



PERFORMANCE REPORTS:

**PERFORMANCE OF THE
SUPREME COURT**

2016-2017 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.¹ 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 Supreme 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

¹Louisiana 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 Supreme 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 I. 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.²

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. The Court is currently in the final stages of implementing a new appellate case management system with Thomson Reuters Court Management. This implementation is expected to be completed in 2018. 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 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 status of the case management system, which is 80% 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 for self-represented litigant videos; and Louisiana State Bar Association (LSBA) 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. The Law Library added content to and continually updated its existing online LibGuides for self-represented litigants.

Performance indicator: The number of visits to the Supreme Court self-represented litigant webpage is not collected; 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. Visits to the page continued to increase, with 11,111 recorded visits in 2017, a 60% increase over 2016.

² 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.lawsources.com/also/iid0804.pdf>.



Strategy: Collaborate with LSBA and legal services agencies to develop strategies to expand legal and other self-help services.

One strategy to expand legal and other self-help services that was developed by the Supreme Court, the LSBA, and the civil justice community, is the Louisiana Access to Justice Commission (Commission). The mission of the Commission is to assure continuity of policy and purpose in furtherance of the goal to ensure that all Louisiana citizens have access to equal justice under the law.

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.

The Commission is pursuing a coordinated and systemic approach to ensuring the public’s access to the legal system. 2016-2017 activities include sponsoring a CLE that trained and recruited 50 volunteers to represent reentry court participants in Orleans, Jefferson, and St. Tammany; developing the Attorney Card, intended for use by attorneys and the public to provide information about access to courts for LEP individuals and the Supreme Court’s interpreter program; and approving the distribution of standardized domestic pleadings directly to the public via the Commission website.

Also, Supreme Court Law librarians have partnered with other librarians and the Commission to form the **Legal Assistance and Education Program (LEAP)**. The purpose of LEAP is to reach out to public librarians and teach them about legal research and sources of free legal information. Through the efforts of ATJ Commission Self-Represented Litigant Counsel Michael Schachtman, LEAP received the Margot T. Lane Award from the Louisiana Library Association in 2017 for improving the public’s access to legal information.

Performance indicator: Number and type of major strategies advanced: 2

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.

Court interpreter orientation and testing is held two times per year. 46 interpreter candidates attended the October 2016 orientation. Thirteen interpreters completed all of the requirements to become “Registered” court interpreters; accordingly, the total number of registered court interpreters increased from 121 to 134. The number of “Certified” court interpreters increased from 13 to 14. New languages added included Haitian Creole and Amharic. After the April 2017 training and orientation, 11 more interpreters completed the requirements to become “Registered” court interpreters; bringing the total number of “Registered” interpreters to 145.

Performance Indicator: Interpreter program information 2015-2017 is displayed in the table below.

INTERPRETER PROGRAM INFORMATION 2015-2017

	2015 ³	2016 ⁴	2017
Number of attendees at Supreme Court interpreter trainings	86	94	106
Cumulative number of registered court interpreters in Louisiana	115	134	161
Cumulative number of certified court interpreters in Louisiana	8	14	15

^{3,4} Reflects updated figures received after the publication of the 2015-2016 Justice at Work Report.



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.”⁵ 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 (legal financial obligations, or LFOs). LFOs should not place an undue or disproportionate burden on citizens, especially those who are financially struggling.

Strategy: Continue 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), contracted with the National Center for State Courts (NCSC), and began implementing these recommendations. During 2017, staff from the Center submitted the final draft of the report for recommendation number two, regarding establishing an effective tracking system for assessed and collected fees. The Center also submitted the final draft of the report regarding recommendation number four, suggesting how to distribute partial payments. The Court contracted with an economics professor from LSU to perform the study regarding recommendation number five, the point at which higher fees no longer generate increased income.

Further, in 2016 the Court won a three-year \$500,000 grant from the U.S. Department of Justice Price of Justice Initiative to pilot and implement the recommendations. During the period covered by this report the Court put together a grant team and developed an action plan for proposed grant activities.

