

TITLES I, II, and III

Chapter: 14 Chapter Title: Allotment of Cases

Appendix 14.0A

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

Amended effective
May 1, 2014.

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.

“BACKUP” JUDGES

In the interests of judicial economy and the efficient administration of justice, when a section of the Criminal Division has more than one case ready to proceed to jury trial during a particular jury term, the judge of that section and any other judge, elected, appointed or pro tempore, of the First Judicial District Court,

hereinafter the "backup" judge, may agree that the backup judge may preside over any additional trials during that jury term.

If either the District Attorney or defendant objects to the case being heard by the backup judge, the section judge shall determine whether or not to permit the backup judge to hear the case and may conduct a hearing to assist in that determination. The section judge shall base his or her determination on the following factors:

- 1) Whether the assistance of the backup judge would compromise the principle of random allotment of criminal cases in a manner inconsistent with Due Process;
- 2) Whether the interest in a speedy trial is best served by employing the assistance of the backup judge;
- 3) Whether the nature or complexity of the procedural history of the case would hinder the backup judge in making rulings consistent with that procedural history;
- 4) Any other consideration relevant to the interests of justice.

**2nd Judicial District
Court**

**Parishes of
Bienville, Claiborne
and Jackson**

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 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

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**

ALLOTMENT OF CASES

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

Amended effective
May 1, 2008; April
20, 2010, eff. June 1,
2010; August 19,
2010, eff. September
1, 2010.

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 adult criminal cases. All juvenile criminal cases shall be assigned to Division A as set forth in Rule 41.

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**

Allotment of Criminal Cases

All criminal cases, including misdemeanors, traffic offenses and wildlife violations shall be allotted to Division A or B according to the date the offense charged is alleged to have been committed. Offenses alleged to have been committed in January, March, May, July, September and November of each year shall be assigned to Division A. Offenses alleged to have been committed in February, April, June, August, October and December of each year shall be assigned to Division B. The Clerk of Court shall make the allotment immediately upon the filing of the bill of indictment or information.

If the date of the offense is not precisely determinable or if a crime or crimes are alleged to have been committed on multiple dates the earliest date alleged or estimated in the charging instrument shall govern allotment.

If a defendant has a felony case pending and previously allotted, any new felony charge for that defendant shall be allotted to the division to which the pending felony was allotted, all in accordance with Rule 14.1 of the Rules for Criminal Court Proceedings in District Courts.

Criminal cases pending on the effective date of this rule (January 1, 2010) shall remain allotted to either Division A or Division B in accordance with the former rule, i.e. odd numbered cases to Division A and even numbered cases to Division B, provided, however that multiple cases against one defendant shall be allocated according to the first docket number and cases with multiple co-defendants shall be allocated to the same division in accordance with the first docket number of the first charged co-defendant.

Any criminal case that has been allotted may be transferred as provided in Rule 14.3 of the Rules for Criminal Proceedings in District Courts.

Arraignments and preliminary motions, including motions for bail and preliminary examinations may be held in either division, regardless of allotment.

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

Amended effective
May 1, 2007;
amended effective
September 20, 2012.

The clerk of court shall randomly allot all criminal cases by use of a computer properly programmed to randomly assign cases to a criminal court division. At the time of the defendant's booking in the parish prison, or at the time of the filing of a bill of information, an indictment, or the filing of any petition or motion listed in Rule 14.2 in an unallotted case, the clerk of court shall use the defendant's booking sheet, the information, indictment, petition, or motion to allot the defendant's case by random computer assignment as described hereinabove. The clerk shall note on the booking sheet, bill, indictment, petition, or motion, the date, time, and division of allotment.

After the defendant is booked, any judge may preside over a defendant's appearance for the appointment of counsel or the fixing of bail pursuant to Louisiana Code of Criminal Procedure Article 230.1. Thereafter, the division of court allotted the case shall preside over all future matters, including, but not limited to, release on an unsecured personal surety bond, an increase or reduction of bond, and pre-trial motions.

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

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

ALLOTMENT OF CASES

FELONIES:

Effective date:
October 1, 2010;
amended effective
January 1, 2018;
amended effective
March 13, 2019.

The Clerk of Court, with the advice of the Ninth Judicial District Court, shall devise an arbitrary method for the assignment of cases to assure that the criminal case load is equally divided among the divisions in the criminal section and that the selection does not vest the district attorney with the power to choose the judge to whom a particular case is assigned. For this purpose, the Clerk of Court shall utilize either an electronic or mechanical apparatus approved by Ninth Judicial District Court which will contain an equal number of random chances for each division of the criminal section of the Court.

At the time of the first filing in a felony matter not previously allotted, the arrest shall be immediately allotted at random, utilizing the approved method by use of a computer properly programmed to randomly assign cases to a division in the criminal court section, which computer program shall follow the felony-following-felony rule established by the Louisiana Supreme Court, until all have been exhausted, at which time the electronic apparatus shall reprogram with equal random chances for each division of the criminal section, or the mechanical apparatus shall be designed in such a manner that the assignment to the divisions will be solely by chance.

The random allotment procedure set forth in this rule shall be used to allot all adult criminal cases. All juvenile criminal cases shall be assigned to the juvenile section as set forth in Rule 41.

After a criminal case has been allotted, it will remain in the division to which it has been allotted unless it is transferred or consolidated with another case in accordance with the law.

The divisions assigned to the civil and juvenile sections of the court are excluded from the random allotment of criminal cases.

