

RULES FOR LOUISIANA DISTRICT COURTS

TITLES I, II, III, IV, V, and VI

Thirty-Third Judicial District Court

Parish of Allen

Title - I Chapter Title - Dates of Court

Chapter - 2 None.

Rule - 2.0

Appendix - 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.

Title - I Chapter Title - Judges, Facsimile Transmissions To The Court, and Technology-Related Rules

Chapter - 3 DIVISIONS OR SECTIONS OF COURT

Rule - 3.1 The 33rd Judicial District is composed of two (2) judicial divisions. Judges are elected to Division ‘A’ and Division ‘B’. These court divisions are not allotted any particular subject matter jurisdiction on an exclusive basis.

Appendix - 3.1

Divisions or Sections of
Court

Amended effective April
15, 2003; January 23,
2009

Title - I Chapter Title - Judges, Facsimile Transmissions To The Court, and Technology-Related Rules

Chapter - 3 The criminal duty judge shall rotate on a month by month basis.

Rule - 3.2 There are no civil or family law duty judges. All pleadings, orders or judgments are signed by the judge to whom the case is assigned, except that in the judge's absence each judge shall make arrangements for the other judge to sign his orders. The assigned judge is to be notified immediately of any civil orders of an emergency nature. If the assigned judge is unavailable, such orders shall be taken to an available district judge.

Appendix - 3.2

Duty Judges

Amended effective April
15, 2003; March 3, 2009

Title - I Chapter Title - Judges, Facsimile Transmissions To The Court, and Technology-Related Rules

Chapter - 3

Rule - 3.4

Appendix - 3.4

Title - I	Chapter Title - Judges, Facsimile Transmissions To The Court, and Technology-Related Rules
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Chapter - 3

Rule - 3.5

Appendix - 3.5

Court-Specific Rules
Concerning
Simultaneous
Appearance by a Party or
Witness by Audio-Visual
Transmission

Title - I	Chapter Title - Judges, Facsimile Transmissions To The Court, and Technology-Related Rules
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Chapter - 3

Rule - 3.6

Appendix - 3.6

Court-Specific Rules
Concerning Recording of
Protected Persons
Pursuant to La. R.S.
15:440.2

Title - I	Chapter Title - Court Personnel
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Chapter - 4	Hon. Gerald W. Harrington www.33jdc.com
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Rule - 4.1	Clerk of Court Parish of Allen
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Appendix - 4.1	P. O. Box 248 Oberlin, LA 70655 Telephone: (337) 639-4351 Facsimile: (337) 639-2030 E-Mail: apcofc@centurytel.net
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Judicial Administrators
and Clerks of Court

Title - I	Chapter Title - Courtroom Use, Accessibility and Security
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Chapter - 5

Rule - 5.1	http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX5.1A.PDF
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Appendix - 5.1A

Title - I	Chapter Title - Courtroom Use, Accessibility and Security
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Chapter - 5

Rule - 5.1	http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX5.1B.PDF
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Appendix - 5.1B

Request for Interpreter and Order

Title - I	Chapter Title - Courtroom Use, Accessibility and Security
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Chapter - 5

Rule - 5.1	http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX5.1C.PDF
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Appendix - 5.1C

Interpreter's Oath

Title - I	Chapter Title - Indigents and In Forma Pauperis
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Chapter - 8

Rule - 8.0	http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX8.0.PDF
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Appendix - 8.0

In Forma Pauperis Affidavit

Title - II	Chapter Title - Procedure
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Chapter - 9	All matters subject to random allotment to a particular division shall be made by the Clerk of Court in accordance with La. C.C.P. Art. 253.1.
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Rule - 9.3	All civil pleadings (except those cases filed under Title IV-D Social Security Act) shall be randomly allotted to a particular division before presentation of a pleading to any judge.
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Appendix - 9.3

Allotments: Signing of Pleadings in Allotted and Non-Allotted Cases

When cases assigned to different divisions of Court are consolidated for trial, they shall be consolidated under the lowest docket number and assigned to the division of Court to which said lowest docketed numbered case was assigned. An exception to this rule shall exist when, in the interest of efficient administration of justice and due to extensive pre-trial activity in one of the affected divisions of Court to the exclusion of others, the Judges of each division of Court shall certify the trial of the cases to a particular division of Court, after securing the consent of all parties in compliance with the requirements of LSA C.C.P. article 253.2. Additionally, where a petition for partition of community property is not filed in the divorce record of a case, it shall automatically be consolidated with any previously filed divorce proceeding and heard by the division of court to which the divorce has been assigned.

Juvenile proceedings shall not be randomly allotted to a particular division by the Clerk of Court. The District Attorney shall be responsible for docketing juvenile cases. However, each case shall remain in

the division of first appearance. Additionally, every effort shall be made to keep matters involving members of the same family with the same division.

