



LOUISIANA STATE LAW INSTITUTE
PAUL M. HEBERT LAW CENTER, ROOM W127
1 EAST CAMPUS DRIVE
BATON ROUGE, LA 70803-1016

(225) 578-0200
FAX: (225) 578-0211
EMAIL: LAWINSTITUTE@LSLI.ORG
WWW.LSLI.ORG

January 29, 2026

Representative Phillip R. DeVillier
Speaker of the House of Representatives
P.O. Box 94062
Baton Rouge, Louisiana 70804

RE: HOUSE RESOLUTION NO. 149 OF THE 2025 REGULAR SESSION

Dear Mr. Speaker:

The Louisiana State Law Institute respectfully submits its report to the legislature relative to justice of the peace and city courts.

Sincerely,

A handwritten signature in blue ink that reads "Guy Holdridge". Below the signature, the name "Guy Holdridge" is printed in a standard font, followed by the title "Director" and a small checkmark symbol.

GH/pc

Enclosure

cc: Representative Dixon McMakin

email cc: David R. Poynter Legislative Research Library
drpliblary@legis.la.gov

Secretary of State, Ms. Nancy Landry
admin@sos.louisiana.gov

**LOUISIANA STATE LAW INSTITUTE
CODE OF CIVIL PROCEDURE COMMITTEE**

**REPORT TO THE LEGISLATURE IN RESPONSE TO HOUSE
RESOLUTION NO. 149 OF THE 2025 REGULAR SESSION**

Relative to justices of the peace and city courts

Prepared for the
Louisiana Legislature on

January 29, 2026

Baton Rouge, Louisiana

LOUISIANA STATE LAW INSTITUTE CODE OF CIVIL PROCEDURE COMMITTEE

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Guy Holdridge, Reporter
Josef P. Ventulan, Staff Attorney

ENROLLED

2025 Regular Session

HOUSE RESOLUTION NO. 149

BY REPRESENTATIVE MCMAKIN

A RESOLUTION

To authorize and direct the Louisiana State Law Institute to conduct data collection of the justice of the peace and city courts in the state, including their jurisdiction, the costs and savings for their operations, and the method of funding and their expenditures.

WHEREAS, justice of the peace courts are statutorily authorized by R.S. 13:2586 and have concurrent jurisdiction with the district courts in all civil matters; and

WHEREAS, there are three-hundred ninety justices of the peace in Louisiana; and

WHEREAS, city courts are established by special legislative Act and also have concurrent jurisdiction with the district courts in all civil matters; and

WHEREAS, city courts are located in forty-eight cities in the state; and

WHEREAS, information regarding the costs and savings associated with the operation of both courts is essential for a discussion regarding the operations of these courts, the method of funding, and their expenditures; and

WHEREAS, a study by the Louisiana State Law Institute would be necessary to advise the legislature on potential legislation.

THEREFORE, BE IT RESOLVED that the House of Representatives of the Legislature of Louisiana does hereby authorize and direct the Louisiana State Law Institute to conduct data collection of the justice of the peace and city courts in the state of Louisiana, including their jurisdiction, the costs and savings for their operations, the method of funding and their expenditures, and to provide a report to the legislature no later than February 1, 2026.

BE IT FURTHER RESOLVED that the Louisiana State Law Institute shall submit one print copy and one electronic copy of any report produced pursuant to the Resolution to the David R. Poynter Legislative Research Library as required by R.S. 24:772.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

January 29, 2026

To: Representative Phillip R. DeVillier
Speaker of the House of Representatives
P.O. Box 94062
Baton Rouge, LA 70804

REPORT TO THE LEGISLATURE IN RESPONSE TO HOUSE RESOLUTION NO. 149 OF THE 2025 REGULAR SESSION

House Resolution No. 149 of the 2025 Regular Session tasked the Law Institute with conducting data collection of the justice of the peace and city courts in the state, including their jurisdiction, the costs and savings of their operations, and the method of funding and their expenditures. In fulfillment of this request, the Law Institute assigned the project to its Code of Civil Procedure Committee, which operates under the leadership of Judge Guy Holdridge as Reporter. After discussion with the author of the resolution, the Code of Civil Procedure Committee directed its efforts toward producing a report studying the jurisdiction and statutory authorities afforded to justices of the peace. The Law Institute's findings are provided below.