After the defendant is booked, the pre-trial bond will be set by the judge assigned to the La. C.Cr.P. Art. 230.1 hearings for that particular week. After the allotment and bond setting, all future matters, including but not limited to release on a personal recognizance bond, increase/reduction of bond and pre-trial motions, will be assigned to the judge allotted the case.

For purposes of this rule, a felony case remains pending until any of the following events have occurred:

- (1) The statute of limitations runs;

- (2) A change of booking is made, reducing the case to a misdemeanor;
- (3) A bill of information or indictment is filed or amended, reducing the case to a misdemeanor; or,
- (4) The District Attorney's Office enters a nolle prosequi in a case.

MISDEMEANORS, WILDLIFE OFFENSES AND APPEALS

Misdemeanor, wildlife offenses and appeals from courts of limited jurisdiction are not allotted. The method of randomly allotting is described in Appendix 14.0B.

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 division of original assignment.

MULTIPLE DEFENDANTS

Where there are multiple defendants in the same case, all defendants are assigned to the division where the defendant has the lowest PIN number, 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.

RECUSALS

When a criminal judge is recused, the clerk of court shall re-allot the case to another judge in the criminal section.

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.

**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.

**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**

ALLOTMENT OF CASES

Parish of Avoyelles

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.

**14th Judicial District
Court**

CRIMINAL CASES

Parish of Calcasieu

1. Definitions

Amended Nov. 30, 2009, eff. Feb. 1, 2010; April 20, 2010, eff. June 1, 2010; amended eff. Oct. 26, 2010; amended effective June 14, 2011; amended effective June 1, 2012; amended effective January 1, 2013; amended effective October 13, 2014; amended effective January 1, 2016; amended effective January 19,

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 preindictment 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) GENERAL RULES

Felonies shall be allotted to the division of court on duty at the time the offense was committed, except Distribution of Controlled Dangerous Substances (CDS) charges and offenses for which the date of offense is not determinable. These latter offenses shall be randomly allotted by the Clerk.

If a felony charge is randomly allotted because the date of offense is not determinable, and if a specific date

is later determined to exist, any party may file a motion to transfer the case to the division of court on duty on the determined date.

Traffic and misdemeanor cases shall be scheduled for arraignment. If a plea of not guilty is entered at arraignment, the case shall be randomly allotted by the Clerk of Court in open court.

Orders to show cause, orders not dispositive of an issue in the case or orders authorized by the judge to whom a case is allotted may be signed by any judge of the district.

The judge of any division may accept a not guilty plea in any felony or misdemeanor case. A case may not be transferred from one division to another unless agreed to by all parties (including relinquishing and accepting judges) or unless it is being transferred pursuant to any of these rules.

Cold cases, as defined in Section D below, shall be randomly allotted.

Cases not provided for in these rules shall be randomly allotted to a criminal section of court simultaneously with the filing of formal charges by the District Attorney.

This rule is prospective and shall take effect on October 13, 2014. Arrests made after the effective date for offenses that occurred prior to the effective date shall be randomly allotted.

B) ALLOTMENT EXCEPTIONS:

1) SINGLE DEFENDANT, PENDING FELONY:

If a defendant has a pending felony case or cases, new felony charges shall be allotted to the division with the pending felony case or cases.

2) MULTIPLE DEFENDANTS, PENDING FELONY/FELONIES:

If a new felony case involves multiple defendants and any of the defendants have a pending felony case or cases, the new felony case shall be allotted to the division with the oldest pending felony docket number of any defendant.

3) MULTIPLE OFFENSES, ONE DEFENDANT:

If a defendant is arrested for known multiple felony charges that occurred on multiple dates that are specifically determinable, all cases are allotted based upon the date of the first offense. However, if a defendant is arrested for a felony offense(s), which is the only offense(s) known at the time of arrest, and the charge is allotted based upon the date of that offense, any cases later discovered to have been committed by the defendant prior to the date of the offense previously allotted, shall remain in the division to which the first known case was originally allotted.

4) NEW FELONY, DEFENDANT ON PROBATION

If a defendant is on felony probation, new felony charges shall be allotted to the division that placed the defendant on felony probation.

C) HOMICIDES:

Homicides, as defined below, shall be allotted based on date of offense without consideration to pending criminal cases or probation violations involving the defendant or co-defendants.

D) DEFINITIONS:

1) "CASE" – a bill of information or indictment, or more than one charging document, which charges a crime(s).

2) "DUTY JUDGE" – the judge whose division is so designated on the judicial administrator's court calendar. If more than one division is designated, the calendar shall note which division is the allotment

division for purposes of these rules. The most up to date court calendar in effect on the date of an offense, as prepared and distributed by the judicial administrator, will be used to determine allotment. The duty judge for allotment purposes will be determined based upon calendar date, not based upon the time that the judges actually transfer duty judge obligations.

3) "HOMICIDES" – 1st and 2nd degree murder and Manslaughter.

4. "COLD CASE" – a felony crime that is investigated but never previously billed or dismissed, and is later reopened for investigation when new evidence is found. If a felony is classified by Law Enforcement as a "Cold Case" but occurred on or after October 13, 2014, it shall be allotted to the division of Court on duty at the time the offense was committed unless the date is not determinable.

E) New felony cases from Right to Counsel Court (72-Hour Court) shall be allotted within 48 hours of arrest not counting weekends and holidays.

F) 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.

G) In all criminal cases, if a bill of information or indictment charges a crime arising out of the same nucleus of operative facts which has previously been billed or dismissed, the new charge will be allotted to the division originally allotted the case.

