

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 Weekly assignment of civil and/or criminal duty, rotation as designated by judicial
Rule No: 3.2 and 9.3 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.

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

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

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District Court Coordinator
32nd Judicial District Court
P. O. Box 461
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Hon. I. Robert "Bobby" Boudreaux www.terrebonneclerk.org/
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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 9A

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

Rule No: 13.0

Petition for Judicial Review

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

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

Appendix 9D

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

Rule No: 13.3

Motion to Proceed In Forma
Pauperis on Appeals/Writs

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)

Amended effective December 20, 2006

All criminal cases, including felonies and misdemeanors, shall be randomly allotted among the five divisions of the Court by the Clerk of Court upon the filing of a bill of information or indictment. The allotment of criminal cases shall be made by the Clerk of Court in the same manner in which civil cases are randomly allotted. The mechanical or electrical apparatus used by the Clerk of Court for random allotment of criminal cases shall be maintained separately from that used for random allotment of civil cases.

In the event a motion or other pleading is filed by a defendant in a criminal case before the filing of a bill of information or indictment, the case shall be randomly allotted by the Clerk of Court as provided above, and the case shall not be re-allotted because a bill of information or indictment in the case is subsequently filed.

At arraignment, the Court shall advise the defendant of the division of Court to which his case has been allotted.

All felony cases against a defendant in which a bill of information or indictment is filed subsequent to the filing of a prior bill of information or indictment shall be transferred to the division of this Court to which the first felony case against that defendant was allotted and is pending.

In the event a defendant is charged by bill of information or indictment as a co-defendant, the case against all co-defendants shall be transferred to the division of this Court to which the case first filed against any of the defendants is pending. In addition, all pending cases against any of the co-defendants shall be transferred to that same division of Court.

For purposes of this rule, a felony case remains pending after the filing of a bill of information or indictment until one of the following events occurs:

- (1) the judge to whom the case was allotted declares that the case has prescribed;
- (2) the charge upon which the bill of information or indictment is based is reduced to a misdemeanor by the prosecutor;
- (3) the bill of information or indictment is dismissed or the prosecutor otherwise enters a nolle prosequi in the case with regard to the defendant;
- (4) sentence is imposed pursuant to a plea of guilty or nolo contendere or a verdict of guilty;
or
- (5) a verdict other than guilty is returned against the defendant.

Notwithstanding anything hereinabove to the contrary, a defendant in a misdemeanor case may plead guilty or nolo contendere before any judge of any division of this Court and be sentenced by that judge, regardless of the allotment of his case, provided the judge before whom he appears consents to the same.

Appendix 12

Rule No: 14.0

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

See Appendix 11.

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.

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

GRAND JURIES

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
Challenges
