

RULES FOR LOUISIANA DISTRICT COURTS

TITLES I, II, and III

Eleventh Judicial District Court

Parish of Sabine

Chapter: 2 **Chapter Title:** Dates of Court

Appendix 1 None.

Rule No: 2.0

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.

Chapter: 3 **Chapter Title:** Judges and Facsimile Transmissions to the Court

Appendix 2 Single judge district.

Rule No: 3.1

Divisions or Sections of Court

Appendix 3

Rule No: 3.2 and 9.3

Duty Judges; Allotments;
Signing of Pleadings in
Allotted and Non-Allotted
Cases

Those pleadings of uncontested matters not allotted that can be signed by any judges are:
Succession proceedings, tutorship proceedings, workmen's compensation settlements,
settlements relating to the interest of minors, adoption proceedings, and executory proceedings.
If a controversy arises in connection with these matters, it will be allotted in the same manner as
is the filing of a new suit.

ALLOTMENT OF CIVIL CASES

It shall be the duty of the Judge's Office, as soon as possible after the filing of any suit, to assign indiscriminately and by lot, such case to one of the divisions of this Court. Division "A" will allot cases in DeSoto Parish and Division "C" will allot cases in Sabine Parish. The Clerk of Court, or a duly authorized Deputy Clerk, will be present during the allotment of cases. Nine balls of equal size and consistency will be placed in a container, three of said balls designated as Division "A", three designated as Division "B", and three designated as Division "C". When a case is to be allotted the contents of the container should be thoroughly mixed and a ball drawn or ejected from the container for allotment, and shall be allotted to the Division of the Court indicated on the ball obtained from the container. Each case shall be allotted in like manner. As many other balls shall be drawn or ejected as may be necessary to complete the allotment of cases on hand. The balls so drawn shall not be returned to the container from which they were drawn, but shall be kept separate there from until all nine balls have been used. When all nine balls have been drawn or ejected from the container, three cases will have been allotted to each Division of the Court, and then all of the balls shall be returned to the container and the process

shall be repeated for further allotment. However, a summary matter in a pending case or in a case which has previously been allotted shall be assigned to the division to which it was initially allotted.

No case shall be allotted which has not been regularly filed and docketed.

Where a suit is filed, involving a summary matter, accompanied by a rule, as a rule for restraining order and injunctive relief, child custody, support, alimony and the like, the suit will first be filed with the Clerk of Court, docketed and allotted before being presented to a Judge, who shall then fix a hearing on the rule for the next court to be held in the Parish, within the time provided by law, by the Judge of the Division to whom the case has been allotted. The Judges of each Division may, in addition to his regularly scheduled terms of Court, designate two days each month, for each Parish, for hearing such matters as are hereinabove referred to if such additional scheduling is necessary.

Succession proceedings, tutorship proceedings, workmen's compensation settlements, settlements relating to the interest of minors, adoption proceedings, and executory proceedings shall not be allotted to a division unless and until a controversy arises in connection therewith, at which time it will be allotted in the same manner as is the filing of a new suit.

In case of absence or disability of the Judge to whose division a case has been allotted, or in the event of vacancy of his or her office, the other Judges of the Court shall be empowered to act in said case as fully as if it had been originally allotted to the division over which he or she presides until the absence or disability shall have ceased, or the vacancy shall have been filled.

After a case has been assigned, if it be dismissed for any reason and if filed again, it shall be heard by the Judge to whom it has been previously assigned, provided it be between the same parties and for the same object, or growing out of the same cause of action.

Chapter: 4	Chapter Title: Court Personnel
Appendix 4	Hon. Tammy Foster
Rule No: 4.1	Clerk of Court
Judicial Administrators and Clerks of Court	Parish of Sabine
	P. O. Box 419
	Many, LA 71449
	Telephone: (318) 256-6223
	Facsimile: (318) 256-9037
	E-Mail: sabineclerk@bellsouth.net

Chapter: 5	Chapter Title: Courtroom Use, Accessibility and Security
Appendix 5A	http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX5A.PDF
Rule No: 5.1	
Americans with Disabilities Form	

Appendix 5B	http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX5b.PDF
Rule No: 5.2	

Appendix 5C

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX5C.PDF>

Rule No: 5.1

Interpreters Oath

Chapter: 8

Chapter Title: Indigents and In Forma Pauperis

Appendix 6

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX6.PDF>

Rule No: 8.0

In Forma Pauperis Affidavit

Chapter: 9

Chapter Title: Procedure

Appendix 7

None.

Rule No: 9.4

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

Appendix 8

ASSIGNMENT OF CIVIL CASES FOR HEARING AND FOR TRIAL

Rule No: 9.14

Fixing for Trial or Hearing; Scheduling Orders; Contact with Jurors

1. Assignment of contested civil cases for trial on the merits shall be made only on written motion in the division to which the case has been allotted or transferred. The motion shall recite that all exceptions, motions, and other preliminary matters have been disposed of, shall be served on all opposing counsel. Assignments may also be made at pre trial conferences.
2. Exceptions, motions and uncontested hearings may be fixed for hearing by the Clerk of Court at the written request of any party, or by motion in open court, to be fixed on the calendar of the Division to which the case has been allotted.
3. Matters ready for trial or hearings may be fixed on written motion made in open court or in chambers. Return dates for rules nisi shall be fixed by the Court in accordance with law; provided, however, that at the time any case on the merits is fixed for trial, the moving attorney shall file in the record a certificate setting forth that the matter is ready for trial and that all preliminary matters have been disposed of.

