

RULES FOR LOUISIANA DISTRICT COURTS

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

Civil District Court

Parish of Orleans

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 The judges of Orleans Parish Civil District Court are elected to a specific division of court.

Rule - 3.1

Appendix - 3.1

Divisions or Sections of
Court

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

Chapter - 3 CHIEF JUDGE

Rule - 3.2 1. The judges of the Civil District Court shall elect from their members a chief judge, who shall serve for a term designated by the judges.

Appendix - 3.2

Duty Judges

Amended effective
September 1, 2004;
Amended effective
March 13, 2006;
Amended effective
September 5, 2006;
amended effective
January 1, 2020.

2. The chief judge shall preside over meetings en banc; appoint committees; certify all documents on behalf of the court en banc; prepare the agenda for en banc meetings; represent the court in ceremonial functions; exercise general supervision of administrative functions; supervise expenditures by the judicial expense fund; oversee all financial planning and reporting; and perform those duties delegated by the court en banc.

3. In the absence of the current Chief Judge, the preceding Chief Judge will serve as Acting Chief Judge. In the absence of the preceding Chief Judge, the remaining member of the Executive Committee will serve as Acting Chief Judge. In the absence of the remaining member of the Executive Committee, the Duty Judge will serve as Acting Chief Judge.

4. In the event a judge of this Court will be unavailable to hear a motion for preliminary injunction because of a pre-arranged vacation or attendance at a professional function, the Chief Judge or Acting Chief Judge shall have authority to order the matter re-allotted for the hearing on the preliminary injunction. All other proceedings in that matter shall be heard by the judge to whom the case is originally allotted.

REALLOTMENT

In the event a judge of this Court has a pre-arranged vacation or is otherwise unavailable for personal reasons to hear a matter that necessitates an expedited setting, the judge may order that the Clerk of Court randomly re-allot the matter for hearing of the expedited matter only. The judge to whom the case is originally allotted shall hear all other proceedings in that matter. Those matters which must be heard expeditiously include, but are not limited to, evictions, mandamus proceedings, preliminary injunctions, and candidacy contest suits.

DUTY JUDGE

1. The position of duty judge is established to be rotated by division among the judges weekly, starting with Division A.
2. The duty judge shall serve from 9:00 A.M. on Monday until 9:00 A.M. on the following Monday. The duty judge shall be in court from 9:00 A.M. to noon and from 1:00 P.M. to 4:00 P.M., Monday through Friday.
3. No cases, pretrial conferences or rules shall be heard by the duty judge during such duty week.
4. (a) Monday through Friday the duty judge shall hear all confirmations of defaults with testimony from 9:00 A.M. to 10:00 A.M. The duty judge shall hear all motions for temporary restraining orders; judicial commitments and matters relating thereto; and all ex parte petitions and motions not excluded by Section 5 from 10:00 A.M. to noon and 1:00 P.M. to 4:00 P.M., except when the duty judge is hearing judicial commitments or attending en banc meetings from 10:00 A.M. to 2:00 P.M.

(b) All judicial commitments and related hearings shall be set at 1:00 p.m. on the second Thursday following the Friday of the week when filed. In the event that Thursday is a legal holiday, they shall be set on the next legal day. However, if the next following day is longer than the 18 day period, then commitments will be held on Wednesday preceding the legal holiday.

(c) The judge to whom the case is allotted shall hear all motions for preliminary injunctions.

(d) The duty judge shall handle all emergency matters such as protective orders and motions to quash when requested by the Division.

(e) Rules for eviction shall be set for hearing in the week following their filing. The duty judge shall hear such matters if they are uncontested, or if the trial thereof expected to take less than 30 minutes. Otherwise the matter shall be heard by the division to which it is allotted or its designee.

