

TITLE IV

Chapter: 23 Chapter Title: ORGANIZATION OF THE COURT

Rule No: 23.0

Divisions of Court

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

The Family Law Division will handle all aspects of all family law matters, including, but not limited to, family law rules, family law partitions, paternity cases, disavowals, and trials from filing to the end of the case. In addition the Family Law Division will handle all aspects of all civil mental commitment matters from filing to the end of the case.

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

RULE 1. COURT JURISDICTION AND DIVISIONS

Section A. 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:

(3) All actions of divorce, annulment of marriages, establishment or disavowal of the paternity of children, as well as all matters incidental to any of the foregoing proceedings, including, but not restricted to, the issuance of conservatory writs for the protection of community property, the awarding of attorney fees in judgments of divorce, cumulation of and rendering executory of child and spousal support, the issuance of writs of fieri facias and garnishment under judgments of the court for child and spousal support and attorney fees, all proceedings for separation of community property regimes; all proceedings for modification or termination of matrimonial regimes; all proceedings involving liquidation and partition of the community after a judgment of divorce; all actions for all protective orders, and all actions under the Child Support Enforcement Act or UIFSA;

(4) Separation from bed and board under La. R. S. 9:381 et. seq. and all related proceedings; and

(5) All proceedings for writs of habeas corpus pertaining to the custody of minors.

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

Amended effective
April 1, 2005

There shall be a Family Docket in the Fifteenth Judicial District and that Docket shall be allotted to Divisions H and M. Matters heard on the Family Docket shall include:

(a) Suits for annulment, divorce and separation where there are minor children born of, adopted or legitimated by the marriage together with all related incidental matters as defined by La. C.C. Art. 105 and the community property partitions associated with the dissolution of said marriages.

(b) All child-related issues such as the establishment or disavowal of the paternity of children, filiation, custody, visitation, and support in non-marital cases, name changes for minor children, emancipations, or any other such matters as may be designated by the District Judges.

(c) All protective orders filed in accordance with R.S. 46:2131, et seq., and R.S. 46:2151 et seq., unless an annulment, separation or divorce action is pending and is a non-Family Docket matter.

Pursuant to LSA R.S. 46:236.5 this Court, hereby implements an expedited process for the establishment, modification and enforcement of support obligations by authorizing and directing Judges assigned to the Family Docket to nominate one or more Hearing Officers, with the approval of a majority of Judges of the Fifteenth Judicial District Court, to hear support related matters, and to hire and employ any and all such other personnel deemed necessary to implement this procedure, all of whom shall serve at the pleasure of the Court.

Such Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to him, her or them by the Judges of this Court which are consistent with LSA R.S. 46:236.5, as it presently exists or as it may be, from time to time, supplemented or amended in the future, including but not limited to, matters for the establishment of paternity and the establishment and enforcement of support and other domestic and family matters. Domestic and family matters shall include divorce and all issues ancillary to a divorce proceeding; all child-related issues such as paternity, filiation, custody, visitation, and support in non-marital cases; all protective orders filed in accordance with R.S. 46:2131 et seq., R.S. 46:2151 et seq., and all injunctions filed in accordance with R.S. 9:361, 371, and 372 and Code of Civil Procedure Articles 3601 et seq., which involve personal abuse, terrorizing, stalking, or harassment; and enforcement of orders in any of these matters, including contempt of court.

Said Hearing Officer(s) shall be prohibited from appearing or practicing before the Fifteenth Judicial District Court.

The entire Court, by majority vote shall fix the salary, or salaries, of the Hearing Officer(s) and any such other personnel hired or employed to implement this procedure.

There shall be such number of Hearing Officers for the Family Docket of the 15th Judicial District Court as authorized by the District Judges.

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**16th Judicial District
Court**

RULE 5A.3 HEARING OFFICER(S) OF FAMILY DOCKET CASES

**Parishes of Iberia,
St. Martin and St.
Mary**

A. There shall be such number of Hearing Officers for Family Docket cases as authorized by a majority of the District Judges.

B. The District Judges, by majority vote shall fix the salary, or salaries, of the Hearing Officer(s) and any such other personnel hired or employed to implement the procedure.

