

TITLES I, II, and III

Chapter: 9 Chapter Title: Procedure

Appendix 8

Rule No: 9.14

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

1st Judicial District Court Parish of Caddo

All civil cases shall be fixed for trial by order of the assigned judge following a pre-trial conference. Whenever a motion is made to fix a family law case for trial, the judge may call a pre-trial conference. After it is concluded, the judge may then set the case for trial. If a judge believes a pre-trial conference is unnecessary, he may set the case for trial without a conference.

Trials for family law cases shall be fixed at least two weeks in advance. Cases shall be docketed for trial during Monday motion hour. Cases will be docketed and heard in the order they are fixed for trial.

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

PRE-TRIAL PROCEDURE

1. Unless otherwise provided by law, no suit requiring a trial on the merits may be assigned except at a pre-trial conference. Any party desiring to assign a case for trial shall, after all issues have been joined and after disposition for all contemplated or pending rules, motions, exceptions, interrogatories, requests for admissions, depositions, or other discovery proceedings, and, after all trial depositions have been taken and filed, make a written request for a pre-trial conference. The request shall be made in duplicate and mailed or delivered to the Clerk of Court who shall file same in the suit record. After such a request has been made, the Court shall immediately be notified if, for any reason, the conference is no longer necessary.

2. The request shall certify that all pertinent information relative to the proceedings has been verified by examining the suit record and contacting all counsel; that all issues have been joined; that there are no contemplated or pending rules, motions, exceptions or any type of discovery proceedings, formal or otherwise; that all known third party demands, interventions and amendments have been made; that all possible consolidations have been effected; that all trial depositions have been taken and filed, and, that the case is ready for trial. A copy of the pre-trial request shall be sent to all counsel of record and the request shall contain the names and current addresses of all counsel or other parties to be notified. Only one request for a pre-trial conference is to be submitted. Should counsel making the request desire confirmation of receipt by the Court, he shall attach a copy and enclose a self-addressed, stamped envelope. (See Form 1.)

3. In the order in which valid, properly certified requests have been received, the judge shall cause to be scheduled the pre-trial conference and give reasonable notice to counsel for all parties. If a litigant is not represented, notice shall be given to such party, and, in such event, any pre-trial order may be ex parte.

4. All cases shall be scheduled for a pre-trial conference before trial on the merits. Except for action initiated pursuant to R.S. 23:1021, et seq. (Workmen's Compensation), counsel are required to confer in advance of their pre-trial conference for the purpose of arriving at all possible stipulations, exchanging copies of all documents which shall be offered in evidence at the trial, preparing a list of the names and addresses of all witnesses (except those to be used for impeachment) who will or may testify at the trial, and for the further purpose of preparing for submission to the Court the proposed pre-trial order hereinafter described. In workmen's compensation cases, counsel are not required to confer nor prepare a pre-trial order. However, counsel is required to request, and all counsel to attend, the pre-trial conference scheduled by the Court.

5. Except in workmen's compensation cases and upon receipt of notice from the Court that a date for a pre-trial conference has been fixed, it shall be the duty of counsel, who requested the conference, to promptly arrange the conference of all counsel and it shall be the duty of all other counsel involved to facilitate and expedite the holding of such conference. On the basis of the contentions made at the conference of all

counsel with respect to the matters required to be covered in the pre-trial order, counsel for plaintiff will prepare and submit a proposed pre-trial order to all other counsel, who shall promptly indicate to plaintiff's counsel any additions or corrections. The final draft of the proposed pre-trial order shall be approved and signed by all counsel and shall be submitted by counsel for the plaintiff to the judge so that he will receive it not later than two full judicial days preceding the day on which the pre-trial conference is to be held. In the event that any attorney disagrees with the proposed pre-trial order, or any part thereof, he shall state his reason therefor and attach his signed statement of opposition to the proposed pre-trial order prior to its submission to the Court, but shall nevertheless sign the proposed pre-trial order which shall under these circumstances be deemed to be approved only to the extent not contemplated in the statement of opposition.

6. The proposed pre-trial order shall set forth:

(A) A brief but comprehensive statement of the plaintiff's contentions. (Subordinate to and controlled by the pleadings.)

(B) A brief but comprehensive statement of the defendant's contentions. (Subordinate to and controlled by the pleadings.)

(C) A brief but comprehensive statement of the claims of any other parties. (Subordinate to and controlled by the pleadings.)

(D) Facts established by the pleadings or by stipulations or admissions.

(E) A statement setting forth the contested issues of fact.

(F) A statement setting forth the contested issues of law.

(G) A list and brief description of exhibits (except documents for impeachment) to be offered in evidence by the parties.

(H) A statement that the documentary exhibits have been stipulated as to authenticity or that they have not been so stipulated.

(I) A statement as to whether or not there are any anticipated amendments to the pleadings.

(J) A list of witnesses (except those called for impeachment) each party may call and a short statement as to the nature (but not as to the content) of their testimony. Except for the witnesses listed and impeachment witnesses, no other witnesses may be called to testify except for good cause shown.

(K) A statement as to any other matters not coming under the previous headings which may be relevant to a prompt and expeditious disposition of the case.

(L) A statement as to the estimated length of time necessary to try the case.

(M) The following certification:

"We hereby certify that we have conferred for the purpose of preparing this pre-trial order; and, that we shall promptly attend the pre-trial conference as scheduled by the Court."

(N) The following order:

ORDER

IT IS ORDERED that this cause be set for trial (by Jury) at 9:30 o'clock A.M., on the day of , 20 . Trial briefs (special jury charges) are to be submitted to the Court not later than , 20 .

This the day of , 20 .

.....

JUDGE

SECOND JUDICIAL DISTRICT COURT

6A. The pre-trial conference shall be by telephone, unless a personal conference is requested by one of the parties and/or ordered by the Court. It shall be the duty of the party who requested the conference to arrange the necessary phone connections, for the time set by the Court.

No conference shall take place unless the judge has received the proposed pre-trial order not later than two full judicial days preceding the day on which the conference is to be held.

7. Counsel who have certified the pre-trial order as submitted to the Court shall attend the Pre-trial Court conference as fixed by the Court unless permission is granted by the Court for substitute counsel to appear. Any substitute counsel permitted by the Court to attend the conference shall be knowledgeable of all aspects of the case and shall possess the necessary authority to commit his client as regards changes, stipulations and/or compromise settlement.

8. The trial date selected for the case, where possible, should not be more than fortyfive (45) days from the date of the pre-trial conference except where the months of July and August are involved.

9. In case of failure of any party or counsel for any party to comply with the pre-trial procedure described herein, the judges of the Second Judicial District shall impose uniform penalties as follows: In the case of a plaintiff, dismissal of his suit; and, in the case of a defendant, prohibition against presenting any evidence in chief other than his own testimony.

10. At the conclusion of the pre-trial conference, the judge shall sign the order setting the case for trial (See Form 2) and it shall thereafter be filed in the suit record. Any additional motions or orders pertaining to the litigation, including a judgment of dismissal, shall be presented to the judge setting the case for trial or his successor in office.

FORM 1

(Date)

Honorable
Clerk of Court
Second Judicial District
..... Parish Courthouse
....., Louisiana

Re:
Suit No.
Plaintiff vs. Defendant and Insurer
(Request for Pre-trial Conference)

The above entitled and numbered cause is pending. We request a pre-trial conference in same and hereby certify that all pertinent information relative to the proceedings has been verified by examining the suit record and contacting all counsel; all issues have been joined; there are no contemplated or pending rules, motions, exceptions, or any type of discovery proceedings, formal or otherwise; all known third party demands, interventions and amendments have been made; all possible consolidations have been effected; all trial depositions have been taken and filed; and, the case is ready for trial.

We are sending a copy of this request to all counsel of record and/or other parties who, along with this writer, are to be notified of the conference. Their names and current addresses are:

Mr. John Doe, Attorney
1521 Main Street
Jonesboro, Louisiana 71251

Mrs. Jane Roe
510 Coralee Street
Jonesboro, Louisiana 71251

We acknowledge the obligation for the parties to personally confer in advance of the pre-trial conference. We also acknowledge the obligation of the parties to submit a proposed pre-trial order to the Court two full days in advance of the pre-trial conference.

Please verify receipt of this request on the attached copy and return to us in the self-addressed, stamped envelope enclosed for your convenience. This is (is not) a workmen's compensation case. This case is (is not) to be tried by jury.

Very truly yours,

Attorney at Law

cc:

cc:

FORM 2. PRE-TRIAL ORDER

PLAINTIFF : NUMBER
VERSUS : SECOND JUDICIAL DISTRICT
 :COURT
DEFENDANT :
AND : PARISH OF
INSURER : STATE OF LOUISIANA

PRE-TRIAL ORDER

Pre-trial conference was held before Honorable at , Louisiana, on the day of, 20, at o'clock M.

Joe Blow For Plaintiff

Jim Blow For Defendants

1. Plaintiff's Claim: That plaintiff was severely injured as the result of an automobile accident which occurred at the intersection of Third and Main Streets in the Town of Jonesboro, on May 15, 1970, said accident being proximately caused by the negligence of the defendant driver in that he ran a red light.
2. Defendants' Claim: Defendants deny negligence proximately causing the accident and, alternatively, plead the contributory negligence of the plaintiff. Defendants further deny that plaintiff was injured except for minor abrasions and contusions.
3. Other Claims: None.
4. Established Facts:
 - (A) Plaintiff was involved in an automobile accident on May 15, 1970, and received certain injuries.
 - (B) Plaintiff incurred medical expenses in the amount of \$ 175.00 as a result of injuries sustained in the accident.
5. Contested Facts:
 - (A) All pertinent to a determination of legal fault as well as the nature and extent of plaintiff's injuries.
6. Contested Issues of Law: None.
7. Exhibits: Photographs of the scene and respective vehicles.
8. Exhibit Authenticity: Admitted.
9. Amendments: None at this time.
10. Plaintiff's Witnesses:

- (A) Himself and wife re facts and disability.
- (B) Reverend I. M. Goode, address, re disability.
- (C) Dr. Helpful, address, re medical.
- (D) Dr. Sympathetic, address, re medical.
- (E) Dr. Gettum, address, re medical.

11. Defendants' Witnesses:

- (A) Dr. Prejudice, address, re medical.
- (B) Dr. Neverhappen, address, re medical.

12. Additional Matters: In the event that there are other witnesses to be called at the trial, their names and addresses and the general subject matter of their testimony will be reported to opposing counsel at least ten days prior to trial. This restriction shall not apply for rebuttal witnesses.

Plaintiff believes he can present his testimony in two and one-half hours.

Defendants believe they can present their testimony in one hour.

"We hereby certify that we have personally appeared at a conference pursuant to Sections 4 and 5 of Rule 22 of the Civil Rules of the Second Judicial District Court for the purpose of preparing this pre-trial order; and, that we shall promptly attend the pre-trial conference as scheduled by the Court."

ATTORNEY FOR PLAINTIFF

ATTORNEY FOR DEFENDANT

ORDER

IT IS ORDERED that this cause be set for trial (by Jury) at o'clock M., on the day of , 20 . Trial briefs (special jury charges) are to be submitted to the Court not later than , 20 .

This the day of , 20 .

Judge, Second Judicial District Court

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

In both UNION and LINCOLN PARISHES, civil jury sessions shall be held during those weeks commencing with the fifth Monday of the month; except during December, and then said session shall commence on the second Monday of December for UNION PARISH and on the third Monday of December for LINCOLN PARISH.

FIXING OF CIVIL CASES FOR TRIAL

1. Contested cases, jury and non jury, shall be fixed for trial only upon written notice and order. Each such written motion shall have attached thereto a certificate designating the status and nature of the case, the advisability of a pretrial conference and/or brief, the estimated length of the case, the committed dates of counsel, the most convenient dates for counsel, and the necessity of scheduling the matter expeditiously. The mover shall bring to the court's attention any pending request for trial by jury filed by any party. An

approved illustrative form appears as Form 1. Further, the Clerk of Court of each parish is directed to have available for this purpose copies of the approved certificate and to notify counsel of this rule upon receipt of a motion for a trial fixing not in compliance herewith.

2. Uncontested Non jury Cases may be fixed for trial, either by written motion, which need not have attached thereto the required certificate set forth in paragraph "A" of this rule, or by oral motion made in open court during any motion hour.
3. By requesting that a case be fixed for trial by oral motion, or by written motion without an attached certificate as set forth in paragraph "A" of this rule, counsel certifies that such case is in fact uncontested. If such case is in fact contested, it shall be continued upon motion of any opposing party or by the court on its own motion.
4. Unless all parties join in the required written motion to fix a contested civil case for trial, no case may be fixed for trial on a date less than ten (10) calendar days from the date on which the setting is entered. Unless all parties are present or represented when an oral motion for fixing is made, no case may be fixed for trial on a date less than ten (10) calendar days from the date on which the setting is entered. The Clerk of Court shall in all cases give notice to all parties of all trial dates.
5. No case shall be fixed for trial on the merits until all preliminary pleadings have been fully adjudicated and all phases of the case have been put at issue by responsive pleadings or entry of preliminary default, and for civil jury trials, until any bond required has been filed. In the event that any case not ready for trial has been assigned or fixed, it shall be stricken from the docket and must be reassigned or refixed in accordance with these rules.

PRE TRIAL CONFERENCES CIVIL CASES

1. In every contested civil case the court may on its own motion direct the litigants to appear before the court at such time and place as it may designate for a pre trial conference when the court feels that the issues may be narrowed or the trial in any way expedited. Likewise, either party may, by motion setting forth reasons, ask the court to order a pre trial conference and to hold the same in the manner which the law directs. A suggested form appears as Form 2.
2. When parties desire a pre trial conference, requests shall be made in writing to the court at least twenty (20) calendar days prior to the trial date, with a copy thereof to all other unrepresented parties and counsel and shall set forth the style and nature of the case and the reasons the conference is deemed necessary or advisable.

If the purpose of a pre trial conference is a status conference, i.e. solely to discuss various aspects of the case, and if in the opinion of the mover it is unnecessary to prepare a formal pre trial brief or order, the mover shall set forth facts supporting that contention.
3. When a party or his counsel has been notified as herein provided and fails to appear at said pre trial hearing, the court may remove the case from the trial docket, dismiss the case as of nonsuit, or take such other action as the court may deem proper under the circumstances.

FORM 1

TRIAL CERTIFICATE

IT IS HEREBY CERTIFIED:

1. That every reasonable effort has been made to reach an amicable resolution of this case.
2. That a pre trial BRIEF* would/would not be helpful toward a prompt disposition of the case.
3. That a pre trial CONFERENCE pursuant to Rule 14* would/would not be helpful toward a prompt disposition of the case.
4. That all pleadings have been filed by all parties.

5. That all discovery has been completed by all parties, and that no other discovery is contemplated.

6. That the amount of time in terms of HOURS for the presentation of the case of EACH party INCLUDING direct, cross, redirect and recross examination is ESTIMATED to be as follows:

PLAINTIFF (case in chief) ___ hours;

DEFENDANT (case in chief) ___ hours;

PLAINTIFF (rebuttal) ___ hours.

(With multiple party litigation, this should also include an estimate as to other parties, including third party defendants, intervenors, etc. The terms "plaintiff" and "defendant" herein should also include plaintiff in reconvention and defendant in reconvention.)

7. That the apparent COMMITTED dates of all parties during the next ninety (90) days, after consultation, or reasonably attempted consultation with all counsel, are:

_____ (List ALL committed dates. It is unnecessary to show who is committed on the subject dates.)

8. The MOST CONVENIENT dates for all counsel are: _____

9. That the case, regardless of the classification,* IS/IS NOT a matter that should be heard as expeditiously as possible.

10. A brief description of the type and nature of the case is as follows:

11. (Any other factor or pertinent comment.) _____

I have executed the above and foregoing certificate in connection with a requested trial fixing, and all items contained therein are true and correct to the best of my knowledge. I further certify that a copy of the motion and order for trial fixing and the attached certificate have been served upon all counsel of record by U.S. mail with sufficient postage affixed thereto on the ___ day of _____, 20 ___.

_____, Louisiana, this ___ day of _____, 20 ___.

Attorney

MOTION AND ORDER

The above and foregoing certificate being duly executed and complied with and it appearing that this matter should be fixed for trial:

IT IS THEREFORE ORDERED that this matter be fixed for trial on the ___ day of _____, 20 ___, at ___ o'clock __.m., with all counsel/parties to be notified.

Ruston, Louisiana, this ___ day of _____, 20___.

Judge

Respectfully submitted:

* Please delete one.

FORM 2

PRE TRIAL CONFERENCE MEMORANDUM ORDER
THIRD JUDICIAL DISTRICT COURT OF
LOUISIANA
PARISH OF LINCOLN

VERSUS CIVIL DOCKET NO. _____

MEMORANDUM ORDER

IN THIS MATTER, pursuant to the provisions of Louisiana Code of Civil Procedure Article 1551, for the purpose of simplification of issues, discussion as to the necessity or desirability of amendments to pleadings, discussion as to material facts and issues existing without substantial controversy, and what material facts and issues are actually and in good faith controverted, for discussion of the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof, the limitation of the number of expert witnesses and such other matters as may aid in the disposition of the action;

IT IS THEREFORE ORDERED that there be a pre trial conference held in the above styled and numbered matter on _____, the ___ day of _____, 20__ at ___ o'clock __.m. in the Judge's Chambers in the _____ Parish Courthouse in _____, Louisiana;

IT IS FURTHER ORDERED that all parties comply with the Pre Trial Conference provisions of this court as set forth hereinabove and _____ (When applicable) shall apply herein.

THUS DONE AND SIGNED in _____, _____ Parish, Louisiana, in Chambers, on this ___ day of _____, 20__.

Judge

Respectfully submitted:

**4th Judicial District
Court**

**Parishes of
Morehouse and
Ouachita**

Amended effective
Jan 9, 2004, amended
April 7, 2009,
effective January 10,
2010

Please note: Text effective until January 1, 2010

After all parties have answered, made a general appearance, or had a preliminary default entered against them, any party or counsel may request in writing a scheduling/status conference with the civil judge of the assigned Section. The original and one copy of the request shall be delivered to the Clerk of Court. The Clerk shall file the original in the suit record and stamp "Filed" on the copy and route the copy to the civil judge of the assigned Section. Within thirty (30) days following receipt of a request for a scheduling conference, the civil judge of the assigned Section shall:

(a) Schedule a conference for the purpose of setting such deadlines as the judge deems appropriate, and the judge shall issue a Scheduling Order which shall include a trial date; or,

(b) Issue a Scheduling Order which shall include a trial date.

