

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

TITLE IV

Thirty-Second Judicial District Court

Parish of Terrebonne

Chapter	32	DOMESTIC VIOLENCE PROTECTIVE ORDERS
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Rule	32.0	Forms, Notices and Orders Required
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32nd JDC	Rule 1, Section B	RULE 1. TERM OF COURT
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Section B: Civil Duty Judge: A Judge of the Civil Court shall be assigned primary responsibility for the entry of preliminary defaults, confirmation of defaults, probate of testaments, examination of judgment debtors, signing of orders in domestic abuse petitions, commitments under the Mental Health Law, and in general, to handle all routine matters not involving a contest between the parties, and in which no contest is indicated. Such Judge shall be known as the Civil Duty Judge, and he shall open Court at 9:00 o'clock A.M. daily unless he has made other arrangements and has so advised the Clerk of Court and all other Judges. The Judicial Administrator shall set up a rotation for the designated Civil Duty Judge which shall be from Monday until Friday at 4:30 P.M., and the Judicial Administrator shall furnish to the Clerk of Court the Duty Judge rotation schedule in order that all attorneys might be informed of the Section of Court handling uncontested matters.

Counsel shall not present to the Duty Judge any matter which is related to, bears upon, or affects a contested hearing already docketed in a case. Such additional matters must be presented to the Judge to whom it is assigned.

The Duty Judge shall maintain regular office hours between 8:30 A.M. and 4:30 P.M. It shall be the responsibility of the Duty Judge to provide for his replacement during times of his unavailability, and to inform the Clerk of Court the day before of his replacement in order that the Clerk of Court will know where to send attorneys seeking the Duty Judge.

LA R 32 DIST CT CIV Rule 1

Thirty-Second Judicial District Court Rule 1, Section B

Chapter	35	ALIMONY AND CHILD SUPPORT MATTERS ANCILLARY TO CIVIL DIVORCE PROCEEDINGS
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Rule	35.0	Use of Hearing Officers
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32nd JDC	Rule 14A	RULE 14A. NON SUPPORT HEARING OFFICER
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14A.1 Pursuant to LSA R.S. 46:236.5. This Court hereby implements an expedited process for the establishment, modification, and enforcement of support obligations by authorizing and directing a Hearing Officer appointed by a majority of the entire Court to hear support and support related matters.

14A.2 Pursuant to the authority of R.S. 46:236.5. in all Title IV-D cases presently pending and arising in the future, the Court shall assess an additional five (5%) percent to each support obligation, including existing arrearages and future arrearages as well as ongoing support payments, beginning March 1, 1998 in accordance with law.

Unless otherwise ordered by the Court the minutes of the Court shall reflect the amount made executory followed by the words "plus five (5%) thereof as a fee to fund the administration costs of the expedited

process.

14A.3 The Hearing Officer shall have authority to perform and shall perform any and all duties provided by LSA R.S. 46:236.5 as it presently exists or as it may be, from time to time supplemented and amended, unless limited by the Court.

14A.4 Motion and Contradictory Hearing

Any party may take exception to the Hearing Officer's findings of fact and move for a contradictory hearing before the Judge of the appropriate Division of the Court. A written opposition to the Hearing Officer's Recommendation to the Court shall be filed within three (3) days from the date of the hearing with the Clerk of the Non Support Division of the Family Docket.

Upon filing a "Motion for Contradictory Hearing" opposing the Hearing Officer's Recommendation, the Court shall schedule a contradictory hearing on the Court's next available date to be held before the Judge in the appropriate division. The Judge shall accept, reject, or modify in whole or part the finding of the Hearing Officer.

Except in extraordinary circumstances, if no exception to the Hearing Officer's Recommendation is filed within three (3) days 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 and shall be appealable to the appellate court.

14A.5 Docketing of Cases, Development of Forms.

The Terrebonne Parish District Attorney's Office, Non Support Division and the Louisiana Department of Social Services, Support Enforcement Services (SES) shall cause to be docketed, all non support cases, pertaining to the establishment, collection and enforcement of support orders. Such cases shall be heard by a Hearing Officer appointed by the Terrebonne Parish District Court to preside over non support hearings. The Terrebonne Parish District Attorney shall be the prosecuting officer in these cases and shall have a representative in Court when such cases are docketed.

The Hearing Officers are authorized to develop the necessary forms in order to effectuate the prompt and efficient movement of all such cases through Court, subject to Court approval.

14A.6 Use of Guidelines and Deviation from Guidelines.

The guidelines as set forth in R.S. 9:315, et seq., are to be used in any proceeding to establish or modify child support.

The Court may deviate from the guidelines if the application would not be in the best interest of the child or would be inequitable to the parties. The Court shall give specific oral or written reasons for the deviation, including a finding as to the amount of support that would have been required under a strict application of the guidelines.