Title - II	Chapter Title - Procedure
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Chapter - 9	None.
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Rule - 9.4

Appendix - 9.4

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

Title - II	Chapter Title - Procedure
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Chapter - 9

Rule - 9.6 http://www.lasc.org/rules/supreme/Louisiana_Civil_Case_Reporting_Form.pdf

Appendix - 9.6

Louisiana Civil Case
Reporting

Title - II	Chapter Title - Procedure
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Chapter - 9

Rule - 9.12 <http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX9.12A.pdf>

Appendix - 9.12A

Notice of Limited
Appearance – Family
Law Cases

Title - II	Chapter Title - Procedure
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Chapter - 9

Rule - 9.12 <http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX9.12B.pdf>

Appendix - 9.12B

Notice of Limited
Appearance – Non-
Family Law Cases

Title - II	Chapter Title - Procedure
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Chapter - 9

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

Rule - 9.14

Appendix - 9.14

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

Amended effective
March 3, 2009

(1) Civil motions and exceptions may be fixed for hearing on oral motion in open court, by written motion in chambers or by written request directed to the Court by any attorney of record or any party not represented by an attorney. Unless otherwise ordered by the Court, all motions and exceptions shall be fixed for motion hour rule days.

(2) Contested civil cases shall be fixed for trial on the merits by written motion of a party in interest certifying to the Court that:

- a. All issues have joined.
- b. The parties have discussed seriously a settlement or compromise of the action to no avail.
- c. The case is ready for trial on the merits.
- d. In civil jury cases the time for filing of bond for costs and its amount have been set.
- e. The number of days required for trial. The number of days allotted for the trial will be based upon counsel's certificate. In the event that the case is not concluded in the number of days allotted for trial, the case may not be continued to the following day, but may be refixed for additional trial days depending upon the court's docket.

The Clerk of Court is authorized to return to counsel, without filing, any motion to fix for trial in which the above required certification is incomplete.

The motion and certification required in this section shall be made in writing by movant; all opposing parties or their counsel shall be mailed a copy of said motion and certification by the office of the Clerk of Court; any party opposing said motion shall do so within ten days after said mailing. Any opposition shall be in the form of a motion to traverse the trial date and any party not timely filing said motion to traverse within the ten day period shall be deemed to have acquiesced in the trial date and in the fact that the case is ready for trial.

(3) A copy of any pleading, written motion or request for a fixing shall be mailed or handed by movant to opposing counsel and to any opposing party not represented by an attorney.

(4) When a hearing is fixed either on an exception or motion or on the merits, the Clerk shall promptly give written notice of such fixing to all counsel of record and any party not represented by an attorney.

Pre-Trial Conferences - Civil Cases; Pre-Trial Statements

A. All parties in all contested civil cases tried by a jury shall submit to the court a pre-trial statement in accordance with the pre-trial order of the court.

B. In cases in which pre trial conferences will be held, the pre-trial statements shall be served on the court and all parties at least seven (7) working days prior to the date set for the pre-trial conference unless otherwise ordered by the court. In cases in which no pre-trial conference will be held, the pre-trial statements shall be served upon the court and upon all parties at least seven (7) working days prior to trial.

The combined pre-trial statements submitted by all parties, together with additions, instructions, or comments by the trial judge will be filed as a pre-trial order and will thereafter control the trial. No deviations as to issues or witnesses will be allowed at the trial except by special order of the judge after good cause is shown. Pre-trial conferences shall be attended by the counsel who will be present during and actively involved in the trial of the case. At the conclusion of the conference the judge will fix the date for the trial of the case if not previously set.

C. Failure to comply with this rule in any regard by a party or his attorney will subject these attorneys to the disciplinary and contempt powers of the Court. Except for good cause shown, no other witnesses may be called to testify nor any other documents or exhibits presented at trial except for those witnesses and those items of documentary evidence set forth in the respective pre-trial statements.

D. All parties in contested civil cases to be tried by the court shall submit to the court a pre-trial statement in accordance with the pre-trial order of the court. If no pre-trial order is executed by the court, all depositions or expert reports intended for use a trial in lieu of live testimony shall be submitted to the court not less than five (5) days before trial; and pre-trial memoranda/briefs on issues of law, cause of action and damages with citations should be submitted to the Court one (1) week prior to trial date. Memoranda will not be considered timely submitted unless all of the listed information is contained therein.

Trial Date Conflicts

Section 1. When cases are assigned for trial on the same date in different courts involving the same trial attorney or attorneys, the following order of preference will prevail:

1. Criminal jury trials
2. Civil jury trials
3. Criminal bench trials and motions
4. Civil bench trials, with an order of preference determined by the date on which trial notices were mailed.

The motion for continuance shall state the case number and caption of the prior conflicting assignment, its position on the docket call of the other Court, and the dates that the order assigning the case was signed and that the notice of trial was mailed. Counsel should attach a copy of the order assigning the conflicting case to trial to the Motion for Continuance.

Judgments

All judgments in contested matters shall be approved as to form by all counsel prior to submission to the Court for signing. If approval or objection with reason is not provided within ten (10) days, the judgment shall be submitted with that statement.