(c) Notify the parties that all civil recording costs shall be paid to the Court Reporter prior to any civil case being heard. All recording costs are to be submitted to the Court Reporter in the form of a business check or money order at least one day in advance of the proceeding. Recording fees are the rate of \$20.00 per hour. The amount advanced shall be the hourly rate times the number of hours scheduled for the entire case. When proceedings are to be recorded, the Court Reporter must be notified at least one working day in advance. Court Reporters will not record civil proceedings unless requested. This notice may be given by reference to this Court Rule only.

Any request for a status conference shall include the name, address, telephone and fax numbers of each attorney and the name of the party each attorney represents. Additionally, the party requesting the status conference shall state if his client is amenable to mediation. If so, the remaining parties shall notify the court in writing prior to the status conference if each is amenable to mediation. Additionally, counsel shall state whether any party has requested trial by jury.

If a party is not represented by counsel, the request shall so indicate, and list the address and telephone number of each unrepresented party. A scheduling conference involving a case in which there is an unrepresented party may be held either by telephone, in chambers, or in open court at the discretion of the judge, and with notice to any person requesting same and with notice to any unrepresented party, or the judge may set the matter for trial per Section 1(b) above.

Please note: Text effective January 1, 2010

After all parties have answered, made a general appearance, or had a preliminary default entered against them, any party or counsel may request in writing a scheduling/status conference with the civil judge of the assigned Section, by submitting a Return Date/Hearing Cover Sheet (Pink Slip), which may be found at <http://www.4jdc.com/forms.htm>. The original and one copy of the request shall be delivered to the Clerk of Court. The Clerk shall file the original in the suit record and stamp "Filed" on the copy and route the copy to the civil judge of the assigned Section. Within thirty (30) days following receipt of a request for a scheduling conference, the civil judge of the assigned Section shall:

(a) Schedule a conference for the purpose of setting such deadlines as the judge deems appropriate, and the judge shall issue a Scheduling Order which shall include a trial date; or,

(b) Issue a Scheduling Order which shall include a trial date; and

(c) Notify the parties that Court Reporters will not record civil proceedings unless requested by counsel or the Court. This notice may be given by reference to this Court Rule only.

Should a Scheduling Order require the issuance of a pretrial statement, it should be in accordance with the Pretrial Statement form, which can be found at <http://www.4jdc.com/forms.htm>.

Any request for a status conference shall include the name, address, telephone and fax numbers and email addresses of each attorney and the name of the party each attorney represents. Additionally, the party requesting the status conference shall state if his client is amenable to mediation. If so, the remaining parties shall notify the court in writing prior to the status conference if each is amenable to mediation. Additionally, counsel shall state whether any party has requested trial by jury.

If a party is not represented by counsel, the request shall so indicate, and list the address and telephone

number of each unrepresented party. A scheduling conference involving a case in which there is an unrepresented party may be held either by telephone, in chambers, or in open court at the discretion of the judge, and with notice to any person requesting same and with notice to any unrepresented party, or the judge may set the matter for trial per Section 1(b) above.

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

A matter may be fixed for trial at any time after an answer is filed. The party wishing to obtain a trial date should contact the Clerk of Court to obtain a "fixing form" and return the completed form to the Clerk of Court for signature by the appropriate Judge.

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

1. Civil cases may be fixed for trial by written motion and order made in open court during any motion hour. Printed forms, "docket slips" shall be provided by the Clerk and are required for all fixings. The attorney moving for fixing shall be responsible for the execution of the printed form and filing the same with the Clerk of the parish where the case is to be tried.

2. Exceptions, motions, rules and trials in either division may also be fixed for hearing by the Judicial Administrator, Madison Parish Courthouse, 100 N. Cedar Street, Tallulah, LA 71282 at the written request of party. The attorney moving for the fixing shall execute and file the written "docket slip" form with the Clerk of Court of the parish where the case is to be tried, who shall then forward same to the Administrator if the attorney has not previously obtained a fixing date from the Administrator.

**PRE TRIAL CONFERENCES CIVIL CASES; PRE TRIAL
STATEMENTS; PRE TRIAL MEMORANDA**

A. Unless dispensed with by the court in advance, all parties in all contested civil cases tried by a jury shall submit to the court a pre trial statement setting out:

1. A brief but comprehensive statement of the contentions of each party.
2. A brief list of facts which have been admitted by the pleadings or to which the parties will stipulate.
3. A brief summary of contested facts.
4. A brief summary of contested issues of law.
5. A brief summary of any unusual evidentiary problems or rulings anticipated by any party.
6. A schedule of exhibits including a list and brief description of the exhibits to be offered by all parties and a statement as to whether the parties will stipulate to the authenticity of the exhibits or whether other issues of admissibility will be contested.
7. A list of witnesses (except those to be called for impeachment or rebuttal) including names and addresses, which each party may call, together with a brief summary of the anticipated nature, but not as to the content, of the testimony of each witness.
8. A statement as to whether amendments to the pleadings are anticipated, together with an explanation as to the necessity and the anticipated date of filing each such amended pleading.
9. A certification that settlement possibilities have been seriously explored and the status of settlement negotiations.
10. A list of proposed jury instructions.

In addition to the pre trial statement, each party shall file a memorandum of law containing a brief statement of those points of law relied upon by the respective parties, including substantive, evidentiary, or procedural law. This memorandum of law should include specific citations of authorities and support for each point upon which the party intends to rely at trial. Quantum citations should be included, if applicable.

B. In cases in which a pre trial conference will be held, the pre trial statements shall be served on the court and all parties at least ten working days prior to the date set for the pre trial conference unless otherwise ordered by the court. In cases in which no pre trial conference will be held, the pre trial statements shall be served upon the court and upon all parties at least ten business days prior to the trial.

The combined pre trial statements submitted by all parties, together with additions, instructions, or comments by the trial judge will be filed as a pre trial order and will thereafter control the trial. No

deviations as to issues or witnesses will be allowed at the trial except by special order of the judge after good cause is shown. Pre trial conferences shall be attended by the counsel who will be present during and actively involved in the trial of the case. Each attorney attending the pre trial conference shall bring with him a list of all previously fixed trials and other commitments for the next sixty days, for the purpose of setting a trial date. At the conclusion of the conference, the judge will fix the date for the trial of the case.

C. Failure to comply with this rule in any regard by a party or his attorney will subject these attorneys to the disciplinary and contempt powers of the Court. Except for good cause shown, no other witnesses may be called to testify nor any other documents or exhibits presented at trial except for those witnesses and those items of documentary evidence set forth in the respective pre trial statements.

D. Unless dispensed with by the court in advance, all parties in all contested civil cases tried by the court shall submit to the court a pre trial memorandum not later than ten (10) working days prior to trial. Failure to timely file briefs shall deprive that party of any right to oral argument.

The original copy of the memorandum shall be filed with the Clerk of Court in the parish where the action is pending. A courtesy copy shall be mailed to the presiding judge at that judge's office address.

The memorandum shall contain:

1. A statement of facts the attorney thinks the evidence will show.
2. In the event the attorney believes the facts will be controverted, a statement as to the controverted issues of fact.
3. A brief statement as to contested issues of law, and case citations for those matters which the attorney believes support his/her position in the matter.
4. Citation of any other applicable cases which the attorney wishes to call to the court's attention.

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

ASSIGNING CASES FOR TRIAL

1. Unless otherwise agreed between counsel for all parties at interest and all litigants not represented by counsel of record, and consented to by the Court, no case shall be fixed for trial, except by order of the Court, granted upon motion of some party in interest. Unless made orally in open Court, every motion to fix any matter for trial shall be in writing and shall be served on opposing counsel and all litigants not represented by counsel of record, in the manner provided by law.

2. Attorneys desiring to have docketed cases fixed for trial are requested, whenever possible, to confer with opposing counsel in advance to ascertain mutually convenient trial dates and to determine whether pre trial conference is desired by counsel for any party. Counsel moving to have a case fixed for trial should advise the Court in his motion, either oral or written:

- (a) The general nature of the case;
- (b) The approximate time that it will take to try the case, estimated in hours;
- (c) Whether or not pre trial conference is desired by counsel for any party; and
- (d) Mutually convenient trial dates or that no such dates can be agreed upon by counsel.

(e) A statement attesting that Court costs are current and sufficient funds have been advanced to cover service of any notice required for trial.

3. Whenever motion is made to fix a case for trial, the Judge may call a pre trial conference on a date and at a time to be set by him, upon reasonable written notice by the Clerk to all counsel of record. After the pre trial conference is concluded, the Judge may then set the case for trial specially. If the Judge in his discretion believes a pre trial conference is unnecessary, or inadvisable, he may set the case for trial without pre trial conference.

4. The Clerk shall not be required to give written notice of the date of trial in the following cases unless written request therefor is made pursuant to Article 1572 of the Code of Civil Procedure:

(a) When all parties or counsel are present in Court at the time oral motion for fixing trial is made and the Court orders the trial fixed at a specific date.

(b) When all parties or counsel and the Court have agreed in writing to a trial date.

In all other cases, the Clerk shall give written notice of trial date to all parties or counsel at least 10 days before the date fixed for trial.

5. In specially fixing cases for trial, whenever possible, the Court shall give due consideration to the accommodation of counsel for the litigants and particularly shall undertake to avoid conflict with any previously assigned case in any Court of record in this State where the same trial counsel are engaged. In case of congestion on the trial calendar of the Court, preference shall be given in the assignment of ordinary cases to those longest on the docket, unless in the discretion of the Judge the interest of justice requires otherwise, or unless counsel in such cases waive preference.

6. The Clerk shall keep a docket showing the day on which cases are assigned for trial, and the number, title and names of all counsel engaged therein.

In any matter in which a litigant is not represented by an attorney of record, notice of such trial date shall be mailed to the litigant to his address as shown by the record. If the litigant's address is not set out in the pleadings, or otherwise ascertainable from the record, posting of such Notice of Trial Date on the bulletin board shall constitute ample notice to the litigant.

BRIEFS

1. Counsel are encouraged, but not required (unless otherwise advised by the Court), to submit, on or before the date of trial, a memorandum of authorities covering the case, particularly if unusual questions of law are involved. If such a memorandum is filed, opposing counsel must be served with a copy at least two days prior to the date of trial, in the usual manner, and evidence of service must be manifested by the certificate of counsel who filed the memorandum.

2. In any case where counsel for any litigant desires to submit a brief after the conclusion of trial, the Court may defer decision and allow a specified time to each attorney to file a brief on behalf of his client.

3. The Court may require briefs after the conclusion of trial and prior to decision in any case where the Judge deems that briefs are necessary or advisable, and in such case, shall allow a specified time to each attorney to file a brief on behalf of his client.

4. In any case where briefs are allowed or required by the Court, counsel will adhere strictly to the schedule fixed by the Court for the filing of such briefs. A ten day extension of time for filing briefs shall be granted upon the requesting counsel:

(1) Filing a written ex parte motion, without assigning reasons, requesting the extension of time in which to file briefs, or

(2) Notifying the Court by letter that an extension of time in which to file briefs is requested, with copies of said letter being supplied to the Clerk of Court and the opposing counsel.

Any additional extension of time not exceeding twenty days in which to file briefs, beyond that provided for above, must be requested by filing a written ex parte motion to that effect, and reasons must be assigned. The sufficiency of the reasons so assigned shall be decided in the discretion of the Court. Any motion or letter requesting an extension of time in which to file briefs must be filed, mailed or delivered prior to the expiration of the filing date as specified by the Court.

Any brief filed after the original filing date, or the extended filing date as specified, will not be considered by the Court. For the purpose of this section, the postmark date of the letter of transmittal to the Clerk of Court shall be accepted as the date of filing any brief.

COURT REPORTER AND TRANSCRIPTION OF RECORDS

In civil cases, the Court Reporter will be available at the request of any party to electronically or

mechanically record the proceedings, but will not do so unless paid \$25.00 in advance per day (anticipated for trial) for such requested appearance, provided that at trials on the merits, one payment shall cover the appearance costs for all proceedings irrespective of the length of the trial. When counsel or a party requests the Court Reporter's presence, it is urged that the Reporter be given not less than three days advance notice. Costs of transcription of records shall be charged by the Reporter to the party requesting it at the commercial rates prevailing in the area, and as set by the Reporter with the approval of the Court.

Indigents in civil cases will be furnished such transcription of the records at public cost as may be required by law. Failure to have the Court Reporter present may result in the inability to provide a record and transcript for appeal or other purposes, since there is no assurance that the testimony will be preserved in civil cases.

Failure to request the Reporter in civil cases shall be a waiver of rights granted in Article I, Section 19 of the Louisiana Constitution.

EXEMPTION PERIOD FOR JURORS

Pursuant to authority contained in Section 4 of Rule XXV, as amended, of the Louisiana Supreme Court, the exemptive period for jurors who have previously served is increased from two years to four years.

The Court finds that a rule is required to assure the availability of adequate Court Reporter's services for all of the Court's functions. In view of the fact that the availability of public funding of Court Reporters is limited in these two parishes, the employment of competent reporters requires that they have access to supplemental income from depositions in private litigation.

All persons who contemplate taking depositions in this Judicial District for use in any action to be heard or tried before this Court, shall follow this procedure:

(1) When the deposition is to be taken in Concordia Parish or vicinity, the Court Reporter for Concordia Parish shall be contacted, and likewise where the deposition is to be taken in Catahoula Parish or vicinity, the Court Reporter of Catahoula Parish shall be contacted, and they shall be requested to provide the reporter services required.

(2) The local Court Reporters shall be used for these depositions if they are available, can provide the services within the time constraints applicable, and have the proper equipment.

(3) No depositions may be used in this Court unless this procedure has been followed, or it has been determined that the local Court Reporter cannot provide the necessary service.

(4) Any complaint with respect to the services provided by any Court Reporter should be reported immediately to one of the Judges of this Court.

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

1. Any party desiring to assign a case for trial shall, after all issues have been joined and after disposition of all contemplated or pending rules, motions, exceptions, interrogatories, requests for admissions, depositions or other discovery proceedings, and after all trial depositions (except expert witness depositions) have been taken, make a written request for a trial setting. Any party desiring a trial date must state whether or not a pre trial conference would be helpful toward a prompt disposition of the case. To request a pre trial conference the party must comply with 3 below. The court after review of the record may waive a pre trial conference or order a pre trial conference.

2. Any party desiring to assign a case for trial where the provisions of Section 1 have not been completed, may request a pre trial status conference by stating: (1) The status of discovery and the estimated length of time necessary to complete all discovery. (2) A statement as to the status of any pending motions or exceptions. (3) A statement of contested factual issues. (4) A statement of legal issues. (5) A statement that a status conference may facilitate movement toward a trial date and would be beneficial to the ends of justice. (6) A statement that counsel has reviewed this Rule.

3. A request for a pre trial conference shall include a statement of the following: (1) Nature of the case. (2) That issue has been joined between all parties to the litigation. (3) That all exceptions, motions and other

preliminary matters have been disposed of. (4) That all discovery has been substantially completed. (5) That the case is now ready for setting of a trial date. (6) A pre trial conference would be helpful toward a prompt disposition of the case.

4. In those cases in which a pre trial conference is requested and set, the Clerk will forward notice of the date and time of the pre trial conference to all counsel or parties if unrepresented. Within thirty (30) days of the receipt of notice of pre trial conference all counsel are to file responses to the pre trial order. The pre trial response shall contain the following:

- A. A brief but comprehensive statement of the plaintiff's contentions.
- B. A brief but comprehensive statement of the defendant's contentions.
- C. A brief but comprehensive statement of the claims of any other parties.
- D. Facts established by the pleadings or by stipulations or admissions.
- E. A statement setting forth the contested issues of fact.
- F. A statement setting forth the contested issues of law.
- G. A list and brief description of exhibits to be offered in evidence by the parties.
- H. A statement that the documentary exhibits have been stipulated as to authenticity or that they have not been so stipulated.
- I. A list of witnesses each party may call and short statement as to the nature (but not as to the content) of their testimony. Except for the witnesses listed and those called for impeachment purposes, no other witnesses may be called to testify, except for good cause shown.
- J. A statement as to the estimated length of time necessary to try the case.

5. In those cases in which a status conference is requested and set, the Clerk will forward notice of the date and time of the status conference to all counsels or parties if represented. Within thirty (30) days of the date of receipt of notice all counsels are to file responses to the status conference order, said order which shall require the following information:

- (1) The number of witnesses to be called by you and the length of time it will take:
 - (a) to put on your case; and,
 - (b) to try the entire case.
- (2) A brief summary of contested factual issues.
- (3) Statement of legal issues.
- (4) A complete list of exhibits. In appropriate cases, counsel will submit a list of special damages for which judgment is sought.
- (5) A list of witnesses which may be called at trial.

6. Civil cases may be fixed for trial on the merits without a pre trial conference or at the time of the pre trial conference by the Judge upon receipt of written request therefor from any counsel of record. When a civil case is set for trial without a pre trial conference the Clerk of Court shall immediately mail to all counsel of record and to all parties not represented by counsel, written notice of the trial date and Trial Order, which shall be in the following form:

_____ :

Plaintiff :

_____ :

VS. : NO. _____

_____ : Defendant

: TRIAL ORDER

As attorney of record, you are notified that:

This matter is set for trial at Winnfield, Winn Parish, Louisiana, on the ___ day of _____, 20___, at 9:00 o'clock a.m.

(A) Moving party will bring to the Court's attention within two (2) weeks from date of this notice, any pending motions or exceptions not yet fixed for hearing.

(B) All new, amending, or supplemental pleadings (including motions for summary judgment) be filed on or before two (2) weeks from date of this notice.

(C) All parties are to exchange names and addresses of their respective witnesses and identify and permit examination (including copying) of each other's exhibits intended to be used in evidence no later than one (1) month prior to trial date.

(D) All discovery be completed on or before one (1) month prior to trial date.

