



PERFORMANCE REPORTS:

**PERFORMANCE OF THE
SUPREME COURT**

PERFORMANCE OF THE SUPREME COURT

INTRODUCTION

The Supreme Court of Louisiana adopted its original strategic plan in 1999. The plan was reviewed in 2005 and 2010 and is being updated for the 2015-2016 fiscal year.

The goals and objectives of the Strategic Plan of the Supreme Court reflect the Supreme Court's Performance Standards. The information comprising the "Intent of the Objectives" sections of this report was derived primarily from "Appellate Court Performance Standards and Measures," a joint publication of the National Center for State Courts and the State Justice Institute (1999). The information presented in the "Response to the Objective" sections of this report was derived from the responses of various divisions of the Supreme Court to a request from the Judicial Administrator's Office.

SUPREME COURT GOALS AND OBJECTIVES

GOAL ONE: TO PROTECT THE RULE OF LAW

- 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.

GOAL TWO: TO PROMOTE THE RULE OF LAW

- 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.

¹Louisiana Supreme Court Rules, Part G, General Administrative Rules, Section 10.



GOAL THREE: TO ENSURE THE PUBLIC TRUST

- 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 Supreme Court decisions.
- 3.3 To inform the public of the Supreme Court's operations and activities.

GOAL FOUR: TO ENSURE THE HIGHEST PROFESSIONAL CONDUCT, INTEGRITY, AND COMPETENCE OF THE BENCH AND THE BAR

- 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.

GOAL FIVE: TO USE PUBLIC RESOURCES EFFICIENTLY

- 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 Supreme 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 and to train and develop the Supreme Court's human resources.

GOAL SIX: TO MAINTAIN THE COURT'S CONSTITUTIONAL INDEPENDENCE WHILE OBSERVING THE PRINCIPLE OF COOPERATION WITH OTHER BRANCHES OF GOVERNMENT

- 6.1 To promote and maintain judicial independence.
- 6.2 To cooperate with the other branches of state government.



GOAL ONE: TO PROTECT THE RULE OF LAW

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 the Objective

Our judicial system recognizes that decisions made by lower tribunals may require modification. American jurisprudence generally requires that litigants are afforded a reasonable opportunity to have such decisions reviewed by a higher court through the appellate process. The Supreme Court of Louisiana, composed of seven Justices, is the state's appellate court of last resort. Four Justices must concur to render judgment. The full-panel review structure of the Court allows for a broad and diverse review of matters before it. This review process creates an opportunity for the development, clarification, and unification of the law in a manner that offers guidance to judges, attorneys, and the public, thus reducing errors and litigation costs.

- **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. In 2015, the Court disposed of 2,486 cases while receiving and filing 2,365 cases for a clearance rate of 105 percent, an increase from 95 percent in 2014.

The Court has three types of jurisdiction: original, appellate, and supervisory. Original jurisdiction means that the Court is the only court that may 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 Court has appellate jurisdiction over those cases in which an ordinance or statute has been declared unconstitutional or when the death penalty has been imposed. The Court has supervisory jurisdiction in all other cases.

Supervisory jurisdiction is the Court's discretionary jurisdiction, under which it has the power to select the cases it will hear.

Cases falling under the Court's original or appellate jurisdiction are initiated by the filing of an appeal or recommendation for discipline. Cases falling under the Court's supervisory jurisdiction are initiated through a writ application requesting the Court to exercise its discretionary supervisory jurisdiction and hear the case.

Writ applicants must file applications within 30 days of the transmission of the notice of judgment and opinion of the court of appeal, or within 10 days of Clerk of Court's mailing of the notice of first application for certiorari in the case, whichever is later. No extensions are given. The Court schedules writ applications for review within six weeks of filing, except in late summer and early fall, when the time is slightly longer. When the Court grants a writ application for oral argument, the attorneys for the applicant must file their briefs no more than 25 days from the date of the grant. The respondent's attorneys must file their briefs no more than 45 days from the grant. The Court will grant extensions if they will not impact the date of the oral argument.

In civil and non-capital criminal cases, appeals are initiated when the record from the lower court is lodged in the Court. Attorneys for the appellant must file their briefs no more than 30 days from the lodging of the record by the lower court. The attorneys for the appellee must file their briefs no more than 60 days from the date of the lodging of the record. Civil cases are generally scheduled so that the last brief is received, at the least, within one week prior to argument. The period for filing briefs may be shortened if an issue warrants quicker attention.

In capital appeals, the record is given to the Court's Central Staff to make sure that it is complete. Upon completion, the record is lodged and, as in other appeals, attorneys must file their briefs no more than 30 and 60 days, respectively, from the date of



lodging. The Court hears up to two capital cases per argument cycle, allowing the Court to handle up to 12 capital cases per year.

The Court, sitting with all seven Justices, addresses cases in six-to-eight-week cycles. During the first week of the cycle, the Court hears oral argument, typically up to 24 cases per week. Each Justice is assigned to write one to three opinions per cycle. During the weeks that follow, the Justices and their staff research issues and draft opinions. Also during this period, the Court as a whole meets weekly to consider the new writ applications. The Court considers approximately 85 writ applications each week. In the fifth week of the cycle, draft opinions are circulated and reviewed. The Justices vote on opinions at the last conference in the cycle. If an opinion receives four or more votes, it passes. If it does not receive at least four votes, it is either reworked by the original author or assigned to another Justice to author. Opinions are usually handed down from the bench on the second day of oral argument following the opinion-signing conference.

The Clerk of Court, the Civil Staff, the Central Staff, the personal staff of each Justice, and the Law Library of Louisiana assist the Court in its adjudicative function. Each of these entities is briefly described below.

- **The Clerk of Court.** The Clerk of Court's office receives and processes all filings, checking each filing for timeliness, recusals, and anything that appears unique, such as the need for expediting the case. The Calendaring Division randomly assigns cases to an original and a duplicate Justice and schedules cases on conference lists.

If the case involves a writ application, the Court first decides whether to hear the case. If the Court grants the writ, the Clerk's office schedules the case for oral argument and coordinates, with the Justices' staffs and the Civil and Central staffs, the preparation of a brief abstract of facts and other factors relating to the case for use by the Justices. While matters are under consideration, the Clerk's

front office is the liaison between the Court and counsel and the Court and the lower courts. In 2013, 3,017 cases were filed with the Clerk of Court, an increase of nine percent from the 2,769 cases filed in 2012. A major drop in filings occurred between 2013 and 2014 - filings dropped ten percent to 2,716. Filings continued to drop in 2015 to 2,365. The 2015 figure is an all-time low for the last 30 years; 1984=2,214; and 1985=2,416. The all-time high occurred in 1999 when there were 3,652 filings.

The Clerk of Court's office fulfilled the following key responsibilities or accomplished the following in 2015:

- Processed all filings and dispositions including dissemination of actions to the parties, courts, and the public via U.S. mail, e-mail, and the Internet.
- Scanned all filings and dispositions, which are available to staff via the Court's case management system.
- Awarded a contract to Thomson Reuters for C-Track, a new case management system which, besides replacing the current CMS and e-filing systems, integrates with the Justices' and staff attorneys' offices.
- Admitted 636 new attorneys to the practice of law, a decrease of ten percent from the 709 in 2014 but still more than the 542 admitted in 2013.
- Issued Certificates of Good Standing. The demand for issuance of Certificates of Good Standing continues to fall. The average number of Certificates issued in 2010, 2011, and 2012 was 4,800. Following the July 1, 2013 implementation of a charge of \$20.00 for Certificates of Good Standing, requests for Certificates have continued to drop. In 2015 only 1,988 Certificates were issued.



- Processed and maintained minute book entries and orders. The number of minute entries and orders issued increased from the relatively stagnant numbers for the prior two years. The number of minute book entries increased to 2,584 in 2015 from 2,121 in 2013 and 2,128 in 2014. Likewise, orders increased to 2,317 in 2015 from 1,852 in 2013 and 1,871 in 2014. These orders are primarily orders of appointment of judges to sit in lower courts and do not include orders relating to cases before the Court.

- Managed logistics for 266 events hosted by the Court. These events included Court conferences, oral argument days, Judiciary Commission hearings, and other meetings.
- Oversaw courthouse general maintenance and improvements involving roof repairs, basement waterproofing, and the refurbishing of the chillers. The state entered into a contract to repair damage resulting from Hurricane Isaac. The exterior waterproofing and the interior repairs should be completed in 2016.
- Continued to participate in the Enterprise Resource Planning (ERP) implementation of an integrated, computer-based system designed to manage financial resources, materials, and human resources.

- **The Civil Staff Department.** The Court created the Civil Staff Department in 1997 to prepare abstracts of fact summaries for specialized cases involving interlocutory or pre-trial civil writs, bar discipline matters, judicial disciplinary matters, and civil summary docket matters. The Civil Staff also prepares bench memoranda for cases on direct appeal in matters where a lower court has declared a law unconstitutional.

- **The Central Staff Department.** The Court created the Central Staff Department in 1978 to prepare reports on criminal appeals screened for the summary docket and to prepare extensive bench memoranda for all cases set on the regular

docket, including capital appeals and cases in which a statute or ordinance has been declared unconstitutional. At the time, the Court had exclusive appellate jurisdiction in criminal cases.

In 1982 the Louisiana Constitution was amended to vest criminal appellate jurisdiction in non-capital felony cases in the courts of appeal. At that time, Central Staff became primarily a writ-screening unit, preparing reports on writ applications requesting the Court to exercise its supervisory jurisdiction to review court of appeal decisions in criminal matters.