Court Dockets

Where cases assigned to different divisions of court are consolidated for trial, they shall be consolidated under the lowest docket number and assigned to the division of Court to which said lowest docketed numbered case was assigned. An exception to this rule shall exist, when in the interest of the efficient administration of justice and due to extensive pre-trial activity in one of the affected divisions of Court to the exclusions of others, the Judges of each division of Court affected by said consolidation shall certify the trial of the cases to a particular division of Court.

Title - III

Chapter Title - Allotment of Cases

Chapter - 14

The Clerk of Court shall randomly allot all felony criminal cases between the two divisions of court at the time of filing of indictment or bill of information.

Rule - 14.0

The Clerk of Court shall randomly allot all misdemeanor DWI and possession of marijuana cases between the two divisions of court after a plea entry of not guilty at arraignment.

Appendix - 14.0A

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

All other misdemeanors, traffic and wildlife violations shall not be randomly allotted to a particular division by the Clerk of Court. However, each case shall remain in the division of first appearance.

The District has no drug court.

Appeals from lower courts of limited jurisdiction shall be randomly allotted upon filing with the Clerk of Court.

Capital criminal cases shall be assigned to the divisions of Court on a rotating basis based upon chronological order determined by the date of the alleged offense. The first capital criminal case filed after January 1, 2003, shall be randomly allotted by the Clerk of Court to begin the rotation.

Title - III

Chapter Title - Allotment of Cases

Chapter - 14

See Appendix 14.0A.

Rule - 14.0

Appendix - 14.0B

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

Title - III	Chapter Title - Allotment of Cases
Chapter - 14	Same as Rule 14.1
Rule - 14.1	
Appendix - 14.1	
Allotment - Defendant with More than One Felony Case	
Title - III	Chapter Title - Assignment of Cases and Preliminary Motions
Chapter - 15	All pre-trial hearings, motions and status conferences in criminal cases are heard before the judge of the division to which the case is randomly allotted, except for 72-hour hearings, bond reduction hearings, discovery motions, notifications of attorney and preliminary examinations, which are scheduled at the earliest possible time before the judge responsible for the criminal docket at that time without reference to division allotment of the case. Such latter motions are in effect handled as duty judge matters on the criminal docket.
Rule - 15.0	
Appendix - 15.0	
Assignment of Cases, Filing of Motions, Pre- Trial and Status Conferences	
AMENDED EFFECTIVE APRIL 15, 2003	
Title - III	Chapter Title - Assignment of Cases and Preliminary Motions
Chapter - 15	Indigent counsel is appointed at seventy-two hour hearing (La. C.Cr.P. Art. 230.1), or if no such hearing is had, as soon as practicable.
Rule - 15.1	
Appendix - 15.1	
Appointment of Counsel	
Title - III	Chapter Title - Assignment of Cases and Preliminary Motions
Chapter - 15	In addition to mailing a copy to the District Attorney, service may be made by hand delivering a copy to the Office of the District Attorney adjacent to the Courthouse.
Rule - 15.2	
Appendix - 15.2	
Alternative Method of Service on District Attorney	
AMENDED	

Title - III	Chapter Title - Arraignment and Pleas
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Chapter - 18

Rule - 18.0	http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX18.0.PDF
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Appendix - 18.0

Waiver of Formal Arraignment and Pleas

Title - III	Chapter Title - Simultaneous Peremptory Challenges
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Chapter - 19	Simultaneous exercise of peremptory challenges is employed, if agreed to by counsel.
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Rule - 19.0

Appendix - 19.0

Simultaneous Peremptory Challenges

Title - IV	Chapter Title - Application of Rules
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Chapter - 22

Rule - 22.0

Appendix - 22.0

Courts That Have Created Specialized Divisions or Sections of Court That Handle Family Law Proceedings
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Title - IV	Chapter Title - Notice and Exchange of Information
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Chapter - 23

Rule - 23.0	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_23.0A.pdf
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Appendix - 23.0A

Courts Requiring the Pre- Hearing Filing, Exchange, or Submission of a Family Law Affidavit and/or Joint Custody Implementation Plan; Courts That May Issue Pre-Hearing Orders

Title - IV	Chapter Title - Notice and Exchange of Information
Chapter - 23	
Rule - 23.0	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_23.0B.pdf
Appendix - 23.0B	
Family Law Affidavit (form)	

Title - IV	Chapter Title - Notice and Exchange of Information
Chapter - 23	
Rule - 23.0	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_23.0C.pdf
Appendix - 23.0C	
Hearing Information Order (form)	

Title - IV	Chapter Title - Notice and Exchange of Information
Chapter - 23	
Rule - 23.0	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_23.0D.pdf
Appendix - 23.0D	
Hearing Officer Conference and Information Order (form)	

Title - IV	Chapter Title - Notice and Exchange of Information
Chapter - 23	
Rule - 23.0	
Appendix - 23.0E	
Courts That Require Use of a Specific Hearing Information Order or Hearing Officer Conference and Information Order	

Title - IV	Chapter Title - Notice and Exchange of Information
Chapter - 23	
Rule - 23.0	
Appendix - 23.0F	

Title - IV **Chapter Title - Notice and Exchange of Information**

Chapter - 23

Rule - 23.1

Appendix - 23.1

Court-Specific Rules
Concerning Pre-Trial
Orders in Non-
Community Property
Cases

Title - IV **Chapter Title - Procedure**

Chapter - 24

Rule - 24.0

Appendix - 24.0

Court-Specific Rules
Concerning Form of
Pleadings and Caption
Requirements in Family
Law Proceedings

In suits for divorce or separation from bed and board, the petition must set forth affirmatively all relevant facts upon which the jurisdiction of the Court depends; and upon the trial of the case these facts, as well as the grounds upon which the demands are based must be established by competent and sufficient evidence.

