



**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, 2010, and extensively revised in 2015.

The goals and objectives of the Strategic Plan of the Supreme Court reflect the Supreme Court's Performance Standards.<sup>1</sup> 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 MISSION STATEMENT

To provide effective and efficient administration of justice in the Supreme Court and to ensure proper administration and performance of all courts under its authority, to promote access to justice, to increase public confidence in the court system, and to ensure the highest professional conduct, integrity, and competence of the bench and bar.

## SUPREME COURT GOALS AND OBJECTIVES

### I. PROMOTE PHYSICAL, ECONOMIC, AND PROCEDURAL ACCESS TO THE COURTS

- A. Increase access to court information using technology
- B. Promote enhanced services for self-represented litigants and those with special needs, such as individuals with disabilities or Limited English Proficiency (LEP)
- C. Develop a plan to ensure that Court services are economically accessible
- D. Develop a plan to ensure that Court services are physically accessible

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<sup>1</sup>Louisiana Supreme Court Rules, Part G, General Administrative Rules, Section 10.



## **II. PROVIDE EFFECTIVE AND EFFICIENT ADMINISTRATION OF JUSTICE (COURT MANAGEMENT AND GOVERNANCE)**

- A. Efficiently and effectively manage judicial resources
- B. Improve data gathering and analysis across all programs
- C. Utilize technology to improve all aspects of court performance
- D. Continue to develop and implement methods to improve aspects of trial and appellate court performance
- E. Strengthen the Court workforce

## **III. STRENGTHEN COMMUNICATION AND INCREASE PUBLIC CONFIDENCE IN THE COURT SYSTEM**

- A. Enhance the public's access to court information
- B. Better engage the public concerning the Supreme Court's operations and activities
- C. Improve communication with other branches of government and justice system stakeholders
- D. To ensure the highest professional conduct, integrity, and competence of the bar

## **IV. ENHANCE JUDICIAL COMPETENCY**

- A. Ensure the highest professional conduct, integrity, and competence of the bench
- B. Improve communication among courts at all levels

## **V. ENHANCE PROTECTIONS FOR CHILDREN, FAMILIES, AND COMMUNITIES**

- A. Domestic violence
- B. Juvenile justice
- C. Elder law – guardianships, elder abuse for a rapidly increasing population
- D. Human trafficking
- E. Immigration



## GOAL ONE: PROMOTE PHYSICAL, ECONOMIC, AND PROCEDURAL ACCESS TO THE COURTS

*“A fundamental value in the American system of justice is that the stability of our society depends upon the ability of the people to readily obtain access to the courts, because the court system is the mechanism recognized and accepted by all to peacefully resolve disputes. Denying access to the courts forces dispute resolution into other arenas and results in vigilantism and violence.... The Constitution establishes the fundamental right of access to the judicial system. The courts, as guardians of every person’s individual rights, have a special responsibility to protect and enforce the right of equal access to the judicial system.”<sup>2</sup>*

### Objective A: Increase access to court information using technology

**Intent of the Objective:** The Court believes that technology can empower courts to meet core purposes and responsibilities, be more transparent, and better serve the public even during times of economic downturn.

**Strategy: Develop a new case management system.** 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 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. The new system will also allow the court to expand its e-filing capability and begin to electronically notify parties, the public, and practitioners of filings and upcoming court dates.

**Performance indicator:** The case management system is 75% complete.

### Objective B. Promote enhanced services for self-represented litigants and those with special needs, such as individuals with disabilities or Limited English Proficiency (LEP)

**Intent of the Objective:** 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. Also, the Court must make accommodations so that individuals with speech, hearing, vision, or cognitive impairments and limited English language proficiency can participate in the Court’s processes.

**Strategy: Utilize the website to provide information and resources for self-represented litigants.** Court staff and staff from the Supreme Court Law Library developed a set of resources for self-represented litigants that include links to the Supreme Court Library’s LibGuides for self-represented litigants; the Louisiana District Judges’ Association website self-represented litigant videos; and Louisiana State Bar Association resources. These resources include videos on how to present a case in court, general forms and forms specific to certain districts, and information regarding filing and responding to lawsuits. The Court added a self-represented litigant “button” on the first page of the website that directs users to the resources.

**Performance indicator:** The number of visits to the Supreme Court self-represented litigant webpage was not collected during the period covered by this report; however, after the button was posted on the Supreme Court website in December of 2015, the number of visits to the Supreme Court Law Library self-represented resources page increased from 1,545 in 2015 to 6,975 in 2016.

<sup>2</sup> Robert J. Grey, Jr., *Access to the Courts: Equal Justice for All, Issues of Democracy*, IIP Electronic Journals, Vol. 9, No. 2, August 2004. <http://www.lawsource.com/also/iid0804.pdf>.



**Strategy: Collaborate with LSBA and legal services agencies to develop strategies to expand legal and other self-help services.** During the period covered by this report, Chief Justice Bernette Joshua Johnson, on behalf of the Louisiana Supreme Court, established the Louisiana Access to Justice Commission (ATJ Commission). The mission of the ATJ Commission is to assure continuity of policy and purpose in the collaboration between the Louisiana State Bar Association (LSBA), the courts, and the civil justice community, in furtherance of the goal to ensure that all Louisiana citizens have access to equal justice under the law.

Some of the goals of the Commission include: educating the people of Louisiana about the importance of equal access to justice and the challenges many face in effectively accessing the civil justice system in Louisiana; developing a strong statewide civil legal services delivery system by licensed attorneys; developing and recommending initiatives intended to maximize resources and funding for access to justice in civil matters and to encourage efficient use of the available resources; recommending initiatives to reduce systemic barriers to access to justice, including enhancing resources for self-represented litigants; and encouraging members of the bar to provide pro bono legal services as a regular component of their practices.

Also, Supreme Court Law librarians have partnered with other librarians and the Louisiana State Bar Association ATJ Commission to form the Legal Assistance and Education Program (LEAP). The purpose of LEAP is to reach out to public librarians and each them about legal research and sources of free legal information.

**Performance indicator:** Two major strategies were developed.

**Strategy: Expand the Supreme Court interpreter program list of registered and certified interpreters through orientations, skills classes and testing, and expand access to qualified interpreters nationwide.** In July, 2015, the Supreme Courts of Louisiana, Arkansas, Mississippi, and Tennessee co-sponsored an advanced court interpreting seminar in which 68 interpreters in 8 languages participated. Additionally, and to prepare Louisiana Spanish interpreters for the oral certification exam, an advanced Spanish skills class was held at the Supreme Court in New Orleans.

Court interpreter orientation and testing is held two times per year. Thirty-six interpreter candidates attended the October, 2015 orientation. Twelve interpreters completed all of the requirements to become “Registered” court interpreters and accordingly, the total number of registered court interpreters increased from 102 to 114. Two interpreters became “Certified” by reciprocity, increasing the number of “Certified” court interpreters from six to eight. New languages added included German, Laotian, and Thai. After the April, 2016 training and orientation six more interpreters completed the requirements to become “Registered” court interpreters; bringing the total number of “Registered” interpreters to 120.