(f) All requests for an administrative stay must be presented to the Duty Judge and will be processed similar to a request for a temporary restraining order (CCP Art. 3603) in the following manner: an application for an administrative stay must be by a verified petition of appeal and/or by supporting affidavits stating specific facts which show that immediate and irreparable injury, loss or damage will result to the applicant before the adverse party or his attorney can be heard in opposition to the granting of the administrative stay and the applicant or his attorney must certify to the Court in writing what efforts have been made to give notice to the adverse party of the request for an administrative stay or the reasons supporting his claim that notice would not be given to the adverse party.
5. The duty judge shall not sign, unless presented and initialed by a member of the referring judge's staff, or the referring judge's designee, such orders as: supplemental or amending petitions; motions for trial, pretrial or other hearing or the continuance thereof, orders allowing incidental demands; extensions of deadlines set by court order; motions of counsel to withdraw; amendments to pretrial orders or witness lists; and motions to consolidate.
6. The duty judge may handle any matter when presented to the duty judge by the staff of the referring judge or such judge's designee.
7. Each division shall provide a member of its staff, or by agreement, the staff of another division to set rule dates and authorization for orders described in number 4 herein. Such personnel must be available from 9:00 A.M. to noon and from 1:00 P.M. to 4:00 P.M., Monday through Friday.
8. In the event of illness or other unavailability, the duty judge may make arrangements with any other judge of the court to serve in the judge's place and by agreement may exchange weeks or days of duty. In the event the duty judge is unable to secure a replacement because of illness or other unavailability, the chief judge shall assign another judge of the court to the position of duty judge, who shall receive full credit for the substitute service. Thereafter, the chief judge may adjust the rotation assignment to reestablish equality of service.

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| Title - I | Chapter Title - Judges, Facsimile Transmissions To The Court, and Technology-Related Rules |
| Chapter - 3 | Any presiding judge of this court may electronically sign a court order, judgment, notice, minute entry, official court documents or other writing by electronic signature which is as an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record. |
| Rule - 3.4 | |
| Appendix - 3.4 | |
| Court-Specific Rules Concerning Judges' Use of Electronic Signatures | |
| Amended effective March 1, 2018. | |

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| Title - I | Chapter Title - Judges, Facsimile Transmissions To The Court, and Technology-Related Rules |
| Chapter - 3 | |
| Rule - 3.5 | |
| Appendix - 3.5 | |
| Court-Specific Rules Concerning Simultaneous Appearance by a Party or Witness by Audio-Visual Transmission | |

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| Title - I | Chapter Title - Judges, Facsimile Transmissions To The Court, and Technology-Related Rules |
| Chapter - 3 | |
| Rule - 3.6 | |
| Appendix - 3.6 | |
| Court-Specific Rules Concerning Recording of Protected Persons Pursuant to La. R.S. 15:440.2 | |

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| Title - I | Chapter Title - Court Personnel |
| Chapter - 4 | Michele L. Collins www.orchestration.com Judicial Administrator |
| Rule - 4.1 | Orleans Civil District Court 421 Loyola Avenue, Suite 320 New Orleans, LA 70112 Telephone: (504) 407-0370 Facsimile: (504) 592-9279 E-Mail: mcollins@orchestration.com |
| Appendix - 4.1 | |
| Judicial Administrators and Clerks of Court | |

