

RULES FOR LOUISIANA DISTRICT COURTS

TITLES I, II, and III

Thirty-Second Judicial District Court

Parish of Terrebonne

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

Appendix 1 Mardi Gras (Monday and Tuesday)

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.

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

Appendix 2 Elected to serve a particular division, 5 divisions, A, B, C, D, and E.

Rule No: 3.1

Divisions or Sections of Court

Appendix 3

Rule No: 3.2 and 9.3

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

Weekly assignment of civil and/or criminal duty, rotation as designated by judicial administrator; duty judge signs only non allotted pleadings and non contested matters, probate of testament, examination of judgement debtors, domestic abuse petitions, commitments; office hours 8:30 a.m 4:30 p.m., Monday through Friday.

ALLOTMENT OF CASES

It shall be the duty of the Clerk of Court to publicly allot civil cases equally among the division of Court immediately following the filing of the cases.

CRIMINAL DUTY JUDGE

The Judge of each Section shall be designated as "Criminal Duty Judge" for a period of one week (Friday, 4:30 P.M. until Friday, 4:30 P.M.), in rotation as provided by the Judicial Administrator.

The Criminal 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 the time of his unavailability.

Among the responsibilities of the Criminal Duty Judge shall be the responsibility to magistrate those people arrested during the one week period, assign 72 hour hearings for the Child Welfare

Department, including the giving of verbal custody authority. All verbal custody orders given during the term of the Duty Judge shall be set for hearing and tried by the Duty Judge who was on duty at the time of the verbal custody being granted. If for some reason, the Duty Judge cannot be reached for verbal authority, then any other Judge can grant verbal authority, however, it shall be the Duty Judge's responsibility to hear the 72 hour hearing as to any verbal custody orders granted during the term of the Duty Judge.

It shall also be the responsibility of the Criminal Duty Judge to convene and receive returns from the Grand Jury. The District Attorney shall inform the Duty Judge as to when he will have the Grand Jury in session, and when a return will be made, in order that the Criminal Duty Judge can make himself available for said matters. Should the Duty Judge be unavailable, any Judge may convene and receive returns from the Grand Jury on behalf of said Duty Judge.

Chapter: 4

Chapter Title: Court Personnel

Appendix 4

Rule No: 4.1

Judicial Administrators and Clerks of Court

Jennie Callahan
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P. O. Box 461
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Telephone: (985) 873-6589
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Hon. I. Robert "Bobby" Boudreaux www.terrebonneclerk.org/
Clerk of Court
Parish of Terrebonne
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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

None.

Rule No: 9.4

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

Appendix 8

File written motion after issue joined; date selected by conference with presiding trial judge.

Rule No: 9.14

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

ASSIGNMENT OF CASES FOR TRIAL

Unless otherwise provided by law, no suit requiring a trial on the merits may be assigned or fixed unless the requesting attorney verifies that the pre trial procedure of the division of Court to which the case has been allotted has been satisfied. In requesting the Court to assign a civil case for trial or a Rule or Exception requiring testimony for hearing, the written motion shall designate the number of hours or days that the requesting attorney anticipates the trial or hearing will take.

The anticipated hours or days for trial or hearing shall be noted on the trial docket calendar to be kept by the Clerk of Court. The requesting party shall also indicate whether or not a trial by jury has been requested, and whether or not the services of a Court Reporter shall be required.

The written motion shall contain the names and current addresses of all counsel or other parties to be notified.

Unless provided otherwise by a division pre trial procedure, each party to a suit shall submit to the Court at least thirty (30) days prior to trial on the merits a pre trial statement which is set forth as follows:

- 1) A brief but comprehensive statement of the parties' contentions.
- 2) A statement setting forth facts established by pleadings or by stipulation, agreement or admissions.
- 3) A statement setting forth the contested issues of fact.
- 4) A list and brief description of exhibits which parties plan to offer in evidence. No other exhibit may be introduced except for good cause shown.
- 5) A list of witnesses which party plans to call, (except those which may be called for impeachment or rebuttal), and a short statement as to the nature (not as to the content) of their testimony. No other witnesses may be called to testify except for good cause shown.

6) A statement as to any other matters not coming under the previous hearings which may be relevant to a prompt and expeditious disposition of the case.

7) A statement as to the estimated length of time necessary to try the case.

8) A statement as to whether or not the case is to be tried by a jury and certification that the requirements of the Rules of Court have been complied with with regard to the jury.

A certificate shall follow the said statement: "I hereby certify that all issues have been joined and all rules, motions, exceptions, interrogatories, requests for admissions, depositions, and other discovery proceedings have been completed, and this matter is ready for trial."

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

Rule No: 14.0

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

All criminal cases except under Title 32 and/or Title 56 of the La. Rev. Statutes, whether instituted by bill of information or bill of indictment, the District Attorney shall note either "Arrest" (date defendant taken into custody) or "Summons" (date defendant given summons in lieu of arrest) in the lower right hand corner and then the case shall be assigned, as follows:

Other than Title 32 and/or Title 56 cases, all shall be assigned in accordance with the duty judge schedule covering the time period expressed. Arrest dates shall control setting of arraignment dates. The division assigned shall be the allotted division unless the arrestee has a pending felony criminal case, in which instance it shall be reallocated at the first arraignment date to the division handling the pre existing case.

Where more than 12 drug arrests are made in a sweep, arrestees will be reallocated at first arraignment date on a pro rata basis.

Where more than one felony case pending, shall be allotted to section on duty at time of first arrest.

Title 32 and/or Title 56 offenses or through summons shall not be allotted but automatically heard by Duty Judge for day on which returnable for arraignment and/or trial, or by any other Section of court available to dispose of the matter at the convenience of the District Attorney.

Appendix 12
Rule No: 14.0

See Appendix 11.

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

Appendix 13
Rule No: 14.1

Rule 14.1 is hereby adopted.

Allotment - Defendant with
More than One Felony Case

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

Appendix 14
Rule No: 15.0

Set out at arraignment or by written motion.

GRAND JURIES

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

Grand Juries shall be drawn and impaneled in accordance with law approximately two weeks prior to the opening day of Court in the months of September and February, and said Grand Juries shall make a report of their findings in open court on the first Monday after said impanelment.

Appendix 15
Rule No: 15.1

None.

Alternative Method of Service
on District Attorney

Appendix 16
Rule No: 15.2

Court inquiry at magistrate hearing and/or arraignment; appointed by court after determination of indigency.

Appointment of Counsel

Chapter: 18 **Chapter Title:** Arraignment

Appendix 17
<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX17.PDF>

Rule No: 18.0

Waiver of Formal Arraignment

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

Appendix 18
Rule No: 19.0

Simultaneous peremptory challenges are allowed; trial judge discretion.

Simultaneous Peremptory

