

**NUMBERING SYSTEMS FOR LOUISIANA FAMILY AND
DOMESTIC RELATIONS COURTS AND JUVENILE COURTS**

TITLE IV

**Twenty-Second Judicial District Court
Parishes of St. Tammany and Washington**

Chapter 23 ORGANIZATION OF THE COURT

Rule 23.0 Divisions of Court

22nd JDC

A. Family Court Docket

Adopted effective
April 2, 2009;
amended eff. Aug.
23, 2010; amended
effective October 1,
2012; amended
effective April 17,
2013.

There shall be a Family Court Docket in the 22nd Judicial District and that docket shall be allotted to Divisions K and L. Matters heard on the Family Docket shall include:

1. Annulment of marriage, divorce and separation and related proceedings and incidental matters, including those listed in La. C.C. Art. 105.
2. Property partitions and related proceedings and incidental matters that are associated with the dissolution of marriages.
3. Child-related issues including, but not limited to, issues related to the paternity of children; adoption; filiation; custody, visitation, and support in non-marital cases; name changes for minor children and emancipations.
4. Domestic violence protective orders.
5. Separation of community property regimes.
6. Enforcement of any orders issued in connection with the matters listed in sections (1) – (5) above, including proceedings for contempt of court.
7. Such other matters as may be designated by en banc order of the 22nd Judicial District Court Judges.

B. Application of Rules

The Family Court Rules of the 22nd Judicial District Court shall apply to family court proceedings in all divisions of the 22nd Judicial District Court.

The Rules for Civil Proceedings in District Courts contained in Title I and Title II of the Rules of Louisiana District Courts together with the 22nd Judicial District Court Appendices, shall apply to all family Court proceedings in the absence of a specific rule in the 22nd Judicial District Family Court Appendices.

C. Hearing Officers

Pursuant to La. R.S. 46:236.5(C), an expedited process for the establishment of paternity and the establishment and enforcement of support and other related family and domestic matters in District Court using hearing officers is implemented by the 22nd Judicial District Court as contained in the statute. The judges may appoint Hearing Officers to hear paternity, support, and other domestic and family related matters, as those matters are defined in the statute. The Hearing Officers may act as finders of fact and may make recommendations to the Court as authorized by the statute.

The 22nd Judicial District Court Judges, by majority vote, shall determine the number of Hearing Officers

for the Family Court Docket and shall set the salaries of the Hearing Officers and any other personnel employed to implement these procedures.

The Hearing Officers shall be full or part time employees of the Court and shall be attorneys who have been in good standing with any state bar association for not less than five (5) years and who have prior experience in cases involving child support services.

The Hearing Officers shall have authority to perform and shall perform any and all duties assigned to them by the Judges of the 22nd Judicial District Court, which are consistent with LSA R.S. 46:236.5, as it presently exists or as it may be supplemented or amended.

Hearing Officer(s) shall be prohibited from appearing or practicing as an attorney before the 22nd Judicial District Court, separate and apart from their duties as a Hearing Officer.

Twenty-Second Judicial District Court

Chapter 24 SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule 24.0 Scheduling Hearing; Scheduling Trials

22nd JDC

Amended eff. Aug. 23, 2010; amended effective October 1, 2012; amended effective April 17, 2013.

A. The following matters shall be set on an expedited basis, as the Court's schedule permits:

1. Protective Orders
2. Temporary Custody Hearings
3. Rules for Divorce
4. Motions to Compel
5. Exceptions
6. Rules to Terminate the Community
7. Motions to Quash
8. Rules to Show Cause why a Sworn Detailed Descriptive List should not be deemed to constitute a Judicial Determination of Community Assets and Liabilities.
9. Motions for Evaluations
10. Motions for Substance Abuse Testing
11. Any other motion required by law to be set on an expedited basis

B. Rules or motions not listed above may be set by the court on an expedited basis under the following conditions:

1. The pleading states good cause for setting the matter on an expedited basis and,
2. The mover certifies in the pleading that the hearing shall not exceed thirty minutes.

C. Matters which qualify to be heard on an expedited basis in Division L may be set on a twice monthly docket designated as the "Rocket Docket". Matters requested to be set on Division L's "Rocket Docket" require a certification by the mover that the hearing will not exceed thirty minutes in duration. Other matters may be set on the docket at the discretion of the Division Judge.

Rule 24.1 Order of Business

22nd JDC

Adopted effective April 2, 2009; amended eff. Aug. 23, 2010; amended effective October 1, 2012; amended effective April 17, 2013.

A. The Order of business in Division K on Family Court rule days shall be as follows:

1. Calling of the Divorce Rule Docket by the Hearing Officer at 9:00 am;
2. Calling of the Division Docket by the Hearing Officer;
3. Calling of the Rule Docket and assignment of pre-trial conferences;
4. Motions, Stipulations and Defaults;
5. Pre-trial conferences;
6. While the Judge is conducting pre-trial conferences, the Hearing Officer shall receive stipulations of uncontested matters and evidence of confirmations of default under La. Civil Code Arts. 102 and 103;
7. Signing Judgments of Divorce in uncontested matters;
8. Trial of rules, exceptions or cases fixed on the docket.

B. The Order of business in Division L shall be as follows:

1. Rule Days
 - a) Calling of the Rule Docket and assignment of pre-trial conferences;
 - b) Motions and Confirmations;
 - c) Stipulations of uncontested matters;
 - d) Pre-trial conferences;
 - e) Trial of rules, exceptions or cases fixed on the docket.
2. Rocket Docket Days
 - a) Calling of Divorce Rule Docket by the Hearing Officer at 9:00 am;
 - b) Stipulations of uncontested matters;
 - c) Motions and Confirmations;
 - d) Compliance hearings;
 - e) Pre-trial conferences;
 - f) Trial of rules, exceptions, or cases fixed on the docket.

3. Attorneys of record and all parties are to be present to answer the docket and appear at the Judge's pre-trial of all contested cases, beginning at 9:30 a.m. on the day of court, unless otherwise noticed.

Twenty-Second Judicial District Court

Chapter 25 ALLOTMENT, REALLOTMENT AND TRANSFER OF CASES; FORM OF PLEADINGS

Rule 25.0 Allotment of Cases

A. Subject Matter Jurisdiction

Amended effective January 1, 2003.

Amended effective April 2, 2009; amended eff. Aug. 23, 2010; amended effective January 1, 2011; amended effective October 1, 2012; amended effective April 17, 2013.

The subject matter jurisdiction for Divisions K and L shall be limited to family and juvenile matters as provided by Article V. Section 15 (A) of the Constitution of the State of Louisiana and LA. R.S. 13:621.22.

General jurisdiction Divisions A through J shall continue to have subject matter jurisdiction over all district court matters, including family and juvenile matters.

B. Re-allotment of Existing Cases to Family Court

All existing family court matters shall be randomly re-allotted, beginning January 1, 2009, from Divisions A through J, to Divisions K and L, such re-allotment to occur as pleadings are filed. All new family court civil filings in St. Tammany and Washington Parishes, filed on January 1, 2009, and thereafter, shall be randomly allotted to Divisions K and L.

C. Re-allotment of Family Court Cases Due to Recusal

If the Judge of either family court, Division K or L, is recused from a case, the case will be allotted to the other family court division. In cases filed prior to January 1, 2009, if both judges of the family court, Divisions K and L, are recused from a case, the case will be re-allotted to the general jurisdiction division to which it was allotted prior to January 1, 2009. In new cases filed on January 1, 2009 and thereafter, the cases will be randomly re-allotted to one of the ten general jurisdiction divisions.

D. Juvenile Docket

All juvenile matters in St. Tammany and Washington Parishes, with the exception of the Child Support Enforcement Appeal Docket, effective January 1, 2012, shall be allotted to Division E, for a 3-year period, as per en banc order of the court, dated January 18, 2012.

E. Child Support Enforcement Appeal Docket (Title IV-D, Non-support)

The Child Support Enforcement Appeal Docket (also referred to as the Title IV-D or Non-Support Docket) shall be assigned to Division K effective June 1, 2012, as per en banc order of the court signed May 16, 2012.

F. Protective Order Appeal Docket

The Protective Order Appeal Docket shall be assigned to Divisions K and L on a random basis. All Protective Order Petitions will be assigned to the Commissioner's docket.

Twenty-Second Judicial District Court

Rule 25.5**Signing Pleadings**

22nd JDC

The general 22nd Judicial District Court rules contained in Appendix 9.4 to Rule 9.4 of the Louisiana Rules of Civil Proceedings in District Courts, are to apply to the filing and walk through of all pleadings in Family Court, Divisions K and L.

Adopted effective April 2, 2009; amended eff. Aug. 23, 2010; amended effective October 1, 2012; amended effective April 17, 2013.

Additionally, any pleading which a party requests be walked through to a Judge, must involve extraordinary circumstances warranting the immediate presentation to the Judge.

A. Existing Suits Allotted to Divisions K and L

If an attorney or member of their staff of a self-represented litigant presents a pleading to file which involves extraordinary circumstances, they are to first get written approval to walk through the pleading by the Division Judge or their staff attorney. The attorney or staff member or the self-represented litigant must then present the original pleading to the Clerk's office for filing and check-out the record for presentation to the Judge if authorized by the clerk. After signature by the Judge, the pleading and record are to be returned to

the Clerk's office by the attorney or staff member or by the Court.

B. New Suits and Existing Suits Prior to Re-Allotment

If an attorney or member of their staff or a self-represented litigant presents a pleading to file which involves extraordinary circumstances, they are to first present the original pleading to the Clerk's office for filing and allotment to a Division. The attorney or staff member or self-represented litigant must then get written approval to walk through the pleading by the Division Judge or their staff attorney. The attorney or their staff member or self-represented litigant must then present the original pleading to the Judge for signature. If the pleading is to be filed in an existing suit, the record must be checked out and must accompany the pleading presented for signature. After signature by the Judge, the pleading and file are to be returned to the Clerk's office by the attorney or staff member or by the Court.

C. Protective Orders

Protective Orders, or pleadings seeking a Protective Order, are allowed to be walked through without prior approval of the Judge, but must first be presented to the Clerk of Court's protective order personnel prior to walk through.

Twenty-Second Judicial District Court

Chapter	27	PRE-TRIAL STATUS CONFERENCES
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Rule	27.0	Request
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22nd JDC

Amended eff. Aug. 23, 2010; amended effective October 1, 2012; amended effective April 17, 2013.

It shall be within the Division Judge's discretion whether a status conference shall be scheduled. If a party desires a status conference, they shall fax a letter to the Judge's office stating that they have conferred with all opposing parties and all have agreed to a status conference. The letter shall set forth the issues to be discussed. The attorneys shall confirm with the Judge's office whether the status conference is to be held and whether their appearance is to be by telephone or they are to personally appear before the Judge.

Twenty-Second Judicial District Court

Rule	27.1	Scheduling
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22nd JDC

Effective October 1, 2012; amended effective April 17, 2013.

A. Trial Docket/Special Settings

In both Divisions K and L, all partition trials, and all hearings which are anticipated to last two or more hours, are to be set on a trial docket/special setting.

In addition, in Division L, all fault trials and final periodic spousal support hearings are also to be set on a trial docket/special setting.

B. Scheduling Conference

Either party or the parties by joint motion shall file a motion for a scheduling conference. Upon written request made in advance and at the discretion of the trial judge, parties and/or attorneys may participate at the scheduling conference by telephone. Upon conclusion of the scheduling conference, a case management scheduling order (Appendix Form P or Q) will be prepared and will be forwarded to the parties or their counsel within three business days after the scheduling conference.

Rule 27.2

Pre-Trial Orders

22nd JDC

A. Community Property Cases

Effective October 1, 2012; amended effective April 17, 2013.

1. Commencement of Proceedings

All partition actions shall be commenced by petition, supplemental petition or reconventional demand and shall include a description of the claims the party seeks to have decided by the court, and shall comply in all other respects with La. R.S. 9:2801. All partitions shall be filed in the same suit number of the divorce and/or separation of property action between the same parties. This does not preclude a motion to homologate an extra-judicial partition.

2. Sworn Detailed Descriptive Lists

All detailed descriptive lists shall be filed in accordance with La. R.S. 9:2801. For a sample descriptive list see Form J (Appendix Form J).

3. Sworn Combined Detailed Descriptive List

Subsequent to the filing of a detailed descriptive list on behalf of each party, and at least seven (7) days before the Hearing Officer Conference, the parties shall confer to prepare a combined detailed descriptive list in substantial compliance with Form K (Appendix Form K). For a sample combined list see Form L (Appendix Form L). The combined list shall be filed in accordance with the case management scheduling order. The combined list shall contain the following information:

(a) Each parties list of all assets, liabilities, and reimbursement claims asserted by either party in their respective detailed descriptive lists.

(b) Each parties list of their value and position on assets, liabilities and reimbursement claims.

(c) Each parties list indicating traversal and concurrence on the other parties list of assets, liabilities and reimbursement claims.

4. Pre-Trial Procedures

At the scheduling conference, the court shall, if appropriate, fix a date for a hearing on the classifications of assets and liabilities. In all cases, the court may fix a date for a submission of a completed pre-trial order, and may fix a date for trial on the merits. If appropriate, the court may also establish a deadline for discovery, fix a date for filing pre-trial memoranda accompanied by a party's proposed allocation of assets and liabilities, appoint experts and/or a special master, and render any other appropriate order.

At the conference with the court's designated Hearing Officer, the Hearing Officer shall have the authority to make a recommendation to the trial judge regarding the appointment of an expert and/or special master, the need to continue the trial date, or other such appropriate recommendations. The provisions of Rule 35 (F) of these rules shall apply to the designated Hearing Officer's recommendations.

5. Sanctions

Failure by an attorney or self-represented party to comply with all procedures set out herein, or any other law or procedure, including the provisions of La. R.S. 9:2801, may result in the court rejecting the non-conforming pleadings, in the parties losing the trial date, the striking of witnesses and or exhibits and the imposition of other sanctions as deemed appropriate for the administration of justice by the trial judge, and in

appropriate cases, sanctions as provided for in La. Code Civil Proc. Arts. 1551 and 1471.

6. Summary Proceedings

The court may, on motion of either party, or on its own motion, require a separate hearing on contested issues of law before a trial on the issues of valuation, allocation of assets, liabilities, and reimbursements. Decisions on questions of law shall be considered interlocutory in nature, unless certified by the judge as a final judgment as provided by law.

B. Non-Community Property Cases

The parties shall exchange pre-trial order inserts as provided for in the case management scheduling order. The pre-trial order shall be prepared, signed by all parties or their counsel of record, and be filed by the party requesting the special setting with the clerk of court on the date set forth in the case management scheduling order.

The parties and or their counsel shall comply with all provisions of the case management scheduling and pre-trial order. Failure to comply may result in sanctions that may include the court rejecting non-conforming pleadings, losing the trial date, striking witnesses and/or exhibits and other sanctions as deemed appropriate for the administration of justice by the trial judge.

Twenty-Second Judicial District Court

Chapter 28**PROCEDURE****Rule 28.0****Agreements and Stipulations**

22nd JDC

A. General Procedure for Stipulations

Adopted effective April 2, 2009; amended eff. Aug. 23, 2010; amended effective October 1, 2012; amended effective April 17, 2013.

If the parties reach a stipulation on matters set for hearing before the Court, and the stipulation has not been reduced to judgment and filed on or before the hearing date, the following rules apply:

1. A written stipulation is to be prepared on Form D (Appendix Form D) and signed by the parties and their attorneys and filed into the record on or before the set court date, unless a continuance has been granted by the Court, or
2. An oral stipulation is to be made in Open Court, on or before the set court date, and heard before the Hearing Officer or Division Judge. All parties and their counsel must be present and sign Form D (Appendix Form D) before the stipulation is heard and judgment accepting the stipulation is signed.

B. Stipulations for Separation of Property pursuant to La. Civil Code Art. 2374C

A Judgment decreeing Separation of Property under La. Civil Code Art. 2374C may be obtained in one of the following ways:

1. Upon joint motion and consent judgment executed by the spouses establishing the spouses have lived separate and apart without reconciliation for at least thirty days from the date of, or prior to, the filing of the Petition for Divorce.
2. Upon motion of either spouse, and submission of supporting affidavit(s) executed jointly or separately by the spouses establishing the spouses have lived separate and apart without reconciliation for at least thirty days from the date of, or prior to, the filing of the Petition for Divorce and requesting judgment be rendered as prayed for.
3. Upon motion of either spouse, to be served on and tried contradictorily with the adverse party.

Rule 28.2

Continuances

22nd JDC

A. Hearings

1. Uncontested Continuances

Adopted effective April 2, 2009; amended eff. Aug. 23, 2010; amended effective October 1, 2012; amended effective April 17, 2013.

A continuance shall be granted if grounds exist as set out in La. Code Civ. Proc. Art. 1602.

A continuance may be granted if good grounds exist as per La. Code Civ. Proc. Art. 1601. It shall be in the assigned Division Judge's discretion to grant a continuance pursuant to La. Code Civ. Proc. Art. 1601.

