

RULES FOR LOUISIANA DISTRICT COURTS

TITLES I, II, III, IV, V, and VI

Tenth Judicial District Court

Parish of Natchitoches

Title - I	Chapter Title - Dates of Court
Chapter - 2	Court and Judges' offices shall be closed at 11:00 a.m. every Friday before the 1st Saturday of December every year, effective January 1, 2017.
Rule - 2.0	Court and Judges' offices shall be closed every Monday before the Tuesday, Mardi Gras holiday, effective January 15, 2022.
Appendix - 2.0	Additional holidays may be set each year by the Chief Judge.
Local Holidays in Addition to Legal Holidays Listed in La. R.S. 1:55 See 2004 Amendment to La. R.S. 1:55(E)(1)(b) which, by reference to La. R.S. 1:55(B)(1)(a), adds Mardi Gras Day and General Election Day as legal holidays. Amended effective January 1, 2017; amended effective January 15, 2022; amended effective October 1, 2022.	
Title - I	Chapter Title - Judges, Facsimile Transmissions To The Court, and Technology-Related Rules
Chapter - 3	The Tenth Judicial District Court does not divide into divisions or sections for the purpose of allotting matters within the court's jurisdiction. Judges are assigned in civil and criminal cases by random allotment as set forth below:
Rule - 3.1	In accordance with LSA-R.S. 13:582, this Court shall sit in two divisions, denominated as Division "A" and Division "B".
Appendix - 3.1	The sessions of Court shall be held each week in Natchitoches Parish as hereinafter indicated:
Divisions or Sections of Court	During the first two full weeks of the month, the Judge of Division "B" shall preside and hold sessions in Courtroom No. 1. The Judge of Division "A" may try cases set by him during this period in Courtroom No. 2. During the two weeks following the first two full weeks of each month, the Judge of Division "A" shall preside and hold sessions in Courtroom No. 1. The Judge of Division "B" may try cases set by him during this period in Courtroom No. 2. The Judges, at their discretion, may rearrange this schedule as they deem fit in the interest of expediting the trial of any cases.
Title - I	Chapter Title - Judges, Facsimile Transmissions To The Court, and Technology-Related Rules
Chapter - 3	Duty judge rotates every 2 weeks.
Rule - 3.2	MOTION HOUR
Appendix - 3.2	Each Tuesday and Thursday at 9:00 o'clock a.m., or as set by order of court.

Title - I	Chapter Title - Judges, Facsimile Transmissions To The Court, and Technology-Related Rules
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Chapter - 3	ELECTRONIC WARRANTS
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Rule - 3.4	WarrantNow is designated and approved for the purposes of receiving electronic applications for warrants in the Tenth Judicial District Court.
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Appendix - 3.4	
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Court-Specific Rules
Concerning Judges' Use
of Electronic Signatures

Amended effective April
7, 2020.

ELECTRONIC SIGNATURES

All provisions of law relating to the use of electronic signatures by judges are hereby enacted including, but not limited to, La. Code Civ. P. art. 253, 1911, or other applicable law found therein; and La. Code Crim. P. art. 162.2 and/or other applicable law found therein; and La. R.S. 9:2601 et seq.

Any presiding judge or hearing officer of this court may electronically sign a court order, judgment, notice, official court documents or other writing by electronic signature if the electronic signature consists of a computer data compilation of any symbol or series of symbols executed, adopted, or authorized by the judge or hearing officer to be the legally binding equivalent of the judge's or hearing officer's handwritten signature. Said electronic signature shall be in .pdf format, flattened, or otherwise in a form which cannot be altered in accordance with standards set by the federal ESIGN Act.

Title - I	Chapter Title - Judges, Facsimile Transmissions To The Court, and Technology-Related Rules
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Chapter - 3	A. General Provisions.
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Rule - 3.5	(1) A proceeding conducted via simultaneous audio-visual transmission shall be conducted in the same manner as if the parties had appeared in person, and the judge presiding over the matter may exercise all powers consistent with the proceeding.
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Appendix - 3.5	
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Court-Specific Rules
Concerning
Simultaneous
Appearance by a Party or
Witness by Audio-Visual
Transmission

Amended effective April
22, 2020.

(2) In any proceeding conducted via simultaneous audio-visual transmission, the remote location(s) shall be considered an extension of the courtroom and held before the judge who is presiding. The judge's pronouncements, instructions, and rulings shall have the same force and binding effect as if all participants had been physically present in the courtroom. The presiding judge shall consider and rule on any objections of a party or non-party witness prior to beginning the proceeding. Counsel and participants shall appear appropriately dressed for court proceedings.

(3) An oath administered by the judge, court reporter, or other authorized person to a witness, interpreter, or a party in a proceeding conducted via simultaneous audio-visual transmission shall have the same force and binding effect as if the oath had been administered to a person physically present in the courtroom.

(4) All proceedings involving an appearance via simultaneous audio-visual transmission will be reported by a certified court reporter to the same extent and in the same manner as if all participants had appeared in person.

(5) In criminal proceedings, the Court will maintain public access to court proceedings, as provided by law, when a party or witness appears via simultaneous audio-visual transmission.

B. Application. These rules apply to proceedings in civil, family, criminal and post-conviction cases as set forth below. These rules do not apply to juvenile proceedings.

C. Requirements. In utilizing simultaneous audio-visual transmission, the following are required for use in criminal or civil proceedings:

1. Permission from the presiding judge or hearing officer.
2. Pre-approval from the presiding judge or hearing officer of any suggested simultaneous audio-

visual transmission platform or software.

3. Any simultaneous audio-visual transmission must meet or exceed any minimum operational guidelines adopted by the Louisiana Supreme Court.

4. In civil proceedings, once an appearance via simultaneous audio-visual transmission has been approved by the presiding judge or hearing officer, all technical requirements and testing shall be the responsibility of the moving party.