**Performance Indicator:** Interpreter program information 2014-2016 is displayed in the table below.

**INTERPRETER PROGRAM INFORMATION 2014-2016**

	2014	2015	2016
Number of attendees at Supreme Court interpreter trainings	144	82	93
Cumulative number of registered court interpreters in Louisiana	97	114	133
Cumulative number of certified court interpreters in Louisiana	0	8	14



## Objective C. Develop a plan to ensure that court services are economically accessible

**Intent of the Objective.** “Courts must not only do the right thing; they must do the right thing in the right way.”<sup>3</sup> 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. Also, a court, including its judicial officers and staff, should follow applicable constitutional provisions and statutes that apply to the imposition, collection, and enforcement of court costs, fines, and fees. Costs, fines, and fees should not place an undue or disproportionate burden on citizens, especially those who are financially struggling.

**Strategy: Initiate a statewide study of fees and costs.** The Court, through the Judicial Council, authorized the Standing Committee to Evaluate Requests for Court Costs and Fees (Committee) to examine the system of collecting court costs and fees in February of 2014. Since beginning the study, the Committee has requested information from every state court as to the civil and criminal court costs and fees currently being charged. Members of the Committee also met with members of the Legislative Auditor’s staff and with representatives of groups who have an interest in court costs, including district attorneys, indigent defense attorneys, sheriffs, city court clerks, parish clerks of court, city court judges, parole/probation officers, business interests, and the Office of Debt Recovery.

As a result of its work, the Committee recommended the following initial steps:

1. Creation of a transparent, public database listing all required and optional fines and fees that may be charged.
2. Establishment of an effective system for tracking assessed and collected fines, fees, and costs, searchable by individual and date of payment.

3. Development of Louisiana-specific statewide best practices and support for courts as they implement those best practices.
4. Publication of statewide guidance on collecting and distributing partial payments.
5. Determination of the point at which increased fees no longer generate increased income, in light of the person’s ability to pay and other factors.

In November of 2015 the Supreme Court won a grant from the State Justice Institute (SJI) and contracted with the National Center for State Courts (NCSC) to begin implementing these recommendations. During 2016, staff from the Center submitted the first draft of the database to the Louisiana Supreme Court Case Management Information Systems (CMIS) and participated in site visits with several local courts and a general meeting with administrators and judges to develop the system for tracking assessed and collected fees and costs. The Court applied for a Department of Justice grant to fully implement the recommendations.

The Committee also recommended that the Legislature be asked to place a moratorium on all new fees and costs until the Committee completes its study of the court cost system and evaluates the initial changes. This recommendation was approved during the 2016 regular session in the form of a concurrent resolution, HCR 133. By time the moratorium expires, the Committee expects to recommend policy changes to simplify and improve the court cost system as a whole.

**Performance indicator:** The study of court costs and fees was initiated.

**Strategy: Develop a comprehensive database of current fees and costs.** In November of 2015 the Supreme Court won a grant from the State Justice Institute (SJI) and contracted with the National Center for State Courts (NCSC) to develop a comprehensive database of fines, fees, and court costs. During 2016, staff from the

<sup>3</sup> CourTool 7A, *Ensuring Fairness in Legal Financial Obligations*, CourTools Trial Court Performance Measures, National Center for State Courts.



Center submitted a plan for the database to the Supreme Court Case Management Information Systems (CMIS). The database is currently under development by CMIS.

**Performance indicator:** The costs and fees database is 25% complete

## **Objective D. Develop a plan to ensure that Court services are physically accessible**

**Intent of the Objective.** Physical features of the courthouse can constitute formidable barriers to persons with disabilities who want to observe or avail themselves of court services. Further, the safety and security of all who enter the courthouse, whether judge, attorney, court staff, or member of the public, is essential.

**Strategy: Review ADA policies.** The Human Resources Division of the Judicial Administrator's Office has 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. The Court's website also contains a form to request accommodations. During the period the ADA Ombudsman reviewed the Court's ADA policies.

**Performance indicator:** The review of ADA policies is 100% complete.

**Strategy: Review court security policies and follow-up on existing requests regarding court security committees and security assessments.** 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.

Supreme Court security reviewed court security policies during the period of this report and found no need for changes. Three court security assessments were requested and completed by Supreme Court security staff during 2015-2016.

**Performance indicator:** Three assessments were requested and completed; the policy review is 100% complete.

## **GOAL II. PROVIDE EFFECTIVE AND EFFICIENT ADMINISTRATION OF JUSTICE (COURT MANAGEMENT AND GOVERNANCE)**

*"The due administration of justice is the firmest pillar of good government."<sup>4</sup>*

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.

In addition to its appellate role, Under Article V of the Louisiana Constitution, the Court has administrative and procedural authority over state courts; the Chief Justice is the chief administrative officer for the state judicial system.

<sup>4</sup>George Washington, from his letter nominating Edmund Randolph as the first attorney general of the United States 28 Sept. 1789.



**Objective A: Provide a reasonable opportunity for litigants to seek review in the Supreme Court of decisions made by lower tribunals.**

**Intent of the Objective.** 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 2016, the Court disposed of 2,142 cases while receiving and filing 2,283 cases for a clearance rate of 94 percent, a decrease from 105 percent in 2015.

**Performance indicator:** The Supreme Court General Performance Information 2014-2016 is displayed in the table below.

**Objective B: Efficiently and effectively manage judicial resources**

**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.

**Strategy: Improve collection of court costs and fees statewide.** As is more fully discussed under Goal I, Objective C, the Court received from the Judicial Council recommendations to increase efficiency, transparency, and fairness in the court cost collection system and won a grant from SJI to begin implementing the recommendations.

**Performance indicator:** The Court Cost Committee provided recommendations and the Court won a grant from the State Justice Institute to begin implementing recommendations to improve the court cost collection system.

**Strategy: Judicial education.** During the period two sessions on costs and fees were sponsored by the Judicial College. *Collecting Court Costs: Getting the Most for Your Judicial System*, presented by Jefferson Parish Judge John Molaison and other Jefferson Parish officials, focused on how Jefferson Parish increased its collection of fines and fees over 1,000 percent. The second session, *The Judges’ Trilemma*, presented by the chair of the Judicial Council Court Cost Committee, Judge Paul Bonin, focused on the statutory and case guidance regarding collections and fairness and access-related issues. More sessions are planned for the future.