If good grounds exist and the parties mutually request a continuance of a scheduled hearing, the attorneys of record and any self-represented party shall file a written Motion to Continue on Form M (Appendix Form M), or a motion substantially in compliance with Form M, with a certification signed by all attorneys of record that their clients have knowledge of the filing of the motion and the reasons for the continuance.

Prior to presenting a Motion to Continue, the parties are to obtain a new hearing date. In any matter in Division L, or in any matter assigned a general rule date in Division K, the attorneys, or parties if self-represented, are to contact the Division's minute clerk to obtain an assigned date, or request the next available date, which date is to be included on the form. If the matter requested to be continued has previously been assigned for a special setting in Division K, the parties must contact the Division Judge to obtain authorization for the continuance and obtain a new hearing date. A copy of the filed Motion to Continue must be forwarded by each attorney to their client upon receipt of a certified copy from the clerk's office.

A written Motion to Continue must be filed with the Clerk's office. The Motion is to be forwarded in the normal course of business by the Clerk's office to the Division Judge to whom the case is assigned. Motions to Continue do not qualify for Walk-through to the Judge's office unless exigent circumstances exist and the filing is preapproved for Walk-through as per Rule 25.5. All parties and their attorneys must be present for the assigned court date unless the Order continuing the hearing has been signed by the Division Judge or approved by the Judge.

2. Contested Continuances

Any contested Motion to Continue that would continue a scheduled hearing shall be filed on Form N (Appendix Form N), and the matter shall be set for contradictory hearing as per La. Code Civ. Proc. Art. 1605, or the judges in their discretion may grant or deny the motion to continue. If time permits, a status conference with the judge may be scheduled. All parties and their attorneys must appear for the assigned court date unless the Order continuing the hearing has been signed or approved by the Judge.

3. Continuances Without Date

Motions to Continue without date are to be granted in the discretion of the Division Judge to whom the case is assigned and will only be considered in exceptional circumstances.

B. Hearing Officer Conferences

1. Uncontested Continuances

If parties request a continuance of their Hearing Officer Conference date, this may result in a continuance of their Rule date, depending on availability on the Hearing Officer docket. If parties mutually agree to continue a scheduled Hearing Officer Conference and Rule date, the attorneys of record and any unrepresented party shall sign and file Form M (Appendix Form M), and shall comply with the requirements

of Rule 28.2.

2. Contested Continuances

A copy of a contested Motion to Continue that would continue a scheduled Hearing Officer Conference and Rule date shall be provided to the Hearing Officer at facsimile number (985) 809-5398 at or before the time it is filed with the Clerk of Court. If an order continuing the Conference and Rule date is signed, the attorneys and any unrepresented party shall notify the Hearing Officer Coordinator at telephone number 985-809-5306. All parties and their attorneys must appear for the assigned Hearing Officer Conference and Rule date unless the Order for Continuance has been signed or approved by the Judge.

Lack of/or incomplete discovery responses or the fact that an attorney was recently retained are not automatic grounds for a continuance of the Hearing Officer Conference. Continuances will be evaluated on the merits on a case-by-case basis.

If the written Motion to Continue is not signed or approved by the Division Judge as provided in Rule 28.2 prior to the Hearing Officer Conference, and if the moving party fails to appear for the scheduled Hearing Officer Conference, the Hearing Officer may recommend that the pending rule or motion be dismissed.

Twenty-Second Judicial District Court

Chapter 29 FEES FOR ATTORNEYS APPOINTED TO REPRESENT ABSENTEE DEFENDANTS

Rule 29.1 Requirements to Receive Appointments

22nd JDC

Amended eff. Aug. 23, 2010; amended effective October 1, 2012; amended effective April 17, 2013.

All attorneys who receive appointments pursuant to La. Code Civ. Proc. Art. 5091, et seq. must fully comply with all requirements set forth therein, including but not limited to the requirement to use reasonable diligence to communicate with the defendant and to defend the action or proceeding as if he had been retained as counsel for the defendant. Such attorneys shall appear for all scheduled Hearing Officer Conferences, either in person or by pre-arranged telephone conference, and shall appear in open court on the date of all scheduled hearings and make a note of evidence on the record.

Twenty-Second Judicial District Court

Chapter 32 DOMESTIC VIOLENCE PROTECTIVE ORDERS

Rule 32.0 Forms, Notices and Orders Required

22nd JDC

Effective October 1, 2012; amended effective April 17, 2013.

A petition seeking relief that requires registry with the Louisiana Protective Order Registry shall be accompanied by the appropriate Louisiana Protective Order Registry forms. The petition is to include a Louisiana Protective Order Registry Court Order. The Orders are available at the office of the 22nd Judicial District Court Clerk of Court or on the Louisiana Supreme Court's website, www.LASC.org

Twenty-Second Judicial District Court

Chapter 33 CONFIRMATION OF DEFAULTS AND UNCONTESTED MATTERS UNDER CIVIL CODE ARTICLE 103 ACCORDING TO LA. CODE CIV. PROC. ARTS.

969 AND 1702E

Rule 33.1

Confirmation of Defaults

22nd JDC
There are three methods of confirming a divorce pursuant to Article 103 of the Louisiana Civil Code.

Adopted effective April 2, 2009; amended eff. Aug. 23, 2010; amended effective October 1, 2012; amended effective April 17, 2013.

Confirmation of default shall be in accordance with law. To confirm a default it shall be sufficient to introduce the testimony of the moving party to constitute a prima facie case in divorce matters filed pursuant to La. Civil Code Art. 103(1). The Judgment of Divorce must contain a certification by the Clerk of Court that all costs have been paid.

Twenty-Second Judicial District Court

There are three methods of confirming a divorce pursuant to Article 103 of the Louisiana Civil Code.

Rule 33.2

Judgments of Divorce in Chambers under La. Code Civ. Proc. Art. 1702E

22nd JDC
There are three methods of confirming a divorce pursuant to Article 103 of the Louisiana Civil Code.

Adopted effective April 2, 2009; amended eff. Aug. 23, 2010; amended effective October 1, 2012; amended effective April 17, 2013.

Confirmation of divorce under La. C.C. Art. 103(1) may also be accomplished by affidavit in accordance with La. Code Civ. Proc. Art. 1702E. In such instances, the mover and/or mover's attorney shall complete the appropriate Default Confirmation Under Code of Civil Procedure Article 1702E form (Appendix Form B), which may be obtained from the Family Court Division or the 22nd Judicial District Court's website at www.22ndJDC.org. The appropriate form and affidavit must accompany the filing of the Judgment of Divorce.

Twenty-Second Judicial District Court

There are three methods of confirming a divorce pursuant to Article 103 of the Louisiana Civil Code.

Rule 33.3

Summary Judgment of Divorce under La. Code Civ. Proc. Art. 969

22nd JDC
There are three methods of confirming a divorce pursuant to Article 103 of the Louisiana Civil Code.

Adopted effective April 2, 2009; amended eff. Aug. 23, 2010; amended effective October 1, 2012; amended effective April 17, 2013.

A Judgment of Divorce under La. Civil Code Art. 103(1) may be accomplished in accordance with La. Code Civ. Proc. Art. 969B. In such instances, the attorneys for the parties shall complete the appropriate Uncontested Divorce Under Code of Civil Procedure 969B form (Appendix Form C), which may be obtained from the Family Court Division or the 22nd Judicial District Court's website at www.22ndJDC.org. The appropriate form must accompany the filing of the Judgment of Divorce.

Twenty-Second Judicial District Court

There are three methods of confirming a divorce pursuant to Article 103 of the Louisiana Civil Code.

Chapter 34

DIVORCES PURSUANT TO CIVIL CODE ART. 102

Rule 34.0

Rules to Show Cause

22nd JDC

A. Testimony Required

Adopted effective April 2, 2009; amended eff. Aug. 23, 2010; amended effective October 1, 2012; amended effective April 17, 2013.

To enter a judgment of divorce it shall be sufficient to introduce the testimony of the moving party to constitute a prima facie case in divorce matters filed pursuant to La. Civil Code Art. 102.

B. Waiver of Hearing

After filing a rule to show cause in a pending divorce proceeding, the Court may enter a Judgment granting a Judgment of Divorce under La. Civil Code Art. 102 without the appearance of mover or counsel if, at the time of the scheduled hearing, the record contains (1) The Rule, (2) Proof of service of the Petition or waiver of service, (3) An Affidavit executed by the mover as required by La. Code Civ. Proc. Art. 3952, (4) Proof of service of the Rule or waiver of service, (5) An Affidavit executed by the mover after the Rule was filed as required by La. Code Civ. Proc. Art. 3956(5), and (6) the appropriate form (Appendix Form A) completed and signed by the mover/counsel for the mover.

Twenty-Second Judicial District Court

Rule 34.1

Required Affidavits

22nd JDC

Adopted effective April 2, 2009; amended eff. Aug. 23, 2010; amended effective October 1, 2012; amended effective April 17, 2013.

The entering of a divorce pursuant to La. Civil Code Art. 102 may be accomplished by affidavit in accordance with La. Code Civ. Proc. Art. 3951, et seq. In that event, the mover and/or mover's attorney shall complete and submit the appropriate Louisiana Civil Code Article 102 Divorce Form A (Appendix Form A), which may be obtained from the Family Court Division or the 22nd Judicial District Court's website at www.22ndJDC.org. The appropriate form and affidavit shall be filed no later than the date the Rule is fixed for hearing. If the requirements of Rule 34.4 are met prior to the hearing, the hearing may be waived.

Rule 34.2

Attorney Certifications

22nd JDC

To obtain a Judgment of Divorce, an attorney or unrepresented party must submit a certification on the appropriate form (Appendix Forms A – C, available from the Family Court Division or the 22nd Judicial District Court’s website at www.22ndJDC.com).

Amended eff. Aug. 23, 2010; amended effective October 1, 2012; amended effective April 17, 2013.

Rule 34.3

Dismissal of Divorce

22nd JDC

A dismissal of a Petition for Divorce under Civil Code Article 102 shall be rendered upon joint motion of the parties and upon payment of all costs, or upon contradictory motion filed by the mover.

Amended eff. Aug. 23, 2010; amended effective October 1, 2012; amended effective April 17, 2013.

Chapter 35

ALIMONY AND CHILD SUPPORT MATTERS ANCILLARY TO CIVIL DIVORCE PROCEEDINGS

Rule 35.0

Use of Hearing Officers

22nd JDC

A. Matters to be Heard by Hearing Officers

Adopted effective April 2, 2009; amended eff. Aug. 23, 2010; amended effective October 1, 2012; amended effective April 17, 2013.

The Hearing Officers shall conduct Hearing Officer Conferences on summary proceeding matters concerning child custody and visitation, child support, interim periodic support, final periodic support, use and occupancy of the family home, use of community movable property, contempt of court, attorney’s fees and such other matters as may be authorized by law and as directed by the District Judge.

B. Hearing Officer Conference

After filing of Family Court pleadings, all parties and their attorneys of record, or attorneys with full settlement authority, shall be required to attend a Hearing Officer Conference with the assigned Hearing Officer, unless specifically waived by the Court.

C. Waiver of Hearing Officer Conference

1. Final Periodic Support Cases

When a party is seeking final periodic support, the matter shall be bifurcated and first set in regular course on the appropriate Division's trial docket for a determination of the issue of mover's freedom from fault. Thereafter, if the moving party is found to be free from fault, or the parties stipulate to mover's freedom from fault, a Hearing Officer Conference shall be scheduled, as soon as the docket permits, for a recommendation on the amount of final periodic support. If either party objects to any of the Hearing Officer's recommendations, the matter shall proceed before the District Judge as scheduled. If a bifurcated hearing is held, the ruling of the Court on the issue of fault shall be considered an interlocutory decree if the moving party is found free from fault, and shall not be a final judgment until there has been a determination of the amount of spousal support.

2. Absentee Party Cases

A motion to appoint an attorney to locate and represent the interests of an absentee party does not require a Hearing Officer Conference prior to presentation of an order to the Judge for appointment. An appointed attorney shall appear either in person or by pre-arranged telephone conference, and represent the interests of their client at the assigned Hearing Officer Conference which addresses the merits of the case.

3. Domestic Violence Cases

If there has been a judicial determination of domestic violence between the parties, they shall not be required to appear at the Hearing Officer Conference. Documentation establishing the violence shall be provided to the Hearing Officer Coordinator, at facsimile number (985) 809-5398, immediately after notice of the Hearing Officer Conference is received.

4. Cases in which Exceptions are Filed

If an Exception has been filed involving issues that are required to be set before a hearing officer, then the hearing officer conference will be continued pending the ruling on the exception. The Exception shall be set before the Judge on an expedited basis, if time is available, or on the Division's next available hearing date. At the Exception hearing, a Hearing Officer Conference and Rule date will be set, if still necessary, by the minute clerk, who will issue new dates and serve the parties with notice. At the Judge's discretion, the Hearing Officer Conference may be waived.

D. Procedure Prior to the Hearing Officer Conference

1. In all suits for divorce and in suits assigned to the Family Court, each party shall be served with a Hearing Officer Conference Order, (Appendix Form E) and shall prepare, and exchange with the opposing counsel or party, the appropriate mandatory Family Court Affidavit (Appendix Form F), with required attachments, within three (3) days, exclusive of legal holidays, prior to the Hearing Officer Conference. The original Family Court Affidavit and required documents shall be submitted to the Hearing Officer at the Hearing Officer Conference.

2. Failure to comply with Rule 35.0 (D)(1) may result in penalties and sanctions. [See Rule 35.1 (C)]

3. If there are complicated or extraordinary issues that will require a Hearing Officer Conference longer than one and one-half (1½) hours, the parties shall request an extended Hearing Officer Conference in the order attached to the pleading.

4. If a case involves an unusual issue of law or a deviation in child support, a party may file a memorandum. The memorandum shall include case law or statutory authority in support of the deviation or on the unusual issue of law. The memorandum must be provided to the Hearing Officer, opposing party and/or counsel at least three (3) days, exclusive of legal holidays, prior to the Hearing Officer Conference. The responsive party may file a memorandum one (1) day prior to the Hearing Officer Conference and shall

provide a copy to the Hearing Officer and opposing counsel or party at the time of filing.

E. Procedure During the Hearing Officer Conference

All parties and their attorneys are required to participate in the Hearing Officer Conference. No party or attorney will be allowed to participate by telephone unless extraordinary circumstances exist and the request is approved in advance by the Hearing Officer. The party making the request shall notify the opposing party and inform the Hearing Officer if the request is opposed. The original Family Court Affidavit and required documents shall be submitted to the Hearing Officer at the Hearing Officer Conference.

At the time of the Hearing Officer Conference, the Hearing Officer may make a finding that a mediator and/or a parenting coordinator should be appointed. The Hearing Officer may also make recommendations referring the parties to the court's social workers or other mental health professionals or experts to discuss parenting schedules, co-parenting and parenting classes, medical and/or psychological evaluation, drug testing, counseling, and substance abuse treatment.

1) Mediation:

a) The parties shall have an opportunity to provide a verbal statement of their positions to the Hearing Officer with regard to the custody and/or visitation issues before the Court. The Hearing Officer may make a finding that the matter is appropriate for mediation, or another form of alternative dispute resolution.

b) The case may be mediated by court approved mediators who meet qualifications set forth in La R.S. 9:334. Mediators shall preserve and maintain the confidentiality of mediation proceedings pursuant to La R.S. 9:332C.

c) In order to be listed as an approved mediator, a mediator must submit to the family court, proof of their compliance with La. R.S. 9:334 and provide a resume.

d) Notwithstanding any other provision of law to the contrary, in any separation, divorce, child custody, visitation, child support, alimony, or community property proceeding, a party who satisfies the court that they, or any of the children, have been the victim of family violence perpetrated by the other party shall not be court ordered to participate in mediation.

2) Counseling or Therapy

If the Hearing Officer believes that counseling or therapy should be ordered, the Hearing Officer shall make a written recommendation regarding same.

3) Evaluation

At the time of the Hearing Officer Conference, if either party has moved for an evaluation pursuant to La. R.S. 9:331, the parties or their counsel shall have an opportunity to provide a verbal statement and/or documentary evidence of their positions. The Hearing Officer shall then recommend whether an evaluation is appropriate, and, if so, how the costs shall be apportioned. This will remain a recommendation only until the date assigned for hearing on the court's docket, unless no objection is filed, in which case the recommendation becomes a final order of the court.

Unless otherwise agreed by the parties, when an evaluation is ordered by the Court pursuant to La. R.S. 9:331, the "mental health professional" shall be a person who possesses at least a Master's degree in counseling, social work, psychology, or marriage and family counseling, or be a licensed psychiatrist.

4) Parenting Coordination

If the Hearing Officer makes a finding that appointing a parenting coordinator is appropriate, (1) The 22nd Judicial District Court Social Workers, who are trained and qualified in parenting coordination in accordance

with La. R.S. 9:358.1 et seq. may be appointed in special circumstances and only if the parties agree to be bound by their recommendations until the court issues orders to the contrary at a subsequent hearing. The party objecting to the recommendations of the parenting coordinator shall be required to file and set the matter for hearing before the judge; or (2) the Hearing Officer may recommend any private parenting coordinator qualified under La. R.S. 9:358.1, and assign costs to the parties.