Grant goals include:

1. Complete the public database of the applicable laws regarding the cost or fee to be collected, the allowable amount of the fee or cost, and the entity responsible for each particular action in the assessment and collection process.
2. Develop and disseminate models of data sharing to assist local jurisdictions to effectively

⁵CourTool 7A, *Ensuring Fairness in Legal Financial Obligations*, CourTools Trial Court Performance Measures, National Center for State Courts.



track assessed LFOs, searchable by individual and date of payment. Partner agencies will be able to share information regarding the assessed cost or fee, the defendant who is assessed the fee, and the amount paid and/or still owed each time a payment is made.

3. Develop and spread statewide best practices in assessing and collecting LFOs, specifically including meaningful alternatives to incarceration for those who are unable to pay LFOs.

4. Collect data to show the cost/benefit of collection practices and the impact of grant activities. The target populations of this goal are courts, clerks of court, and sheriffs, who collect the data.

5. Make appropriate recommendations to the state legislature regarding long-term changes to the cost collection system.

Performance indicator: SJI grant activities 75% complete; Price of Justice grant planning begun.

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 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: Database 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 that 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: Review of ADA policies 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. The Security Division reviewed court security policies during the period of this report and reported that all policies were up to date.

Performance indicator: 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.”⁶

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.

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 2017, the Court disposed of 2,039 cases while receiving and filing 2,181 cases for a clearance rate of 93 percent, a decrease from 94 percent in 2016.

For the fourth year in a row, filings with the Clerk of Court have declined. In 2013, 3,017 cases were filed with the Clerk of Court compared to the 2,181 in 2017 with filings at 2,716 in 2014, 2,365 in 2015 and 2,283 in 2016. All together, the filings have dropped 27.7% since 2013. The all-time high occurred in 1999, when there were 3,652 filings. Since this high, filings have dropped a total of 40.3%.

Although there has been a decline in the total number of filings, there continues to be a large number of cases being filed in which expedited consideration has been requested. In 2015, 166 such cases were filed, but that number jumped to 221 in 2016. In 2017, that number settled in at 182. These cases interrupt the normal processing of work and are labor-intensive, requiring immediate attention.

Performance indicator: Supreme Court Performance Information 2015-2017 below.

SUPREME COURT PERFORMANCE INFORMATION 2015-2017

	2015	2016	2017
Total Filings	2,365	2,283	2,181
Total Appeals Filed	6	9	4
Total Writs Filed	2,172	2,092	1,997
Total Dispositions Rendered	2,486	2,142	2,039
Percentage of noncriminal case applications acted on within Supreme Court standard of 120 days of filing	97.1%	94.1%	88%
Percentage of criminal case applications acted on within Supreme Court standard of 120 days of filing	36.1%	48.7%	34.9%
Percentage of <i>pro se</i> post-conviction applications acted on within Supreme Court standard of 120 days of filing	3%	26%	20.8%
Percentage of bar disciplinary filings acted upon within Supreme Court standard of 120 days of filing	97%	93.6%	89.3%
Percentage of opinions rendered within Supreme Court standard of 84 days from argument	75.8%	66.7%	73.2%
Percentage of written opinions available to the public within 5 days of decision	100%	100%	100%

⁶ George Washington, from his letter nominating Edmund Randolph as the first attorney general of the United States, September 28, 1789.



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 continued State Institute of Justice grant activities and won a grant from the U.S. Department of Justice to continue working on the recommendations for a more transparent court-cost collection system.

Performance indicator: The Court Cost Committee provided recommendations and the Court won grants from the State Justice Institute and the U.S. Department of Justice to begin implementing recommendations to improve the court-cost collection system.

