

# RULES FOR LOUISIANA DISTRICT COURTS

## TITLES I, II, and III

### Twenty-Ninth Judicial District Court

#### Parish of St. Charles

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

**Appendix** 1                      None.

**Rule No:** 2.0

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

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

**Appendix** 2                      Court divides into 3 divisions (C, D and E) for purposes of randomly allotting matters.

**Rule No:** 3.1

Divisions or Sections of Court

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**Appendix** 3                      Rotates monthly.

**Rule No:** 3.2 and 9.3

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

The Duty Judge shall:

1. Serve as the Committing Magistrate for all criminal matters, including the following responsibilities:

- a. All weekend and holiday emergencies.
- b. Fixing bail.
- c. Appointment of attorneys to represent indigent defendants.
- d. All other matters relating to persons in custody, except when the case has been allotted to another judge and that judge is available.
- e. Authorization of all search and arrest warrants.
- f. Authorization of expenditures from the Fines and Forfeitures and Criminal Courts funds.

2. Handle all civil matters not referable to the allotted judge, including:

- a. Default judgments, if the allotted judge is unavailable.
- b. Actions such as civil commitments, injunctions, habeas corpus or other summary proceedings in emergency cases when the judge to whom the matter is allotted cannot be located after diligent effort.

3. It shall be the responsibility of the duty judge to provide for his replacement during times

of his unavailability.

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**Chapter:** 4                      **Chapter Title:** Court Personnel

**Appendix** 4                      Jackie Cristina                      www.stcharlesparish-la.gov/29thjdc

**Rule No:** 4.1  
Judicial Administrators and  
Clerks of Court  
Court Administrator  
29th Judicial District Court  
P. O. Box 424  
Hahnville, LA 70057  
Telephone: (985) 783-3216  
Facsimile: (985) 783-3205  
E-Mail: jcristina@stcharlesgov.net

Hon. Charles J. Oubre, Jr.  
Clerk of Court  
Parish of St. Charles  
P. O. Box 424  
Hahnville, LA 70057  
Telephone: (985) 783-6632  
Facsimile: (985) 783-2005  
E-Mail: stcharlescoc@bellsouth.net

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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

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

**Rule No:** 5.2  
Request for Interpreter and  
Order

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

**Rule No:** 5.1  
Interpreters Oath

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**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

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**Chapter:** 9

**Chapter Title:** Procedure

**Appendix:** 7

None.

**Rule No:** 9.4

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

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**Appendix:** 8

**Rule No:** 9.14

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

At pre trial or scheduling conference or upon motion to set for trial in the event no pre trial or scheduling conference held.

#### JURY TRIALS

1. A juror may be excused from duty only by the judge of the division for which he has been summoned.
2. Neither prospective jurors nor jurors shall be contacted, either directly or through any member of the immediate family of any juror.
3. Absent an order of court, no juror shall be interviewed by anyone at any time concerning the deliberations of the jury.
4. A jury venire shall be drawn by the Clerk of Court and the jury commissioners 30 days before the date assigned for trial.

The cost of drawing the jury venire and subpoenaing the prospective jurors shall be assessed and paid as court costs, in the manner provided by law. If the party requesting jury trial is not cast for all of the court costs, he is entitled to a full (or proportionate) refund of the deposit required by this rule when the court costs are paid in full by the party cast.

5. In a civil case, a party requesting trial by jury shall deposit with the Clerk of Court the sum of \$2,000 cash, to be posted at least 30 days before trial. In the event that this deposit is fully depleted during the trial, the Clerk of Court shall notify the party requesting the jury of the remaining costs required, and said party shall promptly pay the same.

The request for a jury trial shall include the following order:

IT IS HEREBY ORDERED that this cause be tried by jury upon applicant's depositing into the registry of court the sum of \$2,000 cash, to be posted at least 30 days prior to trial.

Within one hour before the commencement of court on each day that the trial continues, the party requesting jury trial shall verify with the Clerk of Court that the amount of the cash deposit is sufficient to cover jury costs. If it is insufficient, an additional deposit must be made.

6. Every motion to set for trial shall include an estimate of the number of days required for trial. If the motion fails to state a number of days, the judge will assign an estimate of ten days. The cash deposit shall be computed accordingly.

7. No trial by jury shall commence until this rule is complied with. Failure to comply with this rule shall constitute a waiver of the request for jury trial and a consent to trial of the case before the judge alone.

The funds disbursed from the cash deposit for payment of jury costs shall be assessed as costs of court.

After payment of all jury costs, any unexpended amounts remaining in the cash deposit shall be refunded by the Clerk of Court to the party filing the cash deposit. If the party requesting jury trial is not cast for all of the court costs, he is entitled to a full (or proportionate) refund of the deposit after the court costs have been paid in full by the party cast.

When the funds are made available through the provisions of this rule, the Clerk of Court shall pay each juror the fees and costs to which he is entitled no later than upon completion of the trial.

8. The party requesting a trial by jury shall be responsible on a daily basis for all jury food expenses.

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**Chapter:** 13

**Chapter Title:** Civil Litigation Filed by Inmates

**Appendix** 9A

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX9a.PDF>

**Rule No:** 13.0

Petition for Judicial Review

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**Appendix** 9B

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX9b.PDF>

**Rule No:** 13.0

Pro Se Prisoner-Plaintiff's  
Portion of the Pre-Trial Order

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**Appendix** 9C

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX9c.PDF>

**Rule No:** 13.3

Application to Proceed In  
Forma Pauperis Filed in  
District Court

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**Appendix** 9D

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX9d.PDF>

**Rule No:** 13.3

Motion to Proceed In Forma  
Pauperis on Appeals/Writs

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**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

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**Chapter:** 14

**Chapter Title:** Allotment of Cases

**Appendix** 11

All cases (except homicides), felonies and misdemeanors shall be allotted to the judge serving as duty judge on the date of arrest.

**Rule No:** 14.0

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

When felony matters have been allotted, all subsequent indictments, charges and criminal cases arising out of the same transaction, occurrence, or series of transactions or occurrences shall be allotted to the same division.

All 1st and 2nd degree murder cases and all drug roundups shall be allotted to each division on a rotating basis.

#### TERMS OF COURT

A grand jury shall be empanelled in the first week of October and the first week in April of each year. The handling of the grand jury matters shall be rotated among the divisions of court.

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**Appendix** 12

All traffic cases and misdemeanors where the defendant is not arrested shall be allotted by adherence to a schedule prepared annually by an en banc order of the court and posted in the Office of the Clerk of Court.

**Rule No:** 14.0

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

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**Appendix** 13

Rule 14.1 is hereby adopted

**Rule No:** 14.1

Allotment - Defendant with More than One Felony Case

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**Chapter:** 15

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

**Appendix** 14

Set in open court upon application of state or defense.

**Rule No:** 15.0

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

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**Appendix** 15

Service accomplished by clerk of court placing copy of pleading in District Attorney's box in clerk's office.

**Rule No:** 15.1

Alternative Method of Service on District Attorney

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**Appendix** 16  
**Rule No:** 15.2  
Appointment of Counsel

1. Three (3) indigent defenders assigned to each division of court.
2. Judges appoint counsel at 72 hour hearing or at arraignment after testing of indigency.

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

**Chapter Title: Arraignment**  
<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX17.PDF>

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

**Chapter Title: Simultaneous Peremptory Challenges**  
Simultaneous peremptory challenges are allowed.

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