**SUPREME COURT PERFORMANCE INFORMATION 2014-2016**

	2014	2015	2016
Total Filings	2,716	2,365	2,283
Total Appeals Filed	12	6	9
Total Writs Filed	2,496	2,172	2,092
Total Dispositions Rendered	2,592	2,486	2,142
Percentage of noncriminal case applications acted on within Supreme Court standard of 120 days of filing	91.8%	97.1%	94.1%
Percentage of criminal case applications acted on within Supreme Court standard of 120 days of filing	30.7%	36.1%	48.7%
Percentage of <i>pro se</i> post-conviction applications acted on within Supreme Court standard of 120 days of filing	2.1%	3%	26%
Percentage of bar disciplinary filings acted upon within Supreme Court standard of 120 days of filing	95.2 %	97%	93.6%
Percentage of opinions rendered within Supreme Court standard of 84 days from argument	81.5%	75.8%	66.7%
Percentage of written opinions available to the public within 5 days of decision	100%	100%	100%



**Performance indicator:** Two judicial education sessions were held during the period covered by this report, and more are planned for the future.

**Strategy: Implement the Travel and Expense Module in Aggresso to enhance processing of Judges' travel reimbursements.** This module was partly implemented during the period.

### **Objective C: Improve data gathering and analysis across all programs**

**Intent of the Objective.** Effective courts are responsive to trends and emerging public issues. This objective requires courts to recognize and respond appropriately to such issues. A court that moves deliberately in response to these issues is a stabilizing force in society and acts consistently with its role in maintaining the rule of law and building public trust and confidence. One significant trend is the emergence of technology in both the public and private arenas. The Supreme Court should employ technology to gather data important to the court system and should encourage and assist the lower courts to do so as well.

**Strategy: Leverage technology to make data gathering and analysis processes more efficient and effective.** The Court, through its Court Case Management Information Systems (CMIS) Division, continued to develop, maintain, and expand electronic data collection and information sharing systems.

**Technology Grants to District, City, and Parish Courts.** 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).

In 2016, CMIS committed more than \$1,759,432 in federal and CMIS grants to district and city courts throughout the state to enhance security; to improve the completeness, accuracy and timeliness of disposition reporting; and to enhance overall data quality. In addition to efforts by CMIS staff, funds were also provided to the Louisiana Clerks of Court Association through a Memorandum of Understanding for collaborative training and assistance with the identification of causes for incomplete or missing information necessary for posting to the Louisiana Criminal History database and the FBI National Instant Check System (NICS).



Federal Motor Carrier funding was provided to 11 city courts and 10 district courts for replacement or enhancement of case management systems, or to implement a data exchange program in order to improve the completeness, accuracy and timeliness of reporting traffic and DWI dispositions to CMIS for posting to the Louisiana Office of Motor Vehicles driver history database and the National Commercial Driver's License Information System (CDLIS).

**Tools for Judges.** Grant money was also used to help provide tools for judges. During 2016 the CMIS office has been working to develop an interface for judges with the Louisiana Protective Order Registry in order to provide judges access to protective orders while on the bench to improve the information available to a judge while adjudicating a case. It is anticipated that this tool will be available by Fall 2017.

**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 and 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. Future plans include encouraging statewide adoption and use of standard data definitions.

**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 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.

**Performance indicator:** 64 district courts, 15 city and parish courts, and 8 mayor's courts reported data electronically during the period.

**Objective D: Utilize technology to improve all aspects of court performance**

**Intent of the Objective.** Technology is an essential tool to improve court processes and decrease operating costs while maintaining data security and constitutional protections, especially those guarantees of privacy, due process, and a fair trial. Technology should also be used to employ best practices in business process management as a means of improving aspects of court performance within the judiciary.

**Strategy: Louisiana Supreme Court Case Management Information Systems and Business Process Management.** The Court, through its Court Case Management Information Systems (CMIS) Division, continued to employ best practices in business process management as a means of improving aspects of court performance within the judiciary. The Court employs the use of technology on all fronts, including its case management system, electronic filing system, and writ application scanning procedures. These practices help streamline business processes across programs and increase the efficiency of the Court. More information can be found in the Supreme



Court Data Collection and Information Sharing Systems section of this report.

**Strategy: Implement an updated case management system to enhance access and efficiency.** This strategy is discussed in Goal I, Objective A.

**Strategy: Upgrade the Court’s website.** The Court maintains a website to help inform the public about the work of the Court and provide links to further resources. 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, assistance for self-represented litigants, and employment opportunities, among other items. An updated website is in development.

**Performance indicator:** Rollout of the updated website is planned for 2018.

**Objective E: Continue to develop and implement methods to improve 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 per-

sonnel 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.

**Strategy: Develop and support specialty courts such as drug courts, re-entry courts, and family support courts.**

**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. The SCDCO also administers funds to three family preservation courts.

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. For further information, please see the Supreme Court Annual Report and Supreme Court Data Collection and Information Sharing Systems section of this report.

**Performance indicator:** The Louisiana Supreme Court Drug Court Program Statistics by Fiscal Year 2013-2016 are displayed in the table below.

**LOUISIANA SUPREME COURT DRUG COURT PROGRAM STATISTICS BY FISCAL YEAR 2013-2016**

	2013-14	2014-15	2015-16
Cumulative Number of Courts <sup>1,2</sup>	56	56	54
Number of judicial districts served	27	27	29
Total clients served per month	2,874	2,813	2,867
Drug-free babies born (each year)	41	49	60
Total graduates	908	1,038	1,080

<sup>1</sup> Includes DWI courts

<sup>2</sup> Source: Supreme Court Drug Court Office (SCDCO) Calendar Year Survey/DCCM



**Re-Entry courts.** There are now 12 re-entry courts in the state who enroll offenders in the Re-Entry program at Angola. The Department of Corrections has about 200 beds for this program and it is not yet at capacity. Courts are slowly sending qualifying offenders into the program and are seeing successful results. Re-Entry courts have proven successful in reducing recidivism rates because the re-entering citizens are not only required to refrain from criminal activity but also to maintain gainful employment, secure stable housing, and become current in any financial obligations such as child support and restitution. The re-entry court program helps them achieve success in all these areas.

**Strategy: Develop and support methods to improve trial and appellate court performance**

**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. Attorneys and staff in the Office of the Judicial Administrator support Court committees and work with judges, court administrators and clerks, and the public to ensure the efficient administration of Court functions.

**The 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). 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.

**Strategic Plans.** The Court continued to pursue implementation of its 2015-2019

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.

During the period, the city and parish court judges formed a strategic plan update committee and, with the assistance of the Judicial Administrator’s Office, began a comprehensive review of the city and parish courts strategic plan. The district judges completed a major revision to the district courts strategic plan. The plan is based on five campaigns, with suggested strategies and resources for the courts to apply in each individual court. The judges will focus on one campaign each year.

**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 and conduct performance audits of judicial programs. These audits have focused on a variety of topics, most recently the response to House Concurrent Resolution No. 143 of the 2011 regular legislative session, containing extensive and detailed information on the judicial system.

**Judicial Council.** The Court, through its Judicial Administrator’s Office, continued to staff and support the Judicial Council, including 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.



