

TITLES I, II, and III

Chapter: 14 Chapter Title: Allotment of Cases

Appendix 11

Rule No: 14.0

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

1st Judicial District Court

Parish of Caddo

All criminal cases shall be assigned to the sections of the Criminal Division as follows:

(a) Homicide and Rape Cases. All homicide (except negligent homicide, vehicular homicide) and rape cases shall be assigned to the section of court on duty at the time the offense was allegedly committed.

(b) Defendants not Booked. All cases in which a law enforcement officer issues a summons in lieu of arrest (and the defendant is not booked) shall be assigned to the section on duty at the time the offense allegedly occurred, except all Title 40 Controlled Dangerous Substances cases will be assigned to Criminal Section 5 pursuant to these rules.

(c) Other Cases. All other cases shall be assigned to the section of Court on duty at the time the defendant is booked in the Caddo Parish jail. However, when multiple arrests occur essentially simultaneously as a result of long-term investigation, insurrection, etc., irrespective of any other rules herein to the contrary, these cases shall be assigned equally and at random by the clerk of court in consultation with a majority of the judges sitting in the Criminal Division. This rule shall not apply to Controlled Dangerous Substances cases, which are assigned to Criminal Section 5 pursuant to these rules.

MULTIPLE CASES

When a defendant has a pending criminal charge or is on probation and the defendant is charged with one or more additional crimes, then such new case or cases shall be assigned to the section of original assignment, except that new charges that would be assigned to Criminal Section 5 if the defendant was not otherwise on probation or with pending charges, shall be assigned to Criminal Section 5.

MULTIPLE DEFENDANTS

Where there are multiple defendants in the same case, all defendants are assigned to the section receiving the assignment of the first booked defendant, unless one of the subsequently booked defendants has a case pending, or is on probation. In this circumstance, the case is reassigned according to the Multiple Cases paragraph.

DISPUTES AND TRANSFERS OF ASSIGNMENTS

Cases may be permanently reassigned from one criminal section to another only by majority vote of the judges of the Criminal Division. In case of a tie, the issue will be resolved by a majority vote of all judges of the court. Cases may be temporarily reassigned for the purpose of any proceeding, hearing or trial by consent of the judges affected by the change.

RECUSALS

When a judge is recused, the clerk shall reassign the case by lot.

2nd Judicial District Court

Parishes of Bienville, Claiborne

PERMANENT ASSIGNMENT OF CRIMINAL MATTERS.

1. In Bienville Parish: The trial, related motions and preliminary matters in all felony prosecutions charging an offense committed between December 15 of any year and January 15 of the following year shall be

and Jackson

permanently assigned to Division B. The trial, related motions and preliminary matters in all felony prosecutions charging an offense committed between July 15 and August 15 of any year shall be permanently assigned to Division A. The trial, related motions and preliminary matters in all other felony prosecutions shall be permanently assigned to Division C.

2. In Claiborne Parish: The trial, related motions and preliminary matters in all felony prosecutions charging an offense committed between December 15 of any year and January 15 of the following year shall be permanently assigned to Division C. The trial, related motions and preliminary matters in all felony prosecutions charging an offense committed between July 15 and August 15 of any year shall be permanently assigned to Division B. The trial, related motions and preliminary matters in all other felony prosecutions shall be permanently assigned to Division A.

3. In Jackson Parish: The trial, related motions and preliminary matters in all felony prosecutions charging an offense committed between December 15 of any year and January 15 of the following year shall be permanently assigned to Division A. The trial, related motions and preliminary matters in all felony prosecutions charging an offense committed between July 15 and August 15 of any year shall be permanently assigned to Division C. The trial, related motions and preliminary matters in all other felony prosecutions shall be permanently assigned to Division B.

4. In any case in which a defendant with a pending felony prosecution is subsequently charged with an additional felony or felonies, all felonies shall be permanently assigned to the Division to which the first pending prosecution was assigned.

5. In any case in which a defendant is charged with multiple counts occurring on different dates, the earliest occurrence date shall control the permanent assignment of the case.

Definition of "Preliminary Matters." The terms "related motions" and "preliminary matters" referred to above shall not include arraignment, motions to set or reduce bail bonds, or motions for a preliminary examination.

**3rd Judicial District Court
Parishes of Lincoln and Union**

Assigned to Div. A or B by random drawing in open court at time of arraignment.

**4th Judicial District Court
Parishes of Morehouse and Ouachita**

Amended effective Feb 25, 2005, amended and effective Oct. 19, 2006, amended, effective January 1, 2010

Please note: Text effective until January 1, 2010

All criminal cases shall be allotted to the numbered Sections of this court as follows:

(a) Cases which were pending on January 1, 2002 (the effective date of rule changes creating the initial division into Criminal/Civil Sections) and which had previously been allotted to a particular division of this court shall be allotted to the numbered Section to which that division has been assigned. However, while allotted to either Section #1, #2, #3 or #4, all criminal cases shall be handled by the criminal judge of the allotted section.

(b) Criminal cases arising on or after January 1, 2002 through and including February 25, 2005 at 7:00 a.m. shall be allotted to the Sections of this court as follows:

Capital Offenses. All cases in which the death penalty may be imposed shall be allotted to a Section by random allotment by the Clerk of Court.

Felony Offenses. All other felony offenses shall be allotted to the Section of the court on duty at the time the defendant is booked into the parish jail. However, when multiple arrests occur simultaneously as a result of long-term investigation, etc., irrespective of any other rules herein to the contrary, those cases shall be allotted randomly by the Clerk of Court when notified by the Chief Judge.

Misdemeanor Offenses. All Title 14 misdemeanor offenses shall be assigned to the Section of the court on

duty at the time the defendant is booked into the parish jail or issued a summons or citation.

(c) All other criminal cases arising after 7:00 a.m. on February 25, 2005, with the exception of offenses prosecuted under Title 32 of the Louisiana Revised Statutes, wildlife offenses prosecuted under Title 56 of the Louisiana Revised Statutes, and appeals from courts of limited jurisdiction, shall be randomly allotted by the Clerk of Court in accordance with Rule 14.0 of the Rules for Louisiana District Courts at the time a docket number is assigned.

Further, the requirements of Rule 14.2 of the Rules for Louisiana District Courts shall also apply to affidavits in support of arrests made without warrant (commonly referred to as "48 hour affidavits"). The Clerk of Court shall be required to file the original affidavits in support of arrests made without warrant, assign a docket number and allot in the manner established by Rule 14.0(a) of the Rules for Louisiana District Courts.

(d) Multiple cases. When a defendant has a felony case pending and the defendant is charged with one or more additional felony crimes, the new felony cases shall be allotted to the section to which the pending felony case is allotted. See rule 14.1. Furthermore, when a defendant is on active felony probation with a division of this Court, any new felony case shall be allotted to the criminal section to which that division is currently assigned.

(e) Multiple Defendants. When there are multiple defendants in the same case, all defendants are allotted to the Section receiving the allotment of the first booked defendant, unless one of the subsequently booked defendants has a case pending, or is on probation. In this circumstance, the case is allotted according to the multiple cases rule above.

(f) Transfers of Allotted Cases. The transfer of an allotted case from the Section to which the case was originally allotted to another Section shall be controlled by Rule 14.3.

(g) Recusals. When a judge is recused, the Clerk of Court shall re-allot the case randomly to another Section of the court.

(h) Drug Court Cases. Notwithstanding any of the above provisions, there is created within the court, a Drug Court. One of the judges shall, by a majority vote of all judges of the court, be designated to preside over all sessions of the Drug Court. Cases determined to be eligible for Drug Court, as recommended by the District Attorney, will be transferred to the Drug Court with the permission of the judge for the Section to which the case had been allotted. Cases not accepted into Drug Court will be transferred back to the Section from which the case was originally referred. The Drug Court shall be established in accordance with the Provisions of LSA—R.S.13:5301–5304.

Please note: Text effective January 1, 2010

All criminal cases shall be allotted to the numbered Sections of this court as follows:

(a) Cases which were pending on January 1, 2002 (the effective date of rule changes creating the initial division into Criminal/Civil Sections) and which had previously been allotted to a particular division of this court shall be allotted to the numbered Section to which that division has been assigned. However, effective January 1, 2010, while allotted to either Section #1, #2, #3, #4, or #5, all criminal cases shall be handled by the criminal judge of the allotted section.

(b) Criminal cases arising on or after January 1, 2002 through and including February 25, 2005 at 7:00 a.m. shall be allotted to the Sections of this court as follows:

Capital Offenses. All cases in which the death penalty may be imposed shall be allotted to a Section by random allotment by the Clerk of Court.

Felony Offenses. All other felony offenses shall be allotted to the Section of the court on duty at the time the defendant is booked into the parish jail. However, when multiple arrests occur simultaneously as a result of long-term investigation, etc., irrespective of any other rules herein to the contrary, those cases shall be allotted randomly by the Clerk of Court when notified by the Chief Judge.

Misdemeanor Offenses. All Title 14 misdemeanor offenses shall be assigned to the Section of the court on

duty at the time the defendant is booked into the parish jail or issued a summons or citation.

(c) All other criminal cases arising after 7:00 a.m. on February 25, 2005, with the exception of offenses prosecuted under Title 32 of the Louisiana Revised Statutes, wildlife offenses prosecuted under Title 56 of the Louisiana Revised Statutes, and appeals from courts of limited jurisdiction, shall be randomly allotted by the Clerk of Court in accordance with Rule 14.0 of the Rules for Louisiana District Courts at the time a docket number is assigned.

Further, the requirements of Rule 14.2 of the Rules for Louisiana District Courts shall also apply to affidavits in support of arrests made without warrant (commonly referred to as "48 hour affidavits"). The Clerk of Court shall be required to file the original affidavits in support of arrests made without warrant, assign a docket number and allot in the manner established by Rule 14.0(a) of the Rules for Louisiana District Courts.

(d) Multiple cases. When a defendant has a felony case pending and the defendant is charged with one or more additional felony crimes, the new felony cases shall be allotted to the section to which the pending felony case is allotted. See rule 14.1. Furthermore, when a defendant is on active felony probation with a division of this Court, any new felony case shall be allotted the criminal section to which that division is currently assigned.

(e) Multiple Defendants. When there are multiple defendants in the same case, all defendants are allotted to the Section receiving the allotment of the first booked defendant, unless one or more of the subsequently booked defendants has a case pending, or is on probation. In this circumstance, the case is allotted according to the multiple cases rule above. In such instance, the transfers shall be allotted to the section which has the oldest pending case.

(f) Transfers of Allotted Cases. The transfer of an allotted case from the Section to which the case was originally allotted to another Section shall be controlled by Rule 14.3.

(g) Recusals. When a judge is recused, the Clerk of Court shall re-allot the case randomly to another Section of the court.

(h) Drug Court Cases. Notwithstanding any of the above provisions, there is created within the court, a Drug Court. One of the judges shall, by a majority vote of all judges of the court, be designated to preside over all sessions of the Drug Court. Cases determined to be eligible for Drug Court, as recommended by the District Attorney, will be transferred to the Drug Court with the permission of the judge for the Section to which the case had been allotted. Cases not accepted into Drug Court will be transferred back to the Section from which the case was originally referred. The Drug Court shall be established in accordance with the Provisions of LSA—R.S.13:5301–5304.

**5th Judicial District
Court**

**Parishes of
Franklin, Richland
and West Carroll**

Amended effective
May 1, 2008

FIXING OF CASES FOR TRIAL

Criminal cases shall be fixed for trial on the merits by the District Attorney and/or any Assistant District Attorney on oral motion in open court or on written motion. However, motions or rules in criminal cases may be fixed by either the District Attorney or any of his assistants or by the defense attorney, PROVIDED that all motions by defense attorneys shall be accompanied by a certificate from the proper Clerk of Court showing the following:

- (1) Whether prosecution is by grand jury indictment or bill of information;
- (2) The date defendant was arraigned, if he or she has been arraigned; if not arraigned, the certificate shall so state;
- (3) The date on which an order was entered fixing the case for trial;
- (4) The type and date of notice given the defendant or his attorney of the fixing, i.e. (a) if notice was given in open court in the presence of defendant or his attorney, (b) if notice was by mail, or (c) by service on the defendant or his attorney; and,

(5) The date of the trial.