5) Drug Testing

a) When a Pleading has been filed requesting Drug Testing

At the time of the Hearing Officer Conference, if either party has moved for drug testing pursuant to La. R.S. 9:331.1, the parties shall have an opportunity to provide a verbal statement and/or documentary evidence of their positions. The Hearing Officer shall then recommend whether drug testing is appropriate, and, if so, the type of drug testing and how the costs should be apportioned. This will remain a recommendation only until the date assigned for hearing on the court's docket, unless no objection is filed, in which case the recommendation becomes a final order of the court.

If the Hearing Officer Determines at the Hearing Officer Conference that drug testing of the parties or children should be expedited before the assigned hearing date before the Judge, the Hearing Officer may re-set the hearing on drug testing to the earliest date on the Judge's docket. The parties are to be noticed or execute a waiver of notice of hearing at the Hearing Officer Conference.

b) When a Pleading has not been filed requesting Drug Testing

If the Hearing Officer determines at the Hearing Officer Conference that drug testing of the parties or children should be ordered on an expedited basis, the Hearing Officer may recommend that an Order issue setting the matter for contradictory hearing at the earliest date on the Judge's docket. The parties are to be noticed or execute a waiver of notice of hearing at the Hearing Officer Conference.

c) Parties agree to Drug Testing

If the parties agree to drug testing, they shall sign a release provided by the Court, for release of drug testing records to the Court, to the opposing party or their attorney, if requested, and to an expert appointed by the court in the matter.

6) Substance Abuse Treatment

If, at the time of the Hearing Officer Conference, the Hearing Officer finds that substance abuse treatment is appropriate, the Hearing Officer shall make a recommendation regarding same. This will remain a recommendation only until the date assigned for hearing on the court's docket, unless no objection is filed, in which case the recommendation becomes a final order of the Court.

All attorneys shall have access to their calendars at the Hearing Officer Conference to facilitate future scheduling.

F. Procedure after the Hearing Officer Conference

1. At the conclusion of the Hearing Officer Conference, the Hearing Officer shall make recommendations for a proposed judgment.

2. If both parties agree to the Hearing Officer's recommendations on the day of the Hearing Officer Conference, then the Hearing Officer will prepare a Consent Judgment which shall become a final order after signature by the District Judge. All parties and their attorneys must sign a waiver of the objection period, before the Consent Judgment is signed.

3. If both parties agree to some of the Hearing Officer's recommendations and if time permits, a Consent

Judgment will be prepared as to those stipulations, which will become a final judgment after signature by the District Judge. All parties and their attorneys must sign a waiver of the objection period, before the Consent Judgment may be signed.

4. If one or both parties do not agree with all of the recommendations, the Hearing Officer shall prepare a Hearing Officer Conference Report with recommendations for a proposed judgment pursuant to LSA. R.S. 46:236.5. A copy of the Conference Report shall be provided to the parties and their counsel. The Conference Report shall be filed into the record.

5. Each party shall have five (5) days, exclusive of legal holidays, from the receipt of the Hearing Officer Conference Report to file an objection to the Hearing Officer Conference Report (Appendix Form G), which form is available from the Family Court Division or the 22nd Judicial District Court's website at www.22ndJDC.org. Written objections to the recommendations of the Hearing Officer shall briefly state why the recommendations are objectionable. All issues not stipulated to in the Hearing Officer Conference will be heard on the rule date.

6. If a written objection is filed, the Hearing Officer's recommendation shall become a temporary order upon the Judge's signature, and shall remain in effect until the hearing, with the exception that a recommendation on the issues involving contempt, a change in legal custody, drug testing, substance abuse evaluation or treatment, custody evaluation, relocation, or termination of community property does not become a temporary order, but remains only a recommendation only until the rule date, unless no objection is filed, in which case the recommendation becomes a final order or Judgment of the court.

7. If a written objection is filed, it shall not be withdrawn or dismissed unless a Consent Judgment as to all pending matters is filed into the record prior to the rule date.

8. If no objection is filed, then after the expiration of five (5) days, exclusive of legal holidays, the Hearing Officer recommendations will be presented to the District Judge for signature and will become a final judgment which shall be served upon the parties in accordance with law.

9. Prior to the expiration of the objection period, the Hearing Officer or Judge may extend the objection period for good cause.

10. If after an objection to the Hearing Officer recommendation is filed, the parties decide to accept the recommendation, a Consent Judgment signed by all parties and counsel of record must be submitted on or before the hearing date. If the parties do not appear on the court date and no continuance has been granted, the Hearing Officer Conference recommendation becomes a final judgment upon the Judge's signature.

11. If a party and/or their attorney, who has been duly served, fails to appear at the Hearing Officer Conference, the recommendation made may become a temporary court order or may become a final judgment upon the Judge's signature. If a temporary court order is issued, that order shall remain in effect until the rule date without prejudice to either party. The temporary court order shall become a final judgment if no one appears on the rule date.

12. The temporary orders signed by a judge upon the recommendations of the Hearing Officers are without prejudice to either party. Neither party's rights to seek support retroactive to the date of demand are waived as a result of the temporary orders issued after the Hearing Officer Conference.

Rule 35.1

Notice and Exchange of Information

22nd JDC

A. Hearing Officer Conference Orders

Amended effective April 2, 2009; amended eff. Aug. 23, 2010; amended effective October 1, 2012; amended effective April 17, 2013.

1. All parties shall be provided appropriate notice of the Hearing Officer Conference Order.
2. All parties shall provide documentation to the Hearing Officer and the other party in accordance with the Hearing Officer Conference Order (Appendix Form E).
3. The Hearing Officer Conference will be scheduled expeditiously as the court calendar allows. All parties shall comply with the Hearing Officer Conference Order.

B. Family Court Affidavit

The parties are to personally sign the Family Court Affidavit (Appendix Form F), under oath, certifying that the information contained therein and attached documents are complete, true and correct to the best of their knowledge, information and belief. The parties are to immediately update the affidavit and documentation if any of the information changes prior to the hearing and shall immediately correct any errors discovered after completion. An amended Family Court Affidavit is to be filed with the clerk of court and copied to the opposing party and the Hearing Officer.

C. Failure to comply with the Hearing Officer Conference Order

If a party does not provide the required Family Court Affidavit, documents and financial information as ordered by the Court necessary for the Hearing Officer to make a determination as to the amount of child support or spousal support, then the Hearing Officer may recommend any of the following:

1. That the party failing to produce the financial information be found in Contempt of Court with sanctions to be imposed;
2. That the matter be dismissed without prejudice;
3. That good cause exists to modify the retroactivity of the award;
4. That temporary orders issue based upon the limited information provided.

If the Hearing Officer is unable to make a recommendation based upon the information provided, the court may set a limited hearing for purposes of setting temporary child support or spousal support or for a hearing on Contempt of Court. The temporary order shall be without prejudice and shall not affect claims or retroactivity except for good cause shown.

D. Failure to Appear or Remain for Hearing Officer Conference

If a party or attorney, after having been duly cited and served with process, fails to appear or remain for the duration of a Hearing Officer Conference, or is removed from the conference for disorderly or disruptive behavior, the Hearing Officer may impose or recommend a finding of contempt and appropriate sanctions in accordance with La. R.S. 46:236.5(C)(3)(f) and La. R.S. 46:236.5(C)(4)(g).

Twenty-Second Judicial District Court

Chapter 36

CHILD SUPPORT PURSUANT TO HEARING OFFICER PROCEEDING

Rule 36.0

22nd JDC	A. Administrative Fee for Expedited Process
Effective April 17, 2013.	In Child Support Enforcement Proceedings (Title IV-D, Non-Support), the Court shall assess, as authorized by law, an additional five (5%) percent to each support obligation, including existing arrearages, as well as ongoing support payments.
	B. Change of Address of Defendant or Payee
	All parties in all Child Support Enforcement (Title IV-D, Non-Support) cases are responsible for notifying the Court in writing through the Regional Support Enforcement Services Office of any change of address or place of employment
	Twenty-Second Judicial District Court

Rule	36.2	Appeal
22nd JDC		In a Child Support Enforcement Proceeding (Title IV-D, Non-Support), any party may object to the Hearing Officer's findings of fact or law and move for a contradictory hearing before the Judge of the appropriate Division. A written objection to the Hearing Officer's recommendations to the Court shall be filed with the Clerk of Court within five (5) days, exclusive of legal holidays, from the date of the hearing, and the Court shall schedule a contradictory hearing. The Judge shall accept, reject or modify in whole or part the findings of the Hearing Officer. If no objection to the Hearing Officer's recommendations is filed timely, following the initial hearing before the Hearing Officer, an order shall be signed by the Judge of the appropriate division which shall be a final judgment.
Amended eff. Aug. 23, 2010; amended effective October 1, 2012; amended effective April 17, 2013.		
		Twenty-Second Judicial District Court

Chapter	38	CUSTODY AND VISITATION ORDERS
Rule	38.1	Ex Parte Custody Orders
22nd JDC		A. If an ex parte change of custody order is sought when a prior legal custody filing exists, the mover or their attorney must reference in their pleading any prior filings in the parish in which the order is sought. If prior filings have been filed outside the parish of the current filing, the mover or their attorney must attach a copy of all pleadings and orders concerning the issues. If a prior application for ex parte custody was sought in connection with the allegations, reference is to be made to such a pleading in the application, which identifies the Judge to whom the prior application or order was submitted, and which must state the order or decision rendered thereon.
Adopted effective April 2, 2009; amended eff. Aug. 23, 2010; amended effective October 1, 2012; amended effective April 17, 2013.		B. Each ex parte application must be accompanied by Forms H and I (Appendix Forms H and I) before an order will be considered.
		Twenty-Second Judicial District Court

Rule	38.3	Submission and Implementation of Joint Custody Plans
22nd JDC		All joint custody plans submitted to the 22nd Judicial District Court shall include the following:
Amended effective April 2, 2009;		1. Names of the parties and the children.
		2. Designation of legal custody as joint or joint shared.
		3. Designation of domiciliary parent/parental authority.

amended eff. Aug. 23, 2010; amended effective October 1, 2012; amended effective April 17, 2013.

4. Time allocation schedule of physical custody between the parents with provisions for vacation and holidays
5. Rights of access and communication between the parents and the children.
6. Co-Parenting Guidelines.
7. Medical care of children.
8. School arrangements.
9. Travel arrangements and expenses.

Twenty-Second Judicial District Court

Chapter 39

OTHER RULES

Rule 39.0

Other Rules

22nd JDC

A. Submission of Judgments, Orders and Rulings

Effective October 1, 2012; amended effective April 17, 2013.

All judgments, orders and rulings shall be presented first to the Judge of the Family Court Division to whom the case is assigned. If that Judge is not available, in cases that require immediate action, the judgment, order or ruling is to be submitted to the other Judge in Division K or L, unless the judgment, order or ruling is required by law to be signed by the judge who rendered it.

1. Form of Judgments, Orders and Rulings

All judgments, orders and rulings must be prepared and submitted as provided by Louisiana District Court Rule 9.5.

2. Time for Submission of Judgments, Orders and Rulings

All judgments, orders, and rulings are to be filed and submitted to the Court within 20 days of the stipulation or rendition of judgment unless otherwise ordered by the Court.

In the event the parties do not agree on the language to be contained in the judgment, then each party shall submit the transcript of the ruling at issue and their proposed judgment to the Court, as required in the Order to prepare judgment/orders (Appendix Form O).

3. Penalties for Failure to comply with Court Order to Prepare Judgments, Orders and Rulings

The court may order the parties and their attorneys, or self-represented litigants, to appear in court to show cause why they should not be held in contempt and why appropriate sanctions should not be imposed for failure to comply with the courts orders to prepare the judgment, order or ruling.

B. Communication with Court-appointed Special Masters and Experts

When a special master or expert has been appointed by the Court, there shall be no ex parte communication by the litigants or their attorneys with the special master or expert unless authorized by law or court order. All verbal communication with the special master or expert shall be by teleconference or meeting in which each party to the proceeding participates either through their attorney or as a self-represented litigant. All written communication or correspondence to the special master or expert along with any attachments thereto shall be provided promptly to all parties to the litigation or their attorneys of record.

C. Children in Family Court Proceedings

The parties are not to bring or allow their minor children to be brought to the courthouse for any family court proceeding, including Hearing Officer Conferences and court appearances, without prior court approval.

If a party plans to call a minor child as a witness in a family court proceeding, arrangements shall be made to

have the child available at a location other than the courthouse, until ordered by the Judge.

Parties are prohibited from bringing children under the age of 12 years to any family court proceedings including Hearing Officer Conferences and court appearances.

Parties are allowed to bring children involved in an uncontested adoption proceeding to the court hearing.

D. Uncontested Adoptions

Parties and attorneys of record shall be present in court and prepared to proceed at the date and time fixed for the adoption hearing. The presence of the parties at the hearing may not be waived except with approval of the Judge, and then only upon written request in the form of an affidavit, executed no more than ten (10) days prior to the hearing. The affidavit shall outline the circumstances requiring the parties absence, as well as attesting that the parties' testimony at the hearing would be substantially the same as the information provided to the State of Louisiana, Department of Children and Family Services, for preparation of the confidential report.

Twenty-Second Judicial District Court

LOUISIANA CIVIL CODE ARTICLE 102 DIVORCE
Certification of Eligibility for Divorce

FORM A

Notice: Must be completed by Mover or their Attorney and filed on or before the Rule date is scheduled for hearing.

Petitioner

versus

Defendant

DOCKET NUMBER: _____

PARISH OF _____

A. Dates

- | | | |
|--|-------|-------------------------|
| 1. Petition for Divorce: | _____ | Date Petition Filed |
| 2. Parties physically separated: | _____ | Date of Separation |
| 3. Date Petition served/waiver executed: | _____ | Date of Service/ Waiver |
| 4. Rule for Divorce: | _____ | Date Rule Filed |
| 5. Date Rule served/waiver executed: | _____ | Date of Service/Waiver |

B. Time Periods

(Choose either #1 or #2)

- | | | |
|---|--------------------------|-----|
| 1. The parties have minor children, and have been living separate and apart
365 days or more without reconciliation prior to the filing of the rule. | <input type="checkbox"/> | Yes |
| OR | | |
| 2. The parties have no minor children, and have been living separate and apart
180 days or more without reconciliation prior to the filing of the rule. | <input type="checkbox"/> | Yes |

C. Petition (La. C.C.P. Art. 3951)

- | | | |
|--|--------------------------|-----|
| 1. Is the petition in the record? | <input type="checkbox"/> | Yes |
| 2. Are proper jurisdiction and venue expressly alleged in the Petition? | <input type="checkbox"/> | Yes |
| 3. Is the Petition verified by the petitioner? | <input type="checkbox"/> | Yes |
| 4. Were the parties living separate and apart at the time of filing, or
was the defendant personally served with the Petition and Citation? | <input type="checkbox"/> | Yes |

D. Rule to Show Cause (La. C.C.P. Art. 3952)

- | | | |
|---|--------------------------|-----|
| 1. Is the Rule in the record? | <input type="checkbox"/> | Yes |
| 2. Does the Rule allege: | | |
| a. Proper service of the Petition or waiver of service and notice of the Petition? | <input type="checkbox"/> | Yes |
| b. 180/365 days or more have elapsed since service or execution of
a written waiver of service and notice of the Petition? | <input type="checkbox"/> | Yes |
| c. The parties have lived separate and apart continuously for 180/365 days
prior to filing of the Rule? | <input type="checkbox"/> | Yes |
| 3. Is the Rule verified by the Affidavit of the Petitioner? | <input type="checkbox"/> | Yes |
| 4. Was the Rule filed within 2 years of the service of the Petition or execution
of the written waiver of service of the Petition? | <input type="checkbox"/> | Yes |
| 5. Is the Sheriff's return showing service or the waiver of service in the record? | <input type="checkbox"/> | Yes |

E. Affidavit of Mover (La. C.C.P. Art. 3956(5)) or Testimony

- | | | |
|---|--------------------------|-----|
| 1. Does the record contain the Affidavit of the mover or does the testimony specifically establish that: | | |
| a. The parties have lived separate and apart continuously for at least
180/365 days prior to the filing of the Rule? | <input type="checkbox"/> | Yes |
| b. The parties are living apart at the time of the execution of the Affidavit? | <input type="checkbox"/> | Yes |
| c. The mover desires to be divorced? | <input type="checkbox"/> | Yes |
| 2. Was affidavit executed <u>after</u> Rule was filed or was testimony offered at hearing? | <input type="checkbox"/> | Yes |

MOVER'S/ATTORNEY'S CERTIFICATION

I hereby certify that I have examined the record in the above captioned case and the information provided herein is true and correct based upon my personal knowledge, information and belief.

_____ Date of Record Examination	_____ Signed by Petitioner/Attorney for Petitioner	_____ Attorney's Bar Number
_____ Date of Certification	_____ Address	_____ Telephone Number

HEARING OFFICER RECOMMENDATION

Considering the record in this case, the submission of the petitioner/mover's counsel, it being the finding of the Hearing Officer that all legal requirements for granting a divorce under Louisiana Civil Code Article 102 have been met.

