

TITLES I, II, and III

Chapter: 14 Chapter Title: Allotment of Cases

Appendix 13

Rule No: 14.1

Allotment - Defendant with More than One Felony Case

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

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.

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

Defendant with pending felony prosecution and charged with another shall be assigned to division first charges assigned to.

Multiple offenses on different dates the earliest occurrence date shall control permanent assignment of case.

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

Multiple defendants or multiple charges all allotted to one division which is responsible for sentencing, probation revocations & post conviction relief where defendant was sentenced by that judge. The Clerk of Court is responsible for assigning or reassigning cases to division in which other matters were allotted.

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

See Appendix 11.

**5th Judicial District
Court
Parishes of
Franklin, Richland
and West Carroll**

Multiple charges arising out of the same investigation or events or occurring within a 180 day period shall be handled by the division having the Bill of Information or Indictment with the lowest number.

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

Adopts Rule 14.1.

**7th Judicial District
Court**

Adopts Rule 14.1.

**Parishes of
Catahoula and
Concordia**

**8th Judicial District
Court**

Single judge district.

Parish of Winn

**9th Judicial District
Court**

Multiple defendants and charges in all four classifications. The District Attorney shall assign or reassign subsequent cases to the division to which the first case or charge was allotted. (See Appendix 11)

Parish of Rapides

**10th Judicial District
Court**

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.

**Parish of
Natchitoches**

**11th Judicial District
Court**

When there are multiple cases pending against one defendant, they shall be transferred to one Judge for disposition. Cases shall be transferred to the Judge which has the most serious cases, that is, the one with the highest classification, if there are two or more in the same classification, then 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 as pending until a plea of guilty or nolo contendere is entered, or a verdict of guilty is returned after trial.

Parish of Sabine

**12th Judicial District
Court**

Rule 14.1 is hereby adopted.

Parish of Avoyelles

**13th Judicial District
Court**

Same method as used in Appendix 11, regardless of how many felonies the defendant is charged with.

Parish of Evangeline

**14th Judicial District
Court**

See Appendix 11.

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

Rule 14.1 is hereby adopted.

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

Rule 14.1 is hereby adopted.

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

Rule 14.1 is hereby adopted.

**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.

Division B is seated in West Baton Rouge Parish. All criminal cases in West Baton Rouge Parish are allotted to Division B.

Divisions C and D are seated in Iberville Parish. All new felonies in Iberville parish are randomly allotted by a computer supplied by the Louisiana Supreme Court between Divisions C and D. Multiple billings of a defendant resulting from the same incident will be assigned to the division to which the lowest bill number has been allotted. In cases of multiple defendants who are to be tried together, all cases will be consolidated into the division to which the lowest bill number has been allotted.

**19th Judicial District
Court
Parish of East Baton
Rouge**

As amended through
April 29, 2005

A. Multiple Homicides and Rapes: Homicides and rapes are allotted to the section of criminal court on duty at the time of the offense. However, homicides and rapes do not follow the prior-pending-felony rule of 14.1. When multiple homicides or rapes are joined for trial in a single indictment, the case will be allotted to the section of court on duty on the date of the earliest offense. Should an offense be severed from the original indictment for trial, the case severed shall be allotted to the section of the court on duty when the severed offense occurred.

B. Misdemeanors: If a defendant has a felony case pending, all subsequent misdemeanor arrests for that defendant (and any co-defendant) shall be allotted to the section of court to which the pending felony was allotted.

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

Rule 14.1 is hereby adopted.

**21st Judicial District
Court**

METHOD OF ALLOTMENT OF CASES

**Parishes of
Livingston, St.
Helena and
Tangipahoa**

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.

**22nd Judicial District
Court**

**Parishes of St.
Tammany and
Washington**

Amended effective
January 1, 2009

I. The allotment of felonies on defendants with more than one felony shall be as follows:

A. Multiple Charges and Multiple Dates

Felony offenders having multiple charges and multiple dates of offenses at the time of booking shall be assigned a division and judge using the earliest date of offense identified during the booking process.

