drug and drug-related offenses.
- **6th JDC.** The 6th JDC reports that its judges have measured the results of its truancy court in

cooperation with the District Attorney, FINS, and the school boards in all three parishes.

- **8th JDC.** The 8th JDC reports that it has installed computer programs devoted solely to juveniles and has appointed a supervisor to manage the docket and monitor it more closely. It also has a computer station in the courtroom with tie-ins to the Sheriff, the District Attorney's office, the judges' offices and the Clerk for all minutes of the Court.
- **10th JDC.** The 10th JDC reports that it is initiating efforts to start a CASA program and to improve the truancy program.
- **15th JDC.** The 15th JDC reports that it uses ad hoc appointees to hear burdensome cases that would otherwise delay the hearing docket. The Court assisted the Juvenile Justice Commission by sponsoring and arranging two regional public hearings. The Court supports use of "Project Return", a sentencing alternative that allows participants to receive a stipend of \$5/hour for attending classes geared toward preparing them for successful re-entry into society.
- **16th JDC.** The 16th JDC reports that it has subscribed to Westlaw and has installed a LAN system in St. Mary Parish that includes judges and staff, visiting judges, offices, courtrooms, and the Family Court hearing officer and staff. It is also studying a proposal to implement a video-conferencing arraignment system. The Court reports that it maintains Adult Drug Court programs in St. Mary and Iberia Parishes and has implemented an Adult Drug Court program in St. Martin Parish. It maintains Juvenile Family Focus Drug Court programs in St. Mary and Iberia Parishes and maintains an Addictive Recovery Community Home Network program. The Court maintains a Family Court Pretrial Conference program in St. Mary Parish and has implemented a program in Iberia Parish. It also maintains an allotment system of felony cases to assigned judges for a one-year period and maintains juvenile court dockets assigned to one judge in each parish. The Court has a Court



Appointed Special Advocates (CASA) program in Iberia Parish. It also maintains a computer network system in St. Mary Parish that provides Internet access to St. Mary Parish judges and staff.

- **19th JDC.** The 19th JDC reports that it redesigned its legacy and disparate applications and rebuilt its LAN infrastructure with Layer 3 routing and 1 gig to the desktop with departmental segmentation and VLANS. This aggressive rebuild was prompted by a need to automate case management and give the public better access to the Court. It has completed its standardization project for judges' real-time applications in the courtrooms. This technology has allowed the judges quick and easy access for tagging and recalling specific points of a case with the click of a button. The 19th JDC was using legacy based word processing applications, which were causing serious document transfer issues. After training and a careful transition process, the Court standardized and purchased the current industry standard for word processing applications. It also gave all employees' access to the Internet and completed full conversion of its legal research capability from monthly CD's to a high speed Internet connection. This provides more accurate and up-to-date legal research for law clerks and judges. Several judges have elected to serve and assume a proactive role on the Court's Technology Committee. As such they have tackled several financial impediments, which allowed the Court to completely redesign its existing hardware and software infrastructures and purchase new personal computers for every section of the Court.

The 19th JDC completed an entire rebuild of its payroll system, thus increasing efficiency and accountability. The Court has also upgraded its accounts payable and accounts receivable software and has built a fixed asset inventory database. The results of these improvements reduced the time frame of the Court's annual audit by its CPA firm from three months to three weeks, with significant resulting savings of audit costs.

One year ago the Court had no computer and server virus protection, resulting in over 95% of the production environment's computers being infected with viruses. After several months of intense effort the Court's LAN is now virus free. In preparation for public Internet access and communication with the Court, the 19th JDC has designed and implemented an Intranet page that currently functions as a central file location for the Court and provides communication channels among the various divisions. This page resides on the mail server and will keep all of the existing files on hand and updated. This server will also accommodate a web page for the Court as it moves closer to true e-filing. When finally completed, this technology effort will vastly improve the public's access to equal justice.