5. A full record of the proceedings shall be made as provided in applicable statutes and rules; and

6. The court shall determine that all parties agree to appear at the proceeding by simultaneous audio-visual transmission unless such consent is not required as otherwise stated in the court rule; and

7. Provisions shall be made for use of interpreter services when necessary. In cases requiring interpreters for non-English speaking or hearing-impaired parties, absent compelling circumstances, the interpreter shall be physically present with the party requiring the service, and provisions shall be made to enable simultaneous appearance of both that party and the interpreter.

8. In criminal proceedings, provisions shall be made to ensure compliance with all victims' rights laws.

D. Civil and Family Court Proceedings. Circumstances in which an appearance via simultaneous audio-visual transmission may be allowed in civil and family court proceedings:

1. When the witness is beyond the subpoena power of the Court; and/or

2. When compelling circumstances are shown in accordance with La. Code Civ. P. art. 1633.1, or

3. upon agreement of the parties and the court.

E. Criminal Court Proceedings. Circumstances in which an appearance by simultaneous audio-visual transmission may be allowed in criminal court proceedings:

1. Defendant's appearance via simultaneous audio-visual transmission is precluded absent extraordinary circumstances and parties' consent for:

a. trial

b. contested probation violation/revocation hearing, or

c. felony sentencing.

2. It is at the sole discretion of the court and without the consent of the defendant to conduct the following via simultaneous audio-visual transmission, including videoconferencing,

a. 72-Hour hearing and Initial setting of bail in accordance with La. Code Crim. P. art. 522(A). Adoption of this local rule shall provide for a law enforcement officer having custody of an arrested person to fulfill the obligation imposed by La. Code Crim. P. art. 230.1(a) through presentation of the arrested person via simultaneous audio-visual transmission.

b. Felony or misdemeanor arraignment and entry of a plea in a non-capital case as prescribed by La. Dist. Ct. R. 18.1; La. Code Crim. P. art. 551, 553, 562 and 831-833. Any felony plea taken via simultaneous audio-visual transmission shall not include sentencing.

c. Any motion to continue which is limited to setting trial dates that do not involve any speedy-trial waiver of time under La. Code Crim. P. art. 701.

d. Any uncontested motion.

e. Any status or informal conference

f. A change of plea in a misdemeanor case.

g. Any post-conviction proceeding;

3. Except for those proceedings described in subparagraphs (E1) and (E2) above, the state and defense counsel or the state and a self-represented defendant, with the court's approval, may agree by written stipulation or upon the record to allow the defendant's appearance at any proceeding via a simultaneous audio-visual transmission, including teleconferencing, in the following proceedings:

- a. Any contested pre-trial motion or hearing on a pre-trial motion if approved by defense counsel in accordance with La. Code Crim. P. art. 522;
- b. Protected Person as defined in La. R.S. 15:283;
- c. Pretrial motion(s) in lawsuit brought by inmate relative to prison conditions or for injury or damages in accordance with La. R.S. 15:1184; and
- d. Testimony of those authorized pursuant to La. R.S. 15:502.

F. Expansion of Scope of Proceeding. Notwithstanding the foregoing, the court shall reschedule a proceeding via simultaneous audio-visual transmission to require the defendant's personal appearance if the scope of the herein expands beyond that specified in subparagraphs (E2) and (E3) above.

G. Court Has the Discretion to Modify Rules. Upon a showing of good cause either by motion of a party or upon its own motion, the Court may require a party to appear in person at a hearing, conference or proceeding listed above if the Court determines that a personal appearance would materially assist in the determination of the proceedings or in the effective management or resolution of the particular case.

Title - I	Chapter Title - Judges, Facsimile Transmissions To The Court, and Technology-Related Rules
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Chapter - 3

Rule - 3.6

Appendix - 3.6

Court-Specific Rules
Concerning Recording of
Protected Persons
Pursuant to La. R.S.
15:440.2

Title - I	Chapter Title - Court Personnel
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Chapter - 4

Hon. Louie Bernard www.10jdc.com

Clerk of Court

Rule - 4.1

Parish of Natchitoches www.npcclerkofcourt.org

P. O. Box 476

Appendix - 4.1

Natchitoches, LA 71458-0476

Telephone: (318) 352-8152

Facsimile: (318) 352-9321

Judicial Administrators
and Clerks of Court

E-Mail: lbernard@cp-tel.net

Title - I	Chapter Title - Courtroom Use, Accessibility and Security
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Chapter - 5

Rule - 5.1

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX5.1A.PDF>

Appendix - 5.1A

Americans with
Disabilities Form

Title - I	Chapter Title - Courtroom Use, Accessibility and Security
Chapter - 5	
Rule - 5.1	http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX5.1B.PDF
Appendix - 5.1B	
Request for Interpreter and Order	
Title - I	Chapter Title - Courtroom Use, Accessibility and Security
Chapter - 5	
Rule - 5.1	http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX5.1C.PDF
Appendix - 5.1C	
Interpreter's Oath	
Title - I	Chapter Title - Indigents and In Forma Pauperis
Chapter - 8	
Rule - 8.0	http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX8.0.PDF
Appendix - 8.0	
In Forma Pauperis Affidavit	
Title - II	Chapter Title - Procedure
Chapter - 9	ALLOTMENT OF CASES
Rule - 9.3	It shall be the duty of the Clerk of Court or his duly authorized Deputy Clerk, as soon as possible after the filing of any suit, to assign by lot such case to one of the divisions of this Court.
Appendix - 9.3	No case shall be allotted which has not been regularly filed and docketed.
Allotments: Signing of Pleadings in Allotted and Non-Allotted Cases	Before allotment, any Judge of the Court may render preliminary and interlocutory orders, grant conservatory writs and issue executory process in any case; without, however, preventing the regular allotment thereof. And before allotment, any Judge may, in his discretion and upon proper showing, grant an order for an extension of time in which to plead.
Title - II	Chapter Title - Procedure
Chapter - 9	None.
Rule - 9.4	