All suits for divorce or separation shall be accompanied by an informational sheet, referred to as the "Clerk's Form". A sample of this form is as follows:

INFORMATIONAL SHEET--CLERK'S FORM

PLAINTIFF:

Name: _____
Usual Residence: _____

Birthdate: _____
Birthplace: _____
Number of marriages
including this one: _____
Employment: _____

DEFENDANT:

Name: _____
Usual Residence: _____

Birthdate: _____
Birthplace: _____
Number of marriages
including this one: _____
Employment: _____

GENERAL INFORMATION:

Parties are of the _____ race.

They were married at _____

They separated on or about _____

Number of children under 18 years of age are

Their names and ages, if any, are

ATTORNEY FOR PLAINTIFF: _____

ATTORNEY FOR DEFENDANT: _____

FURTHER COMMENTS:

Title - IV

Chapter Title - Procedure

Chapter - 24

Rule - 24.1

Appendix - 24.1

Court-Specific Rules
Concerning Prior or
Multiple Filing of
Pleadings

Title - IV

Chapter Title - Procedure

Chapter - 24

Rule - 24.2

Appendix - 24.2

Court-Specific Rules
Concerning Allotment of
Cases

Title - IV

Chapter Title - Procedure

Chapter - 24

Rule - 24.3

Appendix - 24.3

Court-Specific Rules
Concerning Walk-
Through of Pleadings

Title - IV	Chapter Title - Procedure
Chapter - 24	In all matters where an attorney is appointed to represent an absentee defendant or to act as curator, a deposit will be required of \$100.00 at the time of filing of the order making the appointment of the attorney. The fee for the attorney's services is set at \$100.00 and is to be paid from said deposit. The Clerk of Court will disburse the said fee upon order or judgment of the Court.
Rule - 24.4	
Appendix - 24.4	
Court-Specific Rules Concerning Appointment of Attorneys To Represent Absentee Defendants	

Title - IV	Chapter Title - Procedure
Chapter - 24	
Rule - 24.5	
Appendix - 24.5	
Court-Specific Rules Concerning Extensions of Time To Plead in Family Law Proceedings	

Title - IV	Chapter Title - Procedure
Chapter - 24	In each separation or divorce case where an answer is filed by the defendant in propria persona, the trial may not proceed unless either the defendant is present in court, or the plaintiff shows by competent evidence that the defendant was notified in writing of the date and hour scheduled for the trial which notice must have been given to defendant not less than ten (10) days prior to the date of the trial.
Rule - 24.6	
Appendix - 24.6	
Court-Specific Rules Restricting the Preparation of Answers or Other Pleadings; Procedure When a Self- Represented Party Has Filed an Answer	

Title - IV	Chapter Title - Procedure
Chapter - 24	SCHEDULING
Rule - 24.7	A. A. A rule addressed to the same subject matter shall not be heard at intervals more frequent than six months, dating from rendition of judgment, except on a showing that an exceptional change in circumstances justifies an earlier hearing. A determination that an earlier hearing is justified may be made in chambers and shall be made by the judge who rendered the last judgment. If allowed filed, this rule shall be heard in accordance with the preceding sections.
Appendix - 24.7A	B. B. For all hearings and non-jury trials, unless excepted herein or the necessity for which has been specifically waived by the judge, comprehensive pre hearing and pre-trial briefs shall be filed with the judge not later than seven days prior to the hearing or trial. The filing of a brief in the suit record shall not be permitted.
Court-Specific Rules Concerning Scheduling Hearings and Trials	C. C. The provisions of this section shall not apply to criminal cases, uncontested matters, rule to show

cause in separation and divorce cases, juvenile court and adoption matters.

D. D. In each separation or divorce case where an answer is filed by the defendant in propria persona, the trial may not proceed unless either the defendant is present in court, or the plaintiff shows by competent evidence that the defendant was notified in writing of the date and hour scheduled for the trial which notice must have been given to defendant not less than ten (10) days prior to the date of the trial.

RULE DAY

A. All rules to show cause in separation and divorce cases shall be heard on the date assigned with preference of assignment going to the first rule filed, being the first rule heard until the docket is completed, except that contested custody and visitation rules shall be heard last on rule day in the same order as all other rules.

B. When a rule to fix custody or visitation is filed, it will be assigned for the next available docket listing on the next available rule day.

If the rule is contested on the date fixed in the Order, when the case is called, a pre-trial conference will be held. If no settlement is agreed upon, the matter will be fixed for trial on the regular trial docket, except when the Court determines an emergency may exist. In such case, the Court may hold a full or limited hearing.