ALLOTMENT OF CASES

The allotment of all criminal cases shall be done in the following manner. The Clerks of Court shall obtain one box or carton, and shall place in the box or carton three (3) balls, one (1) designated Division A, one (1) designated Division B, and one (1) designated Division C. The Clerk of Court will draw a ball from the box or carton to allot a case. The ball drawn shall be returned to the container before the allotment of the next case. The allocation of cases shall be made at the time of the seventy-two hour appointment of counsel proceeding required by La. C.Cr.P. Art. 230.1 or at the time the District Attorney files the Bill of Information or Indictment, or as soon thereafter as practical. If a division of court has been allotted at the time of the Art. 230.1 proceeding, that same division of court allotment will be continued upon the filing of the Bill of Information or Indictment.

As each Bill of Information or Indictment is filed, it will be assigned to a Division of this Court as above stated. Should there be multiple charges against an individual, and these charges arise out of the same criminal investigation, or series of events, or if they occur within a one hundred eighty (180) day period, then it is the intent of these rules that all such cases be handled by one Division. In this event, the Division having the Bill of Information or Indictment with the lowest number shall handle all the matters.

Considering the time limitations imposed by the Code of Criminal Procedure relating to arraignments, and the necessity that preliminary examination and bond reduction hearings be conducted promptly, and in order to protect those rights of the defendants, the Court will allow arraignments, preliminary examination and bond reduction hearings to be taken up before any Division of the Court regardless of Division assignment. Upon written motion of the state, of the defense, or by the Court on its own motion, and for good cause, any case may be transferred from one Division of the Court to another by written order signed by both Judges.

The random allotment procedure set forth in this Rule shall be used to allot all criminal cases, all juvenile cases, all child protection cases, and all OCS cases.

The appearance of the defendant at the seventy-two hour appointment of counsel proceeding required by La. C.Cr.P. Art. 230.1 may be by telephone or by audio-video electronic equipment.

**6th Judicial District
Court
Parishes of East
Carroll, Madison
and Tensas**

Odd numbered cases are assigned to Division A and even numbered cases are assigned to Division B.

Criminal cases may be arraigned in the available division, regardless of assignment.

**7th Judicial District
Court
Parishes of
Catahoula and
Concordia**

Amended effective
May 1, 2007.

Any judge may render preliminary and interlocutory orders, issue search or arrest warrants or other matters requiring expeditious handling prior to docketing and allotment.

Multiple defendants or charges - the DA and Defense Counsel shall inform the judges of these situations so a reallocation may be made.

In those criminal cases wherein multiple Defendants are involved in one criminal episode or affair, or there are multiple charges against one or more persons, or in such other cases as the law may allow joinder of one or more offenses or persons, it is the intent of these rules that normally all matters be handled by one Division. Accordingly, it shall be the duty of the District Attorney and Defense Counsel to immediately inform the Judges of the existence of this situation so that a reallocation and other adjustment may be made pursuant to other provisions of this rule.

District Court

The terms of court shall be as follows:

- A. Grand jury term shall be held in March and in September of each year other than special grand juries.
- B. In addition to the above terms of court, trials may be held in Winn Parish as the business of the court so requires.

Collection on Bond Forfeitures. (a) 10% of all funds collected by the Attorney General shall be paid to the District Judge's Judicial Expense Fund.

Criminal Court will open at 9:30 a.m., recess from 12:00 Noon until 1:30 p.m., and adjourn at 5:00 p.m. unless otherwise ordered by the presiding judge.

Revised effective
Nov. 16, 2005

Rules relative to Grand Jury investigations will be as follows:

(A) Neither the name nor identity of a person under investigation by the Grand Jury, nor the name of the victim, nor the nature or circumstances surrounding the offense being investigated, shall be divulged.

(B) The name of persons appearing before the Grand Jury as witnesses shall not be divulged.

(C) When ordered by the presiding judge, indictments returned by a Grand Jury shall not be disclosed or in any way made public until the persons indicted have been arrested. Subsequently, what is contained in the Bill of Indictment, and nothing else related thereto, may be disclosed.

Criminal cases shall be divided into four (4) classes which shall be designated as follows:

CLASS I—First Degree Murders.

CLASS II—Cases in which punishment is necessarily confinement at hard labor.

CLASS III—All other felonies and misdemeanor jury trials.

CLASS IV—Misdemeanor cases and appeals from the City Courts and criminal non-supports.

The District Attorney shall designate the classification of each particular case by the penalty prescribed to the offense charged prior to allotment to a Division of Court.

All unallotted felony motions shall be randomly allotted by the Clerk of Court, which allotment shall be open to the public and performed in a manner similar to civil allotments. (See Appendix 3). Once a motion is allotted, all future motions and bills of information/indictment shall be allotted to the same division.

If not previously allotted by a pre-trial motion, all felony bills of information/indictment shall be randomly allotted by the Clerk of Court in a manner similar to criminal motions. However, if a defendant has a felony case pending and previously allotted, any new felony arrest for that defendant shall be allotted by the Clerk to the same division. This felonies-following-felonies rule also applies to any pending arrests for a co-defendant with a new arrest and billed as co-defendant. For purposes of this rule, a felony case remains pending until any of the following events have occurred:

- A) The statute of limitations runs;
- B) A change of booking is made, reducing the case to a misdemeanor;
- C) A bill of information or indictment is filed or amended, reducing the case to a misdemeanor;
- D) The District Attorney's Office enters a nolle prosequi in a case; or
- E) A finding of guilty (with sentence having been imposed), not guilty, or not guilty by reason of insanity is entered on the record.

All misdemeanor cases are to be set on a date to be determined by the District Attorney on a date approved by the court calendar.

**10th Judicial District
Court
Parish of
Natchitoches**

ALLOTMENT OF CRIMINAL CASES

The allotment of cases to the two sections shall be by lot and by chance and shall be determined in the same manner and by use of the same method as civil cases are allotted on the civil docket. The allotment of cases shall be made at the time the District Attorney files the bill of information or bill of indictment, or as soon thereafter as practical, in the District Court or in the office of the Clerk of Court. However, if there are several indictments or bills of information against individuals arising out of the same events, all such cases shall be allotted to the division that receives the first, or lowest, number of such cases. It will be the duty of the District Attorney to notify the Clerk of Court of such cases.

Subsequent criminal proceedings against any individual who has appeared in either Division "A" or Division "B" shall be referred to that division which originally heard the criminal matter related to that individual, regardless of whether the subsequent criminal matter arose out of the same actions which originated the initial criminal proceedings.

CRIMINAL MATTERS

1. There shall be such terms of criminal court during each judicial year as each Judge in his discretion deems necessary for his division.
2. Criminal arraignments shall be held as follows: Division A: The third and fourth Friday of the third and fourth full week of each month, except August. Division B: The first and second Friday of the first and second full week of each month, except August.
3. Effective, immediately, counsel filing motions in any criminal proceedings shall give the following information in paragraph number one of any and all motions:
 - (a) The specific crime charged, citing statute and chapter and/or paragraph.
Example: Defendant is charged with Driving While Under the Influence of Alcohol under R.S. 14:98;
 - (b) Whether or not the defendant was charged by Bill of Information or by Grand Jury indictment; and, the date of the charge;
 - (c) Whether or not defendant has been arraigned; and, if so, the date;
 - (d) Whether or not a trial date has been set; and, if so, the date of the trial;
 - (e) Whether or not any other motions have been filed previously; and, if so, a description of what has been filed and what action has been taken by the Court on the motions.
 - (f) Whether or not there are any co defendants charged in the same Bill of Information, and also, the name and address of his or her attorney; and whether or not any motions have been filed on behalf of any co defendant; and also, a description of the motion and whether or not a date has been set for the hearing of any

such motions; giving the date that the motion is set for hearing; and, if any action has been taken by the Court on other motions; the result of that action

4. Effective, immediately, counsel offering exhibits in jury trials will provide enough duplicate copies of the exhibit so as to provide each juror and the presiding judge and all counsel with a copy; except for items which cannot physically be duplicated or copied. For the purpose of this rule, all exhibits are presumed to be capable of being duplicated or copied unless otherwise allowed by the trial court.

**11th Judicial District
Court
Parish of Sabine**

ALLOTMENT OF CRIMINAL CASES

1. Felony cases shall be divided into four classes which shall be designated as follows:

Class I Capital cases.

Class II Felonies for which the punishment is life imprisonment.

Class III All other felonies which require a twelve person jury.

Class IV Felonies which require a six person jury.

The penalty of the offense charged at the time of the alleged commission of the act shall determine the classification of the particular case.

2. The allotment of felony cases shall be determined in the same manner and by use of the same method as Civil cases allocated on the civil docket. The Clerk of Court shall obtain four containers. Two of the containers shall contain three balls each, on designated Division "A", one designated Division "B", and one designated Division "C". The two other containers shall contain twelve balls each, four designated Division "A", four designated Division "B", and four designated Division "C". The containers holding three balls shall bear the notations Class I and Class II. The containers holding twelve balls shall bear the notations Class III and Class IV. The allocation of cases shall be made at the time of arraignment.

Upon written motion of the State, of the defense, or by the Court on its own motion, and for good cause, any case may be transferred from one Division of the Court to another by written order signed by all Judges.

3. Misdemeanor cases will be handled on a rotating and district wide basis. Juvenile cases in DeSoto Parish will be handled by Division "A". Juvenile cases in Sabine Parish will be handled by Division "C". Criminal Neglect of Family cases in both parishes will be handled by Division "B".

**12th Judicial District
Court
Parish of Avoyelles**

ALLOTMENT OF CASES

Criminal Cases: Criminal cases shall be allotted to each division according to the date the offense is charged to have been committed. Alternating calendar weeks shall be pre assigned to each division and the allotment to a particular division shall be based upon said weekly assignments and the date of the alleged offense. After a criminal case has been allotted, all matters relating to said case shall be taken up by the judge of the division to which the case has been allotted, provided, however, that filings and uncontested matters may be taken up before either division.

**13th Judicial District
Court
Parish of Evangeline**

The criminal cases (felonies) are allotted to each judge at random by either the minute clerk or the bailiff of each court.

1. Definitions

1) "CRIM II" the weeks designated on the court calendar for a particular division for felony, traffic and misdemeanor arraignments, felony motions and bench trials, misdemeanor and traffic trials, any pre indictment hearing, whether by bill of indictment or information, and the answering to bench warrants, except as provided for in Section 6 below.

2) "PETIT JURY" the week(s) designated on the court calendar for a particular division for felony jury trials and the taking of pleas concomitant thereto.

2. Random Assignment of Cases

A) The Clerk of Court shall randomly allot all criminal cases by the computer program now in use, as supplemented by the manual process now in use. A principal purpose of random allotment is to prevent judge shopping or any external influence on the assignment of a case. Therefore, the Clerk shall always conduct the random allotment in a manner which fulfills this purpose. The Clerk shall assure that no one shall assign cases except persons specifically authorized by him to do so.

B) All pending criminal cases which have not been randomly allotted previously shall be randomly allotted pursuant to this rule.

C) New felony cases shall be allotted upon the filing of a bill of information or indictment.

D) Traffic and misdemeanor cases shall be scheduled for arraignment as indicated on the notice or summons received by the defendant. If a plea of not guilty is entered at arraignment, the case shall be randomly allotted by the Clerk in open court.

E) A motion to recuse which is to be referred to another judge pursuant to Article 674 of the Code of Criminal Procedure shall be randomly allotted by the computer program, unless the program appoints the judge to whom the motion to recuse is directed, in which event the manual process shall be employed, using the senior criminal minute clerk's random list.

If the motion to recuse is granted, the Clerk shall randomly allot the case to a new judge.

3. Any motion filed before allotment shall be referred by the duty judge to CRIM II judge for hearing. If allotted before the hearing date, the motion shall be set and heard in the division to which it is allotted.

4. Bench warrant hearings shall be held in CRIM II court unless the judge of the division to whom the case has been allotted indicates on the record that the hearing is to be held in his division. If the case from which the bench warrant arises has not been allotted, after the bench warrant has been answered, it shall be.