B. Previously Committed but Subsequently Filed Offenses

If a defendant has a case allotted as per Rule 14.0 in Appendix 11, and a bill on another case is subsequently filed that alleges a date of offense that pre-dates the previously allotted offense, the subsequently filed case will be allotted to the same division if it otherwise would follow as set forth below (see Felony following Felony).

C. Felony Following Felony

(See Rule 14.0 in Appendix 11 for definitions of Category 1, 2 and 3 felonies.)

Category 3 felonies follow prior Category 2 and other Category 3 felonies. If a defendant has a felony case which is pending and has been previously allotted, any subsequent Category 3 case filed against that defendant will be assigned the division of the first filed case regardless of the date of the offense of the subsequent case. Category 1 and Category 2 cases will not follow a defendant to a division in which a case is pending and has been previously allotted.

If a defendant has cases pending in two or more divisions and is subsequently arrested, any new charges will be allotted to the division of the lowest numbered existing file.

II. Transfers

A. General

Upon written or oral motion of the state, of the defense, or by the court on its own motion, any case may be transferred from one docket of the court to another by order of both of the judges.

B. Transfers for Plea

Transfer to a division that has a prior-filed case or a later-filed case may be accomplished by joint motion of the state and defendant and the judges of both divisions or may be granted on motion of either party after contradictory hearing before the proposed receiving division. By motion and order, one division may allow another to accept a plea from and to impose sentence on a defendant on charges pending in that division. In these circumstances, the state and the defendant must consent and waive any objection.

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

Rule 14.1 is hereby adopted.

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

Multiple filings shall be allotted to one division for charges of the same or lower class with the exception of Class I. (See Appendix 11 for classifications)

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**

Rule 14.1 is hereby adopted.

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

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.

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

When a new felony arrest occurs, that new case is allotted to a new division by allotment between the four (4) divisions. The District Attorney may elect to consolidate into one division at a later date.

(Amended June 2,
2003, effective July
1, 2003)

When a new felony arrest occurs, and said new felony arrest is allotted to a new or different division, upon motion of the District Attorney, said new arrest may be transferred to the division of any pre existing felony arrest and, if indigent, said defendant shall be represented by pre existing court appointed counsel.

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

Single Judge District.

**29th Judicial District
Court
Parish of St. Charles** Rule 14.1 is hereby adopted

**30th Judicial District
Court
Parish of Vernon** Rule 14.1 is hereby adopted

**31st Judicial District
Court
Parish of Jefferson
Davis** Single judge district.

**32nd Judicial District
Court
Parish of
Terrebonne** Rule 14.1 is hereby adopted.

**33rd Judicial District
Court
Parish of Allen** Same as Rule 14.1

**34th Judicial District
Court
Parish of St. Bernard** When there are multiple charges against the same defendant, they shall be assigned to the division allotted the lowest number.

**35th Judicial District
Court
Parish of Grant** Single judge district.

**36th Judicial District
Court
Parish of
Beauregard** All felony cases are randomly allotted between the two divisions of court at the time of indictment or information by Clerk of Court by drawing of lot. If multiple bills of information of indictment are filed and allotted to different divisions of court relative to the same individual, they remain so allotted, unless after adversarial hearing of motion to join or transfer case between divisions, motion is granted.

**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

Multiple charges against one defendant arising out of the same occurrence shall be allotted to the same judge

Criminal District Court
Parish of Orleans

See Appendix 11.

Civil District Court
Parish of Orleans

Not applicable to the Orleans Parish Civil District

42nd Judicial District Court
Parish of DeSoto

When there are multiple cases pending against one defendant, they shall be transferred to one Judge for disposition. Cases shall be transferred to the Judge which has the most serious case(s), that is, the one with the highest classification; if there are two or more in the same classification, then 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 as pending until a plea of guilty or nolo contendere is entered, or a verdict of guilty is returned after trial.

Adopted effective
December 17, 2008