

# RULES FOR LOUISIANA DISTRICT COURTS

## TITLES I, II, and III

### Twenty-Fourth Judicial District Court

#### Parish of Jefferson

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

**Appendix** 2.0                      R.S. 1:55(E) and 1:55(B)(3)

**Rule No:** 2.0

Local Holidays in Addition to  
Legal Holidays  
Listed in La. R.S. 1:55  
See 2004 Amendment to La.  
R.S. 1:55(E)(1)(b) which, by  
reference to La. R.S.  
1:55(B)(1)(a), adds Mardi Gras  
Day and General Election Day  
as legal holidays.

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

**Appendix** 3.1                      Division "A" Fax number 365-3347

**Rule No:** 3.1                      Division "B" Fax number 364-3909

Divisions or Sections of Court                      Division "C" Fax number 365-3383

Division "D" Fax number 364-3418

Division "E" Fax number 364-3873

Division "F" Fax number 365-3307

Division "G" Fax number 365-3395

Division "H" Fax number 364-2666

Division "I" Fax number 365-3392

Division "J" Fax number 364-3914

Division "K" Fax number 364-3480

Division "L" Fax number 364-3928

Division "M" Fax number 227-1247

Division "N" Fax number 364-3455

**Appendix** 3.2

**MAGISTRATE**

**Rule No:** 3.2

Duty Judges

1. Magistrate duty hours are from 9:00 a.m. until 4:00 p.m. with lunch from 12:00 p.m. until 1:30 p.m. Phone calls regarding magistrate duty will be accepted from 9:00 a.m. until 10:00 p.m.

2. When the District Judge to whom a case has been allotted is truly unavailable, matters which must be taken up without delay will be presented to the District Judge designated by the absent Judge. If no District Judge has been designated, then first to the Magistrate Judge for the week, thereafter to any Judge whose court is on the same floor as the original Judge, then to any Judge. Except in extraordinary circumstances, "truly unavailable" means out of the courthouse. Neither records nor documents presented for signature to the magistrate or any Judge to whom the case was not allotted may be left in such division for signature. Such documents must be immediately signed and thereafter returned to the allotted division or clerk. If immediate signature is not possible, the documents or record must be returned to the allotted division or to the clerk.

Where an emergency filing is necessary (and allotment is not feasible), it shall be the duty of the Magistrate to act upon these emergency filings occurring after 4:00 p.m. and on the Judicial Holidays.

**Appendix** 3.4

**Rule No:** 3.4

Court-Specific Rules  
Concerning Judges’ Use of  
Electronic Signatures

**Chapter:** 4

**Chapter Title:** Court Personnel

**Appendix** 4.1

**Rule No:** 4.1

Judicial Administrators and  
Clerks of Court

Michael O’Brien                      www.24jdc.us  
Court Administrator  
24th Judicial District Court  
Donelon Building, Suite 2100  
200 Derbigny Street  
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Hon. Jon A. Gegenheimer              www.jpclerkofcourt.us  
Clerk of Court  
Parish of Jefferson  
P.O. Box 10  
Gretna, LA 70054-0010  
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**Chapter:** 5

**Chapter Title:** Courtroom Use, Accessibility and Security

**Appendix** 5.1A

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

**Rule No:** 5.1

Americans with Disabilities  
Form

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**Appendix** 5.1B

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

**Rule No:** 5.1

Request for Interpreter and  
Order

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**Appendix** 5.1C

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

**Rule No:** 5.1

Interpreters Oath

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**Chapter:** 8

**Chapter Title:** Indigents and In Forma Pauperis

**Appendix** 8.0

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX8.0.PDF>

**Rule No:** 8.0

In Forma Pauperis Affidavit

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**Chapter:** 9

**Chapter Title:** Procedure

**Appendix** 9.3

ALLOTMENT; DISABILITY OF JUDGE; TRANSFER; RECUSATION; CONSOLIDATION

**Rule No:** 9.3

Allotments: Signing of  
Pleadings in Allotted and Non-  
Allotted Cases

Section 1. All causes entered upon the five dockets shall be allotted by class upon filing in accordance with the following schedule:

CLASS I. Paternity suits, divorce, separation, annulment, partition of community property, adoption, and all rules relative to spousal support, child support, custody and all matters related to or incidental to domestic or family matters.

CLASS II. Expropriation, injunctions and habeas corpus matters (writ docket).

CLASS III. Damage suits, torts, and contracts (damage docket).

CLASS IV. Workmen's compensation suits.

CLASS V. Concurus proceedings, successions, tutorships, suits for change of name, commitments, interdictions, executory process, petitions for garnishments, petitions for making judgments executory, sequestrations, money demands, open accounts, suits to quiet title, notes, and suits for past due wages (miscellaneous docket).