5. Once a non capital felony case against a defendant has been allotted, any subsequent filed cases, old felonies not previously allotted, and any misdemeanors with respect to the same defendant will follow the first allotted felony case and be transferred to the division in which the first allotted felony case is pending. Capital cases shall not be transferred pursuant to this section.

6. If separate bills are filed arising out of the same nucleus of operative facts, all such cases will be transferred to the division receiving the first case upon motion of the state, defense or court.

7. When a motion for probation violation is filed, all pending or new cases shall follow the probation violation, and be transferred to the division to which the probation violation is allotted.

8. Orders to show cause, any orders not dispositive of an issue in the case, and any order expressly and specifically authorized by the judge to whom it is allotted, may be signed by any judge of the district.

9. Generally, arraignments in felony cases should be held in the division to which the case is assigned, provided that the judge of any division may accept a not guilty plea in any felony or misdemeanor case though not allotted to the division of the judge accepting the not guilty plea.

10. After a case has been allotted to a division of the court, it may not be transferred from one division to another within the same court, unless agreed to by all parties (including relinquishing and accepting judges), or unless it is being transferred pursuant to Sections 5, 6, and 7.

11. Criminal matters will be heard on the days scheduled by the court for the disposition of such matters.

12. Any criminal jury case not taken up on the date fixed for trial shall stand fixed for each subsequent day of that petit jury term, unless otherwise ordered by the court.

13. When two or more criminal cases are fixed for the same day, the District Attorney may call them for trial according to his published priority list.

14. A written plea of NOT GUILTY to criminal charges triable by jury may be ordered filed if presented to the court at the time scheduled for arraignment, by counsel or the Clerk of Court, provided: that the document adequately identifies the charge(s) and acknowledges by counsel and the defendant that the defendant can read the English language; is aware of the nature of the charge(s); that counsel has advised, and defendant understands, the right to trial by jury and the right to waive trial by jury and be tried by the court; that defendant's election is for trial with or without a jury; the mailing address of counsel and the defendant; that defendant waives formal arraignment in open court or any objections as to informality thereof; and that defendant has read the document and enters a plea of NOT GUILTY to the charge(s). The document shall be signed and dated by defendant and counsel.

15. A plea of NOT GUILTY to charge(s) not triable by jury may be entered in a like manner and without the signature of defendant or the foregoing recitations, provided: the document adequately identifies the charge(s); waives formal arraignment and any objections to the informality thereof; contains the mailing address of defendant and counsel; and is signed and dated by counsel.

16. Such pleas may be delivered to the Clerk of Court, if desired, and will thereafter be presented in open court on the next scheduled date for arraignment. They shall not be considered filed, and may not be entered into or placed in the record of the case until so ordered in open court.

**15th Judicial District
Court
Parishes of Acadia,
Lafayette and
Vermilion**

With amendments
through 06/11/02; As
amended May 1,
2003; April 30,
2004; April 1, 2009

The clerk in each parish shall obtain a mechanical or electronic device which will allot cases on an equal or random basis. Before allotment, any judge may issue orders and grant extension of time to plead.

A Commissioner shall sign the duty basket except for motions for new trial, motions for continuance, motions for withdrawal of counsel (unless no opposition), motions for appeal, and judgments. He shall hear all hearings to reduce or increase bail and can set bail on persons arrested on probation violations. Can sign search warrants, arrest warrants, juvenile probable cause affidavits, forfeiture motions, transportation writs, and such other orders as may need signing.

ALLOTMENT OF CAPITAL CASES

A. Capital cases are randomly allotted among Divisions A, B, C, D, E, F, G, I, J, K and L (Divisions H and M which handle the domestic docket only are excluded), using the following method:

Each of the 11 divisions begins with 3 ping pong balls, for a total of 33. As a capital case is allotted to a Division, that ping pong ball is removed. After a capital case is resolved or if it is reduced to a non-capital offense, a ping pong ball for the division to which that case was allotted is replaced. The Clerk shall keep the bin containing the active ping pong balls and the box containing the removed ping pong balls under lock and key and shall not divulge the contents of either except upon Court order.

B. Whenever a capital case or cases are allotted, and subsequent thereto are dismissed by the state, and the same defendant is re-indicted under substantially the same operative facts, then the allotment of that case will remain with the judge the case was originally allotted to.

C. Whenever one defendant is charged with two or more capital cases arising out of facts that they could have been joined in a single indictment, and the state dismisses the indictments, then subsequently re-indicts the defendant in a single indictment, then the allotment of that case will remain with the judge the original case was allotted to.

D. When multiple defendants are tried together, the first docket case shall determine which divisions shall handle the trial and pretrial motions. If severed, all cases shall be randomly reallocated.

E. Once a capital case has been set for trial, if the state chooses to amend the charge to a lesser offense, the trial date shall not be set aside solely by reason of the amendment.

ALLOTMENT OF NON-CAPITAL CASES

In Lafayette Parish, all cases charging the offenses of Issuing Worthless Checks are allotted to the IWC track. All drug cases are allotted to Tracks 1 & 3. All drug offenses committed on days 1 through 10 of each month will go to Track 3. All drug offenses committed after the 10th will go to Track 1. If a bill of information charges multiple counts, the date of the commission of the earliest felony count will control allotment. All felony cases, other than first degree murder cases, are allotted to Tracks 2, 3 or 4. All Traffic/Wildlife & Fisheries/Misdemeanor cases are allotted to the Traffic/Wildlife & Fisheries/Misdemeanor docket and judges rotate through the docket. The Judges of all divisions, with the exception of Divisions M and H, hear cases on these dockets, on a rotating basis, with the exception of cases allotted to the Therapeutic Drug Track. All adult cases on the Therapeutic Drug Track are allotted to Division B; all juvenile drug cases are allotted to Division I.

In Acadia and Vermilion parishes, all cases charging felony violations are allotted to the Felony Docket. All Traffic/Wildlife & Fisheries/Misdemeanor cases are allotted to the Traffic/Wildlife & Fisheries/Misdemeanor docket. The judges of all divisions, with the exception of Divisions M and H, hear cases on these dockets, on a rotating basis.

THERAPEUTIC DRUG COURT

Pursuant to the authority provided by Articles 893 and 894 of the Code of Criminal Procedure and LSA R.S. 13:5301 et seq., Division D of the 15th Judicial District Court is authorized to administer a Therapeutic Drug Court Docket. The court's Drug Court Program is called Focused Intervention Through Sanctions and Treatment (FIST). This is a post conviction program and its mission is to get the offender sober, employable, and employed by reducing abuse of alcohol and other mind altering chemicals, thus decreasing related criminal activity.

HABEAS CORPUS PETITIONS

All criminal habeas corpus petitions filed on behalf of a defendant who is being detained by virtue of a conviction shall be heard by the judge presiding in the division of the Court in which the conviction was obtained. All criminal habeas corpus petitions filed on behalf of a defendant who is not being detained by virtue of a conviction shall be reviewed by the Commissioner, who shall determine whether it meets the requirements for expedited consideration by a judge of the Court. If the Commissioner determines the petition requires such expedited consideration, the Commissioner shall transmit the petition immediately to the Clerk of Court for random allotment of the matter to one of the Divisions of the Court, except Divisions H or M.

**16th Judicial District
Court**

**Parishes of Iberia,
St. Martin and St.
Mary**

May 26, 2004

JUVENILE

1. A. In Iberia and in St. Martin Parish, the juvenile docket will be divided into two sections in each parish. Section 1 will handle FINS and Delinquency cases and Section 2 will handle "child protection cases," which is defined as any child in need of care, termination of parental rights, voluntary surrender of parental rights or an adoption matter properly brought before the Court pursuant to the provisions of the Louisiana Children's Code.

B. The court will designate one Judge for each section each year when the calendar is adopted for the upcoming year. Any judge who is interested may volunteer for service in that section, and if more than one Judge volunteers for that particular section, the Judge will be selected by random allotment from the list of volunteer Judges for that particular section. Section 2 in Iberia and St. Martin parishes is subject to the provisions and limitations of Supreme Court Rule XXXIII.

2. In St. Mary Parish, all Juvenile cases shall be handled by one Judge who volunteers for such service. The

court will designate the St. Mary juvenile Judge each year at the time the court calendar is adopted for the upcoming year. If more than one Judge volunteers for Juvenile duty in St. Mary Parish in a given year, the Judge will be selected by random allotment from the list of volunteer judges.

3. If no judge volunteers for duty in a particular section or Court for a particular year, the judge for that particular section or Court shall be selected by random allotment from the list of all the judges serving at the time the court adopts its calendar for the upcoming year.

4. Nothing herein contained shall deprive any Judge of legal or Constitutional Power and Authority to fulfill any and all duties and responsibilities of the office of District Judge.

ALLOTMENT OF CAPITAL CASES

1. All capital cases filed in this district shall be allotted to a division of this Court indiscriminately and by lot, by the Iberia Parish Clerk of Court. The Clerk shall provide a suitable machine, containing one ping pong type ball for each division of this Court. Each ball shall bear a letter corresponding to a division of this Court. The machine used for capital allotment shall be a different machine from that used in civil cases.

2. Once a division has been allotted a capital case, its ball shall not be returned to the machine until the machine is empty, unless the case is converted to a non capital case or concludes before the jury is sworn.

3. After allotment, all matters tried in a capital case shall be tried only by the Judge of the division to which the case has been allotted.

4. In the event of legal or voluntary recusal, the clerk shall re-allot the capital case using the same procedure as for the initial allotment.

ALLOTMENT OF NON CAPITAL CRIMINAL CASES

1. Annually the court administrator will randomly assign each judge to one of eight criminal sections of the Court. The court administrator shall not assign a judge to a section in the same parish for two consecutive years. Beginning with 2002 and every third year thereafter, a judge may elect to serve in the parish in which the judge has not served during the two prior years. When a judge makes that election, the court administrator will randomly assign the judge to a section in that parish.

2. The clerk will randomly allot non-capital felony criminal cases filed in St. Martin Parish between sections one and two. The clerk will randomly allot non-capital felony criminal cases filed in Iberia Parish among sections three, four and five. The clerk will randomly allot non-capital felony criminal cases filed in St. Mary Parish among sections six, seven and eight.

In the same manner, the clerks of the various parishes will randomly allot misdemeanor cases for trial at arraignment.

3. The judge of the section to which a case is allotted, will conduct all pre trial hearings, trials, guilty pleas and sentencing. The sentencing judge will handle all post trial motions and petitions, regardless of section assignment.

4. A case may be transferred to a particular section only by the mutual agreement of the two judges involved.

5. In the event of legal or voluntary recusal, the clerk will re-allot the case. In St. Martin Parish the case will be transferred to the other section. In Iberia and St. Mary Parishes the clerk will randomly allot the case to one of the two remaining sections. In the event that all of the judges serving in the criminal sections in one parish recuse themselves from any case, that case will be randomly allotted among the remaining judges.

6. Nothing herein contained shall deprive any Judge of legal and Constitutional Power and Authority to fulfill any and all duties and responsibilities of the office.

APPEALS

1. The trial of all appeals to this Court shall be governed by the same rules as herein provided for the trial of civil or criminal cases.

**17th Judicial District
Court
Parish of Lafourche**

There is no provision for a judge to sign pleadings in a criminal matter not allotted to that judge, except that the criminal duty judge may hear motions for preliminary examination and motions to reduce bond in all cases. All other motions and orders in criminal matters must be submitted to and signed by the allotted judge.

ALLOTMENT OF CRIMINAL CASES

Allotment of Criminal Cases: At arraignment, or upon the filing of any contradictory motion, all criminal matters shall be allotted to a division of this Court by random allotment. The Clerk of Court shall devise a system whereby felony criminal cases shall be equally divided among the divisions of court. The Clerk of Court shall further devise a system whereby misdemeanor criminal cases shall be equally divided among the divisions of court, but excluding the division designated by order of the Court as the "Drug Treatment Court." Whenever more than one bill of information or indictment is filed against a defendant, or against multiple defendants in a related incident, they shall be allotted to the same division based upon the first matter allotted.

