

TITLES I, II, and III

Chapter: 14 Chapter Title: Allotment of Cases

Appendix 12

Rule No: 14.0

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

**1st Judicial District
Court
Parish of Caddo**

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.

**2nd Judicial District
Court
Parishes of
Bienville, Claiborne
and Jackson**

Misdemeanor, traffic and wildlife cases are set by citation for the arraignment day next following the issuance of the citation with trials fixed for month following arraignment.

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

Misdemeanor, traffic and wildlife cases are not assigned for purposes of trial; only assignment for purpose of sentencing and probation revocation in division where defendant was convicted.

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

Amended effective
Jan 9, 2004; amended
effective Jan. 1, 2010

Please note: Text effective until January 1, 2010

(a) All Title 32 Traffic Offenses, Parish Ordinance Violations and Title 56 Wildlife Offenses in which a law enforcement officer issues a summons or citation (and the defendant is not booked into the parish jail) shall be randomly allotted to the four Sections of this court by the District Attorney, in accordance with the pre determined appearance dates provided to law enforcement officers to be recorded on the summons or citation.

(b) Appeals from Courts of Limited Jurisdiction shall be randomly allotted by the Clerk of Court.

Please note: Text effective January 1, 2010

(a) All Title 32 Traffic Offenses, Parish Ordinance Violations and Title 56 Wildlife Offenses in which a law enforcement officer issues a summons or citation (and the defendant is not booked into the parish jail) shall be randomly allotted to the five Sections of this court, effective January 1, 2010, by the District Attorney, in accordance with the pre-determined appearance dates provided to law enforcement officers to be recorded on the summons or citation.

(b) Appeals from Courts of Limited Jurisdiction shall be randomly allotted by the Clerk of Court.

**5th Judicial District
Court**

See Appendix 11.

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

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

No different rule.

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

Traffic & wildlife cases involving arrest and booking are docketed and allotted in same manner as other criminal cases.

Traffic & wildlife cases where citation and summons is issued are docketed and allotted in accordance with the number of the ticket or citation. Even numbered tickets or citations go to Div. A and odd numbered ones go to Div. B, except where multiples are issued to one individual for one particular episode or event. Those will be allotted to the division which receives the first ticket of the series.

Officers issuing tickets and summonses shall notify the party to which Division it will be assigned and the Court appearance date.

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.

**8th Judicial District
Court
Parish of Winn**

See Appendix 11.

**9th Judicial District
Court
Parish of Rapides**

Class IV misdemeanor cases shall be set before the misdemeanor court by the District Attorney or in accordance with rules set forth herein. See Appendix 11.

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

See Appendix 11.

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

See Appendix 11.

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

See Appendix 11.

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

These cases come up once a month and are alternated between divisions A & B.

**14th Judicial District
Court
Parish of Calcasieu**

Appeals from lower courts are randomly allotted by computer upon filing. Traffic and wildlife offenses are randomly allotted by the Clerk of Court in the same manner provided for misdemeanors. See Appendix 11.

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

In Lafayette Parish, all traffic offenses and wildlife offenses are allotted to the Commissioner.

In Vermilion and Acadia Parishes, all traffic offenses and wildlife offenses are allotted to the traffic/wildlife docket. The Judges of all Divisions, with the exception of Divisions M and H, hear cases on this docket, on a rotating basis.

WITH
AMENDMENTS OF
3/07/02

For handling of appeals from lower Courts, all cases are randomly allotted among the Judges of all divisions, with the exception of Divisions M and H.

APPEALS FROM CITY COURT TO DISTRICT COURT

A. A transcript of the proceedings in City Court must be submitted on the appeal rather than recordings thereof.

B. The following matters and no others shall be considered on appeal:

(1) An error designated in the assignment of errors; and

(2) An error that is discoverable by a mere inspection of the pleadings and proceedings and without inspection of the evidence.

C. Upon the lodging of the appeal, the Clerk of this Court shall notify the appellant and/or his counsel that the appellate record has been lodged with this court and that briefs or memoranda thereon shall be filed within twenty (20) days thereafter.

D. Appellant shall submit a brief or memorandum to this court within twenty (20) days of lodging the appeal. The prosecuting attorney of the court from which the appeal is taken shall have ten (10) days thereafter to submit an answering brief or memorandum. Unless otherwise ordered by the Court, all appeals shall be decided on the briefs submitted.

E. If no assignments of error are included in the record lodged with this court only errors patent on the face of the record will be reviewed.

F. Appeals from City Court shall be subject to random allotment among all Divisions, with the exception of Divisions H and M.

G. A certified copy of the minute entry indicating the final determination made by the reviewing court shall be sent to the Judge and/or Clerk of the City Court from which the appeal was taken. This notice should be sent within fifteen (15) days of rendition of the judgment.

16th Judicial District Court
Parishes of Iberia, St. Martin and St. Mary

Misdemeanor and traffic offenses are given the first arraignment date after filing, in the event of a not guilty plea at arraignment.

17th Judicial District Court
Parish of Lafourche

See Appendix 11.

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

See Appendix 11.

19th Judicial District Court
Parish of East Baton Rouge

As amended through April 29, 2005

A. Traffic Offenses: Traffic charges filed pursuant to Title 32 and Title 47 shall be assigned by a deputy clerk of court to a section of criminal court based on the date of offense and all docketing and notices shall be the responsibility of the Coordinator of Traffic Court.

