

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

TITLE IV

Eighth Judicial District Court

Parish of Winn

Chapter 24 SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule 24.0 Scheduling Hearing; Scheduling Trials

8th JDC
Rule XVII A
RULE XVII. DOMESTIC RELATIONS

The following rules shall be observed with respect to domestic cases:

A. No case will be set for trial on the same day the answer is filed, but will be set at some future open date to be heard as in other cases in the order of its fixing except when answer is filed by curator ad hoc.

Eighth Judicial District Court Rule XVII A

Chapter 25 ALLOTMENT, REALLOTMENT AND TRANSFER OF CASES; FORM OF PLEADINGS

Rule 25.4 Form of the Pleadings

8th JDC
Rule XVII B
RULE XVII. DOMESTIC RELATIONS

The following rules shall be observed with respect to domestic cases:

Adopted April 11,
2001, effective May
1, 2001.
B. In a case where a curator ad hoc is appointed to represent an absent defendant, he may not file an answer before the expiration of 15 days from the date of service is made upon him by the Sheriff or acceptance of service.

Eighth Judicial District Court Rule XVII B

8th JDC
Rule XVII G
RULE XVII. DOMESTIC RELATIONS

The following rules shall be observed with respect to domestic cases:

Adopted April 11,
2001, effective May
1, 2001.
G. Any answer or other pleading, either prepared, filed on in any manner directly or indirectly handled, or any advise given by counsel to the party other than the one he represents, will justify the Court in rejecting the demand.

Eighth Judicial District Court Rule XVII G

Chapter 35 ALIMONY AND CHILD SUPPORT MATTERS ANCILLARY TO CIVIL DIVORCE PROCEEDINGS

Rule 35.0 Use of Hearing Officers

RULE XXI. HEARING OFFICER(S), RELATED PERSONNEL AND PROCEDURES RELATIVE TO EXPEDITED PROCESS FOR THE ESTABLISHMENT, MODIFICATION AND ENFORCEMENT OF SUPPORT OBLIGATIONS

A. 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 the Court, to hear support and support related matter, including contested and uncontested paternity cases, and to hire and employ any and all such other personnel deemed necessary to implement this procedure, all of whom shall serve at the pleasure of the Court. The Judge, at his option, may implement the expedient process by conducting the trial without a hearing officer.

B. Such Hearing Officer shall be an attorney who has been in good standing with any state bar association for not less than five years and has experience in cases involving child support services. Such Hearing Officer(s) shall have authority to perform, and shall perform any and all duties assigned by the Judge which are consistent with LSA-R.S. 46:236.5 as it presently exists or as it may be, from time to time, supplemented or amended in the future.

C. The Court shall hold a contradictory hearing on a matter that has been the subject of a Hearing Officer's hearing upon the filing of a motion by either party. Such motion shall be filed with the Clerk of Court within three (3) days from the date of the hearing. If no request for a hearing before a Judge is filed, an order shall be signed by the Judge which shall be a final judgment and be appealable to the appropriate Court of Appeal. The contradictory hearing shall be held before the judge who shall accept, reject or modify in whole or in part the findings of the Hearing Officer. If the Judge determines that additional information is needed, he may receive the evidence at the hearing or remand the proceeding to the Hearing Officer.

D. The Court shall fix the salary, or salaries, of the Hearing Officer(s) and any such other personnel hired and employed to implement this procedure.

Eighth Judicial District Court

Rule XXI A, B, C, and D

Rule 35.1

Notice and Exchange of Information

RULE XVII. DOMESTIC RELATIONS

The following rules shall be observed with respect to domestic cases:

C. All pleadings for spousal support shall be accompanied by a sworn affidavit executed by the party filing said rule or petition, an attested copy of which shall be served upon the defendant, setting forth an itemized list of the following:

1. Total gross monthly income.
2. Itemized payroll deductions.
3. Total itemized monthly expenditures.
4. Itemization of assets and their liquidity.

Prior to the time fixed for trial of a rule, or with the answer filed by the defendant, whichever is earlier, the defendant shall file in the record and with opposing counsel, a sworn affidavit setting forth an itemized list as required of the petitioner or mover in "C" above.

Eighth Judicial District Court

Rule XVII C

Rule 35.2

Child Support Worksheet

8th JDC
Rule XVII, D &
E

D. In all pleadings for child support, increases or decreases thereof, each party shall file a verified income statement as required by statute showing gross income and adjusted gross income, together with documentation of current and past earnings. The documentation shall include a copy of each party's most recent federal tax return. The verified income statements should be filed at least five (5) days prior to the time of the rule or trial. A copy of the statement and documentation shall be provided to the other party.

E. Each party to hearings for child support should prepare the work sheet required by statute and should provide the adverse party or counsel with a copy thereof. Each party should be prepared to exchange work sheets prior to the case being called for hearing.

Eighth Judicial District Court

Rule XVII, D & E

Rule 35.6

Arrearages

8th JDC
Rule XVII H

Adopted April 11,
2001, effective May
1, 2001.

H. All pleadings to make executory alimony or support judgments or in which a judgment of contempt for failure to pay spousal support or child support judgments shall be accompanied by a sworn affidavit executed by the party filing said pleadings, an attested copy of which shall be served upon the defendant, setting forth the following:

(1) A computation of all payments that have accrued under the judgment.

(2) An itemized list of all payments received showing when, to whom, by whom and in what manner said payments were made.

(3) The amount of arrearages.

Prior to the time the matter is called for hearing, defendant shall file a similar affidavit.

Eighth Judicial District Court

Rule XVII H

Chapter 36

CHILD SUPPORT PURSUANT TO HEARING OFFICER PROCEEDING

Rule 36.1

Fixing Child Support

8th JDC
Rule XXI E

Adopted April 11,
2001, effective May
1, 2001.

RULE XXI. HEARING OFFICER(S), RELATED PERSONNEL AND PROCEDURES RELATIVE TO EXPEDITED PROCESS FOR THE ESTABLISHMENT, MODIFICATION AND ENFORCEMENT OF SUPPORT OBLIGATIONS

E. In all Title IV D (Social Security Act) cases presently pending and arising in the future, each support payment, including existing arrearages and future arrearages as well as on going support payments, is hereby increased by five (5%) percent beginning September 1, 1992. On or after September 1, all such obligors or payors shall make any and all such payments for support, including the additional five (5%) percent amount. Such payments shall be made only by money order or certified check made payable to State of Louisiana, Department of Social Services, P.O. Box 260222, Baton Rouge, Louisiana 70826.

Eighth Judicial District Court

Rule XXI E

Chapter 38

CUSTODY AND VISITATION ORDERS

Rule 38.5

Alternative Procedures (Mediation, Parenting Classes)

RULE XVII. DOMESTIC RELATIONS

The following rules shall be observed with respect to domestic cases:

F. Pursuant to the inherent powers of this court and Article 706(A) of the Louisiana Code of Evidence and in order to provide for the speedy, efficient and inexpensive resolution of disputes, the court may require parties in cases involving the custody of the minor children to participate in programs designed to acquaint the parents or parties with methods of assisting minor children in coping with the stress of divorce and custody proceedings.

Eighth Judicial District Court

Rule XVII F