During the period, the Council reviewed two requests for new court costs and fees. Also, as is more thoroughly discussed in Goal I, Objective C above, the Court Cost Committee, after extended discussions with stakeholders regarding costs and fees, made five recommendations to improve the system for assessing and collecting court costs and fees. The Court won a grant from the State Justice Institute to begin implementing those recommendations.

**Americans with Disabilities Act Assistance.**

This strategy is discussed in Goal I, Objective D.

**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 district courts or the Court.

During the period, the district judges completed a comprehensive update to the Strategic Plan of the District Courts. This project was facilitated in great part by the Court staff liaison to the district judges. The newly-created plan became effective in the 2015 – 2016 fiscal year. Also, the city and parish court

judges formed a committee to review and update the Strategic Plan of the City and Parish Courts.

**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. For further information, please see Goal V, Objective B

**Louisiana Protective Order Registry.** The Louisiana Protective Order Registry (LPOR) is a statewide repository of court orders issued to provide protection from domestic abuse, dating violence, stalking and sexual assault and to aid law enforcement, prosecutors, and the courts in handling such matters. Further information about LPOR is available under Goal V, Objective A, and in the Supreme Court Data Collection and Information Sharing Systems section of this report.

**Performance indicator:** LPOR performance information 2014-2016 is displayed in the table below.

**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.

**General Counsel.** The Court’s General Counsel’s Office consists of the General Counsel, the Deputy General Counsel, and two staff

**LPOR PERFORMANCE INFORMATION 2014-2016**

	2014	2015	2016
Total number of orders entered into the Louisiana Protective Order Registry	22,454	26,050	26,766
Number of requests for order verification from examiners with the FBI’s NICS program, all of which were fulfilled by LPOR	193	249	231
Number of requests for order verification from local, state, and out-of-state law enforcement officials who were conducting investigations involving the subject of a Louisiana order of protection. All Requests were fulfilled by LPOR	1,034	1,360	1,608



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.

**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.

**Performance indicator:** The Judicial Orders of assignment processed per year from 2014-2016 are displayed in the table below.

**Louisiana Supreme Court Case Management Information Systems.** 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. More information can be found throughout the Supreme Court section of this report and the Supreme Court Data Collection and Information Sharing Systems section of this report.

**Supreme Court Clerk of Court.** In addition to processing all filings and dispositions and disseminating the actions of the Supreme Court to

the parties, courts and the public via mail, email, and the Internet, other key responsibilities fulfilled by Supreme Court Clerk of Court Office in 2016 included:

- Admitting 635 new attorneys to the practice of law, only one less than in 2015 but a decrease of 10% from the 709 in 2014.
- Issuing Certificates of Good Standing. The demand for issuance of Certificates of Good Standing appears to have leveled off with only a 1.8% increase over the 1,988 certificates processed in 2015. Following the July 1, 2013 implementation of a charge of \$20.00 for Certificates of Good Standing requests for Certificates have dropped more than half. Newly admitted attorneys receive two certificates, free of charge, which are not included in these numbers.
- Continuing to develop and configure the Thomsom-Reuters’ C-Track case management software which, besides replacing the current CMS and e-filing systems, integrates with the justices’ and staff attorneys’ offices.
- Processing and maintaining minute book entries and orders. The number of minute entries and orders issued dropped to 1,699 from the high of 2,584 in 2015. These orders are primarily orders of appointment of judges to sit in lower courts and do not include orders relating to cases before the Supreme Court.
- Managing logistics for 227 events hosted by the Supreme Court. These events included Court conferences, oral argument days, Judiciary Commission hearings, and other meetings.
- Overseeing courthouse general maintenance and improvements involving roof repairs, a conference room, and the exterior

### JUDICIAL ORDERS OF ASSIGNMENT PROCESSED PER YEAR 2014-2016

	2014	2015	2016
Number of judicial orders of assignment processed per year	1,189	1,200	1,430



waterproofing and interior repairs of damages resulting from Hurricane Isaac.

## Objective F: Strengthen the Court Workforce

**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.

**Strategy: Implement a learning management system to provide training resources for all employees.** Training resources during the period included in-house quarterly safety meetings, annual ethics training requirement, CLEs, and conferences as well as off-site training sessions for supervisors on various topics.

During the period the Court utilized the “Moodle” system for employee training. The Quarterly safety meeting trainings are loaded onto Moodle after the presentation. Those employees who were not able to attend the training in person are able to review the training on Moodle and receive a certificate of attendance/completion. This system has been in place since 2014. There were 22 Moodle completions for the July 2015 Safety and Evacuation Training session and 34 Moodle completions for the December 2015 Active Shooter Training session. These are in addition to the employees who attended in person.

**Performance indicator:** 492 employees attended safety trainings during the period, including 56 employees who used the Moodle system.

**Strategy: Continue to develop and enforce fair employment policies as required by law and by human resource management best practices.** The Court did not introduce or implement any new policies to the Court for this period; the current policies in place are sufficient at this time.

**Strategy: Evaluate and develop wellness initiatives for court staff.** During the period, Court employees were given the option of participating in an on-site, free health screening clinic; participation in the free screening resulted in a monthly discount on the employees’ health care deductions. Employees also had the option of participating in a weekly on-site exercise class that was offered by one of the attorneys. The Court continued to maintain an exercise room with two exercise machines for employee use.

**Strategy: Emphasize education and professional development to ensure cross-training and succession of court leaders.** Court leaders and supervisors participated in numerous continuing legal education (CLE) seminars and conferences during the period; these included legal CLEs, law library CLE’s, the Agresso Users’ Conference, Court Technology Conference, National Association for Court Management Annual Conference, Conference of State Court Administrators meetings, Louisiana Court Administrators Association seminars, Human Resources Summit, etc. Some of these are specific to the Court function, while others are specific to a particular field of expertise.

## GOAL III. STRENGTHEN COMMUNICATION AND INCREASE PUBLIC CONFIDENCE IN COURT SYSTEM

*“Next to doing right, the great object in the administration of justice should be to give public satisfaction.”<sup>5</sup>*

<sup>5</sup> John Jay, the first Chief Justice of the United States Supreme Court, in a letter to George Washington from the Supreme Court Justices 15 September 1790.



## Objective A: Enhance the public's access to court information

**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 reasonably open to those who seek or are affected by this review, or who simply wish to observe it.

**Strategy: Implement a new case management to promote greater access to court records and documents.** This strategy is discussed above under Goal I, Objective A.

**Strategy: Continue to publish the Supreme Court Annual Report.** The Supreme Court Annual Report is a useful guide to judicial personnel and contacts throughout the state, as well as an overview of the Court's progress, and includes maps of electoral districts for the Supreme Court, the Courts of Appeal, and District Courts. The Statistical Data section summarizes two-year activity trends in juvenile, civil, criminal and traffic categories for courts at all levels in the state. The Louisiana Supreme Court Annual Report and The Guide to Louisiana Courts featuring a list of judges, clerks and administrators (complete with contact phone numbers) for the Courts of Appeal, District Courts, and City and Parish Courts statewide are now available on the Louisiana Supreme Court web site.