IT IS HEREBY recommended that the attached Judgment of Divorce be made the Order of this Court, no objection having been made by either party.

_____, Louisiana, this ____ day of _____, 20____.

Hearing Officer

LOUISIANA CIVIL CODE ARTICLE 103(1) DIVORCE

FORM B

Certification for Default Confirmation under Louisiana Code of Civil Procedure Article 1702E

Note: Must be completed by Petitioner or their attorney and submitted/filed with the Judgment of Divorce.

Petitioner

versus

Defendant

DOCKET NUMBER:

PARISH OF

A. Dates

1. Petition for Divorce:

Date Petition Filed
2. Parties physically separated:

Date of Separation
3. Service of the Petition:

a. If Sheriff's return is in the record, indicate date and type of service:

Personal/Domiciliary (Circle one)

If Domiciliary, then name of person served .

OR

b. If a Waiver of Service is filed into the record, provide dates of execution and filing into the record:

Date of Service

Date Waiver Executed

Date Waiver Filed

Date PD Entered
4. Preliminary default entered:

By Oral/Written Motion (Circle one)
5. Have two days, exclusive of holidays, elapsed since the entry of preliminary default, with no answer or opposition having been filed?

☐

Yes

B. Pleadings

1. Is the Petition for Divorce in the record?

☐

Yes
2. Are proper jurisdiction and venue expressly alleged in the Petition?

☐

Yes
3. Does the petitioner's Affidavit submitted or filed with the Judgment specifically attest to the facts sufficient to obtain a divorce or will testimony be offered in lieu thereof?

☐

Yes
4. If the Defendant has made an appearance in the case, was notice of the preliminary default sent to defendant by certified mail pursuant to La. C.C.P. Art. 1702A or has defendant waived notice?

☐

Yes
5. Are the original and one copy of the proposed final Judgment attached?

☐

Yes

C. Time Periods (La. C.C. Art. 103.1)
(Choose either #1 or #2)

1. The parties have minor children, and have been living separate and apart 365 days or more without reconciliation.

☐

Yes

OR
2. The parties have been living separate and apart without reconciliation 180 days or more and one of the following applies: (Choose one of the following)

A. There are no minor children of the marriage.

☐

Yes

OR

B. On __/__/20__ the court made a finding, pursuant to a rule to show cause, that the other spouse physically or sexually abused the spouse seeking divorce or a child of one of the spouses.

☐

Yes

OR

C. On __/__/20__ after a contradictory hearing, or consent decree, a protective order or injunction issued against the other spouse to protect the spouse seeking the divorce or a child of one of the spouses from abuse.

☐

Yes

PETITIONER'S/ATTORNEY'S CERTIFICATION

I hereby certify that I have examined the record in the above captioned case and the information provided herein is true and correct based upon my personal knowledge, information and belief.

Date of Record Examination

Signed by Petitioner/Attorney for Petitioner

Attorney's Bar Number

Date of Certification

Address

Telephone Number

CLERK'S CERTIFICATION

Two days, exclusive of holidays, have elapsed since the preliminary default was entered and no answer or opposition has been filed.

Date

Signature of Minute Clerk

HEARING OFFICER RECOMMENDATION

Considering the record in this case, the submission of the petitioner/mover's counsel, it being the finding of the Hearing Officer that all legal requirements for granting a divorce under Louisiana civil Code Article 103(1) have been met.

IT IS HEREBY recommended that the attached Judgment of Divorce be made the Order of this Court, no objection having been made by either party.

_____, Louisiana, this ____ day of _____, 20____.

Hearing Officer

LOUISIANA CIVIL CODE ARTICLE 103(1)

Uncontested Divorce Under Code of Civil Procedure Article 969B

FORM C

Notice: Must be completed by Mover or their attorney and submitted/filed with the Judgment of Divorce.

Petitioner

versus

Defendant

DOCKET NUMBER: _____

PARISH OF _____

A. Dates

1. Petition for Divorce:

_____ Date Petition Filed
2. Parties physically separated:

_____ Date of Separation
3. Service of the Petition:

a. If Sheriff’s return is in the record, indicate the date and type of service:

Personal/Domiciliary (Circle one) _____ Date of Service

If Domiciliary, then name of person served _____.

OR OR

b. If a Waiver of Service is filed into the record, provide dates of execution and filing into the record:

_____ Date Waiver Executed

_____ Date Waiver Filed

_____ Date of Answer
4. Answer filed:

_____ Date of Answer

B. Pleadings

1. Is the Petition for Divorce in the record?

☐ Yes
2. Is proper jurisdiction and venue expressly alleged in the Petition?

☐ Yes
3. Are both parties represented by counsel?

☐ Yes
4. Has each party, through their counsel, filed a written joint stipulation of facts, request for judgment, and sworn verification?

☐ Yes
5. Have counsel for the parties filed a proposed judgment containing a certification that counsel and each party agree to the terms thereof?

☐ Yes

C. Time Periods (La. C.C. Art. 103.1)
(Choose either #1 or #2)

1. The parties have minor children, and have been living separate and apart 365 days or more without reconciliation.

☐ Yes

OR
2. The parties have been living separate and apart without reconciliation 180 days or more and one of the following applies: (Choose one of the following)

OR

A. There are no minor children of the marriage.

☐ Yes

OR

B. On __/__/20__ the court made a finding, pursuant to a rule to show cause, that the other spouse physically or sexually abused the spouse seeking divorce or a child of one of the spouses.

☐ Yes

OR

C. On __/__/20__ after a contradictory hearing, or consent decree, a protective order or injunction issued against the other spouse to protect the spouse seeking the divorce or a child of one of the spouses from abuse.

☐ Yes

NOTICE: If an attorney for absent defendant has been appointed, this procedure cannot be used. Petitioner and the appointed attorney must appear in court.

MOVER’S/ATTORNEY’S CERTIFICATION

I hereby certify that I have examined the record in the above captioned case and the information provided herein is true and correct based upon my personal knowledge, information and belief.

Date of Record Examination

Signed by Petitioner/Attorney for Petitioner

Attorney’s Bar Number

Date of Certification

Address

Telephone Number

HEARING OFFICER RECOMMENDATION

Considering the record in this case, the submission of the parties or their counsel, it being the finding of the Hearing Officer that all legal requirements for granting a divorce under Louisiana civil Code Article 103(1) have been met.
IT IS HEREBY recommended that the attached Judgment of Divorce be made the Order of this Court, no objection having been made by either party.

_____, Louisiana, this ____ day of _____, 20____.

Hearing Officer

STIPULATION	FORM D
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STIPULATION	FORM D
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Petitioner

versus

Defendant

This matter was set before the Court on the _____ day of _____, 20____, on

Present: _____

Petitioner/Mover

Defendant/Respondent

Attorney for Petitioner/Mover

Attorney for Defendant/Respondent

The parties hereby agree and stipulate as follows regarding all matters on the docket before the Court:

Petitioner/Mover

Defendant/Respondent

Petitioner's Attorney

Defendant's Attorney

Hearing Officer Recommendation

Considering the submission of counsel and/or the sworn testimony of the parties, it is hereby recommended that the stipulation be accepted by the Court.

It is hereby further recommended that _____ prepare and circulate a written judgment in accordance with the Uniform District Court Rules.

_____, Louisiana, this ____ day of _____, 20__.

Hearing Officer

Considering the submission of counsel and/or the sworn testimony of the parties, it is hereby recommended that the stipulation be accepted by the Court.

It is hereby further recommended that _____ prepare and circulate a written judgment in accordance with the Uniform District Court Rules.

_____, Louisiana, this ____ day of _____, 20____.

Hearing Officer

IT IS ORDERED that said recommendation of the Hearing Officer is accepted. The stipulation of the parties and/or their attorneys is hereby accepted by the Court.

SIGNED IN _____, Louisiana this ____ day of _____, 20____.

Judge

VERSUS

JUDICIAL DISTRICT COURT
NO.: DIVISION:

PARISH, LOUISIANA
FAMILY COURT
HEARING OFFICER CONFERENCE ORDER

IT IS HEREBY ORDERED that unless a fully executed consent judgment has previously been filed in the record on all outstanding issues before the court, or the Hearing Officer Conference is waived as provided for in the Family Court Rules, each party, and their attorney, if the party is represented, shall appear in person before the Hearing Officer, except if participating by telephone in accordance with 22nd JDC Family Court Rule 35.0(E), on the date and at the time and place indicated in the service documents, attached hereto and made a part hereof.

IT IS FURTHER ORDERED that the parties or their attorneys shall execute and timely deliver the Family Court Affidavit to the opposing party at least three (3) days, exclusive of holidays, prior to the Hearing Officer Conference. The Family Court Affidavit auto-fill form is available on the 22nd Judicial District Court's website at www.22ndjdc.org. Hard copy Family Court Affidavit forms are also available in the Family Court Form Kiosk located on the 3rd Floor of the St. Tammany Parish Justice Center in Room 3240 or at the Forms Table in the Washington Parish Clerk of Court's office. The original Family Court Affidavit and all required attachments, including supporting documentation, shall be submitted to the Hearing Officer at the Hearing Officer Conference. All supporting documentation is to be brought to the Hearing Officer Conference.

IT IS FURTHER ORDERED that the parties or their attorneys shall exchange the following documents with the opposing party at least three (3) days, exclusive of holidays, before the Hearing Officer Conference and shall submit the documents to the Hearing Officer at the Hearing Officer Conference.

1. A copy of the last two (2) years of your federal income tax returns. Include all schedules, attachments, W-2 forms, 1099 forms and amendments. If tax returns were not filed for the last two (2) calendar years, all available documentation of income for the last two (2) calendar years shall be provided, including but not limited to W-2 forms, 1099 forms, K-1 forms and year-end paycheck stubs showing year-to-date earnings for each of the two (2) previous calendar years.
2. A copy of your last four (4) pay check stubs from all employers. If no pay check stubs are available, attach other proof of your pay as well as all available information and documentation of any other income, including but not limited to salaries, wages, commissions, bonuses, dividends, severance pay, pensions, interest compensation benefits, basic and variable allowances for housing and subsistence from military pay and benefits, and spousal support received from a preexisting spousal support obligation.
3. If you are unemployed, proof of unemployment benefits, unemployment insurance benefits, disaster unemployment assistance received from the United States Department of Labor, etc.
4. If you are disabled, proof of disability with certified copies of medical records. Also include proof of all benefits such as social security, worker's compensation, maintenance and cure, longshoreman and harbor worker's benefits, etc.
5. Information and documentation of expense reimbursement or in-kind payments received by a party in the course of employment, self-employment, or operation of a business, if the reimbursements or payments reduce the party's personal living expenses. Such payments include but are not limited to payments for a company car, free housing or reimbursed meals.

6. Any information on your health insurance. Include proof of health insurance such as insurance cards or policies and the cost of the health insurance for each person covered.
7. Any information on day care costs. Include proof of costs, such as the daycare fee schedule, child care assistance received, and canceled checks for the last four (4) months, if available.
8. Any information on private or special school. Include: (a) proof of costs, such as a schedule indicating tuition, registration, books, and supply fees; and (b) canceled checks, if available.
9. Any information on extraordinary expenses (See La. R.S. 9:315.5 and 9:315.6) and extraordinary medical expenses. Include proof of costs such as Explanation of Benefit (EOB) forms, and canceled checks, if available.
10. If a party intends to seek an adjustment to their average gross monthly income due to a court ordered obligation to pay support in another case(s), that party must provide the Hearing Officer a certified copy of the order of support.

IT IS FURTHER ORDERED that if you are self-employed or employed by a closely held business entity in which you have an ownership interest, you or your attorney shall deliver to the opposing party the following documents at least three (3) days, exclusive of holidays, before the Hearing Officer Conference or as otherwise ordered by the Court (La. R.S. 9:315.2 and 9:326):

1. The last three (3) personal and business state and federal income tax returns, including all attachments and all schedules, specifically Schedule K-1 and W-2 forms, 1099 forms, and amendments.
2. The most recent profit and loss statements, balance sheets, financial statements and quarterly sales tax reports.
3. The previous twelve (12) months of personal and business bank account check registers, bank statements, canceled checks, receipts, expenses, and business credit card statements.

At the Hearing Officer Conference, each party must be prepared to support with documentation their respective positions with regard to the income of the party who is self-employed or who is employed by a closely held entity in which the party has an ownership interest.

IT IS FURTHER ORDERED that the documentation ordered to be produced herein and the information provided in the Family Court Affidavit shall be true and correct to the best of the parties' knowledge, information and belief. Further, the parties shall immediately update the documentation and Affidavit if any of the information changes prior to the Hearing Officer Conference or Hearing and shall immediately correct any errors which are discovered after the Affidavit has been completed. The amending party shall immediately file an amended affidavit and notify the opposing party of the update or errors by timely delivering an amended Family Court Affidavit with updated documentation to the opposing party and to the Hearing Officer, and to the Court prior to any scheduled hearing.

IT IS FURTHER ORDERED that a continuance of the Hearing Officer Conference will only be granted if a written motion on Form "M" or Form "N", in compliance with 22nd JDC Family Court Rule 28.2, is filed with the court prior to the Hearing Officer Conference and signed or approved by the Division Judge.

Thus ordered in Covington, Louisiana on the 19th day of December, 2014 by the 22nd Judicial District Court Judges en banc, who further authorize this Order to be served in each Family Court case filed in the 22nd Judicial District Court, effective 1st day of January, 2015.

/s/ ALLISON H. PENZATO
CHIEF JUDGE
JUDGE, DIVISION "H"

FAMILY COURT HEARING OFFICER CONFERENCE INFORMATION SHEET

WELCOME to the 22nd Judicial District Court Family Court, serving St. Tammany and Washington Parishes. This specialized Family Court was created by the legislature in 2008 in response to an initiative in our District to better serve the needs of families in court.

By establishing a court with judges and hearing officers who are uniquely qualified by education and experience to provide family court services, we have been successful in reducing the financial costs and emotional toll on families involved in court proceedings.

We are committed to a therapeutic family court system which first attempts to resolve all family court issues. The parties' appearances before the judge are reserved for only those cases with the most difficult legal or factual issues.

You have been assigned a Hearing Officer, who is a person specifically trained to help you reach agreements on the issues you have filed with the court. Your meeting with the Hearing Officer also presents an opportunity for you to be referred to other experts who may help resolve your family issues. The Hearing Officer will make recommendations to the judge assigned to your case, which may become temporary orders of the Court, therefore it is very important that you are well prepared for your conference.

If this is your first appearance in our court, we know that you have many questions about our rules and procedures. The following are the most commonly asked questions about our Hearing Officer procedure.

- **Who will be my Hearing Officer?**

There are currently six Hearing Officers serving the Family Court, and you are randomly assigned a Hearing Officer when your case is filed.

- **What if I cannot appear for the Hearing Officer Conference on the assigned date?**

A Motion to Continue in the correct form must be filed in the record and submitted to the Division Judge prior to your Conference in order for a continuance to be considered.

The Hearing Officer schedule is set months in advance and a continuance of your Hearing Officer Conference may continue your court date before the Judge, therefore continuances are discouraged and are only granted by the Judge if extraordinary circumstances exist.

- **What happens at the Hearing Officer Conference?**

When you arrive for your Conference in St. Tammany Parish, please check in on the 3rd Floor of the Justice Center in Room 3066, and then be seated in Room 3240. In Washington Parish, check the sign in the lobby directing you to the location of the Hearing Officer Conference. You will be called for your Conference by your Hearing Officer.

- **Who attends the Hearing Officer Conference?**

All parties, and their attorneys, if any, are ordered to be physically present for the duration of the Conference, unless there has been a judicial determination of domestic violence [See Family Court Rule 35.0(C)(3)].

- **Do I bring my children or other witnesses to the Hearing Officer Conference?**

Children are not allowed at the Conference or in the waiting room.

Witnesses are not allowed to appear at the Conference. While you will be sworn in and questioned by the Hearing Officer, the Conference is not conducted as a formal or lengthy trial.

- **What do I bring to the Hearing Officer Conference?**

You must bring to the Conference the affidavit, information and documents required by the court order attached hereto.

You may bring your cell phone or other PDA, but these must be turned off during the Conference.

You are not allowed to bring computers, cameras or any recording device. Attorneys are allowed to bring their computer as per the court rules.

- **What happens if a legal Exception is filed in the proceeding?**

The filing of a legal Exception will suspend the Conference until the Exception is heard by the Judge.

You are required to notify the Hearing Officer Coordinator if you file an Exception prior to your Conference.

