

TITLE IV

Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

**1st Judicial District
Court**

Parish of Caddo

Adopted effective
Jan. 1, 1994.

RULE 3. ARGUMENT DOCKET

1. Argument on exceptions, contradictory motions, and rules shall be on Friday. When Friday is a legal holiday, arguments will be scheduled on the following Friday. Scheduling of arguments shall be done by way of the printed forms ("slips") provided by the clerk of court, with a deadline of 2:00 p.m. on the previous Friday. The argument docket shall be fixed at the Monday morning motion hour.
 2. The party or counsel filing an exception, contradictory motion, or rule shall file with his pleadings a memorandum of legal authorities and supply opposing counsel and the judge with a stamped copy of the memorandum. At least seventy-two (72) hours prior to the time fixed for the hearing, the opposing party shall file in the record and supply opposing counsel and the judge with a stamped copy of his memorandum of legal authorities. Failure of a party or counsel to comply with this rule will subject him to such appropriate sanction as the court may choose to impose, including the denial of right to oral argument, dismissal of the exception or motion, or other appropriate sanction.
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**1st Judicial District
Court**

Parish of Caddo

RULE 8. RULES TO SHOW CAUSE (INCIDENTAL MATTERS ONLY; NO C.C. 102 DIVORCE RULES)

1. All hearings initiated by a rule to show cause, except the rule to show cause hearing required in a C.C. 102 action for divorce, shall be made returnable on Monday or Tuesday. A rule to show cause shall be fixed for hearing only by order of the Court and shall be set no sooner than ten (10) days from the date the order is signed, except as otherwise provided by law.
 2. These matters shall be heard on the return date fixed in the Order unless continued by the judge on his own motion or upon the joint motion of all parties or after contradictory hearing on a unilateral motion. In the event that counsel for both parties agree to continue the hearing once fixed, counsel shall immediately notify the judge that the case is to be removed from the rule docket.
 3. Previously continued matters may be re-docketed only by the judge upon presentation of a new written motion or of a joint written motion by all parties filed in the record, unless fixed in open court.
 4. Any rule in which a hearing is commenced but not completed on a rule day shall be continued to any subsequent day, at the discretion of the judge.
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TITLE IV

Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

**1st Judicial District
Court**

RULE 21. TITLE IV-D AFDC PATERNITY SUITS

Parish of Caddo

1. Confirmations of default, consent hearings, rules, and trials on the merits in Title IV-D AFDC paternity suits shall be docketed only on Wednesday. Any contested paternity suit shall be fixed for trial on Wednesday in the manner set forth in Rule Nine for docketing trials. AFDC paternity suits will be heard only by the judge to whom the case is assigned, and will be heard on an alternating monthly basis by the judges assigned to Sections D, E and F.

2. [Pub. Note: There is no paragraph 2.]

**1st Judicial District
Court**

RULE 23. JUDICIAL COMMITMENTS

Parish of Caddo

1. Judicial commitment proceedings will be fixed for hearing only on Wednesday commencing at 9:30 a.m., and will be heard on an alternating monthly basis by the judges assigned to Sections D, E and F.

2. [Pub. Note: There is no paragraph 2.]

TITLE IV

Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

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

RULE 9. TRIALS ON THE MERITS AND C.C. 102 DIVORCE RULE TO SHOW CAUSE HEARINGS

1. Trials on the merits and rule to show cause hearings for a divorce under C.C. 102 shall be fixed for trial on Thursday, or on another date at the discretion of the judge to whom the case is assigned. No case shall be placed on the docket for trial except by written order of the court granted upon written motion by a party. Said motion (similar to that attached and identified as Exhibit C) shall be signed by the attorney for the mover, who shall certify that counsel for all parties have conferred to determine if the case is ready for trial on its merits, the available trial dates, and if counsel have agreed on the trial date selected. If counsel are unable to agree on a trial date, the judge will fix the trial date after consultation with all counsel. No conference is required with any party appearing in proper person.
 2. It should be understood that in stating that a case is "now ready for trial" and in consenting to a trial date, the attorney also asserts that he/she will be present and prepared for trial on that date; that he/she will have no hearings in any other court or section of court that would present a conflict with the trial of this case.
 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 notice by the judge to all counsel of record. After the pre-trial conference is concluded, the judge may then set the case for trial. If the judge in his discretion believes a pre-trial conference is unnecessary or inadvisable, he may set the case for trial without a pre-trial conference.
 4. Trials shall be fixed at least two (2) weeks in advance. Subject to the judge's discretion, a trial may be fixed as far in advance as counsel may agree. Cases shall be docketed for trial during the Monday motion hour. Cases will be docketed and heard in the order that they are fixed for trial.
 5. The clerk shall prepare a regular trial docket for those cases fixed two weeks in advance and an advance trial docket for those cases fixed three weeks in advance. The clerk shall keep a docket showing the date on which cases are assigned for trial, the docket number and title, and the names of all counsel engaged therein. The regular trial docket and the advance trial docket shall be published by the clerk of court.
 6. In any matter in which a litigant is not represented by an attorney of record, notice of the trial date shall be mailed by the clerk of court to the litigant to his address as shown by the record.
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TITLE IV

**Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS;
ORDER OF BUSINESS**

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

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

EXHIBIT C MOTION TO SET TRIAL ON THE MERITS

_____ NUMBER _____

VERSUS

FIRST JUDICIAL DISTRICT COURT
CADDO PARISH, LOUISIANA
ASSIGNMENT: SECTION _____

MOTION TO SET TRIAL ON THE MERITS

The motion of _____, Attorney for Plaintiff/Defendant, suggests to the Court that:

1.

Mover certifies to the Court that an examination of this record shows that issue has been joined between plaintiff and defendant; that all exceptions, motions, and other preliminary matters have been disposed of; all discovery has been completed, and that the case is now ready for trial on the merits on the Petition for _____.

2.

The name, address and telephone number of each attorney representing each party [or "of litigant" if in proper person] is as follows:

_____.

3.

The estimated time for trial is: _____.

4.

Mover certifies that he/she has conferred with counsel for all other parties to determine if the case is ready for trial on its merits and available trial dates.

5.

Counsel have/have not agreed on the trial date selected.

WHEREFORE, MOVER PRAYS that this case be set for trial on the merits on the ___ day of _____, 19__.

ORDER

The foregoing motion considered:

IT IS ORDERED that the above captioned case be set for trial at 9:30 a.m. on the ___ day of _____,

TITLE IV

Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

19__.

THUS DONE AND SIGNED at Shreveport, Louisiana, on this the ___ day of _____, 19__.

DISTRICT JUDGE

2nd Judicial District Court

Parishes of Bienville, Claiborne and Jackson

Adopted effective
Oct. 13, 1989.

RULE 10-A. IN-CHAMBERS HEARINGS

In addition to any hearing otherwise authorized by law to be held in chambers, civil hearings before the trial court in separation and divorce proceedings may be held in chambers in those instances where good cause is shown and with the mutual consent of the parties. These hearings shall include the contested and uncontested proceedings in rules for alimony, child support, visitation, injunctions or other matters provisional and incidental to separation and divorce proceedings.

A motion for hearing in chambers pursuant to this Section may be made by either party or upon the court's own motion.

Except for being closed to the public, the hearings held in chambers pursuant to this rule shall be conducted in the same manner as if taking place in open court. The minute clerk and the court reporter shall be present if necessary to perform the duties provided by law. (LSA-R.S. 9:314)

TITLE IV

Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

3rd Judicial District Court

Parishes of Lincoln and Union

Rule 5A effective in
Union Parish
February 1, 1985;
amended effective
April 1, 1997.

RULE 5. CRIMINAL, TRAFFIC, NON-SUPPORT AND JUVENILE DAYS

A. In UNION PARISH unless otherwise specially ordered by the court, the following schedule will be used each month:

Traffic arraignments and trials, Title 32 Offenses and DWI	--Tuesdays following the 1st and 3rd Mondays at 9:00 a.m.
All misdemeanor arraignments and trials (other than traffic), felony arraignments and motions	-- Wednesdays following the 1st and 3rd Mondays at 9:00 a.m.
Non support cases	--Wednesday following the 4th Monday at 9:00 a.m.
Juvenile	--Thursday following the 1st Monday at 1:30 p.m.

In LINCOLN PARISH unless otherwise specially ordered by the court, the following schedule will be used each month:

Misdemeanor arraignments, sentences, motions and hearings	--Tuesdays following the 2nd and 4th Mondays at 9:00 a.m.
Traffic arraignments, sentences, Title 32 Offenses, motions and hearings	--Tuesdays following the 2nd and 4th Mondays at 1:30 p.m.
Misdemeanor trials	--Wednesdays following the 2nd and 4th Mondays at 9:00 a.m.
Traffic trials	--Wednesdays following the 2nd and 4th Mondays at 1:30 p.m.
All felony cases	--Fridays following the 2nd and 4th Mondays at 9:00 a.m.
Non support cases	--1st Monday at 9:00 a.m.
Juvenile cases	--Tuesday following the 1st Monday at 9:00 a.m.