Section 2. No cause shall be allotted which has not been regularly filed and docketed.

Section 3. Before allotment, any Judge of the Court may, as permitted by and in accordance with the provisions herein: render preliminary and interlocutory orders, grant conservatory writs and issue executor process in any case, without, however, preventing the regular allotment thereof; and before allotment, may, in his or her discretion and upon proper showing, grant an order for extension of time in which to plead. After allotment, any Judge of the Court may, where permitted by and in accordance with General Rule 8 of these rules and where permitted by law, render all such orders as are allowable "ex parte."

Section 8. Dismissal and Refiling of Suits to Avoid a Particular Judge.

#### DISCIPLINARY ACTION

There exists a presumption that any attorney who files, dismisses and refiles a suit within thirty (30) days is doing so for the express purpose of avoiding a particular judge. When a suit is refiled within this time period, it is to be reallocated to the original division and the second filing fee forfeited. This presumption may only be overcome by a showing made by the attorney that the dismissal and refiling of said suit was not an attempt on his/her part to avoid a particular judge.

#### MOTIONS TO SET; TRIAL DOCKETS

Section 1. All cases that have been allotted and all proceedings in connection therewith may, at the discretion of the Division Judge, be set for trial upon written motion filed by the counsel seeking such trial. In this instance, the motion to set shall be accompanied by a certificate that all parties have answered or preliminary defaults have been taken against them, including third party defendants, all depositions and discovery have been completed and all medical treatments to date are complete and that all exceptions and preliminary matters have been disposed of, and the matter is ready for a pre trial conference or to be set for trial.

A status conference for the purpose of selecting a trial date appropriately in the future, as well as cut off dates for witness lists, expert reports, and discovery. At this status conference a date for a pre-trial conference to occur shortly before trial may also be selected. The dates selected will be reduced to a scheduling order signed by the parties and the court.

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**Appendix** 9.4  
**Rule No:** 9.4

All pleadings filed with Clerk; required copy to Judge of Motions and Exceptions, Memorandum in Support and/or Opposition Thereof.

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

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**Appendix** 9.6 [http://www.lasc.org/rules/supreme/Louisiana\\_Civil\\_Case\\_Reporting\\_Form.pdf](http://www.lasc.org/rules/supreme/Louisiana_Civil_Case_Reporting_Form.pdf)

**Rule No:** 9.6

Civil Case Cover Sheet Form

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**Appendix** 9.12A <http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX9.12A.pdf>

**Rule No:** 9.12

Notice of Limited Appearance - Family Law Cases

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**Appendix** 9.12B

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX9.12B.pdf>

**Rule No:** 9.12

Notice of Limited Appearance -  
Non-Family Law Cases

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**Appendix** 9.14

#### CIVIL MOTIONS TO SET; TRIAL DOCKETS

**Rule No:** 9.14

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

All cases that have been allotted and all proceedings in connection therewith may, at the discretion of the Division Judge, be set for trial upon written motion filed by the counsel seeking such trial. In this instance, the motion to set shall be accompanied by a certificate that all parties have answered or preliminary defaults have been taken against them, including third-party defendants, all depositions and discovery have been completed, all exceptions and preliminary matters have been disposed of, and the matter is ready for a pre trial conference or to be set for trial.

Alternatively, after the completion of a sufficient amount of discovery that allows the lawyers/parties to reasonably anticipate the length of the trial, any party may seek a status conference for the purpose of selecting a trial date appropriately in the future, as well as cut off dates for witness lists, expert reports, and discovery. At this status conference a date for a pre-trial conference to occur shortly before trial may also be selected. The dates selected will be reduced to a scheduling order signed by the parties and the court.

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**Chapter:** 14

**Chapter Title:** Allotment of Cases

**Appendix** 14.0A

Allotted by Clerk by random drawing.

**Rule No:** 14.0

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

#### CLASSIFICATION OF CRIMINAL FILINGS

Criminal Cases. Criminal cases are those in which a bill of information or indictment has been filed. Criminal cases shall be divided into four (4) classes designated as follows:

Class I. All felonies that are punishable by death.

Class II. All felonies that are necessarily punishable by hard labor.

Class III. All felonies that are not necessarily punishable at hard labor.

Class IV. All misdemeanor cases and appeals from parish and city courts (Trial De Novo).

Class V. Preliminary Motions all preliminary motions filed prior to the filing of bills of information and/or indictments which must be heard without delay (i.e. motions for preliminary hearings, motions to suppress, writs of habeas corpus, motions for bond reduction, motions for appointment of a sanity commission, motions to leave jurisdiction) and all applications for post conviction relief.