The 19th JDC is also awaiting word on a funding request to implement a total IP telephony solution. This telephony system will allow each respective section to automatically contact individuals ordered to appear in court from the new database on their judge-ordered court date via the telephone. This solution will also operate over the newly created LAN switched network without typical phone impediments.

The 19th JDC has also created a secure and high-speed LAN infrastructure that has enabled the district to connect to the FBI database and become an active participant in the ICJIS project. The Court has also successfully incorporated the E.B.R. Family Court into this information sharing solution. The 19th JDC is currently upgrading its Drug Court software and lab testing software solution. The Court has also been proactive in assisting the statewide, unified Drug Court database project as well.

- **21st JDC.** The 21st JDC reports that it has installed new digital court reporting equipment and that it will continue to utilize e-mail, electronic legal research and an audio-visual system for arraignments and bond reduction hearings, which we upgraded this year. It has also expanded and improved the Truancy Assessment program operated under its FINS officer.



- **22nd JDC.** The 22nd JDC reports that its judges have sent out questionnaires and conducted a forum with the bar in the 22nd Judicial District to discuss possible changes in the court schedule and the possibility of creating a Family Court.
- **26th JDC.** The 26th JDC reports that it continues to operate adult drug court in Bossier Parish and juvenile drug courts in Bossier and Webster Parishes. It also established a Teen Court and Youth Serve Community Service Program to assist FINS and the Truancy Center in providing alternative sanctions for status offenders.
- **30th JDC.** The 30th JDC reports that it installed video-conferencing in the small courtroom for criminal hearings.
- **35th JDC.** The 35th JDC reports that it already has everything that its infrastructure will allow it to install.
- **36th JDC.** The 36th JDC reports that it intends to increase its reliance on computer-assisted automation.
- **40th JDC.** The 40th JDC reports that it bought additional personal computers.
- **Caddo Parish Juvenile Court.** The Caddo Parish Juvenile Court reports that it has begun Truancy Court as part of a comprehensive truancy reduction program in cooperation with the Caddo Parish School Board.
- **East Baton Rouge Parish Family Court.** The East Baton Rouge Parish Family Court reports that it has developed and published a web site (www.familycourt.org) for over four years. All workstations are equipped with e-mail and Internet capability. The Court has installed digital audio equipment (FTRGOLD) in all courtrooms and was the first to do so in the state of Louisiana. All judges and law clerks have a license to access Westlaw. PowerPoint software is installed as part of a package of software but is

not utilized by the Court. The Court has been assisted by the 19th JDC in the area of computer maintenance. Litigants do not have to be arraigned in the Family Court. The judges of Family Court attended all forums and conferences sponsored by the Louisiana Supreme Court and local bar association to remain appraised of changes in law affecting the Court.

- **East Baton Rouge Parish Juvenile Court.** The East Baton Rouge Parish Juvenile Court reports that it has programmed uniform minute entries into the courts mainframe system for implementation of ASFA compliance.

The East Baton Rouge Parish Juvenile Court reports that it promoted the Court's Family Strengthening Program to enhance FINS services. The Court also worked closely with CASA to ensure a CASA appointment at the time the verified complaint is filed to assure that a CASA volunteer is present at the continued custody hearing.

- **Jefferson Parish Juvenile Court.** The Jefferson Parish Juvenile Court reports that it upgraded its mainframe computer system.
- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court reports that judges and Court personnel received training at conferences for Drug Court, Domestic Violence and Administration of Court and Court Technology.