Title - IV	Chapter Title - Procedure
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Chapter - 24

Rule - 24.7

Appendix - 24.7B

Court-Specific Rules Concerning Order of Business

Title - IV	Chapter Title - Procedure
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Chapter - 24

Application to extend the return date on rules shall be made by written motion prior to the original return date or by oral motion in open court on the return date.
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Rule - 24.8

Appendix - 24.8A

Court-Specific Rules Concerning Continuances in Family Law Proceedings

Title - IV	Chapter Title - Procedure
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Chapter - 24

Rule - 24.8

http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_24.8B.pdf

Appendix - 24.8B

Uncontested Motion To

Continue (form)

Title - IV **Chapter Title - Procedure**

Chapter - 24

Rule - 24.8 http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_24.8C.pdf

Appendix - 24.8C

Contested Motion To
Continue (form)

Title - IV **Chapter Title - Procedure**

Chapter - 24

Rule - 24.9

Appendix - 24.9

Court-Specific Rules
Concerning Discovery

Title - IV **Chapter Title - Procedure**

Chapter - 24

Rule - 24.10

Appendix - 24.10

Court-Specific Rules
Concerning Setting of
Pre-Trial Conferences

Title - IV **Chapter Title - Procedure**

Chapter - 24

Rule - 24.11

Appendix - 24.11

Court-Specific Rules
Concerning Hearings in
Chambers in Family Law
Proceedings Pursuant to
La. R.S. 9:302

Title - IV **Chapter Title - Procedure**

Chapter - 24

Rule - 24.12

Appendix - 24.12

Court-Specific Rules
Concerning the Presence
of Children in the
Courtroom and/or
Hearing Officer
Conferences

Title - IV **Chapter Title - Procedure**

Chapter - 24

Rule - 24.13

Appendix - 24.13

Court-Specific Rules
Concerning Mental
Health Evaluations in
Family Law Proceedings

Title - IV **Chapter Title - Procedure**

Chapter - 24

Rule - 24.14

Appendix - 24.14

Court-Specific Rules
Concerning Proof of
Uncontested Paternity by
Affidavit Pursuant to La.
R.S. 9:572

Title - IV **Chapter Title - Judgments and Stipulations**

Chapter - 25 Any stipulation or agreement shall include a provision for payment of court costs.

Rule - 25.0

Appendix - 25.0

Court-Specific Rules on
Preparation and
Submission of Judgments
in Family Law
Proceedings

Title - IV **Chapter Title - Judgments and Stipulations**

Chapter - 25

Rule - 25.1

Appendix - 25.1

Court-Specific Rules on
Income Assignment
Orders

Title - IV	Chapter Title - Domestic Violence Protective Orders
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Chapter - 26

Rule - 26.0	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_26.0A.pdf
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Appendix - 26.0A

Louisiana Protective
Order Registry Index of
Uniform Abuse
Preventive Order Forms
(Forms 1 through 23
Mandated by La. R.S.
46:2136.2(C))

Title - IV	Chapter Title - Domestic Violence Protective Orders
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Chapter - 26

Rule - 26.0	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_26.0B.pdf
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Appendix - 26.0B

Louisiana Protective
Order Registry Courtesy
Forms Index:
Instructions, Petitions,
Supplemental Forms, etc.

Title - IV	Chapter Title - Divorces Pursuant to La. Civ. Code Article 102
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Chapter - 27

Rule - 27.0	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_27.0A.pdf
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Appendix - 27.0A

La. C.C. art. 102 Divorce
Checklist (form)

Title - IV	Chapter Title - Divorces Pursuant to La. Civ. Code Article 102
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Chapter - 27

Rule - 27.0

Appendix - 27.0B

Courts That Require the
Filing of a La. C.C. art.

102 Divorce Checklist,
the Entire Record, and/or
Other Documentation in
a La. C.C. art. 102
Divorce

Title - IV	Chapter Title - Divorces Pursuant to La. Civ. Code Article 102
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Chapter - 27

Rule - 27.0

Appendix - 27.0C

Court-Specific Rules
Concerning Allowance
of Divorce by Affidavit
in a La. C.C. art. 102
Divorce

Title - IV	Chapter Title - Divorces Pursuant to La. Civ. Code Article 102
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Chapter - 27

Rule - 27.1	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_27.1A.pdf
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Appendix - 27.1A

Waiver of Service and
Citation of an Original
Petition in a La. C.C. art.
102 Divorce Proceeding
(form)

Title - IV	Chapter Title - Divorces Pursuant to La. Civ. Code Article 102
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Chapter - 27

Rule - 27.1	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_27.1B.pdf
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Appendix - 27.1B

Waiver of Service and
Citation of Rule To
Show Cause in a La.
C.C. art. 102 Divorce
(form)

Title - IV	Chapter Title - Divorces Pursuant to La. Civ. Code Article 102
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Chapter - 27