B. The court, in its discretion, may fix any type criminal hearing or trial on any court day in order to expedite a hearing in any criminal case or proceeding, or to accommodate litigants or attorneys, or for any other reason.

TITLE IV

Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

C. In compliance with Article 230.1 of the La. Code of Criminal Procedure, as amended, each defendant, in the discretion of the particular district judge, may be brought before the court via telephone for the appointment of counsel. When utilizing this method, the custodian of the prisoner shall make notation of the date and time of such appointment, the division of the court making the appointment, and the name of the officer or deputy of the custodian verifying the conversation, all on a form approved by the court. The original of this form shall be delivered to the District Attorney and a copy shall be delivered to the Clerk of Court for notation in the minutes of the court.

D. In accordance with Act 737 of the Louisiana Legislature, 1984 Regular Session, amending and reenacting La.Rev.Stat. 15:255(A)(1), any law enforcement officer required to be present in his official capacity as a witness in any criminal case or delinquency adjudication, during any time he is not required to report to work or perform the duties of his office, shall be paid by the governing authority of this parish \$25.00 per case to a maximum of \$50.00 per day, pursuant to La.Rev.Stat. 15:255(D)(1). It shall be immaterial whether the officer actually testifies, so long as his presence was required.

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

No suit for separation or divorce involving a curator ad hoc contested or uncontested, may be set for trial until at least fifteen (15) days have elapsed from the date on which service of process is made upon the curator ad hoc appointed to represent an absentee defendant.

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

In accordance with Act 872 of the 1988 Regular Session of the Louisiana legislature, upon consent of counsel, domestic matters including divorce, separation, child custody, child support, visitation and alimony cases as well as directly related matters may be heard in closed hearing. In contested cases, the consent shall be in writing or of record in open court. In cases involving a confirmation of default, the original petition served shall contain an article noting that plaintiff will seek a closed hearing. Any such hearing shall be a matter of record. The record of testimony shall be maintained in accordance with the practice of maintaining confidential records of this court.

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

In each separation or divorce case where an answer is filed by the defendant in proper person, the trial may not proceed unless either the defendant is present in court, or the plaintiff shows by competent evidence that the defendant was notified in writing of the date and hour scheduled for the trial, which notice must have been given to defendant not less than ten (10) days prior to the date of the trial.

TITLE IV

Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

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

See Rule 35.0, section B. Scheduling of Hearing Officer Conference.

Effective January 1,
2010

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

RULE XIX. IN CHAMBERS HEARING OF DIVORCE HEARINGS

A. In addition to any hearing otherwise authorized by law to be held in chambers, the court, at its discretion may, with mutual consent of the parties, hold hearings in divorce proceedings in chambers. Such hearings shall include contested and uncontested proceedings and rules for spousal support, child support, visitation, injunctions, or other matters provisional and incidental to separation and divorce proceedings.

B. A motion for hearing in chambers pursuant to this Rule may be made by either party or upon the court's own motion.

C. Except for being closed to the public, the hearings held in chambers pursuant to this Rule shall be conducted in the same manner as if taking place in open court. The minute clerk and court reporter shall be present if necessary to perform the duties provided by law.

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

RULE XVII. DOMESTIC RELATIONS

The following rules shall be observed with respect to domestic cases:

A. No case will be set for trial on the same day the answer is filed, but will be set at some future open date to be heard as in other cases in the order of its fixing except when answer is filed by curator ad hoc.

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

RULE XIII. INSTANTER ASSIGNMENT OF UNCONTESTED DIVORCE CASES

Uncontested proceedings for divorce, including related proceedings for spousal support, custody and child support, in which pleadings have been filed by both parties may be assigned for instanter trial when same is requested by both parties. However, such instanter assignment shall not be sooner than seven calendar days after the filing of the original petition.

TITLE IV

Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

**14th Judicial District
Court**

RULE 14. ASSIGNMENT OF CASES FOR TRIAL

Parish of Calcasieu

Section A. After a matter is contested and the Clerk has received an adequate deposit or bond for costs, 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. If after such a motion or request is made the Clerk determines that the 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 (60) 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 of the motion.

