Justice retires, receives temporary appointment

By ALAN SAYRE
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NEW ORLEANS—The Louisiana Supreme Court’s first black justice has retired as required by law, but will stay on the court under a temporary assignment until his successor is elected.

On Tuesday, Justice Revius O. Ortique Jr. of New Orleans turned 70, the mandatory retirement age for judges spelled out in the state constitution.

A federal judge rejected a bid to keep Ortique on the court. A group that successfully sued to open the court to a black justice unsuccessfully claimed that his retirement would undermine a court settlement dealing with the election of Supreme Court members.

Ortique submitted his resignation, effective Tuesday. But the court used another constitutional provision to temporarily appoint him to his own vacancy until a successor can be elected.

No election date has been set. Gov. Edwin Edwards can call special balloting, coinciding with the next regularly scheduled election in New Orleans, within the next 12 months.

In 1986, a group of black New Orleans residents filed suit, claiming that the system for electing Supreme Court justices denied blacks a fair opportunity to gain a spot on the bench.

Under a settlement, an eighth Supreme Court seat was added until the year 2000 to provide for a justice elected solely from black-majority Orleans Parish. At that time, new election districts will provide for a justice from New Orleans and the court will return to having seven members.

In his resignation letter, Ortique said his stay on the court has been a "rewarding experience for me and one I will always cherish."

In a statement issued by the court, Chief Justice Pascal Calogero said the court had "benefited from his experience, courtesy and good will."

"His willingness to continue to serve on the court during the coming months as an assigned retired justice at the request of the court is indicative of his lifelong commitment to public service," Calogero said.