

TITLE V

Chapter: 41 Chapter Title: Court Organization and Sessions

Appendix 20

Rule No: 41.0

General Organization of Court: Divisions or Sections of Court

4th Judicial District Court

Parishes of Morehouse and Ouachita

Adopted Sept. 16, 1998, effective Oct. 1, 1998. Amended effective Jan 1, 2010.

Please note: Text effective until January 1, 2010

While recognizing that each judge of this District has original juvenile jurisdiction for the parishes comprising this District, the Court, by local court rule, is comprised of one primary juvenile division.

The Juvenile Division shall hear all cases involving juveniles including:

- A. Delinquency proceedings, except when a child either:
 1. Is subject to the jurisdiction of the criminal courts for prosecution and liability as an adult.
 2. Has been transferred by the juvenile division for criminal prosecution and liability as an adult.
- B. Abandonment proceedings.
- C. Child in need of care proceedings.
- D. Child in need of supervision proceedings.
- E. Families in need of services proceedings.
- F. Parents in need of supervision proceedings.
- G. Involuntary termination of parental rights proceedings.
- H. Voluntary termination of parental rights proceedings.
- I. Adoption proceedings.
- J. Civil and criminal non support.
- K. URESA proceedings.
- L. Traffic.
- M. Mental health proceedings pursuant to Title XVI of the Louisiana Children's Code.
- N. Any proceedings necessary to implement the provisions of interstate compacts affecting children pursuant to Title XVI of the Louisiana Children's Code.

Adopted Sept. 16, 1998, effective Oct. 1, 1998.

In Morehouse Parish, except as otherwise provided herein or unless otherwise determined by a judge, the following order of business will prevail:

A. MONDAYS: The Court will convene at 8:30 A.M. in Courtroom No. 1. Only continued custody detention hearings and the applications for court approval of adoptive placement may be scheduled, BUT ONLY if necessary.

B. WEDNESDAYS: The Court will convene at 9:30 o'clock A.M. in Courtroom No. 1 unless otherwise provided:

1. Except during a Criminal Jury Week as set forth on the court schedule and the second Wednesday of each month, all juvenile matters, with the exception of appeals from the Hearing Officer's recommendations in non support (civil and criminal) matters, will be heard.
2. Except during a Criminal Jury Week as set forth on the court schedule, all appeals from the Hearing Officer's recommendations in non support (civil and criminal) matters will be handled on the second Wednesday of each month, at 9:30 o'clock A.M.
3. During a Criminal Jury Week, and on the second Wednesday of each month, continued custody hearings and applications for Court approval of adoptive placement may be scheduled when necessary. The Court will convene in Courtroom No. 2 during criminal or civil jury weeks.
4. Adoptions shall be considered between 8:45 and 9:30 A.M. on any Wednesday except during a Criminal Jury Week.

Adopted Sept. 16, 1998, effective Oct. 1, 1998.

In Ouachita Parish, unless otherwise determined by a judge, court will be conducted according to the following schedule:

A. **MONDAYS:** The Court will convene at 10:00 A.M. in the Fourth Judicial District Court Auxiliary Courtroom, located at 604 North 3 superrd Street, Monroe, LA. All juvenile matters, with the exception of appeals from the Hearing Officer's recommendations in non support (civil and criminal) matters, will be heard.

B. **TUESDAYS:** All adoptions shall be scheduled and considered beginning at 9:00 A.M. on Tuesday mornings. Adoptions which are contested shall be fixed for hearing in the Fourth Judicial District Court Auxiliary Courtroom on an available Tuesday, unless otherwise determined by a judge.

C. **THURSDAYS:** The Court will convene at 9:30 A.M. in the Fourth Judicial District Court Auxiliary Courtroom:

1. Except for first Thursday of each and every month, the following matters will be heard:
 - a. Juvenile disposition hearings; juvenile "arraignments"; appearances; and continued custody (detention) hearings.
 - b. Applications for Court approval of adoptive placement.
 - c. No adjudication hearings will be scheduled in juvenile matters except when necessary and then only with the approval of the assigned judge.
2. On the first Thursday of each and every month beginning at 9:30 A.M., all appeals from the Hearing Officer's recommendations in non support (civil and criminal) matters will be handled.
 - a. At the conclusion of the non support docket, only continued custody (detention) hearings and applications for Court approval of adoptive placement may be scheduled when necessary.