**Strategy: Continue to support law library services and encourage additional services including teaching, training, and the creation of online content**

The Law Library created numerous online LibGuides exploring topics of interest to self-represented litigants and members of the bar, as well as those interested in Louisiana legal history. Librarians partnered with the LSBA Access to

Justice Committee to form the Legal Assistance and Education Program (LEAP), reaching out to public librarians to teach them about legal research and sources of free legal information.

The Law Library continued to support the research needs of Court staff and made these needs a priority. The library met those needs in part by offering training on legal research tools and techniques. Librarians created informative exhibits on display in the library and the museum that are free and open to the public. Additionally, the Law Library participated in Court building tours, providing visitors information about what the Law Library does and allowing some of its rare legal materials to be viewed. Law librarians developed CLE programs offered free of charge to the Bar and the public.

The Law Library provides legal information to inmates of the state's prisons, who communicate in writing to the library. 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 2015 to June 2016 the Law Library staff answered 270 letters from prisoners requesting photocopies of statutes and cases.

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 2016 was "Miranda: More than Words," celebrating the 50th anniversary of the landmark



*Miranda v. Arizona* decision, in which the United States Supreme Court ruled that police must advise people in custody of their right to remain silent, and of their right to an attorney.

The library debuted three exhibits: an exhibit on the life of Judge Fred J. Cassibry, who served on the Orleans Civil District and Louisiana Eastern District Courts; an exhibit installed at the Orleans Parish Israel M. Augustine Criminal Court building in highlighting Judge Israel Augustine’s accomplishments; and a special exhibit for Constitution Day featuring a large selection of the many books owned by the library about the U.S. Constitution. All exhibits are on view at the Louisiana Supreme Court Museum, unless otherwise indicated, and are free and open to the public. Additionally, the library sponsored or co-sponsored eight continuing legal education seminars in 2015-2016.

**Performance indicator:** The number of CLE/ Exhibits offered by the Law Library in FY 2015-2016: 12

**Performance indicator:** The number of library clients served in FY 2015-2016: 2,447.

**Strategy: Encourage judges at all court levels to become involved in community activities and to engage their communities regarding the role and operations of the court system.** Justices of the Supreme Court, five of the five courts of appeal (100%), 42 of 48 district courts (87.5%), and 46 of 52 city and parish courts (88.5%), took action during the period to educate the public about the court, the law, or the administration of justice. These actions included holding oral arguments in various locations around the state, appearing on radio or TV shows, giving talks at various forums, publishing informational court brochures or publications, creating or maintaining a website containing information about the court, participating in judicial ride-along programs, sponsoring teen court programs and tours of the court, visiting classrooms, and using social media.

**Performance Indicator:** The percentage of courts that took action to educate the public about the court, the law, or the administration of justice. is displayed in the table below.

**Strategy: Maintain access to court opinions.**

**Performance Indicator:** The performance information regarding access to court opinions from 2014-2016 is displayed in the table below.

## NUMBER OF COURTS THAT TOOK ACTION TO EDUCATE THE PUBLIC ABOUT THE COURT, THE LAW, OR THE ADMINISTRATION OF JUSTICE

	2014	2015	2016
Percentage of courts of appeal chief judges indicating that their courts regularly provided public education and public outreach services	100%	100%	100%
Percentage of district court chief judges indicating that their courts regularly provided public education and public outreach services	89.6%	97.9%	87.5%
Percentage of surveyed city/parish court chief judges indicating that their courts regularly provided public education and public outreach services	92.3%	92.3%	88.5%

## ACCESS TO COURT OPINIONS 2014-2016

	2014	2015	2016
Number of Supreme Court opinions available to the public within five days of being issued	100%	100%	100%
Number of media releases on court decisions	64	66	78
Number of recipients of releases on court decisions	1,485	1,632	1,775



**Objective B: Better engage the public concerning 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.

**Strategy: Support community relations initiatives.** During the period, the Supreme Court Community Relations Department (CRD) assisted by handling media coverage when the Supreme Court “rode the circuit” – holding oral argument in a venue other than the Royal Street courthouse – at Southern University Law Center in Baton Rouge and Loyola University College of Law in New Orleans. The CRD also issued 24 media releases on matters not involving court decisions.

Law Day always presents an opportunity to reach out to students. In 2016, the Supreme Court hosted over 100 students from Lafayette, Livingston, and Orleans Parishes for Law Day court tours and presentations. Additionally in 2016, the CRD staff conducted 45 courthouse tours for 875 court visitors from across the state and country and from around the world. Also of

note, Judicial Administrator Sandra Vujnovich and CRD Director Valerie Willard joined to present a continuing legal education program for the Louisiana Judicial College’s Summer School on media relations and the ethical considerations for judges.

**Performance Indicator:** The Community Relations Department initiatives from 2014-2016 are displayed in the table below.

**Strategy: Participate in community activities and discuss the role of the Supreme Court and the judicial system whenever possible.** During the period, the Supreme Court Justices participated in a number of community activities, including holding oral arguments at various locations around the state such as law schools, speaking to civic groups, addressing state and local and bar associations and other lawyer associations, and meeting with groups such as community organizations, school groups, and church groups as they toured the Court. The Justices also visited schools, met with law students and interns, and spoke at conventions and other meetings.

**Objective C: Improve communication with other branches of government and justice system stakeholders**

**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

**COMMUNITY RELATIONS DEPARTMENT INITIATIVES 2014-2016**

	2014	2015	2016
Number of outreach programs	58	100	60
Number of media releases on non-decision matters	25	17	24
Number of recipients of releases on non-decision matters	3,633	4,700	6,010



judiciary, and for improving the law and the proper administration of justice.

**Strategy: Implement new Supreme Court case management system.** This strategy is discussed above under Goal I, Objective A above.

**Strategy: Leverage information management systems and other technology to more efficiently and effectively share data and information among justice system stakeholders.** The Court, through its CMIS Division, shares information with a number of justice system stakeholders including district attorneys, clerks of court, the Louisiana Department of Public Safety and Corrections, the Office of Motor Vehicles, and the FBI. Further information can be found in Goal II, Objective C, and the Supreme Court Data Collection and Information Sharing Systems section of this report.

**Performance indicator:** Statistics regarding CMIS handling of criminal records are displayed in the table below.

**Objective D: To ensure the highest professional conduct, integrity, and competence of the bar**

**Intent of the objective.** “A lawyer is a representative of clients, an officer of the legal system, and a public citizen having special responsibility for the quality of justice.” By virtue of the public trust placed in the bar, those engaged in the practice of

law should adhere to the highest standards of ethical conduct. The Supreme Court takes very seriously its lead responsibility for ensuring the development and enforcement of these standards. A lawyer 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.