Territorial Jurisdiction

Justice of the peace courts are statutorily authorized pursuant to R.S. 13:2586 and are trial courts of limited jurisdiction¹ that may exercise jurisdiction over the person to the same extent, and in the same manner, as a district court.² Louisiana has more than three hundred sixty justices of the peace.³ Their territorial jurisdictions are defined by law and are demarcated by wards, precincts, and parish lines.⁴ These territorial jurisdictions, however, vary, and may overlap that of a city court within the parish. For example, in the parishes of East Carroll⁵ and West Feliciana,⁶ the district courts and justice of the peace courts share territorial jurisdiction over the entirety of their respective parishes. With respect to East Baton Rouge Parish, R.S. 13:2602 provides that the territorial jurisdiction of a justice of the peace court within the parish of East Baton Rouge shall continue and *not be diminished or changed* due to the annexation by any municipality of area comprising the territorial jurisdiction of a justice of the peace court; the statute goes on to state that whenever the territorial jurisdiction of a mayor or city court within that parish is *extended* into that of a justice of the peace court, the territorial jurisdiction of the mayor or city court shall be *concurrent* with that of the justice of the peace court.⁷ In contrast, R.S. 13:1952.1, which sets forth the territorial jurisdiction of the city court of Bossier City, declines to follow this shared jurisdiction approach and instead provides that “[s]hould a portion of a justice of the peace ward

¹ Code of Civil Procedure Article 4832.

² Code of Civil Procedure Article 4915.

³ Louisiana Department of Justice, Directory of Louisiana Justices of the Peace and Constables, <https://www.ag.state.la.us/JusticeCourt/Directory> (last visited October 16, 2025).

⁴ See generally, Part II of Chapter 9 of Title 13 of the Revised Statutes of 1950.

⁵ R.S. 13:2605.

⁶ R.S. 13:2601.

⁷ See also, R.S. 13:1872, 1952(18) and (21)(c), and 2488.1.

not presently within the territorial jurisdiction of the City Court of Bossier City fall under the territorial jurisdiction of the City Court of Bossier City... that portion of the justice of the peace ward not included within the city limits of Bossier City shall remain under the jurisdiction of the justice of the peace." This varied statutory treatment may result in layered, duplicative jurisdiction; thus, it is possible that a justice of the peace court, city court, and district court share territorial jurisdiction over a single action.

Civil Jurisdiction

Duplication further manifests itself relative to civil jurisdiction. The civil jurisdiction of a justice of the peace court is concurrent with that of the district courts in cases in which the amount in dispute⁸ does not exceed five thousand dollars⁹ – not including interest, court costs, attorney fees, or penalties – and also includes actions involving:

- (1) Possession or ownership of movable property not exceeding five thousand dollars.¹⁰
- (2) Landowners or lessors for the eviction of occupants or tenants of leased residential premises, regardless of the amount of monthly or yearly rent or the rent for the unexpired term of the lease.¹¹
- (3) Landowners or lessors for the eviction of occupants or tenants of leased commercial premises and leased farmlands where the amount of the monthly rental does not exceed five thousand dollars per month.¹²
- (4) Possession and ownership of a manufactured home not exceeding five thousand dollars.¹³
- (5) Simple littering violations.¹⁴
- (6) Violations for removal, disposition, or abandonment of objects whose value does not exceed the jurisdictional limit.¹⁵

The law assigns particular justice of the peace courts additional jurisdiction. For example, a justice of the peace court in Caddo Parish is expressly granted concurrent jurisdiction over

⁸ The amount in dispute was increased from \$3,000 to \$3,500 by Act No. 43 of the 2005 Regular Session and to the current jurisdictional amount of \$5,000 by Act No. 388 of the 2008 Regular Session.

⁹ Code of Civil Procedure Article 4911; *see also* Code of Civil Procedure Article 4845 providing that when a justice of the peace court has jurisdiction over the principal demand, it may exercise subject matter jurisdiction over an incidental demand in the same manner as a parish or city court, so long as the amount in dispute of the incidental demand does not exceed five thousand dollars. If the amount in dispute of the incidental demand exceeds the jurisdictional amount, the justice of the peace court shall transfer the entire action to a court of proper jurisdiction.

¹⁰ Code of Civil Procedure Article 4912.

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ R.S. 13:2586(C)(2); *see also* R.S. 30:2531(B) and R.S. 33:1236(54)(a).

