

State and Local Government in Louisiana: An Overview 2012-2016 Term

CHAPTER 3 — LOCAL GOVERNMENT

Part B. Constitutional Offices

Separate and apart from local offices which are part of the varying forms of local government, the Louisiana Constitution provides for the parish offices of sheriff, coroner, assessor, clerk of the district court, registrar of voters, and school board members. (See "Chapter 2, Part C: Education" for discussion related to school boards.) These constitutional officers are generally independent of the parish governing authority. The constitution also provides for the office of district attorney for each judicial district, which may be composed of one or more parishes.

Sheriff

The constitution establishes the office of sheriff in each parish, except Orleans Parish. (Const. Art. V, §27) Article V, Section 32 continued the offices of civil sheriff and criminal sheriff in Orleans Parish, subject to change by law. Effective in 2010, the civil and criminal sheriffs in Orleans Parish were consolidated and, like the other parishes, Orleans Parish now has one sheriff. Each sheriff is elected for a term of four years. The sheriff in all parishes is the chief law enforcement officer in the parish and has both criminal and civil jurisdiction. The sheriff is in charge of all criminal investigations and is responsible for executing court orders and process and is the keeper of the public jail in the parish. Except in Orleans Parish, the sheriff is the collector of ad valorem taxes and other taxes and license fees as provided by law; in Orleans Parish the city of New Orleans provides for tax collection.

Parish Coroner

The office of parish coroner is constitutionally established. (Const. Art. V, §29) The coroner is elected for a term of four years and must be a licensed physician unless no licensed physician will accept the office. The coroner is generally considered an officer of the court in that many of his duties relate to law enforcement. His functions include holding inquests, ordering autopsies, and furnishing death certificates after an investigation or autopsy. (R.S. 33:1551 et seq.)

Tax Assessor

A tax assessor is elected for each parish. (Const. Art. VII, §24) The assessor's term of office is four years. The primary duty of the assessors is assessment of property subject to ad valorem taxation.

Clerk of District Court

The constitution also establishes the office of clerk of the district court in each parish, to be elected for a term of four years. (Const. Art. V, §28) The clerk of court serves as an ex officio

notary public and parish recorder of conveyances, mortgages, and other acts. Article V, Section 32, continued the offices of the clerks of the civil and criminal district courts, the register of conveyances, and the recorder of mortgages for Orleans Parish, subject to change by law. The legislature has consolidated these offices in Orleans Parish; however, the consolidation of the offices of the clerks of the civil and criminal district courts in Orleans Parish will not become effective until January 1, 2015.

Registrar of Voters

The governing authority of each parish is required to appoint a registrar of voters. (Const. Art. XI, §5) Subject to the direction of the commissioner of elections and as provided by law, the registrar in each parish is responsible for the registration of voters and for the administration and enforcement of the laws, as well as the rules and regulations of the commissioner, relating to the registration of voters. Each registrar must be a resident and qualified voter of the parish in which he is to perform his duties. He may be removed for certain causes by the State Board of Election Supervisors. Registrars are also responsible for the conduct of absentee voting. (R.S. 18:1301 et seq.)

District Attorney

The district attorney is elected for a term of six years. He must have been admitted to the practice of law for at least five years and must have resided in the district for the two years preceding the election. The district attorney or his designated assistant has charge of criminal prosecution by the state in the district, represents the state before the grand jury, and is the legal advisor to the grand jury.