Adopted Sept. 16, 1998, effective Oct. 1, 1998.

Please note: Text effective January 1, 2010

While recognizing that each judge of this District has original juvenile jurisdiction for the parishes comprising this District, the Court, by local court rule, is comprised of one primary juvenile division.

The Juvenile Division shall hear all cases involving juveniles including:

A. Delinquency proceedings, except when a child either:

- 1. Is subject to the jurisdiction of the criminal courts for prosecution and liability as an adult.
- 2. Has been transferred by the juvenile division for criminal prosecution and liability as an adult.

B. Abandonment proceedings.

C. Child in need of care proceedings.

D. Child in need of supervision proceedings.

E. Families in need of services proceedings.

F. Parents in need of supervision proceedings.

G. Involuntary termination of parental rights proceedings.

H. Voluntary termination of parental rights proceedings.

I. Adoption proceedings.

J. Civil and criminal non support.

K. URESA proceedings.

L. Traffic.

M. Marriage of Minors

N. Judicial Commitments

O. Mental health proceedings pursuant to Title XVI of the Louisiana Children's Code.

P. Any proceedings necessary to implement the provisions of interstate compacts affecting children pursuant to Title XVI of the Louisiana Children's Code.

All juvenile matters shall be heard pursuant to the Juvenile Court Schedule which can be obtained from the Judicial Administrator's Office and found on the Court's website at www.4jdc.com.

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

The Judge of Division "A" will handle Juvenile Court and juvenile matters in Catahoula Parish. The Judge of Division "B" will handle juvenile matters in Concordia Parish.

Juvenile Court and juvenile matters will normally be taken up on Wednesday afternoons in Catahoula Parish and on Friday afternoons in Concordia Parish.

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

Juvenile cases may be held at any time except legal holidays.

Juvenile matters will be regularly scheduled on the third Monday of each month except on legal holidays.

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

One judge shall be assigned to handle all juvenile matters and civil commitment hearings. Juvenile matters will be scheduled at a time and place designated by the judge.

Effective January 1, 1998, Juvenile and Commitments will be allocated to Division "C".

Juvenile Traffic Referee, Related Personnel and Procedures
Pursuant to Louisiana Children's Code Article 422, this Court hereby implements the use of a juvenile traffic referee to adjudicate and dispose of juvenile traffic violations, by authorizing and directing one or more Juvenile Traffic Referee(s), appointed by majority vote of the entire Court, to hear juvenile traffic violations, all on such terms and for such salaries as may be fixed by a majority vote of the Court.

Such Juvenile Traffic Referee(s) shall have authority to perform and shall perform any and all duties assigned to him, or her or them by a judge designated by the Court which are consistent with Ch.C. Art. 422 as it presently exists or as it may be, from time to time, supplemented or amended in the future. Said Juvenile Traffic Referee(s) shall be prohibited from appearing before the Ninth Judicial District Court as lawyers in contested cases.

Amended Feb. 2, 2000. Rule XXVIII renumbered as XXIX, effective Dec. 2000.

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

The Court shall sit in two divisions designated Division A and Division B. Each Judge shall preside in the division to which he has been elected or appointed and each division shall exercise all of the authority granted by law to district courts as to civil, criminal, probate and juvenile jurisdiction.

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

There shall be a Family and Juvenile Docket in the Fourteenth Judicial District and that Docket shall be allotted to Divisions C and I. Matters heard on the Family and Juvenile Court Docket shall be as follows:

- (1) Juvenile matters governed by the Louisiana Children's Code;
- (2) All proceedings for the adoption of minors, to decree minors abandoned and for the relinquishment or termination of parental rights;

Sessions

Except when otherwise specially ordered, or as otherwise provided herein, court shall open its daily sessions at 9:00 A.M. A recess shall be taken from 12:00 noon until 1:30 P.M., and court shall adjourn at 4:30 P.M.

General Motion Hour shall be held at 9:00 a.m. on Monday, Wednesday and Friday. The Judge handling

Motion Hour shall be the Duty Judge.

Term of Court

Court shall convene in the month of September of each year and shall remain in session throughout the year in accordance with the schedule to be prepared by the Court.