During the period, Central Staff continued to screen writs and to prepare extensive bench memoranda for all criminal cases set on the regular docket as well as capital cases and cases in which a statute or ordinance has been declared unconstitutional. The Central Staff also continued to review and report on inmate applications for post-conviction relief, including those death-penalty cases in which the Court affirmed the conviction and sentence on direct appeal. The Central Staff also assisted the Justices and their personal staffs on other criminal matters when requested.

- **The Personal Staff of the Justices.** Each Justice is assisted by clerical support and three law clerks or research attorneys. The Chief Justice is assisted by clerical support, law clerks, and an Executive Counsel.

Each Justice's personal staff handles all appeals and writ applications not addressed by the Civil Staff or the Central Staff and assists the Justices in writing opinions. Law clerks and research attorneys greatly aid the Court in its adjudicative functions. The Court's law clerks and research attorneys receive a thorough orientation upon commencement of their term of service and are regularly offered continuing legal education training and courses on legal research issues.

- **The Law Library of Louisiana.** The staff of the Law Library provides research assistance to the Justices, their law clerks, other court staff, the



bar, and the general public. The library collects materials from a variety of jurisdictions, but the emphasis is on Louisiana materials, both current and historic. The library conducts outreach efforts to members of the bar and the legal community and is working in cooperation with the Louisiana State Bar Association and other groups to train and prepare public librarians throughout the state to better assist self-represented litigants.

- **Recusal.** In accordance with the legislature’s intent in promulgating Louisiana Code of Civil Procedure article 152(d), the Court adopted the following procedure 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 and files the notice in the case record. If the recusal results in the appointment of a justice to sit 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.

Objective 1.2

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

Intent of the Objective

The Supreme Court of Louisiana contributes to the development and unification of the law by resolving conflicts among various bodies of law, resolving conflicts among lower courts, and by addressing apparent ambiguities in the law. Our complex society turns 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.

Response to the Objective

- **Clarification and Harmonization of the Law.** The Court’s efforts to clarify, harmonize, and develop the law are among its regular, ongoing activities. See the responses to Objective 1.1 in addition to those below.
- **Judicial Legal Resources.** The Law Library of Louisiana’s collection provides easy access to an array of legal resources intended to assist in the clarification and harmonization of the law for the Justices, their clerks and staff members, other Court users, the bar, and the general public.

The library offers access to case law, statutes, codes, treatises, encyclopedias, practice materials, and news via several different formats, including paper, microform, and online databases. A user may find the most recent updates as well as historical materials.

The library director and staff members regularly review and monitor all of the paper and electronic resources to ensure that library funds are spent in the most effective and productive manner possible. The library staff solicits feedback from users, especially Court staff, to ensure that the library is providing them with the information, research support, and assistance they need.

- **Opinion/Writ Application Databases.** The Clerk of Court, the Central Staff, and the Civil Staff have each developed and continue to maintain and expand their own in-house databases. The Civil and Central staffs maintained and continuously improved their databases for organizing and retrieving reports and opinions on writ applications and other legal filings that pertain to their respective responsibilities.



Objective 1.3

To provide a method for disposing of matters requiring expedited treatment.

Intent of the 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 may pertain to constitutional rights, may affect large segments of the population within the Court's jurisdiction, and/or may 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 harm resulting from delays in the court process.

Response to the Objective

- **Expeditious Determination of Certain Case Types and Certain Interlocutory Matters.** Currently, election cases are expedited pursuant to La. R.S. 18:1409 and Supreme Court Rule X, 5(c). In addition, Supreme Court Rule XXXIV provides for the expeditious handling of all writs and appeals arising from Child in Need of Care cases, termination or surrender of parental rights cases, adoption cases, and all child custody cases. The Court also expedites filings involving interlocutory matters where a trial is in progress or where there is an immediate need for a decision to avoid delay of trial.
- **Priority Treatment.** Individual matters are given priority treatment on a case-by-case basis. If an applicant desires priority treatment of a writ application, the applicant or the attorney must complete a civil or criminal priority filing sheet, outlining why expedited action is warranted. When the writ application is circulated to the Justices, the Justice assigned as the original Justice may refer the matter to staff for preparation of a memorandum

or 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 to call a conference immediately, take the votes of the other Justices by phone or email, or discuss the matter at the next regularly scheduled writ conference. In all cases, all Justices are given the opportunity to review and vote on the writ application. Only in rare instances will action on a writ application be taken when more than four but less than six 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. These internal procedures provide for, among other things, a schedule of duty on weekends and during the summer months when the Court is not in session (July and part of August). Each Justice selects a ten-day period in the summer to handle emergency filings (although all members of the Court still participate in all Court actions) and other Court business that may arise. The Clerk of Court maintains the weekend schedule throughout the year, using regular rotation lists to determine which Justice(s) shall be assigned to handle emergencies on a particular weekend or holiday.

Objective 1.4

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

Intent of the 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 of a court of last resort such as the Louisiana Supreme Court is fundamentally different from the error-correcting function of an intermediate appellate court. A court of last resort is a court of precedent, the primary function of which is to interpret



and develop the law, rather than to correct errors in individual cases. An intermediate appellate court, on the other hand, serves primarily as a court of error correction, applying the law and precedent created by the court of last resort. Of course, in the absence of precedent, an intermediate appellate court must also interpret and develop the law. Because review is normally discretionary in courts of last resort, these intermediate appellate court decisions 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.

Response to the 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.

GOAL TWO: TO PROMOTE THE RULE OF LAW

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 the Objective

The Supreme Court should provide the ultimate assurance that the judicial branch fulfills its role in our constitutional system 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. These fundamental principles may be protected 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 it should give sufficient time to each case, based on its particular facts and legal complexities, to render a just decision. The Court does not believe that it must allot a standard amount of time to review each case, but rather that it should handle each case – from beginning to end – in a manner consistent with the principles of fairness and justice.

Response to the Objective

- **Due Consideration of Cases.** The Court's efforts to meet this objective are part of its regular, ongoing activities. See the responses to Objective 1.1 above.
- **Writ Guidelines.** The Court has promulgated five writ grant considerations, one or more of which should be met before it will grant an applicant's discretionary writ application. The Court continued 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 in the interest of justice. Application of the writ grant considerations helps the Court to ensure that it exercises its discretionary jurisdiction in cases and controversies where the Court's review is most urgently needed.



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 the Objective

- **Clarity is essential in all Supreme Court decisions.** The Court believes that in its written opinions it 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 it may satisfy the need for clarity through a limited explanation of the rationale for its disposition. 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 the 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 for further information.

The Justices also address this objective by participating in and teaching workshops for judges attending judicial education sessions. Important Supreme Court decisions are routinely discussed at these sessions. In addition, sometimes the judges from lower court tribunals will call the Clerk of Court to solicit such clarifications. On those

occasions, the Clerk of Court will bring these matters to the attention of the Court.

In addition, trial judges in criminal matters will often file 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 opinions assisted the Supreme Court in better addressing the dispositive issues, stating the holdings, and articulating more clearly the reasons for the decision.

Objective 2.3

To resolve cases in a timely manner.

Intent of the 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. Therefore, the Court recognizes that it should assume responsibility for a petition, motion, writ application, or appeal from the moment it is filed. The Court believes that the actions below promote the timely progress of an appeal or writ through the appellate process.

Response to the Objective

- **Consistently Current Docket.** Each year, the Court holds 31 to 35 weekly conferences (meeting two days each week) to discuss and cast votes on filings, often voting on more than 100 writ applications per conference. The Court also holds at least six oral argument sittings annually with approximately 10 to 25 cases argued each cycle. The Court maintains a consistently current docket in that when it grants writ applications, the applications are scheduled for oral argument on the next available docket and the opinions are almost always handed down within 12 weeks of oral argument. The Court reports the number and type of matters considered by it each year, and the disposition of these matters, in the Court's annual report.



- **Time Standards and Their Use.** In 1993, the Court adopted aspirational time standards to encourage the timely resolution of cases. The Court measures its case processing performance against these time standards and publishes the results as performance indicators in the annual judicial appropriations bill. The Court, at times, has taken steps to improve its performance relative to the high volume of criminal case applications and self-represented post-conviction applications by retaining contract attorneys to assist in these cases and by retaining court consultants to evaluate the processing of cases. The Court develops and uses strategies as necessary to bring its case processing in line with its standards.
- **Cases Under Advisement.** The Court has developed procedures for ensuring that it timely disposes of all cases argued and assigned for opinion writing. The Court circulates lists of all pending cases each cycle to all Justices as a means of identifying those cases on which action(s) may still be needed. This can reduce delays in opinion writing.

**GOAL THREE:
TO ENSURE THE PUBLIC TRUST**

**Objective 3.1
To ensure that the Supreme Court is procedurally, economically, and physically accessible to the public and to attorneys.**

Intent of the 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 who simply wish to observe it. The Court believes that it should identify and remedy court procedures, costs, courthouse features, and other barriers that may limit participation in the appellate 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 disabilities who want to observe or avail themselves of the appellate process. The Court believes that it should make accommodations so that individuals with speech, hearing, vision, or cognitive impairments and limited English language proficiency can participate in the Court’s processes.

Response to the Objective

- **Programmatic Accessibility.** All Court staff members, including those in the Law Library of Louisiana, provided reasonable accommodation to anyone with a handicap or disability.
- **Procedural Accessibility.** The library’s reference department staff continued to utilize its training, experience, and resources to answer general questions about court procedures.
- **Economic Accessibility.** Throughout the period covered by this report, the Law Library of Louisiana was open to the public and the bar free of charge. Access to the library’s online catalog, which continued to be available through a link on the main page of the Court’s website, was also free of charge. Six computers were available in the main section of the library to provide access to subscription legal databases and the Internet for legal research; Westlaw was available on three of these computers free of charge. Library users could wirelessly gain access to the Internet on their laptops or other mobile devices or through one of the four computers in the library wings.