Appendix - 9.4

Presentation of Pleadings
to the Court and Filing
with the Clerk of Court

Title - II	Chapter Title - Procedure
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Chapter - 9	
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Rule - 9.6	http://www.lasc.org/rules/supreme/Louisiana_Civil_Case_Reporting_Form.pdf
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Appendix - 9.6	
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Louisiana Civil Case Reporting	
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Title - II	Chapter Title - Procedure
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Chapter - 9	
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Rule - 9.12	http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX9.12A.pdf
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Appendix - 9.12A	
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Notice of Limited Appearance – Family Law Cases	
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Title - II	Chapter Title - Procedure
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Chapter - 9	
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Rule - 9.12	http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX9.12B.pdf
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Appendix - 9.12B	
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Notice of Limited Appearance – Non- Family Law Cases	
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Title - II	Chapter Title - Procedure
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Chapter - 9	
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Rule - 9.14	1. Unless otherwise provided by law, no suit requiring a trial on the merits shall be assigned for trial until a party desiring that a case be set for trial shall advise the Court, in writing, that all issues have been joined, that all pre-trial motions, exceptions, interrogatories, requests, and discovery proceedings have been completed. This request shall set forth the approximate time the trial is expected to take, and shall certify that all parties, including intervenors and persons made third-party plaintiffs or defendants are ready for trial. The request for a setting of trial shall be sent to all counsel of record, and the request shall contain the names and current addresses of all trial counsel or other parties to be notified.
Appendix - 9.14	2. In those cases where the Court feels that a pre-trial conference would be of benefit, the Court shall notify counsel. Any counsel requesting a pre-trial conference shall set forth reasons why he thinks a pre-trial conference would be beneficial and, unless permission is granted by the Court for substitute
Fixing for Trial or Hearing; Scheduling Orders; Contact with Jurors	

counsel to appear, trial counsel shall appear for the pre-trial conference.

3. Cases shall ordinarily be tried in the order in which they are assigned, but the Judges may call their dockets and dispose of all cases and other matters in such order as they deem proper.

4. Ordinary and summary cases not finished shall be continued to any subsequent day, entirely in the discretion of the Judge.

Title - III

Chapter Title - Allotment of Cases

Chapter - 14

ALLOTMENT OF CRIMINAL CASES

Rule - 14.0

The allotment of cases to the two sections shall be by lot and by chance and shall be determined in the same manner and by use of the same method as civil cases are allotted on the civil docket. The allotment of cases shall be made at the time the District Attorney files the bill of information or bill of indictment, or as soon thereafter as practical, in the District Court or in the office of the Clerk of Court. However, if there are several indictments or bills of information against individuals arising out of the same events, all such cases shall be allotted to the division that receives the first, or lowest, number of such cases. It will be the duty of the District Attorney to notify the Clerk of Court of such cases.

Appendix - 14.0A

System of Random Allotment of Criminal Cases (Other than Traffic, Wildlife, and Appeals from Lower Courts)

Subsequent criminal proceedings against any individual who has appeared in either Division "A" or Division "B" shall be referred to that division which originally heard the criminal matter related to that individual, regardless of whether the subsequent criminal matter arose out of the same actions which originated the initial criminal proceedings.

Title - III

Chapter Title - Allotment of Cases

Chapter - 14

See Appendix 14.0A.

Rule - 14.0

Appendix - 14.0B

Random Allotment Traffic Offenses, Wildlife Offenses, and Appeals from Courts of Limited Jurisdiction)

Title - III

Chapter Title - Allotment of Cases

Chapter - 14

Rule - 14.1

Appendix - 14.1

Allotment - Defendant with More than One Felony Case

The allotment of cases to the two sections shall be by lot and by chance and shall be determined in the same manner and by use of the same method as civil cases are allotted on the civil docket. The allotment of cases shall be made at the time the District Attorney files the bill of information or bill of indictment, or as soon thereafter as practical, in the District Court or in the office of the Clerk of Court. However, if there are several indictments or bills of information against individuals arising out of the same events, all such cases shall be allotted to the division that receives the first, or lowest, number of such cases. It will be the duty of the District Attorney to notify the Clerk of Court of such cases. Subsequent criminal proceedings against any individual who has appeared in either Division "A" or Division "B" shall be referred to that division which originally heard the criminal matter related to that individual, regardless of whether the subsequent criminal matter arose out of the same actions which originated the initial criminal proceedings.

Title - III	Chapter Title - Assignment of Cases and Preliminary Motions
Chapter - 15	CRIMINAL MATTERS
Rule - 15.0	1. There shall be such terms of criminal court during each judicial year as each Judge in his discretion deems necessary for his division.
Appendix - 15.0	2. Criminal arraignments shall be held as follows: Division A: The third and fourth Friday of the third and fourth full week of each month, except August. Division B: The first and second Friday of the first and second full week of each month, except August.
Assignment of Cases, Filing of Motions, Pre- Trial and Status Conferences	3. Effective, immediately, counsel filing motions in any criminal proceedings shall give the following information in paragraph number one of any and all motions: <p>(a) The specific crime charged, citing statute and chapter and/or paragraph. Example: Defendant is charged with Driving While Under the Influence of Alcohol under R.S. 14:98;</p> <p>(b) Whether or not the defendant was charged by Bill of Information or by Grand Jury indictment; and, the date of the charge;</p> <p>(c) Whether or not defendant has been arraigned; and, if so, the date;</p> <p>(d) Whether or not a trial date has been set; and, if so, the date of the trial;</p> <p>(e) Whether or not any other motions have been filed previously; and, if so, a description of what has been filed and what action has been taken by the Court on the motions.</p> <p>(f) Whether or not there are any co defendants charged in the same Bill of Information, and also, the name and address of his or her attorney; and whether or not any motions have been filed on behalf of any co-defendant; and also, a description of the motion and whether or not a date has been set for the hearing of any such motions; giving the date that the motion is set for hearing; and, if any action has been taken by the Court on other motions; the result of that action.</p>
	4. Effective immediately, counsel offering exhibits in jury trials will provide enough duplicate copies of the exhibit so as to provide each juror and the presiding judge and all counsel with a copy; except for items which cannot physically be duplicated or copied. For the purpose of this rule, all exhibits are presumed to be capable of being duplicated or copied unless otherwise allowed by the trial court.
	5. Criminal pre-trial and status conferences are ordered by the court relative to regularly scheduled criminal jury terms.