Rule - 27.1

Appendix - 27.1C

Courts That Require Use

Title - IV	Chapter Title - Divorces Pursuant to La. Civ. Code Article 103
Chapter - 28	A. A preliminary default may be entered in less than fifteen days as provided in Code of Civil Procedure Article 1701 as amended by Act 481 of 1985.
Rule - 28.0	B. To confirm a preliminary default under Louisiana Civil Code article 103(1) and Louisiana Code of Civil Procedure article 1702.E., petitioner shall submit to the Court in Chambers or in Open Court:
Appendix - 28.0	
Court-Specific Rules Concerning Default Judgments	(1) the record; (2) an affidavit executed by the petitioner after the rendering the judgment of preliminary default specifically attesting to and testifying as to the truth of all of the factual allegations contained in the petition; and (3) the original and one copy of the proposed judgment. B.. If no answer or other pleading has been filed by the defendant, the judge shall, after two days of the entry of preliminary default, exclusive of holidays, render and sign the judgment or direct that a hearing in open court be held. C. In the event that a hearing in open court is deemed necessary by the judge, the preliminary default shall not be confirmed except upon the testimony of the petitioner and one witness. D. A default judgment shall not be rendered on any issues pending in a summary proceeding. E. No default judgment will be rendered in any divorce or separation from bed and board, if there is a subsequent rule date pending.

Title - IV	Chapter Title - Divorces Pursuant to La. Civ. Code Article 103
Chapter - 28	
Rule - 28.1	
Appendix - 28.1A	
Court-Specific Rules Concerning Allowance of Divorce by Affidavit in a La. C.C. art. 103 Divorce Under La. Code Civ. Proc. art. 1702(E)	

Title - IV	Chapter Title - Divorces Pursuant to La. Civ. Code Article 103
Chapter - 28	
Rule - 28.1	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_28.1B.pdf
Appendix - 28.1B	

Title - IV	Chapter Title - Divorces Pursuant to La. Civ. Code Article 103
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Chapter - 28

Rule - 28.1

Appendix - 28.1C

Courts That Require the Filing of a La. C.C.P. art. 1702(E) Divorce Checklist
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Title - IV	Chapter Title - Divorces Pursuant to La. Civ. Code Article 103
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Chapter - 28

Rule - 28.2

Appendix - 28.2A

Courts That Require the Filing of a La. C.C.P. art. 969(B) Divorce Checklist

Title - IV	Chapter Title - Divorces Pursuant to La. Civ. Code Article 103
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Chapter - 28

Rule - 28.2	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_28.2B.pdf
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Appendix - 28.2B

La. C.C.P. art. 969(B) Divorce Checklist (form)
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Title - IV	Chapter Title - Divorces Pursuant to La. Civ. Code Article 103
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Chapter - 28

Rule - 28.3	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_28.3A.pdf
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Appendix - 28.3A

Acceptance of Waiver and Waiver of Service and Citation and Delays in a La. C.C. art. 103 Divorce (form)
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Title - IV	Chapter Title - Divorces Pursuant to La. Civ. Code Article 103
Chapter - 28	
Rule - 28.3	
Appendix - 28.3B	
Courts That Require a Specific Form for Waiver of Service and Citation in a La. C.C. art. 103 Divorce	
Title - IV	Chapter Title - Custody and Visitation Orders
Chapter - 29	
Rule - 29.0	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.0A.pdf
Appendix - 29.0A	
Application for Ex Parte Temporary Custody Order – Affidavit of Mover in Compliance with La. C.C.P. art. 3945 (B) (form)	
Title - IV	Chapter Title - Custody and Visitation Orders
Chapter - 29	
Rule - 29.0	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.0B.pdf
Appendix - 29.0B	
Application for Ex Parte Temporary Custody Order –Certification by Applicant’s Attorney in Compliance with La. C.C.P. art. 3945(B) (form)	
Title - IV	Chapter Title - Custody and Visitation Orders
Chapter - 29	All petitions seeking an ex parte order for provisional custody of children shall be accompanied by the following documentation:
Rule - 29.0	
Appendix - 29.0C	(1) separate affidavit of counsel for applicant in compliance with Louisiana Code of Civil Procedure Article 3945(B)(2)(b). Such affidavit of counsel shall be accompanied with copies of the written notices given to the adverse party with certification that mailing address is correct and proof of mailing at least 48 hours prior to application for ex parte custody;
Court-Specific Rules Concerning Ex Parte Custody Orders	(2) A separate affidavit of the party seeking custody setting forth the following information: <p>(a) that immediate and irreparable injury will result to the child unless ex parte custody is granted because of specifically stated facts as well as applicant's reason for seeking ex parte custody.</p>

(b) the length of time that children have been in applicant's custody and the manner in which physical custody was obtained.

(c) that to the best of applicant's knowledge no other custody orders are in existence.

(d) that the applicant agrees to provide for alternating weekend visitation with the non-custodial parent unless the health or safety of the child would be endangered by such visitation; in the latter case applicant shall detail the facts to support the allegations of endangerment, and where possible, provide for a supervised visitation plan allowing the non-custodial parent weekly contact of not less than two hours.