#### ALLOTMENT OF CRIMINAL FILINGS

1. A representative of the Clerk of Court shall be present for every allotment. Each filing shall be classified by the District Attorney and then allotted by random drawing. Whenever there are multiple filings, an accused is allotted to one division of court for all dispositions regarding

charges of the same or lower class with the exception of Class I cases.

2. All true bills and/or bills of information dismissed or quashed and subsequently refiled shall be assigned to the division of original allotment. The foregoing shall be applicable only if the aforementioned refiled are of the same offense and same or lower class. In the instance of being of a higher class, such filing would be placed in the daily allotment and the division losing such filing will be assigned the next filing by the District Attorney of equal class to balance such loss.

3. When multiple bills of information and/or indictments of Class I filings are dismissed, subsequently refiled and consolidated, such filings shall be assigned to the division that relinquished any Class I filing. In this instance, the division that relinquished any Class I filing shall receive the next Class I filing filed by the District Attorney to balance such loss. The foregoing shall be applicable only if the aforementioned refiled are of the same offense.

#### TRANSFER OF CRIMINAL CASES

1. Class I is the highest class of case. When multiple bills of information or indictments are allotted to more than one division of court on the same defendant, a transfer order shall be entered ordering all cases to be transferred to the division with the highest Class case. Where there are two divisions with the same Class case on the same defendant, all the cases will be transferred to the division with the earliest allotment date. If there are multiple defendants in a case to be transferred, the Judges in both divisions must confer and concur in the transfer. If the Judges cannot reach an agreement, the issue of transfer shall go to the Chief Judge, who shall decide. Transfers may be initiated upon a motion by the prosecution, upon a motion by the defendant or defendants, or upon the Court's own motion. The division losing such filings through transfer will be assigned the next filing by the District Attorney of equal class to offset such loss.

2. Cases on any of the criminal dockets may be transferred as often as necessary for the proper expedition of the business of the Court from one division of court to another.

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**Appendix** 14.0B

**Rule No:** 14.0

See Appendix 14.0A.

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

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**Appendix** 14.1

**Rule No:** 14.1

Multiple filings shall be allotted to one division for charges of the same or lower class with the exception of Class I. (See Appendix 14.0A for classifications)

Allotment - Defendant with  
More than One Felony Case

#### TRANSFER OF CRIMINAL CASES

1. Class I is the highest class of case. When multiple bills of information or indictments are allotted to more than one division of court on the same defendant, a transfer order shall be entered ordering all cases to be transferred to the division with the highest Class case. Where there are two divisions with the same Class case on the same defendant, all the cases will be transferred to the division with the earliest allotment date. If there are multiple defendants in a case to be transferred, the Judges in both divisions must confer and concur in the transfer. If the Judges cannot reach an agreement, the issue of transfer shall go to the Chief Judge, who shall decide. Transfers may be initiated upon a motion by the prosecution, upon a motion by the defendant or defendants, or upon the Court's own motion. The division losing such filings through transfer will be assigned the next filing by the District Attorney of equal class to offset

such loss.

2. Cases on any of the criminal dockets may be transferred as often as necessary for the proper expedition of the business of the Court from one division of court to another.

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

**Appendix** 15.0  
**Rule No:** 15.0                      The court may schedule pretrial or status conferences at arraignment or later on its own motion. Said conferences may be requested by counsel for either party by written or oral request to the court.

Assignment of Cases, Filing of Motions, Pre-Trial and Status Conferences

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**Appendix** 15.1                      I.D.B. appointed by order of court on case-by-case basis.  
**Rule No:** 15.1

Appointment of Counsel

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**Appendix** 15.2                      None.  
**Rule No:** 15.2

Alternative Method of Service on District Attorney

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**Appendix** 15.3  
**Rule No:** 15.3

Court-Specific Rules Concerning Simultaneous Appearance by a Party or Witness by Audio-Visual Transmission

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**Chapter:** 18                      **Chapter Title:** **Arraignment and Pleas**

**Appendix** 18.0                      <http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX18.0.PDF>

**Rule No:** 18.0

Waiver of Formal Arraignment

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**Chapter:** 19                      **Chapter Title:** **Simultaneous Peremptory Challenges**

**Appendix** 19.0                      CRIMINAL JURY TRIAL  
**Rule No:** 19.0

Simultaneous Peremptory Challenges                      After the examination of prospective jurors in accordance with the Louisiana Code of Criminal Procedure Article 786, the Court may tender a prospective juror as provided by Article 788. The challenge of prospective jurors by the parties shall take place in conformity with the Louisiana Code of Criminal Procedure Article 795 et seq.

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