**21st Judicial District
Court**

RULE V A. FAMILY COURT DIVISION

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

Section 1. All contested separations, divorces, child custody, child support, alimony, and matters normally heard in juvenile court, shall be heard by the Family Court Division as reflected in the Official Court Calendar. Adoptions, Juvenile Termination, Abandonment, and Paternity Trials will not be heard by the Family Court Division, but will be allotted in alphabetical order to the other divisions in the order that they are filed.

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

Adopted effective
April 2, 2009

There shall be a Family Docket in the Twenty-Second Judicial District and that Docket shall be allotted to Divisions K and L. Matters heard on the Family Docket shall include:

(a) Suits for annulment, divorce and separation with all related incidental matters as defined by La. C.C. Art. 105, and the community property partitions associated with the dissolution of said marriages.

(b) All child-related issues such as the establishment or disavowal of the paternity of children, adoption, filiation, custody, visitation, and support in non-marital cases, name changes for minor children, emancipations, or any other such matters as may be designated by the District Judges.

(c) All protective orders.

(d) All juvenile matters.

Pursuant to LSA R.S. 46:236.5, this Court hereby implements an expedited process for the establishment, modification and enforcement of support obligations by authorizing and directing Judges assigned to the Family Docket to nominate one or more Hearing Officers, with the approval of a majority of Judges of the Twenty-Second Judicial District Court, to hear support- related matters, and to hire and employ any and all such other personnel deemed necessary to implement this procedure, all of whom shall serve at the pleasure of the Court.

Hearing Officer(s) shall have authority to perform and shall perform any and all duties assigned to them by the Judges of this Court that are consistent with LSA R.S. 46:236.5, as it presently exists or as it may be supplemented or amended in the future.

Hearing Officer(s) shall be prohibited from appearing or practicing before the Twenty-Second Judicial District Court.

The entire Court, by majority vote, shall fix the salaries of the Hearing Officer(s) and any such other personnel hired or employed to implement this procedure.

There shall be such number of Hearing Officers for the Family Docket of the Twenty-Second Judicial District Court as authorized by the District Judges.

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24th Judicial District Court Parish of Jefferson

Revised effective
May 25, 2005;
revised effective May
1, 2007

A. Domestic cases in the 24th Judicial District Court shall be randomly allotted to all the divisions in the same manner as civil cases and shall be designated as domestic.

B. Domestic Cases Defined

Domestic cases shall consist of:

1. All domestic actions which involve separation, divorce or annulment proceedings; and all issues which are ancillary thereto;
2. All child related actions in marital and non-marital domestic cases and all issues ancillary thereto, except as provided herein;
3. All civil domestic protective orders issued including actions filed pursuant to The Domestic Abuse Assistance Act, The Post-Separation Family Violence Relief Act and Uniform Abuse Prevention Orders;
4. All actions filed seeking to have a foreign judgment or order, or judgment or order of any other judicial district of this state, recognized and enforced which are described within these rules;
5. Enforcement of orders in any of these matters, including the issue of contempt of court.

C. The District Court

All matters allotted to the domestic docket shall be heard by the district judge to whom the case is allotted in a timely manner unless the matter is resolved before the domestic commissioner or the domestic hearing officer as provided for in these rules. Nothing herein shall be construed or interpreted to limit the jurisdiction or authority of any district judge. It is the goal of the 24th Judicial District Court that each district judge hold an aggregate of two domestic rule days per month and an aggregate of one domestic trial week per month. The domestic docket may be commingled with other dockets.

Emancipations and annulment proceedings shall be heard exclusively by the district court. These matters are excluded from the jurisdiction of the domestic commissioners and domestic hearing officers.

D. Domestic Commissioners

1. Appointment of Domestic Commissioners

The position of domestic commissioner for the 24th Judicial District Court, pursuant to La. R.S. 13:717, which shall consist of one or two domestic commissioners to hear matters as set forth herein, has been established.

2. Purpose

The domestic commissioner position has been created to facilitate an expedited process for the handling of domestic matters.

3. The Powers and Responsibilities of the Domestic Commissioner

a) Administer oaths and affirmations.

b) Conduct domestic abuse hearings including actions filed pursuant to the Domestic Abuse Assistance Act, the Post Separation Family Violence Relief Act, and Uniform Abuse Prevention Orders.