(E) Whenever possible, depositions intended for use in lieu of live testimony will be submitted to my office two (2) weeks before trial date to facilitate a decision from the bench.

(F) Pre trial memoranda on anticipated disputed issues of law should be submitted to my office one (1) week prior to trial date.

(G) Ten (10) days prior to the trial each party shall file in the record of this proceeding a pre trial statement setting forth:

1. A brief but comprehensive statement of the parties contentions.
2. Facts established by pleading or stipulations or admissions.
3. A statement setting forth the contested issues of fact.
4. A statement setting forth the contested issues of law.
5. A list and brief description of exhibits to be offered into evidence by the party.
6. A statement that the documentary exhibits have been stipulated as to authenticity or that they have not been so stipulated.
7. A list of witnesses the party may call and short statement as to the nature (but not as to the content) of their testimony, except for witnesses which will be called for impeachment or rebuttal purposes. No other witnesses may be called to testify except for good cause.
8. A list of depositions offered and filed in lieu of live testimony.
9. A statement as to the estimated length of time necessary to try the case.

Willful failure to comply with this Trial Order may result in any of the following:

(1) Cancellation of the trial date and/or, (2) Loss of right to introduce evidence and/or, (3) Loss of right to object to the introduction of evidence. Failure of the attorney or party who requested the fixing of the case for trial to comply with this Trial Order may result in the trial being removed from the trial docket of this Court.

PRE TRIAL STATUS CONFERENCE

When a pre trial status conference has been ordered all counsels of record shall file a statement complying with hereinabove.

APPEAL

All cases appealed to this Court shall be docketed and heard as a civil proceeding, and the appellee shall have three days from the date of filing of the transcript of appeal in which to file his answer or move to dismiss the same, provided that no appeal shall be dismissed for any defect or irregularity in the proceedings not imputable to the appellant. No motion to dismiss filed later than said three days can be considered.

Failure on part of counsel to comply with the provisions of Rule 9.14 may result in any of the following: (1) Cancellation of the pre trial conference or trial date and/or (2) Loss of right to introduce evidence and/or (3) Loss of right to object to the introduction of evidence and/or the right to object to the trial date or all the above.

SPECIFIC TERMS OF COURT

The terms of court shall be as follows:

1. Civil and criminal terms shall be set forth for the calendar year 2004 and each future year thereafter on a calendar to be adopted and filed with the Clerk of Court on/or before December 1 of each year.
2. Grand jury term shall be held in March and in September of each year other than special grand juries.
3. In addition to the above terms of court, trials may be held in Winn Parish as the business of the court so requires.

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

Amended effective
February 15, 2005;
Revised effective
Nov. 16, 2005;
Amended effective
March 14, 2007.

After all pleadings are filed, either party may file motion to set for trial.

MOTIONS AND RULES

A. To set a motion, rule or exception or contradictory matter for hearing the attorney will make a written request to the Clerk of Court. The Clerk of Court will place the matter on the docket as is ordered by the judge. The attorney requesting the setting shall be responsible for notifying the opposing counsel, or the party if he is not represented by counsel, of the date fixed for the hearing.

B. Each Wednesday at 2:00 p.m. the Clerk shall post the dockets for the following Monday on the Clerk's Bulletin Board and on the appropriate Civil Courtroom bulletin board for each of the judges in the Civil Section. The Clerk shall also send a copy of the docket to each judge sitting on the Civil Section.

C. Parties filing motions and exceptions shall attach to the motion or exception a memorandum setting forth the facts and law applicable thereto and a copy of the memorandum is to be sent to all opposing parties or their counsel. Opposing counsel shall file a memorandum in opposition at least five (5) days prior to the hearing of the matter. Any party failing to file and distribute the required memorandum shall subject himself to the assessment of costs or to be otherwise disciplined by the Court. The memorandum shall be typewritten or reproduced copy thereof. Use of dot matrix or any printout of a similar nature unless of letter quality is expressly prohibited and shall not be accepted by the Court.

D. Suit records shall not be removed from the office of the Clerk of Court, except to be taken to Court or to the Office of the judges

SUBMISSION OF CASES FOR DECISION

When submitted, a case or other matter shall be considered as fully submitted for decision to the trial judge, and should be decided immediately upon the conclusion of trial or hearing, and judgment signed expeditiously thereafter.

In an exceptional case when the record has been left open upon the conclusion of trial or hearing for the filing of testimony by deposition and/or documents, such depositions and/or documents shall be filed within fifteen (15) days and the case or matter shall be considered as fully submitted, in a reasonable expedient manner.

If the Court, in an exceptional case, orders post-trial or post-hearing briefs, or orders the transcript prepared, plaintiff shall be allowed a maximum of twenty (20) days within which to file a brief defendant shall be allowed a maximum of twenty (20) days from the filing or lapse of time for filing plaintiff's brief. If the defendant timely files a brief, plaintiff shall be allowed a maximum of ten (10) days to file a rebuttal brief. When briefs are so ordered, the case or matter shall be considered fully submitted on the day following the day of the latest timely filing of a brief or, at the latest, the day following the last day for filing of brief. The judge may extend the time for filing a brief for a reasonable period not to exceed the original time granted.

If a transcript of the evidence, in an exceptional case, is deemed essential and is ordered by the Court, it shall be filed within thirty (30) days following the conclusion of trial or hearing. When necessary, for good cause shown, one extension may be granted by the judge not to exceed an additional fifteen (15) days for filing of the transcript.

JURY TRIALS

The following shall be applicable to jury trials, civil and criminal:

A. There is hereby created a central civil jury pool and a central criminal jury pool. The jury pools shall consist of persons randomly selected from the general venire by the Jury Commission. The list of registered voters for Rapides Parish, Louisiana and anyone (over the age of 18) holding a Louisiana driver's license shall comprise the general venire.

B. A person serving on a jury shall serve until discharged. Upon completion of service on a trial the juror shall return to his respective central jury pool, unless otherwise instructed. Jurors excused by challenge in either civil or criminal court shall also return to their respective central jury pool.

C. The members of the central jury pool selected for service in criminal matters shall report to Courtroom Number 6 on the day and at the hour reflected on the subpoena.

The members of the central jury pool selected for service in civil matters shall report to Courtroom Number 3 on the day and at the hour reflected on the subpoena.

The judge sitting in Courtroom 6 and the judge sitting in Courtroom 3 shall approve all excuses, exemptions and re-assignments for their respective jury pool pursuant to the law and Court rules, and issue such orders as may be required to carry out the jury selection and management process.

D. The sheriff may serve juror notices by mailing the said notices in the United States Post Office, addressed to such juror at his usual residence or business address.

E. In all Civil Jury Trials on or before sixty (60) days prior to trial, the part requesting the trial by jury shall deposit with the Clerk of Court a cash bond of \$1875.00 to defray the jury costs as they accrue. Should the actual or anticipated jury costs exceed this amount or the trial shall exceed three (3) days, said party shall deposit an additional cash bond in the amount of \$1875.00 with the Clerk of Court as the court orders to defray the costs for the entire trial. These funds are to be used by the Clerk to pay jury costs, and any balance shall be refunded or credit to the party advancing said funds. If a deposit is not timely made, the party requesting the jury trial shall not be entitled to a jury. Any other party shall have an additional ten (10) days to request a jury trial and make the required deposit. If none of the parties make a timely deposit, as herein set forth, the judge to whom the case has been assigned shall re-schedule the case for a bench trial at such time as the judge may determine.

F. Persons excused from jury service for reasons of hardship maybe re-assigned for duty at a later date.

G. The initial cost of convening the Jury Commission for a given month will be apportioned one-half (1/2) to the criminal and one-half (1/2) to civil. These civil costs will then be apportioned equally among all cases in which civil jury trials are scheduled for the month in which the civil jury pools are selected to serve and shall be taxed as costs. The costs of service of the civil jurors shall also be taxed as costs and apportioned equally among all cases scheduled for trial during the week for which the costs are incurred. The fees due

jurors for appearance shall be taxed as costs and apportioned equally among those cases which proceed to trial on the dates the civil jury pool reports. After jury selection, jury fees will be taxed as costs to the cases on which they serve. In the event no case proceeds to trial by jury in any week in which an appearance is made by jurors, then the costs and fees due such jurors shall be apportioned equally among all cases that were still scheduled for trial as of 4:00 o'clock on the day preceding the appearance of the jurors. In all instances jury costs are to be advanced by the party requesting the jury and are to be deposited as set forth above.

COURTROOM DECORUM

- A. There will be no drinking or eating in the Courtroom at any time.
- B. The area inside the rails of the Courtroom is reserved for attorneys. No other persons shall be allowed therein unless specifically authorized by the Court.
- C. The counsel tables are for attorneys and litigants involved in the matter being presented at the time. Attorneys awaiting presentation of their cases to the Court shall use the chairs away from counsel table. The jury box shall not be used unless no other seats are available.
- D. During the time Court is in session, no attorney or other person shall ask questions of or converse with the minute clerk or the court reporter, unless permission to do so is requested of and received from the Court.
- E. At no time shall any person approach the bench or walk between counsel table and the bench without first obtaining permission of the Court.
- F. While in the Courtroom no person shall display any political advertisement of any nature promoting the election of any candidate.
- G. Unless otherwise instructed by the Court, the attorneys will use the podium to address the Court and the jury, and to examine witnesses.
- H. Improper publicizing of court proceedings. In furtherance of the Court's obligation to maintain a fitting dignity and decorum in the conduct of judicial proceedings and to promote and maintain an atmosphere of undisturbed deliberation with due regard for the well-being and freedom from intimidation of litigants, jurors, witnesses and other participants in the judicial process, the transmitting, broadcasting, televising and/or the taking of photographs, for any purpose, whether instantaneous or delayed, on the fourth, fifth or sixth floor of the Rapides Parish Courthouse, including the Rapides Parish Detention Center, is prohibited. Such activity is prohibited on any floor of the Rapides Parish Courthouse where a grand jury or a trial jury (civil or criminal) is meeting. Proceedings, other than judicial proceedings, designed and carried out primarily as ceremonies, and conducted with dignity by judges in open court, may properly be photographed or televised or broadcast from the Courtroom with the permission and under the supervision of the Court. Any exceptions to the above rule shall require the consent of a majority of the judges of the Ninth Judicial District Court.

CONDUCT OF ATTORNEY

In addition to official ethical principles and the amenities dictated by professional and personal courtesy, all attorneys appearing in the Courtrooms of this district are reminded of their status and position as officers of the Court. As such, they are equally responsible with the judge for maintaining reasonable dignity and decorum in the Courtroom. Specifically and in addition to general responsibilities, they will be expected to observe such principles with regard to clothing and general appearance (coat and tie required for men) by avoiding disconcerting extremes of style or informality, with regard to their conduct in relation to witnesses, jurors, counsel, court personnel and the public by avoiding over familiarity and overt hostility.

APPEALS

In all cases appealed to the Court, the original record and duplicate original record shall be filed, and shall be prepared in accordance with the requirements of the uniform rules of the Courts of Appeal.

1. Unless otherwise provided by law, no suit requiring a trial on the merits shall be assigned for trial until a party desiring that a case be set for trial shall advise the Court, in writing, that all issues have been joined, that all pre trial motions, exceptions, interrogatories, requests, and discovery proceedings have been completed. This request shall set forth the approximate time the trial is expected to take, and shall certify that all parties, including intervenors and persons made third party plaintiffs or defendants are ready for trial. The request for a setting of trial shall be sent to all counsel of record, and the request shall contain the names and current addresses of all trial counsel or other parties to be notified.

2. In those cases where the Court feels that a pre trial conference would be of benefit, the Court shall notify counsel. Any counsel requesting a pre trial conference shall set forth reasons why he thinks a pre trial conference would be beneficial and, unless permission is granted by the Court for substitute counsel to appear, trial counsel shall appear for the pre trial conference.

3. Cases shall ordinarily be tried in the order in which they are assigned, but the Judges may call their dockets and dispose of all cases and other matters in such order as they deem proper.

4. Ordinary and summary cases not finished shall be continued to any subsequent day, entirely in the discretion of the Judge.

ASSIGNMENT OF CIVIL CASES FOR HEARING AND FOR TRIAL

1. Assignment of contested civil cases for trial on the merits shall be made only on written motion in the division to which the case has been allotted or transferred. The motion shall recite that all exceptions, motions, and other preliminary matters have been disposed of, shall be served on all opposing counsel. Assignments may also be made at pre trial conferences.

2. Exceptions, motions and uncontested hearings may be fixed for hearing by the Clerk of Court at the written request of any party, or by motion in open court, to be fixed on the calendar of the Division to which the case has been allotted.

3. Matters ready for trial or hearings may be fixed on written motion made in open court or in chambers. Return dates for rules nisi shall be fixed by the Court in accordance with law; provided, however, that at the time any case on the merits is fixed for trial, the moving attorney shall file in the record a certificate setting forth that the matter is ready for trial and that all preliminary matters have been disposed of.

A sample suggested certificate is as follows:

"(TITLE OF SUIT)

CERTIFICATE

I hereby certify that I am counsel of record for _____,(plaintiff/defendant) in the above styled and numbered cause; that all issues have been joined; that all depositions, interrogatories and other discoveries have been completed; that all exceptions and motions for summary judgment, if any of same were filed, except those which have been referred to the merits, have been disposed of; and the case is ready for trial on the merits.

I further certify that this case is/is not a civil jury trial. If it is a jury trial the certificate should state: "bond for cost has been filed."

Estimated time of trial is ___ hours/days.

At least seven days before the date of this certificate, opposing counsel, name and address, was notified in writing, that I intend to request the specific trial date of month/day/year. At this time I do/do not request a pre trial conference. _____, Louisiana, this ___ day of _____, 20__.

Attorney for _____"

4. Upon fixing of a case for trial on the merits, the Clerk shall immediately forward to all counsel of record and to all unrepresented parties a notice of the trial date of the suit. Unless it is otherwise specifically provided by statute, at least fifteen days notice will be required for trial on the merits and five days notice on motions, rules and exceptions.
5. Cases not reached on the day fixed will stand fixed at the foot of the calendar for the subsequent day unless re-fixed for a different day. A case begun and not concluded will have precedence on the following judicial day, unless otherwise ordered by the Court.
6. The Clerk shall keep a docket showing the day on which cases are assigned for trial, and the number, title and names of all counsel engaged therein, and the division in which same is to be tried.
7. Civil non jury cases shall not be fixed for trial at the time a petit jury is in attendance. And in the trial of cases, jury cases shall have preference over non jury cases.

PRE TRIAL CONFERENCES

1. In any civil action, upon request of counsel for party or at its own discretion, the court may order the attorneys for the parties to appear before it for a pre trial conference to consider all appropriate matters and the fixing of the case for trial.
2. Counsel for all parties will be notified of the procedure adopted by the court for use at the pre trial conference.
3. In case of failure of a party or counsel to comply with the pre trial procedure, the court shall impose appropriate sanctions including, by way of illustration only, dismissal of the suit or judgment by default.

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

**ASSIGNMENT OF CIVIL AND PROBATE CASES FOR
TRIAL ON THE MERITS**

After issue has been joined by all parties, any party may issue a written request via letter to the clerk of court or judge for a status conference. A notice of status conference for the purpose of selecting a trial date, will thereafter be issued by the court to all counsel of record, which notice shall designate counsel's obligation relative to the status conference.

TRIALS OF CIVIL MOTIONS, RULES AND EXCEPTIONS

Civil motions, rules and exceptions are tried in the division to which the case is allotted and will ordinarily be assigned for Mondays at 9:30 a.m. but may be assigned on other days or times. To the extent practicable, they will be taken up in the order in which they are assigned on the docket.

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

Any day of the week, and it may be made either by letter or motion. Pre Trial Orders should be in the following format:

PLAINTIFF	CIVIL DOCKET NO.
VS	13TH JUDICIAL DISTRICT COURT
DEFENDANT	EVANGELINE PARISH, LOUISIANA

PRE TRIAL ORDER

Pre trial conference was held before Honorable _____, on the ___ day of _____, 20__ at

___ o'clock ___ M.

For Plaintiff

For Defendant

1. Plaintiff's Claim:

2. Defendant's Claim:

3. Other Claims:

4. Established Facts:

5. Contested Facts:

6. Contested Issues of Law:

7. Exhibits:

8. Exhibit Authenticity:

9. Amendments:

10. Plaintiff's Witnesses:

11. Defendant's Witnesses:

12. Additional Matters: In the event that there are other witnesses to be called at the trial, their names and addresses and the general subject matter of their testimony will be reported to opposing counsel at least ten days prior to trial. This restriction shall not apply for impeachment and rebuttal witnesses.

Plaintiff believes he can present his testimony in ___ hours.

Defendant believes he can present his testimony in ___ hours.

CERTIFICATE

We hereby certify to the Court that we have conferred pursuant to Section 5 of Rule 7(B) of the Civil Rules of the 13th Judicial District Court for the purpose of preparing this pretrial order; and, that we shall promptly attend the court conference to be held on the ___ day of _____, 20___ at ___ o'clock ___ M. (Date and time as shown on notice to be stated.)

Respectfully submitted:

Trial Attorney

Trial Attorney

ORDER

IT IS ORDERED that this cause be set for trial (by jury) at ___ o'clock __.M., on the ___ day of _____, 20___. Trial briefs (special jury charges) are to be submitted to the court not later than _____, 20__.

IT IS FURTHER ORDERED that the jury bond is fixed in the amount of Dollars and is to be filed not later than with a copy of same to be forwarded to the Jury System Coordinator.

Ville Platte, Louisiana, this ___ day of _____, 20__.

JUDGE

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

Motions or letter requests to fix for trial may be made after all issues have been joined, and must be accompanied by a statement that the record has been checked, all answers have been filed, and the case is in proper posture for trial.

TRIAL DATE CONFLICTS

When cases are assigned for trial on the same date in different divisions involving the same trial attorney or attorneys, the following order of preference will prevail:

1. Criminal jury trials.
2. Civil jury trials.
3. Criminal bench trials and motions.
4. Civil bench trials, with an order of preference determined by the date on which trial notices were mailed.