B. Wildlife Offenses: Wildlife offenses under Title 56 shall be randomly allotted as any other felony or misdemeanor, as stated in Appendix 11 herein.

C. City Court Appeals: Appeals from City Court shall be allotted to the criminal section on duty on the date the appeal is lodged/filed in the 19th Judicial District Court pursuant to the authority of Rule 17.2 herein.

20th Judicial District Court
Parishes of East Feliciana and West Feliciana

Allotment of traffic and wildlife offenses shall be by date of arrest or date of issuance of summons. See Appendix 11 for allotment of appeals.

21st Judicial District Court
Parishes of Livingston, St. Helena and Tangipahoa

All traffic offenses and wildlife offenses shall be allotted when set for trial to the primary duty judge presiding during the trial week.

22nd Judicial District Court
Parishes of St. Tammany and Washington

Amended effective January 1, 2009

22nd Judicial District Misdemeanor 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.

23rd Judicial District Court
Parishes of Ascension, Assumption and St. James

Misdemeanor cases in St. James and Assumption Parishes shall be allotted and heard by all divisions in accordance with the misdemeanor schedule posted in the Office of the Clerk of Court. Misdemeanor cases in Ascension parish are filed in the Ascension Parish Court.

24th Judicial District Court
Parish of Jefferson

See Appendix 11.

25th Judicial District Court
Parish of Plaquemines Parish

See Appendix 11.

26th Judicial District Court
Parishes of Bossier and Webster

See Appendix 11.

27th Judicial District Court
Parish of St. Landry

See Appendix 11.

28th Judicial District Court
Parish of LaSalle

Single judge district.

29th Judicial District Court
Parish of St. Charles

All traffic cases and misdemeanors where the defendant is not arrested shall be allotted by adherence to a schedule prepared annually by an en banc order of the court and posted in the Office of the Clerk of Court.

30th Judicial District Court
Parish of Vernon

See Appendix 11.

31st Judicial District

Single judge district.

Court
Parish of Jefferson
Davis

32nd Judicial District
Court See Appendix 11.
Parish of
Terrebonne

33rd Judicial District
Court See Appendix 11.
Parish of Allen

34th Judicial District
Court See Appendix 11.
Parish of St. Bernard

35th Judicial District
Court See Appendix 11.
Parish of Grant

36th Judicial District
Court See Appendix 11.
Parish of
Beauregard

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

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

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

APPELLATE DIVISION

1. This Court has appellate jurisdiction over misdemeanor convictions not appealable to the Supreme Court. For the expeditious hearing of these appeals, there shall be four Appellate Divisions in this Court, designated as First Appellate Division, Second Appellate Division, Third Appellate Division, and Fourth Appellate Division.
2. The First Appellate Division shall consist of the Judges of Sections D, E, and G. The Second Appellate Division shall consist of the Judges of Sections F, I and A. The Third Appellate Division shall consist of the Judges of Sections B, C, and L. The Fourth Appellate Division shall consist of the Judges of Sections J, K, and H. The Judge of the magistrate Section will be available to sit on any Appellate Division if there is a direct need by the way of recusation of any Judge of any of the four Appellate Divisions.
3. The Clerk of Court shall randomly allot all misdemeanor appeals to the four Appellate Divisions. No appellate Division shall be allotted an appeal from one of its member Sections of Court.
4. The First and Second Appellate Divisions shall sit in odd months and the Third and Fourth Appellate Divisions shall sit in even months.
5. The Appellate Division will meet in the courtroom of the most Senior Judge on each Appellate Division. However, the Appellate Division will always meet in the courtroom of the Chief Judge regardless of seniority.
6. Two (2) Judges of any Appellate Division shall constitute a quorum and a majority must concur in any finding.
7. Any Judge who is absent at the hearing in the Appellate Proceedings shall not participate in that particular case.
8. Any appeal may be transferred from one Appellate Division to the other on the written motion of the State or the Appellant, provided that at least two (2) of the Judges of the Appellate Division to which the appeal is to be transferred consent to the transfer.
9. The return date on misdemeanor convictions appealed to an Appellate Division of this Court shall be set by the trial Judge at the time the motion for appeal is filed. The return date may be extended by the trial Judge at any time prior to the expiration of the sixtieth (60th) day. The court reporter shall move the Court for an extension of time in which to prepare the transcript if it is not prepared within sixty (60) days. Unless good cause is shown, the Trial Judge shall not extend the return date more than an additional sixty (60) days. On or before the return date, the court reporter shall file a certified copy of the transcript of the trial proceedings with the Appellate Division. If the transcript is not lodged with the minute clerk of the trial court timely, the record shall be forwarded to the clerk of the Appellate Division for review on the facts of the record.
10. Upon receipt of the transcript in all cases appealed, the Clerk of the Appellate Division shall send a written notice to Appellant and Appellee of the filing of the transcript. Briefs shall be filed with the Clerk of Court for the Appellate Divisions. The brief of the Appellant shall be filed within fourteen (14) days after receipt of notification though certified mail, return receipt requested. The brief of the Appellee shall be filed twenty one (21) days after receipt of notification. If either the Appellant or the Appellee fails to file a written brief within the prescribed period, the right to oral argument will be denied to that party.

42nd Judicial District
Court See Appendix 11
Parish of DeSoto