The court week begins on Monday. If Monday, or any other day on which court is scheduled to convene, is a legal holiday, court shall convene instead on the first legal day following. For any reason deemed sufficient, court may be adjourned before or extended beyond the expiration of the time allotted.

The Court may call a special session of court during vacation and any action, proceeding, or matter otherwise required by law to be tried or heard in Open Court during the regular session may be tried or heard during said special session.

Regular rule days shall continue to be held during the months of July and August.

Court Docket

The Clerk shall keep one docket for all Family Court cases and one docket for all Juvenile Court cases to be clearly identified by court and division as soon as filed.

Non-Support Cases

Unless otherwise determined by the Court, non support matters shall be scheduled on and shall convene at 9:30 a.m., excluding holidays, on such days of the week as designated by the Judges in the Family and Juvenile Court. The Court shall continue in session as the Judge or Hearing Officer determines and the docket requires.

18th Judicial District Court

Parishes of Iberville, Pointe Coupee and West Baton Rouge

The Judge assigned to the Criminal Court of a parish shall, during this tenure, also serve as Juvenile Judge.

22nd Judicial District Court

Parishes of St. Tammany and Washington

Adopted effective January 1, 2009

While general jurisdiction divisions A through J continue to have subject matter jurisdiction over all district court matters, including juvenile matters, the subject matter jurisdiction for each of divisions K and L shall be limited to family and juvenile matters as provided by law for other family and juvenile courts in the State.

All juvenile matters in St. Tammany and Washington Parishes, as of January 1, 2009, shall be allotted to Divisions K and L on the following basis:

On a three year rotation beginning January 1, 2009, and based on random selection, one of the family/juvenile divisions, either Division K or Division L, shall hear all juvenile matters for St. Tammany Parish while the other shall hear all juvenile matters for Washington Parish. Accordingly, all existing St. Tammany Parish juvenile matters shall be re-allotted from the two general jurisdiction divisions currently hearing St. Tammany Parish juvenile matters to the one family/juvenile division, either Division K or L, randomly selected to hear juvenile matters in that parish, while all existing Washington Parish juvenile matters shall be re-allotted from the one general jurisdiction judge currently hearing Washington Parish juvenile matters to the other family/juvenile division, either Division K or L, not randomly selected to hear juvenile matters in St. Tammany Parish. New juvenile matters, as of January 1, 2009, shall be allotted to the family/juvenile division, either Division K or L, randomly selected to hear juvenile matters in that parish. Every three years thereafter, the juvenile dockets of Divisions K and L shall be swapped between them.

If the judge of either family/juvenile court division K or L is recused from a case, the case will be allotted to the other family/juvenile court division. If both judges of the family/juvenile court divisions K and L are recused from a case: 1) the case will be re-allotted to the general jurisdiction division to which it was allotted prior to January 1, 2009, or 2) in new cases filed on January 1, 2009 and thereafter, the cases will be re-allotted to any of the ten general jurisdiction divisions.

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

CINC Scheduling

Hearings in Children in Need of Care cases shall be conducted commencing 9:30 a.m. on the Thursday of each criminal week. In order to comply with the Children's Code and Federal ASFA legislation and regulations, any hearings in CINC cases or Termination of Parental Right's cases which must be commenced prior to when the next regular juvenile hearing day is scheduled may be set on any day and at any time and shall take preference over any other non preferential matter.

Adopted effective March 31, 2001.

Child Support Scheduling

Criminal neglect of family and other juvenile jurisdiction support cases shall be scheduled at 1:30 p.m. on criminal arraignment days.

Adopted effective March 31, 2001.

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

The schedule of this Court is as follows:

- I. Except during Petit and Civil Jury Weeks:
 - (a) Criminal Arraignments and Misdemeanor Trials Each Monday.
 - (b) Motion Hour Each Tuesday.
 - (c) Juvenile Court Each Thursday from 8:30 A.M. to 10:00 A.M.
 - (d) Bench Trial Days Wednesday, Thursday, and Friday.
 - II. Grand Jury March and September.
 - III. Petit Jury One week to be designated by the Court during the months of January, March, May, June, September and November.
 - IV. Civil Jury One week to be designated by the Court during the months of February, April, August and October.
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**34th Judicial District
Court
Parish of St. Bernard**

Juvenile matters shall be heard on the last Wednesday of each month by the DUTY JUDGE or as set on each divisions' annual master calendar.