Photocopying, either self-serve or by staff, faxing, or e-mailing scanned images of pages was available at reasonable charges. The library periodically reviews the charges. To facilitate access for those Louisiana residents outside of the greater New Orleans area, the Law Library continued to sponsor a toll-free number, (800) 820-3038, that can be



dialled from anywhere in the state. Information about the library's resources is available by calling this number. Library staff also reviewed questions sent by e-mail to reference@lasc.org. This e-mail address was accessible through a link on the Court's website.

- **Communications Accessibility.** During the period covered by this report, the Court continued to obtain and maintain state-of-the-art telecommunications equipment, software, and processes to facilitate communication between the Court and the public. The Court also made live streaming of oral argument accessible via the website.
- **Language Access.** The Louisiana Supreme Court continued to implement and expand the Louisiana Court Interpreter Training Program, having previously adopted two tiers of court interpreters consisting of registered and certified court interpreters. An interpreter will be listed on the Louisiana Supreme Court's list of registered court interpreters in the language for which he tested if he:
 - Completes the Supreme Court's two-day court interpreter training class;
 - Passes a standard written English examination as provided by the National Center for State Courts (NCSC);
 - Passes a written translation examination;
 - Agrees to be bound by Part G, Section 14 of the General Administrative Rules for all Louisiana Courts – The Code of Professional Responsibility for Language Interpreters;
 - After passing the written examinations, passes a criminal background check.

Once an interpreter has met all of the qualifications to become a registered court interpreter in Louisiana, the interpreter is eligible to take an oral examination, provided by the NCSC, to become a certified court interpreter. While registration indicates a basic level of language proficiency, certification as a court interpreter indicates a high skill level in the three primary modes of court

interpreting (consecutive, simultaneous, and sight). In 2015, Louisiana gave the court interpreter oral certification examination and conducted its first swearing in ceremony in which the five candidates passing the certification exam were sworn in as Louisiana's first certified court interpreters. Additionally, three certified court interpreters who had previously passed the oral certification exam in other states were granted reciprocity.

From July 1, 2014 to June 30, 2015, Louisiana conducted three interpreter orientation and testing classes, one each in Monroe, Baton Rouge, and Lafayette. A total of 88 court interpreter candidates attended and 24 passed all of the requirements to become "registered" court interpreters. Currently, Louisiana has a total of 103 certified and/or registered court interpreters in the languages of Arabic, French, Italian, Laotian, Mandarin, Polish, Portuguese, Spanish, Thai, Vietnamese, and American Sign. A link to this list of interpreters, as well as links to the upcoming training classes, may be found under the "Court Interpreters" link at www.lasc.org.

- **Physical Accessibility.** During the period covered by this report, the Court continued to comply with all Americans with Disabilities Act standards and requirements and responded to requests for reasonable accommodation.
- **Information Accessibility.** The Law Library of Louisiana's print and electronic holdings and the research expertise of its law librarians continued to be available to the bench, bar, and public. Throughout the period covered by this report, the library was open Mondays, Tuesdays, Thursdays, and Fridays from 9:00 a.m. to 5:00 p.m. and Wednesdays from 9:00 a.m. to 6:00 p.m., except holidays. Library staff members answered questions from residents of Louisiana, other states, and sometimes other countries by telephone, fax, e-mail, or mail. When charges were involved, they were reasonable.

The Law Library implemented a new, streamlined procedure for responding to letters from prisoners.



In response to a prisoner's letter, the library sends the prisoner a form with the cost of photocopying included so that the prisoner can return a check for payment. From July 2014 to June 2015 the Law Library staff answered 274 letters from prisoners requesting photocopies of statutes and cases.

The librarians attended local and national professional meetings, conferences, and other continuing education programs. They produced the library's newsletter, *De Novo*, publicizing various aspects of the library's collection and services and commenting on areas of legal history and substantive law, and posted current and past issues on the Court's website. In addition, the librarians maintained relationships with the staff of other court libraries, academic and public law libraries, legal aid agencies, and public law centers in order to ensure that questions get referred to the law library when appropriate, and also that the law library staff members refer questions to these and other similar agencies when appropriate.

- **Website.** During the period of this report, the Court continued to make improvements to its website (www.lasc.org). The website's user-friendly system enhanced access to the Court's opinions, orders, rules, and other decisions. Members of the Court's web team updated the website with new information and worked to ensure all links were functional. The website includes a language translation tool, making the entire website translatable into 31 different languages.
- **Filing Accessibility.** The Office of the Clerk of Court was open for business from 9:00 a.m. to 5:00 p.m., Monday through Friday, except on holidays. The Clerk of Court provided after-hour contact numbers on the Court's voice mail. The court prepared to open e-filing to all Louisiana licensed attorneys, following a successful pilot program.
- **Court Security.** The Court maintained a staff of highly-qualified law enforcement officers, properly equipped and trained with up-to-date security technology and other resources, to efficiently control, direct, and facilitate public and employee

accessibility. The Security Division controlled all points of access to the Court and issued ID/access badges to all Court officials and staff. The Security Division also monitored all activity, access to restricted areas and building alarms by use of electronic security cameras and software.

Objective 3.2

To facilitate public access to Supreme Court decisions.

Intent of the Objective

The decisions of the Supreme Court are a matter of public record. Making Court decisions available to all is a logical extension of the Court's responsibilities to review, develop, clarify, and unify the law. The Court recognizes its responsibility to make its decisions available promptly in printed and 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.

Response to the Objective

- **Notice of Opinions.** The Clerk of Court provided copies of the Court's decisions to all parties and courts and issued timely news releases on the Court's opinions to all major media in the state. Additionally, the Court posted its decisions on the Court's website. Individuals can subscribe to receive a notice each time a news release is posted to the site.
- **Record Room.** The Court maintained a highly-qualified staff to ensure proper management and access to all filings, exhibits, and other materials needed by litigants, attorneys, court personnel, and the public for use in litigation or for historical purposes.
- **File Room Technology.** The Clerk of Court's Office continuously monitored, assessed, and incorporated new ways of storing, archiving, and retrieving the Court's files and records.



- **Law Library of Louisiana.** The law library received hard copies of the Court’s opinions, as well as the opinions of the state’s five courts of appeal, soon after they were handed down. The library’s Public Services staff maintained a file of these decisions and retained the copies for a period of one year. Any library user can photocopy them for a reasonable charge, or he or she can use the library’s public terminals to print copies from the Court’s website or from the websites of the lower courts.
- **Website Improvements.** See the responses to Objective 3.1, above.

Objective 3.3

To inform the public of the Supreme Court’s operations and activities.

Intent of the Objective

Most citizens do not have direct contact with courts. Information about courts is filtered through sources such as the media, lawyers, litigants, jurors, political leaders, and the employees of justice system agencies and partners. This objective suggests that courts have a direct responsibility to inform the community of their structure, function, and programs. The sharing of such information through outreach programs increases the influence of the courts on the development of the law, and increases public awareness of and confidence in the judicial branch. 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.

Response to the Objective

The Court maintains a highly-qualified staff in the Community Relations Department of the Judicial Administrator’s Office and the Law Library to inform the public of the Court’s operations and activities.

- **Public Information Program of the Community Relations Department.** During the period, the Community Relations Department was engaged in the following:

Media Releases. The department sent a total of 13 court-generated press releases to local, state, and occasionally the national press.

- **Number of Recipients of Releases.** Approximately 4,765 recipients received news releases.
- **Courthouse Tours.** The department assisted with hosting international visitors, school groups, civic groups, and government officials.
- **Law Day Events.** This activity involved courthouse tours, mock trials, award ceremonies, and the production and distribution of related materials.
- **Cameras in the Courtroom Requests.** Media requests for exceptions to Canon 3(A)(9) of the Code of Judicial Conduct, prohibiting broadcasting, televising, recording, or taking photographs in the courtroom, were handled by the department in cooperation with the Clerk of Court’s Office. Such requests are subject to approval by the Chief Justice of the Supreme Court.
- **Events Planned.** The department helped plan and coordinate court-hosted functions for numerous events, such as committee and task force meetings, governmental and judicial organization meetings, conferences, court open houses, and ceremonial events.
- **Publications.** The department participated in writing, designing, and/or producing several publications such as the Annual Report of the Judicial Council of the Supreme Court, Louisiana Bar Journal Judicial Notes, daily news updates, and Louisiana Judicial College electronic course agenda and registration materials.



- **Community Outreach Assistance to Other Court Departments.** The department provided media and community outreach assistance to other Supreme Court departments, including website page writing, brochure design production, and event planning.
- **Speakers Bureau.** Department personnel represented the Supreme Court before civic groups, law-related organizations, and schools.
- **Website Development & Website Coordination (ongoing).** During the period, the Court maintained a project coordinator who continued to re-design, develop, and improve the Court's award-winning website. The department provided education pages for children and schools in person and on the court website.
- **Public Information Program of the Law Library of Louisiana and the Louisiana Supreme Court.** The Law Library of Louisiana staff members wrote, designed, and produced a library newsletter, *De Novo*, which featured articles on various topics related to the library, library services, events taking place at the library, individuals in the library and the Court, and Louisiana legal history. Library staff greeted visitors and conducted tours of the library in coordination with groups touring the Court as arranged by the Community Relations Department.