Title - III	Chapter Title - Assignment of Cases and Preliminary Motions
Chapter - 15	After random allotment and assignment of a criminal case, the court, through the Natchitoches Parish Indigent Defender Board, appoints an attorney to represent indigent defendants in accordance with local court rules.
Rule - 15.1	
Appendix - 15.1	In compliance with Code of Criminal Procedure Article 230.1, the personal appearance of the defendant before a judge of this court may, at the discretion of the presiding judge, be made by telephone or audio-video electronic equipment.
Appointment of Counsel	
Effective June 1, 2007.	

Title - III	Chapter Title - Assignment of Cases and Preliminary Motions
Chapter - 15	District Attorney has a box for mailing in the Clerk of Court's Office. However, all pleadings are personally served upon the District Attorney, or, stamped as hand-delivered.
Rule - 15.2	
Appendix - 15.2	
Alternative Method of Service on District Attorney	
Title - III	Chapter Title - Arraignment and Pleas
Chapter - 18	
Rule - 18.0	http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX18.0.PDF
Appendix - 18.0	
Waiver of Formal Arraignment and Pleas	
Title - III	Chapter Title - Simultaneous Peremptory Challenges
Chapter - 19	Simultaneous peremptory challenges are allowed.
Rule - 19.0	
Appendix - 19.0	
Simultaneous Peremptory Challenges	
Title - IV	Chapter Title - Application of Rules
Chapter - 22	
Rule - 22.0	
Appendix - 22.0	
Courts That Have Created Specialized Divisions or Sections of Court That Handle Family Law Proceedings	
Title - IV	Chapter Title - Notice and Exchange of Information
Chapter - 23	
Rule - 23.0	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_23.0A.pdf
Appendix - 23.0A	

Courts Requiring the Pre-Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders

Title - IV	Chapter Title - Notice and Exchange of Information
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Chapter - 23

Rule - 23.0 http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_23.0B.pdf

Appendix - 23.0B

Family Law Affidavit
(form)

Title - IV	Chapter Title - Notice and Exchange of Information
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Chapter - 23

Rule - 23.0 http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_23.0C.pdf

Appendix - 23.0C

Hearing Information
Order (form)

Title - IV	Chapter Title - Notice and Exchange of Information
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Chapter - 23

Rule - 23.0 http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_23.0D.pdf

Appendix - 23.0D

Hearing Officer
Conference and
Information Order (form)

Title - IV	Chapter Title - Notice and Exchange of Information
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Chapter - 23

Rule - 23.0

Appendix - 23.0E

Courts That Require Use
of a Specific Hearing
Information Order or
Hearing Officer
Conference and
Information Order

<p>Title - IV</p> <p>Chapter - 23</p> <p>Rule - 23.0</p> <p>Appendix - 23.0F</p> <p>Court-Specific Rules Concerning Arrearages</p>	<p>Chapter Title - Notice and Exchange of Information</p> <p>All pleadings to make executory alimony or support judgments of contempt for failure to pay alimony or support judgment will be accompanied by a statement setting forth the following:</p> <ol style="list-style-type: none"> 1. A computation of all payments that have accrued under the judgment. 2. An itemized list of all payments received showing when, to whom, by whom and in what manner said payments were made. <p>At least twenty four (24) hours prior to the time the matter is called for hearing, defendant shall file a similar statement.</p> <p>See Section V of the Appendix 23.0B Family Law Affidavit.</p>
<p>Title - IV</p> <p>Chapter - 23</p> <p>Rule - 23.1</p> <p>Appendix - 23.1</p> <p>Court-Specific Rules Concerning Pre-Trial Orders in Non- Community Property Cases</p>	<p>Chapter Title - Notice and Exchange of Information</p>
<p>Title - IV</p> <p>Chapter - 24</p> <p>Rule - 24.0</p> <p>Appendix - 24.0</p> <p>Court-Specific Rules Concerning Form of Pleadings and Caption Requirements in Family Law Proceedings</p>	<p>Chapter Title - Procedure</p>
<p>Title - IV</p> <p>Chapter - 24</p> <p>Rule - 24.1</p> <p>Appendix - 24.1</p> <p>Court-Specific Rules Concerning Prior or</p>	<p>Chapter Title - Procedure</p> <p>Any family law proceeding filed, including petitions for protection from abuse, but excluding adoptions and any child support case brought by the State of Louisiana under Title IV-(A), (D), or (E) of the Social Security Act, La. R.S. 46:236.1, 42 U.S.C 651 (1975), as amended, shall be assigned the same docket number and division of any previously filed family law proceeding between the same parties. The only exception shall be in the instance of a divorce proceeding that has been adjudicated as abandoned, or is abandoned by operation of law, in which case the docket number shall be permanently retired.</p>

Multiple Filing of
Pleadings

Amended March 1, 2018,
effective March 1, 2018.