H) Pursuant to written agreement, defendants placed in Drug, DWI, VTC, and Mental Health Court specifically waive their rights to a speedy trial, random allotment/assignment of their case, and judicial recusal. All cases assigned to Drug Court are to be allotted to Division "DC." All cases assigned to DWI Court are to be allotted to Division "DWI." All cases assigned to Veteran's Treatment Court are to be allotted to Division "VTC." All cases assigned to Mental Health Court are to be allotted to Division "MH."

Cases will be officially assigned to Drug Court, DWI Court, VTC and/or MH Court after the filing of either a bill of information or indictment, and only after a defendant has formally entered into the respective court program. Whenever a defendant formally enters into the Drug Court Program, the Clerk of Court will transfer the case to Division "DC."

Whenever a defendant formally enters into the DWI Court Program, the Clerk of Court will transfer the case to Division "DWI." Whenever a defendant formally enters into the Veteran's Treatment Court Program, the Clerk of Court will transfer the case to Division "VTC." Whenever a defendant formally enters into the Mental Health Court Program, the Clerk of Court will transfer the cases to Division "MH."

All pleadings filed in Drug Court cases are to be presented to the presiding judges of Division "DC." All bench warrant hearings in Drug Court cases shall be presided over only by the judges of Division "DC" at the regularly scheduled sessions of Drug Court.

All pleadings filed in DWI Court cases are to be presented to the presiding judges of Division "DWI." All bench warrant hearings in DWI Court cases shall be presided over only by the judges of Division "DWI" at the regularly scheduled sessions of DWI Court.

All pleadings filed in Veteran's Treatment Court cases are to be presented to the presiding judges of Division "VTC." All bench warrant hearings in VTC cases shall be presided over only by the judges of Division "VTC" at the regularly scheduled sessions of Veteran's Treatment Court.

All pleadings filed in Mental Health Court cases are to be presented to the presiding judge of Division "MH." All bench warrant hearings in MH Court cases shall be presided over only by the judge of Division "MH" at the regularly scheduled sessions of MH Court.

I) If a defendant is terminated unsuccessfully from Drug Court, DWI Court, Veteran's Treatment Court, and/or Mental Health Court during the opt-out period as defined by the respective programs, then his or her

original charge(s) may be re-instituted by the District Attorney, and if this occurs then the case will be reassigned to its originally allotted division.

J) Any new charges or motions for probation violation filed against a defendant who is enrolled in Drug Court are to be assigned to Division "DC." Any new charges or motions for probation violation filed against a defendant who is enrolled in DWI Court are to be assigned to Division "DWI." Any new charges or motions for probation violation filed against a defendant who is enrolled in Veteran's Treatment Court are to be assigned to Division "VTC." Any new charges or motions for probation violation filed against a defendant who is enrolled in Mental Health Court are to be assigned to Division "MH." New charges and/or probation revocation may be grounds for unsuccessful termination from the respective court program, and may result in the re-institution of criminal charges against the defendant by the District Attorney.

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. Any pleadings filed in a Drug Court case shall be heard by the presiding judges of Division "DC" only at a regularly scheduled session of Drug Court. Any pleadings filed in a DWI Court case shall be heard by the presiding judges of Division "DWI" only at a regularly scheduled session of DWI Court. Any pleadings filed in a Veteran's Treatment Court case shall be heard by the presiding judges of Division "VTC" only at a regularly scheduled session of Veteran's Treatment Court. Any pleadings filed in a Mental Health Court case shall be heard by the presiding judge of Division "MH" only at a regularly scheduled session of Mental Health Court.

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. Any bench warrant issued in a Drug Court case may only be answered to by appearance before the presiding judge of Division "DC" at a regularly scheduled session of Drug Court. Any bench warrant issued in a DWI Court case may only be answered to by appearance before the presiding judge of Division "DWI" at a regularly scheduled session of DWI Court. Any bench warrant issued in a Veteran's Treatment Court case may only be answered to by appearance before the presiding judges of Division "VTC" at a regularly scheduled session of Veteran's Treatment Court. Any bench warrant issued in a Mental Health Court case may only be answered to by appearance before the presiding judge of Division "MH" at a regularly scheduled session of Mental Health Court.

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. Any pleadings filed in a Drug Court case must be presented to the presiding judges of Division "DC," and must be served upon the assigned Drug Court Assistant DA. Any pleadings filed in a DWI Court case must be presented to the presiding judges of Division "DWI," and must be served upon the assigned DWI Court Assistant DA. Any pleadings filed in a Veteran's Treatment Court case must be presented to the presiding judges of Division "VTC," and must be served upon the assigned Veteran's Treatment Court Assistant DA. Any pleadings filed in a Mental Health Court case must be presented to the presiding judge of Division "MH" and must be served upon the assigned Mental Health Court Assistant DA.

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 2, 5, 6, and 7 of this rule.

**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; January 1, 2010; amended effective June 1, 2011; amended effective February 7, 2012; amended effective April 19, 2013; amended effective May 21, 2013; amended effective February 24, May 19 and October 1, 2015.

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:

To maintain parity between the 11 divisions, the computer uses allocations similar to a "Bucket" System. All divisions have the same bucket size of 3 for a total of 33 slots. This means that 3 cases can be assigned to a division (bucket) before it is empty. Only divisions whose buckets are not yet empty are available to be randomly selected to a case. As cases are assigned to a division, an available slot is removed from that division's bucket. After a capital case is resolved or if it is reduced to a non-capital offense or removed from a division due to recusal or otherwise, the division to which that case was allotted is incremented by one slot.

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, if more than one case remains as a capital case, the division to which the case was originally allotted shall retain the case of the defendant whose name would fall first in an alphabetical listing, by last name first. All other cases (defendants) shall be randomly re-allotted. If, after severance, only one case remains as a capital case, the division to which the case was originally allotted shall retain the capital case.