Strategy: Judicial education. During the period, two sessions on managing resources were sponsored by the Judicial College. *Spending Public*

Money, presented by Judge Madeleine Landrieu, 4th Circuit Court of Appeal, and Judge John Molaison, 24th Judicial District Court, as part of new judge training, and *Criminal Fines, Fees and Court Costs* presented by Judge Paul A. Bonin, Orleans Parish Criminal District Court and Judge Sandra Cabrina Jenkins, 4th Circuit Court of Appeal, during the LSBA Sumer School 2017. More sessions are planned for the future.

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.

Strategy: Continue Efficient 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.

Performance indicator: Indicators of Fiscal Workload by Fiscal Year 2014-2017, table below.

INDICATORS OF FISCAL WORKLOAD BY FISCAL YEAR, 2014-2017

Indicator	2014-2015	2015-2016	2016-2017
Number of Vendors	5,224	5,526	5,704
Accounts Payable Dollar Amount	\$111,621,486	\$116,280,660	\$113,359,807
Number of Checks Processed for Accounts Payable	6,486	6,830	6,248
Automated Clearing House (ACH) Payments	852	869	830
Payroll Dollar Amount	\$67,318,536	\$53,593,939	\$66,800,216
Number of Checks Processed for Payroll	11,743	10,268	10,972



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 2016, CMIS committed more than \$1,759,432 in federal and CMIS grants to district and city courts and in 2017 CMIS committed more than \$1,208,986 throughout the state to enhance security in order 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).

In 2017, Federal Motor Carrier funding was provided to eight city courts, two district attorney's offices, one sheriff's office, and twelve 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 2017, the CMIS office completed development of an interface with the Louisiana Protective Order Registry for judges. The new interface provides access to protective orders while on the bench; this improves the information available to a judge while adjudicating a case. It was made available to a pilot group of judges in 2017 and will be expanded to all judges who adjudicate protective orders in 2018.

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, 16 city and parish courts, and 12 mayor's courts reported data electronically during the period, an increase of five courts from the previous 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, emergency court closures, 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: Planned rollout of the updated website is 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 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.



Strategy: Develop and support specialty courts such as drug courts, DWI courts, family preservation courts, reentry courts, behavioral health courts, and veterans’ 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. During the period of this report, the SCDCO acted as the fiscal agent for state general funds and federal Temporary Assistance to Needy Families (TANF), 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: Louisiana Supreme Court Drug Court Program statistics below.

Reentry Courts. Act 131 (HB 94) of the 2017 Regular Legislative Session authorized the creation of reentry courts in all parishes in the state effective August 1, 2017. This new law removed the list of enumerated district courts previously authorized to create reentry divisions, and requires certain criteria for eligibility and suitability. Because

bed space is limited for offenders who meet the eligibility criteria for reentry courts, this provision requires each court to contact the Department of Public Safety and Corrections Reentry Services to determine if there is adequate capacity for enrollment or if bed space is available. Judges who have undertaken special dockets for the creation of a reentry court do so with no additional funding from the state and no additional staff assistance. These judges understand that reentry 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 reentry court judge 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.

LOUISIANA SUPREME COURT DRUG COURT PROGRAM STATISTICS BY FISCAL YEAR 2015-2017

	2015	2016	2017
Cumulative Number of Courts ^{1,2}	56	54	54
Number of judicial districts served	27	29	29
Total clients served per month ¹	3,016	2,868	2,725
Drug-free babies born (each year)	49	60	57
Total graduates	1,038	1,080	953

¹ Includes 5 DWI courts

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



The Judicial Budget and Performance

Accountability Program. The 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 completed a revision of the city and parish courts strategic plan. The new plan is more streamlined; the judges plan to focus on one goal per year. The district judges completed a major revision to the district courts strategic plan. The district judges continued to implement their new plan, 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; during the period covered by this report, the focus was on Campaign I, Provide Adequate Access to Justice.

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 assessment of the Attorney Disciplinary System by the American Bar Association.