Library staff members created exhibits aimed at informing and educating Court users and the public about various legal topics, including an exhibit commemorating Law Day, which is celebrated annually in May. The Law Day theme for 2015 was "Magna Carta: Symbol of Freedom Under Law," exploring the Magna Carta's influence upon the development of American law and the rights granted to its citizens.

The library debuted two exhibits: one entitled "Early Louisiana Codes," and the other entitled "Il Codice Civile: The First Translation of Napoléon's Code Civil." "Early Louisiana Codes" is a six-case

exhibit providing the history and background of the code books used by attorneys in Louisiana's years of early statehood. The exhibit, located in the library's Federal Wing, is based upon legal scholar Agustin Parise's article "Codification of the Law in Louisiana: Early Nineteenth-Century Oscillation Between Continental European and Common Law Systems" (27 Tul. Eur. & Civ. L.F. 122 (2012)). "Il Codice Civile" is a one-case exhibit in the museum that examines the influence of Napoléon's Code Civil in Italy. An accompanying map includes a timeline of the Code Civil's development among Italy's regions. Additionally, the library sponsored or co-sponsored eight continuing legal education seminars in 2014-2015.

- September 8, 2014 – the library sponsored a free CLE program by Bryan Garner, the editor in chief of *Black's Law Dictionary*, and author of many leading works on legal style. The program focused on teaching judges, judicial clerks, and staff attorneys advanced judicial writing techniques. The program was very popular as Bryan Garner is known to be a great speaker and an expert in his field. Forty-eight attorneys received CLE credit for attending this program.
- September 11, 2014 - the library sponsored a free, open to the public CLE at the Court to present a thorough overview of our library's online resources. The program focused on tips and techniques for mastering WestlawNext as it will soon replace Westlaw Classic. Attendees learned about the many other online databases and resources available for free at the Law Library of Louisiana, including HeinOnline, ProQuest Congressional, Gale Legal Forms, and more. Forty-three attorneys received CLE credit.
- October 31, 2014 – the library sponsored a free CLE at the Court entitled "The Rise and Fall of Judge Rice Garland," presented by Professor Warren M. Billings, who discussed the development of the Louisiana Supreme Court, people and procedures under the state's first constitution of 1812. Rice Garland served on



the Louisiana Supreme Court at the end of the Martin Court, before the new Constitution of 1845 took the Court in a new direction. Thirty-seven attorneys received CLE credit.

- November 5, 2014 - the library sponsored a free one-hour CLE credit at an evening program co-sponsored by the French American Chamber of Commerce, the Hispanic Chamber of Commerce, and the Louisiana State Museum. The program was held at the Old U.S. Mint on the topic, "Native Americans in Louisiana History and their Rights: The Atakapa-Ishak Experience." Dr. Olivier Moréteau, LSU Law Professor and Supreme Court of Louisiana Historical Society member discussed "The Linguistic Rights of les creoles sauvages." Seven attorneys received CLE credit.
- November 20, 2014 - The Supreme Court of Louisiana Historical Society co-sponsored the Judge Allen M. Babineaux International Civil Law Symposium at the Historic New Orleans Collection, which offered four hours of CLE credit in Ethics and Professionalism. The symposium, commemorating the Civil Rights Act of 1964, was presented by LSBA's Francophone Section and featured speakers included judges, academics, and lawyers who highlighted Louisiana's unique contribution to implementing the federal law in our state.
- December 5, 2014 - Supreme Court of Louisiana Historical Society board member E. Phelps Gay of Christovich & Kearney, LLP joined Wayne J. Lee of Stone Pigman Walther Wittmann, LLC as presenters at a free end-of-the-year CLE program on Ethics and Professionalism sponsored by the A.P. Tureaud Inn of Court and the Law Library of Louisiana. Mr. Gay's presentation was "Abraham Lincoln: Lessons in Professionalism," and featured Ken Burns' style vignettes created by members of the Atlanta Bar Association intended to illustrate how Lincoln the lawyer was a model of professionalism. Mr. Gay commented on the relationship between Lincoln's words

on professionalism and the language of the Louisiana Rules of Professional Conduct. Mr. Lee's presentation was on ethics and highlighted the top five disciplinary violations. Ninety-two attorneys received Ethics and one Professionalism CLE credit.

- March 11, 2015 - a free CLE program, entitled "Dictionary of the Civil Code," was held at the Court, co-sponsored by the Supreme Court of Louisiana Historical Society, the library, the Louisiana Chapter of the Association Henri Capitant, LSBA's Francophone Section, and the French-American Chamber of Commerce Gulf Coast Chapter. Justice John L. Weimer introduced the program and speakers from LSU Law Center included Professors Alain Levasseur, J. Randall Trahan, and Beth Williams; U.S. Fifth Circuit Court of Appeals Circuit Judge James L. Dennis; and attorney Benjamin Janke of Baker Donelson Bearman Caldwell & Berkowitz. The Dictionary of the Civil Code is a new English translation of more than 1,600 civil law concepts from the French Vocabulaire juridique, first published in 1936. It is a useful, if not essential, resource for the Louisiana legal community, and was accomplished by two teams of translators: the "Louisiana Team" led by Alain Levasseur of the LSU Law Center and the "Poitiers-Juriscopie" team led by Marie-Eugénie Laporte-Legeais at the University of Poitiers. Forty-six attorneys received CLE credit.
- May 13, 2015 - The library sponsored a free, open-to-the-public CLE program on "The Future of Law Libraries," which was presented by Jean O'Grady, Director of Research Services & Libraries at DLA Piper US, LLP in Washington, D.C., who is a highly respected leader in the legal information field. The transitioning from print to electronic legal information, as big data and process improvement are married to legal research products and processes, has implications for every stakeholder in the legal community: librarians, practicing lawyers, judges, and law



professors. Fifty-one attorneys received CLE credit.

- **Oral Arguments.** As part of the overall program of public information described above, the Court broadcast its arguments live over the Internet via the Court website.

GOAL FOUR: TO ENSURE THE HIGHEST PROFESSIONAL CONDUCT, INTEGRITY, AND COMPETENCE OF BOTH THE BENCH AND THE BAR

Objective 4.1

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

Intent of the 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.

Response to the Objective

- **Louisiana Judicial College.** The Louisiana Judicial College continued to work to improve the quality and accessibility of its continuing legal education programs for the judiciary. The College is engaged in a strategic planning process driven

by its desire to continue to improve its delivery of quality judicial education for all Louisiana judges.

During the period, the College offered a total of nine seminars: City and Juvenile Judges Seminar, Evidence and Procedure Seminar with the Louisiana Association for Justice, Spring Judges Conference, North Louisiana Seminar, Summer School with the Louisiana State Bar Association, Family Law Seminar, Fall Judges Conference, Rural Courts Seminar, and Torts Seminar with the Louisiana Association of Defense Counsel. The College also had a training for new judges, attended by five newly-elected judges.

The Supreme Court continued to facilitate the activities of the College. Justices serve as co-chairs of the College's Board of Governors. Also, 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 offers the services of its Judicial Administrator's Office to assist the Judicial College in various ways.

- **Judiciary Commission.** The Judiciary Commission of Louisiana is a constitutionally-created body which operates pursuant to Article V, Section 25 of the Louisiana Constitution. The Commission evaluates and, where appropriate, investigates complaints of ethical misconduct against judges and other state judicial officers who are subject to the ethical rules contained in the Louisiana Code of Judicial Conduct and Article V, Section 25 of the Louisiana Constitution. The Commission makes recommendations to the Court that a judge be publicly disciplined when the commissioners have concluded that clear and convincing evidence has been presented that a judge violated one or more ethical rules. Only the Court can impose discipline on judges, which can range from censure to removal from office.

The Commission also conducts hearings concerning compliance by judges, justices of the peace, and judicial candidates with the financial disclosure requirements contained in Louisiana



Supreme Court Rules 39 and 40, and makes recommendations to the Court concerning the imposition of monetary penalties in such cases.

The number of matters processed and other indicators of Commission performance during the period are presented below.

- **Costs of Judiciary Commission Matters.** Supreme Court rules provide for an assessment of certain costs on all judges disciplined by the Court on recommendation of the Commission. Costs may also be assessed in financial disclosure cases.
- **Use of Hearing Officers in Judiciary Commission Proceedings.** In order to expedite proceedings before the Commission, the Court amended its rules in 2007 to implement a pilot program for the use of hearing officers to conduct hearings and submit proposed findings of fact and conclusions of law to the Commission. The program was successful and the hearing officer procedures were adopted by the Court in 2009. The procedures continue as an integral part of the process.
- **Judicial Professionalism.** During the period, the Supreme Court continued to encourage judicial and attorney professionalism in two ways – through

its continuing legal education (CLE) requirements and Code of Professionalism.

- Lawyers and judges are required to complete a minimum of twelve and a half hours of approved CLE each calendar year; one of these required hours must concern legal ethics and another hour must concern professionalism. During 2015, the average number of hours acquired through continuing legal education per judge was 34.29 hours.
- The Court’s Code of Professionalism provides aspirational standards for both judges and attorneys. That portion of the Code pertaining to judges has been printed by the Court as a poster and distributed to all judges of the state. The Court displayed the poster prominently in several of its offices and encouraged all judges to do the same in their courtroom halls and offices.
- **Judicial Mentoring Program.** During the period, the Court, primarily through the Judicial Administrator’s Office in association with the Louisiana District Judges Association and the Louisiana Judicial College, facilitated the continuation and expansion of the judicial mentoring program. As part of the program, each new judge was assigned a senior judge who served as a mentor. The program assists new

ACTIONS, COMPLAINTS, AND DISPOSITIONS OF THE JUDICIARY COMMISSION BY CALENDAR YEAR, 2012-2015

	2012	2013	2014	2015
Requests for Information	305	250	202	291
Number of Complaints Received and Docketed	537	496	495	529
Number Screened Out	378	334	327	369
Remaining Cases Reviewed	159	162	168	160
Number of files in which the Commission authorized In-Depth Investigation	109	63	68	47
Number of Formal Charges	9	19	17	6
Number of Judges with Formal Charges	9	18	17	6
Disposed Cases	619	526	477	601
Pending Cases	295	269	289	215



judges in understanding and managing their caseloads, avoiding ethical conflicts, and accessing information and resources.