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

**ASSIGNMENT OF CASES FOR TRIAL-- SCHEDULING ORDER--
SCHEDULING CONFERENCES ARE NOT REQUIRED IN THE
15TH JUDICIAL DISTRICT COURT**

WITH
AMENDMENTS OF
06/09/02 AND
4/30/04

A. Matters may be fixed for trial or hearings on oral or written motion made in Open Court or in chambers; provided, however, that no motion to fix for trial may be made or filed until 120 days after issue has been joined (with all parties). Return dates for rules nisi shall be fixed by the Court in accordance with law.

B. Upon receiving a request for the fixing of a case on the merits, the Clerk shall immediately forward to all counsel of record and to all unrepresented parties a notice of the trial date of the suit, together with the following scheduling order form:

SCHEDULING ORDER

DEADLINE:

FOR:

120 days prior to trial date

1. JOINDER OF PARTIES

75 days prior to trial date

2. EXPERT WITNESSES

Each part shall file into the record and provide opposing counsel with a list of the name, address, area of testimony and expertise of each expert witness and shall provide a written report prepared and signed by the expert which shall comply with C.C.P. art. 1425(B) and include a list of qualifications of the witness, including all publications authored by the witness within the

preceding ten years, the compensation to be paid the witness and a listing of any other cases in which the witness has testified as an expert at trial or by deposition within the preceding four years. Any party may petition the court to modify this requirement, upon good showing, which petition must be filed 10 days prior to the deadline for providing this information.

If the evidence is intended solely to contradict or rebut evidence on the same subject matter identified by another party, the information listed above must be furnished within 30 days after the disclosure made by the other party in compliance with C.C.P. art. 1425(C).

60 days prior to trial date

3. (a) AMENDMENT OF PLEADINGS

(b) FINAL EXCHANGE OF COPIES REPORTS OF TREATING PHYSICIANS (It is anticipated that, throughout discovery, each party shall Continuously [within five days of Receipt] exchange copies of said reports.)

(c) EXCHANGE OF SPECIFIC WITNESS AND EXHIBIT LISTS

(i) Each party shall list the name, address and area of testimony of each witness. The witness list shall include rebuttal witnesses, reasonably anticipated.

(ii) The party listing the witness bears a responsibility of producing that witness at trial. Opposing parties may call the said witness to testify.

(iii) Each party shall list separately and with particularity each exhibit.

(iv) Should a party fail to introduce its listed exhibit, an opposing attorney may introduce the exhibit.

(v) Absent good cause, no witness or exhibits shall be allowed which are not properly identified and listed.

Four (4) weeks prior to trial 4. (a) DISCOVERY COMPLETED

(b) DISPOSITIVE MOTIONS

COMPLETED

(c) JURY OR BENCH TRIALS

Pretrial conferences are pre set for jury trials scheduled in certain divisions. If pretrial conferences are desired in any other matter, any party may schedule same with the judge's office. Trial counsel for each party shall attend the conference. No substitutions of counsel will be allowed without prior approval by the court. Counsel shall come to the conference fully prepared to discuss settlement of the case and all other preliminary matters.

5. In the event that a pre trial conference scheduled, then counsel for each party shall file pre trial stipulations which shall be due three working days prior to the pre-trial conference. A copy shall be delivered to the home office of the trial judge.

6. EXPERT DEPOSITIONS COMPLETED

7. MOTIONS IN LIMINE

Eight (8) days prior to trial

8. NON JURY TRIALS

Each party shall prepare a pre-trial memorandum which shall include a statement setting forth the length of the trial. The original memorandum shall be delivered to the home office of the trial judge. Copies shall be provided to all counsel.

9. JURY TRIALS

Each party shall prepare a short and concise statement of the case which shall include an estimate as to the length of the trial. Said statement, together with any requested jury instructions and interrogatories, shall be delivered to the home office of the trial judge. Copies shall be provided to all counsel.

Seven (7) days
prior to trial

10. MARK AND EXCHANGE EXHIBITS
AND DEMONSTRATIVE AIDS

11. EDITING OF TRIAL
DEPOSITIONS/FILING OBJECTIONS

12. NON JURY TRIALS: SUBMIT TRIAL
DEPOSITIONS TO THE JUDGE'S
CHAMBERS

Ten (10) days prior to trial

13. SETTLEMENT NEGOTIATIONS

All counsel shall confer personally at least

ten days prior to trial in order to confect stipulations and discuss settlement. of the case.

PRE TRIAL CONFERENCES

Section A. In any civil action, upon request of counsel for plaintiff or defendant, or at its own direction, the Court may order the attorneys for the parties to appear before it, in person or by phone, at the discretion of the court, for a pre trial conference to consider the following:

- (a) The simplification of the issues.
- (b) The necessity or desirability of amendments to the pleadings.
- (c) The possibility of obtaining admission of facts and the document which will avoid unnecessary proof.
- (d) The limitation of the number of expert witnesses.
- (e) Such other matters as may aid in the disposition of the action.

Section B. During such conferences the parties are expected to disclose their respective positions and to stipulate as to all matters not at issue. The Court will have such stipulations noted in order to conserve time at trial. The parties at pre trial conferences will likewise be required to state objections or lack thereof to any exhibit, document, photograph or other such evidence which another party to the suit proposes to offer in evidence.

Section C. At pre trial conferences the Judge, in his discretion, may seek to advise and assist the parties to a voluntary adjustment of their differences.

Section D. The Court should not be expected, at any stage of the proceedings, to force any compromise upon reluctant counsel or parties, but it is the intent of this rule to expedite final and just disposition of all cases. Consequently, counsel will be expected to appear at pre trial conferences knowing what authority, if any, their respective client will grant with respect to resolving the differences between the parties. If there is any reasonable prospect of compromise, counsel are expected to exert reasonable efforts for that end prior to and during pre trial conference, and not wait until it is too late for the Court to otherwise utilize the time set aside for the trial of the case.

PRE TRIAL BRIEFS

Section A. All briefs and memoranda shall set forth the date and place of trial in the first sentence of the first paragraph. All pre trial briefs shall be delivered to the presiding judge at his or her home office.

Section B. Except for good cause shown, a pre trial brief shall be submitted to the presiding judge by both parties to a trial on the merits at least eight (8) working days prior to trial. It will not be necessary to file such a brief in connection with suits on notes or open accounts unless there are unusual or complicated issues of law or fact to be considered. Copies of briefs should set forth the facts expected to be proved, the issues involved, and the law pertaining thereto, in that order. Supplemental briefs may be filed at any time. Failure to file such brief may result in such disciplinary action as the Court may deem necessary.

JURY TRIALS

A. The Clerk of Court shall assign jury trials for hearing in accordance with the instructions of the Court. No case shall be fixed for trial more than one year in advance, except upon express permission of the judge to whom the case is assigned.

B. Requested special jury charges must be submitted to the Court in writing, together with supporting authorities, eight (8) days prior to trial in accordance with the scheduling order set forth herein. However, the Court in its discretion may allow the filing of additional special charges at any time prior to closing arguments.

PREFERENCE: CIVIL & CRIMINAL

A. During the weeks when a Grand Jury or Petit Jury is scheduled to be convened for any parish, criminal matters shall have preference over civil matters even though a jury may not actually be convened during those weeks.

B. In the trial of criminal cases, jury cases shall have preference over non jury cases, unless otherwise ordered by the Court.

EXPROPRIATION

Expropriation suits shall be set as a preferential fixing on the Civil Docket. The Clerk shall consult with the presiding Judge of the Division in which the case is lodged.

DISPOSITION OF CONSOLIDATED CASES

Once a case has been consolidated, that case shall remain in the newly designated division to which it was transferred by virtue of the consolidation, regardless of whether any of the other matters with which it has been consolidated are settled, dismissed or otherwise resolved.

REQUEST FOR INTERPRETER

A. Should any person need an interpreter for purposes of any proceeding before the Court, it shall be the responsibility of such person, either personally or through his or her attorney, to request an interpreter by completing the Interpreter Request Form set forth in Appendix 5B, no later than 20 days prior to the Court proceeding for which the interpreter is needed.

B. The Interpreter Request Form shall be filed with the Clerk of Court and presented to the Judge presiding over the matter in which an interpreter has been requested. If the request is approved, the Clerk of Court shall then secure an interpreter from the list of interpreters approved by the Judges.

C. If the interpreter is needed by a party or witness who is deaf or severely hearing impaired, the setting and payment of fees of such interpreter shall be in accordance with C.C.P. art. 192.1.

D. In all other cases, the cost of an interpreter shall be paid from the Criminal Court Fund, if incurred in conjunction with a criminal proceeding or shall be assessed as court costs and paid by the party or parties cast with court costs if incurred in conjunction with a civil proceeding.

E. If an interpreter is needed for a hearing impaired member of the petit jury venire, the procedure set forth in C.Cr.P. art. 401.1 shall apply.

F. All interpreters providing services in any court proceeding shall:

1. Take an oath or affirmation that he or she will make a true interpretation to the person needing interpretation services of all the proceedings of the case in the language understood by said person and that he or she will repeat, in as literal and exact manner as possible, said person's answers and statements to the Court, counsel or jury, to the best of his or her skill and judgment.

2. Shall not comment to, counsel, advise or make any other statements to the person needing interpretation, other than exact and literal translation of the proceedings.

1. When a party moves to set for hearing a rule, exception, motion for summary judgment or other preliminary matter, he shall attach an adequate brief or financial declaration to that motion; otherwise, the Court will decline to sign the order setting the matter for a hearing. The other parties shall file their response memorandum at least five days prior to the hearing. With respect to trials on the merits, all parties will file pre trial memoranda at least five days prior to the date on which the merits are fixed for trial.

In all alimony cases, counsel shall file a financial declaration of the client on forms to be supplied by

the office of the Clerk of Court. In all child support cases, counsel shall file the worksheet required by LSA R.S. 9:315.2. These affidavits shall serve as pre trial memoranda if the only contested issues are the amounts of alimony and/or child support.

The original memorandum or declaration is to be filed in the record. Copies are to be sent by United States mail, postage prepaid, to all parties to the action or their counsel of record and to the Judge of the division at home chambers.

The memorandum shall set forth the date and place of trial in the first sentence of the first paragraph. That same information shall be set forth where indicated on the declaration. The memorandum shall also set forth a statement of the facts and the law applicable to the contested matters of the case.

Failure to file and distribute said memorandum or declaration shall subject said party to discipline by the Court. This discipline may take the form of an assessment of costs and/or, after having been warned on a previous occasion, the attorney for the party may be held in contempt of court. In the event both parties fail to fulfill the pre trial requirement, the matter will be continued.

2. All rules, motions and exceptions shall be tried on those days designated for rules on the court calendar; provided, however, that any civil rule requiring extended testimony shall be fixed on the regular civil docket.

3. Preliminary defaults shall be confirmed only on Fridays in weeks in which civil or criminal jury cases are to be tried. They may be confirmed on any other days when Court is in session with the prior consent of the Presiding Judge.

4. An order allowing an attorney to withdraw from a case, or to substitute counsel, will be considered only upon motion to the Court to which is attached a certificate of the attorney(s) indicating the reason for withdrawal or substitution, that the client has been notified and that there is presently no matter fixed for trial or hearing or, if any matter in the case is fixed, the date thereof; and that the withdrawal or substitution will not delay the proceedings.

5. The Clerk of Court's office shall immediately send copies of all written orders and an extract of the minutes showing oral orders to the attorneys of record. In the case of unrepresented parties, said written order or extract of minutes shall be served on the parties according to law.

ASSIGNING CIVIL CASES FOR TRIAL

1. Civil cases shall be fixed for trial upon the motion of a party in interest certifying to the Court that:
 - a. All issues have been joined,
 - b. All depositions, interrogatories, and other discovery have been completed,
 - c. All exceptions, motions for summary judgment, etc. filed, except those which may have been referred to the merits, have been disposed of,
 - d. The parties have discussed seriously a settlement or compromise of the action, without avail,
 - e. The case is ready for trial on the merits, and
 - f. In civil jury cases, the time for filing bond for costs has been set.
 - g. Days will be required for trial. If no number is requested, one trial day will be assigned. In the event the case is not concluded in the number of days allotted for trial, the case will not be continued the following day but must be refiled for additional trial days.

The Clerk of Court is authorized to return motions to fix in which a), c) or f) are not satisfied or the certificate is incomplete.

The certification shall be made in writing and all opposing parties and/or their counsel shall be mailed a copy of said certification by the office of the Clerk of Court. Any party opposing said motion shall do so within ten days after mailing of the notice. Any opposition shall be in the form of a motion to traverse the

trial date and any party not timely filing said motion to traverse within the ten day period shall be deemed to have acquiesced in the trial date and in the fact that the case is ready for trial.

In civil jury cases, the following procedure may be used in lieu of the motion and certification provided for hereinabove. When all issues have been joined, any party in interest may move the court for a scheduling conference for the purpose of setting deadlines and dates for (by way of illustration, but not exclusively) filing bond for costs, discovery, filing of reports of experts, exchange of information (such as medical reports and bills, exhibits, documents and witness lists), filing of exceptions and motions, hearing of exceptions and motions, settlement conference, pre trial conference, and date(s) of trial; to insure the orderly but expeditious progress of the case to trial.

2. On motion of any party, or on its own motion, the Court may order a pre trial conference. The pre trial procedure shall be in accordance with Code of Civil Procedure Article 1551, and may be supplemented by order of the Trial Judge.

At the pre trial conference all counsel shall be fully prepared to inform the Court on all matters pertinent to the issues. If unable to attend the pre trial conference, trial counsel shall be represented by other counsel who shall be authorized to enter into stipulations, agreements, admissions of fact or law and able to discuss all issues of the case, including settlement.

3. It is the obligation of the attorney for the plaintiff to notify the docket clerk and the Trial Judge immediately when a case that is fixed for trial is settled or continued.

4. A motion for continuance shall indicate that the mover has contacted all counsel and shall indicate whether or not counsel consents or objects to the continuance. Continuances are not favored as they are a disservice to the litigants and will be granted only in exceptional circumstances.

5. In the event special fixings are agreed to by the Court and the parties, it is the obligation of the attorney for the plaintiff or mover to notify the Clerk of Court and to then make arrangements as necessary, such as for Court Reporter, Minute Clerk, and courtroom location.

TRIAL OF CIVIL CASES

At the conclusion of each civil jury trial, the trial judge shall order the party obtaining the order for trial by jury conditioned upon posting the bond ordered by the court (which by definition excludes parties proceeding under the provisions of LSA C.C.P. art. 5181 et seq.), to pay over and advance to the Clerk of Court, within ten (10) days of that date, an amount sufficient to cover all costs related to the trial by jury, including juror per diem and mileage, payment of jury commissioners, payment for advertisement of the list of veniremen, and preparation and service of notices (see LSA C.C.P. art. 1734, 1983 Revision Comment (a)), in accordance with the bond undertaking, as all such costs will have then accrued and are then payable by the Clerk of Court, reserving unto such party his right to judgment for such amount against the party or parties cast for the costs of the proceedings.

All jury bonds posted pursuant to LSA C.C.P. art. 1734 shall be on a form approved by this court and obtainable from the Clerk of Court.

PRETRIAL PROCEDURE

(A) Unless otherwise provided by law, or unless waived by the Court, no suit requiring a trial on the merits may be assigned or fixed except at or after a pretrial conference. Any party desiring to assign a case for trial shall, after all issues have been joined and after disposition of all completed or pending rules, motions, exceptions, interrogatories, requests for admissions, depositions, or other discovery proceedings, make a written request for a pretrial conference of the Judge presiding in the division to which the case has been allotted. After such a request has been made and a conference has been scheduled, the court shall be notified immediately if, for any reason, the conference is no longer necessary.

(B) The request for a pretrial conference shall certify that all issues have been joined; that there are no contemplated or pending rules, motions, exceptions or any type of discovery proceedings, formal or otherwise; that all known third party demands, interventions and amendments have been effected; and that

the case is ready for trial. A copy of the pretrial request shall be sent to all counsel of record and the request shall contain the names and current addresses of all counsel or other parties to be notified.

(C) In the order in which valid, properly certified requests have been received, the Judge shall cause to be scheduled the pretrial conference and give reasonable notice to counsel for all parties.

(D) Upon the receipt by each party of the notice that the requested pretrial conference has been scheduled, each party shall submit to the presiding Judge before whom the conference is to be held a pretrial statement which shall set forth:

(1) A brief but comprehensive statement of the party's contention.

(2) A statement setting forth facts established by pleadings or by stipulations, agreement or admissions.

(3) A statement setting forth the contested issues of law.

(4) A statement setting forth the contested issues of fact.

(5) A list and brief description of exhibits which party plans to offer in evidence.

(6) A list of witnesses which party plans to call (except those which may be called for impeachment or rebuttal), and a short statement as to the nature (but not as to the content) of their testimony. Unless allowed by the Judge at the pretrial conference, no other witnesses may be called to testify except for good cause shown.

(7) A statement as to any other matters not coming under the previous headings which may be relevant to a prompt and expeditious disposition of the case.

(8) A statement as to the estimated length of time necessary to try the case.

(9) A certificate shall follow the said statement:

"I hereby certify that I will be present at the pretrial conference scheduled for _____, 20___, at ___ o'clock __.M. That I will have in my possession at the conference all available documents and exhibits that I plan to introduce at the trial, that I will be the trial attorney in this matter, and that I will also have my trial calendar so that a mutually acceptable trial date may be selected at the conference."

(E) Counsel who have certified the pretrial statements as submitted to the court shall attend the conference and subsequent trial of case, unless permission is granted by the Court for substitute counsel to appear. Any substitute counsel permitted by the Court to attend the conference shall be knowledgeable of all aspects of the case and shall possess the necessary authority to commit his client as regards changes, stipulations and/or compromise settlement.

(F) At or after the conclusion of the pretrial conference the Judge shall sign an order setting the case for trial, which shall be filed in the suit record. Any agreements entered into at the conference shall be reduced to writing at the direction of the presiding Judge.

(G) The Court may refuse to permit any witness to testify or exhibit introduced into evidence which is not listed on the pre trial order or a court approved supplemental list timely filed.

**18th Judicial District
Court**

**Parishes of Iberville,
Pointe Coupee and
West Baton Rouge**

ASSIGNMENTS

Motion for Assignments. All assignments shall be made by motion in open court or by written motion transmitted to the court. The motion shall clearly state that issue has been joined and the matter is now procedurally ready for trial. The court will reject any motion where the contrary is shown to be evident. Motions for reassignments shall be by written motion or, orally, in open court. In cases of extreme emergency, or where all counsel and the court have agreed on a reassignment, requests may be by letter or by telephone, in which event the agreement shall be followed through with a written motion.