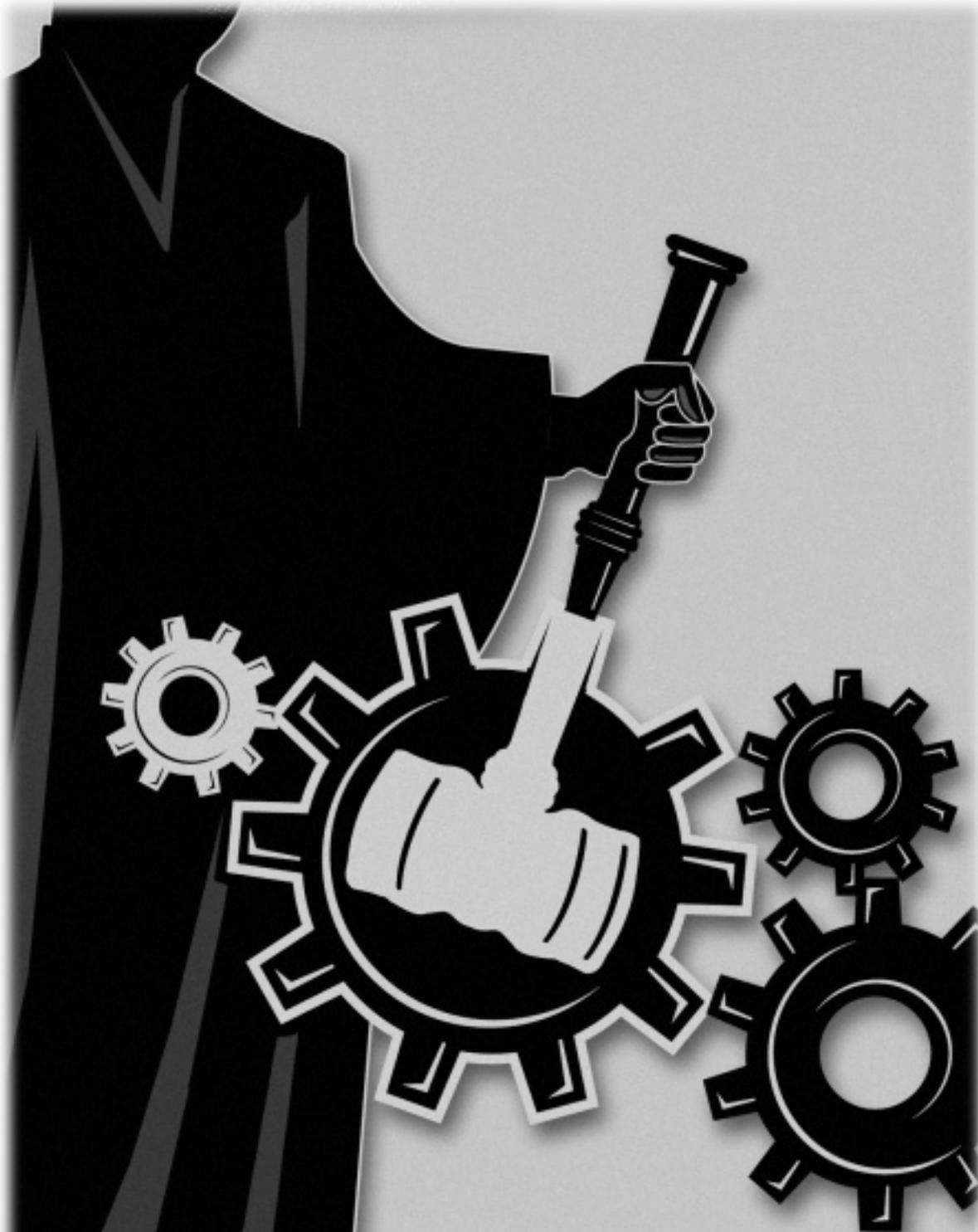
Future Plans

- **4th JDC.** The 4th JDC reports that jail-based drug treatment through Drug Court is being implemented.
- **10th JDC.** The 10th JDC reports that it is implementing a CASA program in 2002-2003.
- **17th JDC.** The 17th JDC reports that it will restructure the FINS program, appoint a new FINS intake officer and establish a separate FINS office.



