# Demystifying Louisiana's Court System





Route of Appeal



Number of Courts in the State





No Jury Trials Limited Jurisdiction State & Local Funding

#### **Tustice of the Peace Court**

- Tort, contract (up to \$25,000), small claims (up to \$3,000)
- Traffic/other violations



No Jury Trials Limited Jurisdiction Local Funding

## **Mayor's Court & Magistrate Court**

Traffic/other violations









No Jury Trials Limited Jurisdiction Local Funding

#### City & Parish Courts

- Tort, contract (up to \$50,000, varies by court), small claims (up to \$3,000), civil appeals
- Juvenile issues (child abuse, neglect, delinquency, truancy)
- Traffic/other violations











No Jury Trials General Jurisdiction State & Local Funding

#### **Tuvenile Court**

- Mental health
- Support, adoption
- Juvenile issues (child abuse, neglect, delinquency, truancy)













No Jury Trials General Jurisdiction State & Local Funding

## **Family Court**

- Mental health
- Domestic relations
- Domestic violence
- Juvenile issues (child abuse, neglect, delinquency, truancy)













Jury Trials in Most Cases General Jurisdiction State & Local Funding

#### **District Court**

- Tort, contract, real property, mental health. Exclusive probate/estate, civil appeals, miscellaneous civil
- Domestic relations
- Misdemeanor, exclusive felony, criminal appeals
- Juvenile issues (child abuse, neglect, delinquency, truancy)
- Traffic/other violations







Intermediate Appellate Court State Funding

## **Court of Appeal**

Appeal by right for criminal, civil, administrative agency, writ













Court of Last Resort State Funding

## Supreme Court

- Appeal by right for limited criminal, limited civil, limited administrative agency, limited writ
- Appeal by permission for criminal, civil, administrative agency, writ
- Interlocutory appeals in criminal, civil, administrative agency
- Exclusive death penalty
- Original proceeding application for writ
- Exclusive bar judiciary, certified question
- Original proceeding other

# **Legal System**

## **District Attorney (DA)**

As the chief prosecutor for a judicial district (sometimes a single parish, sometimes covering multiple parishes), DAs largely shape how your parish's criminal legal system is operated. Your vote for DA can reshape the criminal legal system in your parish and in Louisiana.

**Responsibilities:** DAs have the power to choose which charges are filed against an individual accused of a crime, divert the accused to a program, or dismiss the case altogether. The DA also has the power to identify and tackle racial disparities within the criminal legal system.

## **Courts**

Across the entire Louisiana court system, there are 5 courts of appeal, 43 district courts, 5 family or juvenile courts, 49 city courts, 3 parish courts, and 1 supreme court.

## **Supreme Court**

The Supreme Court is Louisiana's highest court and serves as the final stop for cases that are appealed in the state. Its decisions often serve as the final word on legal disputes in Louisiana. There are seven Supreme Court districts throughout Louisiana, with one justice elected from each of the districts. The justices of the Louisiana Supreme Court serve 10 year terms of office.

**Responsibilities:** The Louisiana Supreme Court hears all cases involving disciplinary actions against lawyers and judges, all cases in which a law or ordinance has been declared unconstitutional, and all capital cases where the death penalty has been imposed. The senior justice is the Chief Justice, who is the chief administrative officer of the judicial system.

# **Court of Appeals**

There are five Circuit Courts of Appeal, each covering a different group of parishes. The Courts of Appeal have appellate jurisdiction over all civil matters, all matters appealed from family and juvenile courts, and most criminal cases that are triable by a jury.

#### **District Court**

District court judges make important decisions in civil and criminal cases (mainly felonies and property-related matters) that impact not only the parties who appear in court for specific cases, but also the community at large. They also handle appeals of criminal cases tried by city, municipal, and traffic courts (with a few exceptions).

## **Juvenile Court**

Juvenile Court hears juvenile delinquency cases, and cases when children are ungovernable, truant or runaways. They also handle what are known as Child in Need of Care cases, which result when a child has been abused, neglected, or abandoned.

## **City and Parish Court**

City and Parish Courts typically have civil jurisdiction over cases involving small claims, evictions, and traffic violations. Different parishes and cities may have individual rules about the maximum claims to be made in their courts.

## **Magistrate Judges**

Magistrate Judges are the first judges you see, and they determine how your case moves forward. They also often conduct mediations, resolve discovery disputes, and decide a variety of motions. They determine whether criminal defendants will be detained or released on a bond, and may appoint counsel for defendants.

## Justice of the Peace

Justices of the peace have no criminal jurisdiction, except as committing magistrates and for the issuance of peace bonds. They have original civil jurisdiction in cases up to \$5,000, but are NOT allowed to decide lawsuits involving title to real estate, the right to public office, divorce proceedings, suits against public bodies, and executory proceedings.

#### Constable

The role of the constable is to preserve the public peace, execute the process in City Courts and Justice of Peace Courts, and discharge other functions assigned by law. They serve warrants and summonses, collect garnishments, and process evictions and other matters pertaining to the court.