A sample suggested certificate is as follows:

"(TITLE OF SUIT)

CERTIFICATE

I hereby certify that I am counsel of record for _____, (plaintiff/defendant) in the above styled and numbered cause; that all issues have been joined; that all depositions, interrogatories and other discoveries have been completed; that all exceptions and motions for

summary judgment, if any of same were filed, except those which have been referred to the merits, have been disposed of; and the case is ready for trial on the merits.

I further certify that this case is/is not a civil jury trial. If it is a jury trial the certificate should state: 'bond for cost has been filed.'

Estimated time of trial is ___ hours/days.

At least seven days before the date of this certificate, opposing counsel, name and address, was notified in writing, that I intend to request the specific trial date of month/day/year. At this time I do/do not request a pre trial conference. _____, Louisiana, this ___ day of _____, 20__.

Attorney for _____"

4. Upon fixing of a case for trial on the merits, the Clerk shall immediately forward to all counsel of record and to all unrepresented parties a notice of the trial date of the suit. Unless it is otherwise specifically provided by statute, at least fifteen days notice will be required for trial on the merits and five days notice on motions, rules and exceptions.

5. Cases not reached on the day fixed will stand fixed at the foot of the calendar for the subsequent day unless refixed for a different day. A case begun and not concluded will have precedence on the following judicial day, unless otherwise ordered by the Court.

6. The Clerk shall keep a docket showing the day on which cases are assigned for trial, and the number, title and names of all counsel engaged therein, and the division in which same is to be tried.

7. Civil non jury cases shall not be fixed for trial at the time a petit jury is in attendance. And in the trial of cases, jury cases shall have preference over non jury cases.

PRE TRIAL CONFERENCES

1. In any civil action, upon request of counsel for party or at its own discretion, the court may order the attorneys for the parties to appear before it for a pre trial conference to consider all appropriate matters and the fixing of the case for trial.

2. Counsel for all parties will be notified of the procedure adopted by the court for use at the pre trial conference.

3. In case of failure of a party or counsel to comply with the pre trial procedure, the court shall impose appropriate sanctions including, by way of illustration only, dismissal of the suit or judgment by default.

Chapter: 13

Chapter Title: Civil Litigation Filed by Inmates

Appendix 9

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX9.PDF>

Rule No: 13.2

In Forma Pauperis Application;
Civil Litigation Filed by Inmate
in District Court

Appendix 10

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX10.PDF>

Rule No: 13.2

In Forma Pauperis Application;
Civil Litigation Filed by
Inmate - Appeal

Chapter: 14

Chapter Title: Allotment of Cases

Appendix 11

ALLOTMENT OF CRIMINAL CASES

Rule No: 14.0

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

1. Felony cases shall be divided into four classes which shall be designated as follows:

Class I Capital cases.

Class II Felonies for which the punishment is life imprisonment.

Class III All other felonies which require a twelve person jury.

Class IV Felonies which require a six person jury.

The penalty of the offense charged at the time of the alleged commission of the act shall determine the classification of the particular case.

2. The allotment of felony cases shall be determined in the same manner and by use of the same method as Civil cases allocated on the civil docket. The Clerk of Court shall obtain four containers. Two of the containers shall contain three balls each, one designated Division "A", one designated Division "B", and one designated Division "C". The two other containers shall contain twelve balls each, four designated Division "A", four designated Division "B", and four designated Division "C". The containers holding three balls shall bear the notations Class I and Class II. The containers holding twelve balls shall bear the notations Class III and Class IV. The allocation of cases shall be made at the time of arraignment.

Upon written motion of the State, of the defense, or by the Court on its own motion, and for good cause, any case may be transferred from one Division of the Court to another by written order signed by all Judges.

3. Misdemeanor cases will be handled on a rotating and district wide basis. Juvenile cases in DeSoto Parish will be handled by Division "A". Juvenile cases in Sabine Parish will be handled by Division "C". Criminal Neglect of Family cases in both parishes will be handled by Division "B".

Appendix 12

See Appendix 11.

Rule No: 14.0

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

Appendix 13
Rule No: 14.1
Allotment - Defendant with More than One Felony Case

When there are multiple cases pending against one defendant, they shall be transferred to one Judge for disposition. Cases shall be transferred to the Judge which has the most serious cases, that is, the one with the highest classification, if there are two or more in the same classification, then to the Judge presiding over the case with the lowest docket number, whether the defendant is charged alone or with others. A case shall be considered as pending until a plea of guilty or nolo contendere is entered, or a verdict of guilty is returned after trial.

Chapter: 15
Chapter Title: Assignment of Cases and Preliminary Motions

Appendix 14
Rule No: 15.0
Assignment of Cases, Filing of Motions, Pre-Trial and Status Conferences

Dates for Motions, Pre Trial and Status Conferences are set on the Court Calendar kept by the Clerk of Court and cases are fixed on next date in open court or by written motion.

Appendix 15
Rule No: 15.1
Alternative Method of Service on District Attorney

Clerk maintains a box in her office for the district attorney in which a certified copy of pleadings can be placed to effect service on the district attorney.

Appendix 16
Rule No: 15.2
Appointment of Counsel

Determination of counsel shall be made within 72 hours for detained persons or at arraignment.

Chapter: 18
Chapter Title: Arraignment

Appendix 17
<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX17.PDF>

Rule No: 18.0
Waiver of Formal Arraignment

Chapter: 19
Chapter Title: Simultaneous Peremptory Challenges

Appendix 18
Rule No: 19.0
Simultaneous Peremptory Challenges

The District does not authorize a system of simultaneous peremptory challenges.