¹⁵ R.S. 13:2586(C)(4).

property standards violations.¹⁶ Justices of the peace in St. Tammany, Avoyelles, and Evangeline Parishes are granted jurisdiction over property standards and nuisance violations adopted pursuant to local ordinance.¹⁷ In St. Bernard Parish, a justice of the peace may review the decision of the initial adjudication of parking violations of the parking ordinances of the Board of Commissioners of the Port of New Orleans – a power shared by the city courts in Orleans Parish and the parish courts in Jefferson Parish.¹⁸ Moreover, the law expressly grants justice of the peace courts authority to adjudicate complaints with respect to the entitlement of vessel discharges.¹⁹ In addition to adjudicative functions, the law grants justices of the peace various other powers, including the ability to impound livestock,²⁰ issue permits to hold a fair or other entertainment,²¹ take oaths,²² issue marriage licenses²³ and perform marriage ceremonies.²⁴ A justice of the peace also serves as an ex officio notary public, but only within the justice's territorial jurisdiction, and only to administer oaths or affirmations, make protests, notarize documents or instruments affecting movable property or title thereto, and notarize sworn statements, affidavits, and acknowledgments.²⁵

As courts of limited jurisdiction, however, justice of the peace courts are restricted from exercising jurisdiction over various subject matters, including actions involving:

- (1) Title to immovable property.²⁶
- (2) The right to public office or position.²⁷
- (3) A plaintiff asserting civil or political rights under the federal or state constitutions.²⁸
- (4) Annulment of marriage, separation from bed and board, divorce, separation of property, custody, visitation, spousal support, or child support.²⁹
- (5) Succession, interdiction, receivership, liquidation, habeas corpus, or quo warranto proceedings.³⁰

¹⁶ R.S. 13:2586(C)(5).

¹⁷ See R.S. 13:2586(C).

¹⁸ R.S. 34:25(F).

¹⁹ R.S. 34:866.

²⁰ R.S. 3:2804 and 3004.

²¹ R.S 4:8.

²² Civil Code Article 3111.

²³ See Code of Civil Procedure Article 74.3.1 and R.S. 9:224.

²⁴ R.S. 9:202.

²⁵ See R.S. 13:2586.1 (note that the Section also explicitly restricts the notarial authority of a justice of the peace, providing that the justice of the peace has no authority to receive or notarize any document affecting, transferring, conveying, encumbering, or mortgaging immovable property; receive or draft inventories, appraisements, or partitions; receive, notarize, or draft wills or prenuptial agreements; perform any other function of a notary public other than that granted by R.S. 13:2586.1(A); or draft any documents in the performance of these notarial powers).

²⁶ Code of Civil Procedure Article 4913.

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*; see also R.S. 13:2586(B).

- (6) The state, or a parish, municipal, or other political corporation as a defendant.³¹
- (7) Executory proceedings.³²
- (8) Adoption, tutorship, emancipation, or partition.³³
- (9) In rem or quasi in rem proceedings.³⁴
- (10) Any other case or proceeding excepted from the jurisdiction of a justice of the peace court by law.”³⁵

Notably, while justices of the peace may not adjudicate criminal matters, they are vested with authority as committing magistrates in cases that are not capital or necessarily punishable at hard labor and in those cases are able to bail or discharge and may require bonds to keep the peace.³⁶ Justices of the peace may also issue a summons³⁷ or warrant of arrest,³⁸ order a peace bond,³⁹ and punish a direct contempt of court by a fine of not more than fifty dollars or imprisonment in the parish jail for not more than twenty-four hours, or both.⁴⁰

The jurisdiction of a justice of the peace is largely similar to that of a small claims division of a city court⁴¹ – both courts’ jurisdictions are restricted with respect to the amount in dispute and both share similar statutory prohibitions.

While the continued existence of justice of the peace courts is enshrined in the Constitution of Louisiana, subject to change by law,⁴² the Constitution Ancillaries provide for the abolition of justice of the peace courts, allowing the legislature to abolish justice of the peace courts “in wards embracing the parish seat, or containing cities of more than five thousand inhabitants.”⁴³ Abolition may result from the creation of city courts – for example, R.S. 13:1953 created the City Court of Ville Platte and abolished the office of the justice of the peace in Ward 1 of Evangeline Parish. The law, however, often preserves the territorial jurisdiction of the justices of the peace.⁴⁴

³¹ Code of Civil Procedure Article 4913.

³² *Id.*

³³ *Id.*

³⁴ *Id.*

³⁵ *Id.*; *see also*, e.g., R.S. 22:1821(D)(4) providing that a justice of the peace court does not have jurisdiction over actions arising from “unreasonable delay, reduction, or denial of [] proposed medically necessary services or care”.

³⁶ Code of Criminal Procedure Article 291; *see also*, R.S. 13:2586(C)(1).

³⁷ Code of Criminal Procedure Articles 202 and 209.