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 one request for new court costs and fees. Also, as is more thoroughly discussed in Goal I, Objective C above, the Court continued activities under a grant from the State Justice Institute and won a \$500,000 grant from the U.S. Department of Justice to implement 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.

District Courts. The Louisiana District Judges Association (LDJA) has approximately twelve active committees. The work of the committees is staffed by a liaison counsel



from the judicial administrator's office. The committee work is critical and instrumental to district judges in their daily work. Those committees assist in following upcoming legislation, creating best practices, and finding new and innovative ways to address problems in the court system as they arise.

The LDJA's Self-Represented Litigants (SRL) Committee recently scripted and filmed three tutorial videos and updated the LDJA website to make SRL resources for judges more accessible to courts of lower jurisdiction. With grant funds, the SRL Committee also upgraded the mapping feature to allow for greater ease in locating courts throughout the state.

Invaluable to our district judges is the work of the LDJA/Department of Corrections (DOC) Liaison Committee. Members of this committee include judges, DOC personnel, leaders from the DA's association and criminal defense bar, probation and parole supervisors, legislators, and other criminal justice partners. This committee's most recent work was to develop procedures and protocols for the Uniform Commitment Order. More examples of information shared include current developments in sentencing options, problems in interpreting sentencing language, and updated information on Alternative Sentencing provisions. In the last year, the Justice Reinvestment Initiative (JRI) has taken on an overarching place within this committee work. This committee has been instrumental in helping to implement the new provisions. Some projects completed in this area include creating JRI bench cards for district judges, filming video tutorials, and planning judicial education programs.

More recently formed is the LDJA/Clerks of Courts Committee, which includes judges, clerks of court, and judicial administrators from across the state. The mission of this committee is to improve communication with the clerks and establish an effective partnership

with their members. Some ambitious goals of this committee are to develop standardized criminal court minutes, improve reporting of misdemeanor crimes of domestic violence, and assist clerks in addressing collections upon the conclusion of *In Forma Pauperis* filings. This committee also has worked diligently to integrate proper use of the Uniform Commitment Order among all districts.

Other committees are responsible for work on the website, newsletter, mentoring new judges, civic education, and best practices.

City and Parish Courts. The city and parish court judges completely revamped their Strategic Plan for 2017-2021. The new plan has fewer but broader goals and strategies. The city and parish judges decided to focus on one goal per year. They chose Goal 1, Advance Judicial Competency, as the first goal on which to focus. The new plan became effective on July 1, 2017.

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 2015-2017 table, right



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 and two 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 assist 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: Number of judicial orders of assignment processed per year, 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 Court to the parties, courts and the public via mail, email, and the internet, the Clerk of Court’s office fulfilled the following key responsibilities or accomplished the following in 2017:

- Processed all filings and dispositions including dissemination of actions to the parties, courts, and the public via mail, e-mail, and the internet.
- Scanned all filings and dispositions, which are available to staff via the Court’s case management system.
- Continued to develop and configure the Thomson Reuters’ CTrack case management software, which, besides replacing the current

JUDICIAL ORDERS OF ASSIGNMENT PROCESSED PER YEAR 2015-2017

	2015	2016	2017
Number of judicial orders of assignment processed per year	1,200	1,430	1243

LPOR PERFORMANCE INFORMATION 2015-2017

	2015	2016	2017
Total number of orders entered into the Louisiana Protective Order Registry	26,419	27,004	28,269
Number of requests for order verification from examiners with the FBI’s NICS program, all of which were fulfilled by LPOR	249	231	210
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	1,360	1,608	2,035



CMS and e-filing systems, integrates with the justices' and staff attorneys' offices.

- Admitted 546 new attorneys to the practice of law, a drop of 89 from 2016, 90 from 2015 and 163 from 2014, when 709 new attorneys were admitted.
- Issued Certificates of Good Standing. The demand for issuance of Certificates of Good Standing began to increase in 2017, reaching a four-year high of 2,359. As mentioned last year, 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 had dropped more than half. The requests have now begun to increase. Note: newly admitted attorneys receive two certificates, free of charge, which are not included in these numbers.
- Managed logistics for 265 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 and assessment of options for more permanent solutions and evaluation of plumbing and ventilation of kitchen/dining room.