PRE TRIAL PROCEDURE

1. This District desires to have a pre trial procedure. Unless otherwise provided herein or by law, all suits requiring a trial on the merits, shall first be pre tried in accordance with this rule. Any party desiring to assign a case for trial shall, after all issues have been joined and after disposition of all contemplated or pending rules, motions, exceptions, interrogatories, requests for admissions, depositions, or other discovery proceedings, file a written motion accompanied with an order for a pre trial conference with the judge presiding over the Division to which the case has been allotted. A duplicate original of the request shall be mailed or delivered to the Clerk of Court who shall file same in the suit record. After such a request has been made, the Court shall immediately be notified if, for any reason, the conference is no longer necessary.

2. The request shall certify that all pertinent information relative to the proceedings has been verified by examining the suit record and contacting all counsel; that all issues have been joined; that there are no contemplated or pending rules, motions, exceptions or any type of discovery proceedings, formal or otherwise; that all known third party demands, interventions and amendments have been made; that all possible consolidations have been effected; and, that the case is ready for trial. A copy of the pre trial request shall be sent to all counsel of record and the request shall contain the names and current addresses of all counsel or other parties to be notified. Only one request for a pre trial conference is to be submitted. Should counsel making the request desire confirmation of receipt by the Court, he shall attach a copy and enclose a self addressed, stamped envelope.

3. In the order in which valid, properly certified requests have been received, the judge shall cause to be scheduled the pre trial conference and give reasonable notice to counsel for all parties. If a litigant is not represented, notice shall be given to such party, and, in such event, any pre trial order may be ex parte.

4. Except for action initiated pursuant to R.S. 23:1021, et seq. (Workmen's Compensation), and domestic relations cases in all cases scheduled for pre trial conference, counsel for all parties are required to confer in advance of the said conference for the purpose of arriving at all possible stipulations, exchanging copies of all documents which shall be offered in evidence at the trial, preparing a list of the names and addresses of all witnesses (except those to be used for impeachment of rebuttal) who will or may testify at the trial, and for the further purpose of preparing for submission to the Court the proposed pre trial order hereinafter described. In workmen's compensation cases, counsel are not required to confer nor prepare the proposed pre trial order. Counsel are, however, required to attend any pre trial conference scheduled by the Court.

5. Except in workmen's compensation cases and domestic relations cases and upon receipt of notice from the Court, it shall be the duty of counsel for the plaintiff to promptly arrange the conference of all counsel and it shall be the duty of all other counsel involved to facilitate and expedite the holding of such conference. On the basis of the contentions made at the conference of all counsel with respect to the matters required to be covered in the pre trial order, counsel for plaintiff will prepare and submit a proposed pre trial order to all other counsel, who shall promptly indicate to plaintiff's counsel any additions or corrections. The final draft of the proposed pre trial order shall be approved and signed by all counsel and shall be submitted by counsel for the plaintiff to the judge on the day on which the pre trial conference is to be held. In the event that any attorney disagrees with the proposed pre trial order, or any part thereof, he shall state his reason therefor and attach his signed statement of opposition to the proposed pre trial order prior to its submission to the Court, but shall nevertheless sign the proposed pre trial order which shall under these circumstances be deemed to be approved only to the extent not contemplated in the statement of opposition.

6. The proposed pre trial order shall set forth:

(A) A brief but comprehensive statement of the plaintiff's contentions. (Subordinate to and controlled by the pleadings.)

(B) A brief but comprehensive statement of the defendant's contentions. (Subordinate to and controlled by the pleadings.)

(C) A brief but comprehensive statement of the claims of any other parties. (Subordinate to and controlled by the pleadings.)

(D) Facts established by the pleadings or by stipulations or admissions.

(E) A statement setting forth the contested issues of fact.

(F) A statement explicitly setting forth the contested issues of law.

(G) A list and brief description of exhibits (except documents for impeachment) to be offered in evidence by the parties.

(H) A statement that the documentary exhibits have been stipulated as to authenticity or that they have not been so stipulated.

(I) A statement as to whether or not there are any anticipated amendments to the pleadings.

(J) A list of witnesses (except those called for impeachment or rebuttal) each party may call and a short statement as to the nature (but not as to the content) of their testimony. Except for the witnesses listed, and impeachment and rebuttal witnesses, no other witnesses may be called to testify except for good cause shown.

(K) A statement as to any other matters not coming under the previous headings which may be relevant to a prompt and expeditious disposition of the case.

(L) A statement as to the estimated length of time necessary to try the case.

(M) The following certification:

"We hereby certify that we have conferred pursuant to Rule 10.2 of the Civil Rules of the Eighteenth Judicial District Court for the purpose of preparing this pre trial order; and, that we shall promptly attend the Court conference to be held on the ___ day of _____, 20___, at ___ o'clock __.M." (Date and time as shown on notice to be stated.)

(N) The following order:

"IT IS ORDERED that this cause be set for trial (by jury) at ___ o'clock __.M., on the ___ day of _____, 20___. Trial briefs (special jury charges) are to be submitted to the court not later than _____, 20___."

"IT IS FURTHER ORDERED that the jury bond is fixed in the amount of _____ Dollars and is to be filed not later than _____, 20___, with the Clerk of Court."

" _____, Louisiana, this ___ day of _____, 20___."

"Judge, Eighteenth Judicial District Court"

7. Counsel who have certified the pre trial order as submitted to the Court shall attend the Court conference unless permission is granted by the Court for substitute counsel to appear. Any substitute counsel permitted by the Court to attend the conference shall be knowledgeable of all aspects of the case and shall possess the necessary authority to commit his client as regards changes, stipulations and/or compromise settlement.

8. The trial date selected for the case should not be more than six (6) months from the date of the pre trial conference.

9. At the conclusion of the pre trial conference, the judge shall sign the order setting the case for trial and it shall thereafter be filed in the suit record. Any additional motions or orders pertaining to the litigation, including a judgment of dismissal, shall be presented to the judge setting the case for trial or his successor in office.

10. The Court, upon its own motion, or upon the request of any party and for good cause shown, may waive all or any part of the requirements of this Rule and assign a case for trial upon the merits.

11. In the event there is any impediment to the holding of a pre trial conference or a dispute between or among counsel relative to whether or not a case qualifies for a pre trial conference under this Rule, a status conference may be requested for the purpose of resolving the matter and/or rendition of an appropriate order to expedite the processing of the case and, if necessary, the Court will grant same with due notice to all

parties.

12. In case of failure of any party or counsel for any party to comply with the pre trial procedure described herein, any other party or counsel therefor may rule him into Court to show cause why he should not be adjudged in contempt. The inherent power of the Court to cite for contempt is unaffected by this provision.

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

No suit requiring a trial on the merits may be assigned except at pretrial conference.

CRIMINAL CASES

The docket of each Criminal Division is divided into seven consecutive weekly periods, three of which are for jury trials; three of which are devoted to the trial of misdemeanors, the trial of bond forfeiture suits, arraignments and the hearing of pre trial and post trial motions; and the remaining week the Judge of each division serves as Duty Judge, with alteration of this schedule at each Judge's discretion. Within the procedures set forth in this rule, motions to fix for trial are set at arraignment or upon a motion to do so.

CIVIL CASES:

PRETRIAL PROCEDURE

1. Unless otherwise provided herein or by law, no suit requiring a trial on the merits may be assigned except at pretrial conference. Any party desiring to assign a case for trial shall, after all issues have been joined and after disposition of all contemplated or pending rules, motions, exceptions, interrogatories, requests for admission, discovery depositions, or other discovery proceedings, make a written request for a pretrial conference of the judge presiding over the Division to which the case has been allotted. (See Form 1)

2. (A) The attorney making the pretrial request shall certify verification of all information required by 1 hereinabove, by examining the suit record and communicating with counsel and that the case is ready for trial. Counsel shall also certify that there are no pending or contemplated rules, motions, or exceptions; that all discovery, both formal and informal and including all discovery depositions, is complete; that all known third party demands, interventions, or other pleadings, including all amended pleadings have been filed and appear of record; and that all possible consolidations and transfers have been effected. The request shall be accompanied by a completed proposed Pretrial Order approved and signed by all counsel of record. In the event that any counsel disagrees with the proposed Pretrial Order, or any part thereof, he shall attach to the proposed Pretrial Order a signed statement of his opposition and reasons therefor, but shall nevertheless sign the proposed Pretrial Order which shall under those circumstances be deemed to be approved in all respects except those covered in the statement of opposition. In the order in which properly certified requests, accompanied by the completed Pretrial Order, have been received, the judge shall cause to be scheduled the pretrial conference and give reasonable notice to counsel for all parties. If a litigant is not represented, notice shall be given to such party, and, in such case, the submitted Pretrial Order need only include portions prepared by counsel of record.

(B) An attorney seeking a pretrial conference shall request in writing from all other attorneys of record submission of their portion of the pretrial order to requesting counsel within ten (10) days. If any attorney fails to provide requested pretrial inserts, the attorney seeking the pretrial conference shall request a status conference in writing, stating the purpose of the request is to have a deadline set for the completion of the pretrial order, or request immediate entry of an order. Either request shall be accompanied by a copy of the original letter(s) requesting pretrial inserts to the attorneys who have failed to comply.

3. The proposed Pretrial Order (See Form 2) shall set forth:

(A) A brief but comprehensive statement of the plaintiff's contentions, including a list of the legal authorities (Statutes, Code Articles, Cases) to be relied upon at the trial in support of the plaintiff's legal position.

(B) A brief but comprehensive statement of the defendant's contentions, including a list of the legal authorities (Statutes, Code Articles, Cases) to be relied upon at the trial in support of the defendant's legal position.

(C) A brief but comprehensive statement of the contentions of all other parties, including a list of the legal authorities (Statutes, Code Articles, Cases) to be relied upon at the trial in support of each party's legal position.

(D) A detailed itemization of all pertinent facts established by the pleadings, by stipulations, and by admissions.

(E) A detailed itemization of the contested issues of fact.

(F) A detailed itemization of the contested issues of law.

(G) A list and brief description of all exhibits to be offered in evidence by all parties, identified by the exhibit number to be used at trial. Exhibits to be used for impeachment or rebuttal need not be included on the list. Stipulations as to exhibit authenticity and/or admissibility shall be noted on the exhibit list.

(H) A list of witnesses each party may call and a short statement as to the nature (but not to the content) of their testimony. Except for the witnesses listed, no other witnesses may be called to testify except for good cause shown. This requirement shall not apply to impeachment and rebuttal witnesses.

(I) A statement as to any other matters not included in any of the previous headings which may be relevant to a prompt and expeditious disposition of the case.

(J) A statement as to the estimated length of time necessary to try the case.

(K) The following certification:

"We hereby certify that we have conferred pursuant to Rule VII of the Civil Rules of the Nineteenth Judicial District Court for the purpose of preparing this pretrial order; and, that we shall promptly attend the Court conference to be assigned in this case."

(L) The following order:

"IT IS ORDERED that this cause be set for trial (by jury) at ___ o'clock ___m. on the ___ day of _____, 20___.

"IT IS FURTHER ORDERED that the jury bond is fixed in the amount of Dollars and is to be filed not later than _____, 20___ by the requesting party or not later than _____, 20___ by the non requesting party, with a true or certified copy of same to be delivered to the Jury System Coordinator on the date filed.

"TRIAL BRIEFS/SPECIAL JURY CHARGES AND VERDICT FORMS are to be submitted to the Court not later than _____, 20___, Baton Rouge, Louisiana, this ___ day of _____, 20___.

JUDGE, NINETEENTH JUDICIAL DISTRICT COURT"

4. Counsel who have certified the Pretrial Order as submitted to the Court shall attend the Court conference unless permission is granted by the Court for substitute counsel to appear. Any substitute counsel permitted by the Court to attend the conference shall be knowledgeable of all aspects of the case and shall possess the necessary authority to commit his client or associate regarding changes, stipulations, compromise/settlement, and trial dates.

5. The trial date selected for the case should not be more than six months from the date of the pretrial conference.

6. At the conclusion of the pretrial conference, the judge shall sign the order setting the case for trial and it shall thereafter be filed in the suit record. Any additional motions or orders pertaining to the litigation, including a judgment of dismissal, shall be presented to the judge setting the case for trial or his successor in office. No amendments to the filed Pretrial Order shall be made except by signed consent of all counsel or

after contradictory hearing.

7. The Court, upon its own motion, or upon the request of any party and for good cause shown, may waive all or any part of the requirements of this provision and assign a case for trial upon the merits.

8. In the event there is any impediment to the holding of a pretrial conference or a dispute between or among counsel relative to whether or not a case qualifies for a pretrial conference under this Rule, a status conference may be requested for the purpose of resolving the matter and/or rendition of an appropriate order to expedite the processing of the case and, if necessary, the Court will grant same with due notice to all parties.

9. In case of failure of any party or counsel for any party to comply with the pretrial procedure described herein, any other party or counsel therefor may rule him into Court to show cause why he should not be adjudged in contempt. The inherent power of the Court to cite for contempt is unaffected by this provision.

RULE, MOTION, EXCEPTION AND ARGUMENT DAY

1. Monday of each week shall be rule, motion, exception and argument day in the Civil Divisions of this Court. When Monday is a legal holiday, Tuesday shall be rule, motion, exception and argument day.

2. (A) Exceptor or mover is required to furnish the trial judge concurrently with the filing of his injunction, exception, motion, rule, or other summary proceeding a memorandum of authorities in support thereof which shall include a declaration that evidence will or will not be taken at the hearing, together with a copy of the pleading, and shall also furnish opposing counsel, if any, with a copy of same. It is not to be filed with the Clerk of Court but is to be mailed or hand delivered directly to the office of the trial judge who is to hear the matter. Opposing counsel may furnish a memorandum of authorities, but to be considered it must be received in the office of the judge at least five (5) working days prior to the hearing. An additional copy of any such memorandum of authorities may be filed by exceptor or mover or by opposing counsel with the Clerk of Court but same is not required.

(B) No exception, motion, or rule shall be assigned for a hearing until the above required memorandum of authorities, copy of the pleading, and a list of the names, addresses, and telephone numbers of all counsel to be notified have been furnished the trial judge by exceptor or mover.

(C) In those instances where exceptor or mover has failed to comply with the requirements of either Section 2(A) or Section 2(B), the Court ex proprio motu may, or on ex parte motion of opposing counsel shall, issue an order dismissing the pending motion or exception or vacating and recalling the pending rule.

(D) The memorandum submitted in support of a motion for summary judgment shall contain:

- (1) a list of the essential legal elements necessary for mover to be entitled to judgment;
- (2) a list of the uncontested facts which prove those elements;
- (3) as to each fact above, a copy of the document or portion thereof wherein is contained proof of the fact.

(E) The memorandum submitted in opposition to a motion for summary judgment shall contain:

- (1) a list of the material facts which it is contended are in dispute;
- (2) as to each fact above, a copy of the document or portion thereof containing the contradictory information.

3. (A) Responses to interrogatories shall comply with the requirements of L.C.C.P. 1458.

(B) If a motion to compel is filed pursuant to L.C.C.P. 1469, said motion shall identify as a ground either (1) that no responses have been timely filed, or (2) that the answers are insufficient or nonresponsive. In the latter case, the motion shall specify each response to which the motion is directed.

4. On rule, motion, exception and argument day, at the conclusion of the hearing of injunctions, exceptions, motions and rules, or other summary proceedings, cases fixed for argument shall be heard.

5. In advance of the date set for the hearing of an exception, motion or rule, any counsel may notify the Court that he waives his appearance and is willing to submit the matter. At the time set for the hearing, any counsel may waive oral argument.

JUDICIAL REVIEWS AND APPEALS

Whenever a matter is filed with this court, whether on judicial review or appeal, it shall be the duty of both the clerk and the attorney filing the matter to immediately notify the judge of the division to which the case has been allotted in writing of that fact.

Appeals and judicial reviews shall generally be handled by the various divisions in accordance with the following schedule: Upon receipt of the above mentioned notice, the trial judge may establish a hearing date and a briefing schedule. The hearing date shall be established in accordance with the governing statutes of the agency, commission, or board from which judicial review or appeal is taken, or if no specific statute is applicable, it shall be in accordance with the Administrative Procedures Act.

FORM 1 PRETRIAL CONFERENCE REQUEST

Honorable
Judge, Division
Nineteenth Judicial District Court
Governmental Building
222 St. Louis Street
Baton Rouge, Louisiana 70801

Re: Suit No. ____, Division

Plaintiff v. Defendant and Insurer

(Request for Pretrial Conference)

Dear Judge:

The above entitled and numbered cause is pending in your division. We request a pretrial conference in same and hereby certify that all pertinent information relative to the proceedings has been verified by examining the suit record and contacting all counsel; all issues have been joined; there are no contemplated or pending rules, motions, exceptions, or any type of discovery proceedings, formal or otherwise; all known third party demands, interventions and amendments have been made; all possible consolidations have been effected; and the case is ready for trial.

There are no outstanding depositions to be taken, for trial purposes or otherwise.

We are sending a copy of this request to all counsel of record and/or other parties who, along with this writer, are to be notified of the conference. Their names and current addresses are:

Mr. A.T. Lawyer, Attorney
1521 Main Street
Baton Rouge, Louisiana 70802

Mrs. Jane Doe
510 Coralee Street
Baton Rouge, Louisiana 70815

Attached is the completed pretrial order. In addition, we are forwarding a duplicate original of this request to the Clerk of Court to be filed in the suit record.

Please verify receipt of this request on the attached copy and return to us in the self addressed, stamped envelope enclosed for your convenience. This is (is not) a workers' compensation case.

Very truly yours,

Attorney at Law

cc:

Duplicate original: Clerk of Court

FORM 2
PRETRIAL ORDER

PLAINTIFF) NUMBER
) DIVISION
VERSUS) 19TH JUDICIAL DISTRICT
DEFENDANT) COURT
AND) PARISH OF EAST BATON ROUGE
INSURER) STATE OF LOUISIANA

PRETRIAL ORDER

Pretrial conference was held before Honorable _____, on the ___ day of _____, 20___, at ___ o'clock ___M.