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- c) In cases where domestic abuse issues are pending, or where there has been a finding of domestic abuse, the domestic commissioner will address the issues normally heard by the domestic hearing officer with objections therefrom made to the district court as set forth in 24th J.D.C. Domestic Rule 24.0 (A).
- d) Hear ex parte applications for immediate temporary/provisional custody and visitation rights which are pled under one of the following statutes:
- i. La. R.S. 46:2131 et seq., Domestic Abuse Assistance Act;
 - ii. La. R.S. 9:361, 363, 364 Post Separation Family Violence Relief Act;
 - iii. La. R.S. 9:372;
 - iv. La. C.C.P. Art. 3601 et seq.;
 - v. La. C.C.P. Art. 3945.
- e) Hear objections to recommendations from the hearing officer on stand alone non-support matters (allegations of back due child support which have previously been set when there is no motion to modify child support pending).
- f) Hear disputes concerning discovery and issuance of subpoenas.
- g) Following a domestic hearing officer conference sign the interim judgment of the court ordering the implementation of the hearing officer recommendations pending filing of objections and a hearing before the district court.
- h) Render consent judgments under La. C.C. Art. 3071 and uncontested judgments.
- i) Render and sign judgments and orders confirming default judgments in accordance with the general provisions of law.
- j) Grant uncontested divorces under La. C.C. Arts. 102 and 103, or pursuant to R.S. 9:307.
- k) Hear exceptions and motions for extension of time.
- l) Act as duty domestic commissioner, from 9:00 a.m. to 4:30 p.m. with one and one-half (1½) hours for lunch, to address issues of immediate danger on an emergency basis when the domestic commissioner to whom a case has been allotted is unavailable and the issue relates to matters within the powers and responsibilities of the domestic commissioner.
- m) Fine and punish for contempt of court in the same manner as a district court judge, as set forth in La. C.C.P. Arts. 221 through 227, when the allegedly contumacious conduct relates to a matter within the powers and responsibilities of the domestic commissioner, including finding of contempt before a hearing officer, as set forth herein.
- n) Sign all orders pertaining to the duties enumerated above.

4. Limited Powers

Pursuant to La. R.S. 13:717(F) the powers of the domestic commissioner are limited to those specifically

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enumerated herein. Nothing herein shall diminish the powers of the district court.

5. Signing of Orders

The commissioner shall be available, from 9:00 a.m. to 4:30 p.m. with one and one-half (1½) hours for lunch, for the signing of all orders allowed under these powers.

E. Domestic Hearing Officers

1. Appointment of Domestic Hearing Officers

There is hereby established the position of domestic hearing officer for the 24th Judicial District Court pursuant to La. R.S. 46:236.5. There shall be one or more domestic hearing officers to hear matters as set forth herein. The domestic hearing officers shall be appointed by the 24th Judicial District Court en banc and serve at the pleasure of the court.

2. Qualifications

- a) The domestic hearing officer shall be a full-time or part-time employee of the court and shall be a member in good standing of the Louisiana State Bar Association who has practiced law for a minimum of five (5) years in a practice in which at least fifty (50%) percent of his or her case load involves domestic cases. This qualification does not apply to presently appointed hearing officers.
- b) The domestic hearing officers shall be prohibited from appearing or practicing before the 24th Judicial District Court or the Jefferson Parish Juvenile Court. Domestic hearing officers shall additionally be prohibited from handling any domestic law or domestic abuse matters in the State of Louisiana. This prohibition shall not be construed to create a conflict of interest within the meaning of the Rules of Professional Responsibility for a law firm in which a domestic hearing officer may be a member, partner or associate.
- c) Other than the restrictions listed in (b) above, the domestic hearing officers shall be allowed to practice law, but such practice shall not interfere with their job duties and responsibilities as domestic hearing officer. Full time hearing officers are paid for seven (7) hours of work per day.

3. Compensation

The court en banc shall fix the salary or salaries of the hearing officers and any other personnel hired or employed to implement this procedure.

4. Purpose

The domestic hearing officer position is created to facilitate an expedited process, for the handling of domestic matters including divorce and all issues ancillary to a divorce proceeding pursuant to La. R.S. 46:236.5.

