

Louisiana Revised Statutes: Constables

Categorized Codification • Title 13 (Courts), Title 33 (Municipalities), Title 40 (POST), Title 42 & Title 49

STATUTORY FRAMEWORK OVERVIEW

In the State of Louisiana, the office of the **Constable** serves as an essential executive arm of the judicial system—primarily serving Justice of the Peace Courts and City Courts. Constables possess peace officer authority when executing court orders, serving original process, seizing property, and enforcing ward and parish laws. This compendium systematically categorizes all primary Louisiana Revised Statutes (La. R.S.) governing constables into five functional legal domains.

Category 1: Office, Qualifications, Election & Governance

La. R.S. 13:2583 Constables; Election; Term of Office; Qualifications CORE STATUTE

- **Qualifications:** One constable per Justice of the Peace court. Must be of good moral character, able to read and write English, possess a high school diploma or equivalent (exemption applies to constables elected on/before Nov 19, 1995), and be a qualified elector and resident of the ward/district.
- **Election & Term:** Elected at congressional elections for six-year terms by ward voters. Takes office on January 1st following election.
- **Parish Exceptions:** Includes specific provisions for special election cycles in St. Charles Parish and local redistricting adjustments.

La. R.S. 13:1879 City Court Marshals and Constables; Election & Terms

- **Designation:** Provides for marshals or constables serving city courts across Louisiana. Serves a six-year term concurrent with congressional election cycles.
- **Applicability:** City constables and their deputies inherit all statutory rights, duties, and powers applicable to city court marshals unless specifically exempted.
- **Local Charters:** Special local charter provisions apply to Baton Rouge, Lake Charles (Ward 3), and Sulphur (Ward 4).

La. R.S. 13:2151 – 13:2153 New Orleans First & Second City Court Constables

- **Structure:** Establishes dedicated Constable offices for the First City Court (East Bank Orleans Parish) and Second City Court (Algiers/West Bank).
- **Election & Bond:** Elected every six years; required to post official bonds conditioned upon the faithful execution of judicial orders and accounting of funds.

La. R.S. 33:381 & 33:423 Lawrason Act Municipal Marshals / Ex Officio Constables

- **Municipal Status:** In Lawrason Act municipalities, the elected chief of police or marshal is *ex officio* a constable.
- **Powers & Responsibilities:** Charged with municipal law enforcement, executing town warrants, and managing department personnel subject to statutory guidelines.

Category 2: Deputy Constables & Parish Special Provisions

La. R.S. 13:2583.1 – 13:2583.7 Parish-Specific Deputy Constable Authorization **LOCAL RULES**

- **Authorized Parishes:** East Baton Rouge & Jefferson (§2583.1), Union (§2583.2), Caddo (§2583.3), Ascension (§2583.4), Calcasieu (§2583.5), St. Martin (§2583.6), Caldwell (§2583.7).
- **Appointment & Oath:** Constables may appoint deputy constables who must take the constitutional oath and meet POST peace officer qualifications. Oath copies must be filed with the Louisiana Attorney General within 72 hours.
- **Compensation & Funding:** Deputies receive no direct state salary; compensation is fixed by the constable and paid out of office fee revenues or parish-approved allocations.
- **Reporting:** Caddo Parish and others require annual reporting to the Parish Sheriff detailing deputy names, total compensation, and POST training certifications.

La. R.S. 13:3477 Special Deputy Constables; Inability or Conflict of Interest

- **Ad Hoc Appointment:** When a constable is absent, recused, interested in a matter, or unable to act, the Justice of the Peace may appoint a special deputy constable to execute specific writs or process.

Category 3: Powers, Duties, Jurisdiction & Execution of Sales

La. R.S. 13:2584 & 13:2586 Domicile, Jurisdiction & Execution of Court Orders

- **Domicile:** Constables must maintain an official domicile as designated by parish governing authorities. Court cannot be held in locations selling alcoholic beverages (R.S. 13:2585).
- **Service & Writs:** Constables possess full authority to execute all citations, summonses, subpoenas, attachments, garnishments, and writs of execution issued by the Justice of the Peace court.

La. R.S. 13:2587 Seizure & Judicial Sales of Property **JUDICIAL EXECUTION**

- **Seizure Authority:** Constables have full power to seize movable or immovable property pursuant to judgment execution writs.
- **Public Auction:** Property seized under court order must be advertised and sold at public auction according to statutory notice rules, with proceeds distributed toward satisfying the judgment and legal costs.