- **Judicial Ethics.** The Court, through its Committee on Judicial Ethics, continued to provide a resource to receive inquiries from judges and judicial candidates and to issue formal advisory opinions regarding the interpretation of the canons of the Code of Judicial Conduct. The Judicial Administrator's Office also provided informal guidance to judges and judicial candidates regarding the Code of Judicial Conduct. The Court's Judicial Administrator and lawyers employed in the Judicial Administrator's Office staff the committee.
- **Financial Disclosures.** The Court, through the Judicial Administrator's Office, continued to collect annual financial disclosure statements from all state court judges, as required by Supreme Court Rule XXXIX, and from non-incumbent candidates for elective judicial office, other than justice of the peace, as required by Supreme Court Rule XL. The provisions of Rule XXXIX are consistent with, and comparable to, the financial disclosure provisions adopted by the state legislature for legislators and other public officials.
- **Cooperation with Judges.** The Court strove to continuously improve its communication and cooperation with judges and judicial associations at all levels. The Court's Judicial Council consists of representatives from all major judicial associations. All five courts of appeal are involved in the Court's Human Resources Committee and both the courts of appeal and the district courts are represented on the Judicial Budgetary Control Board. The Court's Judicial Administrator's Office provides staffing assistance and secretariat services to all major judicial associations.
- **Judicial Campaign Conduct.** The Court has 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 regarding campaign conduct. During the fall 2014 election cycle, 72 contested judicial races fell within the committee's oversight jurisdiction. Participating in these contested races were 214 candidates. The committee received 47 complaints regarding candidates in these races. During the spring 2015 election cycle, there were no contested judicial races that fell within the committee's oversight jurisdiction.

Objective 4.2

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

Intent of the Objective

See the language relating to the Intent of Objective 4.1.

Response to the Objective

- **Cooperation with the Louisiana State Bar Association.** The Louisiana State Bar Association (LSBA) is a non-profit corporation, established pursuant to Articles of Incorporation first authorized by the Court in 1941. According to the Articles of Incorporation, the purpose of the LSBA 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 LSBA from time to time recommends changes to its Rules of Professional Conduct for attorneys to the Court for adoption.
- **Attorney Continuing Legal Education.** The Court exercises supervision over all continuing legal education through its Mandatory Continuing Legal Education (MCLE) Committee. The Court established the committee in 1988 by Supreme Court Rule XXX. The committee exercises general



supervisory authority over the administration of the Court's mandatory continuing legal education requirements affecting lawyers and judges and performs such other acts and duties as are necessary and proper to improve continuing legal education programs within the state.

Lawyers and judges are required to complete a minimum of 12.5 hours of approved CLE each calendar year; one of these required hours must concern legal ethics and another hour must concern professionalism. The average number of hours acquired through continuing legal education per lawyer in 2015 was 15.12.

In addition to its supervisory role relative to MCLE matters, the Court works with the LSBA on an ongoing basis 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 noted above, the Court, through its Continuing Legal Education Committee, requires all attorneys and judges to complete at least one hour of continuing legal education 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 have participated in the professionalism orientation sessions held at the state's four law schools in the fall of each year.
- **Louisiana Attorney Disciplinary Board.** In 1990 the Court created a permanent, statewide agency, the Attorney Disciplinary Board, 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. The agency consists of:

- The Office of Disciplinary Counsel, which performs prosecutorial functions for the board.
- Hearing committees, which are appointed by the Disciplinary Board. Each hearing committee consists of two lawyer members and one public member. The board appoints a lawyer member of each hearing committee as its chair. The hearing committees review admonitions proposed by disciplinary counsel and recommendations of disciplinary counsel to file formal charges against a lawyer. Additionally, hearing committees conduct prehearing conferences and, when necessary, conduct hearings regarding formal charges of misconduct, petitions for reinstatement or readmission, and petitions for transfer to and from disability inactive status.
- The Disciplinary Board, which is divided into a nine-member Adjudicative Committee and a five-member Administrative Committee. The Adjudicative Committee performs appellate review functions, administers reprimands, issues admonitions, imposes probation, and rules on procedural matters. The Administrative Committee handles such duties as human resource management, financial management, systems management, and facilities management.

Since 1998, the Court has taken several steps to support the board and improve the disciplinary process. In 1999, the Court acted on a recommendation of the American Bar Association by imposing a significantly higher assessment on all attorneys to support the board's efforts to ensure the proper reception, investigation, prosecution, and adjudication of complaints against lawyers accused of violating the Rules of Professional Conduct. In 2002, the Court contracted with the American Bar Association to conduct a performance audit of the Board. The Court and the board have implemented many of the audit's recommendations.



The number of complaints received and processed during the period is presented below.

- **Supervision of the Practice of Law.** During the period, the Court continued 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.
- **Encouragement of Pro Bono Activities.** The Court continued to encourage members of the bar to participate in pro bono activities. The Court has assisted the LSBA in establishing a program for recruiting and training pro bono attorneys to counsel prisoners in capital post-conviction applications. The Court has also assisted the LSBA in its general efforts to recruit and train pro bono attorneys.
- **Attorney Fee Review Board.** The legislature created the Attorney Fee Review Board (La. R.S. 13:5108.3 -13:5108.4) in 2001 to provide for the payment or reimbursement of legal fees and expenses incurred in the successful defense of state officials, officers, and employees, who are charged with criminal conduct arising from acts undertaken in the performance of their duties. Requests for payment or reimbursement of legal fees and expenses were evaluated on a case-by-case basis in accordance with the factors set forth in Rule 1.5 of the Louisiana Rules of Professional Conduct. As directed by law, the board set a minimum hourly rate for legal fees of \$125 and a maximum hourly rate of \$400. Since its creation the board has reviewed 12 requests for payment from exonerated state officials and employees and has made written

recommendations to the legislature as to the reasonableness of such fees and expenses and whether the fees are in accordance with the hourly rates for legal fees for such matters as established by the board.

**GOAL FIVE:
TO USE PUBLIC RESOURCES
EFFICIENTLY**

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 the Objective

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

Response to the Objective

- **Judicial Budgetary Control Board.** The Court, through the Judicial Administrator’s Office, continued to staff and support the Judicial Budgetary Control Board in its efforts to obtain

COMPLAINTS FILED AGAINST LAWYERS AND DISPOSITIONS OF ATTORNEY DISCIPLINARY BOARD BY CALENDAR YEAR, 2012-2015

	2012	2013	2014	2015
Number of Complaints Filed Against Lawyers	3,042	3,036	3,040	2,950
Number of Complaints Filed Against Lawyers Resolved or Disposed of in That Calendar Year	2,966	3,287	3,140	3,046



and manage the resources needed by the judiciary to fulfill its duties and responsibilities.

- **Legislative and Executive Branch Coordination.** The Court continued to communicate, coordinate, and cooperate with the legislative and executive branches of state government on all matters relating to the judiciary.
- **Judicial Budget and Performance Accountability Program.** The Supreme Court continued to engage in strategic planning, oversee performance monitoring and reporting, and promote judicial branch performance improvements pursuant to the provisions of the Judicial Budget and Performance Accountability Act (La. R.S. 13:81 - 13:85).
- **Strategic Plans.** The Court continued to pursue implementation of its strategic plan. In addition, through its Judicial Administrator's Office, the Court monitors the implementation of the strategic plans of the courts of appeal, the trial courts, and the city and parish courts, and renders assistance to judges and administrators in these courts upon request.
- **Operational Plan and Performance Indicators.** The Court continued to submit to the legislature an annual operational plan. The plan contains key objectives, performance indicators, and mission statements as required by statute.
- **Performance Audits.** The Court continued to arrange for performance audits of judicial programs. These audits have focused on a variety of topics such as district court compliance with the Americans with Disabilities Act, district court compliance with the Adoption and Safe Families Act, the performance of the Louisiana Attorney Disciplinary Board, and the performance of the Louisiana Judicial College. Audits also examined the functioning of the jury process, the performance and processes of the Mandatory Continuing Legal Education Committee, the

performance of district courts with regard to key limited English proficiency practices, the role and function of diversion programs in district courts, an assessment of district courts' readiness to continue operations in the event of a weather or other disaster, issues relating to district courts' use of technology, a study of the procedure to assess appellate judicial workload, and the response to House Concurrent Resolution No. 143 of the 2011 regular legislative session, containing extensive and detailed information on the judicial system.

- **Judicial Compensation Commission.** The Court, through the Judicial Administrator's Office, continued to staff and support the work of the Judicial Compensation Commission. The commission, created in 1995, studies judicial salaries and submits recommendations concerning these salaries to the legislature in every even-numbered year per the requirements of Louisiana law. The commission submitted its latest recommendation in January 2016.
- **Compensation Plan and Human Resource Policies of the Supreme Court and the Courts of Appeal.** The Court, through its Judicial Administrator's Office, continued to staff, maintain, and develop a compensation plan and human resources policies for employees of the Court and the courts of appeal.
- **Judicial Employee Compensation.** The Court continued its efforts to secure adequate salaries, benefits, and other compensation and emoluments to employees, as appropriate, as a means of attracting and retaining highly qualified staff.
- **Employee Retirement and Group Benefits.** The Court, through its Judicial Administrator's Office and Clerk of Court's Office, continued to ensure that all courts and all judicial employees were aware of how to access the benefits of their respective retirement and group benefit programs and were in compliance with the rules and regulations of such programs.