Motions for preliminary examination or to reduce bail may be heard by the criminal duty judge then sitting or, at his discretion, by the succeeding criminal duty judge, or these matters may be heard by the judge of the division to which the case is allotted.

If a defendant in a felony or misdemeanor matter is accepted into the Drug Treatment Court, that case and any other criminal matter pending against that defendant shall be reallocated to the division of Court then designated as the Drug Court. This rule shall not cause any other matter to be allotted to the Drug Court solely because of this reallocation, such as a companion case. If the Court by en banc order changes the designation of the Drug Court to another division, the cases of all defendants then participating in the Drug Court program shall be reallocated to the newly designated division of Court in accordance with this rule.

**18th Judicial District
Court
Parishes of Iberville,
Pointe Coupee and
West Baton Rouge**

Division A is seated in Pointe Coupee Parish. All criminal cases in Pointe Coupee Parish are allotted to Division A. In case of recusal, the Pointe Coupee Parish Clerk of Court will randomly allot the case to Division B, C, or D.

Division B is seated in West Baton Rouge Parish. All criminal cases in West Baton Rouge Parish are allotted to Division B. In case of recusal, the West Baton Rouge Parish Clerk of Court will randomly allot the case to Division A, C, or D.

Divisions C and D are seated in Iberville Parish. All criminal cases in Iberville Parish are randomly allotted by a computer supplied by the Louisiana Supreme Court between Divisions C and D. In case of recusal of Division C, the Iberville Parish Clerk of Court shall randomly re allot the case to Division A, B, or D. In case of recusal of Division D, the Iberville Parish Clerk of Court shall randomly allot the case to Division A, B, or C.

DRUG COURT

The Eighteenth Judicial District Court authorized the establishment of a "Drug Court" effective July 1, 2001, for a period of one year or any other duration as determined by en banc order of the Court. The Drug Court shall be designated as Division "E" of the Eighteenth Judicial District Court. Judge Jack T. Marionneaux is hereby designated as Division "E" Judge, in addition to his regular duties as Division "C" judge.

Felony drug cases shall be allotted to the Drug Court upon recommendation of the District Attorney of the Eighteenth Judicial District Court and acceptance by the Drug Court judge. The Drug Court shall operate in accordance with R.S. 13:5301 et seq., and in accordance with Louisiana Supreme Court guidelines.

The Drug Court will be established in Iberville Parish initially and expanded to West Baton Rouge and Pointe Coupee Parishes.

CRIMINAL MATTERS

Empaneling of Grand Jury. Grand Juries will be empaneled in each parish of the district in September and March of each year. The Grand Juries will be empaneled as follows: West Baton Rouge-- First Tuesday in September and First Monday in March; Iberville Parish--Third Monday of September and March; and Pointe Coupee Parish--Fourth Monday of September and March.

19th Judicial District Court

Parish of East Baton Rouge

As amended through April 29, 2005

Felonies and Misdemeanors Not Involving Traffic or City Appeals

A. Other Than City Court Appeals and Title 32 & 47 Traffic Cases: Except as stated in sections B–E below, all felonies and misdemeanors shall be assigned to the section of court on duty at the time the offense was committed. If the date of the offense is not determinable, a judge shall notify the Clerk of Court in writing to randomly allot the case to a criminal section of court (which may be accomplished by filing with the Clerk of Court a copy of the bond order signed by the duty judge, with the affidavit of probable cause attached and notice to the Clerk initialed or signed by the duty judge to randomly allot the matter.)

If a specific date is later determined to exist, any party may file a motion to transfer the case to the section of court on duty on the determined date. (For the purpose of these appendices, the word "duty judge" also includes judicial commissioners, when assigned duty for a criminal section of court.)

B. All other offenses, not provided for herein, shall be randomly allotted to a criminal section of court simultaneously with the filing of formal charges by the District Attorney or upon written motion filed by counsel for the accused, whichever occurs first. Civil asset forfeitures shall be assigned to the same criminal section of court as is assigned the related criminal case.

C. If there are multiple dates of one or more offenses that culminate in a single arrest, such that a single date of offense is not applicable or is undeterminable, the case will be allotted to the criminal section on duty as of the date of the first or earliest offense noted in the warrant or affidavit of probable cause. If the District Attorney fails to charge that initial offense (date), the case will remain in the section it was previously allotted to, unless Rule 14.3 of the Uniform Rules is applicable.

D. For Multiple Felonies—Defendant with more than one felony case (See Uniform Rule 14.1 and appendix 13 herein).

E. For Title 32 and 47 Traffic cases and City Court Appeals (See Appendix 12 herein).

DRUG COURT

By majority vote, the Court authorized the establishment of a "Drug Court" on January 1, 1993.

Effective April 30, 2004, the Drug Court is hereby redesignated as a treatment court only, and is hereby designated as a drug division as defined and provided for Chapter 33 of Title 13. (R.S. 13:5303 et seq.) The treatment court shall be presided over by a judge so appointed by the judges en banc, with the appointed judge's approval and in addition to his regularly allotted docket. The previously authorized rapid prosecution drug court is dissolved effective April 30, 2004; Section 6 of the criminal sections of court shall resume participation in ordinary criminal duty rotation as of that date; and all felony drug cases, the date of offense for which occurred prior to or on April 30, 2004, shall be allotted to Section 6.

20th Judicial District Court

Parishes of East Feliciana and West Feliciana

JURY

The Grand and Criminal Petit Jury Terms shall be as follows:

	EAST FELICIANA		WEST FELICIANA	
MONTH	Grand Jury	Petit Jury	Grand Jury	Petit Jury
January				Second Monday (A)
February		First Monday(A)		
March			First Monday(B)	Third Monday (B)
April		Fourth Monday(B)		

May	First Monday(A)	Second Monday(A)
June	Third Monday (A)	
July		Third Monday (B)
August	Fourth Monday (B)	
September	Second Monday(A)	Second Monday(A)
October	First Monday (A)	Third Monday(B)
November	Second Monday(B)	
December	Second Monday (B)	

Special criminal jury sessions may be called by Division A or Division B as necessary.

ALLOTMENT

Criminal cases shall be allotted to the respective divisions in the following manner:

(1) If the defendant is on felony probation, he shall be allotted to the division which placed him on probation.

(2) If the defendant is not on probation, the date of arrest shall determine the allotment of criminal cases, provided however, that in the event an indictment is returned or an information filed, and the defendant has not been arrested prior to the indictment or filing of the bill of information, the matter shall be randomly allotted.

EAST FELICIANA

All persons arrested during the First and Third weeks of each month shall be allotted to Division A. All persons arrested during the Second and Fourth weeks of each month shall be allotted to Division B. All persons arrested during the Fifth week shall be randomly allotted, although the presiding duty judge shall be responsible for setting bond and conducting 72 hour rules, regardless of the assigned division.

WEST FELICIANA

All persons arrested during the First and Third weeks of each month shall be allotted to Division B. All persons arrested during the Second and Fourth weeks of each month shall be allotted to Division A. All persons arrested during the Fifth week shall be randomly allotted, although the presiding duty judge shall be responsible for setting bond and conducting 72 hour rules, regardless of the assigned division.

The Sheriff of the parish where a prisoner is arrested during the fifth week of a month shall, if possible, obtain a division allotment from the Clerk of Court to establish the correct court return date before a prisoner is released on bond. If a prisoner is released on bond without a division allotment, the Office of the District Attorney shall be responsible for obtaining an allotment and docketing the case in the correct division.

ORDER OF CRIMINAL TRIALS

Criminal matters including arraignments, motions and misdemeanor trials shall be heard as follows:

East Feliciana: Tuesdays

West Feliciana: Thursdays

The duty judge for criminal matters shall be the judge sitting in the respective parish as shown in Appendix 2. He shall set bonds, conduct 72 hour rules and otherwise conduct the business of the criminal court in that parish as indicated. Seventy two hour rules may be conducted by phone or live video.

Tangipahoa

Amended effective
June 1, 2007.
As amended Nov. 20,
2002

1. All noncapital criminal cases shall be allotted at random, based upon the date of arrest for the particular offense. The judicial administrator shall maintain a mechanical apparatus, into which one chance is placed for each division of the court. The judicial administrator, or his/her designee employed by the court, is to utilize this apparatus to allot particular dates for particular divisions, on an eight-day cycle, for the eight days just preceding each allotment session. This information is to be published to the District Attorney's Office, Indigent Defender's Office, and other affected agencies, and a master calendar is to be maintained indicating the division to which each date has been assigned.

In felony cases, if there is an active felony probation case pending in a division of the court, any new felony or misdemeanor matter shall be allotted to that division. If there is a pending felony prosecution in a division of the court, any new felony or misdemeanor matter shall be allotted to that division. Co-defendants charged under the same indictment or bill shall be allotted to the division of the court to which the pending felony probation or pending felony prosecution is pending. When a defendant has multiple charges under different indictments or bills, all charges shall be allotted based on the date of the first arrest.

In misdemeanor cases, if a defendant is on misdemeanor probation or has a pending misdemeanor prosecution and the defendant is thereafter billed or indicted on a felony matter, the felony shall be allotted in accordance with the above rules and the misdemeanor probation or a pending misdemeanor shall be transferred to the division of the court to whom the felony case is allotted. In all other cases, misdemeanors shall be allotted in accordance with the same procedure as set forth above for felony matters.

2. In all criminal prosecutions of capital cases, indictments will be allotted in open court at the arraignment of the first defendant charged under said indictment to appear at said arraignment. This allotment procedure is to include all divisions of the court then hearing criminal matters by local rule, on a random allotment basis, district-wide, utilizing the following method.

The judicial administrator shall maintain, for purposes of allotment of capital felony cases, a separate squirrel cage containing balls inscribed with the letters of each division of the court then hearing criminal cases. Two balls from each division shall be placed into the squirrel cage. The judicial administrator or the designee of the judicial administrator shall appear in open court at the time of the arraignment of capital cases, and the allotment of such cases shall be at random by a blind drawing from the squirrel cage of a ball to which division the case shall be assigned.

The judicial administrator or the designee of the judicial administrator shall keep each ball so expended in a separate box. When only one ball remains in the squirrel cage, all other previously expended balls shall be redeposited in the squirrel cage, and the process of allotment shall continue, utilizing this same method.

In the event that multiple parties are charged with a capital felony under a single indictment, all parties so charged shall be allotted to the same division to which the first co-defendant arraigned is allotted. In the event that a severance is later granted in such cases, the presiding judge to whom the case was thereto allotted shall have the right to direct that all remaining defendants in the case, other than the first defendant arraigned, shall be reallocated utilizing the method above set forth.

In no event shall the state, the defense, or any person, be allowed to influence the allotment of any criminal case.

3. In criminal matters, the preliminary motions for reduction of bond, preliminary examination, and sanity commission evaluations may be heard by the primary duty judge(s).

4. In all criminal prosecutions of capital cases, indictments will be allotted in open court at the arraignment of the first defendant charged under said indictment to appear at arraignment. This allotment procedure is to include all divisions of the court then hearing adult criminal matters, on a random allotment basis, district-wide, utilizing the following method:

The judicial administrator shall maintain, for purposes of allotment of capital felony cases, a mechanical apparatus containing two chances for each division of the court then hearing adult criminal cases. The judicial administrator, or the designee of the judicial administrator shall appear in open court at the time of the arraignment of capital cases, and the allotment of such cases shall be at random by a blind drawing from the mechanical apparatus a chance representing to which division the case shall be assigned.

The judicial administrator, or the designee of the judicial administrator, shall keep each chance so expended in a separate box. When only one division's chance remains unexpended in the mechanical apparatus, two

additional chances for each division shall then be redeposited into the mechanical apparatus, and the process of allotment shall continue, utilizing this same method.

In the event that multiple parties are charged with a capital felony under a single indictment, all parties so charged shall be allotted to the same division to which the first co-defendant arraigned is allotted. In the event that a severance is later granted in such cases, the presiding judge to whom the case was thereto allotted shall have the right to direct that all remaining co-defendants, other than the first defendant arraigned, shall be reallocated utilizing the method set forth above.