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 NON-CAPITAL CRIMINAL CASES

LAFAYETTE PARISH

All Lafayette Parish juvenile matters (including Child in Need of Care cases) will be allotted to two judges.

These sections shall be known as Juvenile 1 and Juvenile 2. On or before March 25, 2015, all pending Child in Need of Care cases in J-2 (Division "E") will be reassigned to J-1 (Division "I"), and all new Child in Need of Care cases will be allotted to J-1.

On or before March 25, 2015, all delinquent matters pending in J-1 will be reallocated to J-2, and all future juvenile matters will be allotted to J-2.

Any pending delinquent matters where a conflict exists with J-2, those cases will remain with J-1.

If a matter must be heard on an expedited basis (72 hour hearings) and the allotted judge is not available, the other Lafayette juvenile judge or the Lafayette duty judge will handle those matters.

All adult felony criminal cases in Lafayette Parish shall be allotted to Tracks 1, 2, 3, 4, and 5. A single judge shall be assigned to each track and will, therefore, be allotted the cases in that track. All cases in which the offender is charged with Issuing Worthless checks shall be allotted to Track 4. All pending IWC cases will be moved to Track 4, effective June 1, 2011. Felony drug cases will be allotted to Track One. However, if an incident results in a drug offense, along with other felony offenses, those non-drug felonies alleged to have been committed at the same time and as part of the same incident will follow the felony drug case and are allotted to Track 1. The allotment of non-drug non-IWC felonies will be based upon date of offense,

with a rotation which runs on a Sunday through Saturday schedule. Under the current system, which will continue, and will add Track 5 beginning with JUNE 1, 2011, the rotation FOR NON-DRUG FELONIES WILL BE as follows:

May 29—June 4—Track 4
June 5—June 11—Track 5
June 12—June 18—Track 2
June 19—June 25—Track 3
June 26—July 2—Track 4
And so on in rotation.

The allotment system will continue utilizing this four week rotation. For cases allotted to Track 5 between August 14, 2011 and December 31, 2011, each will be assigned randomly to Track 2 or 4 as a secondary Track. Each will be given a pretrial date in that secondary Track and a Trial date in Track 5. The secondary track will have full authority to act in those cases until January 1, 2012. BEGINNING JUNE 1, 2011, ALL DRUG CASES, REGARDLESS OF DATE OF COMMISSION, WILL BE ALLOTTED TO TRACK 1. All pending drug cases allotted to Track 3 prior to June 1, 2011, will remain in Track 3 through resolution.

If a Defendant is simultaneously charged with multiple offenses committed over the course of more than one date, the date of commission of the earliest offense shall govern the allotment. If a Defendant has a pending case in a track and commits a new offense resulting in new charges, those new charges, whether felony or misdemeanor, shall be transferred to the felony track where charges are already pending.

All Traffic/Wildlife & Fisheries/Misdemeanor cases in Lafayette Parish are allotted to the Traffic/Wildlife & Fisheries/Misdemeanor Docket. The judge sitting in Lafayette Track 1 shall have 10 weeks of felony and 2 weeks of misdemeanor each year. The judges sitting in Lafayette Tracks 2, 3, 4 and 5 shall have 11 weeks of felony and 1 week of misdemeanor each year. Tracks 2, 3, 4 and 5 and Juvenile 1 and Juvenile 2 will also have an extra week of criminal every other year, during which week they shall preside over Lafayette misdemeanor cases. The judges assigned to Acadia tracks A-2 and A-3 shall preside over one week of Lafayette misdemeanor cases every other year. The judges assigned to Vermilion tracks V-1 and V-2 shall preside over one week of Lafayette misdemeanor cases every other year.

SPECIALTY COURTS

Cases assigned to the Therapeutic Drug Court, Re-entry Court, and Mental Health Court are allotted to Division "B". Cases assigned to Juvenile Drug Court are allotted to Division "E". Cases assigned to Sobriety Court and Family Preservation Court are allotted to Division "I".

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 "B" of the 15th Judicial District Court is authorized to administer an Adult Therapeutic Drug Court Docket. The court's Drug Court Program is called Focused Intervention through Sanctions and Treatment (F.I.S.T.).

VERMILION PARISH

All adult felony criminal cases in Vermilion Parish shall be randomly allotted to Tracks V-1 or V-2. Cases shall be randomly allotted based upon date of offense. A single judge shall be assigned to each track and will, therefore, be allotted the cases in that track. If a Defendant has a pending case in a track and commits a new offense, resulting in new charges, those new charges shall be transferred to the track where charges are already pending. The judges assigned to Tracks V-1 and V-2 will also preside over all misdemeanor and juvenile matters in Vermilion Parish.

ACADIA PARISH

All adult felony criminal cases in Acadia Parish shall be randomly allotted to Tracks A-1 or A-2, using the clerk of court's random allotment software. Cases shall be randomly allotted at the time of filing of the bill of information. A single judge shall be assigned to each track and will, therefore, be allotted the cases in that track. Cases still pending in Track A-1 as of December 31, 2011 shall be randomly allotted to Track A-2 or A-3, which shall be re-designated as Tract A-1 and A-2. If a Defendant has a pending case in a track and

commits a new offense, resulting in new charges, those new charges shall be transferred to the track where charges are already pending. The judges assigned to Tracks A-2 and A-3 will also preside over all misdemeanor and juvenile matters in Acadia parish.