All new juvenile filings shall be allotted by random allotment by the Clerk of Court pursuant to Rules III and XIX when filed. The arraignment shall be set at the next scheduled day for the division to which the case is allotted. If the juvenile is continued in custody, the arraignment shall be within seventy two (72) hours of filing and trial within thirty (30) days of arraignment or at such other times as required by law. Said hearings are given preference to regularly scheduled matters and may be heard by the Duty Judge if the division is unavailable.

Serious, non status offenses may be specially fixed for arraignment and trial on the motion of the District Attorney or Judge.

Criminal neglect, non support, Uniform Reciprocal Enforcement of Support Act (URESA), delinquency and other juvenile matters involving adults shall be allotted in accordance with Rules III and XIX.

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

THURSDAY AFTERNOONS are reserved for the disposition of all juvenile matters.

36th Judicial District Court
Parish of Beauregard

General Organization of the Court

The 36th Judicial District Court is comprised of two Divisions: A & B. Both divisions are general jurisdiction courts. Division A shall be designated the juvenile duty court for the months of February, April, June, August, October and December of each year. Division B shall be designated the juvenile duty court for the months of January, March, May, July, September, and November of each year. The judge of each division shall have the responsibility for the signing of all emergency orders relative to the juvenile docket of the District during their designated duty month.

Juvenile hearing days for the 36th Judicial District Court shall normally be the second and fourth Tuesdays of each month beginning at 9:30 A.M. and recessing at 4:30 P.M. The judge of either division may designate any day as a juvenile hearing day as may be necessary to comply with the Adoption and Safe Families Act and the requirements of the Louisiana Children's Code.

Protective Orders, Support Enforcement Matters, and Child Support Hearings shall be heard pursuant to authority of law by the Court Hearing Officer on Thursdays of each week, beginning at 9:00 A.M. Juvenile Traffic Matters shall be heard by the Court Hearing Officer on the First Thursday of each month at 1:30 P.M.

37th Judicial District Court
Parish of Caldwell

Terms and Sessions

Criminal Arraignments and Juvenile Matters. Criminal arraignments will be conducted the first and third Tuesdays of each month commencing at 9:00 a.m., other than on a holiday or during a jury week. At this time criminal arraignments, rules, motions or other matters properly in Criminal Court will be heard. Juvenile Court matters will be scheduled for 11:00 a.m. on those Tuesdays assigned for Criminal Court sessions. Both the Criminal Court and Juvenile Court may be convened on order of the presiding Judge at any time. The second Tuesday of each month will be reserved for misdemeanor trials.

38th Judicial District Court
Parish of Cameron

Juvenile court will commence in the Judge's Chambers. It will normally convene at 9:00 a.m. on Wednesday but each juvenile matter will be specially fixed by court order.

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

This Court is composed of Divisions A, B and C, one judge for each division. Each division shall sit as a criminal division during designated weeks of each month, as a juvenile division on designated days, and as a civil division during the remaining weeks.

Scheduling

Each division will sit as a criminal division for two weeks per month, September through June, said weeks to be decided upon by the judges. One week will be designated as Felony Week, during which felony trials shall be scheduled; and one week will be designated as Misdemeanor Week, during which traffic matters, misdemeanor arraignments and trials, felony motions and arraignments, and juvenile matters shall be held. For the months of July and August each division will schedule a Misdemeanor Week, and a Felony Week may be scheduled at the discretion of each judge. The Clerk of Court shall make available such number of potential jurors as the Court deems necessary for felony trials.

Orleans Parish Juvenile Court
Parish of Orleans

The Court is comprised of six (6) Sections, A, B, C, D, E, F.

There shall be created within the Orleans Parish Juvenile Court a Child Protection Division consisting of Sections 'A' and 'D'.

Sections 'B', 'C', 'E', and 'F' shall comprise the Delinquency Division.

Adopted and effective Oct. 12, 2001.

Except when otherwise specially ordered, Court shall be open at 8:30 a.m. and adjourn at 4:00 p.m. The Judges will convene and continue in session as the Judge determines and the docket requires.