14A.7 Rules and Motions

All Court proceedings must be initiated by written request either by formal motion or by formal rule. The written request must set forth in general terms the relief sought by the moving party or the category of hearing which is being requested (i.e., Reduction, Contempt, etc.), as well as the names of all relevant parties and the docket number of the case.

All rules and motions filed on behalf of the State of Louisiana, either through the Terrebonne Parish District Attorney's Office or Through Support Enforcement Services are the responsibilities of the Terrebonne Parish District Attorney, Non Support Division or Support Enforcement Services. The D.A. or legal representatives of Support Enforcement Services will represent the interest of the State at the hearings.

All rules and motions filed on behalf of the defendant/payor must be submitted in writing with an appropriate certificate of service on opposing counsel?

When rules are filed alleging contempt for failure to pay support as ordered, the Regional Support Enforcement Services Office shall procure a computer printout of the defendant's account to assist the Court in determining the proper status of the account. Both parties are to provide proof of support paid and/or received during the period of time in question.

14A.8 Required Information

At the hearings to initially set support or modification of an existing order, both the defendant and the person seeking the order of support or modification, shall bring to Court, a copy of their most recent state and federal tax return, four recent paycheck stubs or a paycheck stub with a year to date amount, proof of the cost for medical insurance premiums to insure the child or children only, and proof of child care expenses, or certification/evidence of state or federal benefits.

14A.9 Uniform Interstate Family Support Act (UIFSA)

When the person owing the support (designated as "Respondent") resides within the jurisdiction of the 32nd Judicial District Court and the petitioner resides in another state, such cases shall be designated as "Responding UIFSA".

In Responding URESA and Responding UIFSA matters, when the Respondent is ordered to contribute to the support of his/her dependents, the Court may order him/her to pay an additional amount as costs not to exceed five (5%) percent of the support order.

14A.10 Change of Address of Defendant and Payee.

Both parties in a court ordered support matter are responsible for notifying the Court in writing through the Regional Support Enforcement Services Office of any change of address or place of employment.

14A.11 Children

Clients and witnesses shall be advised not to bring children to court, unless in unusual circumstances where the children may be called as witnesses. Children, under the age of twelve, shall not be allowed in the courtroom without permission of the court.

Thirty-Second Judicial District Court Rule 14A

Rule 35.3

Pre-Trial Conferences

32nd JDC

RULE 8. ASSIGNMENT OF CASES FOR TRIAL

Rule 8, (2nd sentence in last paragraph, under subsection 8)

For rules or trials of domestic relations cases in which alimony or child support is at issue, each party shall prepare for presentation at the hearing a statement showing current income and assets and current expenses of himself or herself and any minor children of the marriage in his or her actual custody. See Appendix B.

Thirty-Second Judicial District Court Rule 8, (2nd sentence in last paragraph, under subsection 8)

APPENDIX "B". INCOME AND EXPENSES ON A PER MONTH BASIS

BEFORE ME personally came and appeared the undersigned, who did depose and say that the following is a true and correct statement of affiant's monthly income and expenses:

Income and Expenses on a Per Month Basis

A. Total Gross Monthly Income	_____
B. Itemized Payroll Deductions	_____
Total Monthly Payroll Deductions	_____
C. Total Net Monthly Income	_____
D. Total Monthly Expenditures	_____

	Self	Child	Total
1. Housing	_____	_____	_____
2. Food	_____	_____	_____
3. Household Supplies	_____	_____	_____
4. Drug Bill	_____	_____	_____
5. Dental Care	_____	_____	_____
6. Doctor Bills	_____	_____	_____
7. Utilities:			
Gas	_____	_____	_____
Electricity	_____	_____	_____
Water	_____	_____	_____
Telephone	_____	_____	_____
8. Insurance	_____	_____	_____
9. Clothing	_____	_____	_____
10. Laundry & Cleaning	_____	_____	_____
11. Grooming Necessities & Personal Items	_____	_____	_____
12. Education Expenses (School, lunch, books, etc.)	_____	_____	_____
13. Recreation and Special Lessons	_____	_____	_____
14. Vacation	_____	_____	_____
15. Gifts (Christmas, Birthdays, etc.)	_____	_____	_____
16. Auto Expenses	_____	_____	_____
17. Income Taxes and Accounting Fee	_____	_____	_____
18. Child Care Expenses	_____	_____	_____
19. Fixed Obligations (Garnishments, Bank Loans, Finance Company, etc.)	_____	_____	_____
20. Miscellaneous Expenses	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Affiant

SWORN TO AND SUBSCRIBED before me, Notary Public, this ____ day of _____, 19__.

NOTARY PUBLIC