- **How long does a Hearing Officer Conference last?**
Unless the order attached to your original pleading requested an extended Conference due to a complicated or time-consuming issue, your Conference will last approximately 1 – 1½ hours. Due to unforeseen circumstances, a Conference may be somewhat delayed or reconvened. Arrange to be present at your noticed time and to remain thereafter for at least 3 hours to be sure of completion of your Conference.
- **What happens if a party is late for the conference?**
If one of the parties or their attorney is not present, the Conference will still proceed when called by the Hearing Officer.
- **What happens if none of the parties appear?**
If none of the parties appear at the time the Conference is scheduled to begin, the Hearing Officer may issue a recommendation that the matters filed be dismissed with prejudice.
- **What happens if a party does not comply with the Hearing Officer Conference order?**
Strict compliance with the court's orders is required. Failure to comply may result in a finding of contempt, sanctions, and payment of the other party's attorney's fees and costs.
If the prospective payor (party from whom support or payment is sought) does not provide timely and complete documentation as per the court orders, a temporary order will be placed into effect based upon the information provided by the payee (party seeking support or payment).
- **What happens at the conclusion of the Hearing Officer Conference?**
The parties must sign any Consent Judgment agreed upon. The recommendations of the Hearing Officer will be provided to the parties in the Hearing Officer Conference Report at the conclusion of the conference or soon thereafter.
- **What if I disagree with any of the Hearing Officer recommendations?**
An Objection to the Hearing Officer Conference Report recommendation must be filed with the Clerk of Court's office within 5 days, exclusive of holidays, of receipt of the Report. The Objection is to be filed on the form provided by the court rules. If any party files an Objection, all pending issues will be heard by the Judge on the assigned court date.
- **If an Objection is filed, what happens between the Hearing Officer Conference and the court date?**
With few exceptions, which are listed in the court rules, if a written Objection is filed, the Hearing Officer's recommendation shall become a temporary order upon the Judge's signature, which order stays in place until your court date.

We hope this information answers your questions. For more information on Family Court rules and procedures and for a complete set of forms, please visit the Court's website at www.22ndJDC.org.

St. Tammany Parish

A copy of all of the rules and forms are available in the Family Court Kiosk on the 3rd Floor of the Justice Center in Room 3240, Covington, LA.

Washington Parish

A copy of all of the rules and forms are available in the Washington Parish Clerk of Court's office, in the office of Division K & L Minute Clerks.

Signed in Covington, LA this 13th day of September, 2012 and effective as of the 1st day of October, 2012.

/s/ Judge Mary C. Devereux
Judge Mary C. Devereux
Division "K"

/s/Judge Dawn Amacker
Judge Dawn Amacker
Division "L"

/s/ Phyllis Gremillion
Phyllis Gremillion
Chief Hearing Officer

Plaintiff

VERSUS

Defendant

Filed:

JUDICIAL DISTRICT COURT

DOCKET NO.

PARISH, LOUISIANA

DEPUTY CLERK

FAMILY COURT AFFIDAVIT

STATE OF

PARISH/COUNTY OF

BEFORE ME, the undersigned Notary Public, personally appeared

Who, after being duly sworn, stated:

I CERTIFY that the information in this affidavit is true and correct to the best of my knowledge, information and belief, that I will immediately correct any errors which I discover after this affidavit has been completed and will notify (the Hearing Officer or Court, whichever is applicable) and the other party immediately after discovery of the error.

I CERTIFY that I will send copy of this affidavit to the other party (and the Hearing Officer or Court, whichever is applicable) not less than _____ days before the (the Hearing Officer Conference or Court hearing date, whichever is applicable).

I CERTIFY that in all child custody and visitation cases, I shall have a continuing duty to advise this Court of any lawsuit concerning the children in this state or any other state which may affect the outcome of this lawsuit (R.S. 13:1821) and that if I knowingly make a false statement herein that the punishment may include fines or jail time.

I CERTIFY that I know that it is a crime to intentionally give a false answer, under oath, to any of the questions herein (La. RS 14:123) and false or incomplete answers may result in fines or jail time.

I CERTIFY that I have attached copies of all financial documentation as ordered by the court.

SIGNATURE OF PARTY

Sworn to and subscribed before me this _____ day of _____, 20_____.

NOTARY PUBLIC

YOUR INFORMATION – NOTE: If there is an Order of Protection in effect providing that your address be confidential, your physical address and telephone/fax number need not be disclosed. However, a mailing address must be provided.

Full Name:

Street Address

City, State, Zip:

Mailing Address (If Different)

Telephone:

Fax:

YOUR ATTORNEY'S INFORMATION (IF YOU ARE REPRESENTED)

Full Name:

Mailing Address:

City, State, Zip:

Telephone:

Fax:

The following pages contain several sections. You shall by order of the court complete each of the sections that apply to your case. Please check the sections you have completed and attached.

- ☐ 1. Child Custody and Visitation Matters

☐ 1A. Custody/ Visitation by a Parent

☐ 1B. Custody or Visitation by a Non-Parent

☐ 1C. Relocation of a Child’s Residence more than 75 miles or out of state.

☐ 2. Child Support and/or Spousal Support

☐ 2A. Child Support

☐ 2B. Spousal Support
- ☐ 3. Use of Family Home/Community Movables

☐ 4. Injunctions

☐ 5. Contempt of Court – Child or Spousal Support Matters

☐ 6. Contempt of Court - All Matters except Support

☐ 7. Motion to Compel Discovery

☐ 8. Income and Expense Sheet (Required for every case involving Child Support, Spousal Support or Contempt involving support matters or monetary payments)

1. CHILD CUSTODY AND VISITATION MATTERS

This Section to be completed in all cases involving Child Custody and Visitation. NOTE: if there is an Order of Protection in effect ordering your address be confidential, or if you have executed an affidavit or pleading under oath alleging you or your child’s health, safety, or liberty would be jeopardized by disclosing identifying information, this information shall be sealed until after a hearing in which the Court determines that the disclosure is in the interest of justice. See La. R.S. 13:1821.

CHILDREN IN <u>THIS</u> CASE	GENDER	CURRENT AGE	DATE OF BIRTH
Where do the children live currently?			

1. List all parishes/counties and states where the children have lived in the past five (5) years		
PARISH/COUNTY	STATE OR COUNTRY	WHEN CHILDREN LIVED THERE (DATES)

2. List all persons <u>other than you</u> with whom the children have lived in the past five (5) years		
NAME	ADDRESS	RELATIONSHIP

3. Have the children ever been involved in any of these cases? If the answer is yes please check below:
- ☐ Divorce/Separation

☐ Custody/Visitation

☐ Child Support

☐ Paternity

☐ Protective Order

☐ Restraining Order

☐ Juvenile Court

☐ Child Protection

☐ Abuse/Neglect

☐ Parental Rights Termination

☐ Adoption

☐ Other _____

4. If you checked yes to #3 above, answer the following:
A. Name of Children:
B. Type of case (custody, visitation, paternity, OCS, protective order, etc.)
C. Court, Parish/County and State: Docket #:
D. Is the case is still open/on-going?

If you know of any person NOT a party to this case who has physical custody or claims to have custody/visitation rights to a child listed above, please provide the following:

Name:

Address:

Telephone Number:

A. CUSTODY / VISITATION BY A PARENT

1. INFORMATION ON PARENTS

What is your relationship to the children?	Who is the children’s other parent?
Were you married to the other parent at the time of the children’s birth?	
If the answer to the last question is no, and you are the father, have you signed an Act of Acknowledgement?	
Are you listed on the birth certificate?	Is there a Judgment of Paternity? Please give details:
Is paternity contested?	

OTHER CASES BETWEEN THE SAME PARTIES (including Support Enforcement and Protective Orders)	Docket Number	JDC/Parish/City Court

NAMES OF YOUR OTHER CHILDREN NOT AT ISSUE IN THIS CASE	GENDER	CURRENT AGE	DATE OF BIRTH

What type of custody do you have with these children?			
Who is the primary domiciliary parent?			
What is your custody/visitation schedule with these children?			
Do you have any restrictions or conditions on your custody or visitation?		If so please list, and attach copy of the judgment.	

2. INITIAL CUSTODY / VISITATION DETERMINATION

This section is to be completed only if this is an initial determination of custody or visitation.

Is there a temporary custody or visitation court order in effect?	Provide details of any temporary order regarding custody and visitation, with restrictions and conditions, if any.
---	--

AREAS OF DISPUTE BEFORE THE COURT. Please check those that apply.	
<input type="checkbox"/> Type of custody (joint custody vs. sole custody)	<input type="checkbox"/> Amount of time the children are with each parent (custody/visitation schedule)
<input type="checkbox"/> Who should be named as "domiciliary parent?"	<input type="checkbox"/> Conditions of custody or visitation (restrictions, supervision)
With whom do the children presently live? How long? Why are they living with this parent?	
Who has been the children's primary caretaker? (provide details if necessary)	

What type of custody/visitation arrangement for the <u>other</u> parent is in the children's best interest in your opinion?
Is shared (about equal) physical custody possible? Why or why not?
If you seek sole custody, briefly state the reasons (please note that <u>joint</u> custody is presumed to be in the best interest of the children and the party seeking <u>sole</u> custody has the burden of overcoming the presumption in favor of joint custody):
If you have asked, <u>in pleadings already filed with the Court</u> , that the other parent's custody/visitation privileges should be supervised or should have special conditions or restrictions, please explain the factual basis for the request.

Do you claim that the other parent has physically or sexually abused you or the children?
If so, has a judge or the Department of Children and Family Services found abuse before? If so, give details.
Has a mental health, custody or substance abuse evaluation been requested in pleadings filed with the court? If so, list facts which support the request.
Are you willing to participate in mediation? (If physical abuse is an issue parties are not required to mediate.)

What is your usual and customary work schedule, holiday and vacation schedule?
What is the usual and customary work schedule, holiday and vacation schedule of the other parent?

3. MODIFICATION OF CUSTODY / VISITATION

This section is to be completed only if there has been a previous final judgment of custody or visitation

What was the date of the last custody / visitation judgment?	Was this judgment a result of a judge trial or by the consent of the parties (consent judgment)?
Give details of the previous judgment on custody and visitation, with restrictions listed, if any.	
If the judgment was a considered decree (after a judge trial), what have you claimed in your pleadings are the material facts affecting custody that have changed since the last judgment?	

Is a temporary order in effect? If the answer is yes, please give details.
--

Areas of dispute before the Court. Please check those that apply.	
<input type="checkbox"/> Type of custody (joint custody vs. sole custody)	<input type="checkbox"/> Amount of time the children are with each parent (custody/visitation schedule)
<input type="checkbox"/> Who should be named as "domiciliary parent"	<input type="checkbox"/> Conditions of custody or visitation (restrictions, supervision)
What type of custody/visitation for the <u>other</u> parent is now in the children's best interest in your opinion?	
Is shared (about equal) physical custody a feasible arrangement? Why or why not?	
If you seek sole custody, briefly state the reasons (please note that <u>joint</u> custody is presumed to be in the best interest of the children and the party seeking <u>sole</u> custody has the burden of overcoming the presumption in favor of joint custody):	
If you have asked, <i>in pleadings already filed with the Court</i> , that the other parent's custody/visitation privileges should be supervised or should have special conditions or restrictions, please explain the factual basis for the request.	

Do you claim that the other parent has physically or sexually abused you or the children? If the answer is yes, has a judge or the Department of Children and Family Services found abuse before? If so, give details and attach judgment.
Has a mental health, custody or substance abuse evaluation been requested in pleadings filed with the court? If the answer is yes, list facts which support the request.
Are you willing to participate in mediation? (If physical abuse is an issue parties are not required to mediate.)
What is your usual and customary work schedule, holiday and vacation schedule?
What is the usual and customary work schedule, holiday and vacation schedule of the other parent?

B. CUSTODY OR VISITATION BY A NON-PARENT

1. INFORMATION ON NON-PARENT

WHAT IS YOUR RELATIONSHIP TO THE CHILDREN? Please check below:		
<input type="checkbox"/> Maternal Grandparent	<input type="checkbox"/> Other Relative _____ (Please specify)	
<input type="checkbox"/> Paternal Grandparent	<input type="checkbox"/> Other _____	

OTHER CASES INVOLVING THE CHILDREN (including Support Enforcement and Protective Orders)	Docket Number	JDC/Parish/City Court
HAVE THE CHILDREN BEEN ADOPTED?	By Whom?	

2. INFORMATION ON PARENTS

Who are the parents of the children?		
Were the parents married at the time of the children's birth?		
If the answer to the last question is no, did the father execute an Act of Acknowledgement?		
Is father listed on the birth certificate?	Is there a Judgment of Paternity?	Please give details:
Is paternity in dispute?		
Are the parent(s) of the children no longer living? If so, indicate which parent.	MOTHER	FATHER
Are the parent(s) of the children in jail? If so, indicate which parent.	MOTHER	FATHER

3. VISITATION

Please answer this section if you are seeking visitation only

DESCRIBE THE LENGTH AND QUALITY OF YOUR RELATIONSHIP WITH THE CHILDREN.
Are the children in need of guidance, enlightenment or tutelage which can best be provided by you (La. C.C. Art. 136)? If so, state why.
Have the children expressed a preference on your request for visitation?
Are you willing to encourage a close relationship between the children and their parents?
Are you in good physical and mental health?
Do you have special needs?
Are the children in good physical and mental health?
Do the children have special needs?
Describe why you think it is in the children's best interest for you to have visitation:
What amount of visitation do you seek?
Are you in contact with the children's custodial parent? Describe your relationship.

4. CUSTODY

Please answer this section if you seek custody

What type of custody do you seek (Sole or Joint Custody)?
Would substantial harm occur to the children if custody is not granted to you? If the answer is yes, please provide details.
Why would a transfer of custody to you be in the children's best interest?
Have the children been living with you in a wholesome and stable environment? If the answer is yes, for how long?
If the children do not currently live with you, can you provide an adequate and stable home for the children?
What is your usual and customary work schedule?

C. RELOCATION OF A CHILD’S RESIDENCE MORE THAN 75 MILES OR OUT OF STATE

1. INFORMATION ON PARENTS

What is your relationship to the children?	Who is the children's other parent?
Were you married to the other parent at the time of the children's birth?	
If the answer to the previous question is no, and you are the father, have you signed an Act of Acknowledgement?	
Are you listed on the birth certificate?	Is there a Judgment of Paternity? Please give details:
Is paternity contested?	

OTHER CASES BETWEEN THE SAME PARTIES (including Support Enforcement and Protective Orders)	Docket Number	JDC/Parish/City Court

NAMES OF YOUR OTHER CHILDREN NOT AT ISSUE IN THIS CASE	GENDER	CURRENT AGE	DATE OF BIRTH
What type of custody do you have with these children?			

Who is the primary domiciliary parent?	
What is your custody/visitation schedule with these children?	
Do you have any restrictions or conditions on your custody or visitation?	If so please list, and attach copy of the judgment.

2. COURT ORDERS IN EFFECT

Is there a previous court order or judgment awarding custody?	If the answer is yes, answer these questions:
Give details of the previous judgment on custody/visitation, including the date of the last judgment, the name of primary domiciliary parent, if any, and any restrictions on custody or visitation.	
Does the previous judgment/order have any provision about relocation?	If the answer is yes, please details.
Is there a protective order or domestic abuse order in effect?	If the answer is yes, please give details and attach order.

3. PARENT SEEKING TO RELOCATE CHILDREN

The following questions are to be filled out only if you are the party seeking to relocate.

Where do you currently live? (City, Parish, and State)	
For how long?	
What is your marital status?	Who resides (besides the children at issue) in the home with you?
Do you seek to relocate with the children outside of the State of Louisiana?	
If the answer is yes, where and when?	
Give details of your reasons for relocation.	
Is there a court order awarding custody? (Attach the last court order)	
If the answer is yes, did the court order designate the principal residence of the child or were the parties awarded equal physical custody?	

Have you already relocated with the children?	If the answer is yes, give details of the temporary order allowing relocation or written consent of the other parent.
Have you requested a hearing on temporary relocation?	
What notice of proposed relocation was given to the other parent?	
Give the date and details. Attach a copy of the notice.	
Why is relocation in the children's best interest?	

4. PARENT OPPOSING RELOCATION OF CHILDREN

The following questions are to be filled out only if you oppose relocation of the children

Where do you currently live? (City, Parish, and State)
--

For how long?	
What is your current marital status?	Who (besides the children at issue) resides in the household with you?
Are you employed?	If the answer is yes, give details of your position and work schedule.
Did you receive notice of the proposed relocation of your children?	If the answer is yes, give the date and details.
Why do you oppose the relocation?	
Do you currently pay child support pursuant to a court order?	If the answer is yes, give the date and details.
Are you current in child support payments? Give details, including contempt proceedings and judgments.	Have you ever been in arrears in payment?
What is your level of involvement at the current time with your children?	
Do you exercise custody/visitation as court ordered?	If the answer is no, give details.
Do you currently have any protective orders or domestic abuse orders in effect against you?	

2.