Title - IV	Chapter Title - Procedure
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Chapter - 24

Rule - 24.2

Appendix - 24.2

Court-Specific Rules
Concerning Allotment of
Cases

Title - IV	Chapter Title - Procedure
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Chapter - 24

Rule - 24.3

Appendix - 24.3

Court-Specific Rules
Concerning Walk-
Through of Pleadings

Title - IV	Chapter Title - Procedure
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Chapter - 24

Rule - 24.4

Appendix - 24.4

Court-Specific Rules
Concerning Appointment
of Attorneys To
Represent Absentee
Defendants

Title - IV	Chapter Title - Procedure
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Chapter - 24

Rule - 24.5

Appendix - 24.5

Court-Specific Rules
Concerning Extensions
of Time To Plead in
Family Law Proceedings

Title - IV

Chapter Title - Procedure

Chapter - 24

Rule - 24.6

Appendix - 24.6

Court-Specific Rules
Restricting the
Preparation of Answers
or Other Pleadings;
Procedure When a Self-
Represented Party Has
Filed an Answer

Title - IV

Chapter Title - Procedure

Chapter - 24

Rule - 24.7

Appendix - 24.7A

Court-Specific Rules
Concerning Scheduling
Hearings and Trials

In a case where a curator ad hoc is appointed to represent an absent defendant, he may file an answer before the expiration of fifteen (15) days from the date of service is made upon him by the Sheriff or acceptance of service, but a trial on the merits cannot be had for fifteen (15) days from service or acceptance.

Title - IV

Chapter Title - Procedure

Chapter - 24

Rule - 24.7

Appendix - 24.7B

Court-Specific Rules
Concerning Order of
Business

Title - IV

Chapter Title - Procedure

Chapter - 24

Rule - 24.8

Appendix - 24.8A

Court-Specific Rules
Concerning
Continuances in Family
Law Proceedings

Title - IV

Chapter Title - Procedure

Chapter - 24

Rule - 24.8	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_24.8B.pdf
Appendix - 24.8B	
Uncontested Motion To Continue (form)	

Title - IV	Chapter Title - Procedure
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Chapter - 24

Rule - 24.8	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_24.8C.pdf
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Appendix - 24.8C

Contested Motion To Continue (form)
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Title - IV	Chapter Title - Procedure
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Chapter - 24

Rule - 24.9

Appendix - 24.9

Court-Specific Rules Concerning Discovery
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Title - IV	Chapter Title - Procedure
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Chapter - 24

Rule - 24.10

Appendix - 24.10

Court-Specific Rules Concerning Setting of Pre-Trial Conferences
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Title - IV	Chapter Title - Procedure
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Chapter - 24

Rule - 24.11

Appendix - 24.11

Court-Specific Rules Concerning Hearings in Chambers in Family Law Proceedings Pursuant to La. R.S. 9:302

Title - IV	Chapter Title - Procedure
Chapter - 24	
Rule - 24.12	
Appendix - 24.12	
Court-Specific Rules Concerning the Presence of Children in the Courtroom and/or Hearing Officer Conferences	

Title - IV	Chapter Title - Procedure
Chapter - 24	
Rule - 24.13	
Appendix - 24.13	
Court-Specific Rules Concerning Mental Health Evaluations in Family Law Proceedings	

Title - IV	Chapter Title - Procedure
Chapter - 24	In all uncontested proceedings to establish paternity brought before the Court’s Hearing Officer(s), or before the Court directly, proof may be submitted by affidavit pursuant to LA–R.S. 9:572.
Rule - 24.14	
Appendix - 24.14	
Court-Specific Rules Concerning Proof of Uncontested Paternity by Affidavit Pursuant to La. R.S. 9:572	

Title - IV	Chapter Title - Judgments and Stipulations
Chapter - 25	
Rule - 25.0	
Appendix - 25.0	
Court-Specific Rules on Preparation and Submission of Judgments in Family Law Proceedings	

Title - IV	Chapter Title - Judgments and Stipulations
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Chapter - 25

Rule - 25.1

Appendix - 25.1

Court-Specific Rules on Income Assignment Orders
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Title - IV	Chapter Title - Domestic Violence Protective Orders
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Chapter - 26

Rule - 26.0	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_26.0A.pdf
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Appendix - 26.0A

Louisiana Protective Order Registry Index of Uniform Abuse Preventive Order Forms (Forms 1 through 23 Mandated by La. R.S. 46:2136.2(C))
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Title - IV	Chapter Title - Domestic Violence Protective Orders
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Chapter - 26

Rule - 26.0	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_26.0B.pdf
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Appendix - 26.0B

Louisiana Protective Order Registry Courtesy Forms Index: Instructions, Petitions, Supplemental Forms, etc.

Title - IV	Chapter Title - Divorces Pursuant to La. Civ. Code Article 102
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Chapter - 27

Rule - 27.0	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_27.0A.pdf
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Appendix - 27.0A

La. C.C. art. 102 Divorce Checklist (form)

Title - IV	Chapter Title - Divorces Pursuant to La. Civ. Code Article 102
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Chapter - 27

Rule - 27.0

Appendix - 27.0B

Courts That Require the
Filing of a La. C.C. art.
102 Divorce Checklist,
the Entire Record, and/or
Other Documentation in
a La. C.C. art. 102
Divorce

Title - IV

Chapter Title - Divorces Pursuant to La. Civ. Code Article 102

Chapter - 27

Rule - 27.0

Appendix - 27.0C

Court-Specific Rules
Concerning Allowance
of Divorce by Affidavit
in a La. C.C. art. 102
Divorce

Title - IV

Chapter Title - Divorces Pursuant to La. Civ. Code Article 102

Chapter - 27

Rule - 27.1

http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_27.1A.pdf

Appendix - 27.1A

Waiver of Service and
Citation of an Original
Petition in a La. C.C. art.
102 Divorce Proceeding
(form)

Title - IV

Chapter Title - Divorces Pursuant to La. Civ. Code Article 102

Chapter - 27

Rule - 27.1

http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_27.1B.pdf

Appendix - 27.1B

Waiver of Service and
Citation of Rule To
Show Cause in a La.
C.C. art. 102 Divorce
(form)

Title - IV

Chapter Title - Divorces Pursuant to La. Civ. Code Article 102

Chapter - 27

The following rules shall be observed with respect to separation and divorce cases:

Rule - 27.1

(a) In any civil matter, the defendant or his attorney therein may accept service and waive citation. In all other cases, citations should regularly issue thereon and service made according to law.