5. Powers and Responsibilities

- a) The domestic hearing officers shall have authority to perform and shall perform any and all duties assigned by the court en banc which are consistent with La. R.S. 46:236.5 (C) (1) (2) (3) (4) and (5).
- b) The domestic hearing officer shall act as a finder of fact and shall hear and make written recommendations to the court concerning any domestic matters, including but not limited to the following:

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- i. All issues which are ancillary to a domestic proceeding, including but not limited to:
 - a. use and occupancy of movables and immovables;
 - b. establishment, modification and method of collection of spousal support;
 - c. injunctive relief, except pursuant to La. R.S. 9:361 and 9:372 where there is an allegation of domestic abuse, fear for safety or imminent danger, La. C.C.P. Art. 3601 et seq., La. R.S. 46:2131, et seq., or La. R.S. 13:4248, or any motion to modify or dissolve an existing Louisiana Uniform Abuse Prevention Order;
 - d. community property;
 - ii. All child related actions in marital and non-marital cases, except issues concerning emancipation of minor children, domestic abuse and non-emergency UCCJA, including but not limited to:
 - a. establishment, modification and method of collection of child support;
 - b. hear all stand alone non-support matters (allegations of back due child support which have previously been set when there is no motion to modify child support pending).
 - c. establishment, modification and enforcement of child custody and visitation;
 - d. contested and uncontested paternity issues;
 - iii. Contempt;
 - iv. In cases in which a domestic abuse issue is pending or in which there has been a finding of domestic abuse, the defendant or adjudicated abuser may not appear before the domestic hearing officer during the period in which the abuse petition is pending or the protective order is in effect. In those cases the domestic commissioner will address the issues normally heard by the domestic hearing officer pursuant to Rule 23.0 (D) (3) (b).
- c) In connection with his or her powers and responsibilities the hearing officer may:
- i. Administer oaths and affirmations;
 - ii. Compel the attendance of witnesses and issue subpoenas;
 - iii. Recommend blood and tissue tests for the determination of paternity in accordance with R.S. 9:396 et seq.;
 - iv. Recommend the referral of parties to mediation, medical and psychological evaluation, and drug testing in accordance with R.S. 9:306 and 331 et seq., and make recommendations regarding the referral of parties to counseling and substance abuse treatment;
 - v. Recommend the appointment of special masters, accountants, other financial experts, real estate agents, appraisers of movables and immovables and other experts as deemed necessary;
 - vi. Hear and make recommendations on default orders or rules to show cause, if the absent party does not respond to notice;

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vii. Hear and make recommendations on the punishment by the commissioner or court for constructive contempt of an order of the court, commissioner, or hearing officer;

viii. Issue bench warrants for the failure to respond to summons, or appear at hearings, or produce documents; as ordered by the hearing officer;

ix. Prepare a suggested scheduling order where appropriate;

x. Accept voluntary acknowledgments of support liabilities and stipulated agreements setting forth the amount of support to be paid;

xi. Sign and issue all rules nisi, orders to appear and show cause, and other orders necessary to the performance of the duties of the office;

xii. Prepare consent judgments, where appropriate, following the domestic hearing officer conference for immediate signature by all parties and the domestic commissioner;

xiii. Schedule additional conferences, hearings, rule dates as necessary.

Family Court For The Parish of East Baton Rouge

Revised March 8,
2001.

RULE 3. ORGANIZATION OF THE COURT

Section 1. The Court shall be composed of as many divisions as there are judges authorized by law for the Family Court, for the Parish of East Baton Rouge. Presently, the Court shall be composed of four divisions designated as "A", "B", "C", and "D".

Section 2. Whenever the circumstances may require, the judge presiding over one division of the Family Court may also preside over another division and by agreement of the judges, they may, from time to time and for any indefinite duration, either exchange duties or assist each other with their respective duties or transfer a case from one division to another.

Section 3. The judge who has begun a trial on the merits shall complete said trial and shall sign any judgment which he/she has previously rendered, anything else contained in the rules to the contrary notwithstanding.

Section 4. Suitable signs shall be placed on the door of each courtroom designating the division using the room and the judge presiding.