³⁸ Code of Criminal Procedure Article 28; *see also* Article 202 (providing that after December 31, 2010, a justice of the peace shall not have the authority to issue a warrant for arrest unless he has received a certificate of completion from the Attorney General’s Arrest Warrants Course for Justices of the Peace pursuant to R.S. 49:251.4).

³⁹ Code of Criminal Procedure Article 26.

⁴⁰ Code of Civil Procedure Article 4914; *see also* Code of Criminal Procedure Articles 25 and 202.

⁴¹ *See* R.S. 13:5202.

⁴² Article 5, Section 20 of the Constitution of Louisiana.

⁴³ Article VII, Section 51 of the 1921 Constitution of Louisiana.

⁴⁴ *See* R.S. 13:1952.

Procedural Framework

Justice of the peace courts deviate from numerous practices found in district and city courts.⁴⁵ A justice of the peace court may not hold a trial by jury.⁴⁶ Hearings are informal,⁴⁷ and no written pleadings are required; instead, a party may state all claims, exceptions, defenses, or other pleas orally.⁴⁸ Moreover, the technical rules of evidence are relaxed, and all relevant evidence is admissible, *including hearsay*, so long as the justice of the peace finds the evidence reliable.⁴⁹ Depositions are not permitted in justice of the peace courts, and the use of interrogatories or other forms of discovery are left to the discretion of the justice of the peace.⁵⁰ Further, actions filed in a justice of the peace court are subject to a reduced abandonment period. Provided that the justice of the peace court has subject matter jurisdiction, an action is abandoned upon failure to take any step in the prosecution or defense of an action for a period of one year.⁵¹ Defendants also have reduced time to file an answer – ten days from service of citation, except that, when the citation is served through the secretary of state, the delay as to all defendants is fifteen days after service.⁵² Deviations further manifest themselves with respect to appeals originating from a justice of the peace court; generally, all appeals allowed by law from justice of the peace courts shall be to a parish court, or if there is no parish court, to the district court of the parish in which the justice of the peace court is situated. The appeal must be taken within fifteen days from the date of judgment or from the service of the notice of judgment.⁵³ The appeal to the parish or district court is tried *de novo*. In addition to the removal of any jurisdictional prohibitions, a trial *de novo* in the parish or district court subjects the action to the rules of evidence and civil procedure. Likewise, this may subject litigants to the increased temporal and monetary costs of prolonged litigation.⁵⁴ No appeal may be taken from the adjudication of the parish or district court serving as the appellate court,

⁴⁵ See Chapters 1-3 of Title II of Book VIII of the Code of Civil Procedure.

⁴⁶ Code of Civil Procedure Article 4871.

⁴⁷ Code of Civil Procedure Article 4921.2.

⁴⁸ Code of Civil Procedure Article 4917. In contrast, Code of Civil Procedure Article 852 provides that “pleadings allowed in civil actions, whether in a principal or incidental action, shall be in writing and shall consist of petitions, exceptions, written motions, and answers.” Moreover, Article 4918 provides that when no written pleadings are required, the justice of the peace or clerk of court shall record “the title of the case, the docket number, the name and address of all parties, a brief statement of the nature and amount of the claim, the issuance and service of citation, the defenses pleaded, motions and other pleas made, the names of witnesses who testified, a list of the documents offered at the trial, the rendition of judgment, and any appeal therefrom.”

⁴⁹ Code of Civil Procedure Article 4921.2(B); *see also* Code of Evidence Article 1101(B)(5) (providing for the limited applicability of the Code of Evidence to all proceedings before justice of the peace courts).

⁵⁰ Code of Civil Procedure Article 4921.2.

⁵¹ Code of Civil Procedure Article 4921.1. In contrast, Code of Civil Procedure Article 561 provides that “an action is abandoned when the parties fail to take any step in its prosecution or defense in the trial court for a period of three years”.

⁵² Code of Civil Procedure Article 4920. In contrast, Code of Civil Procedure Article 1001 provides that “[a] defendant shall file his answer within twenty-one days after service of citation upon him ... If the plaintiff files and serves a discovery request with his petition, the defendant shall file his answer to the petition within thirty days after service of citation and service of discovery request.”

⁵³ Code of Civil Procedure Article 4925.