John Doe _____ For Plaintiff

Jim Doe _____ For Defendants

1. Plaintiff's claim and supporting legal authorities (code articles, statutes, cases): That plaintiff was severely injured as a result of an automobile accident which occurred at the intersection of Third and Main Streets in the City of Baton Rouge, on September 1, 1977, said accident being proximately caused by the negligence of the defendant driver in that he ran a red light. Civil Code Article 2315. Jones v. Smith, 396 So.2d 434 (1986).

2. Defendants' claim and supporting legal authorities (code articles, statutes, cases): Defendants deny negligence proximately causing the accident, and alternatively, plead the contributory negligence of the plaintiff. Defendants further deny that plaintiff was injured except for minor abrasions and contusions. Civil Code Articles 2320 and 2315. Jones v. Johnson, 223 So.2d 223 (1st Circuit, 1983).

3. Claims of other parties (Identify by status and name, i.e. third party defendant Bob Brown) and supporting legal authorities (code articles, statutes, cases):

4. Established Facts:

(A) Plaintiff was involved in an automobile accident on September 1, 1977 and received certain injuries.

(B) Plaintiff incurred medical expense in the amount of \$ 175.00 as a result of injuries sustained in the accident.

5. Contested Facts: (To be listed individually)

6. Contested Issues of Law: (To be listed individually)

7. Exhibits: (To be listed individually and assigned the exhibit designation to be used at trial)

8. Exhibit Authenticity: (Admitted or denied as to each exhibit above)

9. Plaintiff's Witnesses:

(A) Himself and wife re: facts and disability.

(B) Reverend I.M. Goode, address, re: disability.

(C) Dr. X, address, re: medical.

(D) Dr. Y, address, re: medical.

(E) Dr. Z, address, re: medical.

10. Defendants' Witnesses:

(A) Dr. A, address, re: medical.

(B) Dr. B, address, re: medical.

11. Additional Matters: (Here include any matter not covered in any other category)

12. Estimated Trial Time:

(A) Plaintiff believes he can present his testimony in two and one half hours.

(B) Defendant(s) believe(s) testimony can be presented in one hour.

(C) Other parties

CERTIFICATE

We hereby certify to the court that we have conferred pursuant to Rule VII of the Civil Rules of the Nineteenth Judicial District Court for the purpose of preparing this pretrial order; and that we shall promptly attend the pretrial conference at the time assigned by the Court.

Respectfully submitted:

Joe Doe, Trial Attorney

Jim Doe, Trial Attorney

ORDER

IT IS ORDERED that this cause be set for trial (by Jury) at ___ o'clock ___ M. on the ___ day of _____, 20__.

Trial briefs (special jury charges) are to be submitted to the court not later than _____, 20__.

IT IS FURTHER ORDERED that the jury bond is fixed in the amount of \$ ___ and is to be filed not later than _____, 20__, by the requesting party or _____, 20__, by a non requesting party, with a true or certified copy of same to be delivered to the Jury System Coordinator on the date filed.

Trial Briefs/special jury charges and verdict forms are to be submitted to the Court not later than _____, 20__.

Baton Rouge, Louisiana, this ___ day of _____, 20__.

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

A motion to fix for trial shall not be made until all delays have run and, where appropriate, discovery completed. Trial of motions and preliminary matters shall be set on motion of a party. Trial on the merits shall be set after a pre trial conference.

To expedite trial of civil and criminal cases and to insure timely subpoenaing of witnesses, attorneys or litigants desiring subpoena of witnesses shall submit, in writing, a list of the names and addresses of the witnesses to the Clerk of Court at least ten days in advance of the trial or hearing if the witness is domiciled in the parish where the case is pending or thirty days in advance of the trial or hearing if the witness is domiciled in another parish.

Civil juries may be impaneled by Division A or Division B as required.

Judicial commitments may be heard at East Louisiana State Hospital in Jackson, Louisiana on Fridays of the First and Third weeks. Cases shall be allotted by the Court Reporter in the office of the Judge of Division A after consultation with the Judge of Division B.

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

METHOD OF REQUESTING TRIAL ON MERITS

1. Any party requesting assignment of a civil case for trial on the merits shall file a written request for a telephone status conference. The request shall contain the correct name, address, and telephone number of all counsel of record. At the conference the matter will be set for trial only if the matter is ready to be heard. An appropriate form for requesting trial on the merits, approved by the Court is found below:

REQUEST FOR TRIAL

TWENTY- FIRST JUDICIAL DISTRICT COURT

PARISH OF _____

STATE OF LOUISIANA

NUMBER:

DIVISION:

PLAINTIFF

VERSUS

DEFENDANT

FILED: _____

DY. CLERK: _____

REQUEST FOR TRIAL

NOW INTO COURT, through undersigned counsel comes _____, made plaintiff/defendant in the above captioned matter and represents the following:

A.

That he/she is plaintiff/defendant in the above captioned matter. This is a suit for _____. There are no incidental demands.

B.

That all issues have been joined.

C.

That all depositions, interrogatories and other discoveries have been completed.

D.

That all exceptions and motions for summary judgment filed, except those which have been referred to the merits, have been disposed.

E.

That the parties have seriously discussed a settlement or compromise of the action without avail.

F.

That the case is ready for trial on the merits.

G.

That this case is/is not a civil jury trial, requested by plaintiff/defendant.

H.

That the estimated time for the trial of the case is ___ hours/days.

I.

That the names, addresses and telephone numbers of all attorneys of record of the case are as follows:

John Doe
Attorney for Plaintiff
Centerville, LA
000 1111

Thomas Tom
111 First Avenue
Home Town, LA
444 5555

JOHN DOE, ATTORNEY FOR PLAINTIFF

ORDER

Considering the above and foregoing order, let the captioned matter be assigned for telephone status conference on the ___ day of _____, 20 ___, at ___ o'clock _____ .m., and that all counsel be notified. _____, Louisiana this ___ day of _____, 20 ___.

JUDGE, DIVISION " _____ " _____
21ST JUDICIAL DISTRICT COURT

PRE TRIAL ORDERS

Each judge shall set out his/her own requirements for a Pre Trial Order, a sample of which may be found below:

TWENTY- FIRST JUDICIAL DISTRICT COURT

PARISH OF _____

STATE OF LOUISIANA

NUMBER:

DIVISION:

PLAINTIFF

VERSUS

DEFENDANT

FILED: _____

DY. CLERK: _____

PRE TRIAL ORDER

A status conference was held before the Honorable _____, at _____, Louisiana, on _____, 20 ____.

Joe Blow..... For Plaintiff

Tom Thomas..... For Defendant(s)

1. PLAINTIFF'S CLAIM: Plaintiff contends that on or about July 1, 2000, a collision occurred in the Parish of Tangipahoa between a 1997 Ford Truck owned and operated by defendant, Larry Lowe, and insured by ABC Insurance Company and a 1999 GMC Truck owned and operated by plaintiff, Cheryl Carroll. The collision caused plaintiff serious injuries necessitating extensive medical treatment and causing her to incur medical bills.

2. DEFENDANT'S CLAIM: Defendants admit that a motor vehicle accident occurred on July 1, 2000, but contend that said accident was caused in whole or in part by the fault of the plaintiff.

3. OTHER CLAIMS: None.

4. ESTABLISHED FACTS: Date, time and location of accident.

5. CONTESTED FACTS:

(A) Liability of defendant;

(B) Damages;

(C) Quantum.

6. CONTESTED ISSUES OF LAW: None.

7. EXHIBITS: None.

8. EXHIBITS AUTHENTICITY: Not Applicable.

9. AMENDMENTS: None at this time.

10. WITNESSES:

Plaintiff may call the following witnesses:

- (A) Plaintiff, Cheryl Carroll;
- (B) Dr. A. B. Parish;
- (C) Any witness listed or called by any other party.

Defendant may call the following witnesses:

- (A) Defendant, Larry Lowe;
- (B) Officer R. Tool;
- (C) Any witness listed or called by any other party.

11. ADDITIONAL MATTERS: In the event that there are other witnesses to be called at the trial, their names and addresses and the general subject matter of their testimony will be reported to opposing counsel at least ten days prior to trial. This restriction shall not apply for rebuttal witnesses.

Plaintiff believes he/she can present his/her testimony in ___ hours.

Defendants believe they can present their testimony in ___ hours.

Respectfully submitted:

JOE BLOW, Trial Attorney

TOM THOMAS, Trial Attorney

ORDER

IT IS ORDERED that this matter be set for trial on the ___ day of _____, 20 ___, at ___ o'clock _____ .m./the week of _____, 20 ___, with a final pre trial conference on the ___ day of _____, 20 ___, at ___ o'clock _____ .m. _____, Louisiana this ___ day of _____, 20 ___.

JUDGE, DIVISION " _____ " _____
21ST JUDICIAL DISTRICT COURT

2. All civil matters set for trial shall be set for "the week of" settings unless specifically set by the Trial judge. Unless otherwise ordered, all trial counsel shall attend a final pre trial conference at 1:00 p.m. on the first day of the set trial week.

22nd Judicial District Court

Parishes of St. Tammany and Washington

Amended effective January 1, 2009

ASSIGNMENT OF CASES FOR HEARING OR TRIAL

1. Assignment of civil cases on the merits shall be made only on written motion in the section in which the case has been allotted or transferred. Any objection to the motion to set for trial must be filed within the (10) days. The motion shall certify that all exceptions, motions, discovery and other preliminary matters have been disposed of and shall be served on all opposing counsel. Assignments may also be made at pre trial and status conferences.

2. Exceptions and motions may be fixed for hearing by the Clerk of Court at the written request of any party, or by motion in open court. The Court may fix a hearing on any exception or motion on its own motion or refer such matters to trial on the merits.

3. Unless it is otherwise specifically provided by statute at least ten (10) days notice will be required for trial on the merits and five (5) days notice on motions, rules and exceptions.

CONTINUANCES

A continuance will not be granted because of prior conflicts in assignment unless request for a continuance because of such conflict is made within ten (10) days from the date that notice of the assignment is received.

PRE TRIAL

1. No pre trial conferences will be set until a motion to set for trial has been filed in the Clerk of Court's office.
2. A pre trial order, in the format approved by the Court (See Form 1, hereinbelow), shall be filed at least seven (7) days prior to the pre trial conference; or if no pre trial conference is held, then seven (7) days prior to the trial.
3. Counsel for all parties will be notified of the procedure adopted by the Court for use at the pre trial conference, or trial.
4. In case of failure of a party or counsel to comply with the pre trial procedure, the Court shall impose appropriate sanctions.

FORM 1. PRE TRIAL ORDER

VERSUS	CASE NO.
FILED: _____	CIVIL DOCKET _____
Deputy Clerk	22ND JUDICIAL DISTRICT COURT
	STATE OF LOUISIANA
	PARISH OF ST. TAMMANY

PRE TRIAL ORDER

IT IS ORDERED THAT a Pre Trial order in the format shown below be filed in a JUDGE Tried case at least seven (7) days prior to the Trial; OR, if in a JURY Case at least seven (7) days prior to the Pre Trial Conference.

The Pre Trial Order shall be complete and bear the signatures of all counsel at the time it is submitted to the Court (no separate inserts). The party moving for trial shall prepare this Order, and all counsel are ordered to participate. Compliance with this Order shall be strictly enforced. Failure to comply will result in appropriate sanctions by the Court.

FORMAT
PRE TRIAL ORDER

- A. Counsel. The appearance of counsel identifying the party(ies) represented.
- B. Parties. A description of the parties, and in cases of insurance carriers, their insured must be identified. The legal relationships of all parties with reference to the claims, counterclaims, third party claims and cross claims, etc.
- C. Case Statement. A concise statement of the case, and the applicable law is required.
- D. Stipulations, Witness and Exhibit Lists. It shall be mandatory for all counsel to confer in person not later than fifteen (15) days prior to trial in a JUDGE TRIAL; OR, fifteen (15) days prior to the scheduled

PRE TRIAL CONFERENCE DATE FOR JURY TRIALS, in order to accomplish the following:

a.) Enter written into stipulations;

b.) Prepare the witness list: It is not sufficient to designate the witness simply "fact", "medical", or "expert". Indicate in good faith those who will be called and those who may be called.

c.) Prepare the exhibit list:

1. The exhibit list shall set forth exhibits in the following order:

a. Those exhibits that are to be admitted without objection.

b. Those exhibits which are stipulated to as to authenticity, but which are objected to as to admissibility, indicating by whom the objection is made, and the nature of the objection.

c. Those exhibits being offered by a party but which are objected to both as to authenticity and admissibility, noting by whom the objection is made, and the nature of the objection.

2. All exhibits are to be marked for identification.

3. As to any exhibits to which objection is raised, memoranda shall be submitted to the Court on or before seven (7) days prior to trial.

E. Trial Graphics. A list and brief description of any charts, graphs, models, schematic diagrams, and similar objects which, although not to be offered in evidence, respective counsel intend to use in opening statements or closing arguments shall be shown and delivered to all counsel at least fifteen (15) days prior to trial and, if there is then opposition to their use, written opposition shall be filed with the Court at least seven (7) days prior to trial.

F. Signature Lines. The Pre Trial Order must contain appropriate signature spaces for counsel for all parties.

NOTE

NO ADDITIONAL WITNESSES OR EXHIBITS SHALL BE ALLOWED EXCEPT BY ORDER OF THE COURT.

The Court may at any time dispense with these Orders, in whole or in part, in its discretion or in the interest of justice.

Covington, Louisiana this ___ day of _____, 20__.

JUDGE
DIVISION " ___ "

CIVIL JURY TERMS

1. Civil jury terms shall be set at the discretion of the Court.

2. No jury shall be ordered in any civil case unless the bond, as set forth in LSA R.S. 13:3050 has been given.

3. The party requesting a jury trial is also required to cover accrued jury costs, as and when required by the Court.

4. All cases requesting jury trials shall be allotted to all ten (10) general jurisdiction divisions of court as per the normal rules of this Court.

**23rd Judicial District
Court**

By written motion to the presiding judge.

**Parishes of
Ascension,
Assumption and St.
James**

**24th Judicial District
Court**

CIVIL MOTIONS TO SET; TRIAL DOCKETS

Parish of Jefferson

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

Alternatively, upon the joining of an issue any party may seek a status conference for the purpose of selecting a trial date appropriately in the future, as well as cut off dates for witness lists, expert reports, and discovery. At this status conference a date for a pre trial conference to occur shortly before trial may also be selected. The dates selected will be reduced to a scheduling order signed by the parties and the court.

**25th Judicial District
Court**

FIXING FOR TRIAL

**Parish of
Plaquemines Parish**

When a matter is contested and all issues have been joined, either party may by written motion move to have the matter set for trial. The clerk initiates a telephone conference call with counsel for all parties at which time a trial date and cut off dates are selected.

All motions and other matters are set, upon written motion of either party, on the next available rule date for which notice can be effectuated.

CIVIL PRE TRIALS

Upon request of counsel or in the discretion of the Judge, a pre trial conference may be fixed. All attorneys of record and unrepresented parties shall be notified by mail of the date and time of the pre trial conference. The attorneys shall furnish the Court pre trial inserts at least five (5) days prior to the pre trial conference. After the pre trial conference, the Judge, in his discretion, may prepare a trial order setting forth the trial date, cut off dates for discovery and all necessary orders governing pleadings, motions, etc.

At any time after the pre trial conference if the case is compromised or otherwise settled it is the duty of plaintiff's counsel to promptly notify the Court.

CIVIL JURY TRIALS

In the event of settlement or compromise of a jury case, before or during trial, the party upon whose order the jury trial was granted shall be responsible for payment of all accrued costs and expenses of said jury which are taxable under the law. The parties ordering the jury trial shall be responsible in order of their position on the Jury Trial calendar for the cost of the jury. If a party settles or compromises the case and notifies the Court or Clerk of Court thirty (30) days prior to the jury trial date, he shall not be responsible for the cost of the jury. If, after the thirty (30) days prior to trial, a party cancels the jury trial, the party next in order on the docket shall be responsible for the cost of the jury. The party utilizing the jury or the last person to cancel the jury shall be responsible for the cost of the jury.

PRETRIAL CONFERENCES

Pretrial conferences may be ordered by the Court in any contested case upon the written request of an attorney in such case or upon the Court's own motion. The attorneys for each party shall prepare for the court a pretrial order setting forth the pertinent facts of the case, contentions of the parties, contested issues of fact or law, and all matters necessary to the orderly progress of the conference.

DOCKETING OF NON JURY CIVIL CASES

No case will be fixed for trial until an answer has been filed.

Any counsel of record in a civil case in which a jury trial has not been ordered may set that case for trial by requesting the Clerk of Court of that Parish in which the case is pending to set the case for trial on a particular date or upon the best available date at that time, by making such request to the Clerk of Court not later than 4:30 o'clock P.M. on the Thursday immediately before the second Friday of the month preceding the month of the requested trial. This request may be submitted to the Clerk of Court during the six month period preceding the trial, or subject to the foregoing limitations, during the month immediately preceding the month in which the trial is requested. The request shall be made by letter. Upon inquiry by counsel, the Clerk of Court shall advise counsel, upon request, whether there is an allocation available on a certain date, but shall not make known the name nor number of any other cases previously requested to be set on that date.

On the third Friday of the month immediately preceding the month in which a request for trial has been made, the Clerk of Court will set the requested cases for trial, upon the date requested, in the order of the lowest numbered cases, subject to the preferences provided by law and the rules of this Court. The clerk shall set a maximum of four (4) cases per civil courtroom. The Clerk of Court shall publish the cases so fixed for trial on the third Friday of the month preceding the month in which the cases are fixed for trial.

Any party or counsel requesting the setting of a case for trial, shall, by so doing, certify that all other parties have agreed to the requested date or that his desire to set the case for trial on the requested date has been made known, in writing, to every other party, or his counsel. All letters of request shall show that a copy has been sent to all counsel, (showing address). Failure of any other party to object to the requested setting, in writing, to the Clerk of Court, within five (5) days of the receipt of the request, shall be deemed acquiescence in the requested date by all parties not objecting. Objection to the request for setting shall be made in writing, in the form of a contradictory motion, served upon opposing counsel by certified mail within five (5) days of the receipt of notice of request for trial date. Any case, including summary proceedings, which is not completed may be continued to the next available trial date by the Trial Judge. Any case, having announced ready, but not heard on the assigned trial date may be set by preference by the trial Judge at any future date.