CHILD SUPPORT AND/OR SPOUSAL SUPPORT

YOUR CURRENT EMPLOYMENT			
Your Current Employer:			
Address, City, State, Zip:			Telephone Number:
Position:	Length of Employment:	Gross Salary/Wages per month: \$ Net Salary/Wages per month: \$	
Other (bonuses, commissions, interest, dividends, rental, royalties, crop income, oil & gas revenue, stock options or shares, etc.):			
Your usual and customary work schedule:			
1. Are any of the following supplied to you by your employer?	YES	NO	VALUE (if actual value unknown, provide estimate)
Housing			\$
Automobile			\$
Fuel, Mileage, or Credit Card			\$
Meal Allowance			\$
Travel Allowance			\$
Health and/or Life Insurance			\$
Other (Health club, etc.)			\$

SELF EMPLOYED
Is your employment managed, controlled, or owned by you, a relative, or family member?
If Yes, give details:
Have you provided the documents required for self-employed persons on the HOC Order?

UNEMPLOYED	
Are you <u>un</u> employed?	
If so, indicate the last date on which you were employed:	
What is the reason for the termination of your employment (quit, fired, lay-off, business closed, disabled, etc)?	
If you are receiving unemployment, amount per month: \$	Anticipated Duration:
If you are receiving social security, worker's compensation, maintenance and cure, longshoremen and harbor workers or any type disability benefits, amount per month: \$	Anticipated Duration: Type (SSI, SSD, worker's comp, etc.):

If you claim you are disabled, but are not receiving disability benefits (SSD, Workmen's comp, Maintenance and Cure, etc), you must bring certified copies of your medical records with you to the hearing.

YOUR PRIOR EMPLOYMENT			
Your Prior Employer:			
Address, City, State, Zip:			Telephone Number:
Position:	Length of Employment:		Wages: \$
Other (bonuses, commissions, interest, dividends, rental, royalties, crop income, oil & gas revenue, stock options or shares, etc.):			
Was the employment managed, controlled, or owned by you, a relative, or family member? If Yes, give details:			

OTHER INCOME
If you have any income or asset which is not shown anywhere else in this form (such as bonuses, commissions, interest, dividends, rental, royalties, crop income, oil & gas revenue, trust income, recurring monetary gifts or donations etc.), please list and explain fully:

YOUR OWNERSHIP OR INTEREST IN A HOME OR REAL ESTATE			
Do you own a home and/or are you paying for a home?		Address, City, State:	
Estimated Market Value: \$	Remaining Mortgage Balance: \$	Monthly Payment: \$	
If you are not buying a home, give the name, address and telephone number of the owner of the place where you <u>live</u> :			
Amount of rent (if any) or other arrangement:			
Do you own or have an interest in any other real estate?			
If yes, state the nature of the property and its market value, and any rental income and expenses:			

YOUR CURRENT MARRIAGE/SPOUSE (if support is an issue before the Court)	
If you are currently married, name of your current spouse:	
Your spouse's current employer:	
Address, City, State:	Telephone Number:

OTHER PERSON'S EMPLOYMENT
1. Is the person seeking support currently employed?
2. If so, where?
3. Has the person seeking support been employed during the marriage?
4. If not, why not?
5. What is the date of last employment of the person seeking support?
6. State the last income of the person seeking support: Monthly Gross \$: Monthly Net \$
Please provide as much information as you can regarding the <u><i>other</i></u> party's employment, usual and customary work hours, travel obligations, income, and benefits:

IF EITHER PARTY IS PAYING EXTRAORDINARY COMMUNITY DEBTS		
Name of Debtor	Amount paid per month	Present balance of the debt
	\$	\$
	\$	\$
	\$	\$

A. CHILD SUPPORT

1. Is this an initial child support rule or a request to modify a previous child support order?		
2. If this is a modification, what is the date of the last judgment?		
2a. Was child support determined as per Louisiana Support Guidelines?		
3. What do you allege <u>in your pleadings</u> is the material change in circumstance that has occurred since the last judgment was entered?		
4. If a modification is requested, is it for an increase or a decrease in support?		
5. If your request for a modification is based upon a change in <u>your</u> income or financial circumstances, indicate your gross income at the time the support was last set by the Court (and provide a W-2 form or other supporting documentation), and the current amount of support ordered by the Court:		
6. If there are minor children in this case under five (5) years of age, please indicate the parent with whom the children primarily reside:		
7. What is the <u>annual</u> cost of childcare (be sure to include before-school, after-school, holiday, and summer costs in your annual cost)? Have you applied for childcare assistance? How much will childcare assistance pay?		
8. Is health insurance for the children available through the employer of either spouse?		
9. Who currently provides health insurance for the children?		
10. What is the actual cost of health insurance for <u>only</u> the children – you must provide documentation from your employer or the insurance company to show the difference in cost for employee only coverage, and employee plus children coverage, if the children are covered under a family plan.		
11. If there are any children-related medical or dental expenses which are “extraordinary” (allergies, braces, ADHD, etc) and which require either ongoing monthly payments and/or occasional payments in excess of \$100, or any child-related extracurricular activities, please describe the nature and cost of same:		
12. Are there children in private or parochial school whose support is at issue?		
13. If the children's enrollment in private or parochial school is disputed, please explain your position:		
14. What is the <u>annual</u> cost of tuition and fees for children (registration, total annual tuition, books, supply fees, and other mandatory fees): Please itemize separately.		
14a. Do you get or expect to get tuition assistance?	How much?	
15. Have you filed a Rule seeking the right to claim the children as a tax exemption?		
16. If you seek a deviation from the Louisiana Child Support Guidelines, state the reason(s) supporting the deviation:		
17. Expense Sharing – Are you sharing expenses with a third party? If so, state the nature and amount of your expenses which are being shared with or paid by a third party.		
18. Do the children receive income? If the answer is yes, is the income of the children due to the disability of a child or a parent?		
If due to disability of a parent, whose disability gave rise to the children's income?		
Who currently gets the disability check?		
If the children's income is not related to disability, please provide the nature, source and amount of the income and documentation of same.		
19. Are you paying court ordered child support for other children? If yes, for each list:		
Parish where issued	Date of Judgment	Amount of Award

You are required to provide a certified copy of any judgment/court order or other document which requires you to pay child support for other children.

B. SPOUSAL SUPPORT

1. If “final periodic spousal support” is opposed by you, please state the basis for opposing the claim for this form of spousal support (lack of need, inability to pay, fault), with an explanation:
2. If you request a modification or termination of court ordered spousal support, please state the facts supporting your request?
3. If your request for a modification (either increase or decrease) is based upon a change in <u>your</u> income or financial circumstances, state your gross and net income at the time the support was last set by the Court (provide supporting documentation):
You are required to complete Section 8 – Income and Expense Sheet

3. USE OF FAMILY HOME/COMMUNITY MOVABLES

1. Who currently lives in the former marital home?
2. Does this party seek the continued and exclusive use of the home?
3. Does the non-resident party also seek the exclusive use of the home?
4. Who owns the former marital home?
5. Briefly state the reasons in support of <u>your</u> request to live in the home? (if applicable):
6. Are you requesting the exclusive use of any community or separate vehicles?
7. Who has possession of the community vehicles(s) at issue at this time?
8. List which vehicle (year, make, and model) and state whether it is community or separate property?
9. Briefly state the reasons in support of <u>your</u> request to have exclusive use of the vehicle (if applicable):
10. Are you requesting law enforcement assistance in returning to the home to retrieve clothing or other necessary items?
11. Are you requesting the use and possession of any other assets (furniture, appliances, etc.)?
12. If the answer is yes, please list and provide an explanation:
13. Is rental reimbursement for the family home an issue? If so, what is the rental value? Please provide proof.

4. INJUNCTIONS

COMMUNITY
1. Has either party requested an injunction to preserve the community?
2. If there is a need for an exception to such an injunction (for example, to permit a business to be able to continue to operate), provide a detailed explanation of the facts supporting the exception:

ABUSE / HARRASSMENT
1. Has either party requested an injunction to protect a party or children?
2. If yes, provide <u>specific facts</u> which support such an injunction.
3. Are Protective Orders in effect?
4. If yes, please provide a copy of the petition and order.

5. CONTEMPT OF COURT – CHILD OR SPOUSAL SUPPORT MATTERS

CONTEMPT

1. List each alleged count of contempt separately. For each, state the exact provision of a judgment or order that defendant has allegedly violated. Give the date of the judgment or order.

2. Please provide the dollar value of the claim: Child Support: \$ _____; Spousal Support \$ _____; Other Money Judgment \$ _____.

a. What proof does payor have that they have paid toward their ongoing monthly obligation or arrears?

b. What proof does payee have that they have not been paid on the ongoing monthly obligation or arrears?

c. What notice was payee sent of their share of court ordered obligations?

d. Has payor been held in contempt of court before?

e. If the answer to "d" is yes, list the date of each judgment of contempt.

f. If the answer to "d" is yes, list the violation which led to each finding of contempt and sentence imposed by the court.

g. Please state if a "purge" has been previously set by the court, and whether it was paid. (A "purge" is an order that gives a party more time to pay.)

3. Are you asking that the party violating the court order be sentenced to jail time?

4. Estimate the amount of attorney fees which you have incurred in seeking the relief before the Court (you should only respond to this question if you are seeking to enforce a court order): \$ _____

5. If the issue is reimbursement for medicals, extracurriculars, etc., list how and when demand for reimbursement was made. Provide a summary of all such expenses and the amount of the other party's pro-rata share of same, and attach all supporting proof with the documents organized in the order and manner in which the expenses are listed in the summary.

6. What is the payor's ability to pay?

7. Is there a non-support case pending?

If the answer is yes, please provide details.

8. If you are the payor, please state any defense you may have to non-payment of the amounts claimed.

NOTICE TO PAYORS: Please be advised that your ability to pay will be an issue before the court and you must come prepared to present testimony and evidence you want the Court or Hearing Officer to consider on your hearing date.

You are also required to complete the attached Section 8 – Income and Expense Sheet.

SUPPORT PAYMENT HISTORY (complete this section only if support arrearages is an issue before the Court and attach additional sheets if necessary)

Date (mm/dd/yyyy)	Amount Owed	Amount Paid	Arrearage or Overpayment	Cumulative Arrearage or Overpayment	Notes
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	

	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
TOTAL	\$	\$	\$	\$	

6. CONTEMPT OF COURT – ALL MATTERS EXCEPT SUPPORT

1. List each count of contempt separately and for each, state the judgment or order that defendant has allegedly violated, and specify the particular provision violated. Give date of the judgment or order, and date of each occurrence.

2. When did the alleged acts of contempt occur?

3. What relief are you seeking?

4. Are you asking that the party violating the court order be given jail time?

5. Estimate the amount of your attorney fees directly related to your contempt claim (you should only respond to this question if you are seeking to enforce a court order) \$_____

7. MOTION TO COMPEL DISCOVERY

ANSWER TO INTERROGATORIES AND/OR REQUEST FOR PRODUCTION OF DOCUMENTS

1. Were copies of the interrogatories and the alleged insufficient responses filed with your Motion to Compel?

2. Was a Rule 10.1 Certificate of Conference filed with your Motion to Compel?

3. Was reasonable notice of intent to file the Motion to Compel given to opposing party? By what method?

4. Provide a list of exactly what you say was not provided, or what was deficient, and provide a copy of your letter to the other party itemizing same, and any response thereto.

5. List reasonable expenses incurred in seeking and obtaining this order to compel (attorney fees and costs).

8. INCOME AND EXPENSE SHEET
(ALL categories are to be calculated on a monthly basis)
(Supporting documentation is required)

		PARTY	CHILDREN	TOTAL
A.	INCOME OF PARTY			
	1. Wages and Commissions (Gross)			
	2. Bonuses (Gross)			
	3. Car Allowance			
	4. Other Expense Reimbursement			
	5. Interest			
	6. Dividends			
	7. Rents and Royalties (Net)			
	8. Business Profits (Pre-Tax)			
	9. Recurring Capital Gains			
	10. Trust Income			
	11. Recurring Gifts			
	12. Other (Please detail)			
	Total Gross Monthly Income of Party			

		<u>PARTY</u>	<u>CHILDREN</u>	<u>TOTAL</u>
B.	<u>PAYROLL DEDUCTIONS OF PARTY</u>			
	1. Federal Income Tax			
	2. State Income Tax			
	3. Social Security Tax			
	4. Medicare Tax			
	5. 401K Contributions			
	6. 401K Loan			
	7. Mandatory Retirement Contributions			
	8. Health Insurance			
	9. Life Insurance			
	10. Other (Please detail)			
	Total Payroll Deductions			
C.	<u>TAX LIABILITY (not deducted from payroll)</u>			
	1. Federal Income Taxes			
	2. State Income Tax			
	3. Self Employment Tax			
	4. Other			
	Total Tax Liability			
	TOTAL NET MONTHLY INCOME			
D.	<u>INCOME OF CHILDREN</u>			
	1. Social Security			
	2. Investment			
	3. Trust			
E.	<u>MONTHLY EXPENSES (List current, ongoing expenses):</u>			
	1. HOUSING			
	a. Rent			
	b. First Mortgage			
	c. Second Mortgage			
	d. Homeowners Insurance			
	e. Flood Insurance			
	f. Renter's Insurance			
	g. Real Estate Taxes – House (not included in mortgage note)			
	h. Security System			
	i. Pest Control			
	j. Pool Service			
	k. Lawn Service			
	l. Homeowner's/Condo Association Dues			
	m. Furniture Rental			
	n. Repairs/Maintenance			
	o. Maid Service			
	p. Other (Please detail)			
	2. FOOD AND HOUSEHOLD SUPPLIES			
	3. CLOTHING			
	4. TRANSPORTATION/AUTOMOBILE			
	a. Car Note/Lease			
	b. Gas			
	c. Maintenance (Oil change, etc.)			
	d. Insurance			
	e. Repairs			
	5. MEDICAL AND DENTAL			
	a. Health Insurance (Hospitalization and Major Medical)			

		<u>PARTY</u>	<u>CHILDREN</u>	<u>TOTAL</u>
	b. Dental Insurance			
	c. Prescriptions (cost not covered by insurance)			
	d. Over the Counter Medications			
	e. Routine medical and dental exams (cost not covered by insurance)			
	f. Contacts/Glasses/Eye Exams			
	g. Counseling/Therapy (cost not covered by insurance)			
	h. Orthodontics (cost not covered by insurance)			
	i. Expenses (cost not covered by insurance)			
	6. UTILITIES			
	a. Water			
	b. Electricity			
	c. Natural Gas/Propane			
	d. Cable/Satellite TV			
	e. Garbage			
	f. Household Landline Telephone			
	g. Cellular Telephone			
	h. Computer			
	7. LAUNDRY AND CLEANING			
	8. PERSONAL AND GROOMING (Cosmetics, haircuts, nails, etc)			
	9. EDUCATION EXPENSES			
	a. Tuition (less amount of tuition assistance)			
	b. Registration			
	c. Transportation			
	d. Mandatory Fees			
	e. Fees (Gym, band, cheerleading, sports etc.)			
	f. Books and Supplies			
	g. Tutoring			
	h. Other (Field Trips, etc.)			
*	10. CHILD CARE EXPENSES – WORK RELATED			
	a. School Year Daycare (less child care assistance)			
	b. Summer Daycare (less child care assistance)			
	c. Before/After Care (not included above)			
	d. Babysitter			
	11. CHILD CARE EXPENSES – NON-WORK RELATED			
	a. Daycare			
	b. Babysitter			
	12. GARNISHMENTS			
	13. JUDGMENTS OF CHILD SUPPORT (For children other than those of this relationship)			
	14. FIXED OBLIGATIONS			
	a. Credit Cards (minimum monthly payment)			
	AccountTotal Balance			
	1. \$			
	2. \$			
	3. \$			
	4. \$			
	5. \$			
	b. Credit Union \$			
	c. Department Store \$			
	d. Disability Insurance			
	e. Life Insurance			
	f. Other (Please detail)			
	15. ENTERTAINMENT/HOLIDAY EXPENSES			
	a. Birthdays			
	b. Holiday expenses			
	c. Gifts from children to others			
	d. Books, magazines, newspapers, etc.			
	e. Entertainment			

VS DOCKET # _____

DIVISION _____

FILED: _____

DEPUTY CLERK _____

22nd JUDICIAL DISTRICT COURT
PARISH OF _____
STATE OF LOUISIANA

**OBJECTION TO
HEARING OFFICER CONFERENCE REPORT**

IMPORTANT INFORMATION ABOUT FILING AN OBJECTION

Objections to the Hearing Officer Conference Report must be filed with the St. Tammany Parish Clerk of Court within 5 days, exclusive of legal holidays, from receipt of the Hearing Officer Conference Report. Please contact the Clerk of Court at (985) 809-8700 for specific instructions on the filing of Objections, including information on fax filing and payment of required fees.

Objections which are fax filed are not considered “filed” for purposes of preserving an objection, unless the original document along with the required filing fee are received by the Clerk of Court’s office within the delays set out above.

NOW, INTO COURT, through undersigned counsel, or in proper person, comes _____, who represents as follows:

A *Hearing Officer Conference* was held on _____, 20____; recommendations were made on _____, 20____, and the deadline to object was _____, 20____.

Mover objects to the “Recommendations” contained in the *Hearing Officer Conference Report*, for the following reasons:

1.

2.

3.
- _____

WHEREFORE, MOVER PRAYS that this *Objection to Hearing Officer Conference Report* be deemed good and sufficient and that this matter proceed to hearing as currently scheduled, on all issues unresolved by Consent Judgment of the parties.