- **Supreme Court Facilities.** In 2004, the renovation of the 400 Royal Street building was completed, and the Court, the 4th Circuit Court of Appeal, and several staff from the Attorney General’s Office moved into the new facilities. In the fall of that year, the new building was officially dedicated in a ceremony including U.S. Supreme Court Justice Sandra Day O’Connor, Governor Kathleen Blanco, and other dignitaries. In the fall of 2005, the building sustained damage from Hurricane Katrina. This damage was repaired and the Court returned to the building before year’s end.

The building is one of the state’s crown jewels and is well maintained by the Division of Administration, Office of Buildings and Grounds. Preventive maintenance and upgrades to equipment including the chillers, basement waterproofing, and roof waterproofing and refurbishing, is ongoing. The State entered into a contract to repair damage resulting from Hurricane Isaac. The exterior waterproofing and the interior repairs should be completed in 2016.

The building is a sought-after location for meetings and other events. The building was the site of more than 200 total events during the period including law-related events and activities, organized tours, bar association events, conferences, and swearing in ceremonies.

Objective 5.2

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

Intent of the Objective

The Supreme Court acknowledges that it should manage its caseload in a cost-effective and efficient manner that does not sacrifice the rights or interests of litigants. As an institution that relies on public resources, the Court recognizes its responsibility to use these resources prudently.

Response to the Objective

- **Case Management.** The Court, through its Clerk of Court, continued to maintain and expand effective case management techniques, including the development and operation of a state-of-the-art case management information system. To that end, the Court began work on a request for proposals for a new case management system, which will integrate with the justices’ and staff attorneys’ offices and will potentially provide for online access by the public to the docket and documents on file with the court.
- **Fiscal Management.** The Fiscal Office of the Judicial Administrator’s Office and the Clerk of Court continued to manage the Court’s fiscal resources efficiently. A summary of fiscal workload is provided below.
- **Office of the Internal Auditor.** The Court continued to maintain an internal audit function as a component of internal control. This audit activity focuses on the evaluation of programs, policies,

INDICATORS OF FISCAL WORKLOAD BY FISCAL YEAR, 2012-2015

Indicator	2012-2013	2013-2014	2014-2015
Number of Vendors	4,662	4,901	5,224
Accounts Payable Dollar Amount	\$111,614,261	\$116,714,374	\$111,621,486
Number of Checks Processed for Accounts Payable	7,266	6,989	6,486
Automated Clearing House (ACH) Payments	1,020	811	852
Payroll Dollar Amount	\$63,662,128	\$78,737,468	\$67,318,536
Number of Checks Processed for Payroll	11,736	11,751	11,743



services, and activities administered by the Court to promote effective controls at a reasonable cost, resulting in improved operations.

To assist the Court in carrying out this responsibility, the Office of the Internal Auditor examines and evaluates the adequacy and effectiveness of the Court's system of internal controls and the quality of the organization's performance in achieving its stated goals and objectives.

- **Internal Audit Committee.** The Court maintained an Internal Audit Committee. The committee consists of five Justices who meet periodically with the Internal Auditor to provide oversight as it relates to audits. Such oversight includes ensuring financial and programmatic reporting, instituting a process of internal controls process, and maintaining independence and objectivity in the internal audit function.

The Internal Auditor prepares an annual work schedule in which audit areas are proposed. The work schedule of proposed audit areas is developed based on a prioritization of risk within the audit universe. The Audit Committee approves audit areas, including the following:

- Revenue/receipts
- Expenditures/disbursements
- Personnel/payroll
- Procurement/purchases
- Fixed/movable property
- Electronic data processing
- Financial reporting
- Budgeting
- Grant administration

Following the conclusion of each audit, the Internal Auditor prepares a written report and issues it to the Audit Committee. In each audit report the Internal Auditor includes a response from management, which includes any corrective action that management indicates it will take regarding audit findings and recommendations.

Objective 5.3

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

Intent of the Objective

Under Article V, Section 6 of the Louisiana Constitution of 1974, 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 Court has the authority under Article V, Section 7 of the Constitution, to select a judicial administrator, clerks, and other personnel to assist 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 the constitutional authority to support and improve trial and appellate court performance. Furthermore, under the provisions of the Judicial Budget and Performance Accountability Act, the Court has a responsibility to ensure not only that strategic plans are developed but also that they are implemented to improve judicial performance.

Response to the Objective

- **Office of the Judicial Administrator.** The Court continued to maintain sufficient numbers of highly qualified professional and support staff in the Judicial Administrator's Office to develop and support methods for improving aspects of court performance at all court levels. For example, during the period, an initiative to document and promote best practices in the district courts was continued.
- **Judicial Budget and Performance Accountability Act.** The Court, through its Judicial Administrator's Office, continued to provide assistance to the Louisiana District Judges Association, the Louisiana City Judges Association, and the Louisiana Court Administrators Association in their efforts to comply with the



provisions of the Judicial Budget and Performance Accountability Act.

- **Judicial Council.** The Court, through its Judicial Administrator’s Office, continued to staff and support the Judicial Council. The Judicial Administrator’s Office continued to staff and support the work of the Trial Court New Judgeship Committee, the Standing Committee to Evaluate Requests for Court Costs and Fees, and the various subcommittees that from time to time may be established under these committees.
- **Louisiana Supreme Court Case Management Information Systems and Business Process Management.** The Court, through its Court Case Management Information Systems (CMIS) Division, continued to develop, maintain, and expand electronic data collection and information sharing systems, and employ best practices in business process management as a means of improving aspects of court performance within the judiciary.
 - **Business Process Management.** The Court employed the use of technology on all fronts, including its case management system, electronic filing system, and writ application scanning procedures. These practices helped streamline business processes across programs and increase the efficiency of the Court.

The Court maintained a website to help inform the public about the work of the Court. The website provides information about Court business including the docket, opinions released by the Court, news releases, court rules, publications, court managed programs, the law library, the Office of the Judicial Administrator, and employment opportunities, among other items.

The Court has adopted a document management protocol using the Intact Document Software Solution. The Clerk of Court scans each document associated with

a filing in the Clerk’s Office and connects it to that specific filing in the Court’s case management system. The Court utilizes an electronic document distribution process that provides secure access to the documents from anywhere using tablet technology, which helps increase the efficiency of the Court.

Since 2012, the Court has allowed attorneys who are admitted to practice in Louisiana and who are in good standing with the Louisiana State Bar Association (LSBA) to register and e-file documents with the Court. E-filing provides enhanced access to the Clerk of Court for registered attorneys, as they may file writ applications, appendices, exhibits, oppositions, replies, supplements, motions, briefs, and rehearing documents from anywhere, at any time.

Through an arrangement with the LSBA, the Louisiana Supreme Court supports and maintains a real-time data exchange of attorneys who are actively admitted to the bar association. This information, along with information from the Supreme Court about whether or not an attorney is in good standing, is used to support a variety of processes and functions across the judiciary. Over the past year, the Court has streamlined the process of adding newly admitted attorneys to the Louisiana State Bar roll.

In April 2014, the Court issued a request for proposals for a new appellate case management system. Thomson Reuters Court Management Solutions submitted the winning proposal, and a contract was signed in March 2015. Implementation began in May 2015, and is expected to be completed in early 2017. The system will expand and enhance the use of technology by replacing some of the aging components of the Court’s existing systems with a highly-configurable integrated system including standards-based interface capabilities. The system will facilitate data sharing with other courts and agencies and provide public



access to documents. In addition, the Court has deployed video conferencing technology to save Court travel time and expense.

- **Data Management.** CMIS continued to manage information for all levels of the court system through the following electronic data systems: the Criminal Disposition Data Collection System, the Criminal Justice Information System, the Drug Court Case Management System, the Integrated Juvenile Justice Information System, the Louisiana Protective Order Registry, the Court of Appeals Reporting System, the District Court Reporting System, and the Traffic Violation Data Collection System. In addition to electronic reporting systems, form-based manual processes are used to collect additional information from the courts such as the civil case reporting process, juvenile and family court reporting, as well as parish and city court reporting. Detailed information about all these systems can be found in the Supreme Court Data Collection and Information Sharing Systems section of this report.
- **Standardization of Data Collection.** CMIS continued to use standardized case filing data collection protocols guided by state and national standards for appellate, criminal, civil, and traffic cases. CMIS collected this data through the Court of Appeal Reporting System, the District Court Reporting System, the Juvenile and Family Court Reporting System, the Civil Case Reporting System, the Louisiana Protective Order Registry, and the Parish and City Court Reporting System. This filing information is published in the Supreme Court Annual Report. Detailed information about all these systems can be found in the Supreme Court Data Collection and Information Sharing Systems section of this report.
- **Acts 403 and 404 of 2013.** During the 2013 Regular Session, the Louisiana Legislature passed Acts 403 and 404, which require district court clerks to report to the Court civil

commitments and criminal dispositions that result in firearm restrictions for an individual. Under the direction of the Supreme Court Judicial Administrator, Court staff worked with the district court judges and clerks of court to formulate procedures for the reporting of judicial commitments and modifications required for the automated reporting of the criminal dispositions. For more information about the number of dispositions reported to state and federal agencies, please refer to the Supreme Court Data Collection and Information Sharing Systems section of this report.

