

ACT No. 405

Regular Session, 2014

HOUSE BILL NO. 154

BY REPRESENTATIVES LEGER AND WILLMOTT

1 AN ACT

2 To enact R.S. 13:126.1, 352.1, 841.4, 1213.3, 1912, 2157.1, 2500.5, 2520, and 2565, relative
3 to additional court costs or fees; to provide for additional fees or costs on writs and
4 appeals filed with the supreme court and all courts of appeal; to provide for
5 additional court costs or fees in all district courts, the New Orleans Civil District
6 Court, all city and municipal courts, the city courts of New Orleans, the municipal
7 court of New Orleans, the traffic court of New Orleans, and all parish courts; to
8 provide for the collection, disposition, and use of fees; and to provide for related
9 matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 13:126.1, 352.1, 841.4, 1213.3, 1912, 2157.1, 2500.5, 2520, and
12 2565 are hereby enacted to read as follows:

13 §126.1. Additional fees; Judicial College

14 A. In addition to all other fees or costs provided for by law, the clerk of the
15 supreme court shall be entitled to collect fifty cents for the initial filing in all civil
16 cases. This fee shall not include any writs or appeals filed in juvenile and family
17 cases.

18 B. All fees collected pursuant to Subsection A of this Section shall be
19 deposited into a special account and transmitted monthly to the Louisiana Supreme
20 Court to defray the costs associated with the Judicial College's general growth and
21 program improvement strategies.

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23 §352.1. Additional fees; Judicial College

24 A. In addition to all other fees or costs provided for by law, the clerks of all
25 of the courts of appeal shall charge and collect fifty cents for the initial filing in a

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 record of appeal or an application for writs in all civil matters. This fee shall not
2 apply to any writs or appeals filed in juvenile and family cases.

3 B. All fees collected pursuant to Subsection A of this Section shall be
4 deposited into a special account and transmitted monthly to the Louisiana Supreme
5 Court to defray the costs associated with the Judicial College's general growth and
6 program improvement strategies.

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8 §841.4. Additional court costs in civil and traffic matters; Judicial College

9 A. In addition to any other fees or costs imposed or authorized to be imposed
10 and collected, the clerk of court of each district court shall demand and receive from
11 each party liable for court costs the additional sum of fifty cents for the initial filing
12 in all civil and traffic matters. This fee shall not apply to juvenile and family cases.

13 B. All fees collected pursuant to Subsection A of this Section shall be
14 deposited into a special account and transmitted monthly to the Louisiana Supreme
15 Court to defray the costs associated with the Judicial College's general growth and
16 program improvement strategies.

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18 §1213.3. Additional court costs in civil and traffic matters; Judicial College

19 A. In addition to any other fees or costs imposed or authorized to be imposed
20 and collected, the clerk of court of the Civil District Court of New Orleans shall
21 demand and receive from each party liable for court costs the additional sum of fifty
22 cents for the initial filing in all civil and traffic matters. This fee shall not apply to
23 juvenile and family cases.

24 B. All fees collected pursuant to Subsection A of this Section shall be
25 deposited into a special account and transmitted monthly to the Louisiana Supreme
26 Court to defray the costs associated with the Judicial College's general growth and
27 program improvement strategies.

28 * * *

1 §1912. Additional court costs in civil and traffic matters; Judicial College

2 A. In addition to any other fees or costs imposed or authorized to be imposed
3 and collected, the clerk of each city or municipal court shall demand and receive
4 from each party liable for court costs the additional sum of fifty cents for the initial
5 filing in all civil and traffic matters.

6 B. All fees collected pursuant to Subsection A of this Section shall be
7 deposited into a special account and transmitted monthly to the Louisiana Supreme
8 Court to defray the costs associated with the Judicial College's general growth and
9 program improvement strategies.

10 * * *

11 §2157.1. Additional court costs in civil and traffic matters; Judicial College

12 A. In addition to any other fees or costs imposed or authorized to be imposed
13 and collected, the clerks of the city courts of New Orleans shall demand and receive
14 from each party liable for court costs the additional sum of fifty cents for the initial
15 filing in all civil and traffic matters.

16 B. All fees collected pursuant to Subsection A of this Section shall be
17 deposited into a special account and transmitted monthly to the Louisiana Supreme
18 Court to defray the costs associated with the Judicial College's general growth and
19 program improvement strategies.

20 * * *

21 §2500.5. Additional court costs in civil and traffic matters; Judicial College

22 A. In addition to any other fees or costs imposed or authorized to be imposed
23 and collected, the clerk of the municipal court of New Orleans shall demand and
24 receive from each party liable for court costs the additional sum of fifty cents for the
25 initial filing in all civil and traffic matters.

26 B. All fees collected pursuant to Subsection A of this Section shall be
27 deposited into a special account and transmitted monthly to the Louisiana Supreme
28 Court to defray the costs associated with the Judicial College's general growth and
29 program improvement strategies.

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ACTS 2014, NO. 405 FILING FEE EXCEPTIONS

Effective August 1, 2014

The only exemptions to the \$.50 filing fee per civil writ and appeal as provided for in Acts 2014, No. 405 (enacted as La. R.S. 13:352.1) are for writs and appeals filed in juvenile and family cases.

Juvenile cases include those proceedings initiated under or arising out of the provisions of the Louisiana Children's Code and/or in juvenile court, such as:

- Title VI-Child in Need of Care Proceedings
- Title VII-Families in Need of Services Proceedings
- Title VIII-Truancy and Delinquency Proceedings
- Title IX-Traffic Violation Proceedings
- Title X-Judicial Certification of Children for Adoption (Involuntary Termination of Parental Rights) Proceedings
- Title XI-Surrender of Parental Rights (Voluntary Termination of Parental Rights) Proceedings
- Title XII-Adoption of Children Proceedings
- Title XIII-Support of Family Proceedings
- Title XIV-Mental Health Proceedings
- Title XV-Special Proceedings
- Title XVI-Proceedings Necessary to Implement the Provisions of Interstate Compacts Affecting Children

Family cases include all proceedings involving "family", such as proceedings brought under or arising out of the provisions of the Louisiana Civil Code and Title IX¹, specifically:

Louisiana Civil Code, Book I:

- Title IV-Husband and Wife
- Title V-Divorce
- Title VII-Parent and Child
- Title VIII-Of Minors, Their Tutorship and Emancipation
- Title IX-Persons Unable to Care for their Persons or Property

Louisiana Civil Code, Book III:

- Title VI-Matrimonial Regimes

Title IX:

- Relative to Book I Civil Code, Title IV-Husband and Wife
- Relative to Book I Civil Code, Title V-Divorce
- Relative to Book I Civil Code, Title VII-Parent and Child
- Relative to Book I Civil Code, Title VIII-Of Minors, Their Tutorship and Emancipation
- Relative to Book I Civil Code, Title IX-Persons Unable to Care for their Persons or Property
- Relative to Book III Civil Code, Title VI, Matrimonial Regimes

¹These cases typically involve issues related to marriage, divorce, matrimonial agreements, spousal support, child custody/visitation, classification and/or partition of community property, adoption, paternity/filiation/legitimation, interdiction, curatorship, and tutorship/emancipation. (This list is illustrative, not exclusive).