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: Continue 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 both live and electronic training on the "Moodle" system. The Court held three electronic trainings and one live training program, on Emergency Preparedness.

Performance indicator: The following training materials were presented either live or electronically:

General Safety Rules: 238 employees received the training
Emergency Preparedness Boot Camp: 77 employees received the training
Continuity of Operations Plan (COOP) 238 employees received the training
Sexual Harassment: 179 employees received the training

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. The Court continued to maintain an exercise room with three 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 CLEs, 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 National Conference, etc. Some of these are specific to the Court's functions, 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."*⁷

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 maintained the partnership with the LSBA Access to Justice Committee that formed the Legal Assistance and Education Program (LEAP), and continued to reach 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 2016 to June 2017, the Law Library staff answered 300 letters from prisoners requesting photocopies of statutes and cases.

⁷ 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.



Law Library 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 2017 was “The 14th Amendment: Transforming American Democracy,” with an emphasis on the equal protection clause, which guarantees due process of law.

The library debuted five exhibits: a traveling exhibit on loan for one month from the American Bar Association called “Lawyers Without Rights: Jewish Lawyers in Germany During the Third Reich;” “Jackson’s Bodyguard: Lawyers Who Fought in the Battle of New Orleans,” created by a history graduate student with partial funding from the Louisiana Endowment for the Humanities; and three rotating exhibits installed in the library about food law, music law, and Halloween law. 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 four continuing legal education seminars in 2016-2017.

Performance indicator: CLE/Exhibits offered by the Law Library in FY 2016-2017: 10

Performance indicator: Number of library clients served in FY 2016-2017: 2,269.

Strategy: Maintain access to court opinions.

Performance Indicator: 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 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.

ACCESS TO COURT OPINIONS 2015-2017

	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	66	78	65
Number of recipients of releases on court decisions	1,632	1,775	1,932



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%), 44 of 48 district courts (91.7%), and 46 of 51 city and parish courts (88.2%) 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: Number of courts that took action to educate the public about the court, the law, or the administration of justice, table below.

Strategy: Support community relations initiatives. In 2017, the Community Relations Division CRD assisted with media coverage of the work of the Louisiana Justice Reinvestment Task Force, media coverage when the Supreme Court “rode the circuit” – holding oral argument in a venue other than the Royal Street courthouse –

at Louisiana State University’s Paul M. Hebert Law Center in Baton Rouge, as well as additional coverage for the international exhibit “Lawyers Without Rights: Jewish Lawyers in Germany Under the Third Reich,” which was on display in the Louisiana Supreme Court Law Museum. The CRD also issued 18 media releases on matters not involving court decisions.

Law Day always presents an opportunity to reach out to students. In 2017, the Supreme Court hosted nearly 250 students from Lafourche and Orleans Parishes for Law Day court tours and presentations. Additionally in 2017, the CRD staff conducted 56 courthouse tours for 957 court visitors from across the state and country and from around the world.

Performance Indicator: Community Relations Department initiatives 2015-2017, table below.

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 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

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

	2015	2016	2017
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	97.9%	87.5%	91.7%
Percentage of surveyed city/parish court chief judges indicating that their courts regularly provided public education and public outreach services	92.3%	88.5%	88.2%

COMMUNITY RELATIONS DEPARTMENT INITIATIVES 2014-2016

	2015	2016	2017
Number of outreach programs	100	60	70
Number of media releases on non-decision matters	17	24	18
Number of recipients of releases on non-decision matters	4,700	6,010	3,489



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: CMIS criminal records, 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.”⁸ 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: Average hours acquired through continuing legal education per lawyer 2015-2017, table below.