- **Technology Grants to District, City, and Parish Courts.** In 2014, CMIS disbursed \$350,606 in federal and CMIS grants to help district court clerks of court across the state comply with reporting requirements under Acts 403 and 404 by providing grant funding for case management system enhancements to capture necessary data. These funds were also used for the acquisition and installation of new hardware and criminal case management systems to report criminal filing and disposition data in Orleans Parish Criminal Court and Concordia and St. Helena Parishes.

In 2015, CMIS disbursed \$1,224,025 in federal and CMIS grants to district, city, and parish courts. Monies were allocated to assist district court clerks to enhance the security of disposition file transmissions to the Court by implementing a Secure File Transfer Protocol (SFTP). The funds were also used for limited hardware replacement, without which jurisdictions would be unable to transmit necessary data. Finally, the funds were used by district attorneys and clerks of court for a data exchange program between the office of the district attorney and the office of the clerk of court. The program enhanced disposition reporting and data quality in 18 jurisdictions including Ascension, Bienville, Bossier, Caldwell, Claiborne, East Carroll, Evangeline, Jackson, Lafourche, LaSalle,



Madison, Plaquemines, Red River, St. John the Baptist, Tensas, Washington, Webster, and West Feliciana.

Funds were also provided to 1st and 2nd Parish Courts in Jefferson Parish for enhanced electronic reporting of criminal dispositions. The disposition information is posted to the Louisiana Criminal History database for inclusion on criminal rap sheets and the FBI National Instant Check System (NICS).

Federal Motor Carrier funding was provided to Baker City Court, Lake Charles City Court, Monroe City Court, New Orleans Traffic Court, Opelousas City Court, and Thibodaux City Court. The funds were used to replace or enhance case management systems and necessary hardware to improve the completeness, accuracy, and timeliness of reporting traffic and DWI dispositions to CMIS. CMIS posted the information to the Louisiana Office of Motor Vehicles driver history database and the National Commercial Driver's License Information System (CDLIS).

- **Tools for Judges.** An “electronic bench” system built on aiSmartBench by Mentis Technologies was funded with grant money for implementation in Orleans Parish Municipal Court and Calcasieu Parish. The system is an electronic dashboard that integrates information from a case management system and other sources to improve the information available to judges on the bench.
- **Terminal Agency Coordinator.** The CMIS division of the Louisiana Supreme Court serves as the Terminal Agency Coordinator (TAC) for the Judiciary of the State of Louisiana. The TAC facilitates the applications for and provides the technology infrastructure that enables access to state and federal law enforcement databases for authorized individuals.
- **Additional District and City Court Assistance.** The Supreme Court, through CMIS, worked

with clerks of court throughout the state to provide training assistance, on-site visits, grant opportunities, and outreach to the clerks of court and their staff to enhance the completeness, accuracy, and timeliness of data collected for criminal and traffic dispositions. Through grant funding, CMIS entered into an agreement with the Louisiana Clerks of Court Association in 2015 to provide funding for part-time personnel to supplement training assistance and to identify specific opportunities for improvements in the completeness, accuracy, and timeliness of disposition reporting.

- **District Court Rules.** In October 2001, the Supreme Court Judicial Council created a committee to review local court rules, in an attempt to achieve uniformity and predictability in the practice of law before the district courts. In 2002, the Court adopted the Louisiana District Court Rules, including appendices and numbering systems for Louisiana family courts and juvenile courts. The Court also established a Court Rules Committee and charged it with receiving related comments and with making recommendations for proposed additional rules or amendments to these rules. In 2002, the Judicial Council created the Family and Juvenile Rules Committee to develop rules for juvenile and domestic courts. This committee completed its juvenile rules work in 2007 and disbanded shortly thereafter. A newer committee – the Judicial Council Committee on Family Court Rules – was created in February 2009 to address the family court rules. The committee’s new rules for family law proceedings took effect on July 1, 2015.
- **Supreme Court Drug Court Office.** The legislature authorized courts to establish “drug divisions” in 1997 to reduce the incidence of alcohol and drug addiction and the associated increased costs of crime. Each year the legislature appropriates funds for these divisions, known as drug courts. The Supreme Court Drug Court Office (SCDCO) administers these funds.



During the period of this report, the SCDCO acted as the fiscal agent for federal Temporary Assistance to Needy Families (TANF) and state general funds, and provided fiscal and programmatic oversight to ensure local program compliance with all applicable state and federal laws and regulations. The SCDCO promoted the institutionalization of drug courts within Louisiana by providing consultation, technical assistance, and training to improve services and enhance professionalism. The SCDCO continued to oversee six DWI courts in conjunction with the Louisiana Highway Safety Commission (LHSC). The SCDCO provided both fiscal and programmatic monitoring of these DWI court programs. For information on the Drug Court Case Management System, please see the Supreme Court Data Collection and Information Sharing Systems section of this report. Information on the performance of drug court programs throughout the state is provided below.

• **Americans with Disabilities Act Assistance.**

The Human Resources Division of the Judicial Administrator’s Office developed a comprehensive guide to the Americans with Disabilities Act (ADA) for use by all courts, with special attention to the district courts. The Court’s website contains ADA policies which meet the requirements of the Americans with Disabilities Act Amendments Act (ADAAA). The Court’s website also contains a form to request accommodations. The division continued to coordinate ADA compliance for

the Court and to provide lower courts with technical assistance relating to ADA and ADAAA compliance.

• **Delay Reduction and Case Management.**

In 2004, the Judicial Council’s Task Force on Delay Reduction and Case Management completed its “Guidelines for Best Practices in Delay Reduction and Case Management,” a manual of materials indicating ways in which district courts may further reduce delays and improve case management. The guidelines are available for review on the Court’s website.

• **Task Force on Pro Se Litigation.**

In 2004, the Judicial Council’s Task Force on Pro Se Litigation completed its “Guidelines for Best Practices in Pro Se Assistance,” a manual of materials indicating ways for district courts to plan, organize, and aid in the delivery of assistance to self-represented litigants. The guidelines contain background information on the extent of self-represented litigation in the nation, the legal authority for self-represented litigation, ethical guidelines for providing assistance, planning information, and information on available technologies. The guidelines are available for review on the Court’s website. This work was furthered by the Court’s creation of a Self-Represented Litigant Task Force, the focus of which was to study the issue of self-represented litigants and to examine what steps can be taken to assist them. The work

**LOUISIANA SUPREME COURT DRUG COURT PROGRAM STATISTICS,
BY FISCAL YEAR, 2012-2015**

STATISTICS	2012-2013 ¹	2013-2014 ¹	2014-2015 ¹
Cumulative Number of Courts ^{1,2}	55	56	56
Number of Judicial Districts Served	27	27	27
Total Clients Served/Month ²	2,625	2,874	2,813
Drug-Free Babies Born ²	54	41	49
Total Graduates 1, 2	820	908	1,038
Sources/Notes:			
¹ Includes 4 DWI courts.			
² Supreme Court Drug Court Office (SCDCO) Calendar Year Survey/ DCCM			



of the task force has continued through the efforts of the Louisiana District Judges Association Self-Represented Litigants Committee.

- **Court Security Task Force.** In early 2011, the Court commissioned the National Center for State Courts to study district court security in all 64 parish courthouses in Louisiana. After the study was completed, the Court appointed a Court Security Task Force to review the study's findings and make recommendations for the improvement of security in each parish courthouse. In connection with those recommendations, every district court throughout the state formed its own court security committee and performed a security assessment of their respective courthouses.

Upon converting the task force into a standing committee of the Court, Chief Justice Bernette Johnson appointed a district court judge to serve as chair of the newly formed Courthouse Security Committee. She authorized that committee to provide guidance and assistance to local courthouse security committees where needed, to gather data and study issues pertaining to court security, and make recommendations as appropriate.

- **Appellate Court Assistance.** The Court, through its Judicial Administrator's Office, and in association with the Conference of Appellate Court Judges, continued to support the courts' efforts to improve those aspects of the administration of justice identified in the Strategic Plan of the Courts of Appeal.
- **Trial Court Assistance.** The Court, through its Judicial Administrator's Office, and in association with the Louisiana District Judges Association (LDJA), the Louisiana City Judges Association, and the Louisiana Court Administrators Association, continued to support the courts' efforts to improve those aspects of the administration of justice identified in the strategic plans of the trial courts or the Court.

The Judicial Administrator's Office continued to assign a staff member to work with the district judges on each of the LDJA's more than a dozen active committees. The staff member facilitates communication among the district judges, the Court, the Judicial College, the Department of Corrections, and many other entities throughout the state.

During the period, the district judges formed a committee to completely overhaul the Strategic Plan of the District Courts. This project was facilitated in great part by the Court staff member. The newly-created goals will be implemented beginning in the 2015 - 2016 fiscal year. The Court staffer also performed research and wrote reports and assisted in promoting awareness of, and finding solutions for, developing issues within the court system such as increased self-represented litigants and appropriate access to justice. The staffer also applied for funding assistance, such as grants, where needed. Staff also helped create and update district court best practices manuals, published a quarterly newsletter, ensured current appointment and participation of district judges on statutory and constitutional committees, assisted in following proposed legislation as it affected the office of the district judge, and performed perfunctory duties such as website maintenance, scheduling meetings, and coordinating district judge participation in judicial education projects.

