

RULES FOR LOUISIANA DISTRICT COURTS

TITLES I, II, and III

Twenty-Eighth Judicial District Court

Parish of LaSalle

Chapter: 2

Chapter Title: Dates of Court

Appendix 1

Summer School for Judges/Louisiana State Bar Association Meeting;

Rule No: 2.0

May 1 Law Day; the first Monday and Tuesday in October Supreme Court opening.

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.

THE COURT WEEK

The court week begins on Monday. If Monday is a legal holiday, court will convene on the first non-holiday following said Monday. The "first week" of each month is defined as that week which begins on the first Monday of each month.

Chapter: 3

Chapter Title: Judges and Facsimile Transmissions to the Court

Appendix 2

Single judge district.

Rule No: 3.1

Divisions or Sections of Court

Appendix 3

Single judge district.

Rule No: 3.2 and 9.3

Duty Judges; Allotments;

Signing of Pleadings in

Allotted and Non-Allotted

Cases

Chapter: 4

Chapter Title: Court Personnel

Appendix 4

Rule No: 4.1

Judicial Administrators and
Clerks of Court

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Hon. Steve Andrews

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Chapter: 5 **Chapter Title:** Courtroom Use, Accessibility and Security

Appendix 5A <http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX5A.PDF>

Rule No: 5.1

Americans with Disabilities
Form

Appendix 5B <http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX5b.PDF>

Rule No: 5.2

Request for Interpreter and
Order

Appendix 5C <http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX5C.PDF>

Rule No: 5.1

Interpreters Oath

Chapter: 8 **Chapter Title:** Indigents and In Forma Pauperis

Appendix 6 <http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX6.PDF>

Rule No: 8.0

In Forma Pauperis Affidavit

Chapter: 9 **Chapter Title:** Procedure

Appendix 7 All pleadings must be filed with the Clerk of Court.

Rule No: 9.4

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

Appendix 8

Rule No: 9.14

Fixing for Trial or Hearing;
Scheduling Orders; Contact

In ordinary proceedings, only after answer has been filed by all defendants, shall a Motion to Fix for Trial be considered. The trial date shall be set only at a status conference at which all counsel or pro se litigants should attend. Prior to the time which any matter is scheduled, all attorneys participating in that matter shall be required to check upon service upon opposing parties and/or witnesses in such matter with the clerk of court and also the sheriff if there is no

with Jurors

return on service in the record of the subject matter.

Bench Trials.

(1) Bench trials shall be set for commencement on Tuesdays of the second, third or fourth weeks of each month, not to be in conflict with criminal jury terms. The selection of which particular week(s) in each month shall depend on the prior selection of Jury weeks.

(2) Bench trials shall be docketed in the order in which the motion requesting the setting is granted by the judge.

(3) In each week that bench trials are set, the entire week (beginning Tuesday) shall be reversed for the bench trials.

(4) Any bench trial that has not commenced prior to the end of the week shall be rescheduled for the next bench trial term as a preferential matter.

Jury Trials.

(1) Jury trials shall be set for commencement on Tuesday of the second or third weeks of each month except June.

(2) Jury trials shall be docketed in the order in which the initial status conference is conducted.

(3) No jury trial shall be commenced without the prior timely payment of costs in accordance with the Clerk's schedule therefor as ordered by the Court in each case.

(4) Any advanced costs spent in connection with the selection, notification, service and/or appearance of petit jurors in a case which may be continued shall be noted as costs and new advances will be required in accordance with the Clerk's schedule as ordered by the Court.

Chapter: 13

Chapter Title: Civil Litigation Filed by Inmates

Appendix 9

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

Rule No: 13.2

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

Appendix 10

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

Rule No: 13.2

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

Chapter: 14

Chapter Title: Allotment of Cases

Appendix 11

Single judge district.

Rule No: 14.0

(1) the prior criminal record (including arrest, indictments, or other charges of crime), or the character or reputation of the accused, except that the officer may make a factual statement of the accused's name, age, residence, occupation, and family status, and if the accused has not been apprehended, may release any information necessary to aid in apprehension or to warn the public of any dangers which may be present;

(2) the existence or contents of any confession, admission or statement given by the accused, or the refusal or failure of the accused to make any statement, except that the officer may announce without further comment that the accused denies the charges made;

(3) the performance of any examination or tests or the accused's refusal or failure to submit to an examination or test;

(4) the identity, testimony, or credibility of prospective witnesses, except that the officer may announce the identity of the victim if authorized and if the announcement is not otherwise prohibited by law;

(5) the possibility of a plea to the offense charged or a lesser offense; and

(6) any opinion as to the accused's guilt or innocence or as to the merits of the case or the evidence in the case.

(d) It shall be appropriate during this period for a law enforcement officer, if authorized by his superior:

(1) to announce the fact of arrest, as well as the time and place of arrest;

(2) to announce the identity of the investigating and arresting officer or agency and the length of the investigation;

(3) to disclose the nature, substance, or test of the charge including a brief description of the offense charged;

(4) to quote from, or refer without any comment to public records of the court in this case;

(5) to announce the scheduling of result or any stage in the judicial process; and

(6) to request assistance in obtaining evidence.

(e) The above and foregoing rules are applicable to and must be complied with by the following persons:

(1) all law enforcement officers;

(2) the personnel of this court;

(3) the clerk of this court and all personnel of his office;

(4) attorneys at law; and

(5) the district attorney, his assistants and personnel of his office.

At arraignment, each defendant or his then counsel of record, if any, shall receive a Criminal Scheduling Order which contains the deadlines for all filings as well as dates for hearings on motions and status conferences.

Prior to the time which any matter is scheduled, all attorneys participating in that matter shall be required to check upon service upon opposing parties and/or witnesses in such matter with the clerk of court and also the sheriff if there is no return on service in the record of the subject matter.

HABITUAL OFFENDER AND POST CONVICTION PROCEEDINGS

Bills of information filed pursuant to La. R.S. 15:529.1 and Post Conviction Relief Applications shall be assigned a new docket number.

ATTORNEY/BAIL HEARINGS

Any person entitled to a hearing pursuant to La. C.Cr.P. Art. 230.1 shall either be timely brought before the presiding judge for the purpose of fixing or amending bail and/or appointment of counsel in accordance with the provisions therein, or make appearance by telephone and/or audio/video electronic equipment, within the discretion of the presiding judge.

COSTS/FINES INCOME TAX OFFSETS

In accordance with the provisions of La. C.Cr.P. Art. 886, the enforcement of fines, restitution, and costs in criminal proceedings may also be accomplished through the use of the filing of offset claims against defendants pursuant to La. R.S. 47:299.1 et seq. Retroactive effect may be given to this rule as allowed by law and if the procedures therefore are followed.

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

Personal delivery of a copy to the District Attorney's Office in the Courthouse or delivery of a copy to the District Attorney's tray in the Office of the Clerk of Court.

Appendix 16
Rule No: 15.2
Appointment of Counsel

Appointment of Counsel

Defendants may be referred by the Court for evaluation by the intake officer of the 28th Judicial District indigent defender at any time after arrest and before the lapse of seven (7) days following arraignment.

Chapter: 18
Appendix 17
Rule No: 18.0
Waiver of Formal Arraignment

Chapter Title: Arraignment

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

Chapter: 19
Appendix 18
Rule No: 19.0
Simultaneous Peremptory
Challenges

Chapter Title: Simultaneous Peremptory Challenges

None.