**Strategy: Mandatory continuing legal education for attorneys.** 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.

**Performance indicator:** The average number of hours acquired through continuing legal education per lawyer 2014-2016 is displayed in the table below.

**Strategy: Support statewide expansion of the new lawyer mentoring program.** The Louisiana Supreme Court formally approved the Transition Into Practice (TIP) Program for new lawyers admitted to practice in the state of Louisiana.

The program matches one mentor with one mentee, allowing more experienced attorneys to share their knowledge with those who are just starting their careers. The Louisiana State Bar Association and the Louisiana Supreme Court see this as an opportunity to exercise the highest level of professionalism; as such, each mentor can receive up to six hours of free CLE credit (should

### CMIS CRIMINAL RECORDS

	2014	2015	2016
Number of criminal records received by CMIS' Criminal Records Project	354,663	350,767	345,807
Number shared with Dept. of Public Safety and Corrections	46,286	64,601	73,022
Number shared with the FBI	35,784	36,043	46,098

### AVERAGE HOURS ACQUIRED THROUGH CONTINUING LEGAL EDUCATION PER LAWYER 2014-2016

	2014	2015	2016
The average number of hours acquired through continuing legal education per lawyer	14.92	15.12	15.08



they successfully complete a mentoring training session and if their mentee successfully completes their requirements). The Supreme Court appoints qualifying mentors recommended by the LSBA, based on submitted mentor applications.

TIP commenced in January 2015 and was implemented through the Louisiana State Bar Association Committee on the Profession. The pilot volunteer mentoring program was initially available in Baton Rouge, Shreveport and greater New Orleans, but will expand statewide in February 2017.

**Strategy: Support the Office of Disciplinary Counsel Board’s initiatives regarding education and program**

**assessment.** The Louisiana Attorney Disciplinary Board (LADB) and the Office of Disciplinary Counsel (ODC) are continuing outreach to all four law schools to further the goal of education on ethical principles to law students:

- Continuing a nearly two-decade-long effort, the LADB offers free continuing education seminars across the state focused on ethics and practice issues which are particularly germane to the solo practitioner and small firms
- At the request of the ODC, the Justices invited a consultation team from the ABA Center for Professional Responsibility to conduct a system wide review of the lawyer regulation system to facilitate changes and improvements designed to make Louisiana’s system more efficient, effective and fair. The Court anticipates receipt of the consultation team report in the late spring of 2016

- The Disciplinary Board is working towards making electronic filing in all lawyer regulatory matters available for respondents and the Disciplinary Counsel
- Exploring ways to address end of practice issues more effectively thru advance successor planning, particularly for solo and small firm practitioners

**Performance indicator:** Statistics regarding complaints against lawyers filed and resolved during 2014-2016 are displayed in the table below.

**GOAL 4: ENHANCE JUDICIAL COMPETENCY**

*The rule of law, which is a foundation of freedom, presupposes a functioning judiciary respected for its independence, its professional attainments, and the absolute probity of its judges.”<sup>7</sup>*

**Objective A: 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, judges should adhere to the highest standards of ethical conduct. Ethical conduct by judges heightens confidence in the legal and judicial systems. Standards of conduct for 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 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

**COMPLAINTS AGAINST LAWYERS FILED AND RESOLVED 2014-2016**

	2014	2015	2016
Number of complaints filed against lawyers	3,040	2,950	2,922
Number of complaints filed against lawyers resolved or disposed of	3,140	3,046	2,673

<sup>7</sup> *New York State Bd. of Elections v. Lopez Torres*, 552 U.S. at 212, 128 S.Ct. 791 (Kennedy J., concurring).



the regulation infrastructure. Further, judicial competence depends on the willingness of the judiciary itself to assure that its members are knowledgeable and skilled in the study of the law and its development, and that judges are trained in the application of legal principles and the art of judging.<sup>8</sup>

**Strategy: Develop and make available to judges a 12.5 credit hour training course on enhancing the judicial response to domestic violence.** During the period, development continued on the remaining two modules of the course. The developer also improved the voice technology and screen captures. The Louisiana Protective Order Registry is applying for CLE credits for the course.

**Strategy: Expand the 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 judges in understanding and managing their caseloads, avoiding ethical conflicts, and accessing information and resources.

**Strategy: Continued legal education.** Judges and lawyers are required to complete a minimum of twelve and a half hours of approved continuing legal education (CLE) each calendar year; one of these required hours must concern legal ethics and another hour must concern professionalism. Five

of these hours must be obtained through Judicial College seminars.

**Performance indicator:** The average number of hours acquired through continuing legal education per judge from 2014-2016 is displayed in the table below.

**Strategy: Through the Judicial College, expand in-person and web-based training on best judicial practices.** Under Supreme Court Rule XXX, judges are required to obtain five of their required 12.5 CLE hours through the Judicial College. 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 held a mandatory new judge training attended by newly-elected judges. 814 judges attended Judicial College seminars during the period.

The Supreme Court continued to facilitate the activities of the College. Justices serve as co-chairs of the College’s Board of Governors, and through the judicial budgetary and appropriations process the Court provides for a portion of expenses. In addition, the Court offers the services of its Judicial Administrator’s Office to support the Judicial College in various ways. The Justices also taught CLE presentations during Judicial College seminars.

**AVERAGE NUMBER OF HOURS ACQUIRED THROUGH CLE PER JUDGE 2014-2016**

	2014	2015	2016
Average number of hours acquired through continuing legal education per judge	33.59	34.25	30.08

<sup>8</sup> Chief Justice Wayne Martin, Chief Justice of Western Australia and Chair, National Judicial College of Australia.



**Strategy:** Through the Judicial College, continue to provide training on judicial ethics. During the period the Judicial College offered continuing legal education sessions on ethics at each of its seminars throughout the state.

**Performance indicator:** The number of continuing legal education sessions on ethics offered through the Judicial College during the period: 9

**Strategy:** Continue to fulfill the court’s constitutional duties and responsibilities in reviewing and acting on recommendations of the Judiciary Commission of Louisiana.

The Judiciary Commission of Louisiana is a constitutionally-created body which operates pursuant to Article V, Section 25 of the Louisiana Constitution. The Judiciary 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 Judiciary Commission makes recommendations to the Supreme 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 Supreme Court can impose discipline on judges,

which can range from censure to removal from office.

The Judiciary 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 Supreme Court concerning the imposition of monetary penalties in such cases.

**Performance indicator:** Actions, Complaints, and Dispositions of the Judiciary Commission 2014-2016 are displayed in the table below.