In no event shall the state, the defense, or any person, be allowed to influence the allotment of any criminal case.

RECUSAL OF JUDGE

1. In the event that a motion, to recuse the presiding judge to whom a criminal case, is assigned for a contradictory hearing, one of the other judges shall be assigned to hear the recusation proceeding through a random process.

2. The judicial administrator or the designee of the judicial administrator shall maintain, for purposes of allotment of recusation hearings, a separate mechanical apparatus containing one chance for each division of the court. Once an order is signed granting a recusation hearing, the judicial administrator shall utilize this device to assign a judge to hear the recusation through a blind drawing from the mechanical apparatus a chance representing the division of court to which the recusation hearing shall be assigned. In the event that the chance of the division sought to be recused is drawn, the judicial administrator shall place this chance to the side, and shall then assign another division to the recusation hearing, and then replace the chance of the judge sought to be recused back into the mechanical apparatus.

3. The judicial administrator or the designee of the judicial administrator shall maintain a record of each chance so expended. When only one division's chance remains unexpended in the mechanical apparatus, one additional chance for each division shall then be redeposited into the mechanical apparatus, and the process of allotment shall continue, utilizing the same method.

4. In no event shall the state, the defense, the plaintiff or defendant, or any person, be allowed to influence the allotment of any criminal or civil case.

22nd Judicial District Court

Parishes of St. Tammany and Washington

Amended effective January 1, 2009

22nd Judicial District Felony Random Allotment Procedures

All felonies under the laws of the State of Louisiana shall be randomly allotted and assigned to the various Divisions of Court that comprise the 22nd Judicial District as dictated herein.

Criminal felony cases shall be divided into three categories which shall be designated as follows:

CATEGORY 1– All capital cases.

CATEGORY 2– All non-capital homicides defined in La. R.S.14:29 and all sex offenses defined in La. R.S. 15:541(14.1) and other offenses that may be included in these statutes by future amendment.

CATEGORY 3 – All other felonies.

I. Allotment of Capital Felony Cases—Category 1

All Category 1 cases in Washington and St. Tammany Parishes shall be heard by the ten general jurisdiction divisions of the 22nd Judicial District Court and shall be randomly allotted to those divisions by the respective Clerk of Court's offices utilizing the random allotment computer program approved by the 22nd Judicial District Court.

II. Allotment of Non-Capital Felony Cases—Categories 2 and 3

A. Assignment of Divisions to Washington and St. Tammany Parishes

Effective January 1, 2009, and pursuant to court rule dated September 11, 2008, all non-capital felony matters, Category 2 and Category 3 felonies, in St. Tammany Parish will be allotted to eight general jurisdiction divisions assigned to St. Tammany Parish. All Category 2 and Category 3 felony criminal matters in Washington Parish will be allotted to two general jurisdiction divisions assigned to Washington Parish. Beginning in 2009, Divisions A and E are the Washington Parish designated divisions and Divisions B, C, D, F, G, H, I and J are the St. Tammany Parish designated divisions.

B. Rotation of Divisional Assignments

The designation of divisions to either St. Tammany or Washington Parish for felony allotment purposes shall be on a three (3) year rotation beginning January 1, 2009. The designation of divisions shall be on a volunteer basis, and serving successive rotations by any division in Washington Parish shall not be precluded. Every three years the divisions that are newly designated to serve in Washington Parish shall randomly be assigned one of the two divisional dockets held by the previously designated Washington Parish divisions, and the divisions rotating off service in Washington Parish shall randomly be assigned one of the two divisional dockets he/she is to assume in St. Tammany Parish, except that if a division serves successive rotation in either parish he/she shall retain that divisional docket.

After one year the Court shall review the random allotments to determine the average weekly allotment per division in both Parishes to determine if any corrective procedures to equalize the allotments should be adopted.

C. Post-Conviction Matters

All divisions will retain jurisdiction in cases in which the defendant has pled or been found guilty for purposes of post-conviction matters, including defendants awaiting sentence, post-conviction relief, post-conviction hearings and probation revocations.

D. St. Tammany Parish Non-Capital Felony Cases

The random allotment and assignment process for all Category 2 and 3 felonies in St. Tammany Parish shall be according to an allotment calendar and principally based upon the date of offense as alleged and reported at or prior to the arrest of the accused. The date of offense shall be shown in writing in a warrant of arrest or affidavit of probable cause or some other form of writing which sets forth the date the accused is alleged to have committed the offense for which the offender has been arrested and booked into the Parish Jail facility. The following guidelines and procedures are hereby established:

1. The court shall make available to all St. Tammany Parish jail bonding personnel and other individuals responsible for this process an allotment calendar. The eight St. Tammany Parish divisions will be assigned weeks of the year alphabetically, excluding those divisions assigned to Washington Parish, and any offense occurring within a division's week will be assigned to that division subject to certain exceptions set forth below. For example, if the allotment calendar assigns the week of January 5, 2009 through January 11, 2009 to Division D, then any St. Tammany Parish Category 2 or 3 felony committed during that week shall be allotted to Division D. The next week is assigned to Division F, therefore any Category 2 or 3 felonies committed during that week will be allotted to Division F, and so on. An allotment calendar will be adopted by the Court annually beginning with 2009.

a. Dates of Offense 2004-2008

Under a previous court rule, an allotment calendar based on date of offense existed from January 2004 through June 2007. For current allotment purposes, any dates of offense in this period which would have been allotted to the Washington Parish criminal Judges shall be randomly allotted by computer to one of the St. Tammany Parish criminal judges.

Also under a previous court rule, from July 2007 through December 2008, no allotment calendar based on date of offense existed. An allotment calendar for this time period will be established by continuing, from June 2007, the assignment of court divisions, in alphabetical order (excluding Washington Parish criminal divisions), to the weeks of that year and a half.

b. Dates of Offense Prior to 2004

All felony offenders who are booked into the St. Tammany Parish Jail facility with a Category 2 or 3 felony and whose date of offense is prior to 2004 shall be randomly allotted by the Clerk of Court's office under the following procedure:

Within 24 hours after the arrest of an offender who has been charged with a felony, the jail booking officer shall notify the Clerk of Court by facsimile or otherwise in writing of the offender's name, date of birth, and other identifying information along with a list of the felony offenses charged. The Clerk of Court will immediately and randomly allot the individual through the computer allotment as provided by the 22nd Judicial District Court and assign a division and judge. The clerk shall immediately notify the jail booking officer by facsimile or otherwise in writing of the judge and division assignment in order to personally serve the court arraignment date upon the offender. If the person charged has completed the bail undertaking and is eligible to bond out from the parish jail facility prior to this allotment procedure, then the jail booking officer shall provide to the offender the next scheduled arraignment date of any judge.

2. At the time of booking an offender for a Category 2 or 3 felony violation, all law enforcement agencies and attesting officers shall declare to the jail booking officer that the arrested subject is charged with a felony offense under the laws of the State of Louisiana and shall present to the jail booking officer written verification of the alleged date of offense in the form of a warrant of arrest or statement of probable cause.

3. Based on the date of offense, the jail bonding officer will immediately determine the appropriate division to which the case is allotted using the allotment calendar provided by the court. That allotment shall be posted, manually and electronically, such that, within 24 hours (or the next working day, which ever occurs first) the jail bonding officer will notify the Clerk of Court and all affected agencies of the assignment of the court division and judge through the use of this procedure.

4. The court will provide and maintain a list of assigned arraignment dates covering all divisions of court and will establish cut-off dates for the appearance of an offender in the respective assigned division for arraignment. The offender will be notified of the arraignment date at the time of posting bail and release from the parish jail facility. Otherwise, an arraignment date will be issued to the offender at his/her 72-hour hearing. The felony arraignment dates from the respective division of court shall be scheduled not less than six weeks from the date of arrest, subject to special considerations by the respective division of court and the charging decision process of the District Attorney.

5. All originals and copies of documents, paperwork, bonds, receipts and other booking process paperwork shall be boldly stamped and marked with the division and judge assignments and will be provided to all agencies and parties in interest within 24 hours of the booking process at the parish jail.

6. If an error occurs because a date of offense is incorrect or because it is discovered there is a pending felony previously assigned to another division (see Felony Following Felony Exception), the District Attorney, Indigent Defender or retained counsel shall file a motion to correctly allot the case or move the Court to transfer any case to the proper division. The order of transfer must be signed by both the transferring and receiving judges.

E. Washington Parish Non-Capital Felony Cases

All Category 2 and 3 felony indictments and felony bills of information filed in the Clerk of Court's Office in Washington Parish shall be randomly allotted to the two divisions assigned to Washington Parish by the Clerk of Court's office utilizing the random allotment computer program provided by the 22nd Judicial District Court and subject to certain exceptions set forth below.

III. Exceptions:

A. Felony Committed Over Period of Time

All Category 2 and 3 felony cases in which the commission of the crime is alleged to have occurred over a period of time of more than one week shall be randomly allotted by the Clerk of Court's office utilizing the random allotment computer program approved by the 22nd Judicial District Court.

B. Co-Defendants Follow

With Category 2 or 3 felonies, co-defendants having the same date of offense shall, by application of these rules, be allotted to the same division as one another as determined by the allotment calendar. Co-defendants shall be allotted to the same division as one another regardless of the division(s) to which any of them may have been allotted in previous felonies.

C. See Appendix 13 for Allotment rules regarding Multiple Charges and Multiple Dates, Previously Committed but Subsequently Filed Offenses, Felony Following Felony, General Transfers, and Transfers for Pleas.

IV. Re-Filed Bills

Any true bills and/or bills of Information which are dismissed or quashed and subsequently re-filed shall be assigned to the division of original allotment. Re-filed bills shall be so designated by the state.

V. Felony Reduced to Misdemeanor

An offense originally charged as a felony offense and assigned a division through this process, and that is subsequently screened by the District Attorney as a misdemeanor offense, will remain in this division through the arraignment process for plea and/or assignment for misdemeanor trial.

VI. Drug Court Allotments

After sentencing, if a condition of probation is referral to the 22nd Judicial District Drug Court in St. Tammany Parish, the defendant's case shall be allotted randomly to one of the two divisions of drug court in St. Tammany Parish unless the sentencing judge retains jurisdiction. However, if the sentencing judge is also a drug court judge, a defendant may be assigned automatically to the sentencing judge's drug court. If a condition of probation is referral to the 22nd Judicial District Court in Washington Parish, the defendant's case shall be allotted to the division holding drug court in Washington Parish. At the sentencing in which a drug court referral is made, if the defendant is sentenced in the same parish in which he will participate in drug court, the defendant may agree in writing to the transfer of his case to the drug court judge for all purposes including revocation. The defendant shall be subject to all of the terms and conditions of drug court. If the defendant's participation in drug court is terminated unsatisfactorily, the matter, unless previously transferred to the drug court judge, shall be returned to the originally allotted division for revocation or other appropriate proceedings.

The drug court office will assign a defendant to a drug court division. The allotment will be made to that division at the first court appearance in drug court. When a drug court case is assigned to a parish other than where the plea is taken there will be no re-allotment.

VII. DWI Court Allotments

There shall be one division of DWI Court in the 22nd Judicial District Court which will be held in St. Tammany Parish. Any defendants for whom a condition of probation is referral to the DWI court shall be allotted to that division unless the sentencing judge retains jurisdiction. At the sentencing in which a DWI court referral is made, if the defendant is sentenced in the same parish in which he will participate in DWI court, the defendant may agree in writing to the transfer of his case to the DWI court judge for all purposes including revocation. The defendant shall be subject to all of the terms and conditions of DWI court. If the defendant's participation in DWI court is terminated unsatisfactorily, the matter, unless previously transferred to the DWI court judge, shall be returned to the originally allotted division for revocation or other appropriate proceedings.

□

The drug court office will assign a defendant to a DWI court division. The allotment will be made to that division at the first court appearance in DWI court. When a DWI court case is assigned to a parish other than where the plea is taken there will be no re-allotment.