Appendix - 27.1C

Courts That Require Use
of a Specific Waiver of
Service and Citation
Form in a La. C.C. art.
102 Divorce

Title - IV**Chapter Title - Divorces Pursuant to La. Civ. Code Article 103****Chapter - 28**

Defaults may be regularly confirmed as in other cases, after the legal delays from the regular service of the petition, and preliminary default taken. In such cases, default may not be confirmed except upon the testimony of two witnesses other than the plaintiff, or one witness besides the plaintiff, and corroborating circumstances sufficient, in the opinion of the Court, to establish the charges made.

Rule - 28.0**Appendix - 28.0**

Court-Specific Rules
Concerning Default
Judgments

Title - IV**Chapter Title - Divorces Pursuant to La. Civ. Code Article 103****Chapter - 28****Rule - 28.1****Appendix - 28.1A**

Court-Specific Rules
Concerning Allowance
of Divorce by Affidavit
in a La. C.C. art. 103
Divorce Under La. Code
Civ. Proc. art. 1702(E)

Title - IV**Chapter Title - Divorces Pursuant to La. Civ. Code Article 103****Chapter - 28****Rule - 28.1**

http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_28.1B.pdf

Appendix - 28.1B

La. C.C.P. art. 1702(E)
Divorce Checklist (form)

Title - IV**Chapter Title - Divorces Pursuant to La. Civ. Code Article 103****Chapter - 28****Rule - 28.1****Appendix - 28.1C**

Courts That Require the
Filing of a La. C.C.P. art.
1702(E) Divorce
Checklist

Title - IV **Chapter Title - Divorces Pursuant to La. Civ. Code Article 103**

Chapter - 28

Rule - 28.2

Appendix - 28.2A

Courts That Require the
Filing of a La. C.C.P. art.
969(B) Divorce
Checklist

Title - IV **Chapter Title - Divorces Pursuant to La. Civ. Code Article 103**

Chapter - 28

Rule - 28.2 http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_28.2B.pdf

Appendix - 28.2B

La. C.C.P. art. 969(B)
Divorce Checklist (form)

Title - IV **Chapter Title - Divorces Pursuant to La. Civ. Code Article 103**

Chapter - 28

Rule - 28.3 http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_28.3A.pdf

Appendix - 28.3A

Acceptance of Waiver
and Waiver of Service
and Citation and Delays
in a La. C.C. art. 103
Divorce (form)

Title - IV **Chapter Title - Divorces Pursuant to La. Civ. Code Article 103**

Chapter - 28 The following rules shall be observed with respect to separation and divorce cases:

Rule - 28.3 (a) In any civil matter, the defendant or his attorney therein may accept service and waive citation. In all other cases, citations should regularly issue thereon and service made according to law.

Appendix - 28.3B

Courts That Require a
Specific Form for Waiver
of Service and Citation in
a La. C.C. art. 103
Divorce

Title - IV	Chapter Title - Custody and Visitation Orders
Chapter - 29	
Rule - 29.0	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.0A.pdf
Appendix - 29.0A	
Application for Ex Parte Temporary Custody Order – Affidavit of Mover in Compliance with La. C.C.P. art. 3945 (B) (form)	
Title - IV	Chapter Title - Custody and Visitation Orders
Chapter - 29	
Rule - 29.0	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.0B.pdf
Appendix - 29.0B	
Application for Ex Parte Temporary Custody Order –Certification by Applicant’s Attorney in Compliance with La. C.C.P. art. 3945(B) (form)	
Title - IV	Chapter Title - Custody and Visitation Orders
Chapter - 29	
Rule - 29.0	
Appendix - 29.0C	
Court-Specific Rules Concerning Ex Parte Custody Orders	
Title - IV	Chapter Title - Custody and Visitation Orders
Chapter - 29	
Rule - 29.1	
Appendix - 29.1	
Court-Specific Rules Concerning Temporary Custody Orders	

Title - IV	Chapter Title - Custody and Visitation Orders
Chapter - 29	
Rule - 29.2	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.2A.pdf
Appendix - 29.2A	
Joint Custody Plan (With Domiciliary Parent) (form)	
<hr/>	
Title - IV	Chapter Title - Custody and Visitation Orders
Chapter - 29	
Rule - 29.2	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.2B.pdf
Appendix - 29.2B	
Joint Custody Plan (Without Domiciliary Parent) (form)	
<hr/>	
Title - IV	Chapter Title - Custody and Visitation Orders
Chapter - 29	
Rule - 29.3	
Appendix - 29.3	
Court-Specific Rules Concerning Parenting Classes	
<hr/>	
Title - IV	Chapter Title - Custody and Visitation Orders
Chapter - 29	
Rule - 29.4	In any custody or visitation proceeding, the court, on its own motion or the motion of either party, may require the parties to mediate their differences. The court may apportion the costs of the mediation between the parties. The mediator shall be selected by the court. The mediation shall be conducted and the mediator shall be qualified in accordance with R.S. 9:351, et seq.
Appendix - 29.4	
Court-Specific Rules Concerning Mediation	<p>When it appears on the face of the petition or motion for an order or modification of an order for the custody or visitation of a child or children that either or both such issues are contested, or when during such a proceeding it appears to the court to be in the best interest of the child or children, the parties may be required to mediate their differences upon the motion of the court or upon the motion of either party. The court may apportion the costs of the mediation between the parties. The costs of mediation shall be subject to approval by the court.</p> <p>PURPOSE: The purpose of such mediation proceeding shall be to reduce acrimony which may exist between the parties and to develop an agreement assuring the child or children's close continuing contact with both parents after the marriage is dissolved. The mediator shall use his or her best efforts to effect a settlement of the custody or visitation dispute.</p> <p>DUTIES OF THE MEDIATOR: In performing the mediation contemplated herein, the mediator shall assist the parties in formulating a written, signed, and dated agreement to mediate which shall identify the controversies between the parties, affirm the parties' intent to resolve these controversies through mediation, and specify the circumstances under which the mediation may terminate. The mediator has</p>