⁵⁴ Code of Civil Procedure Article 4924 (providing that a trial *de novo* in a district court from the justice of the peace court is not subject to the jurisdictional limit of the justice of the peace court); *see also* R.S. 13:1896 (providing that, in criminal cases, the district courts have appellate jurisdiction over all appeals from orders of justices of the peace requiring a peace bond).

but supervisory jurisdiction of the proceedings in the parish or district court may be exercised by the court of appeal that otherwise would have had appellate jurisdiction.⁵⁵

Justice of the peace courts are subject to other restrictions. For example, a justice of the peace does not have the authority to issue a warrant for the arrest of a peace officer for acts performed while in the course and scope of his official duties,⁵⁶ nor to issue a warrant for the arrest of an administrator of any public or private school, college, university, or licensed child day care center or a teacher in any public or private school, college, or university who is acting in the course and scope of his official duties, unless an independent investigation into the allegations has been conducted and the investigator's findings support the allegations contained in an affidavit.⁵⁷ A justice of the peace court is further restricted from issuing any injunctive order except to arrest the execution of its own writ and to enforce the execution of a judgment issued by or made executory in a justice of the peace court.

Qualifications and Reporting Requirements

Justices of the peace are officials elected for six-year terms by the qualified voters within the territorial limits of their jurisdiction⁵⁸ and are required pursuant to R.S. 13:2582 to “be of good moral character, a qualified elector, a resident of the ward and district from which elected, and able to read and write the English language correctly.” Additionally, to qualify for office, a nominee must possess a high school diploma or its equivalent by the date of qualification. Despite the adjudicative powers afforded to justice of the peace courts, a justice of the peace need not be an attorney. Nevertheless, justices of the peace are statutorily required to complete training conducted by the Office of the Attorney General within six months after taking office.⁵⁹ Additionally, a justice of the peace must complete at least sixteen hours of training offered by the Office of the Attorney General within a two-year period.⁶⁰ At least two hours of the training must consist of judicial ethics offered by the Louisiana Supreme Court in conjunction with the Office of the Attorney General.⁶¹ Moreover, before being granted the authority to issue arrest warrants, a justice of the peace must complete a “special criminal arrest warrants course,”⁶² and this course must be completed at least every other year in order to maintain the authorization to issue warrants. The Office of the Attorney General retains records with respect to whether a justice of the peace has completed training.⁶³

⁵⁵ *Id.*

⁵⁶ R.S. 13:2586(C)(3).

⁵⁷ Code of Criminal Procedure Article 202.

⁵⁸ R.S. 13:2582(B).

⁵⁹ R.S. 49:251.1 and 251.4.

⁶⁰ Email from Erin Day Guidry, Deputy Director, Civil Division, Office of Attorney General Liz Murrill, to Josef P. Ventulan, Staff Attorney, Louisiana State Law Institute (Nov. 7, 2025, 11:25 CST) (on file with the Law Institute) (providing for policies that are practiced but not yet set forth in the *Louisiana Justice Court Training Manual*); see also Office of the Attorney General, *Louisiana Justice Court Training Manual* 11, 7th ed. (2020), <http://www.lajpc2.com/manual/Justice%20Court%20Manual%207th%20Edition.pdf>.

⁶¹ Office of the Attorney General, *Louisiana Justice Court Training Manual* 11, 7th ed. (2020), <http://www.lajpc2.com/manual/Justice%20Court%20Manual%207th%20Edition.pdf>.

⁶² R.S. 49:251.4.

⁶³ *Id.*

Justices of the peace are subject to oversight by the Louisiana Supreme Court⁶⁴ and to unique reporting and audit requirements. A justice of the peace receiving revenues from his official duties less than two hundred thousand dollars within a fiscal year is not required to have an audit but must file, in addition to sworn financial statements, a certification with the legislative auditor indicating the amount of funds received from his official duties for the fiscal year. If a justice of the peace receives within a fiscal year more than two hundred thousand dollars, the justice of the peace must hire an approved CPA firm to provide a report.⁶⁵

Summary of Findings

Justice of the peace courts, while providing services that may be less costly than other avenues of litigation, present an additional tier of courts in areas already served by a district, parish, or city court. Moreover, while justice of the peace courts may provide relief to the dockets of district, parish, and city courts, the justifiable requirement that an appeal from a justice of the peace court be tried *de novo*, in courts where the judge is an attorney and the rules of procedure and evidence are followed, can result in increased expense and time, thus delaying the resolution of a matter. To avoid this increased expense and delay, a procedure establishing that certain contested matters be tried only by the court to which a *de novo* appeal would have been taken under the existing judicial framework – consistent with the Code of Evidence and Code of Civil Procedure – may warrant further study.

⁶⁴ Louisiana Supreme Court Rule XXIII.

⁶⁵ R.S. 24:513.