22nd Judicial District Misdemeanor (Other than Traffic Offenses, Wildlife Offenses, and Appeals from Courts of Limited Jurisdiction) Allotment Procedures

Misdemeanor cases are not allotted. There shall be one misdemeanor docket in each parish and any of the

ten general jurisdiction divisions of court may be scheduled for criminal misdemeanor matters.

22nd Judicial District Felony Random Re-Allotment Procedures

I. Pursuant to court order dated September 11, 2008, non-capital felonies shall be randomly re-allotted by the respective Clerks of Court such that in St. Tammany Parish, the felony dockets of the two Washington Parish designated divisions shall be randomly re-allotted among the eight St. Tammany Parish designated divisions, and in Washington Parish, the felony dockets of the eight St. Tammany Parish designated divisions shall be randomly re-allotted between the two Washington Parish designated divisions. Beginning in 2009, Divisions A and E are the Washington Parish designated divisions and Divisions B, C, D, F, G, H, I and J are the St. Tammany Parish designated divisions. Allotment of non-capital felonies to Divisions A and E in St. Tammany Parish will cease on October 23, 2008. Allotment of non-capital felonies to Divisions B, C, D, F, G, H, I and J in Washington Parish will cease on October 23, 2008.

II. Re-allotment out of Divisions A and E in St. Tammany Parish and Divisions B, C, D, F, G, H, I and J in Washington Parish will be from an "active case" pool and a "non-active case" pool.

"Active case" is defined as an open case with court dates pending.

"Non-active case" is defined as all other cases allotted to these divisions.

A. Active Case Re-Allotment

As Divisions A and E schedule criminal dockets during the balance of 2008 the active cases in these divisions will be individually re-allotted upon the close of these dockets. After each criminal court date scheduled in September, October, November and December of 2008 by Divisions A and E the Clerk of Court will re-allot the cases on these dockets or any previous docket by random computer allotment to all other divisions. All active cases on these dockets will be continued to January 9, 2009 and the defendants will be served with this January 9th date for the purpose of being served with a new court date for the newly allotted division.

B. Non-Active Re-Allotment

All non-active cases of Divisions A and E as defined above will be re-allotted to the remaining Divisions B, C, D, F, G, H, I and J on January 1, 2009.

III. Post-Conviction Matters

All divisions will retain jurisdiction in cases in which the defendant has pled or been found guilty for purposes of post-conviction matters, including defendants awaiting sentence, post-conviction relief, post-conviction hearings and probation revocations.

IV. Equalization

After one year the Court shall review the random allotments to determine the average weekly allotment per division in both Parishes to determine if any corrective procedures to equalize the allotments should be adopted.

23rd Judicial District Court

Parishes of Ascension, Assumption and St. James

Amended effective Nov. 1, 2005

All criminal cases shall be randomly allotted equally to all divisions.

Parishes St. James & Assumption: Allotments made by random draw by the Clerk at time of arraignment.

Ascension: allotments are made by random draw of the Clerk the day after a person is arrested, excluding holidays.

Each division shall be allotted the same number of cases except Division C will only be allotted drug

charges and charges wherein an offense is billed with a drug charge. However, any crimes carrying a mandatory minimum shall not be allotted to Division C. Exception: All First Degree Murder cases are randomly allotted equally to each division.

Cases allotted to Drug Court shall remain there until disposed of unless there is a compelling reason to re-allot. Re-allotment shall be by motion of the district attorney and shall be signed by the transferring judge and the chief judge. In the event the chief judge is the transferring judge, his predecessor shall sign.

If a defendant has a pending billed charge in another division at the time of their arrest, the case shall be allotted to the division with the pending charge.

Any judge may handle the arraignment of a defendant even if it has been allotted to another division.

CO-DEFENDANTS

Co-defendants with no pending charges shall be allotted as usual. However, once allotted, defendants are transferred to the division of the defendant with the lowest last name in alphabetical order ("Alphabetical Rule"), such that all defendants with no pending charges are heard in the same division.

Co-defendants with pending charge(s) previously allotted to different divisions shall be transferred to that division irrespective of the present charge.

No case shall be transferred to another division without the concurrence of the receiving division. In cases of re-allotment, no case shall be re-allotted without the signature of two judges.

FELONY BONDS

All felony bonds shall be set by the duty judge as designated on the duty judge schedule. No judge other than the duty judge may set a felony bond except with the permission of the chief judge. All bonds may be initially set by telephone communication with the duty judge. On the next business day, the law enforcement agency requesting the bond shall be responsible for faxing or sending a list of the names and amounts of the bonds set by telephone. The appointment of attorneys should be conducted in person, however, the appointment of attorneys may be made by telephone in accordance with Louisiana Code of Criminal Procedure article 230.1 if a judge is not available.

**24th Judicial District
Court
Parish of Jefferson**

Allotted by Clerk by random drawing.

CLASSIFICATION OF CRIMINAL FILINGS

Criminal Cases. Criminal cases are those in which a bill of information or indictment has been filed. Criminal cases shall be divided into four (4) classes designated as follows:

Class I. All felonies that are punishable by death.

Class II. All felonies that are necessarily punishable by hard labor.

Class III. All felonies that are not necessarily punishable at hard labor.

Class IV. All misdemeanor cases and appeals from parish and city courts (Trial De Novo).

Class V. Preliminary Motions all preliminary motions filed prior to the filing of bills of information and/or indictments which must be heard without delay (i.e. motions for preliminary hearings, motions to suppress, writs of habeas corpus, motions for bond reduction, motions for appointment of a sanity commission, motions to leave jurisdiction) and all applications for post conviction relief.

ALLOTMENT OF CRIMINAL FILINGS

1. A representative of the Clerk of Court shall be present for every allotment. Each filing shall be classified by the District Attorney and then allotted by random drawing. Whenever there are multiple filings, an

accused is allotted to one division of court for all dispositions regarding charges of the same or lower class with the exception of Class I cases.

2. All true bills and/or bills of information dismissed or quashed and subsequently refiled shall be assigned to the division of original allotment. The foregoing shall be applicable only if the aforementioned refiled are of the same offense and same or lower class. In the instance of being of a higher class, such filing would be placed in the daily allotment and the division losing such filing will be assigned the next filing by the District Attorney of equal class to balance such loss.

3. When multiple bills of information and/or indictments of Class I filings are dismissed, subsequently refiled and consolidated, such filings shall be assigned to the division that relinquished any Class I filing. In this instance, the division that relinquished any Class I filing shall receive the next Class I filing filed by the District Attorney to balance such loss. The foregoing shall be applicable only if the aforementioned refilings are of the same offense.

TRANSFER OF CRIMINAL CASES

1. Class I is the highest class of case. When multiple bills of information or indictments are allotted to more than one division of court on the same defendant, a transfer order shall be entered ordering all cases to be transferred to the division with the highest Class case. Where there are two divisions with the same Class case on the same defendant, all the cases will be transferred to the division with the earliest allotment date. If there are multiple defendants in a case to be transferred, the Judges in both divisions must confer and concur in the transfer. If the Judges cannot reach an agreement, the issue of transfer shall go to the Chief Judge, who shall decide. Transfers may be initiated upon a motion by the prosecution, upon a motion by the defendant or defendants, or upon the Court's own motion. The division losing such filings through transfer will be assigned the next filing by the District Attorney of equal class to offset such loss.

2. Cases on any of the criminal dockets may be transferred as often as necessary for the proper expedition of the business of the Court from one division of court to another.

**25th Judicial District
Court
Parish of
Plaquemines Parish**

ALLOTMENT OF CRIMINAL CASES

1. All criminal offenses will be allotted on an alternate monthly basis to each Division of Court, in order. However when the Judges concur a criminal case may be transferred from one division to another division.

2. If a criminal defendant has a felony case pending and previously allotted, any new felony arrests of that same defendant shall be allotted to the division in which the pending felony charge is pending. This method of allotment shall also apply to any subsequent arrests of any co-defendants of the original defendant.

3. Each Division of Court shall establish at least two arraignment days per month and shall notify the Sheriff and District Attorney of same. All alleged criminal offenses committed during the first fifteen (15) days of the month preceding shall be fixed for arraignment on the first arraignment day in the month following. All alleged criminal offenses committed in the last half of the month preceding shall be fixed for arraignment on the second arraignment day in the month following.

4. Magistrate court shall alternate monthly between the divisions of court.

In case of the disability of the Judge to whom a case has been assigned, or in case of a vacancy in his office, or his absence for any reason, any other Judge shall be empowered to act in said case as fully as if it had been originally allotted to him.

**26th Judicial District
Court
Parishes of Bossier
and Webster**

ALLOTMENT OF CASES

Criminal Cases. Criminal Cases shall be divided into five (5) classes which shall be designated as follows:

Class I - Capital cases

Class II - Felonies requiring a jury of twelve persons

Amended effective
July 31, 2008

Class III - DWI and Possession of Marijuana

Class IV - All other felonies

Class V - Misdemeanor cases and Juvenile cases

The classification of the offense shall be determined by the charge in the Bill of Information or Indictment. However, if a motion is filed by the defense prior to the District Attorney's filing, the classification shall be determined by the motion filed.

Method of Allotment of Criminal Cases. Criminal Cases falling within Class I will be allotted to the different divisions of the court in the following manner. Six (6) balls of equal size and consistency shall be placed in a container with one (1) of said balls designated as Division A, one (1) designated as Division B, one (1) as Division C, one (1) as Division D, one (1) and Division E, and one (1) ball designated as Division F. The container should of an opaque material so that the contents may not be seen. When a case is to be allotted, the contents of the case should be thoroughly mixed and a ball drawn from the container. The case is then allotted to the Judge whose division is represented by the letter on the ball drawn. The ball so drawn shall be returned to the container with the other balls and the process repeated for further allotments.

The allotment of criminal cases falling within classes II, III, and IV as above shall be by the same method as the allotment of civil cases. The Clerk shall obtain three containers and notate one as Class II, one as Class III, and one as Class IV. The Clerk will then place sixty (60) balls in each container with ten (10) balls in each container marked as Division A, ten (10) as Division B, ten (10) as Division C, ten (10) as Division D, ten (10) as Division E, and ten (10) balls marked as Division F. The drawing of the balls and allocation of the cases shall be made at the time the District Attorney files the Bill of Information or Indictment, or when a motion is filed by the defense prior to the District Attorney's filing, whichever occurs first, or as soon thereafter as practical. At the time of filing, the District Attorney shall classify each case and note on the top right corner of the Bill of Information or Indictment the class of the violation.

Misdemeanor and Juvenile cases, described as class V cases shall not be allotted, but shall be heard by any Judge hearing such matters as they arise.

As each Bill of Information or Indictment is filed, it will be assigned at random to a Division of this court. If a contradictory motion (other than a bond reduction or discovery motion) is filed prior to the Bill of Information, then the case shall be assigned at the time of the filing of the motion. Should there be multiple charges other than capital against an individual, and these charges arise out of the same criminal investigation, or series of events, or if they occur within a one hundred eighty (180) day period, then it is the intent of these rules that all such cases be handled by one Division. In this event, the Division having the Bill of Information or Indictment with the lowest number shall handle all the matters. Capital cases shall not be transferred pursuant to this section.

Notwithstanding the above, if a defendant is on active supervised probation and is charged with a subsequent crime during the probationary period, the case relative to the subsequent charge will automatically be assigned to the division in which the probationary matter is pending.

Considering the time limitations imposed by the Code of Criminal Procedure relating to arraignments, and the necessity that bond reduction hearing s be conducted promptly, an in order to protect those rights of the defendants, the court will allow arraignments, bond reduction hearings, and discovery motions to be taken up before any Division of the Court regardless of Division assignment.

Transfer of Criminal Cases. Upon the written motion of the state, the defense, or by the Court on its own motion, and for good cause, any case may be transferred from one division of the court to another by written order signed by both Judges.

In the event a Judge recuses himself from a particular case, the case shall be allotted at random to another Division and the recused Judge shall be assigned an additional case of equal class to offset such loss.

All Indictments or Bills of Information dismissed or quashed and subsequently refiled shall be assigned to the Division of original assignment only if the refilings are for the same offense or one of the same or lower class. Otherwise, such case shall be placed in the regular allotment and the Division losing the initial case will be assigned an extra case at the next allotment of equal class to counterbalance such loss.