BACK UP JUDGES IN ALL PARISHES (Effective 1/1/2012)

In Lafayette Parish, all cases assigned to Track 3 shall be secondarily assigned to Track 5 and vice versa, for purposes of assistance with the trial docket. All cases assigned to Track 4 shall be secondarily assigned to Track 2 and vice versa, for purposes of assistance with the trial docket. In Vermilion Parish, all cases assigned to Track V-1 shall be secondarily assigned to Track V-2 and vice versa, for purposes of assistance with the trial docket. In Acadia Parish, all cases assigned to Track A-2 shall be secondarily assigned to Track A-3 and vice versa, for purposes of assistance with the trial docket. When multiple cases are ready for trial on a trial docket, the judge of the track secondarily assigned to that docket may preside over the jury trial of any cases remaining on the docket after the primary judge has commenced jury selection/trial of the first priority case. In such case, the secondarily assigned judge shall not reconsider any pretrial ruling previously rendered by the primary judge.

RECUSAL

If a motion to recuse, containing a valid ground for recusation, is filed in a criminal proceeding, and if the judge does not recuse himself or herself, then the recusal hearing shall be randomly allotted to one of the remaining 12 judges, including the Family Court judges. If a motion to recuse is granted pursuant to the Code of Criminal Procedure, then the case shall be randomly reallocated to another criminal track within the same parish in which the case is pending. If all judges in a parish have been recused, the case will be randomly reallocated among all judges sitting in criminal felony tracks.

In all parishes, if both juvenile judges must recuse themselves from a case, the case will be reallocated among all judges who preside over criminal cases.

HABEAS CORPUS PETITIONS

All criminal habeas corpus petitions filed on behalf of a defendant who is being detained by virtue of a conviction or the filing of a Bill of Information or Indictment shall be heard by the judge presiding in the division of the Court in which the matter is pending or 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 or the filing of a Bill of Information or Indictment shall be heard by the judge having the next scheduled writ docket in the parish in which the Defendant is detained.

16th Judicial District Court

Parishes of Iberia, St. Martin and St. Mary

May 26, 2004;
amended effective February 27, 2012;
amended effective September 13, 2016;
amended effective November 14, 2017.

JUVENILE

1. A. In Iberia and in St. Martin Parish and in St. Mary 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 and St. Mary Parishes is subject to the provisions and limitations of Supreme Court Rule XXXIII.

2. 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.

3. 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.

A case shall be considered a "capital case" if the defendant is charged at arrest with an offense for which the possible penalty is death. The allotment shall occur after the 72 hour hearing that the defendant is advised of the charge to which the penalty may be death. The minute clerk of the Parish of the 72 hour hearing shall notify the Clerk of Iberia Parish of the pending capital case.

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, unless the case is converted to a non-capital case. In the event that a case is converted to a non-capital case it shall be re-allotted using the same procedure as the allotment of non-capital cases, unless the judge of the division to which the case was originally allotted elects to try the case and issues an order to that effect within thirty days after the case is converted to a non-capital case.

Upon the decision of the district attorney not to seek the death penalty or to convert a case to a non-capital case, the district attorney shall file a certificate that the State of Louisiana is not seeking the death penalty and the Court shall enter an order converting the case to a non-capital case. This order will be served on the Court, the District Attorney, the Defense Attorneys, the Clerk of Iberia Parish and the 16th Judicial District Administration Office. Additionally, if the defendant is declared unlikely in the foreseeable future to be capable of standing trial, then the presiding judge of that case will be available for selection in a new case.

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 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 sentencings. 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 reallocate 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.

Misdemeanor and traffic are not randomly allotted.

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

Amended effective
July 10, 2009;
amended effective
November 1, 2013;
amended effective
January 1, 2015.

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. Any post-conviction motion filed in a case not previously allotted shall be allotted to the division of court where sentence was rendered.

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.

Notwithstanding any provision of this rule to the contrary, the Clerk of Court shall maintain a separate box for the allotment of capital cases, which box shall be kept by the Clerk in his office in a secure place. The box shall contain two balls or markers for each judge of the Court. Each time a capital case is allotted, the ball or marker drawn shall not be returned to the box until only one ball or marker is left in the box, and then all balls or markers shall be returned to the box. The allotment shall be done by the Clerk of Court or his designee in open court on the day of arraignment of the defendant, by a random drawing of one ball or marker from the box. If more than one person is charged with a capital offense arising out of the same event, all defendants shall be allotted to the judge to whom the first allotment was made and the other ball or marker for that judge, if it remains in the box, shall be removed from the box.

When an allotment is made pursuant to this article, no pending cases for any defendant charged with a capital offense shall be re-allotted to the judge who is assigned the capital offense. If the District Attorney amends the charged capital offense to a lesser non-capital offense or if the District Attorney announces that he is not seeking the death penalty in the charged capital offense, the allotment done in accordance with this rule shall remain in effect, and the ball or marker drawn for that judge shall not be returned to the box until all balls and markers are returned as stated above. The foregoing capital allotment procedure shall supersede any previous allotment in the case, arising out of a previous arraignment on a lesser charge or the filing of any contradictory motions, as stated in the first paragraph above.

In any pending criminal matter (including capital, felony, misdemeanor, traffic, or other) that requires reallocation due to recusal of the sitting judge of the division in which said matter is pending, a ball and/or marker for the division in which the matter was pending prior to recusal shall be returned to the box at the time of recusal and reallocation. This paragraph shall apply to recusal and reallocation of matters at any stage of said proceedings, whether preconviction or post conviction.

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.