| Title - II | Chapter Title - Procedure |
|--|---|
| Chapter - 9 | ALLOTMENT OF CASES |
| Rule - 9.3 | 1. Non-domestic cases shall be allotted equally among the divisions handling such cases. |
| Appendix - 9.3 | 2. No case shall be allotted which has not been regularly filed and docketed. |
| Allotments: Signing of Pleadings in Allotted and Non-Allotted Cases | 3. To avoid confusion when divisions rotate in and out of the domestic relations section, cases shall be allotted to sections rather than to the divisions of court. Upon filing the first pleading, a case shall be randomly allotted either to section 5 through section 16 (non domestic cases) or to a domestic relations section. When a division ceases to be a domestic relations section, it shall be assigned those cases previously assigned to that division succeeding to the domestic relations section. The Clerk of Court shall publish conspicuously in the Clerk's Office the assignment of case sections to particular divisions of the court. The division shall handle the section cases assigned to it until a change in the assignment of cases in accordance with this Rule. |
| Amended effective September 1, 2004; Amended effective March 13, 2006; Amended effective September 5, 2006 | 4. To achieve continuity of case management, and to avoid the appearance of forum shopping, it is the policy of the court that subsequent but related cases should be transferred to the division to which the original case was allotted, whether or not such earlier case is still pending. It shall be the duty of any attorney in such cases to call to the court's attention the existence of such earlier case. The following are examples of cases which ought to be transferred to the original division: |
| | 1. Subsequent cases between the same or related parties arising from the same incident or transaction including subsequently filed claims for contribution, indemnity, attorney fees, or penalties. |
| | 2. Domestic cases involving spouses between whom a prior case had been pending, even though terminated by reconciliation or otherwise dismissed, including subsequent cases for dissolution of the marriage, settlement of the community, alimony or custody. |
| | 3. Cases asserting the same claim, refiled after dismissal without prejudice either voluntarily or involuntarily. |
| | 4. Cases growing out of earlier cases, such as suits to enjoin executory process, to annul a judgment, suits claiming damage caused by the earlier proceeding (wrongful eviction, malicious prosecution, abuse of process, etc.). |
| | 5. Suits dismissed as premature when refiled. |
| | 6. Suits against a succession representative. |
| | 7. Contested evictions shall be tried by the judge of the division of court to which the case is allotted or by the designee of the judge of the division to which the case is allotted, provided the designee agrees to accept the case for trial. |
| | 8. Cases filed after a preliminary petition (for discovery, to extend a medical review panel, etc.) has been filed. |
| | 5. Applications for new trial following confirmation of default judgments, shall be heard by the judge to whom the case is allotted and not necessarily the judge who heard the confirmation. Any proceeding following an order signed by the duty judge shall be heard by the judge to whom the case has been allotted. |
| | TRANSFER AND CONSOLIDATION |
| | 1. To facilitate the fair and expeditious resolution of cases, it is the policy of the court to transfer to the lower numbered suit and consolidate for trial those cases in which such consolidation is appropriate. The transfer and consolidation shall be by order of the judge to whom the case is being transferred, after contradictory hearing with all parties in each case, or with their written approval. It shall be the duty of any attorney in any case which ought to be consolidated to so move or call to the court's attention the pendency of related cases that should be considered for consolidation. The following are examples of cases which ought to be consolidated: |
| | 1. Cases involving multiple claimants arising from a common casualty. |
| | 2. Claims for worker's compensation and damages by a claimant arising out of a single incident. |

3. Cases involving multiple accidents to one person with injuries that overlap, whether in tort or compensation.
 4. Multiple claims against a limited fund, such as an insurance policy or construction bond, where such claims are in conflict because they exceed the fund.
 5. Multiple claims growing out of a single construction contract.
 6. Multiple cases principally involving the same or similar legal issues, such as test cases with nominal parties.
 7. Expropriations of properties in a single public development where owned by the same owner in the same neighborhood. Where separate parcels are owned by different owners, the cases need not be consolidated.
2. In the event the judge of the division in which such cases would be consolidated is recused, the case with the lower number shall be reallocated and the cases consolidated in that division.
 3. If the lower numbered case has been dismissed with or without prejudice or the judge has rendered a judgment before the subsequent case is filed, nevertheless, cases otherwise subject to consolidation shall be transferred and/or consolidated.

HURRICANE KATRINA AND RITA CASES

A. All Hurricanes Katrina and Rita related law suits arising out of insurance claims for property damages shall begin with the current year and continue with the current numeric sequence and given the code number 245. The petition shall bear the case number and shall be designated by the words "Hurricane Litigation" on the pleadings. These cases shall be allotted to all non-domestic divisions of the Civil District Court.

B. Unless the judge for good cause determines otherwise, the time line for these cases shall be as follows:

- (1) When the petition is filed and a number is assigned to it, the matter shall be immediately set for a case management conference to be held forty-five (45) days thereafter.
- (2) Defendant(s) has the number of days to answer or file responsive pleadings provided by the Code of Civil Procedure. If requested, defendant(s) are allowed one fifteen (15) day extension.
- (3) At the Case Management Conference the parties will be given a Case Management Order with a Pre-Trial Conference date and a Trial Date. The parties's presence at the Case Management Conference will not be deemed to be an appearance if certain exceptions are pending.
 - (a) The Pre-Trial Conference shall be held ninety (90) days after the filing of the petition. At the Pre-Trial Conference all parties shall be prepared to discuss settlement.
 - (b) The trial shall be scheduled to take place within ninety (90) days of the Pre-Trial conference.
- (4) Discovery will take place as provided by the Code of Civil Procedure except that:
 - (a) Defendants shall propound written discovery in a timely manner so that plaintiff's discovery responses will be due no later than fifteen (15) days after the case management conference. Plaintiff(s) will be allowed only one seven (7) day extension to answer discovery, if requested.
 - (b) Plaintiff(s) shall propound written discovery to insure that defendant(s) discovery responses will be due fifteen (15) days after plaintiff(s)'. Defendant(s) will be allowed only one seven (7) day extension to answer discovery, if requested.
- (5) All motions and exceptions shall be filed and disposed of within Thirty (30) days of the trial date.