RESPECTFULLY SUBMITTED:

Signed: _____

Mover/Attorney for Mover

Address: _____

City, State, Zip: _____

Telephone: (_____) _____ - _____

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the above and foregoing has been sent to all parties or their known counsel of record, as well as to the Hearing Officer on the same day and in the same manner that the Objection has been provided to the Clerk of Court, by

- ☐

☐

☐

☐
- United States mail, properly addressed and postage prepaid.

Registered United States mail, return receipt requested, properly addressed and postage prepaid.

Facsimile transmission.

Hand Delivery.

_____, Louisiana, this _____ day of _____, 20_____.

Mover/Counsel of Record for Mover

APPLICATION FOR EX PARTE TEMPORARY CUSTODY ORDER
Affidavit of Mover In Compliance With La. C.C.P. Art. 3945B

FORM H

DOCKET NUMBER: _____

Petitioner

Versus

PARISH OF _____

Respondent

PARISH OF _____
STATE OF LOUISIANA

BEFORE ME, this _____ day of _____, 20_____, personally came and appeared _____ who, after being duly sworn, did depose as follows:

I have read the allegation of the petition/motion and they are true and accurate to the best of my knowledge, information and belief.

Immediate and irreparable injury will result to the child or children named in the attached petition/motion before the defendant/respondent herein or his/her attorney can be heard in opposition because of the following SPECIFIC FACTS:

(Attach supplemental pages, if necessary)

Signed by _____ (Petitioner)

SWORN TO AND SUBSCRIBED before me, Notary Public, on this ____ day of _____, 20_____, at _____, Louisiana.

Signed by Notary Public

Printed Name: _____

Bar/ID No.: _____

NOTICE: The Court will NOT consider any application unless on this Court approved form AND must be presented with Form I (Certification of Applicant's Attorney).

FORM I

DOCKET NUMBER: _____

PARISH OF _____

Note: Must be completed by mover's attorney and filed with the application for *ex parte* application for temporary custody order.

I, _____, attorney representing _____,
petitioner/applicant for temporary *ex parte* order, certifies to the Court that:

- (a) The following efforts have been made to give the defendant/respondent reasonable notice of the date and time the order is being presented to the Court:

; or

(Attach supplemental pages, if necessary)

- (b) The reason for such notice is not required because:

(Attach supplemental pages, if necessary)

Signed by _____ (Attorney)

Address

City/State _____

Telephone/Facsimile Numbers

Bar # _____

Petitioner

Versus

Defendant

____ JUDICIAL DISTRICT COURT

DOCKET NO. _____

PARISH OF _____

STATE OF LOUISIANA

SWORN DETAILED DESCRIPTIVE LIST

BEFORE ME, the undersigned Notary Public, came and appeared _____ who, after being duly sworn, declared that the following Sworn Detailed Descriptive List contains all of the community assets and liabilities, reimbursement, and accounting claims existing between the parties as of the _____ day of _____, 20____.

Date of Marriage: _____
Date Petition for Divorce Filed: _____
Date of Judgment of Divorce: _____

I. ASSETS

A. COMMUNITY ASSETS IN THE POSSESSION OF HUSBAND

Description of Item	Value
1.	
2.	

B. COMMUNITY ASSETS IN THE POSSESSION OF WIFE

Description of Item	Value
1.	
2.	

II. COMMUNITY DEBTS AND OBLIGATIONS

Description	Value
1.	
2.	
3.	
4.	
5.	

III. REIMBURSEMENT CLAIMS

A. REIMBURSEMENT CLAIMS OF HUSBAND

Nature of Claim	Value
1.	
2.	

B. REIMBURSEMENT CLAIMS OF WIFE

Nature of Claim	Value
1.	
2.	

IV. CLAIMS FOR CONTRIBUTION TO EDUCATION/TRAINING

Description of Item	Value
1.	
2.	

V. ACCOUNTING CLAIMS

Description of Item	Value
1.	

Signed by Petitioner

SWORN TO AND SUBSCRIBED BEFORE ME, Notary Public, on this ____ day of _____, 20____ at _____, LA.

Notary Public

Petitioner

Versus

Defendant

____ JUDICIAL DISTRICT COURT

DOCKET NO. _____

PARISH OF _____

STATE OF LOUISIANA

SWORN COMBINED DETAILED DESCRIPTIVE LIST

Date of Marriage: _____
Date Petition for Divorce Filed: _____
Date of Judgment of Divorce: _____

BEFORE US, the undersigned Notaries Public, came and appeared _____ and _____ who, after being duly sworn, declared that the following Sworn Combined Detailed Descriptive List contains all of the community assets and liabilities, reimbursement, and accounting claims existing between the parties as of the _____ day of _____, 20____.

I. ASSETS

A. COMMUNITY ASSETS IN THE POSSESSION OF HUSBAND

Description of Item	Husband's Value and Position (Traversal or Concurrence)	Wife's Value and Position (Traversal or Concurrence)
1.		
2.		
3.		
4.		

B. COMMUNITY ASSETS IN THE POSSESSION OF WIFE

Description of Item	Husband's Value and Position (Traversal or Concurrence)	Wife's Value and Position (Traversal or Concurrence)
1.		
2.		
3.		
4.		

II. COMMUNITY DEBTS AND OBLIGATIONS

Description	Husband's Value and Position (Traversal or Concurrence)	Wife's Value and Position (Traversal or Concurrence)
1.		
2.		
3.		
4.		
5.		

III. REIMBURSEMENT CLAIMS

A. REIMBURSEMENT CLAIMS OF HUSBAND

Nature of Claim	Husband's Value and Position (Traversal or Concurrence)	Wife's Value and Position (Traversal or Concurrence)
1.		
2.		
3.		

B. REIMBURSEMENT CLAIMS OF WIFE

Nature of Claim	Husband's Value and Position (Traversal or Concurrence)	Wife's Value and Position (Traversal or Concurrence)
1.		
2.		

IV. CLAIMS FOR CONTRIBUTION TO EDUCATION/TRAINING

Description of Item	Husband's Value and Position (Traversal or Concurrence)	Wife's Value and Position (Traversal or Concurrence)
1.		
2.		

V. ACCOUNTING CLAIMS

Description of Item	Husband's Value and Position (Traversal or Concurrence)	Wife's Value and Position (Traversal or Concurrence)
1.		

Signed by Petitioner

SWORN TO AND SUBSCRIBED BEFORE ME, Notary Public, on this ____ day of _____, 20____ at _____, LA.

Notary Public

Signed by Defendant

SWORN TO AND SUBSCRIBED BEFORE ME, Notary Public, on this ____ day of _____, 20____ at _____, LA.

Notary Public

SWORN COMBINED DETAILED DESCRIPTIVE LIST
SAMPLE COMPLETED FORM

Petitioner

Versus

Defendant

____ JUDICIAL DISTRICT COURT

DOCKET NO. _____

PARISH OF _____

STATE OF LOUISIANA

SWORN COMBINED DETAILED DESCRIPTIVE LIST

Date of Marriage: _____
Date Petition for Divorce Filed: _____
Date of Judgment of Divorce: _____

BEFORE, the undersigned Notaries Public, came and appeared _____ and _____ who, after being duly sworn, declared that the following Sworn Combined Detailed Descriptive List contains all of the community assets and liabilities, reimbursement, and accounting claims existing between the parties as of the _____ day of _____, 20____.

I. ASSETS

A. COMMUNITY ASSETS IN THE POSSESSION OF HUSBAND

Description of Item	Husband's Value and Position (Traversal or Concurrence)	Wife's Value and Position (Traversal or Concurrence)
1. Family Home located at: _____, LA	\$250,000; Disputes value based upon appraisal conducted by ABC Company on XX/XX/XX; Husband contends numerous repairs need to be made to the property	\$350,000; Disputes value based upon appraisal by XYZ Company on XX/XX/XX.
2. Vehicle (state make/model/year)	\$15,000.00; Disputes value; truck has high mileage and wife's NADA lists options truck does not have	\$25,000.00; Disputes value based upon NADA
3. Community Corporation	\$50,000.00; Disputes value; Wife's value based upon assumption of goodwill and does not apply because ...	\$300,000.00; Disputes value based upon report of business valuator and testimony of witnesses
4. Life insurance policy	\$-0-; Disputes value; No value because ...	\$25,000.00; Disputes value based upon face value of policy.
5. 401k	\$10,000.00; Disputes value based upon XX/XX/XX statement from plan administrator	\$150,000.00; Disputes value based upon statement dated XX/XX/XX (note a reimbursement claim is asserted below for monies withdrawn by Husband)
6. Antique corner china cabinet	\$5,000.00; Disputes classification and value. Gift given during marriage to Husband and Wife. Value based upon appraisal by Valuator dated XX/XX/XX	\$-0-. Disputes classification. Gift given by Wife's mother to Wife during the marriage. Only value is sentimental value and Wife wants cabinet returned to her family.
7. Refrigerator/freezer	\$100.00; Disputes value based	\$500.00; Disputes value based

	upon age of appliance.	upon ...
8. Child's Armoire	\$-0-; Disputes classification. Item purchased at garage sale for parties' daughter. No value because purchased used and painted.	\$400.00; Disputes classification and value. Purchased during marriage so presumed to be community. Value based upon finding similar item in store.
9. Riding lawn mower (give manufacturer; horsepower, etc.)	\$75.00; Disputes value. Mower broken. John Deere Model 123; 35 hp.	\$500.00; Disputes value. When Wife last saw lawn mower it was in working condition. Similar used model for sale in classified ads for the newspaper.
10. Pots & pans	\$-0-; Husband claims parties split the pots and pans when physically separated.	\$250.00; Wife denies parties split the pots and pans. Claims Husband has retained.

B. COMMUNITY ASSETS IN THE POSSESSION OF WIFE

Description of Item	Husband's Value and Position (<i>Traversal or Concurrence</i>)	Wife's Value and Position (<i>Traversal or Concurrence</i>)
1. Vehicle (state make/model/year)	\$15,000.00; No dispute as to value.	\$15,000.00; No dispute as to value.
2. Video Camera and related equipment	\$700.00; Disputes classification and value. Purchased during community with community funds.	\$-0-; Wife claims this was a birthday gift given to her. If deemed community property, then value should be \$100.00 as the unit is 10 years old and charger is missing.
3. LSU Print	\$-0-; Disputes classification and value. This was a gift given by the Husband by his employer. Not community property. If deemed community property, then value should be \$150.00 based upon local art shop appraisal.	\$450.00; Disputes value based upon prices charged for same print in similar frame at local art shop. Wife does not want the print and asks the Court to allocate to the Husband.
4. Computer desk	\$200.00; Disputes classification and value. Similar computer desk can be purchased at Office depot for this price. Claims the desk was purchased with money the Wife took from a community checking account.	\$-0-. Disputes classification and value. Purchased after Petition for Divorce filed and has receipt. Denies money for purchase came from community account because purchased with credit card in Wife's name and has cancelled check to show payment of credit card.
5. Horse	\$10,000.00; Dispute as to value. Husband claims Wife has insurance proceeds for horse which died.	\$-0-. Dispute as to value. Wife maintains horse was not insured.
6. Christmas decorations	\$350.00; Dispute as to value. Husband claims this is cost to replace decorations which are in Wife's possession.	\$-0-. Dispute as to value and possession. Wife maintains decorations were split as she left box for Husband on XX/XX/XX. Any other decorations in her possession are her separate property as they were decorations given to her as gifts.
7. Kitchen table	\$500.00; Dispute classification,	\$-0-. Disputes classification

	possession and value. Table was given to Husband by his grandmother therefore his separate property. Table should be returned by Wife to Husband. Value is based upon opinion of antique dealer.	and value. Table given to parties during the marriage by Husband's grandmother for whole family to use. Table has no value.
8. Oriental rug (dining room)	\$150.00. Disputes classification and value. Gift given by Wife's brother, Bob, during the marriage. Value based upon condition and cost of similar rug, discounted for condition.	\$-0-. Disputes classification and value. Rug belongs to Wife's brother, Bob. Dispute value because carpet is worn out.
9. Various DVDs and VCR tapes	\$-0-. Parties have reached agreement to split these items.	\$-0-. Parties have reached agreement to split these items.
10. \$15,000.00 account at Metairie Bank	\$15,000.00. Wife had account in her possession and this is balance per last bank statement. [See accounting claim below.]	\$15,000.00. Wife used \$10,000.00 to pay community obligations. Only \$5,000.00 remaining.

II. COMMUNITY DEBTS AND OBLIGATIONS

Description	Husband's Value and Position (<i>Traversal or Concurrence</i>)	Wife's Value and Position (<i>Traversal or Concurrence</i>)
1. Regions Bank checking account; Acct. #XXX-1234	\$2,000.00; Account in Husband's possession. Used to pay community debts post-termination. See reimbursement claim below.	\$2,000.00; Account in Husband's possession. See discussion below in Reimbursement Section.
2. MNBA (MasterCard), Acct. #XXX-1234	\$6,319.36; Account in Husband's possession. Community debts.	\$6,319.36. Wife claims \$3,155.75 is Husband's separate debt incurred post-termination. The remainder is community debt.
3. Whitney National Bank, Acct. #XXX-1234 (1 st mortgage on family home)	\$124,987.64 per statement dated XX/XX/XX.	\$124,987.64.
4. Capital One Bank, Acct. #XXX-1234 (2 nd mortgage on family home)	\$61,837.08. No dispute as to amount.	\$61,837.08. No dispute as to amount.
5. Henry Smith (loan)	\$15,950.00; Dispute as to classification and amount. Loan made during community therefore presumed community debt. Obligor has made no payments on loan.	\$-0-; Dispute as to classification and amount. Loan from Husband's best friend. No benefit to the community or to her.

III. REIMBURSEMENT CLAIMS

A. REIMBURSEMENT CLAIMS OF HUSBAND

Nature of Claim	Husband's Value and Position (<i>Traversal or Concurrence</i>)	Wife's Value and Position (<i>Traversal or Concurrence</i>)
1. Repairs made by Husband to family home which is Wife's separate property	\$10,000.00; Husband made repairs to family which is Wife's separate rental property during the marriage. This is uncompensated community labor of the Husband.	\$-0-. Work done by Husband did not increase value of property.

	Appraisal shows value of Husband's work.	
2. Repairs made by Wife to family home after Petition for Divorce filed and before Husband given use and occupancy	\$-0-; Wife used money from community account for alleged repairs. Husband denies the Wife made actual repairs to the home.	\$3,500.00; Wife has receipts for items purchased and workers who repaired family home.
3. Proceeds from sale of home in Oklahoma Husband owned prior to marriage used as down payment on family home	\$5,000.00; Husband has Act of Cash Sale showing he bought house prior to marriage, HUD statement showing amount received from sale of the Oklahoma property, and HUD statement showing amount of down payment for purchase of family home	\$-0-; Money received from sale of Oklahoma property not used for down payment for purchase of family home. Funds comingled with community funds for 2 years.

B. REIMBURSEMENT CLAIMS OF WIFE

Nature of Claim	Husband's Value and Position (Traversal or Concurrence)	Wife's Value and Position (Traversal or Concurrence)
1. Payments made during the community on Husband's separate rental property	\$-0-; The rentals payments were in the same amount as the note on the home so there is no difference is owed.	\$17,000.00; Payments made from community account from 06/01/2001 to 07/01/2008 (\$400.00 per month x 85 months = \$34,000.00)
2. Victoria Secret Purchases	\$-0-; Gifts given to Wife during marriage.	\$250.00; Purchases were not gifts to Wife and therefore there was no benefit to the community.

IV. CLAIMS FOR CONTRIBUTION TO EDUCATION/TRAINING

Description of Item	Husband's Value and Position (Traversal or Concurrence)	Wife's Value and Position (Traversal or Concurrence)
1. Payment of Husband's Chiropractic Training	\$-0-; Husband worked as chiropractor during marriage so community benefitted for his educational training.	\$25,000.00; Husband graduated from chiropractic school 08/15/2008. Began worked as chiropractor 08/20/2008. Petition for Divorce filed 01/05/2009 so community only benefitted from 08/20/2008 to 01/04/2009.
2. Payment for Wife's Registered Nurse Training	\$1,500.00; Wife received training paid for during the marriage.	\$-0-; Training was part of continuing obligation to receive training for registered nurses and was necessary for her continued employment as registered nurse.

V. ACCOUNTING CLAIMS

Description of Item	Husband's Value and Position (Traversal or Concurrence)	Wife's Value and Position (Traversal or Concurrence)
\$10,000.00	Amount to which Wife concedes she had in her possession at termination of community. She claims she	Money used to pay community debts such as credit cards per credit card statements.

	spent this amount on community debts but insufficient proof provided to Husband.	
--	---	--

Signed by Petitioner

SWORN TO AND SUBSCRIBED BEFORE ME, Notary Public, on this ____ day of _____, 20____ at _____, LA.

Notary Public

Signed by Defendant

SWORN TO AND SUBSCRIBED BEFORE ME, Notary Public, on this ____ day of _____, 20____ at _____, LA.