Strategy: Support statewide expansion of the new lawyer mentoring program. The 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 (LSBA) and the 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 they successfully complete a mentoring training session and if their mentee successfully completes

CMIS CRIMINAL RECORDS

	2015	2016	2017
Number of criminal records received by CMIS' Criminal Records Project	350,767	345,807	437,859
Number shared with Dept. of Public Safety and Corrections	64,601	73,022	95,113
Number shared with the FBI	36,043	46,098	63,299

AVERAGE HOURS ACQUIRED THROUGH CONTINUING LEGAL EDUCATION PER LAWYER 2015-2017

	2015	2016	2017
The average number of hours acquired through continuing legal education per lawyer	15.12	15.08	14.76

⁸ American Bar Association, *Preamble to the Model Rules of Professional Conduct*, Section 1.



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 LSBA Committee on the Profession. The pilot volunteer mentoring program was initially available in Baton Rouge, Shreveport and Greater New Orleans, and expanded statewide in February 2017.

Strategy: Support the Office of Disciplinary Counsel and 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 Louisiana law schools to further the goal of education on ethical principles to law students:

- Continuing a nearly two-decade-long effort, the LADB again offered 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 received the Consultation Team’s report and has worked with the ODC in an effort to tailor those recommendations to the Court’s lawyer regulatory structure.
- The Disciplinary Board continued to work towards making electronic filing in all lawyer

regulatory matters available for respondents and the Disciplinary Counsel.

- Explored ways to address end-of-practice issues more effectively through advance successor planning, particularly for solo and small firm practitioners.
- The ODC and the LSBA generated a cooperative proposal to establish Receivership Teams across the state to supplement the work of curators in dealing with the practices of lawyers who are disabled or who have died leaving no associate, partner or successor.

Performance indicator: Complaints against lawyers filed and resolved 2015-2017, table below.

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 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

COMPLAINTS AGAINST LAWYERS FILED AND RESOLVED 2015-2017

	2015	2016	2017
Number of complaints filed against lawyers	2,950	2,922	2,795
Number of complaints filed against lawyers resolved or disposed of	3,046	2,673	3,096



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.

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. In addition, the Court enacted Regulation 3.21 of Supreme Court Rule XXX which awards up to 3 continuing legal education credit to attorneys who provide uncompensated *pro bono* legal representation to indigent or near-indigent clients.

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 \$425. Since its creation, the board has reviewed 16 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 IV. 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.”⁹

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 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.¹⁰

⁹ *New York State Bd. of Elections v. Lopez Torres*, 552 U.S. at 212, 128 S.Ct. 791 (Kennedy J., concurring).

¹⁰ Chief Justice Wayne Martin, *Chief Justice of Western Australia and Chair, National Judicial College of Australia*.



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 12.5 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: Average number of hours acquired through 2015-2017, table below.

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, Juvenile, and Family 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, Fall Judges Conference, Rural Courts Seminar, Torts Seminar with the Louisiana Association of Defense Counsel, and Criminal Courts Seminar. The College also held a mandatory new judge training attended by newly-elected judges. 810 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.

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: 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 that 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

AVERAGE NUMBER OF HOURS ACQUIRED THROUGH CLE PER JUDGE 2015-2017

	2015	2016	2017
Average number of hours acquired through continuing legal education per judge	34.25	30.08	29.03



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 2015-2017, 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 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 sitting judges, 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 2016 election cycle, 11 contested judicial races fell within the committee’s oversight jurisdiction and the committee received 19 complaints regarding candidates in these races. During the spring 2017 election cycle, three contested judicial races fell within the committee’s oversight jurisdiction, producing 11 complaints.