a duty to advise each of the mediation participants to obtain legal review prior to reaching any agreement. The mediator has a duty to be impartial and has no power to impose a solution on the parties.

MEDIATION AGREEMENT: Upon the resolution of the controversies by the parties, the mediator shall prepare a written, signed and dated agreement, verified by the mediator, setting out the settlement terms of the controversies. If an agreement is reached by the parties through mediation, a consent judgment and/or plan of mediation incorporating the agreement shall be prepared by respective counsel for each of the parties. The consent judgment and/or plan of mediation shall be submitted to the court for its approval and signature.

Title - IV	Chapter Title - Custody and Visitation Orders
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Chapter - 29

Rule - 29.5	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.5.pdf
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Appendix - 29.5

Form Letter To Register a Foreign or Out-of-State Custody Order (form)
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Title - IV	Chapter Title - Custody and Visitation Orders
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Chapter - 29

Rule - 29.6

Appendix - 29.6

Court-Specific Rules Concerning Modification of an Existing Custody or Visitation Order
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Title - IV	Chapter Title - Partition of Community Property
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Chapter - 30

Rule - 30.0	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_30.0A.pdf
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Appendix - 30.0A

Sworn Detailed Descriptive List (form)

Title - IV	Chapter Title - Partition of Community Property
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Chapter - 30

Rule - 30.0	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_30.0B.pdf
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Appendix - 30.0B

Sample, Completed
Sworn Detailed
Descriptive List (form)

Title - IV **Chapter Title - Partition of Community Property**

Chapter - 30

Rule - 30.0 http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_30.0C.pdf

Appendix - 30.0C

Joint Detailed
Descriptive List (form)

Title - IV **Chapter Title - Partition of Community Property**

Chapter - 30

Rule - 30.0 http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_30.0D.pdf

Appendix - 30.0D

Sample, Completed Joint
Detailed Descriptive List
(form)

Title - IV **Chapter Title - Partition of Community Property**

Chapter - 30

Rule - 30.0

Appendix - 30.0E

Court-Specific Rules
Concerning Detailed
Descriptive Lists

Title - IV **Chapter Title - Partition of Community Property**

Chapter - 30

Rule - 30.1

Appendix - 30.1

Court-Specific Rules
Concerning Appointed
Special Masters and
Experts

<p>Title - IV</p> <p>Chapter - 30</p> <p>Rule - 30.2</p> <p>Appendix - 30.2</p> <p>Court-Specific Rules Concerning Partition of Community Property</p>	<p>Chapter Title - Partition of Community Property</p> <p>Effective, immediately, in all property settlement cases to be tried in this Court, all counsel shall file, at least 48 hours before the day of trial, one stipulation signed by the person or persons they represent and by counsel, setting forth, in detail, the following information:</p> <p>(1) An agreed list of personal and real marital property, both tangible and intangible, acquired by either or both spouses during the marriage;</p> <p>(2) An agreed list of separate property, both tangible and intangible, acquired before marriage or by gift, bequest, descent or inheritance;</p> <p>(3) All other property owned by the parties whose character marital or separate--is to be decided by the Court after receipt of proof.</p> <p>Failure to comply with this rule will result in the trial being continued until the rule is fully met.</p>
<p>Title - IV</p> <p>Chapter - 31</p> <p>Rule - 31.0</p> <p>Appendix - 31.0</p> <p>Court-Specific Rules Concerning Use of Electronic and Recording Devices</p>	<p>Chapter Title - Other Rules</p>
<p>Title - IV</p> <p>Chapter - 31</p> <p>Rule - 31.1</p> <p>Appendix - 31.1</p> <p>Court-Specific Rules Concerning Oral Arguments</p>	<p>Chapter Title - Other Rules</p>
<p>Title - IV</p> <p>Chapter - 31</p> <p>Rule - 31.2</p> <p>Appendix - 31.2</p> <p>Court-Specific Rules Concerning Enrollment and Withdrawal of Counsel</p>	<p>Chapter Title - Other Rules</p> <p>La. Dist. Ct. R. 9.13 is applicable in Family and Domestic Relations Proceedings.</p>