APPEALS FROM LOWER COURTS

All cases appealed to this Court from lower Courts shall be fixed in the same manner as cases originating in this Court.

JURY DOCKETING

Pursuant to Articles 17 and 702 of the Louisiana Code of Criminal Procedure, it is hereby ordered that criminal petit jury trials be docketed as follows:

A. Except for good cause shown, all petit jury cases shall be set for trial by written order. Not later than 30 days prior to the commencement of a petit jury term, the District Attorney shall request the setting of up to a maximum of 30 priority cases for each division which is scheduled for the next petit jury term. The cases shall be contained on a separate docket for each corresponding division and shall set forth cases to be called for that division, but not necessarily in the order in which the cases will be called for trial. The District Attorney shall file a signed copy of each written docket and order in the office of the Clerk of Court, simultaneously furnishing a signed copy of same to the trial judge assigned to preside over that jury term, and further furnishing a signed copy to the Indigent Defender Board and to all privately employed attorneys representing defendants on the docket.

B. As defendants contained on the original list of 30 cases for each division holding a petit jury plead guilty, or are otherwise removed from the docket for good cause shown, additional cases may be added to the end of the priority docket, up to two weeks before trial, but in no case shall more than 30 cases be set for a particular division's petit jury term. In other words, the District Attorney may at all times have up to 30 cases set and docketed for each division scheduled for the upcoming petit jury term.

C. Not later than noon of the seventh day prior to any criminal jury term, the District Attorney shall file a separate trial docket for each division scheduled for a petit jury term showing the order in which the cases on the original docket will be called for trial with:

1. The Trial Judge assigned for that jury term by delivering a copy to his office.
2. The Clerk of Court of the Parish where that jury term will be held by delivering a copy to her office.
3. The Indigent Defender Board of the Parish where that jury term will be held by delivering a copy to that office.
4. All defense attorneys, except attorneys with the Indigent Defender Board Office, by mailing by postmark no later than noon.

These dockets must contain all the cases on the original dockets, less any deletions or additions made pursuant to the subsection "B" above, and must also contain any cases carried over from previous dockets.

D. A case may not be removed or continued from a docket except upon motion filed by the State or the Defendant showing good cause for the removal or continuance. Any such motion shall be filed and ruled upon by the Court at least ten days before the jury term commences, except for good cause shown.

E. Any case not tried during the jury term, whether because of a continuance granted by the Court or because the case was not reached during the term, must be carried over to that division's next jury term which is at least three weeks away. It shall be added to the docket, if the docket has been prepared. If the docket has not been prepared, the case or cases carried over shall be included in those 30 cases on the 30 day docket.

F. Preliminary motions, other than arraignments, preliminary examinations, bond reduction hearings and discovery motions, must be scheduled before the judge to which the case has been assigned pursuant to Rule 34.

G. Any guilty plea must be completed no later than the 10th day (Friday) before the day the jury term commences. After that time, no plea bargains will be accepted, and the defendant must either plead guilty "straight up" or go to trial.

H. Guilty pleas must be taken before the judge to whom the case has been assigned.

BOSSIER PARISH DRUG COURT DIVISION

1. Effective January 1, 2005 the Drug Court Division shall be designated in accordance with the following rules. All drug cases will be allotted at random by the Clerk of Court's office to each of the divisions of Court. Cases determined to be eligible for Drug Court will be transferred to the Drug Court Division. The drug treatment and probation program shall be established in accordance with the provisions of LSA R.S. 13:5301 5304.
2. The Drug Court Division will be presided over by one or more of the district court judges.
3. The Drug Court will preside over all juvenile and adult drug cases which are determined to be eligible for this program in Bossier Parish.
4. Drug Court will be held every Monday in Bossier Parish, except when the Drug Court judges are scheduled for vacation or jury terms in either parish.
5. Juvenile Drug Court will convene at 3:00 p.m., and Adult Drug Court will convene at 3:30 p.m. in Bossier Parish.

**27th Judicial District
Court
Parish of St. Landry**

Amended June 2,
2003, effective July
1, 2003; Amended
May 31, 2005;
Amended Jan. 9,
2006, effective June
1, 2006

FIXING CRIMINAL CASES FOR TRIAL

1. Criminal cases shall be fixed for trial at arraignment, status hearings or on written motion of the district attorney.
2. A case may be fixed for trial by the court if an accused establishes in a contradictory hearing with the district attorney that he has been deprived of a speedy trial.
3. Criminal cases allotted to the several divisions of court shall be heard in the month that the judge affected is sitting on the criminal bench as provided for in Appendix 2, Rule 3.1; however, special fixings may be obtained by request and with court approval.
4. By 9:00 A.M. on the first working day of each month, the district attorney shall prepare and file with the Clerk of Court, and with a copy to the court, a document reflecting the order in which cases on the felony trial docket will be called for trial that month. Upon receipt of the document from the district attorney, the Clerk of Court shall make a copy of the document available to defense counsel of record in those cases contained on the order of trial. But in no event shall the list be filed later than five (5) days prior to the commencement of jury selection for the month affected.

There shall be no additions, deletions or changes in the order of the prepared list as filed by the district attorney, except by an order of court pursuant to the joint motion of the State and defense, or upon a showing that exceptional circumstances, beyond the control of either the State or the defense, could materially impact the rights of the accused or impair the State's ability to present a case.

FIXING BAIL

1. Bail shall be fixed by the criminal duty judge at the time the accused is arrested and in his absence, by any other judge.
2. The Sheriff of St. Landry Parish and all police departments that book an accused shall make the following information available to the judge fixing bail:
 - (a) The seriousness of the offense charged, including but not limited to whether the offense is a crime of violence or involves a controlled dangerous substance.
 - (b) The weight of the evidence against the defendant.
 - (c) The previous criminal record of the defendant.

- (d) The ability of the defendant to give bail.
- (e) The nature and seriousness of the danger to any other person or the community that would be posed by the defendant's release.
- (f) The defendant's voluntary participation in a pretrial drug testing program.
- (g) The absence or presence of any controlled dangerous substance in the defendant's blood at the time of arrest.
- (h) Whether the defendant is currently out on bond on a previous felony arrest for which he is awaiting institution of prosecution, arraignment, trial, or sentencing.
- (i) Any other circumstances affecting the probability of defendant's appearance.
- (j) The type or form of bail.

BAIL REDUCTION HEARINGS

1. Any and all Bond Reduction Motions filed subsequent to original bail being fixed at magistrate's hearing shall be heard by the judge of the division to whom the case is assigned at said magistrate's hearing.
2. If a judge at the magistrate's hearing orders formal application for bail, then formal application for bail must be made to the judge of the division the case has been assigned to at said magistrate's hearing.

MAGISTRATE'S HEARING

1. A magistrate's hearing shall be conducted each judicial day or days when the courts are open unless the judge on the criminal bench at that time directs otherwise.
2. The general purpose of the magistrate's hearing is to fix bail (if bail has not been previously fixed), appoint counsel to designated indigents, schedule arraignments for those brought before the court, and to consider any other appropriate matters.
3. Each person who has been booked by the sheriff or any police department within the jurisdiction of this court shall be brought before the court at a magistrate's hearing on the first judicial or court's working day after booking.
4. The sheriff or police department having custody of a person brought before the court at the magistrate's hearing shall furnish in duplicate for each accused the court's designated magistrate's hearing form.
5. At the court's option, a party may appear for the magistrate's hearing in person, through the telephone, or by audio-video electronic equipment.

APPEARANCE OF COUNSEL ON PLEA DATES, DOCKET SOUNDING AND JURY SELECTION

1. In all divisions where criminal cases are to be heard, all prosecutors and defense attorneys, having cases on the priority list that is prepared by the district attorney, shall timely appear in person for:
 - a. Jury Selection--only trial counsel may select the trial jury,
 - b. Trial,
 - c. Verdict,
 - d. Sentencing,
 - e. Plea Day,
 - f. Docket Sounding, and

g. Pretrials.

2. There shall be no exception to this rule without the written permission of the judge affected.

**28th Judicial District
Court
Parish of LaSalle**

Single judge district.

**29th Judicial District
Court
Parish of St. Charles**

All cases (except homicides), felonies and misdemeanors shall be allotted to the judge serving as duty judge on the date of arrest.

When felony matters have been allotted, all subsequent indictments, charges and criminal cases arising out of the same transaction, occurrence, or series of transactions or occurrences shall be allotted to the same division.

All 1st and 2nd degree murder cases and all drug roundups shall be allotted to each division on a rotating basis.

TERMS OF COURT

A grand jury shall be empanelled in the first week of October and the first week in April of each year. The handling of the grand jury matters shall be rotated among the divisions of court.

**30th Judicial District
Court
Parish of Vernon**

Cases allotted randomly by mechanical device among the three divisions of court. Misdemeanor, traffic, and wildlife violations are assigned by District Attorney at arraignment to next available trial date.

**31st Judicial District
Court
Parish of Jefferson
Davis**

Single judge district.

**32nd Judicial District
Court
Parish of
Terrebonne**

All criminal cases except under Title 32 and/or Title 56 of the La. Rev. Statutes, whether instituted by bill of information or bill of indictment, the District Attorney shall note either "Arrest" (date defendant taken into custody) or "Summons" (date defendant given summons in lieu of arrest) in the lower right hand corner and then the case shall be assigned, as follows:

Other than Title 32 and/or Title 56 cases, all shall be assigned in accordance with the duty judge schedule covering the time period expressed. Arrest dates shall control setting of arraignment dates. The division assigned shall be the allotted division unless the arrestee has a pending felony criminal case, in which instance it shall be reallocated at the first arraignment date to the division handling the pre existing case.

Where more than 12 drug arrests are made in a sweep, arrestees will be reallocated at first arraignment date on a pro rata basis.

Where more than one felony case pending, shall be allotted to section on duty at time of first arrest.

Title 32 and/or Title 56 offenses or through summons shall not be allotted but automatically heard by Duty Judge for day on which returnable for arraignment and/or trial, or by any other Section of court available to dispose of the matter at the convenience of the District Attorney.

**33rd Judicial District
Court
Parish of Allen**

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.

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.

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.

**34th Judicial District
Court
Parish of St. Bernard**

CRIMINAL ALLOTMENTS

1. All criminal matters shall be allotted upon filing in accordance with Appendix 3. Additionally, the Clerk shall insert the chapter and number subpart of the revised statutes under which the defendant is charged. (Example: 00 000, R.S. 14:30 27) This designation shall be placed on all motions for pre trial hearing, or trial by District Attorney or Defense Counsel, but if not affixed by the District Attorney or Defense Counsel, shall be inserted by the Clerk of Court.

2. Each criminal case shall be given but one number and receive only one allotment which shall be determined by the first pleading filed whether that pleading be the bill of information or indictment filed by the State or any pre trial motion filed by the defense prior to the filing of the bill of indictment or information, and all subsequent pleadings pertaining to that defendant and that particular alleged offense shall bear the same number and division as the initial pleadings.

**35th Judicial District
Court
Parish of Grant**

Single judge district.

**36th Judicial District
Court
Parish of
Beauregard**

All felony criminal cases are randomly allotted between the two divisions of court at the time of filing of indictment or information by drawing of lots.

Misdemeanor, traffic and wildlife violations are assigned by District Attorney at arraignment to next available trial date. Once so assigned case remains allotted to that division of court until final disposition.

The District has no drug court.

COURT DOCKET

Capital criminal cases shall be assigned to the divisions of Court on a rotating basis; with the first capital

criminal case indictment returned after January 1, 1997, being assigned to Division A, and subsequent cases assigned on a rotation based upon a chronological order determined by the date of the alleged offense.

GRAND JURY

A Grand Jury shall be impaneled on the fourth Monday of the months of September and March of each year, or at such other times as the Court may order. Division A shall empanel the March Grand Jury; Division B shall impanel the September Grand Jury. Should the date set for the Grand Jury to be impaneled be a legal holiday, then it shall be impaneled on the first court day following the holiday.