La. R.S. 13:2587.1 – 13:2587.3 Littering, Abandoned Property & Nuisance Enforcement

- **Special Jurisdiction:** Authorizes JP courts and constables to enforce and prosecute violations regarding illegal dumping/littering (§2587.1), abandoned vehicles/movables (§2587.2), and local property standards or public nuisances (§2587.3).

La. R.S. 13:2163 & 13:3478 Peace Officer Status, Incarceration & Territorial Range

- **Peace Officer Status:** Granted full peace officer powers when executing official court duties, including authority to require incarceration of subjects in parish/city jail facilities (§13:2163).
- **Territorial Reach:** Constables may serve process and execute court mandates parish-wide (§13:3478).

Category 4: Compensation, Fees, Supplemental Pay & Mandatory Training

La. R.S. 13:2589 & 13:2591 Criminal Compensation & State Supplemental Compensation

COMPENSATION

- **Criminal Matters:** Constables receive compensation fixed by parish governing authorities for services rendered in criminal proceedings (§13:2589).
- **State Supplemental Pay:** Subject to legislative appropriation, the state pays an additional monthly salary (up to \$120/month) matching parish base pay (§13:2591). Warrants are processed through the Dept. of Public Safety & Corrections and administered via parish payroll.
- **Expense Reimbursement:** Parishes are authorized to reimburse travel, lodging, and meal expenses incurred while attending mandatory AG training.

La. R.S. 49:251.1 Mandatory Attorney General Training & Pay Forfeiture

MANDATORY COMPLIANCE

- **Initial Training:** Newly elected constables must attend the very first available Justice of the Peace & Constable Training Course conducted by the Louisiana Attorney General.
- **Biennial Continuing Education:** Constables must attend at least one training course every two years (biennially) to remain qualified.
- **Penalty for Non-Compliance:** Failure to complete required training results in **immediate forfeiture and withholding of state supplemental pay** until certified. (Parish base salary remains unaffected).

La. R.S. 13:5807 Statutory Civil Fee Schedule

- **Civil Service Fees:** Establishes uniform fees that constables charge for official actions, including service of summons, subpoenas, civil warrants, notices to vacate (evictions), court attendance, and commissions on property sold under execution.

La. R.S. 40:2402 & 40:2405 POST Certification Requirements

- **Peace Officer Standards:** Governs Peace Officer Standards and Training (POST) certification. Deputy constables carrying firearms or exercising full law enforcement authority must complete POST-approved training modules.

Category 5: Legal Representation, Immunity & Liability

La. R.S. 13:2593 Legal Representation by the Louisiana Attorney General

- **State Representation:** The Attorney General shall provide legal defense for any constable named as a defendant in a civil lawsuit arising out of performance of official duties within the scope of office, provided the act was not intentional wrongdoing or gross negligence.

La. R.S. 13:3484 & La. R.S. 42:1441 Liabilities, Indemnity & Official Immunity

- **Officer Immunity:** Constables and deputy constables are granted immunity from tort liability when performing peace officer duties in good faith under court direction (§13:2163).
- **Execution Liability:** Governs indemnification bonds required when seizing third-party property (§13:3484). State / political subdivision liability parameters governed by La. R.S. 42:1441.

Legal Practice Note: Constables in Louisiana act as constitutional executive law enforcement officers within their respective wards. While their civil jurisdiction is tied to the Justice of the Peace or City Court, their peace officer status empowers them to enforce penal and traffic statutes within their territorial boundaries. Compliance with La. R.S. 49:251.1 (AG Training) is strictly audited by the Louisiana Legislative Auditor.

Master Cross-Reference Table: Louisiana Constable Statutes

Citation (La. R.S.)	Statutory Subject / Title	Core Requirement	Primary Authority
13:2583	JP Constable Qualifications & Term	High school dip., 6-yr term	Ward Election
13:2583.1–7	Deputy Constables (By Parish)	Oath, AG notice, POST	Constable Appt.
13:2584–2586	Domicile, Service & Writs	Execute JP court orders	Judicial Mandate
13:2587	Seizure & Public Sales	Notice, auction, levy	Judicial Sale
13:2587.1–3	Litter, Abandonment & Nuisance	Enforce parish codes	JP Ordinance
13:2589 & 2591	Criminal Pay & State Supplement	Up to \$120/mo state match	DPS&C / Parish
13:2593	Attorney General Legal Defense	Civil suit defense	LA Attorney Gen.
13:5807	Civil Fees Schedule	Mandatory fee rates	Statutory Fee
33:381 / 33:423	Municipal Marshal / Ex Officio	Lawrason Act chief	Municipal Election
40:2402 / 2405	POST Certification	Peace officer training	POST Council
49:251.1	AG Mandatory Constable Course	Biennial Training	AG Office