When a non jury civil case is fixed for trial on the merits, the Clerk of Court shall immediately mail to all counsel of record, and to all parties not represented by counsel, written notice of the trial date assigned.

Counsel, or all parties not represented by counsel, shall notify the Clerk of Court immediately when a case previously set for trial has been settled or upset by agreement.

SETTING CIVIL JURY CASES FOR TRIAL

Before a case may be set for trial on a civil jury term, a party must request, in writing, a scheduling conference with the assigned judge or judicial law clerk. The request shall contain a statement that answers have been filed or issue joined as to all parties; that there are no pending motions or exceptions and that the case will be ready for trial at the next Civil Jury term. The scheduling conference may be held by any appropriate means, including in person, by telephone, or teleconference. Once a scheduling conference has been held, the court will prepare, or cause to be prepared, a Scheduling Order setting the matter for trial as well as setting any discovery deadlines as may be deemed appropriate.

Three months before the commencement of a Civil Jury term, the Clerk shall prepare a docket of cases for trial during that term, in accordance with the following procedure:

1. The first cases on the docket shall be those in which the clerk has received a Scheduling Order approved by the assigned judge setting the matter for trial. These cases shall be placed on the docket in the

order in which each is received by the Clerk.

2. The second group of cases on the docket shall be those cases that were filed more than fifteen (15) months prior to the date the jury docket is prepared and in which issue has been joined as to all parties. These cases shall be placed on the docket after those in which a Scheduling Order was received, as provided in paragraph 1 above. The order of the cases in the second group shall be determined by the date issue was joined as to all parties.

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

**FIXING CASES FOR TRIAL, SCHEDULING CONFERENCES,
PRETRIALS, STATUS CONFERENCES AND TRIALS**

1. Provided a case is in a posture for trial, a party desiring to schedule a case for trial shall notify the office of the Judge to whom the case is assigned and make such request. Said party will be given instructions as to how to set up the scheduling conference. The requesting party shall initiate the scheduling conference, either by telephone or in the Judge's chambers. Each party to the litigation shall appear in person, if not represented by counsel, or by counsel, or any party designated by counsel, who has the authority to agree to scheduling dates on counsel's behalf. A scheduling conference may also be set by rule therefor.

2. At the scheduling conference, the Court will:

- i. Fix a trial date;
- ii. Fix a date for jury selection in jury cases;
- iii. Fix a date for a pretrial conference;
- iv. Fix the deadline for discovery; and
- v. Schedule any future status conference desired by the parties. This provision shall not be construed as foreclosing future requests for status conferences.

3. Subsequent to any scheduling conference, the court will prepare a Scheduling Conference Order and deliver same to the Clerk of Court who shall mail a copy to all parties who are unrepresented and all counsel of record for represented parties.

4. Pretrials shall be held in all civil cases, except when the presiding judge in any given case specifically dispenses with it.

5. The pretrial conference shall attempt to:

- i. Simplify issues, including the elimination of frivolous claims and defenses,
- ii. Consider amendments to pleadings,
- iii. Consider admission of facts and authenticity of documents,
- iv. Exchange lists of witnesses and exhibits, unless ordered to do so at an earlier or later date,
- v. Consider any and all matters which may lead to the expeditious use of judicial time and ultimate disposition of the case,
- vi. Secure advance rulings on the admissibility of evidence, and
- vii. Consider the regulation of expert testimony.

6. The presiding judge may schedule one or more status conferences in addition to the pretrial conference.

7. Only the judges of the four divisions may dispense with the pretrial and status conference from the trial process.

The party will then be given instructions on how to set up the scheduling conference.

CONFIRMATIONS

Attorneys or pro se litigations seeking confirmation of a preliminary default are to contact the office of the judge to whom the case is assigned and the said case will be promptly given a special confirmation fixing agreeable to all concerned.

MOTION AND RULE DAY

a. Friday of each week shall be motion and rule day for all divisions, unless the judge affected fixes a different date.

b. Motion and rule day shall begin promptly at 9:00 a. m. unless a different time is fixed by the presiding judge.

PETIT JURY LISTS IN CIVIL CASES

a. Petit jury lists in civil cases are to be considered confidential until the date of jury selection. Accordingly, the lists are not to be made available to the public or attorneys until the date of jury selection. However, the names on the lists are to be made available to the Sheriff for the purposes of effectuating notice.

b. Petit jury lists in both civil and criminal cases shall not be used by anyone to conduct "Dry Run" jury procedures to secure opinions and impressions on pending civil and criminal cases in the 27th Judicial District Court.

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

In ordinary proceedings, only after answer has been filed by all defendants, shall a Motion to Fix for Trial be considered. The trial date shall be set only at a status conference at which all counsel or pro se litigants should attend. Prior to the time which any matter is scheduled, all attorneys participating in that matter shall be required to check upon service upon opposing parties and/or witnesses in such matter with the clerk of court and also the sheriff if there is no return on service in the record of the subject matter.

Bench Trials.

(1) Bench trials shall be set for commencement on Tuesdays of the second, third or fourth weeks of each month, not to be in conflict with criminal jury terms. The selection of which particular week(s) in each month shall depend on the prior selection of Jury weeks.

(2) Bench trials shall be docketed in the order in which the motion requesting the setting is granted by the judge.

(3) In each week that bench trials are set, the entire week (beginning Tuesday) shall be reversed for the bench trials.

(4) Any bench trial that has not commenced prior to the end of the week shall be rescheduled for the next bench trial term as a preferential matter.

Jury Trials.

(1) Jury trials shall be set for commencement on Tuesday of the second or third weeks of each month except June.

(2) Jury trials shall be docketed in the order in which the initial status conference is conducted.

(3) No jury trial shall be commenced without the prior timely payment of costs in accordance with the Clerk's schedule therefor as ordered by the Court in each case.

(4) Any advanced costs spent in connection with the selection, notification, service and/or appearance of petit jurors in a case which may be continued shall be noted as costs and new advances will be required in accordance with the Clerk's schedule as ordered by the Court.

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

At pre trial or scheduling conference or upon motion to set for trial in the event no pre trial or scheduling conference held.

JURY TRIALS

1. A juror may be excused from duty only by the judge of the division for which he has been summoned.
2. Neither prospective jurors nor jurors shall be contacted, either directly or through any member of the immediate family of any juror.
3. Absent an order of court, no juror shall be interviewed by anyone at any time concerning the deliberations of the jury.
4. A jury venire shall be drawn by the Clerk of Court and the jury commissioners 30 days before the date assigned for trial.

The cost of drawing the jury venire and subpoenaing the prospective jurors shall be assessed and paid as court costs, in the manner provided by law. If the party requesting jury trial is not cast for all of the court costs, he is entitled to a full (or proportionate) refund of the deposit required by this rule when the court costs are paid in full by the party cast.

5. In a civil case, a party requesting trial by jury shall deposit with the Clerk of Court the sum of \$2,000 cash, to be posted at least 30 days before trial. In the event that this deposit is fully depleted during the trial, the Clerk of Court shall notify the party requesting the jury of the remaining costs required, and said party shall promptly pay the same.

The request for a jury trial shall include the following order:

IT IS HEREBY ORDERED that this cause be tried by jury upon applicant's depositing into the registry of court the sum of \$2,000 cash, to be posted at least 30 days prior to trial.

Within one hour before the commencement of court on each day that the trial continues, the party requesting jury trial shall verify with the Clerk of Court that the amount of the cash deposit is sufficient to cover jury costs. If it is insufficient, an additional deposit must be made.

6. Every motion to set for trial shall include an estimate of the number of days required for trial. If the motion fails to state a number of days, the judge will assign an estimate of ten days. The cash deposit shall be computed accordingly.

7. No trial by jury shall commence until this rule is complied with. Failure to comply with this rule shall constitute a waiver of the request for jury trial and a consent to trial of the case before the judge alone.

The funds disbursed from the cash deposit for payment of jury costs shall be assessed as costs of court.

After payment of all jury costs, any unexpended amounts remaining in the cash deposit shall be refunded by the Clerk of Court to the party filing the cash deposit. If the party requesting jury trial is not cast for all of the court costs, he is entitled to a full (or proportionate) refund of the deposit after the court costs have been paid in full by the party cast.

When the funds are made available through the provisions of this rule, the Clerk of Court shall pay each juror the fees and costs to which he is entitled no later than upon completion of the trial.

8. The party requesting a trial by jury shall be responsible on a daily basis for all jury food expenses.

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

Oral motions to fix trial may be made any time court is in session.

Written motions requesting a fixing of a trial date may be filed at any time. Non jury cases are set on the first available calendar date. Requests for civil jury trials are assigned a pretrial conference date and upon agreement of all parties a pretrial conference is conducted telephonically during which a trial date is assigned by the court on the first available civil jury week.

Contested matters will be assigned for trial on the date(s) to be fixed by the Judge.

Unless otherwise provided by law, no suit requiring a trial on the merits shall be assigned for trial until a party desiring that a case be set for trial shall advise the Judge by letter that all issues have been joined, that all pre trial motions, exceptions, interrogatories, requests, and discovery proceedings have been completed. The Judge's secretary will then send to counsel the Court's form titled "Motion to Set for Trial on the Merits" to be completed by counsel and returned to the Judge's office for processing. In order to obtain hearing dates, counsel will need to contact the Judge's secretary and then submit the appropriate motion and order to schedule said hearing.

PRETRIAL BRIEFS

1. Except for good cause shown, a pre trial brief shall be submitted by the parties to a trial on the merits at least five (5) working days prior to trial. It will not be necessary to file such a brief in connection with rules for alimony or child support, or suits on notes or open accounts unless there are unusual or complicated issues of law or fact to be considered. Briefs shall set forth the facts expected to be proved, the issues involved and the law pertaining thereto in that order. Supplemental briefs may be filed at anytime. Failure to file a brief will result in such disciplinary action as the Court may deem necessary.
2. Original briefs shall be filed with the Clerk of Court and a copy shall be mailed or delivered to the trial judge.

COMMUNICATION WITH JURORS

1. No attorney, party litigant, or other person shall contact any prospective juror, or a member of a prospective juror's immediate family, for the purpose of obtaining information concerning the background of any prospective juror.
2. After trial or following a verdict, no juror has any obligation to speak to any person about any case and may refuse all interviews or comments. No person may make repeated requests for interviews or questions after a juror has expressed his or her desire not to be interviewed.
3. No juror or alternate juror who consents to be interviewed may disclose any information with respect to the following:
 - 1) The specific vote of any juror other than the juror being interviewed.
 - 2) The deliberations of the jury.
 - 3) For the purposes of obtaining evidence of improprieties in the jury's deliberation.
4. After trial or following a verdict, no party or their attorney shall, personally or through another person, contact, interview, examine or question any juror or alternate juror or any relative, friend or associate thereof, except on leave of court granted upon good cause shown.
5. Any violation of this rule may be punishable as contempt of the court.

File written motion after issue joined; date selected by conference with presiding trial judge.

ASSIGNMENT OF CASES FOR TRIAL

Unless otherwise provided by law, no suit requiring a trial on the merits may be assigned or fixed unless the requesting attorney verifies that the pre trial procedure of the division of Court to which the case has been allotted has been satisfied. In requesting the Court to assign a civil case for trial or a Rule or Exception requiring testimony for hearing, the written motion shall designate the number of hours or days that the requesting attorney anticipates the trial or hearing will take.

The anticipated hours or days for trial or hearing shall be noted on the trial docket calendar to be kept by the Clerk of Court. The requesting party shall also indicate whether or not a trial by jury has been requested, and

whether or not the services of a Court Reporter shall be required.

The written motion shall contain the names and current addresses of all counsel or other parties to be notified.

Unless provided otherwise by a division pre trial procedure, each party to a suit shall submit to the Court at least thirty (30) days prior to trial on the merits a pre trial statement which is set forth as follows:

- 1) A brief but comprehensive statement of the parties' contentions.
- 2) A statement setting forth facts established by pleadings or by stipulation, agreement or admissions.
- 3) A statement setting forth the contested issues of fact.
- 4) A list and brief description of exhibits which parties plan to offer in evidence. No other exhibit may be introduced except for good cause shown.
- 5) A list of witnesses which party plans to call, (except those which may be called for impeachment or rebuttal), and a short statement as to the nature (not as to the content) of their testimony. No other witnesses may be called to testify except for good cause shown.
- 6) A statement as to any other matters not coming under the previous hearings which may be relevant to a prompt and expeditious disposition of the case.
- 7) A statement as to the estimated length of time necessary to try the case.
- 8) A statement as to whether or not the case is to be tried by a jury and certification that the requirements of the Rules of Court have been complied with with regard to the jury.

A certificate shall follow the said statement: "I hereby certify that all issues have been joined and all rules, motions, exceptions, interrogatories, requests for admissions, depositions, and other discovery proceedings have been completed, and this matter is ready for trial."

**33rd Judicial District
Court**

Parish of Allen

Amended effective
March 3, 2009

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

(1) Civil motions and exceptions may be fixed for hearing on oral motion in open court, by written motion in chambers or by written request directed to the Court by any attorney of record or any party not represented by an attorney. Unless otherwise ordered by the Court, all motions and exceptions shall be fixed for motion hour rule days.

(2) Contested civil cases shall be fixed for trial on the merits by written motion of a party in interest certifying to the Court that:

- a. All issues have joined.
- b. The parties have discussed seriously a settlement or compromise of the action to no avail.
- c. The case is ready for trial on the merits.
- d. In civil jury cases the time for filing of bond for costs and its amount have been set.
- e. The number of days required for trial. The number of days allotted for the trial will be based upon counsel's certificate. In the event that the case is not concluded in the number of days allotted for trial, the case may not be continued to the following day, but may be refixed for additional trial days depending upon the court's docket.

The Clerk of Court is authorized to return to counsel, without filing, any motion to fix for trial in which the above required certification is incomplete.

The motion and certification required in this section shall be made in writing by movant; all opposing parties or their counsel shall be mailed a copy of said motion and certification by the office of the Clerk of Court; any party opposing said motion shall do so within ten days after said mailing. Any opposition shall be in the form of a motion to traverse the trial date and any party not timely filing said motion to traverse within the

ten day period shall be deemed to have acquiesced in the trial date and in the fact that the case is ready for trial.

(3) A copy of any pleading, written motion or request for a fixing shall be mailed or handed by movant to opposing counsel and to any opposing party not represented by an attorney.

(4) When a hearing is fixed either on an exception or motion or on the merits, the Clerk shall promptly give written notice of such fixing to all counsel of record and any party not represented by an attorney.

Pre-Trial Conferences - Civil Cases; Pre-Trial Statements

A. All parties in all contested civil cases tried by a jury shall submit to the court a pre-trial statement in accordance with the pre-trial order of the court.

B. In cases in which pre trial conferences will be held, the pre-trial statements shall be served on the court and all parties at least seven (7) working days prior to the date set for the pre-trial conference unless otherwise ordered by the court. In cases in which no pre-trial conference will be held, the pre-trial statements shall be served upon the court and upon all parties at least seven (7) working days prior to trial.

The combined pre-trial statements submitted by all parties, together with additions, instructions, or comments by the trial judge will be filed as a pre-trial order and will thereafter control the trial. No deviations as to issues or witnesses will be allowed at the trial except by special order of the judge after good cause is shown. Pre-trial conferences shall be attended by the counsel who will be present during and actively involved in the trial of the case. At the conclusion of the conference the judge will fix the date for the trial of the case if not previously set.

C. Failure to comply with this rule in any regard by a party or his attorney will subject these attorneys to the disciplinary and contempt powers of the Court. Except for good cause shown, no other witnesses may be called to testify nor any other documents or exhibits presented at trial except for those witnesses and those items of documentary evidence set forth in the respective pre-trial statements.

D. All parties in contested civil cases to be tried by the court shall submit to the court a pre-trial statement in accordance with the pre-trial order of the court. If no pre-trial order is executed by the court, all depositions or expert reports intended for use a trial in lieu of live testimony shall be submitted to the court not less than five (5) days before trial; and pre-trial memoranda/briefs on issues of law, cause of action and damages with citations should be submitted to the Court one (1) week prior to trial date. Memoranda will not be considered timely submitted unless all of the listed information is contained therein.

Trial Date Conflicts

Section 1. When cases are assigned for trial on the same date in different courts involving the same trial attorney or attorneys, the following order of preference will prevail:

1. Criminal jury trials
2. Civil jury trials
3. Criminal bench trials and motions
4. Civil bench trials, with an order of preference determined by the date on which trial notices were mailed.

The motion for continuance shall state the case number and caption of the prior conflicting assignment, its position on the docket call of the other Court, and the dates that the order assigning the case was signed and that the notice of trial was mailed. Counsel should attach a copy of the order assigning the conflicting case to trial to the Motion for Continuance.

Judgments

All judgments in contested matters shall be approved as to form by all counsel prior to submission to the Court for signing. If approval or objection with reason is not provided within ten (10) days, the judgment shall be submitted with that statement.

Court Dockets

Where cases assigned to different divisions of court are consolidated for trial, they shall be consolidated

under the lowest docket number and assigned to the division of Court to which said lowest docketed numbered case was assigned. An exception to this rule shall exist, when in the interest of the efficient administration of justice and due to extensive pre-trial activity in one of the affected divisions of Court to the exclusions of others, the Judges of each division of Court affected by said consolidation shall certify the trial of the cases to a particular division of Court.

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

Fixing of trial or hearing is made by written motion.