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 – F 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. 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. If a defendant has only a misdemeanor case(s) pending and previously allotted, any new misdemeanor arrest or summons for that defendant shall be allotted to the division to which the pending misdemeanor was allotted. This misdemeanors-following-misdemeanors rule also applies to any pending misdemeanor for a co-defendant with a new arrest or summons and billed as a co-defendant.

C. 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.

D. 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.

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

F. For Title 32 and 47 Traffic cases and City Court Appeal (See Appendix 14.0B 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:

MONTH	EAST FELICIANA		WEST FELICIANA	
	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.

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

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

METHOD OF ALLOTMENT OF CRIMINAL CASES (OTHER THAN TRAFFIC, WILDLIFE, AND APPEALS FROM LOWER COURTS)

NON-CAPITAL CRIMINAL CASES

All non-capital 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.

CAPITAL CASES

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 reallotted utilizing the method set forth herein.

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

22nd Judicial District Court

Parishes of St. Tammany and Washington

Amended effective January 1, 2009; amended effective January 1, 2011; amended effective January 1, 2013.

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 on January 1, 2013, the Washington Parish designated divisions for non-capital felonies will be assigned in the following rotation for a two-year period:

- Divisions G and I
- Divisions C and F
- Divisions H and J
- Divisions D and E
- Divisions A and B

During each respective two-year period, the eight remaining general jurisdiction divisions will be the St. Tammany Parish designated divisions for non-capital felonies.

Effective January 1, 2013, Divisions B will assume the non-capital felony docket of Division I in St. Tammany Parish. Division G will retain its non-capital felony docket in Washington Parish and Division I will assume the non-capital felony docket of Division B in Washington Parish.

B. Rotation of Divisional Assignments

The designation of divisions to either St. Tammany or Washington Parish for felony allotment purposes shall be on a two (2) year rotation beginning January 1, 2011. 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 two 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, whichever 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 14.1 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. Problem-Solving 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.

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.

Effective January 1, 2013. The following divisions are designated problem-solving courts:

Division E is the St. Tammany Parish Juvenile Drug Court,
Division C is the St. Tammany Parish DWI (Sobriety) Court,
Divisions H and B are the St. Tammany Parish Adult Drug Courts,
Division I is the Washington Parish Adult Drug Court,
Division D is the St. Tammany Parish Behavioral Health Court, and
Division J is the St. Tammany Parish Re-Entry Court.

All such designations are pursuant to La. R.S. 13: 5304 and 13:5501.

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

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 on January 1, 2013, the Washington Parish designated divisions for non-capital felonies will be assigned in the following rotation for a two-year period:

Divisions G and I
Divisions C and F
Divisions H and J
Divisions D and E
Divisions A and B

During each respective two-year period, the eight remaining general jurisdiction divisions will be the St. Tammany Parish designated divisions for non-capital felonies.

Effective January 1, 2013, Divisions B will assume the non-capital felony docket of Division I in St. Tammany Parish. Division G will retain its non-capital felony docket in Washington Parish and Division I will assume the non-capital felony docket of Division B in Washington Parish.

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;
amended effective
September 4, 2017.

A. Felonies

1. Except as stated in sections 2-6 below, all felonies shall be assigned to the division of court on duty on the date the offense was committed, according to the Duty Judge Schedule issued at the beginning of each calendar year. For allotment purposes, a day begins at 12:00 a.m. and ends at 11:59 p.m. Therefore, the fact that a judge does not commence duty until 9:00 a.m. on Monday shall have no bearing on the allotment process. "Duty swaps" shall not be considered in the allotment process. If the date of the offense is not determinable, the clerk shall file a motion requesting authority from the duty judge to randomly allot the matter. This motion shall be filed no later than the first business day following arrest. If a specific date is later determined to exist, or if the bill is amended by the District Attorney specifying a date of offense, any party may file a motion for contradictory hearing to transfer the case to the division of court on duty on the determined date.
2. 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 division 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 the initial offense (date), the case will remain in the division it was previously allotted to, unless Rule 14.3 of the Uniform Rules is applicable.
3. Whenever a 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 to whom the case was originally allotted.
4. Whenever one defendant is charged with two or more cases arising out of facts that 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 to whom the original case was allotted.
5. In the event multiple defendants are charged in felony offenses for which the date of offense is not determinable, the cases shall be randomly allotted among Divisions A, B, C, D and E. If a subsequent motion to consolidate is filed and granted, the cases shall be allotted to the division wherein the lowest docket number is allotted.
6. Division C: In Ascension Parish only, all felony drug cases shall be allotted to Division C. In the event

other felony offenses are committed on the same date as the underlying drug offense, these cases shall also be allotted to Division C. However, any non-drug felony offenses committed during Division C's duty week shall be randomly allotted among Divisions A, B, D, and E.

B. Misdemeanors

1. Ascension Parish: All misdemeanors in Ascension Parish shall be allotted to Ascension Parish Court.

2. Assumption and St. James Parishes

a. All misdemeanors in which a law enforcement officer issues a summons or citation, or the defendant is released on his own recognizance, shall be randomly allotted among Divisions A, B, C, D, and E in accordance with the pre-determined appearance dates provided to law enforcement officers. This date shall be recorded on the citation or summons. In the case of a defendant booked and released on their own recognizance, he shall be served with the date prescribed by the pre-determined schedule provided to law enforcement.

b. All other misdemeanors in Assumption and St. James Parishes not provided for herein shall be randomly allotted to a criminal division 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. This allotment procedure shall follow the same "date of offense" rules specified under Paragraph A for Felonies.

C. Civil asset forfeitures in all parishes shall be assigned to the same division of court as the related criminal case.

D. For Multiple Felonies (Defendant with more than one felony case), see appendix 14.1.

**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

Amended effective January 26, 2016.