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

Appendix - 9.4

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

Title - II **Chapter Title - Procedure**

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**

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**

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**

Chapter - 9

Rule - 9.14 All cases that have been allotted and all proceedings in connection therewith may, at the discretion of the Division Judge, be set for trial upon written motion filed by the counsel seeking such trial. In this instance, the motion to set shall be accompanied by a certificate that all parties have answered or preliminary defaults have been taken against them, including third-party defendants, all depositions and discovery have been completed, all exceptions and preliminary matters have been disposed of, and the matter is ready for a pre-trial conference or to be set for trial.

Appendix - 9.14

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

Amended effective
September 1, 2004

Alternatively, after the completion of a sufficient amount of discovery that allows the lawyers/parties to reasonably anticipate the length of the trial, any party may seek a status conference for the purpose of selecting a trial date appropriately in the future, as well as cut off dates for witness lists, expert reports, and discovery. At this status conference, a date for a pre-trial conference to occur shortly before trial may also be selected. The dates selected will be reduced to a scheduling order signed the by parties and the court.

Title - III

Chapter Title - Allotment of Cases

Chapter - 14

Not applicable to the Orleans Parish Civil District Court.

Rule - 14.0

Appendix - 14.0A

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

Title - III

Chapter Title - Allotment of Cases

Chapter - 14

Not applicable to the Orleans Parish Civil District Court.

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

Not applicable to the Orleans Parish Civil District.

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

Not applicable to the Orleans Parish Civil District Court.

Rule - 15.0

Appendix - 15.0

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

Title - III **Chapter Title - Assignment of Cases and Preliminary Motions**

Chapter - 15 None.

Rule - 15.1

Appendix - 15.1

Appointment of Counsel

Title - III **Chapter Title - Assignment of Cases and Preliminary Motions**

Chapter - 15 None.

Rule - 15.2

Appendix - 15.2

Alternative Method of
Service on District
Attorney

Title - III **Chapter Title - Arraignment and Pleas**

Chapter - 18

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

Appendix - 18.0

Waiver of Formal
Arraignment and Pleas

Title - III **Chapter Title - Simultaneous Peremptory Challenges**

Chapter - 19 None.

Rule - 19.0

Appendix - 19.0

Simultaneous
Peremptory Challenges

Title - IV **Chapter Title - Application of Rules**

Chapter - 22 1. In accordance with Act 460 of 1979, there is hereby designated a Domestic Relations Section of this court, composed of three judges or divisions. One of the said judges shall preside over Domestic Relations Section # 1, and the other over Domestic Relations Section # 2 and the third over Domestic Relations Section #3.

Rule - 22.0

Appendix - 22.0

Courts That Have
Created Specialized
Divisions or Sections of
Court That Handle

Each domestic relations judge may adopt additional rules regulating practice before such judge.

2. Domestic relations cases shall consist of all domestic matters, including suits for divorce or annulment, alimony, child support, custody of children, partition of community property, adoption, and

3. La. R.S. 13:1138 created two dedicated, limited jurisdiction seats in Orleans Parish Civil District Court: The first two judgeships becoming vacant by death, resignation, retirement, or removal on or after August 15, 2011, shall be abolished and two new judgeships shall be created and limited, pursuant to the provisions of Article V, Section 15(A) of the Constitution of Louisiana, to family matters as provided by law, including the following domestic relations matters:

(a) Actions for divorce, annulment of marriage, establishment or disavowal of paternity of children, alimony, support of children, custody by habeas corpus or otherwise, visitation rights, and all matters incidental to any of the foregoing proceedings.

(b) The issuance, modification, or dissolution of conservatory writs for the protection of community property.