- **Juvenile Court Assistance.** In association with the Louisiana Council of Juvenile and Family Court Judges, the Louisiana District Court Judges Association, and the Louisiana City Court Judges Association, through its Judicial Administrator's Office the Court continued to support efforts to improve the exercise of juvenile and family jurisdiction in courts. Those efforts include:
 - **Court Appointed Special Advocate Assistance Program (CASA).** The purpose of the CASA Assistance Program is to promote timely placement of foster children in permanent, safe, and stable homes by assisting local courts in determining the best interests of the children



in cases involving allegations of their abuse or neglect. Local CASA programs recruit, screen, train, and supervise community volunteers to advocate for children in accordance with National CASA Standards. The CASA Assistance Program administers federal Temporary Assistance to Needy Families (TANF) funds and state general funds as appropriated annually by the legislature to support local CASA services. The Court provides fiscal and program accountability through the collection of detailed monthly financial and program activity reports and site visits, as well as independent audits of both local programs and the Louisiana State CASA Association. During the period, 17 CASA programs (plus the Louisiana State CASA Association) serving courts in 32 judicial districts across Louisiana assisted 3,227 abused and neglected children. More than 1,200 CASA children were placed in permanent homes.

- **Families in Need of Services Assistance Program (FINS).** The FINS Assistance Program works in partnership with individual judicial district courts, the community, and other juvenile justice stakeholders to provide pre-court diversion, intervention, and case management services for alleged status offenders and their families. FINS programs operate in 41 out of 42 judicial districts, in more than 55 offices, with the primary goal of providing a continuum of voluntary diversion services to prevent delinquency and strengthen children and their families.

During the period, local informal FINS program staff processed over 6,500 referrals, with truancy and ungovernability as the most predominant complaint by parents and school administrators. FINS staff continues to work in collaboration with child welfare and juvenile justice stakeholders to improve methods of collecting and using data in ways that will lead to measureable outcomes, improvements, and alternatives to court intervention for children

and families engaged in the informal FINS process.

- **Integrated Juvenile Justice Information System (IJJIS).** The Integrated Juvenile Justice Information System was developed to provide courts exercising juvenile jurisdiction with enhanced case management and data collection capabilities. IJJIS is fully operational in Caddo Parish Juvenile Court, Jefferson Parish Juvenile Court, and Orleans Parish Juvenile Court and is utilized for Child in Need of Care (CINC) cases in 14th JDC and 16th JDC. The IJJIS system is supported by the Court's Information Technology Department.
- **Juvenile Justice Implementation Commission.** The staff of the Judicial Administrator's Office continued to support efforts outlined in the juvenile justice reform provisions of Act 1225 and House Concurrent Resolution (HCR) 56 of 2003 as well as HCR 245 of 2010.
- **Court Improvement Program (CIP).** The Court Improvement Program administers three federal grants for improving the adjudication of child abuse and neglect cases: a main grant, a training grant, and a data/technology grant. CIP has been engaged in significant efforts to improve the quality of legal representation for children and indigent parents in CINC cases, including specialized training, child welfare certification, provision of books/periodicals, and extensive web-based resources. CIP, in collaboration with the Louisiana Department of Children and Family Services, Louisiana CASA Association, Louisiana Children's Justice Act, Louisiana Foster and Adoptive Parents Association, and others, sponsored the annual Together We Can child welfare conference. The conference is a three-day event that offered three intensive topic institutes, specialized training, and education on issues related to families and children who are in, or at risk of, entering the foster care system. The conference was very successful, with record-breaking attendance approaching 600.



Effective January 1, 2015, the CIP strategic plan and budget were managed by the Pelican Center for Children and Families. The Pelican Center worked with the ABA Center on Children and the Law as well as the Court's Division of Children and Family Services to lay the foundation for implementation of the newly-legislated Supreme Court oversight of children's representation in CINC proceedings. Other key CIP initiatives included the promulgation of indicators of quality legal representation for children and indigent parents in CINC proceedings, in addition to the development of a comprehensive, interdisciplinary curriculum on safety decision-making for judges, attorneys and collateral stakeholders. The Court Improvement Program provides best practices bulletins to judges exercising juvenile jurisdiction. Recent bulletins included new materials for improved safety decision making for judges and attorneys with special emphasis on decisions to remove and to reunify children with their families. Also, numerous regional and statewide multi-disciplinary trainings were conducted on a variety of issues relating to children and families. Examples of recent training events include those designed to address cultural competency, safety decision-making, and "Red Book" trainings developed and delivered by the National Association of Counsel for Children.

- **Other Programs Involving Children and Families.** In association with the Louisiana Council of Juvenile and Family Court Judges, the Louisiana District Court Judges Association, and the Louisiana City Court Judges Association, the Judicial Administrator's Office continued to assist, develop, maintain, and/or implement new initiatives for improving the processing of juvenile and family court cases, including statewide implementation of the Juvenile Detention Alternatives Initiative and procedures for determining Special Immigrant Juvenile Status. The Judicial Administrator's Office also continued to develop, implement, and maintain other programs for improving those aspects of the administration of juvenile

justice as may be identified in the strategic plans of the Court, the courts of appeal, the district courts, and the city and parish courts.

- **Cases Under Advisement.** The Court, through the Judicial Administrator's Office, continued to report on and enforce court rules, orders, and policies relating to cases under advisement as a means of improving performance in city and parish courts, district courts, and appellate courts.
- **Judicial Assignments.** The Judicial Administrator's Office continued to assist the Court in the exercise of its constitutionally-conferred assignment authority. Through the promulgation of hundreds of court orders, which 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.

During the years 2012 - 2015, the following number of orders was processed:

2012 - 2,141 orders
2013 - 1,955 orders
2014 - 1,189 orders
2015 - 1,200 orders

- **General Counsel.** The Court's General Counsel's Office consists of the General Counsel, the Deputy General Counsel, and three staff attorneys who research legal issues involving the administration of justice, draft orders amending court rules, staff various Court committees and boards, review all contracts to which the Court is a party, and monitor litigation involving, or of interest to, the Court. Additional staff of the office assists the Court in preparing and promulgating orders amending court rules and appointing judges, attorneys, and citizens to various court and court-related committees and boards.



Objective 5.4

To use fair employment practices and to train and develop the Court's human resources.

Intent of the Objective

The judiciary is 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 it should operate free of bias in its personnel practices and decisions.

Response to the Objective

- **Human Resources Initiatives.** The Human Resources Division of the Judicial Administrator's Office engaged in the following strategies and activities during the period:
 - Conducted new employee orientations.
 - Reviewed all performance evaluations for Court employees prior to discussions with the employee, to ensure consistency in ratings.
 - As part of the consolidation and update of the computer programs for handling Court business services, the division continued to test and document system issues and document steps in personnel and position action processing.
 - Coordinated, with the Chief Justice's Office, the freeze on filling Court positions.
 - Provided consultative assistance to lower courts, upon request, with regard to matters such as recruitment, human resources policy development and administration, disciplinary matters, and employee training.
 - Consulted with managers and prepared documentation for disciplinary actions and performance improvement plans as necessary.
- Participated in the selection process for most vacancies. Efforts included designing the selection process, reviewing resumes, selecting candidates for interviews, interviewing candidates, conducting reference checks, writing recommendation memorandums and making final verbal/written offers to candidates.
- Reviewed resumes to determine appropriate hire rates for numerous positions at the Court and courts of appeal.
- Coordinated new hires, pay changes, etc., with the payroll department.
- Reviewed semi-monthly and monthly time sheets and monitored system-calculated leave usage as well as earned annual, sick, and compensatory leave.
- Developed agendas and reports, coordinated meetings and documented final minutes and policies, procedures or pay changes for the Human Resources Committee.
- Developed or revised policies governing the appellate and the Court personnel systems.
- Conducted compensation studies of various positions and pay plans recommending and implementing changes accordingly.
- Participated in various compensation surveys as requested in order to stay abreast of current compensation strategies in relation to our positions.
- Completed and disseminated the Court's Equal Employment Opportunity Plan as needed to support Court Management Information Systems and Louisiana Protective Order Registry grant applications.



**GOAL SIX:
TO MAINTAIN THE COURT'S
CONSTITUTIONAL INDEPENDENCE
WHILE OBSERVING THE PRINCIPLE
OF COOPERATION WITH OTHER
BRANCHES OF GOVERNMENT**

Objective 6.1

To promote and maintain judicial independence.

Intent of the 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 must also be conscious of its legal and administrative boundaries and vigilant in protecting them. As the court of last resort and the entity with administrative authority of the state's entire judicial branch, the Supreme Court believes that it has an obligation to promote and maintain the independence of the entire judiciary.

Response to the Objective

- **Supreme Court Leadership.** The Court continued to assert separation of powers and to promote and protect 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 the 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 two branches of state government and other agencies and partners comprising the state's justice system. Such cooperation

and collaboration is vital for maintaining a fair, efficient, impartial, and independent judiciary, and for improving the law and the proper administration of justice.

Response to the Objective

- **Intergovernmental Liaison.** The Court has appointed a Justice to be the primary liaison between the Court and its various external governmental partners. A deputy judicial administrator, who has responsibility for monitoring legislation and communicating with both legislative and executive branch officials and staff, assists the Justices and others in the judiciary with legislative issues. In addition, the Chief Justice and other Justices, together with the Judicial Administrator, the Clerk of Court, and their respective staffs, have responsibilities for coordinating, collaborating, and communicating with executive and legislative branch officials on specific projects and inquiries.
- **Cooperation with the Other Branches of State Government.** The Court continued to cooperate with the governor's office, representatives from executive branch agencies, and the legislature, as necessary and appropriate, on a variety of committees, projects, and initiatives.
- **Cooperation with Other Justice Agencies.** The Court continued to cooperate with numerous justice associations and agencies, and to promote, as appropriate, programs that advance the administration of justice.