CRIMINAL COURT CALENDAR

1. Except for those weeks designated as criminal jury trial weeks, and on those weeks commencing on a fifth Monday, the division of Court sitting in criminal session shall adhere generally to the following schedule during the Regular Term of Court:

Mondays--Criminal Motions;
Tuesdays-- Arraignments;
Wednesdays--Misdemeanor Trials;
Thursdays--Criminal Motions;
Fridays--Entry of Pleas/Criminal Motions and Felony Bench Trials and Motions.

The Court in the interest of justice and as docket need may dictate may also schedule any non jury criminal matter for any available legal day.

2. Any plea agreement to be submitted to the Court for approval and commitment from the Court as to sentence, must be submitted on or before the 1st Friday of the month in which the case is to be tried. Thereafter, the plea must be voluntarily entered in proceedings in conformity with the requirements of law by the defendant on or before the morning motion hour set for the 2nd Friday of the month in which the case is to be tried.

37th Judicial District Court
Parish of Caldwell Single judge district.

38th Judicial District Court
Parish of Cameron Single judge district.

39th Judicial District Court
Parish of Red River Single judge district.

40th Judicial District Court
Parish of St. John the Baptist All complaints, indictments and bills of information shall be divided into three classes: Felonies, Misdemeanors and Traffic.

Cases classified as misdemeanors and traffic shall be assigned to the respective judge according to the court date given when the offense is committed.

Felonies shall be divided into subclasses: Capital Offenses, Offenses Necessarily Punishable by Life

Imprisonment or Hard Labor and Offenses Not Necessarily Punishable by Hard Labor. Felonies shall be randomly allotted within each subclass when filed. All motions and other matters pertinent to a particular felony bill of information or indictment shall be allotted to the same division for hearing, except arraignments may be handled by any judge on any criminal court date. Should a bill of indictment or information contain a count or counts against other persons, each person and all counts thereto shall constitute one case and be randomly allotted to one division. For purposes of allotment only, each count pertaining to another person shall be treated as an individual case allotted to that division.

**Criminal District Court
Parish of Orleans**

ALLOTMENTS

Amended and
effective Aug. 14,
1998; Amended and
effective Sept. 7, 2004

1. The Clerk will assign daily, randomly, and by allotment among the Sections having felony jurisdiction all felony indictments, bills of information charging felony offenses and appeals from Municipal Court and Traffic Courts and other pleadings shall be allotted among Sections A through L and the Magistrate Section. This allotment shall be conducted by the Clerk and shall be open to the public. The District Attorney shall be notified of the allotment.

2. Cases filed shall be divided into five (5) classes:

(a) First degree murder;

(b) Those necessarily punishable at hard labor;

(c) Those not necessarily punishable at hard labor;

(d) Those triable by the Court without a jury, and all appeals from Municipal and Traffic Court of new Orleans, writs, and fugitive cases; and

(e) Civil forfeiture petitions under "Seizure and Controlled Dangerous Substance Property Forfeiture Act of 1989" which shall be entitled "In Rem Forfeiture Proceedings" and shall originate in the Magistrate Court. (In Rem Forfeiture petitions shall be allotted to the Magistrate for deposition.)

3. The penalty for the offense charged at the time of the alleged commission of the act shall determine the classification of the particular case. A separate allotment shall be conducted for each case, based on the character of the crime charged.

4. The Clerk shall not make a special allotment for any case unless so ordered by a Judge.

5. Except for first degree murder cases, the Court En banc may order the removal of one or more Sections of Court from the allotment. The allotment of second class cases shall be in multiples of ten cases filed. The allotment of third class cases shall be in multiples of ten cases filed.

6. The Order of Court directing the removal from the allotment for designated months of Sections A, B, C, D, E, F, G, H, I, J, K, and L of the Criminal District Court shall not be applicable to the allotment of first degree murder cases.

7. Second and third class cases shall be randomly allotted among Sections A through L.

8. Fourth class cases shall be randomly allotted among Sections A through L and the Magistrate Section.

9. Misdemeanor cases allotted to Magistrate section which requires jury trials, shall be reallocated only if the defendant elects trial by jury or on motion of the District Attorney and shall be randomly reallocated among Sections A through L.

10. Fifth class cases shall be allotted among Sections A through L and the Magistrate Judge, however, the allotment shall not include the Commissioners.

11. Appeals of misdemeanor convictions not appealable to the Supreme Court shall be randomly allotted among the four Appellate Divisions of this Court.

12. Nolle prosecuted cases which are reinstated within the prescriptive period will not be reallocated. Those with the same defendant(s), and in the same class, shall be given the same number and allotment as the original case. However, when one or more defendants are added, or a more serious crime is charged with a different classification, the case shall be assigned a new number and allotted as if a new case.

TRANSFERS

1. Any case of any class may be transferred as often as may be necessary for the proper expedition of the business of the Court. Cases may be transferred either upon motion of the State or the defendant, or by order of one Section of Court to another. Both the State and the defendant must agree to transfer along with the Section of Court to which the case is transferred.

2. Any Judge may transfer to a Commissioner any non-jury misdemeanor case for disposition without the approval of that Commissioner.

3. Any misdemeanor case which has been transferred to the Magistrate Section, and which has a companion felony case growing out of the same factual situation, goes back to the Section of Court to which the felony case was allotted.

4. When there are multiple cases pending against a defendant, they shall be transferred to one (1) Judge for disposition. Cases shall be transferred to the Judge who has the more serious case, that is, the one with the highest classification. If there are two (2) or more cases in the same classification, then the cases shall be allotted to the Judge presiding over the case with the lowest docket number, whether the defendant is charged alone or with others. A case shall be considered pending until a Nolle Prosequi, a dismissal, a plea of guilty, or nolo contendere is entered, or a verdict of guilty is returned after trial. When a case is pending and one or more defendants and/or one or more charges of the same classification is added, the case shall be assigned a new number and allotted. It shall then be transferred to the Section to which the original case was allotted. This rule shall apply even if the original case was nolle prosecuted prior to the filing of the new bill of indictment or information.

5. A case in which a pre-sentence investigation has been ordered shall be considered pending until the sentence is pronounced. If the same defendant is charged with the same or a lesser grade offense, the case shall be transferred to the Section in which the pre-sentence investigation is pending. If the defendant is charged with a greater offense, the case shall be regularly allotted and not transferred. The case in which a pre-sentence investigation is pending shall not be transferred.

6. After sentencing on the original charge, the case is considered complete and any other cases filed thereafter on the same individual may not be transferred to that Court even though a multiple bill has been filed on the original charge.

7. When a judge recuses himself, is recused from, or for some other reason a case is reallocated from his Section of Court, the Judge receiving the case has the option of transferring to the initial transferring Court:

(a) An open case that is similar to the case received in terms of class, counts, and number of defendants; or

(b) An open case that is the same class but contains fewer counts or defendants; or

(c) An open case that is a lower class case but does not exceed the one received either in terms of counts or defendants. A case cannot be transferred to the initial transferring court unless motions have not been heard or the motion hearings have been heard and completed.

8. The Clerk shall notify the Sheriff immediately when a case has been transferred.

9. The Clerk shall assign all fugitive matters to the Magistrate Section.

10. The transfer rules of the Court shall remain in effect until the date a plea of guilty is entered or a conviction is had.

11. When two (2) or more cases which co-exist are subject to the existing transfer rule and the controlling case is closed, the remaining case or cases may be transferred if they are open at the time the controlling case was disposed of.

BAIL

When a District Judge sets bail, all matters pertaining to the bail, including motions to modify the amount or type of bail, shall be heard by the District Judge who set the original bail. When the Magistrate Judge or Commissioner sets first appearance bail, any motion to modify the amount or type of bail may be heard by any District Judge, the Magistrate Judge, or the Commissioner who set the original bail. If the case has been allotted and/or transferred to a section of court, then bail issues shall be heard by the District Judge or Magistrate Judge presiding over the section to which the case has been allotted or transferred.

MISCELLANEOUS

1. A Bill of Information filed charging a defendant as a multiple offender is to be considered as a proceeding in the last felony case and shall be filed in the same file as the indictment or information on which the last felony conviction was had.
2. A petition for a Writ of Habeas Corpus may be presented to any Judge prior to filing the writ in the office of the Clerk, and the Judge to whom the petition is presented may act upon it individually. It must immediately thereafter be filed with the Clerk. It shall not be allotted, but returned directly to the Judge to whom the petition was originally presented.
3. Applications for a subpoena or a subpoena duces tecum made by the District Attorney for appearance or production before the Grand Jury, are to be made to the Judge in charge of the Grand Jury. In cases pending in Court, applications for subpoenas are to be made in the Court to which the case was allotted. In non-allotted cases, applications for subpoenas or subpoenas duces tecum are to be made to the Magistrate or one of the Commissioners. Any Judge may issue such subpoena, but all contested matters that arise as a result of the issuance of the subpoena shall be assigned to the Magistrate or Commissioner on duty at the time of the issuance of the subpoena.
4. All motions are to be filed in the Section in which the matter is pending. After filing, motions are to be delivered to the respective Section which will then schedule a hearing for the motion to be heard. The Clerk shall then notify the defense counsel and the District Attorney of the date of the hearing. The minute clerks are in no way responsible for the delivery of motions to the Judges.
5. Whenever a capias has been executed, the clerk shall place the individual on the docket and jail list of the appropriate Section the next work day following the execution of the capias. If that particular Section of Court is not in session on that day, the individual is to be placed on the jail list of the Section next in rotation according to the following schedule: A to B, B to C, C to D, D to E, E to F, F to G, G to H, H to I, I to J, J to A. The Magistrate Section is not included in the rotation schedule.
6. No record of the Clerk's Office shall be removed from the Criminal District Court building without the express permission of a judge and notification given to the Clerk, which notification shall include the date, time, and signature of the person removing the file.
7. Motions may be filed in the Clerk's office via facsimile. After a motion is received by facsimile, it shall be clocked-in and date. If the motion pertains to a new case, it shall be given a case and Section number. Two (2) copies are then to be made, one to be retained by the Clerk, the other to be retained by the Chief Deputy Clerk. The motion shall then be filed by the Clerk and copies sent to the District Attorney, and the Court to which the case has been allotted. The attorney who forwarded the motion has five (5) working days to present the original motion as well as a check for the payment of fees incurred. Once presented, the original motion shall then be backdated with the date of the facsimile. The original motion shall then be presented to the Judge to be signed or to be scheduled for hearing. It is the responsibility of the Attorney to insure that the motion reaches the Judge, however, the motion can be delivered to the Judge by the Clerk.
8. Judges shall not sign a facsimile motion.
9. The Clerk's office is responsible for confirming that the facsimile was received. A confirmation letter to the attorney shall be sent along with an itemization of the fees due or a bill for the same. A facsimile fee shall be included.
10. The Court En Banc and the Clerk shall set reasonable fees for the filing of motions by facsimile and the handling of the same.

11. The Clerk and the Court En Banc shall set a fee for filing motions to expunge an arrest and/or motion to set aside a conviction and to dismiss a prosecution.

**Civil District Court
Parish of Orleans**

Not applicable to the Orleans Parish Civil District Court.

**42nd Judicial District
Court
Parish of DeSoto**

ALLOTMENT OF CRIMINAL CASES

Adopted December
17, 2008

1. Felony cases shall be divided into four classes which shall be designated as follows:
 - a. Class I Capital cases.
 - b. Class II Felonies for which the punishment is life imprisonment.
 - c. Class III All other felonies which require a twelve person jury.
 - d. Class IV Felonies which require a six person jury.

The penalty of the offense charged at the time of the alleged commission of the act shall determine the classification of the particular case.

2. The allotment of felony cases shall be determined in the same manner and by use of the same method as Civil cases allotted on the civil docket. The Clerk of Court, or a duly authorized Deputy Clerk, will input the required information into a computer program that [again they had which] will randomly allot the case to a division. The allocation of cases shall be made at the time of arraignment.

Upon written motion of the State, of the defense, or by the Court on its own motion, and for good cause, any case may be transferred from one Division of the Court to the other by written order signed by both Judges.

3. Misdemeanor case will be handled on a rotating basis. Juvenile cases will be handled by Division "A". Criminal Neglect of Family cases will be handled by Division "B".