(e) the following statement: "I fully understand that this affidavit is made under oath and that if I have made any untruthful statements in it, I may be charged with perjury, tried in a criminal proceeding, and subject to penalties of up to five years imprisonment and fines of up to \$1,000.00, or both."

The order of ex parte custody shall provide for the alternating weekend visitation or such other supervised visitation as may be proposed by the applicant.

The order shall also provide that the award of ex parte custody shall automatically terminate within fifteen (15) days of the issue.

The affidavit to be attached to petitions seeking ex parte custody awards prior to rule hearing for temporary custody is as follows (similar form appears Appendices 29.0A and 29.0B):

AFFIDAVIT FOR EX PARTE CUSTODY

BEFORE ME, the undersigned authority, personally came and appeared _____, who, after being duly sworn, stated under oath that:

I have read the forging petition for divorce, and all of the allegations of fact contained therein are true and correct.

My spouse and I physically separated on _____.

Immediately prior to separation, my spouse and I resided together at _____.

Since _____ the child(ren) have been in the physical custody of and resided with _____ at _____.

I/he/she obtained them in the following manner: (describe where, when, and how obtained, and other special circumstances)

_____.

I desire immediate custody of the child(ren) for the following reasons:

_____.

To my knowledge, there are no other custody orders in existence.

I agree to my child(ren)'s temporary visitation with my spouse every other weekend from 6:00 p.m. on Friday to 6:00 p.m. on Sunday.

OR

I do not agree to a temporary visitation arrangement for the following reasons: (specific facts must be stated which would indicate that the health or safety of the child would be endangered)

_____.

I fully understand that this affidavit is made under oath and that if I have made any untruthful statements in it, I may be charged with perjury, tried in a criminal proceeding, and subjected to penalties of up to five years imprisonment and fines of up to \$1,000.00, or both.

AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME this ____ day of _____, 20__.

NOTARY PUBLIC

Title - IV	Chapter Title - Custody and Visitation Orders
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Chapter - 29	
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Rule - 29.1	
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Appendix - 29.1	
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Court-Specific Rules Concerning Temporary Custody Orders	
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Title - IV	Chapter Title - Custody and Visitation Orders
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Chapter - 29	
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Rule - 29.2	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.2A.pdf
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Appendix - 29.2A	
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Joint Custody Plan (With Domiciliary Parent) (form)	
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Title - IV	Chapter Title - Custody and Visitation Orders
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Chapter - 29	
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Rule - 29.2	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.2B.pdf
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Appendix - 29.2B	
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Joint Custody Plan (Without Domiciliary Parent) (form)	
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Title - IV	Chapter Title - Custody and Visitation Orders
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Chapter - 29	
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Rule - 29.3	
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Appendix - 29.3	
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Court-Specific Rules	
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Title - IV	Chapter Title - Custody and Visitation Orders
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Chapter - 29

Rule - 29.4

Appendix - 29.4

Court-Specific Rules Concerning Mediation
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Title - IV	Chapter Title - Custody and Visitation Orders
-------------------	--

Chapter - 29

Rule - 29.5	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.5.pdf
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Appendix - 29.5

Form Letter To Register a Foreign or Out-of-State Custody Order (form)
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Title - IV	Chapter Title - Custody and Visitation Orders
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Chapter - 29

Rule - 29.6

Appendix - 29.6

Court-Specific Rules Concerning Modification of an Existing Custody or Visitation Order
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Title - IV	Chapter Title - Partition of Community Property
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Chapter - 30

Rule - 30.0	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_30.0A.pdf
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Appendix - 30.0A

Sworn Detailed Descriptive List (form)

Title - IV	Chapter Title - Partition of Community Property
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Chapter - 30

Rule - 30.0	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_30.0B.pdf
Appendix - 30.0B	
Sample, Completed Sworn Detailed Descriptive List (form)	

Title - IV	Chapter Title - Partition of Community Property
Chapter - 30	

Rule - 30.0	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_30.0C.pdf
Appendix - 30.0C	
Joint Detailed Descriptive List (form)	

Title - IV	Chapter Title - Partition of Community Property
Chapter - 30	

Rule - 30.0	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_30.0D.pdf
Appendix - 30.0D	
Sample, Completed Joint Detailed Descriptive List (form)	

Title - IV	Chapter Title - Partition of Community Property
Chapter - 30	
Rule - 30.0	
Appendix - 30.0E	
Court-Specific Rules Concerning Detailed Descriptive Lists	

Title - IV	Chapter Title - Partition of Community Property
Chapter - 30	
Rule - 30.1	
Appendix - 30.1	
Court-Specific Rules Concerning Appointed Special Masters and Experts	