PRE TRIAL CONFERENCES

1. Any party desiring to assign a case for trial, after all issues are joined shall file a written motion to fix for trial which may make a request for a pre trial conference.
2. At least two judicial days before the scheduled pre trial, counsel for all parties must submit to the court a statement jointly prepared and signed including the following information:
 - a. A statement of what discovery remaining to be completed and whether any exceptions or motions are pending or contemplated.
 - b. A statement of undisputed facts and a formal stipulation thereof.
 - c. A statement of disputed facts.
 - d. A statement of undisputed law applicable to the case.
 - e. A statement of disputed law applicable to the case.
 - f. A memorandum of law supporting (d).
 - g. A list of all exhibits to be offered at trial.
 - h. A list of all witnesses and a summary of their testimony.
 - i. A statement of whether to be tried by Judge or Jury.
 - j. Requested special jury charges and jury interrogatories to be submitted seven (7) days prior to trial.
 - k. A statement as to any other matters not coming under the previous headings which may be relevant to a prompt and expeditious disposition of the case.
 1. The sentence "Trial of this case is hereby set for _____ at _____" with an appropriate blank for the signature of the judge. It shall be the responsibility of the plaintiff to initiate steps to prepare the statement herein required.
3. The attorney who will try the case must attend the pre trial conference, unless prior consent of the court is obtained. In any event, the attorney who attends the pre trial conference must be thoroughly familiar with the case, must be prepared to enter into stipulations as to all aspects of the case, and must possess firm settlement authority.
4. Where discovery is not complete by pre trial conference, the court may either convert the pre trial conference into a status conference, or complete the pre trial conference but fix a date beyond which no further discovery will be had.
5. In the event a party feels that a pre trial conference should not be held, or that the type of pre trial conference contemplated by these rules does not appear to be calculated to facilitate a just and speedy determination of the issues, he shall notify the Judge within five days of the mailing of the notice of pre trial conference.
6. Any time the judge deems that a conference with all counsel may materially advance the cause or will

serve the interests of justice, he may provoke a status conference.

7. If counsel fails to appear at pre trial conference or to conform to the rules set forth herein, the court may impose any sanction authorized by law for such conduct, including the imposition of a fine against counsel personally.

SETTLEMENTS AND VOLUNTARY DISMISSALS

1. Every motion for voluntary dismissal of a matter which has been fixed for trial on the merits, or in which a hearing on a motion, rule or exception is pending shall contain a statement of the date and nature of the pending trial or hearing, and a copy of the motion and judgment of dismissal shall be delivered to the judge before whom the trial or hearing is pending.

2. When a civil case which has been set for trial on the merits is settled or otherwise disposed of, counsel shall immediately inform the clerk's office, the judge of the division to which the case is allotted, and all persons subpoenaed as witnesses.

JUDGMENTS

1. All Judgments in contested matters shall be approved as to form by all counsel prior to submission to the court for signing. If approval or objection with reason is not provided within ten (10) days, the judgment shall be submitted with that statement.

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

When the case is ready for trial, a motion for a phone conference to select a trial date needs to be fixed. During the phone conference, with all attorneys of record, trial date is scheduled. A trial order is signed and forwarded to all parties.

THE PRE TRIAL CONFERENCE

At least ten (10) days prior to the conference date, each side shall submit to the Court a pre trial memorandum, which should be outlined as follows:

I. THE WITNESSES

II. THE EXHIBITS

III. THE FACTS

IV. THE ISSUES

V. THE LAW

VI. THE ARGUMENT

The case shall be in posture for trial, all discovery completed, all issues joined.

A trial date will be selected at the pre trial conference. If a subsequent agreement or settlement is reached disposing of the case, the attorneys are to notify the Court of this fact, WITHOUT DELAY, so that the docket may be reassigned.

JURY TERMS CIVIL AND CRIMINAL JURIES

A. One week of each month shall be set aside as Jury Week. Both Civil and Criminal matters may be set during this week.

B. Nothing herein shall prevent the Court from, in its discretion, converting a Civil Jury Term to a Criminal Jury Term or a Criminal Jury Term to a Civil Jury Term.

C. Special juries for the trial of civil or criminal cases may be called and impanelled from time to time as

ASSIGNMENT OF CONTESTED CIVIL MATTERS
FOR HEARING OR TRIAL

1. Civil motions and exceptions may be fixed for hearing on either oral motion in open court, or by written motion in chambers or by written request directed to the Court, by any attorney of record or by any party not represented by an attorney. Unless otherwise ordered by the Court, all motions and exceptions shall be fixed for motion hour rule days.
2. Contested civil cases shall be fixed for trial on the merits by written motion of a party in interest certifying to the Court that:
 - a. All issues have been joined.
 - b. All depositions, interrogatories, and other discovery have been completed.
 - c. All exceptions, motions for summary judgment, and other pre trial motions filed, except those which may have been referred to the merits, have been disposed of.
 - d. The parties have discussed seriously a settlement or compromise of the action without avail.
 - e. The case is ready for trial on the merits.
 - f. In civil jury cases the time for filing of bond for costs and its amount have been set.
 - g. The number of days which will be required for trial.

The number of days allotted for the trial will be based upon counsel's certificate. In the event the case is not concluded in the number of days allotted for trial, the case will not be continued the following day, but must be re fixed for additional trial days.

The Clerk of Court is authorized to return to counsel without filing any motion to fix for trial in which the above required certification is incomplete.

The motion and certification required in this section shall be made in writing by movant; all opposing parties or their counsel shall be mailed a copy of said motion and certification by the office of the Clerk of Court; any party opposing said motion shall do so within ten days after said mailing. Any opposition shall be in the form of a motion to traverse the trial date and any party not timely filing said motion to traverse within the ten day period shall be deemed to have acquiesced in the trial date and in the fact that the case is ready for trial.

The Court on its own motion may in its discretion assign any case a trial date in which pre trial orders as are appropriate.

3. A copy of any pleading, written motion or request for a fixing shall be mailed or handed by movant to opposing counsel and to any opposing party not represented by an attorney.
4. When a hearing is fixed either on an exception or motion or on the merits, the Clerk shall promptly give written notice of such fixing to all counsel of record and any party not represented by an attorney.
5. The Court may in appropriate cases enter a Pre Trial Order providing for a pre trial conference, a date for completion of discovery and deposition, and/or the filing of pre trial memoranda, witness lists, and exhibit lists by counsel. When such orders are entered and attorneys fail to timely comply with their requirements, the Court may upset the trial date fixing and/or bar the admission in evidence of undisclosed exhibits or witnesses' testimony as the circumstances may indicate.

Criminal petit jury sessions shall be held during the weeks beginning on the third Monday in January, February, April, May, August, September, October, and November of each year. Special petit jury sessions may be called by the Court at any time when the public business requires, including during the Summer Term of July and August. The Court in its discretion may alter this schedule by special order to avoid holidays and provide for a full calendar week for jury trials.

COURT DOCKETS

Where cases assigned to different divisions of Court are consolidated for trial, they shall be consolidated under the lowest docket number and assigned to the division of Court, to which said lowest docketed number case was assigned. An exception to this rule shall exist, when in the interest of the efficient administration of justice and due to extensive pre trial activity in one of the affected divisions of Court to the exclusions of others, the Judges of each division of Court affected by said consolidation shall certify the trial of the cases to a particular division of Court.

CONTINUANCES

A continuance will not be granted because of a prior court conflict in assignment unless a motion for continuance because of such conflict is made within ten days from the date that notice of the fixing is received by the attorney seeking the continuance. The motion for continuance shall state the case docket number and caption of the prior conflicting assignment, its position on the docket call of the other Court, and the date that the order assigning the case to trial in the other Court was signed. Counsel should attach a copy of order assigning the conflicting case to trial to the Motion for Continuance.

CIVIL COURT CALENDAR

Except for those weeks designated as civil jury trial weeks in Rule I above and on those weeks commencing on a fifth Monday, the division of Court sitting in civil session shall adhere generally to the following schedule during the Regular Term of Court: Mondays--Civil Motion Docket; Tuesdays-- Civil Bench Trials; Wednesdays--Civil Bench Trials; Thursdays--Civil Motion Docket; Fridays (3rd)--Administrative Day; Fridays (2nd and 4th)--Pre-Trial Conference and Motions. The Court in the interest of justice and as docket need may dictate may also schedule any non-jury civil matter for any available legal day.

**37th Judicial District
Court
Parish of Caldwell**

Motions heard on Wednesdays. Trials, hearings and scheduling conferences set by Motion and Order fixed according to parties available dates.

TERMS AND SESSIONS

Civil Jury Weeks. Civil trials by jury will be conducted during the week commencing Monday of the third week in the month of March, and the last full week of the month of August.

**38th Judicial District
Court
Parish of Cameron**

FIXING CONTESTED MATTERS FOR TRIAL SECURITY FOR COURT COSTS

1. After a matter is contested and the clerk has received an adequate deposit, bond for costs, or judicial dispensation of security, a case may be placed on the trial docket by an oral motion in open court, or by a written motion in chambers, or by a written request directed to the clerk, by an attorney of record or by any party not represented by an attorney. After such a motion or request is made, if the clerk determines that the required deposit or bond is inadequate, he shall so notify the attorneys of record in the case, and the case shall not be placed on the trial docket unless an adequate deposit or bond is furnished or unless so ordered by the court. If an adequate deposit or bond is not furnished within sixty days after notice is mailed by the clerk, the case shall be dismissed, without prejudice, upon contradictory motion filed by any party thereto, if failure to comply with the notice continues to the date of trial on the motion.

2. Any party litigant who wishes to exercise the privilege of proceeding in forma pauperis, in addition to the affidavits required by C.C.P. Art. 5183, shall furnish the court with full and complete information concerning their assets and liabilities in a form or substantially to a form which is on file with the clerk of

court. If the court is not satisfied with the information furnished, it shall order the litigant, at a time convenient to the court, to show cause why it should be permitted to proceed in forma pauperis.

PRE TRIAL CONFERENCES

1. In any civil action, upon request of counsel for plaintiff or defendant, or at its own direction, the court may order the attorneys for the parties to appear before it for a pre trial conference to consider the following:

(1) The simplification of the issues.

(2) The necessity or desirability of amendments to the pleadings.

(3) The possibility of obtaining admission of facts and the documents which will avoid unnecessary proof.

(4) The limitation of evidence.

(5) Such other matters as may aid the disposition of the action.

2. During the conference the parties are expected to disclose their respective positions and to stipulate as to all matters not at issue. The court will have such stipulations noted in order to conserve time at trial. The parties at pre trial conferences will likewise be required to state objections to any procedure or to any exhibit or evidence which another party proposes to offer at trial.

3. At the pre trial conference the court, in its discretion, may seek to advise and assist the litigant to a voluntary resolution of their disputes. Counsel will be expected to know what authority, if any, their respective clients have granted.

4. When a party or his counsel has been notified of a pre trial conference and fails to appear, the court may remove the case from the trial docket, dismiss the case or take any other action as may be deemed proper under the circumstances.

SUBMITTING OF CASES; FILING OF BRIEFS AND EVIDENCE

1. In all contested hearings and non jury trials, except criminal matters and suits for separation and divorce, counsel shall, unless relieved by the court, submit pre hearing or pre trial briefs not later than three (3) days prior to the hearing or trial. It is necessary to submit copies to opposing counsel.

2. A matter shall be considered as fully submitted for decision upon the conclusion of trial or hearing unless the court orders the record left open for the filing of additional evidence, or the filing of post trial briefs. The court shall designate time periods for such filings. Supplemental briefs will be allowed only by leave of court. When the record is left open the matter shall be considered as fully submitted on the day following the day of the last timely filing of evidence or a brief, or the last day for filing.

3. When post trial or post hearing briefs have been ordered, the clerk shall make available, upon request, the record to each attorney who is permitted to file a brief. It shall be the responsibility of the attorney borrowing the record to return it to the clerk of court at the expiration of the delays for filing the brief.

4. A copy of each post trial or post hearing brief filed in a pending case must be either handed or mailed to opposing counsel prior to filing the brief with the court, which shall be made to appear by a certificate of the attorney to that effect endorsed on the brief.

MOTION HOUR

1. Time of Regular Rule and Motion Hour. Regular rule and motion hour shall be held when the Court is not in session on the following schedule:

(a) Every Monday and Thursday beginning Monday of each week at 9:00 o'clock A.M.

**40th Judicial District
Court
Parish of St. John
the Baptist**

A. Any party who desires a date for trial on the merits shall request a status conference before requesting a trial date in all cases except successions, collection cases, domestic matters (except partitions), and uncontested matters. Exceptions to this rule may be made by the individual judges depending on the nature or seriousness of the case. Pretrial conferences may be scheduled at the discretion of the judge.

B. At least two judicial days before the final pretrial conference, counsel for all parties shall submit to the Court a signed statement including the following information:

1. A statement of undisputed facts and a formal stipulation thereof;

2. A statement of disputed facts;

3. A statement of undisputed law applicable to the case;

4. A statement of disputed law applicable to the case;

5. A memorandum of law supporting disputed law;

6. A list of all exhibits to be offered at trial;

7. A list of all witnesses and a summary of their testimony;

8. A list of all depositions and a summary of testimony therein;

9. A statement as to any other matters not coming under the previous headings which may be relevant to a prompt and expeditious disposition of the case; and

10. An estimate of the number of days required for trial.

Each judge may prepare or require to be prepared a final pretrial order governing discovery cutoff, final witness and exhibit lists, pretrial motions and other trial related matters. Failure to comply therewith may result in exclusion of exhibits, witnesses, pretrial motions and further discovery.

C. The attorney who will try the case, or an attorney who is thoroughly familiar with the case, must attend the pretrial conference. The attorney in attendance must be prepared to enter into stipulations as to all aspects of the case and must possess firm settlement authority.

D. Where discovery is not complete by pretrial conference, the Court may either convert the pretrial conference into a status conference or complete the pretrial conference and fix a date beyond which no further discovery will be had.

E. Pretrial conferences may be held by telephone with the consent of the judge and all parties and must be arranged by the moving party

**Criminal District Court
Parish of Orleans**

This court does not preside over civil matters.

**Civil District Court
Parish of Orleans**

ch defendant/absentee; however, in this event the deposit shall be increased by \$50.00 for each additional defendant/absentee in excess of three defendants/absentees but in no event shall the deposit based on the number of absentees exceed \$ 500.00.

Amended effective

If a judge should decide that the interests of the multiple defendants/absentees are not aligned, then the

judge shall appoint as many curators to represent the defendants/absentees as he/she deems necessary.

Upon ex parte motion by the curator, a party or a party's attorney, a judge may determine the curator's fee and may order it and the curator's expenses paid from the deposit with the Clerk of Court. If the deposit is not sufficient to pay the curator's fee and expenses, the court may order the party and/or the attorney for the party who requested the appointment of the curator to pay the amount of the fee and expenses that exceed the amount of the deposit.

An attorney seeking such an appointment is deemed to personally guarantee payment of such fees and expenses. However, this section shall not apply to parties proceeding in forma pauperis.

5. When any lawsuit is terminated by compromise in whole or in part, it shall be the duty of the attorney for the settling party, as an officer of the court, to see that all fees due the clerk of court or civil sheriff are paid when such compromise is effected.

6. When a tutorship proceeding is filed in forma pauperis the purpose of which is to authorize the filing of a damage suit, the clerk shall post the deferred costs to the damage suit. Such costs shall thereafter be treated as cost due in the damage suit.

7. When a suit filed in forma pauperis is transferred to another district court, the clerk shall transmit to such court the amount of the costs due with a request that the court collect such costs due the Civil District Court when the case is concluded.

Upon receiving a similar request from another court, the clerk of the Civil District Court shall comply with such request.

DISCOVERY

All contradictory motions relating to discovery shall be heard on rule day, or as otherwise ordered by the judge.

**Caddo Parish Juvenile Court
Parish of Caddo**

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

Adopted effective
December 17, 2008

ASSIGNMENT OF CIVIL CASES FOR HEARING AND FOR TRIAL

1. Assignment of contested civil cases for trial on the merits shall be made only on written motion in the division to which the case has been allotted or transferred. The motion shall recite that all exceptions, motions, and other preliminary matters have been disposed of, shall be served on all opposing counsel. Assignments may also be made at pre-trial conferences.

2. Exceptions, motions and uncontested hearing may be fixed for hearing by the Clerk of Court at the written request of any party, or by motion in open court, to be fixed on the calendar of the Division to which the case has been allotted.

3. Matters ready for trial or hearing may be fixed on written motion made in open court in chambers. Return dates for rules nisi shall be fixed by the Court in accordance with law; provided, however, that at the time any case on the merits is fixed for trial, the moving attorney shall file in the record a certificate setting forth that the matter is ready for trial and that all preliminary matters have been disposed of.

A sample suggested certificate is as follows:

“(TITLE OF SUIT)

CERTIFICATE

I hereby certify that I am counsel of record for _____, (plaintiff/defendant) in the above styled and numbered cause; that all issues have been joined; that all depositions, interrogatories and other discoveries have been completed; that all exceptions and motions for summary judgment, if any of same were filed, except those which have been referred to the merits, have been disposed of ; and the case is ready for trial on the merits.

I further certify that this case is/is not a civil jury trial. If it is a jury trial the certificate should state: "bond for cost has been filed."

Estimated time of trial is _____ hours/days.

At least seven days before the date of this certificate, opposing counsel (name and address), was notified in writing, that I intend to request the specific trial date of _____ [month/day/year]. At this time I do/do not request a pre-trial conference. _____, Louisiana, this _____ day of _____, 20 _____.

Attorney for _____”

4. Upon fixing of a case for trial on the merits, the Clerk shall immediately forward to all counsel of record and to all unrepresented parties a notice of the trial date of the suit. Unless it is otherwise specifically provided by statute, at least fifteen days notice will be required for trial on the merits and five days notice on motions, rules and exceptions.

5. Cases not reached on the day fixed will stand fixed at the foot of the calendar for the subsequent day unless refixed for a different day. A case begun and not concluded will have precedence on the following judicial day, unless otherwise ordered by the Court.

6. The Clerk shall keep a docket showing the day on which cases are assigned for trial, and the number, title and names of all counsel engaged therein, and the division in which same is to be tried.

7. Civil non-jury cases shall not be fixed for trial at the time a petit jury is in attendance. And in the trial of cases, jury cases shall have preference over non-jury cases.

PRE-TRIAL CONFERENCES

1. In any civil action, upon request of counsel for party or at is own discretion, the Court may order the attorneys for the parties to appear before it for a pre-trial conference to consider all appropriate matters and the fixing of the case for trial.

2. Counsel for all parties will be notified of the procedure adopted by the court for use at the pre-trial conference.

3. In case of failure of a party or counsel to comply with the pre-trial procedure, the Court shall impose appropriate sanctions including, by way of illustration only, dismissal of the suit or judgment by default.