(c) The issuance of writs of fieri facias and garnishment under judgments for alimony, child support, and attorney fees, partition proceedings following divorce judgments, and suits for separation of property.

For the purposes of this Subsection, family or domestic relations matters shall not include tutorship proceedings.

Title - IV

Chapter Title - Notice and Exchange of Information

Chapter - 23

Rule - 23.0

http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_23.0A.pdf

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

Court-Specific Rules
Concerning Arrearages

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

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

1. No case shall be allotted which has not been regularly filed and docketed.
 2. To avoid confusion when divisions rotate in and out of the domestic relations section, cases shall be allotted to sections rather than to the divisions of court. Upon filing the first pleading, a case shall be randomly allotted either to section 5 through section 16 (non-domestic cases) or to a domestic relations section. When a division ceases to be a domestic relations section, it shall be assigned those cases previously assigned to that division succeeding to the domestic relations section. The Clerk of Court shall publish conspicuously in the Clerk's Office the assignment of case sections to particular divisions of the court. The division shall handle the section cases assigned to it until a change in the assignment of cases in accordance with this Rule.
 3. To achieve continuity of case management, and to avoid the appearance of forum shopping, it is the policy of the court that subsequent but related cases should be transferred to the division to which the original case was allotted, whether or not such earlier case is still pending. It shall be the duty of any attorney in such cases to call to the court's attention the existence of such earlier case. The following are examples of cases which ought to be transferred to the original division:

Domestic cases involving spouses between whom a prior case had been pending, even though terminated by reconciliation or otherwise dismissed, including subsequent cases for dissolution of the marriage, settlement of the community, alimony or custody.
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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 |
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| Chapter - 24 | A. The deposit for appointment as an attorney to represent an absentee defendant is fixed at the sum of \$600 for the initial absent party, and \$300 for each additional party. Additionally, reasonable costs, such as certified mail and/or advertisement may be reimbursed with leave of Court. |
| Rule - 24.4 | |
| Appendix - 24.4 | B. In any case in which an attorney is requested to represent an absentee defendant, the petition/rule shall contain information as to the last known residence or whereabouts of the defendant. The curator ad hoc shall promptly make diligent effort to locate and contact the defendant either by personal contact or by certified/ registered mail with return receipt requested. |
| Court-Specific Rules Concerning Appointment of Attorneys To Represent Absentee Defendants | C. If the absentee defendant can be located or contacted, the curator ad hoc shall inform him of the nature of the proceedings and the date of the hearing/trial. If the absentee defendant cannot be located or contacted, the curator ad hoc shall comply with La. C.C.P. Art. 5095 to protect the rights of the absentee. |
| Amended effective July 13, 2021. | D. The curator ad hoc shall appear at all hearing/trial dates until discharged. Unless otherwise directed by the Court, the curator ad hoc shall file a Note of Evidence, attaching copies of the letters written to or received from the defendant, proof of publication of any advertisements made, and/or the return receipt of certified/registered letters sent to the defendant. |

| 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 | |
| Rule - 24.6 | |
| Appendix - 24.6 | |
| Court-Specific Rules Restricting the Preparation of Answers or Other Pleadings; Procedure When a Self- Represented Party Has | |

Title - IV **Chapter Title - Procedure**

Chapter - 24

Rule - 24.7

Appendix - 24.7A

Court-Specific Rules
Concerning Scheduling
Hearings and Trials

Title - IV **Chapter Title - Procedure**

Chapter - 24

Rule - 24.7

Appendix - 24.7B

Court-Specific Rules
Concerning Order of
Business

Title - IV **Chapter Title - Procedure**

Chapter - 24

Rule - 24.8

Appendix - 24.8A

Court-Specific Rules
Concerning
Continuances in Family
Law Proceedings

A. All applications for a continuance shall be in writing, and shall specify whether the opposing attorney or litigant opposes the continuance. The application shall set forth the specific reason for the continuance.

B. Contested motions for continuances must be set for contradictory hearing. No ex parte motions for continuance shall be granted over the objection of the opposing counsel or party, except for the most unusual circumstances, where there is good ground therefore. Continuances will be evaluated on the merits on a case-by-case basis.

C. If the case is continued, it is the responsibility of the attorney or litigant who sought the continuance to notify all parties and witnesses that the case will not be heard on the assigned day.