Traffic matters shall be handled by the Traffic Referee from 3:00 5:30 p.m. Monday through Thursday.

Child Support matters shall be handled by the Hearing Officer from 4:00 8:00 p.m. daily.

The hours for operation of the Drug Court are Noon to 8:00 p.m. on Tuesday.

Adopted and effective Oct. 12, 2001

CINC cases shall be allotted to the Division that is on duty during the month in which the verbal hold order is issued. For purposes of the In Need of Care proceeding, Division A will handle all CINC verbal hold orders, verified complaints and continued custody hearings in even-numbered months (February, April, June, August, October, and December). Division B will handle all INC verbal hold orders, verified complaints and continued custody hearings in odd-numbered months (January, March, May, July, September, and November).

**Jefferson Parish
Juvenile Court
Parish of Jefferson**

The Court is comprised of three sections, designated as "A", "B" and "C".

Unless otherwise determined by a judge, hearing officer, or traffic officer, court convenes at 9:00 a.m. and adjourns at 4:00 p.m. on weekdays, excluding legal holidays. The Court will continue in session beyond the customary hour as the judge determines and the docket requires.

In keeping with R.S. 33:1435, "Each sheriff or deputy shall attend every court that is held in his parish, and shall execute all writs, orders, and processes of the Court, or judge thereof, directed to him."

Adopted effective April 16, 2001.

**Caddo Parish Juvenile
Court
Parish of Caddo**

The Court shall consist of three judicial sections; Delinquency section one, Delinquency section two, and the Dependency section. Assignment to the sections shall be based on seniority as a judge of the Court.

Except as otherwise ordered by the Court, the Dependency section shall hear all cases arising under the provisions of the Children's Code and the Louisiana Revised Statutes, which involve children in need of care (Title VI), involuntary termination of parental rights (Title X), surrender of parental rights (Title XI), adoption of children (Title XII), mental health proceedings (Title XIV), voluntary transfer of custody (Title XV, Chapter 3), authorization of minors' marriages (Title XV, Chapter 6), protection of terminally ill children (Title XV, Chapter 7), domestic abuse assistance (Title XV, Chapter 8), and applications for judicial bypass (R.S. 40:1299.35.5).

Except as otherwise ordered by the Court, the Delinquency sections shall hear all cases arising under the provisions of the Louisiana Children's Code and the Louisiana Revised Statutes, while involve families in need of services (Title VII), delinquency (Title VIII), and support of family (Title XIII and R.S. 46:236.1 et seq.)

All cases under the other titles and provisions of the Louisiana Children's Code, or otherwise under the jurisdiction of the Juvenile Court, not herein assigned to a judicial section, shall be assigned at the discretion of the Chief Judge. However, such assignments will remain subject to local rules regarding transfer of assignments.

Personnel

The personnel of the Court shall be organized into four departments called the Administrative Office, the Office of the Clerk of Court, the Caddo Parish Juvenile Probation Department and the Caddo Parish Juvenile Detention Home.

The heads of these departments shall be, respectively, the Judicial Administrator, Clerk, Chief Probation Officer and Superintendent of Detention. The department heads shall be appointed by majority vote of the

Court and shall serve at the pleasure of the Court. All other personnel shall be appointed by majority vote of the Court upon the recommendation of the applicable department head and shall serve at the pleasure of the Court.

Each department head shall direct the day to day operations of their department. The Clerk shall perform all duties of the office of clerk of court as required by law.

Hours of Court

The Clerk's office shall be open from 8:00 a.m. to 4:30 p.m. every day except Saturdays, Sundays, legal holidays and in cases of public emergency. Unless otherwise directed by the presiding judicial officer, court proceedings shall be conducted during those hours.

Motions are set for argument before the assigned Judge in the Dependency section on Mondays at 8:45 a.m. and 1:00 p.m. and in the Delinquency sections on Tuesdays at 9:00 a.m. Motions filed prior to 2:00 p.m. Thursday are set the upcoming Monday or Tuesday, and motions filed after 2:00 p.m. Thursday are set one week following. Motions requiring the taking of evidence shall thereafter be set for hearing as directed by the Judge. Motions bearing the signature of all counsel may be granted without hearing.
