

RULES FOR LOUISIANA DISTRICT COURTS

TITLES I, II, and III

Thirty-Eighth Judicial District Court

Parish of Cameron

Chapter: 2

Chapter Title: Dates of Court

Appendix 1

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.

Louisiana State Bar Association Annual Meeting; No civil matters the last week of December; On May 1 ("Law Day") and on the third Friday of October the court shall convene in joint session with the Fourteenth Judicial District for the purpose of conducting ceremonies memorializing deceased members of the Southwest Louisiana Bar Association, introduction of new members and such other matters as may properly be included. In the event such a day falls on a holiday, or if for some other reason the court deems it inadvisable to conduct such ceremony on said date, the court may schedule and announce some other day for the ceremony.

Chapter: 3

Chapter Title: Judges and Facsimile Transmissions to the Court

Appendix 2

Rule No: 3.1

Divisions or Sections of Court

Single judge district.

Except for jury terms (see below), court shall regularly convene on Monday and Wednesday for civil business and on Thursday for criminal business. Additional court days will be announced as needed. For any reason deemed sufficient, court may be adjourned before or extended beyond the expiration of the time allotted.

Jury terms will be scheduled as needed. Each term will begin on a Monday and extend for eight (8) working days until unfinished business is completed. A jury term will pre-empt regular court days.

Appendix 3

Rule No: 3.2 and 9.3

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

Single judge district.

Chapter: 4

Chapter Title: Court Personnel

Appendix 4

Rule No: 4.1

Judicial Administrators and
Clerks of Court

Hon. Carl Broussard
Clerk of Court
Parish of Cameron
P. O. Box 549
Cameron, LA 70631

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

Rule No: 9.4

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

Pleadings which are time sensitive should be filed with the clerk of court in order to be time stamped. Otherwise, pleadings may be delivered directly to the judge's office or to the clerk of court.

Appendix 8

Rule No: 9.14

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

FIXING CONTESTED MATTERS FOR TRIAL
SECURITY FOR COURT COSTS

1. After a matter is contested and the clerk has received an adequate deposit, bond for costs, or judicial dispensation of security, a case may be placed on the trial docket by an oral motion in open court, or by a written motion in chambers, or by a written request directed to the clerk, by an attorney of record or by any party not represented by an attorney. After such a motion or

request is made, if the clerk determines that the required deposit or bond is inadequate, he shall so notify the attorneys of record in the case, and the case shall not be placed on the trial docket unless an adequate deposit or bond is furnished or unless so ordered by the court. If an adequate deposit or bond is not furnished within sixty days after notice is mailed by the clerk, the case shall be dismissed, without prejudice, upon contradictory motion filed by any party thereto, if failure to comply with the notice continues to the date of trial on the motion.

2. Any party litigant who wishes to exercise the privilege of proceeding in forma pauperis, in addition to the affidavits required by C.C.P. Art. 5183, shall furnish the court with full and complete information concerning their assets and liabilities in a form or substantially to a form which is on file with the clerk of court. If the court is not satisfied with the information furnished, it shall order the litigant, at a time convenient to the court, to show cause why it should be permitted to proceed in forma pauperis.

PRE TRIAL CONFERENCES

1. In any civil action, upon request of counsel for plaintiff or defendant, or at its own direction, the court may order the attorneys for the parties to appear before it for a pre trial conference to consider the following:

- (1) The simplification of the issues.
- (2) The necessity or desirability of amendments to the pleadings.
- (3) The possibility of obtaining admission of facts and the documents which will avoid unnecessary proof.
- (4) The limitation of evidence.
- (5) Such other matters as may aid the disposition of the action.

2. During the conference the parties are expected to disclose their respective positions and to stipulate as to all matters not at issue. The court will have such stipulations noted in order to conserve time at trial. The parties at pre trial conferences will likewise be required to state objections to any procedure or to any exhibit or evidence which another party proposes to offer at trial.

3. At the pre trial conference the court, in its discretion, may seek to advise and assist the litigant to a voluntary resolution of their disputes. Counsel will be expected to know what authority, if any, their respective clients have granted.

4. When a party or his counsel has been notified of a pre trial conference and fails to appear, the court may remove the case from the trial docket, dismiss the case or take any other action as may be deemed proper under the circumstances.

SUBMITTING OF CASES; FILING OF BRIEFS AND EVIDENCE

1. In all contested hearings and non jury trials, except criminal matters and suits for separation and divorce, counsel shall, unless relieved by the court, submit pre hearing or pre trial briefs not later than three (3) days prior to the hearing or trial. It is necessary to submit copies to opposing counsel.

2. A matter shall be considered as fully submitted for decision upon the conclusion of trial or hearing unless the court orders the record left open for the filing of additional evidence, or the filing of post trial briefs. The court shall designate time periods for such filings. Supplemental briefs will be allowed only by leave of court. When the record is left open the matter shall be

considered as fully submitted on the day following the day of the last timely filing of evidence or a brief, or the last day for filing.

3. When post trial or post hearing briefs have been ordered, the clerk shall make available, upon request, the record to each attorney who is permitted to file a brief. It shall be the responsibility of the attorney borrowing the record to return it to the clerk of court at the expiration of the delays for filing the brief.

4. A copy of each post trial or post hearing brief filed in a pending case must be either handed or mailed to opposing counsel prior to filing the brief with the court, which shall be made to appear by a certificate of the attorney to that effect endorsed on the brief.

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

Single judge district.

Rule No: 14.0

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

Appendix 12

Single judge district.

Rule No: 14.0

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

Appendix 13

Single judge district.

Rule No: 14.1

Chapter: 15

Chapter Title: Assignment of Cases and Preliminary Motions

Appendix 14

Pre-trial and status conferences in criminal cases will be scheduled by the court upon a written request to the presiding judge.

Rule No: 15.0

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

Petit Jury terms will be scheduled periodically and the schedule will be posted semi-annually with the Office of the Clerk of Court and of the District Attorney.

Appendix 15

None.

Rule No: 15.1

Alternative Method of Service
on District Attorney

Appendix 16

Indigent defendants are primarily served by attorneys under contract to the Indigent Defender Board. In the event of a conflict, special counsel are randomly appointed by the judge from a list of volunteer attorneys maintained by the court.

Rule No: 15.2

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

Simultaneous peremptory challenges are allowed.

Rule No: 19.0

Simultaneous Peremptory
Challenges