Title - IV **Chapter Title - Procedure**

Chapter - 24

Rule - 24.8

Appendix - 24.8B

Uncontested Motion To
Continue (form)

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

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 Hearings may be held in chambers in accord with R.S. 9:302.

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 Litigants and witnesses shall not bring children to Court without prior Court approval. Children are not allowed in the courtroom without special permission of the Judge. When the Court has given approval for a child to offer testimony or be interviewed by the Judge in chambers, the child shall be made available on a standby basis at a location other than the courthouse, until called by the Court.

Rule - 24.12

Appendix - 24.12

| Title - IV | Chapter Title - Procedure |
|--|---|
| Chapter - 24 | A. Unless otherwise agreed by the parties, when any evaluation is ordered by the Court pursuant to La. R.S. 9:331, there shall have been no prior communications between the attorneys or the parties and the mental health professional concerning the issues in the pending matter, other than communications for the sole purpose of determining the availability of the mental health professional or to identify any conflicts of interest the mental health professional may have with the parties or the children. |
| Rule - 24.13 | |
| Appendix - 24.13 | |
| Court-Specific Rules Concerning Mental Health Evaluations in Family Law Proceedings | B. In the event the mental health professional determines that the minor child is at risk for physical injury or may suffer serious and demonstrable psychological trauma due to the condition or circumstances of any party or any child, the mental health professional shall immediately contact the Court, and all counsel of record to advise of the risk; if either party is not represented by counsel, then the mental health professional shall contact the Court ex parte to advise of the risk. |
| | C. Once the evaluation has been completed, the mental health professional shall, no later than 48 hours prior to the time the case is assigned for trial/hearing, provide a written report to the Court and the parties. |

| Title - IV | Chapter Title - Procedure |
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| Chapter - 24 | In accordance with R.S. 9:572, in all uncontested suits to establish paternity each division, at its option, shall require that proof be submitted by affidavit only. |
| 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 | Attorneys are generally responsible for preparing typewritten judgments and orders; in cases where no attorney is enrolled, judgments and orders will be prepared by the Court. If a Written Stipulation has been executed, the typewritten judgment must be submitted within fifteen calendar days. All other judgments, whether a consent agreement or a considered decree, must be submitted within seven calendar days. Attorneys must abide by La. Dist. Ct. R. 9.5, even if the other party is not represented by counsel. If a dispute arises which causes a judgment to remain unsigned for more than ten days, the parties shall obtain a transcript of the oral judgment and set the matter for an immediate status conference or rule with the presiding judge. |
| 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**

Chapter - 26

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

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**

Chapter - 26

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

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**

Chapter - 27

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

Appendix - 27.0A

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

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

Chapter - 27 Before a rule for divorce pursuant to La. C.C. Art. 102 may be heard, the moving party or the mover's

attorney must file the 102 Divorce Checklist (Appendix 27.0A) into the record. The filing of the checklist has the effect of a pleading and must be executed in good faith following an examination of the record.

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

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

Chapter - 27

Rule - 27.1

http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_27.1A.pdf

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

Chapter - 27

Rule - 27.1

http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_27.1B.pdf

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

Chapter - 27

Rule - 27.1

Appendix - 27.1C

Courts That Require Use
of a Specific Waiver of
Service and Citation
Form in a La. C.C. art.
102 Divorce

Title - IV

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

Chapter - 28

Confirmation of default shall be in accordance with law. The judgment of divorce must contain a certification from the Clerk of Court and the Civil Sheriff that all costs have been paid.

Rule - 28.0

Appendix - 28.0

Court-Specific Rules
Concerning Default
Judgments

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

La. C.C.P. art. 1702(E)
Divorce Checklist (form)

Title - IV

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

Chapter - 28

After obtaining a judgment of preliminary default, a judgment of divorce may be obtained by submitting the necessary documents as required by law and a completed Appendix 28.1B 1702(E) Divorce Checklist. The filing of the checklist has the effect of a pleading and must be executed in good faith following an examination of the record. A Petition filed under La. C.C. Art. 102 will not suffice as the Petition for Divorce required by the Appendix 28.1B 1702(E) Divorce Checklist.