Strategy: Promote the use of technology to provide necessary information for decision-making by judges while on the bench. During 2017, the CMIS office completed development of an interface with the Louisiana Protective Order Registry to provide judges access to protective orders while on the bench in order to improve the information available to a judge while adjudicating a case. The interface was made available to a pilot group of judges in 2017 and will

ACTIONS, COMPLAINTS, AND DISPOSITIONS OF THE JUDICIARY COMMISSION BY CALENDAR YEAR, 2015-2017

	2015	2016	2017
Requests for Information	291	288	268
Number screened out	369	420	316
Remaining cases reviewed	160	125	217
Number of files in which the Commission authorized in-depth investigation	47	71	75
Number of formal charges	6	5	4
Number of judges with formal charges	6	2	2
Disposed cases	601	582	546
Pending cases	215	177	111



be expanded to all judges who adjudicate protective orders in 2018.

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 (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 Committee also recently scripted and filmed three tutorial videos and updated the LDJA website to make SRL resources for judges more accessible to courts of lower jurisdiction. With grant funds, the SRL Committee also upgraded the mapping feature to allow for greater ease in locating courts throughout the state.

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; the committee’s work 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 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: 4.



GOAL V. 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.”¹¹

Objective A. Domestic violence

Intent of the Objective. In 2017, there were 56 incidents resulting in 62 domestic homicides in Louisiana.¹² Louisiana ranks 3rd in the nation in the statistic usually used to measure domestic violence - the number of women murdered by men.¹³ Reducing domestic violence requires a sustained commitment to victim safety and offender accountability.¹⁴

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 2015-2017, table below.

LPOR PERFORMANCE INFORMATION 2015-2017

	2015	2016	2016
Number of orders entered	26,419	27,004	28,269
Time from submission to entry in database	1.33 days	1.45 days	1.55 days
Percentage of orders entered within the goal time period	100%	100%	100%

¹¹ Judge Robert C. Leuba, Chief Court Administrator, Connecticut Judicial branch, Program Review and Investigations Committee Public Hearing, October 10, 2000.

¹² Louisiana Coalition Against Domestic Violence 2018 Legislative Guide, <http://lcadv.org/policy/>, accessed 3/20/2018.

¹³ *Id.*, citing the Violence Policy Center, *When Men Murder Women*, 2017

¹⁴ *Id.*

¹⁵ Mary Campbell McQueen, Preface, *Trends in State Courts 2014: Special Focus on Juvenile Justice and Elder Issues* p. vii.

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 assessment work of the commission in preparation of the report to the legislature for February 2018.

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. 10) of LPOR forms and related products.

Objective B. 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.¹⁵

The intent of the objective is to promote the use of evi-



dence-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 2017, 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 42 judicial districts, including the addition of Morgan City Court, located in the 16th Judicial District. FINS officers statewide processed almost 7,000 referrals and continue to provide program and case management strategies that help to increase alternatives to formal processing. Highlights this year include a regional training attended by participants from over 30 parishes statewide. In addition, all judicial districts were invited to an annual professional development retreat centered on family strengthening and engagement, and promoting the National Standards for the Care of Youth Charged with Status Offenses (hereinafter “Standards”). The Standards are aimed at promoting best practices, based in research and social service approaches, to better engage and support youth and families in need of assistance. The FINS program also launched an online Community Services Statewide Directory to enable children and families to identify and access needed services and interventions.

The Court Appointed Special Advocates

(CASA) Assistance Program administered funding for CASA programs in 54 parishes and 37 judicial districts. The CASA Assistance Program administered funding for CASA programs in 54 parishes and 37 judicial districts. In 2017, CASA programs served 3,485 Temporary Assistance for Needy Families (TANF) eligible children. Closed cases resulted in 1,358 children being placed in permanent homes. CASA programs trained 544 new volunteers. 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.

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. The Court received 3,727 juvenile records from six courts representing urban, rural, and city jurisdictions containing standardized Disproportionate Minority Contact (DMC) data. Seventeen additional district courts have completed modifications to their case management systems allowing them to securely record juvenile case data and report DMC data. More district and city courts will have this capability as they periodically upgrade their systems to Supreme Court standards.

Strategy: Support implementation of the Court Improvement Program strategic plan by the Pelican Center for Children and Families.