ALLOTMENT OF CRIMINAL CASES

1. All criminal offenses will be allotted on an alternate monthly basis with offenses committed in even-numbered months, i.e. February, April, etc., allotted to Division A and offenses committed in odd-numbered months, i.e. January, March, etc., allotted to Division B. Except when the offense is either 1st Degree Murder, 2nd Degree Murder or Manslaughter, the allotment shall alternate between the divisions of court, in order or in alphabetical order. However, when the Judges concur a criminal case may be transferred from one division to another division.

1a. If the month of the offense is not known, then the month that the offense was first reported to law enforcement will be used to determine what division of court the offense will be allotted.

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 on an alternate monthly basis 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

Amended effective July 31, 2008;
amended effective November 12, 2009;

ALLOTMENT OF CASES

The Clerk of Court of Bossier Parish shall randomly allot all felony and misdemeanor cases to one of the three criminal sections at the time of the filing of the Bill of Information or at the time the matter comes before the Court for a seventy-two (72) hour hearing, whichever occurs first, with the exception that traffic and wildlife violations shall not be randomly allotted. (See Rule 14.2 regarding assignment of cases when particular motions are filed prior to allotment as set forth above.) The Clerk of Court of Webster Parish shall randomly allot all felony and misdemeanor cases between the six divisions at the time of the filing of the Bill

amended effective
May 16, 2013;
amended effective
January 1, 2019.

of Information or at the time the matter comes before the court for a seventy-two hour hearing, whichever occurs first, with the exception that traffic and wildlife violations shall not be randomly allotted.

Method of Allotment of Criminal Cases in Bossier Parish: Criminal cases shall be randomly allotted to the different criminal sections of the court by random assignment through a computerized software system. Should the computerized software system not be available or be nonoperational at the time of the allotment, cases shall be randomly allotted in the following manner: three (3) balls of equal size and consistency shall be placed in a container with one (1) of said balls designated as Section 1, one (1) as Section 2, and one (1) as Section 3. The container should be of an opaque nature so that the contents may not be seen. When a case is to be allotted, the contents of the container should be thoroughly mixed and a ball drawn from the container. The case is then allotted to the section represented 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.

In Webster Parish, Criminal cases shall be randomly allotted to the different divisions of the court by random assignment through a computerized software system. Should the computerized software system not be available or be nonoperational at the time of the allotment, cases shall be randomly allotted 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) as Division B, one (1) as Division C, one (1) as Division D, one (1) as Division E, and one (1) as Division F. The container should be of an opaque nature so that the contents may not be seen. When a case is to be allotted, the contents of the container should be thoroughly mixed and a ball drawn from the container. The case is then allotted to the Judge whose division is represented by 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.

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 section or division in which the probationary matter is pending.

Upon the consent of all parties and the Judge before whom he appears, a defendant in a misdemeanor case may plead guilty or nolo contendere before any Judge of any division and may be sentenced by that Judge.

In the event a Judge recuses himself from a particular case, the case shall be allotted at random to another section or division.

All Indictments or Bills of Information dismissed or quashed and subsequently refilled shall be assigned to the section or division of original assignment only if the refilings are for the same offense. Otherwise, such case shall be placed in the regular allotment and the section or division losing the initial case will be assigned an extra case at the next allotment.

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

**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

Amended effective
January 3, 2018.

RANDOM ALLOTMENT OF FELONY, MISDEMEANORS AND WILDLIFE OFFENSES

The Clerk of Court shall randomly allot all felony, misdemeanor cases and wildlife offenses between the three divisions at the time of the filing of the Bill of Indictment, Bill of Information or at the time the matter comes before the Court with the filing of a Motion pursuant to Rule 14.2, whichever occurs first. (See Rule 14.2 regarding assignment of cases when particular motions are filed prior to allotment as set forth above.)

Method of Allotment of Criminal Cases: Criminal cases shall be randomly allotted to the different divisions of the court in the following manner: Three (3) balls of equal size and consistency shall be placed in a container with one (1) of said balls designated as Division A, one (1) as Division B, and one (1) as Division C. The container should be of an opaque nature 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 may also be made by random assignment through a computerized software system.

Upon the consent of all parties and the Judge before whom he appears, a defendant in a misdemeanor case or wildlife offense may plead guilty or nolo contendere before any Judge of any division and may be sentenced by that Judge.

The judge of any division may accept a not guilty plea in any felony, misdemeanor case or wildlife offense.

**31st Judicial District
Court**

**Parish of Jefferson
Davis**

Single judge district.

**32nd Judicial District
Court**

**Parish of
Terrebonne**

Amended effective
December 20, 2006

All criminal cases, including felonies and misdemeanors, shall be randomly allotted among the five divisions of the Court by the Clerk of Court upon the filing of a bill of information or indictment. The allotment of criminal cases shall be made by the Clerk of Court in the same manner in which civil cases are randomly allotted. The mechanical or electrical apparatus used by the Clerk of Court for random allotment of criminal cases shall be maintained separately from that used for random allotment of civil cases.

In the event a motion or other pleading is filed by a defendant in a criminal case before the filing of a bill of information or indictment, the case shall be randomly allotted by the Clerk of Court as provided above, and the case shall not be re-allotted because a bill of information or indictment in the case is subsequently filed.

At arraignment, the Court shall advise the defendant of the division of Court to which his case has been allotted.

All felony cases against a defendant in which a bill of information or indictment is filed subsequent to the filing of a prior bill of information or indictment shall be transferred to the division of this Court to which the first felony case against that defendant was allotted and is pending.