Rule - 28.1

Appendix - 28.1C

Courts That Require the
Filing of a La. C.C.P. art.
1702(E) Divorce
Checklist

Title - IV

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

Chapter - 28

When a judgment of divorce is sought pursuant to La. C.C.P. Art. 969, the required documents must be accompanied by an Appendix 28.2B 969(B) Divorce Checklist completed by one of the attorneys.

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

Chapter - 28

Rule - 28.2

http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_28.2B.pdf

Appendix - 28.2B

La. C.C.P. art. 969(B)
Divorce Checklist (form)

Title - IV

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

Chapter - 28

Rule - 28.3

http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_28.3A.pdf

Appendix - 28.3A

Acceptance of Waiver
and Waiver of Service
and Citation and Delays
in a La. C.C. art. 103
Divorce (form)

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

Rule - 29.1

Appendix - 29.1

Court-Specific Rules
Concerning Temporary
Custody Orders

Title - IV **Chapter Title - Custody and Visitation Orders**

Chapter - 29

Rule - 29.2 http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.2A.pdf

Appendix - 29.2A

Joint Custody Plan (With
Domiciliary Parent)
(form)

Title - IV **Chapter Title - Custody and Visitation Orders**

Chapter - 29

Rule - 29.2 http://www.lasc.org/rules/dist.ct/Title_IV/APPENDIX_29.2B.pdf

Appendix - 29.2B

Joint Custody Plan
(Without Domiciliary
Parent) (form)

Title - IV **Chapter Title - Custody and Visitation Orders**

Chapter - 29

Rule - 29.3

Appendix - 29.3

Court-Specific Rules
Concerning Parenting
Classes

Title - IV **Chapter Title - Custody and Visitation Orders**

Chapter - 29

Rule - 29.4 A. In any case where custody/visitation is at issue, the Court may order the parties to participate in mediation unless prohibited by La. R.S. 9:363. The Court will determine if the case is appropriate for mediation based on the petition, rule, or motion filed.

Appendix - 29.4

Court-Specific Rules
Concerning Mediation

B. Once the Court has determined that mediation is appropriate, the Court will issue an Order appointing a mediator to begin the mediation process before the scheduled hearing/trial. The Court will provide a copy of the Order of Mediation to both parties. The Order will contain contact information for the mediator.

C. The assigned mediator will meet with the parties a minimum of three times. If a party is represented by counsel, the attorney is welcome to participate in the mediation process. The mediator's fees will be

based on a sliding scale.

D. During the mediation process, the parties may agree to have any other issues contained in the pleadings addressed by the mediator during the mandated sessions.

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

Appendix - 29.5

Form Letter To Register
a Foreign or Out-of-State
Custody Order (form)

Title - IV **Chapter Title - Custody and Visitation Orders**

Chapter - 29

Rule - 29.6

Appendix - 29.6

Court-Specific Rules
Concerning Modification
of an Existing Custody or
Visitation Order

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

Chapter - 30

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

Appendix - 30.0A

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_30.0B.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**

Chapter - 32

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

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**

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**

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**

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**

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**

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**

Chapter - 35

Rule - 35.5

Appendix - 35.5

Court-Specific Rules
Concerning Objections to
Hearing Officer
Recommendations and
Judgments of Domestic
Commissioner

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 - Adoption Proceedings**

Chapter - 46

Rule - 46.0

Appendix - 46.0

Court-Specific Rules
Concerning Filing of
Pleadings and Required
Exhibits in Adoption
Proceedings

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

Chapter - 60

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

Appendix - 60.2

Form IJR-1: Petition for
Judicial Review

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

Chapter - 60

Rule - 60.4

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.4.PDF>

Appendix - 60.4

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

Title - VI

Chapter Title - Litigation Filed by Inmates

Chapter - 60

Rule - 60.7

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.7A.PDF>

Appendix - 60.7A

Application To Proceed
In Forma Pauperis Filed
in District Court

Title - VI

Chapter Title - Litigation Filed by Inmates

Chapter - 60

Rule - 60.7

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX60.7B.PDF>

Appendix - 60.7B

Motion To Proceed In
Forma Pauperis on
Appeals/Writs

Title - VI

Chapter Title - Litigation Filed by Inmates

Chapter - 60

Rule - 60.8

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

Appendix - 60.8

Appeal of Parole
Revocation