Title - IV

Chapter Title - Partition of Community Property

Chapter - 30

Rule - 30.2

Appendix - 30.2

Court-Specific Rules
Concerning Partition of
Community Property

Title - IV

Chapter Title - Other Rules

Chapter - 31

Rule - 31.0

Appendix - 31.0

Court-Specific Rules
Concerning Use of
Electronic and Recording
Devices

Title - IV

Chapter Title - Other Rules

Chapter - 31

Rule - 31.1

Appendix - 31.1

Court-Specific Rules
Concerning Oral
Arguments

Title - IV

Chapter Title - Other Rules

Chapter - 31

Rule - 31.2

Appendix - 31.2

Court-Specific Rules
Concerning Enrollment
and Withdrawal of
Counsel

Title - IV

Chapter Title - Other Rules

Chapter - 31

Rule - 31.3

Appendix - 31.3

Court-Specific Rules
Concerning
Collaborative Divorce
Procedures

Title - IV	Chapter Title - Use of Hearing Officers and Domestic Commissioners for Family Law Proceedings
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Chapter - 32

Rule - 32.0	http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_32.0A.pdf
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Appendix - 32.0A

Courts Authorizing and
Directing Court-
Appointed Hearing
Officers, Commissioners,
and/or Magistrates
Pursuant To La. R.S.
46:236.5

Title - IV	Chapter Title - Use of Hearing Officers and Domestic Commissioners for Family Law Proceedings
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Chapter - 32

Rule - 32.0

Appendix - 32.0B

Court-Specific Rules on
Hearing Officers and
Domestic Commissioners

Title - IV	Chapter Title - Hearing Officer Procedure for Title IV-D Federal Social Security Act
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Chapter - 33

Rule - 33.0

Appendix - 33.0

Court-Specific Rules
Concerning Objections to
Recommendations of
Hearing Officers in Title
IV-D Matters

Title - IV	Chapter Title - Hearing Officer Procedures for Domestic Violence Protective Orders
-------------------	---

Chapter - 34

Rule - 34.0

Appendix - 34.0

Court-Specific Rules
Concerning Hearing
Officer Procedures for
Domestic Violence
Protective Orders

Title - IV	Chapter Title - Hearing Officer Procedures for Domestic Violence Protective Orders
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Chapter - 34

Rule - 34.2

Appendix - 34.2

Court-Specific Rules
Concerning Objections to
Rulings of Hearing
Officer or Domestic
Commissioner; Time for
Filing

Title - IV	Chapter Title - General Procedures for Hearing Officer Conferences
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Chapter - 35

Rule - 35.1

Appendix - 35.1

Court-Specific Rules
Concerning Failure To
Timely Comply with an
Appendix 23.0D Hearing
Officer Conference and
Information Order and/or
an Appendix 23.0B
Family Law Affidavit

Title - IV	Chapter Title - General Procedures for Hearing Officer Conferences
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Chapter - 35

Rule - 35.4 http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_35.4.pdf

Appendix - 35.4

Stipulation Form (form)

Title - IV	Chapter Title - General Procedures for Hearing Officer Conferences
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Chapter - 35

Rule - 35.5

Appendix - 35.5

Court-Specific Rules

Title - IV	Chapter Title - General Procedures for Hearing Officer Conferences
Chapter - 35	
Rule - 35.7	
Appendix - 35.7	
Court-Specific Rules Concerning the Setting of Hearing Dates	

Title - IV	Chapter Title - General Procedures for Hearing Officer Conferences
Chapter - 35	
Rule - 35.8	
Appendix - 35.8	
Court-Specific Rules Concerning Adoption of Hearing Officer's Recommendation as Temporary Order After Objection	

Title - V	Chapter Title - Court Organization and Sessions
Chapter - 41	For all hearings and non-jury trials, unless excepted herein or the necessity for which has been specifically waived by the judge, comprehensive pre-hearing and pre-trial briefs shall be filed with the judge not later than seven days prior to the hearing or trial. The filing of a brief in the suit record shall not be permitted.
Rule - 41.0	
Appendix - 41.0	
Court Procedures	The provisions of this section shall not apply to criminal cases, uncontested matters, rule to show cause in separation and divorce cases, juvenile court and adoption matters.

Title - V	Chapter Title - Adoption Proceedings
Chapter - 46	
Rule - 46.0	
Appendix - 46.0	
Court-Specific Rules Concerning Filing of Pleadings and Required	

Title - VI	Chapter Title - Litigation Filed by Inmates
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Chapter - 60

Rule - 60.2	http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.2.PDF
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Appendix - 60.2

Form IJR-1: Petition for Judicial Review

Title - VI	Chapter Title - Litigation Filed by Inmates
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Chapter - 60

Rule - 60.4	http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.4.PDF
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Appendix - 60.4

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

Title - VI	Chapter Title - Litigation Filed by Inmates
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Chapter - 60

Rule - 60.7	http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.7A.PDF
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Appendix - 60.7A

Application To Proceed In Forma Pauperis Filed in District Court
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Title - VI	Chapter Title - Litigation Filed by Inmates
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Chapter - 60

Rule - 60.7	http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.7B.PDF
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Appendix - 60.7B

Motion To Proceed In Forma Pauperis on Appeals/Writs
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Title - VI	Chapter Title - Litigation Filed by Inmates
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Chapter - 60

Rule - 60.8

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.8.PDF>

Appendix - 60.8

Appeal of Parole
Revocation