The Court Improvement Program (CIP), through the Pelican Center for Children and Families, worked diligently to provide both legal and interdisciplinary training and education programs designed to improve the safety, permanency, and well-being of abused and neglected children in our state. During 2017, the Pelican Center produced 24 in-person trainings or workshops, which resulted in 1,680 hours of CLE awarded to both judges and attorneys. In addition, the Pelican Center offered online training programming that resulted in 2,312 hours of CLE awarded. Moreover, the Pelican Center 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, improved compliance with relevant state and federal



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. Alanah Hebert, the newly appointed Director of the Division of Children and Families will serve as Chair of the Louisiana Detention Alternatives Initiative Statewide Leadership Collaborative, and will oversee planning efforts for statewide implementation of JDAI.

Objective C. Elder law – guardianships, response to elder abuse for a rapidly increasing population

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.¹⁶

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

Objective D. 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 juve-

nile and adult prostitutes who have contact with state courts may be trafficking victims.¹⁷ Similarly, court practitioners are now becoming aware that human trafficking 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.”¹⁸

Strategy: Coordinate efforts to address and prevent human trafficking. 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.

In 2017, Governor John Bel Edwards created the Louisiana Human Trafficking Prevention Commission. The purpose of the Commission is to assist state and local leaders in developing and coordinating human trafficking prevention programs, to identify gaps in prevention and intervention services, to conduct a continuing comprehensive review of all existing public and private human trafficking programs, to increase coordination among public and private programs to strengthen prevention and intervention services, and ultimately, to make recommendations with respect to human trafficking prevention and intervention.

¹⁶ Mary Campbell McQueen, Preface, *Trends in State Courts 2014: Special Focus on Juvenile Justice and Elder Issues* p. vii.

¹⁷ Human Trafficking and the State Courts Collaborative, *A Guide to Human Trafficking for State Courts*, July 2014, p. 15.

¹⁸ *Id.*



Chief Justice Bernette Johnson, among other legal champions, was appointed a member of the Commission. Chief Justice Johnson appointed Fourth Circuit Court of Appeal Judge Joy Cossich Lobrano to serve on the Commission as her designee, and Judge Lobrano was elected as the chairperson of the Commission. Chief Justice Johnson encouraged the drive and dedication of Orleans Parish Juvenile Court, which made it a priority to identify and put an end to juvenile human trafficking in New Orleans. As a national outreach effort, Chief Judge Candice Anderson provided consultation to out-of-state jurisdictions on improving court infrastructure at the National Shared Hope Juvenile Sex Trafficking Conference. She also contributed to an NCJFCJ publication on best practices. This fight to combat human trafficking is a collaborative effort represented by a diverse coalition of Louisiana organizations, institutions, state agencies, and political and religious groups.

Objective E. Immigration

Intent of the Objective. A wide range of legal issues—including employment, workers’ compensation, pleas, traffic, family, and malpractice—can involve immigrants (legal or illegal) and present special concerns for courts.¹⁹ 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.

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 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 144 in the languages of Amharic, Arabic, French, German, Haitian Creole, Italian, Laotian, Mandarin, Polish, Portuguese, Spanish, Thai, Vietnamese, and American Sign. In May 2016, the Supreme Court hosted the 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.

Performance Indicator: Interpreter program information for calendar years 2015-2017, table below.

INTERPRETER PROGRAM INFORMATION 2015-2017

	2015 ²⁰	2016 ²¹	2016
Number of attendees at Supreme Court interpreter trainings	86	94	106
Cumulative number of registered court interpreters in Louisiana	115	135	161
Cumulative number of certified court interpreters in Louisiana	8	14	15

¹⁹ Skove, *Disorder in the Court; The Implications of Immigration and Immigration Reform on State Courts, Future Trends in State Courts 2007*, p. 72.

^{20, 21} Reflects updated figures received after the publication of the 2015-2016 Justice at Work Report.