In the event a defendant is charged by bill of information or indictment as a co-defendant, the case against all co-defendants shall be transferred to the division of this Court to which the case first filed against any of the defendants is pending. In addition, all pending cases against any of the co-defendants shall be transferred to that same division of Court.

For purposes of this rule, a felony case remains pending after the filing of a bill of information or indictment until one of the following events occurs:

- (1) the judge to whom the case was allotted declares that the case has prescribed;
- (2) the charge upon which the bill of information or indictment is based is reduced to a misdemeanor by the prosecutor;
- (3) the bill of information or indictment is dismissed or the prosecutor otherwise enters a nolle prosequi in the case with regard to the defendant;
- (4) sentence is imposed pursuant to a plea of guilty or nolo contendere or a verdict of guilty; or
- (5) a verdict other than guilty is returned against the defendant.

Notwithstanding anything hereinabove to the contrary, a defendant in a misdemeanor case may plead guilty or nolo contendere before any judge of any division of this Court and be sentenced by that judge, regardless of the allotment of his case, provided the judge before whom he appears consents to the same.

**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 9.3. 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.

**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**

Amended eff. Aug. 1,
2010.

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.

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 eff.
Aug. 14, 1998;
amended and eff.
Sept. 7, 2004; April
20, 2010, eff. June 1,
2010; amended eff.
Oct. 1, 2010;
amended eff. April 1,
2011; amended eff.
November 10, 2011;
amended eff. July 13,
2012; amended eff.
August 8, 2013;
amended effective
April 4, 2014;
amended effective
August 13, 2015;
amended effective
April 7, 2016;
amended effective
July 18, 2016;
amended effective
October 6, 2016;
amended effective
February 2, 2017;
amended effective
April 4, 2017;
amended effective
July 20, 2017;
amended effective
February 8, 2018;
amended effective
January 1, 2019.

1. The Clerk of Court will assign daily, randomly, and by allotment among the Sections having felony jurisdiction, all felony indictments and bills of information charging felony and misdemeanor offenses. All new 4th Class cases shall be randomly allotted to the twelve (12) sections of court and the Magistrate under the normal rules of allotment. Appeals from Municipal and Traffic Court and other pleadings shall be allotted among Sections A through L.

For this purpose, the Clerk of Court shall utilize a computer generated random allotment system approved by the Orleans Parish Criminal District Court for all cases filed with the Clerk of the Orleans Parish Criminal District Court.

Appendix 14.0 Transfer Rules subsection 3 controls for purposes of reinstatement and transfer.

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 randomly allotted to Sections A through L and the Magistrate for disposition.)

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. First, second and third class cases shall be randomly allotted among Sections A through L.

6. If a case is accepted in which a Canon 3 issue may affect all members of the Court, the case shall be brought to the attention of the Court En Banc.

7. Misdemeanor Case - Jury Trial

A misdemeanor case allotted to Magistrate section which requires a jury trial, 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.

8. Misdemeanor Appeals

Appeals of misdemeanor convictions not appealable to the Supreme Court shall be randomly allotted among the four Appellate Divisions of this Court excluding the section from which the appeal originated.

9. Jail Based Offenses

If a bill of information/indictment is filed charging more than one jailed defendant with an offense that

occurred while incarcerated, that case shall be randomly allotted under existing allotment rules.

The normal rules of transfer will not apply in these cases and no cases may transfer to follow this case regardless of class or age.

10. Felony Bail Jumping

If a bill of information/indictment is filed charging felony bail jumping alone, or with other charges, that case shall be randomly allotted under existing allotment rules.

The normal rules of transfer will not apply in these cases and no cases may transfer to follow this case regardless of class or age.

11. Multiple Offender

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.

12. Reinstitution of Cases

Nolle prosequi cases which are reinstated within the prescriptive period or reinstated cases where one or more defendants are added to the same class case, shall be given a new case number and allotted. It shall then be transferred to the Section to which the original case was allotted. However, if the reinstated case changes class, the case shall be assigned a new number and allotted as if a new case.

13. Wrongful Conviction Petitions

A wrongful conviction petition shall be issued a new case number by the Clerk's Office and shall be randomly allotted to one of the twelve sections of court and the Magistrate excluding the section of court where the original conviction was adjudicated.

14. Drug Court

Should a case be accepted for supervision by Drug Court, the case shall be allotted to the Drug Court section recommended by the Court.

15. Out-of-Parish Drug Court Participants

Drug cases from out of Orleans Parish shall be allotted as a fifth class case as an Out-of-Parish Drug Court case to one of the drug court sections as pre-determined by Court Intervention Services. The Clerk of Court shall assign a case number and the matter shall be properly docketed. Upon docketing, the Court shall assess the \$200 Drug Court fee. These cases shall not be entered into motions.

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. Multiple Cases Pending

When there are multiple cases pending against a defendant, they shall be transferred to one Judge for disposition. Cases shall be transferred to the Judge who has the oldest, highest class pending case whether the defendant is charged alone or with others. These rules will not apply for jail based and felony bail jumping offenses.

3. Case Considered Pending

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. A case awaiting sentencing is not considered pending for the purposes of transfer rules.

4. Fugitive Cases

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

5. Transfer Effective Period

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

6. Recusal

When a court recuses itself, is recused from, or for some other reason a case is reallocated from the court receiving the case shall transfer to the initial transferring Court:

(a) The next allotted case that is similar to the case received in terms of class, counts, charge and number of defendants; or

(b) The next allotted 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.

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

ALLOTMENT OF CRIMINAL CASES

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.

Adopted December
17, 2008

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".