- **15th JDC.** The 15th JDC reports that its Juvenile Drug Court is expected to be fully operational by the end of 2002. The Court is still in the process of working with the Supreme Court for access to CJIS databases. It is considering creating a tri-parish network for greater accessibility and security among the judicial district offices.
- **16th JDC.** The 16th JDC will implement a computer network system in St. Martin Parish. Effective January 2003, Child-In-Need-of-Care cases will be assigned to one judge district-wide.
- **21st JDC.** The 21st JDC is working on a program with Southeastern Louisiana University to establish a "Family Institute" which would coordinate resources to provide services for victims of abuse, divorce/custody counseling, etc. It has also received a planning grant and intends to create a juvenile drug court program in 2003.
- **28th JDC.** The 28th JDC reports that it will continue to upgrade the technology of the courtroom and facilities and to provide training for court and court personnel to maintain the integrity of the system.
- **30th JDC.** The 30th JDC reports that it will assign a law clerk to review changes in the law and to inform the Court of any such changes that may require modification of court procedures.
- **East Baton Rouge Parish Family Court.** The East Baton Rouge Parish Family Court will continue to add technological advances to serve the litigants involved with the Family Court. The Court will shift its network server to a single network server along with the 19th JDC, Attorney General's Office and other state and local agencies. The Court will continue to train its employees so that they remain current and prepared to participate in our changing times. The judges will continue to participate in seminars, conferences and forums to learn new ideas on conducting their Court.
- **Orleans Parish Criminal District Court.** The Orleans Parish Criminal District Court will complete minute clerk standardization among all courts, cross-train personnel and complete its web site.





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's 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 below.

LOUISIANA SUPREME COURT CASE INFORMATION MANAGEMENT SYSTEM

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 processing 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 FY2001-2002 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® with filed charges, court dispositions will be added to the CCH Arap® 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 SYSTEM

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
• Clerk of Court Case Management Information System	State
• CMIS Criminal Disposition Data System	National Center of Crime Information (NCIC); State
• The Louisiana Protective Order Registry (LPOR)	NCIC; State
• The Drug Court Information System	Drug Court Program Office
• The Traffic Violation System	State
• The Court of Appeal Reporting System (CARS)	National Center for State Courts (NCSC)
• The Trial Court Reporting System	NCSC
• The Juvenile and Family Court Reporting System	NCSC; State
• The Parish and City Court Reporting System	NCSC
• The FINS Data Base System (Guidance)	State
• The Integrated Juvenile Justice Information System (IJJIS)	Louisiana Children's Code

BARRIERS TO DATA GATHERING AND DEVELOPMENT

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.

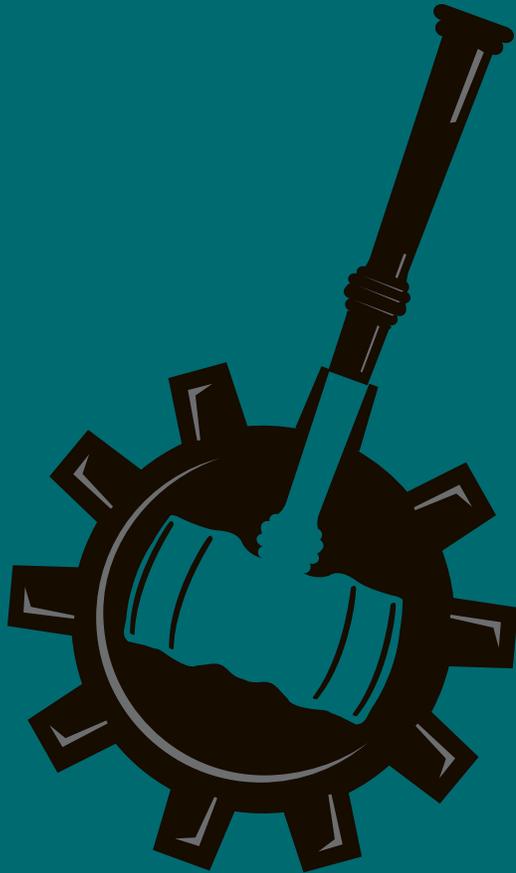
As a result of the fragmented structure and financing of the judicial branch, the judicial system lacks many types of data that would help the Supreme Court and the lower courts to manage and expedite cases and improve the administration of justice. This is particularly true in the district courts. In 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.





THE SUPREME COURT OF LOUISIANA

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