**Strategy:** Continue to administer programs designed to provide guidance and promote enhanced competence in the field of judicial ethics, such as the Supreme Court Committee on Judicial Ethics and the Judicial Campaign Oversight Committee. 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

### ACTIONS, COMPLAINTS, AND DISPOSITIONS OF THE JUDICIARY COMMISSION BY CALENDAR YEAR, 2014-2016

	2014	2015	2016
Requests for Information	202	291	288
Number screened out	327	369	420
Remaining cases reviewed	168	160	125
Number of files in which the Commission authorized in-depth investigation	68	47	71
Number of formal charges	17	6	5
Number of judges with formal charges	17	6	2
Disposed cases	477	601	582
Pending cases	289	215	177



Administrator and the lawyers employed in the Judicial Administrator's Office staff the committee.

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 2015 election cycle, four contested judicial races fell within the committee's oversight jurisdiction and the committee received one complaint regarding candidates in these races. During the spring 2016 election cycle, two contested judicial races fell within the committee's oversight jurisdiction, producing two complaints.

**Strategy: Promote the use of technology to provide necessary information for decision-making by judges while on the bench.**

During the period the CMIS Division has been working to develop an interface for judges with the Louisiana Protective Order Registry in order to provide judges access to protective orders while on the bench to improve the information available to a judge while adjudicating a case. It is anticipated that this tool will be available by mid-2017.

**Objective B: Improve communication among courts at all levels**

**Intent of the objective.** Judges at all levels can benefit from sharing their experiences with each other. Such information assists judges to decide like cases without undue disparity, work more collegially together, and to apply proven solutions to court administrative challenges.

**Strategy: Facilitate the LDJA website and newsletter.** The Louisiana District Judges Association (LDJA) Self-represented Litigants Committee (SRL Committee) posted information and research material for judges on the "judge-only"

page of its website for assistance in dealing with SRLs in their court. The SRL Committee won a grant to help fund the production of 2 videos for SRLs, "What to Expect in Court," and "How to introduce Evidence." Those videos are available on the public page of the LDJA website. The SRL Committee also used grant funding to create a new page on its website to allow access for judges of courts with limited jurisdictions (city and parish courts).

The LDJA continued to publish a quarterly newsletter "Obiter Dictum," which includes reports from committee work, highlights the activities of judges in districts throughout the state, and provides other newsworthy information. It is distributed to all judges and justices (city, district, appellate).

The LDJA committees tackled many issues that are pertinent to the work of the judges – both on and off the bench. Those issues include such matters as civil and criminal best practices, needs of self-represented litigants, new legislation, and the coordination of information with the clerks of courts. The newsletter is a good conduit for sending information but it is not the only means of communication. The LDJA Executive Committee meets 4 or 5 times annually and the work of that committee is communicated to the district judges through its bi-annual General Membership meetings and to other judges at various educational seminars throughout the year. Many of these activities are organized or facilitated by a Supreme Court staff member who acts as liaison to the LDJA.

**Strategy: Publish the Court Column newsletter.** The Louisiana Supreme Court continued to publish the *Court Column*, a newsletter of the Judiciary of Louisiana, which publishes information on activities and accomplishments of judges at all court levels. The newsletter is distributed to all judges, clerks of court, judicial administrators, and Supreme Court employees.



**Strategy: Publish Justice at Work.** The Judicial Administrator continued to produce “Justice at Work,” a yearly report on the performance of judges at all levels. The report contains a wealth of information on the activities and operations of courts. The document is searchable and interactive, so a user may do a search or compile a report on a certain court or activity.

**Strategy: Appoint judges on all levels to boards and committees.** 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. Further, 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.

**Performance indicator:** The number of initiatives to foster better communication among courts at all levels: 5.

## GOAL 5: ENHANCE PROTECTIONS FOR CHILDREN, FAMILIES, AND COMMUNITIES

*“The concept of judicial independence is one of the key factors that distinguishes our system of government from others around the world. It protects the weak from the powerful; the minority from the majority; the poor from the rich; yes, even the citizens from excesses of government.”<sup>9</sup>*

## Objective A: Address domestic violence

**Intent of the Objective.** In 2016, there were 46 incidents resulting in 51 domestic homicides in Louisiana.<sup>10</sup> Louisiana ranks 2nd in the nation in the statistic usually used to measure domestic violence - the number of women murdered by men.<sup>11</sup> Reducing domestic violence requires a sustained commitment to victim safety and offender accountability.<sup>12</sup>

**Strategy: Continue to collect and analyze domestic violence court orders.** The Louisiana Protective Order Registry (LPOR) is the statewide repository of court orders issued to provide protection from domestic abuse, dating violence, stalking and sexual assault and to aid law enforcement, prosecutors, and the courts in handling such matters. Further information about LPOR is available in the Data Collecting and Information Sharing Systems section of this report.

**Performance indicator:** LPOR Performance information 2014-2016 is displayed in the table below.

**Strategy: Participate in the statewide Domestic Violence Prevention Commission created during the 2014 legislative session.** The Commission met four times during the period covered by this report. The Louisiana Protective Order Registry (LPOR), through its Director, participated at meetings and provided statistical information to the commission to facilitate the multi-jurisdictional data needs

### LPOR PERFORMANCE INFORMATION 2014-2016

	2014	2015	2016
Number of orders entered	22,454	26,050	26,776
Time from submission to entry in database	1.33 days	1.45 days	1.45 days
Percentage of orders entered within the goal time period	100%	100%	100%

<sup>9</sup>Judge Robert C. Leuba, Chief Court Administrator, Connecticut Judicial branch, Program Review and Investigations Committee Public Hearing, October 10,2000.

<sup>10</sup>Louisiana Coalition Against Domestic Violence 2017 Legislative Guide, <http://lcadv.org/wp-content/uploads/2017-LCADV-Legislative-Guide1.pdf>, 7/26/17.

<sup>11</sup> *Id.*, citing the Violence Policy Center, *When Men Murder Women*, 2016.

<sup>12</sup> *Id.*



assessment work of the commission in preparation of the report to the legislature for February 2016.

**Strategy: Continue to collaborate with other agencies such as the Louisiana Coalition Against Domestic Violence and the Louisiana Foundation Against Sexual Assault to develop statewide responses to domestic violence.** LPOR worked with each coalition after the legislative session ended and received input relative to the creation of the new version (v. 9) of LPOR forms and related products.

## Objective B: Enhance juvenile justice

**Intent of the Objective.** The promise of justice for all is never more important than when it comes to the most vulnerable members of society. Courts all too often encounter youth who have been abused, assaulted, or exploited by once-trusted friends and family members or predatory strangers. Courts must address the special needs of the young.<sup>13</sup>

The intent of the objective is to promote the use of evidence-based, effective, and measurable developments in science and law in juvenile justice case processing, administration, and planning, with the goal of arriving at the best outcomes for all juveniles who come in contact with the justice system.