Notary Public

UNCONTESTED MOTION TO CONTINUE

FORM M

Petitioner
versus

Defendant

DOCKET NUMBER: _____

PARISH OF _____

This matter comes before the court on Motion to Continue filed by:

Plaintiff/Mover

Attorney for Plaintiff/Mover

Defendant/Respondent

Attorney for Defendant/Respondent

CHECK ONE

- ☐ The following parties join in this Motion to Continue: _____
- OR
- ☐ The following parties have been contacted and inform Mover they have no opposition to this Motion to Continue: _____

The following matters are set for hearing and require a continuance:

CHECK ALL THAT APPLY

Type of Hearing Set	Current Date Set
<input type="checkbox"/> Motion	____/____/20____ a.m./p.m.
<input type="checkbox"/> Temporary Custody Hearing	____/____/20____ a.m./p.m.
<input type="checkbox"/> Hearing Officer Conference	____/____/20____ a.m./p.m.
<input type="checkbox"/> Rule Date	____/____/20____ a.m./p.m.
<input type="checkbox"/> Special Setting Date/Trial Docket	____/____/20____ a.m./p.m.
<input type="checkbox"/> Scheduling Conference	____/____/20____ a.m./p.m.
<input type="checkbox"/> Other (Please specify _____)	____/____/20____ a.m./p.m.

Mover/s request that the matters listed above be continued based upon the following:

CHECK ONE

- ☐ Mover has been unable, with the exercise of due diligence, to obtain evidence material to their case, La. C.C.P. Art. 1602.
- ☐ A material witness has absented himself without the contrivance of the party applying for the continuance, La. C.C.P. Art. 1602
- ☐ Good grounds exist under La. C.C.P. Art. 1601.

The specific reason for the continuance is as follows:

The matter requested to be continued was originally filed on ____/____/20____.

The matter requested to be continued has been previously continued ____ times, by the following parties:

	Number of Continuances Granted
<input type="checkbox"/> Mover	_____
<input type="checkbox"/> Joint Motion of All Parties	_____
<input type="checkbox"/> Opposing party	_____
<input type="checkbox"/> By the Court/Hearing Officer	_____

Are temporary orders in effect?

- ☐ Yes (Briefly List) _____
- ☐ No

Do all parties consent to the current temporary orders being continued until the new assigned court date?

- ☐ Yes ☐ No, Reason _____

CHECK ALL THAT APPLY

- ☐The proposed new Hearing Officer date is ____/____/20____. The new Hearing Officer Conference date has been approved by the Hearing Officer Coordinator and approved by all parties.
- ☐The proposed new hearing date before the Judge is ____/____/20____. The proposed new date has been assigned by the Judge’s Minute Clerk (or the Division K Judge, if the matter is a special setting in that Division) all according to the 22nd JDC Family Court Rules, and has been approved by all parties.
- ☐Request to continue without date is made, based upon the following extraordinary circumstances:_____

By the filing of this motion, the parties acknowledge notice of Rule 28.2(A)(1), requiring all parties and attorneys to be present for the assigned Court/Hearing Officer date unless the order continuing the case has been SIGNED by the Division Judge.

If a matter set for hearing is a request for temporary custody or another matter with time limits set by law for hearing, the delay for setting the hearing of the matter is specifically waived.

CERTIFICATION OF MOVER’S ATTORNEY	
As attorney of record I certify that the representations made herein are true and correct to the best of my knowledge, and my client has knowledge of the filing of this motion and of the reasons for the requested continuance, and I acknowledge that upon receipt of a filed copy from the Clerk’s office, a copy will be forwarded to my client as per the 22 nd JDC Family Court Rules.	
Dated ____/____/20____	Attorney for Mover

	(Sign and print name)

	(Address)

	(Telephone/Bar Roll No.)

CERTIFICATION OF SELF REPRESENTED LITIGANT	
I hereby certify that all statements made herein are true and correct to the best of my knowledge.	
Dated ____/____/20____	Self Represented Litigant

	(Sign and print name)

	(Address/Telephone No.)

ORDER

CONSIDERING THE ABOVE AND FOREGOING MOTION,

IT IS HEREBY ORDERED THAT:

☐The Hearing Officer conference presently set herein for ____/____/20____ is continued until ____/____/20____, at ____ a.m./p.m.

☐The hearing before the Court presently set on ____/____/20____ is continued until ____/____/20____, at ____ a.m./p.m.

☐The Motion to Continue is denied.

☐A scheduling conference is set before the Judge on ____/____/20____, at ____ a.m./p.m.

☐The Motion to Continue is set for hearing before the Court on ____/____/20____, at ____ a.m./p.m.

SIGNED in Open Court/ Chambers in _____, LA the ____ day of _____, 20____.

JUDGE, DIVISION _____

CONTESTED MOTION TO CONTINUE

FORM N

Petitioner
versus

Defendant

DOCKET NUMBER: _____

PARISH OF _____

This matter comes before the court on Motion to Continue filed by:

Mover

Attorney for Mover

The party contesting/not responding (*Circle one*) to the requested continuance:

Opposing party

Attorney for Opposing party

The following matters are set for hearing and require a continuance:

CHECK ALL THAT APPLY

Current Date Set

- | | | |
|--|------------------|----------------|
| <input type="checkbox"/> Motion | ____/____/20____ | ____ a.m./p.m. |
| <input type="checkbox"/> Temporary Custody Hearing | ____/____/20____ | ____ a.m./p.m. |
| <input type="checkbox"/> Hearing Officer Conference | ____/____/20____ | ____ a.m./p.m. |
| <input type="checkbox"/> Rule Date | ____/____/20____ | ____ a.m./p.m. |
| <input type="checkbox"/> Special Setting Date/Trial Docket | ____/____/20____ | ____ a.m./p.m. |
| <input type="checkbox"/> Scheduling Conference | ____/____/20____ | ____ a.m./p.m. |
| <input type="checkbox"/> Other (Please specify _____) | ____/____/20____ | ____ a.m./p.m. |

Please describe the matters set for hearing requiring a continuance:

Mover requests that the matters listed above be continued based upon the following:

CHECK ALL THAT APPLY

- ☐ Mover has been unable, with the exercise of due diligence, to obtain evidence material to their case, La. C.C.P. Art. 1602.
- ☐ A material witness has absented himself without the contrivance of the party applying for the continuance, La. C.C.P. Art. 1602
- ☐ Good grounds exist under La. C.C.P. Art. 1601.

The specific reason for the continuance is as follows:

The matter requested to be continued was originally filed on ____/____/20____.

The matter requested to be continued has been previously continued ____ times, by the following parties:

- | | Number of Continuances Granted |
|---|--------------------------------|
| <input type="checkbox"/> Mover | _____ |
| <input type="checkbox"/> Opposing party | _____ |
| <input type="checkbox"/> Joint Motion of All Parties | _____ |
| <input type="checkbox"/> By the Court/Hearing Officer | _____ |

Are temporary orders in effect?

- ☐ Yes (Briefly List) _____
- _____
- ☐ No

Do all parties consent to the current temporary orders being continued until the new assigned court date?

☐ Yes ☐ No, Reason _____

☐ Request to continue without date is made, based upon the following extraordinary circumstances: _____

By the filing of this motion, the parties acknowledge notice of Rule 28.2(A)(1), requiring all parties and attorneys to be present for the assigned Court/Hearing Officer date unless the order continuing the case has been SIGNED by the Division Judge.

If a matter set for hearing is a request for temporary custody or another matter with time limits set by law for hearing, the delay for setting the hearing of the matter is specifically waived.

<u>CERTIFICATION OF MOVER’S ATTORNEY</u>	
As attorney of record I certify that the representations made herein are true and correct to the best of my knowledge, and my client has knowledge of the filing of this motion and of the reasons for the requested continuance, and I acknowledge that upon receipt of a filed copy from the Clerk’s office, a copy will be forwarded to my client as per the 22 nd JDC Family Court Rules.	
Dated ____/____/20____	Attorney for Mover

	(Sign and print name)

	(Address)

	(Telephone/Bar Roll No.)

<u>OR</u>	
<u>CERTIFICATION OF SELF REPRESENTED LITIGANT</u>	
I hereby certify that all statements made herein are true and correct to the best of my knowledge.	
Dated ____/____/20____	Self Represented Litigant

	(Sign and print name)

	(Address/Telephone No.)

ORDER

**CONSIDERING THE ABOVE AND FOREGOING MOTION,
IT IS HEREBY ORDERED THAT:**

☐ A status conference is set before the Judge on ____/____/20____, ____ a.m./p.m.

☐ The Motion to Continue is set for hearing before the Court on ____/____/20____, ____ a.m./p.m.

☐ The Motion to Continue is hereby *granted* and

☐ The hearing is continued to ____/____/20____, at ____ a.m./p.m.

☐ The matter is set for a status/scheduling conference on ____/____/20____, at ____ a.m./p.m.

☐ The Motion to Continue is hereby *denied*.

SIGNED in Open Court/ Chambers in _____, LA the ____ day of _____, 20____.

JUDGE, DIVISION _____

VERSUS # _____, DIVISION “_”

JUDICIAL DISTRICT COURT
PARISH OF _____
STATE OF LOUISIANA

FILED: _____

DEPUTY CLERK

ORDER TO PREPARE JUDGMENT/ORDERS

Pursuant to the Judgment/Order rendered by the Court on this date in this matter,

IT IS HEREBY ORDERED that _____ is to prepare and submit to the Court the following within _____ days hereof:

- ☐ Judgment
- ☐ Joint Custody Implementation Plan
- ☐ Order
- ☐ Other _____

IT IS FURTHER ORDERED that said Judgment/Order/Plan shall be submitted/filed as follows:

- ☐ Filed with the Clerk of Court by the _____ day of _____, 20__.

IT IS FURTHER ORDERED that all Judgments/Orders/Plans, with the exception of default judgments, shall contain the certificate required by Rule 9.5 of the State of Louisiana Rules for District Courts, and if there is opposition to the wording of the Judgment/Order/Plan, the reasons for the opposition shall be in writing and the objecting party is to attach a certified copy of the transcript of the ruling or stipulation at issue. The costs of ordering and filing of the transcript are to be paid by:

- ☐ The objecting party
- ☐ Shared equally by the parties

IT IS FURTHER ORDERED that all Judgments and Orders shall include the following:

1. The date and place the Judgment/Order is rendered (City, State, Open Court/ Chambers).
2. The date and place the Judgment/Order is read and signed (City, State, Open Court/ Chambers) with a space for the date to be filled in by the Judge.
3. The typewritten name of the Judge who rendered the Judgment/Order.
4. The page of the Judgment/Order containing the Judge’s signature line must reflect the docket number and title of the pleading.

IT IS FURTHER ORDERED that all Consent Judgments shall be signed by all parties, and if represented, by their respective attorneys, unless the parties appeared in Open Court and stipulated to same under oath.

IT IS FURTHER ORDERED that, in the event the Judgment/Order/Plan has not been submitted and/or filed as indicated above by the due date, all parties and their respective attorneys, shall appear on the _____ day of _____, 20__, at ____ o’clock __.m. to show cause why they should not be held in contempt of court and why appropriate sanctions should not be imposed.

NOTICE is hereby given to parties and attorneys that failure to appear on the date assigned may result in a finding of contempt of court and is punishable in accordance with La. R.S. 13:4611. Penalties may be assessed against any attorney who fails to cooperate in, or causes unnecessary delay in having a judgment signed as required herein.

Signed in Open Court/Chambers in _____, Louisiana, this _____ day of _____, 20__.

(Judge or Hearing Officer’s typed name)

By my signature below, I acknowledge that I have received a copy of this Order, that I am fully aware of the deadlines and hearing date set forth herein, and I waive further notice of the hearing.

Petitioner

Attorney for Petitioner

Telephone Number _____

Defendant

Attorney for Defendant

Telephone Number _____

Versus

DOCKET NO. _____ DIV. _____

22nd JUDICIAL DISTRICT COURT

STATE OF LOUISIANA

PARISH OF _____

PARTITION
CASE MANAGEMENT SCHEDULE

BY ORDER OF THIS COURT, the following Case Management Schedule shall control this case. No variance of this Order is allowed without written approval of this Court.

- A. ☐ The Trial of this matter is hereby set for _____ to begin at _____ o'clock ____m.
- B. ☐ A Pre-Trial Conference is hereby set for _____ at _____ o'clock ____m. Trial counsel and all self represented litigants shall attend the Pre-Trial Conference and be _____ prepared to discuss settlement and have client authorization for settlement.
- C. ☐ A Hearing Officer Conference is hereby set for _____ at _____ o'clock ____m. with the Hearing Officer/Staff Attorney: _____. The Hearing Officer shall make a recommendation to the presiding Judge regarding whether the case is ready for trial or whether an expert should be appointed by the Court.
- D. ☐ A Telephone Status Conference is hereby set for _____ at _____ o'clock ____m. with the following Hearing Officer: _____. The Hearing Officer shall make a recommendation to the presiding Judge whether the case is in sufficient posture that the parties will be ready by the trial date or whether the court should considering continuing the case.
- E. ☐ The following deadlines are hereby set for this case:

1. Discovery cutoff is set for 60 days prior to the pre-trial conference. All motions to compel, motions *in limine*, protective orders and other substantive orders must be filed no later than 20 days after the discovery cutoff date.

2. If independent expert witness testimony is required:

a. Plaintiff expert identified and report provided to defendant by 15 days before the Hearing Officer Conference.

b. Defendant expert identified and report provided to plaintiff by 15 days before the Hearing Officer Conference.

c. If taking the deposition of plaintiff's expert, it must be conducted at least 5 working days before the Hearing Officer Conference.

d. If taking the deposition of defendant's expert, it must be conducted at least 5 working days before the Hearing Officer Conference.

3. If the court has appointed an expert witness or the parties have agreed and the court has appointed a special master, all provisions of the order

appointing the court's expert or special master must be followed. Any party desiring to depose the court's expert shall do so no later than 14 days before the trial date.

4. Parties shall exchange pre-trial inserts no later than 15 days before the Hearing Officer Conference.
5. The parties shall prepare indexed and labeled Bench Books of Exhibits which shall be reciprocally exchanged by the parties 5 working days prior to the Hearing Officer Conference.
6. The parties shall provide the presiding Judge with an indexed and labeled Bench Book of Exhibits on the day of the Pre-Trial Conference.
7. The Pre-Trial Order shall be prepared, signed by all parties and their counsel of record, and filed with the Clerk of Court and simultaneously provided to the presiding Judge on the day of the Hearing Officer Conference.

Signature: _____
 Name: _____
 Attorney for: _____

Signature: _____
 Name: _____
 Attorney for: _____

Address: _____
 Phone: _____
 Fax: _____
 E-Mail: _____

Address: _____
 Phone: _____
 Fax: _____
 E-Mail: _____

The foregoing Case Management Schedule is adopted as an Order of this Court on this _____ day of _____, 20____.

 Judge

Versus

DOCKET NO. _____DIV. _____

22nd JUDICIAL DISTRICT COURT

STATE OF LOUISIANA

PARISH OF _____

SPECIAL SETTING / CUSTODY
CASE MANAGEMENT SCHEDULE

BY ORDER OF THIS COURT, the following Case Management Schedule shall control this case. No variance of this Order is allowed without written approval of this Court.

- A.

☐ The Trial of this matter is hereby set for _____ to begin at _____ o'clock _____.m.
- B.

☐ A Pre-Trial Conference is hereby set for _____ at _____ o'clock _____.m. Trial counsel and all self represented litigants shall attend the Pre-Trial Conference and be prepared to discuss settlement and have client authorization for settlement.
- C.

☐ A Hearing Officer Conference is hereby set for _____ at _____ o'clock _____.m. with the following Hearing Officer: _____ . The Hearing Officer shall make a recommendation to the presiding Judge regarding whether the case is ready for trial or whether an expert should be appointed by the Court.
- D.

☐ A Telephone Status Conference is hereby set for _____ at _____ o'clock _____.m. with the following Hearing Officer: _____ . The Hearing Officer shall make a recommendation to the presiding Judge whether the case is in sufficient posture that the parties will be ready by the trial date or whether the court should considering continuing the case.
- E.

☐ The following deadlines are hereby set for this case:

1.

All discovery shall be completed at least 75 days prior to Trial.

2.

The parties shall exchange lists of witnesses, including experts, impeachment and rebuttal witnesses, and all documents and reports at least 45 days prior to Trial.

3.

All motions shall be filed at least 40 days prior to Trial.

4.

Depositions of non-expert witnesses shall be completed at least 30 days prior to Trial.

5.

The parties shall exchange a Bench Book of Exhibits on the day of the Hearing Officer Conference.

6.

Depositions of all experts shall be completed at least 20 days prior to Trial.

Signature: _____
Name: _____
Attorney for: _____

Address: _____

Phone: _____
Fax: _____
E-Mail: _____

Signature: _____
Name: _____
Attorney for: _____

Address: _____

Phone: _____
Fax: _____
E-Mail: _____

The foregoing Case Management Schedule is adopted as an Order of this Court on this _____ day of _____, 20____.

Judge