

Louisiana Revised Statutes: Justices of the Peace

Categorized Codification • Title 13 (Courts), Title 9 (Civil Code), Title 33, Title 42 & Title 49

STATUTORY FRAMEWORK OVERVIEW

In Louisiana, the office of the **Justice of the Peace (JP)** serves as a vital tier of the judicial branch, exercising limited civil jurisdiction and preliminary criminal/magisterial authority within ward territorial boundaries. Constables serve as the executive officer of the JP court. This compendium systematically categorizes all primary Louisiana Revised Statutes governing Justices of the Peace into five functional legal domains.

Category 1: Office, Qualifications, Election & Mandatory Age Retirement

La. R.S. 13:2582 Qualifications, Election, and Term of Office CORE STATUTE

- **Qualifications:** Must be of good moral character, able to read and write English, possess a high school diploma or equivalent (grandfather exemption for those elected prior to Nov 19, 1995), and be a qualified elector and resident of the ward/district.
- **Election & Term:** Elected for a six-year term by ward voters at congressional elections. Takes office on January 1st following election.
- **Age Requirement:** Must not have attained age 70 at the time of election (pursuant to La. Const. Art. V, § 25), with specific statutory grandfathering for incumbent justices.

La. R.S. 13:2583.1 & 13:2585 Court Domicile & Location Restrictions

- **Court Domicile:** Parish governing authorities fix the domicile of the Justice of the Peace court within the territorial ward boundaries.
- **Prohibition:** JP court sessions and official judicial proceedings strictly cannot be conducted in any building or premises where alcoholic beverages are sold or served.

La. R.S. 13:2586.1 Ad Hoc & Recusal Appointments

- **Recusal / Vacancy:** When a Justice of the Peace is recused, absent, or unable to act, another JP from an adjoining ward within the parish or a designated ad hoc magistrate may sit by appointment to ensure uninterrupted judicial function.

Category 2: Civil Jurisdiction, Evictions & Special Proceedings

La. R.S. 13:2586 Civil Jurisdictional Limits & Subject Matter **JURISDICTION**

- **Jurisdictional Cap:** Concurrent civil jurisdiction in cases where the amount in dispute does not exceed \$5,000 (excluding interest, attorney fees, and court costs).
- **Prohibited Subject Matter:** JP courts lack jurisdiction over real estate title disputes, adoption, divorce, successions, claims against state or political subdivisions, and suits for defamation/slander.
- **Eviction Proceedings:** Exclusive jurisdiction within their territorial ward over landlord-tenant summary eviction proceedings (CCP Art. 4701 et seq.) where the monthly rent or lease value does not exceed statutory caps.

La. R.S. 13:2587.1 – 13:2587.3 Littering, Abandoned Vehicles & Nuisance Adjudication

- **Environmental Enforcement:** Explicit authority to adjudicate civil littering violations (§2587.1) and issue administrative fines.
- **Abandoned Property:** Summary authority to order the removal and disposal of abandoned motor vehicles or movables (§2587.2).
- **Public Nuisances:** Special parish-level jurisdiction to hear property maintenance and public nuisance code enforcement actions (§2587.3).

Category 3: Preliminary Criminal Jurisdiction & Marriage Authority

La. R.S. 13:2587 & La. C.Cr.P. Art. 291 Committing Magistrates & Peace Bonds

- **Committing Magistrate:** Justices of the Peace act as committing magistrates with authority to issue arrest warrants, search warrants, and fix bail in non-capital criminal cases.
- **Peace Bonds:** Authority to conduct peace bond hearings and order peace bonds against individuals threatening persons or property.

La. R.S. 9:202 – 9:203 Authority to Solemnize Marriages

- **Marriage Performance:** Justices of the Peace are explicitly authorized to perform marriage ceremonies throughout their parish and adjacent parishes as provided by law.
- **Compliance & Fees:** Required to ensure marriage licenses are valid and properly executed before filing returns with the parish Clerk of Court.

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

La. R.S. 13:2589 & 13:2591 Parish Salary & State Supplemental Pay **COMPENSATION**

- **Base Compensation:** Parish governing authorities fix and pay base salaries for Justices of the Peace for criminal duties (§13:2589).
- **State Supplemental Pay:** Subject to annual legislative appropriation, the state provides supplemental pay (matching up to \$120/month) disbursed through parish finance departments.

La. R.S. 13:2590 Statutory Civil Fee Schedule

- **Civil Costs:** Establishes uniform statutory fee schedules that JP courts can charge for civil filings, citations, trial fixtures, garnishment orders, and eviction proceedings.

La. R.S. 49:251.1 Mandatory Attorney General Training & Pay Penalty **MANDATORY COMPLIANCE**

- **Mandatory AG Course:** Newly elected JPs must complete the official Attorney General Justice of the Peace Training Course.
- **Biennial Requirement:** Attendance required at least once every two years to maintain statutory qualification.
- **Penalty:** Failure to attend results in immediate forfeiture and withholding of state supplemental pay until certified by the AG.

Category 5: Legal Representation, Ethics & Judicial Conduct

La. R.S. 13:2593 AG Representation in Civil Suits

- **State Legal Defense:** The Louisiana Attorney General shall defend any Justice of the Peace named in a civil suit for official acts within the scope of judicial duty, provided there is no gross negligence or intentional misconduct.

Code of Judicial Conduct & La. Const. Art. V, § 25 Judiciary Commission Jurisdiction & Ethics

- **Disciplinary Oversight:** Justices of the Peace are subject to the jurisdiction of the Louisiana Supreme Court and the Judiciary Commission of Louisiana for ethics violations, official misconduct, or persistent failure to perform duties.

Legal Practice Note: Justices of the Peace in Louisiana are constitutional judicial officers. While they do not require a law degree to hold office, they exercise official judicial powers, including summary civil adjudications, eviction orders, search/arrest warrant issuances, and peace bonds. Compliance with statutory jurisdictional limits (\$5,000 cap) and mandatory AG training (La. R.S. 49:251.1) is strictly monitored.

Master Cross-Reference Table: Louisiana Justice of the Peace Statutes

Citation (La. R.S.)	Statutory Subject / Title	Core Requirement	Primary Authority
13:2582	JP Qualifications & Election	High school dip., < 70 yrs old	Ward Election
13:2585	Court Domicile & Alcohol Restriction	No court on alcohol premises	Parish / Statutory
13:2586	Civil Jurisdiction & Cap	\$5,000 civil cap & evictions	Judicial Power
13:2587.1–3	Litter, Abandonment & Nuisance	Civil fines & removal orders	JP Adjudication
13:2589 & 2591	Base Salary & State Supplement		Parish / State DPS

Citation (La. R.S.)	Statutory Subject / Title	Core Requirement	Primary Authority
		State matching pay (\$120/mo)	
13:2590	Statutory Fee Schedule	Uniform civil filing fees	Statutory Schedule
13:2593	AG Defense in Civil Actions	State legal representation	LA Attorney Gen.
9:202–203	Marriage Performance Authority	Solemnize parish marriages	Civil Code
49:251.1	Mandatory AG Training Course	Biennial Training	AG Office