**Strategy: Continue initiatives to improve the administration of juvenile justice.** During 2016, the Supreme Court continued initiatives designed to improve the administration of juvenile justice. *The Families In Need of Services (FINS) Assistance Program* provided funding for informal FINS offices in 41 judicial districts. Highlights this year included providing professional development and regional training to allow FINS programs to share best practices and improve program quality and fidelity. Implementation of a standard statewide juvenile screening instrument was fully implemented in judicial districts. The creation of an updated report manager system has

allowed for improved data analysis and aggregate reporting.

*The Court Appointed Special Advocates (CASA) Assistance Program* administered funding for CASA programs in 54 parishes and 37 judicial districts. In 2016, CASA programs served 3,241 Temporary Assistance for Needy Families (TANF) eligible children. Closed cases resulted in 1,234 children being placed in permanent homes. CASA programs trained 487 new volunteers who are advocating for children. In 2016, two CASA programs expanded and began providing services in three additional parishes. Expanded use of the statewide case management system continues to enhance uniformity of data collection and analysis resulting in better advocacy and better outcomes for children.

The Supreme Court also provided Child Representation System Oversight over the entities approved for representation of all children in child protection cases in designated jurisdictions statewide and facilitated meetings of the state Child Protection Representation Commission.

With funding from the Louisiana Commission on Law Enforcement, creation of an automated application to export juvenile Disproportionate Minority Contact data from six pilot courts to the Supreme Court was completed.

**Strategy: Support implementation of the Court Improvement Program strategic plan by the Pelican Center for Children & Families.** The Court Improvement Program (CIP), through the Pelican Center for Children & Families, engaged in efforts to improve the quality of legal representation for children and parents, provided multiple training and education events statewide on safety decision-making and best practices, implemented a uniform case management information system for children's attorneys, supported a CIP Judicial Fellow to be a resource to judges hearing Child in Need of Care cases, and improve compliance with relevant state and federal

<sup>13</sup> Mary Campbell McQueen, Preface, *Trends in State Courts 2014: Special Focus on Juvenile Justice and Elder Issues* p. vii.



child welfare laws, and partnered with DCFS and the University Alliance in the Louisiana Child Welfare Training Academy.

**Strategy: Re-engage with the Casey Foundation on the Juvenile Detention Alternatives Initiative (JDAI) and McArthur Foundation regarding juvenile justice.** The Supreme Court was officially included in the membership of the Louisiana Juvenile Detention Alternatives Initiative Statewide Leadership Collaborative by HCR 102, and participated in planning efforts for statewide implementation of JDAI.

### Objective C: Review elder law issues

**Intent of the Objective.** As noted in Objective B above, the promise of justice for all is never more important than when it comes to the most vulnerable members of society. Senior citizens who have been physically abused, sexually assaulted, or financially exploited by once-trusted friends and family members or predatory strangers need the protection of law as enforced by the court system.<sup>14</sup>

Information on this objective was not collected during the period of this report.

### Objective D: Address human trafficking

**Intent of the Objective.** State courts nationwide are now becoming aware that many people in the courts may have been “induced, recruited, harbored, obtained, or transported by force, fraud, or coercion, for commercial sex or labor...it is now becoming apparent that many of the tens of thousands of juvenile and adult prostitutes who have contact with state courts may be trafficking victims.<sup>15</sup> Similarly, court practitioners are now becoming aware that human traf-

ficking can manifest itself in a variety of court settings such as drug sales, theft, and peddling by individuals who may be trafficking victims, as well as in child protection cases.”<sup>16</sup>

**Strategy: Initiate the Human Trafficking Committee.** The Chief Justice initiated a Human Trafficking Committee to focus on the problem of trafficking of juveniles, particularly in the New Orleans area. The Supreme Court’s Human Trafficking initiative is coordinated by Angela White-Bazile, Executive Counsel to the Chief Justice. In 2016, the Greater New Orleans Human Trafficking Task Force was formed and staffed with a full-time coordinator. The task force brings together area law enforcement, the Department of Children and Family Services, local courts, local non-governmental service agencies, faith-based communities, and universities to train and combat human trafficking in the Greater New Orleans region. Also, under the leadership of Chief Judge Candice Bates Anderson, Orleans Parish Juvenile Court entered into a partnership agreement with the Children’s Advocacy Center to become part of the multi-disciplinary team contributing to the investigation and case planning of juvenile cases of trafficking.

### Objective E: Address court-related immigration issues.

**Intent of the Objective.** A wide range of legal issues—including employment, workers’ compensation, pleas, traffic, family, and malpractice—could involve immigrants (legal or illegal) and present special problems for courts.<sup>17</sup> Court administration, too, is affected. Courts must provide interpreters and other services, as well as adequate staffing levels in areas with growing populations. Newly enacted and proposed documentation requirements, moreover, pose a paperwork challenge for already strapped courts.

<sup>14</sup> Mary Campbell McQueen, Preface, *Trends in State Courts 2014: Special Focus on Juvenile Justice and Elder Issues* p. vii.

<sup>15</sup> Human Trafficking and the State Courts Collaborative, *A Guide to Human Trafficking for State Courts*, July 2014, p. 15.

<sup>16</sup> Id.

<sup>17</sup> Skove, *Disorder in the Court; The Implications of Immigration and Immigration Reform on State Courts, Future Trends in State Courts 2007*, p. 72.



**Strategy: Expand the Supreme Court interpreter program list of registered and certified interpreters through orientations, skills classes and testing, and expand access to qualified interpreters nationwide.** The Supreme Court developed the Louisiana Court Interpreter Training Program to serve litigants of limited English proficiency in the Louisiana court system by enhancing access to justice through quality interpreting services. Prior to the period of this report, the Supreme Court adopted the Code of Professional Responsibility for Language Interpreters and adopted policies that established a two-tier interpreter qualification and testing program consisting of “Registered” and “Certified” court interpreters. The program was initially funded in part by a grant from the State Justice Institute and currently includes court interpreter orientation classes around the state, oral exam preparation and advanced skills classes, and the administration of

English proficiency exams, translation exams, and the court interpreter oral certification exam.

During the period of this report, the number of Certified and/or Registered court interpreters increased to 133 in the languages of Amharic, Arabic, French, German, Haitian Creole, Italian, Laotian, Mandarin, Polish, Portuguese, Spanish, Thai, Vietnamese, and American Sign. In May, the Supreme Court hosted the 2016 annual national conference of the Council for Language Access Coordinators. A current list of Registered and Certified court interpreters, information and registration for upcoming training opportunities and testing, the application for court interpreter reciprocity, and other information about the program is available on the Supreme Court website at [www.lasc.org](http://www.lasc.org).

**Performance Indicator:** Interpreter program information for 2014-2016 is displayed in the table below.

### INTERPRETER PROGRAM INFORMATION 2014-2016

	2014	2015	2016
Number of attendees at Supreme Court interpreter trainings	144	82	93
Cumulative number of registered court interpreters in Louisiana	97	114	133
Cumulative number of certified court interpreters in Louisiana	0	8	14