Title - IV Chapter - 31 Rule - 31.3 Appendix - 31.3 Court-Specific Rules Concerning Collaborative Divorce Procedures	Chapter Title - Other Rules
Title - IV Chapter - 32 Rule - 32.0 Appendix - 32.0A Courts Authorizing and Directing Court- Appointed Hearing Officers, Commissioners, and/or Magistrates Pursuant To La. R.S. 46:236.5	Chapter Title - Use of Hearing Officers and Domestic Commissioners for Family Law Proceedings http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_32.0A.pdf
Title - IV Chapter - 32 Rule - 32.0 Appendix - 32.0B Court-Specific Rules on Hearing Officers and Domestic Commissioners	Chapter Title - Use of Hearing Officers and Domestic Commissioners for Family Law Proceedings USE OF HEARING OFFICERS A. Pursuant to LSA-R.S. 46:236.5 and R.S. 46:2135(I) this Court hereby implements an expedited process for the establishment, modification, and enforcement of support obligations in all divisions of the court, by authorizing and directing an additional docket for review purposes, and authorizing and directing one or more Hearing Officers, appointed by the Court, to hear support and support related matters, and to take other such measures deemed necessary as part of an expedited process, and to hire and employ any and all such other personnel deemed necessary to implement this procedure, all on such terms and for such salaries as may be fixed by the Court. B. Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to him, or her or them, by a judge designated by the Court which are consistent with LSA-R.S. 46:236.5 and R.S. 46:2135(I) as it presently exists or as it may be, from time to time, supplemented or amended in the future. Said Hearing Officer(s) shall be prohibited from appearing before the Tenth Judicial District Court as lawyers in contested cases. C. The Court shall hold a hearing on a matter that has been the subject of a Hearing Officer's hearing upon the filing of a written objection pursuant to R.S. 46:236.5(C)(6). Such objection shall be filed within the delays set forth by District Court Rules 34.2 and 35.5, and the delays will commence from the date of the Hearing Officer's recommendation. If no request for a hearing before a judge is filed, an order shall be signed by the Judge which shall be a final judgment and be appealable to the appropriate Court of Appeal. TITLE IV-D CASES A. In all Title IV-D (Social Security Act) cases presently pending and arising in the future, and in all other cases brought by the Department of Health & Human Resources on its own behalf or on behalf of any person for whom support has been ordered and whose support rights have been assigned to the Department or for whom the Department is providing support services, each support payment,

including existing arrearages and future arrearages as well as ongoing support payments, is hereby increased by five percent (5%) beginning September 1, 2011. On or after that date, all such obligors or payors shall make any and all such payments for support, including the additional five percent (5%) amount, payable to the Department of Children and Family Services (D.C.F.S.) or its successor. Such payments shall be made only by money order or certified check and shall be mailed directly to D.C.F.S., Post Office Box 260222, Baton Rouge, Louisiana 70826-2222. Unless objection is made at the time the order is made payable to D.C.F.S., or by motion filed within three (3) days as specified above, such obligors or payors shall be deemed to have consented to allow the Department of Children and Family Services to collect and distribute the additional five percent (5%) amount specified herein, to the Tenth Judicial District Court.

B. In all uncontested proceedings to establish paternity brought before the Court's Hearing Officer(s), or before the Court directly, proof may be submitted by affidavit pursuant to LA-R.S. 9:572.

Title - IV	Chapter Title - Hearing Officer Procedure for Title IV-D Federal Social Security Act
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Chapter - 33

Rule - 33.0

Appendix - 33.0

Court-Specific Rules Concerning Objections to Recommendations of Hearing Officers in Title IV-D Matters

Title - IV	Chapter Title - Hearing Officer Procedures for Domestic Violence Protective Orders
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Chapter - 34

Rule - 34.0

Appendix - 34.0

Court-Specific Rules Concerning Hearing Officer Procedures for Domestic Violence Protective Orders
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Title - IV	Chapter Title - Hearing Officer Procedures for Domestic Violence Protective Orders
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Chapter - 34

Rule - 34.2

Appendix - 34.2

Court-Specific Rules Concerning Objections to Rulings of Hearing Officer or Domestic Commissioner; Time for Filing

Title - IV	Chapter Title - General Procedures for Hearing Officer Conferences
Chapter - 35	
Rule - 35.1	
Appendix - 35.1	

Court-Specific Rules
Concerning Failure To
Timely Comply with an
Appendix 23.0D Hearing
Officer Conference and
Information Order and/or
an Appendix 23.0B
Family Law Affidavit

Title - IV	Chapter Title - General Procedures for Hearing Officer Conferences
Chapter - 35	
Rule - 35.4	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_35.4.pdf
Appendix - 35.4	

Stipulation Form (form)

Title - IV	Chapter Title - General Procedures for Hearing Officer Conferences
Chapter - 35	
Rule - 35.5	
Appendix - 35.5	

Court-Specific Rules
Concerning Objections to
Hearing Officer
Recommendations and
Judgments of Domestic
Commissioner

Title - IV	Chapter Title - General Procedures for Hearing Officer Conferences
Chapter - 35	
Rule - 35.7	
Appendix - 35.7	

Court-Specific Rules
Concerning the Setting of
Hearing Dates

Title - IV	Chapter Title - General Procedures for Hearing Officer Conferences
Chapter - 35	
Rule - 35.8	
Appendix - 35.8	
Court-Specific Rules Concerning Adoption of Hearing Officer's Recommendation as Temporary Order After Objection	

Title - V	Chapter Title - Adoption Proceedings
Chapter - 46	
Rule - 46.0	
Appendix - 46.0	
Court-Specific Rules Concerning Filing of Pleadings and Required Exhibits in Adoption Proceedings	

Title - VI	Chapter Title - Litigation Filed by Inmates
Chapter - 60	
Rule - 60.2	http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.2.PDF
Appendix - 60.2	
Form IJR-1: Petition for Judicial Review	

Title - VI	Chapter Title - Litigation Filed by Inmates
Chapter - 60	
Rule - 60.4	http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.4.PDF
Appendix - 60.4	
Pro Se Prisoner- Plaintiff's Portion of the Pre-Trial Order	

Title - VI	Chapter Title - Litigation Filed by Inmates
Chapter - 60	

Rule - 60.7

Appendix - 60.7A

Application To Proceed
In Forma Pauperis Filed
in District Court

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.7A.PDF>

Title - VI

Chapter - 60

Chapter Title - Litigation Filed by Inmates

Rule - 60.7

Appendix - 60.7B

Motion To Proceed In
Forma Pauperis on
Appeals/Writs

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.7B.PDF>

Title - VI

Chapter - 60

Chapter Title - Litigation Filed by Inmates

Rule - 60.8

Appendix - 60.8

Appeal of Parole
Revocation

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.8.PDF>