Section B. All motions or requests to have a case placed on the trial docket must be accompanied by a statement or certificate of the moving party that they have checked the record and that all answers have been filed and the case is in the proper posture for placing on the trial docket.

Section C. Trials requiring testimony of less than 15 minute duration may be set for trial instanter by joint motion in Open Court, without the necessity of placing the cases on the trial docket.

Section D. 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 appropriate pretrial order.

TITLE IV

Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

**14th Judicial District
Court**

RULE 5. TRIAL DATE CONFLICTS AND PREFERENCES

Parish of Calcasieu

Section A. 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 shall prevail:

- (1) Criminal jury trials;
- (2) Civil jury trials;
- (3) Custody, access and/or protective order rules and trials;
- (4) Criminal bench trials;
- (5) Civil bench trials;
- (6) Juvenile trials;
- (7) Support and ancillary rules; and
- (8) Criminal motions (exception being motions with statutory time limitations).

Section B. When cases are assigned for trial on the same date in different Family and Juvenile Court divisions involving the same attorney or attorneys, the following order of preference shall prevail:

- (1) Juvenile continued custody hearings and trials (Delinquency, Family in Need of Services, Child in Need of Care);
- (2) Trials of contested matters (custody, access, support, relocation and community property partitions);
- (3) Protective orders;
- (4) Rules; and
- (5) Hearing Officer Conferences.

Once a trial has commenced, it shall take preference over all other proceedings. Contested matters shall be heard with preference of assignment going to the first rule filed. The exception to this rule is community property partitions, which shall be heard with preference of assignment going to the first petition filed.

Section C. It is incumbent upon the attorney who has a potential conflict to immediately notify opposing counsel and the Court.

TITLE IV

Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

**14th Judicial District
Court**

RULE 17. RULES

Parish of Calcasieu

Section A. All rules to show cause regarding custody, access and/or support shall be set for a Hearing Officer Conference before the Hearing Officer within twenty one (21) days of signing of the order. All Hearing Officer Conferences shall take place in the manner set forth in the Hearing Officer Rules (Rule 25).

Section B. All rules to show cause shall also be assigned a rule date before the Judge not less than sixty (60) days from the signing of the order. If the matter is contested on the rule date, all parties shall be present and a pretrial conference shall be held. If no agreement is reached, a Pretrial Order as set forth in Appendix D shall be issued and the matter will be fixed for trial on the Court's trial docket. The Court may issue any additional orders as it deems necessary. The Court, in its discretion, may fix the matter to another rule date if it deems appropriate.

Section C. A rule addressing the same subject matter shall not be heard at intervals more frequent than six (6) months, dating from the rendition of the judgment, except on a showing that a material change in circumstances justifies an earlier hearing.

**14th Judicial District
Court**

RULE 28: NON SUPPORT CASES

Parish of Calcasieu

Section A. Convening Hours and Sessions.

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. 24.0 Scheduling Hearing; Scheduling Trials

**14th Judicial District
Court**

RULE 4. COURT DOCKETS

Parish of Calcasieu

Section A. 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.

Section B. If a case which has previously been fixed for trial is settled or dismissed, the attorneys shall promptly notify the Clerk of Court and the presiding Judge to that effect.

Section C. The Clerk of Court shall furnish each Judge, no later than one week preceding his scheduled court week, a trial docket showing the number and title of the case, the attorneys of record, the date of the filing of the suit and the date that a request for trial was filed.

TITLE IV

Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

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

Amended effective
April 1, 2005

All parties must have actual notice not less than 10 days before trial of a rule or on the merits, unless a shorter period of time is provided by law.

A matter may be set for trial by either party, after all issues are joined. Counsel shall not submit a motion to set for trial without first making a good faith attempt to reach a mutual agreement with opposing counsel for the date of trial, and for such scheduling order as the parties may agree upon. In such event where mutual agreement is reached, the proposed trial date and scheduling order shall be submitted to the Court for approval.

In the event the parties cannot agree regarding a date for trial and/or the appropriate or necessary scheduling order, either party may submit to the Court a Motion to Set for Trial and Request for Issuance of Scheduling Order. The matter may be set for status conference which, at the judge's discretion may be conducted by telephone for the purpose of choosing a trial date, determining an appropriate scheduling order for such matters as amendment of pleadings, discovery cut-off, exchange of witness and exhibit lists and such other matters as the Court may determine or require within its discretion.

Notice of the scheduled trial date and any pertinent scheduling orders shall be mailed by the clerk of court to all counsel of record or unrepresented parties.

In the event a matter that may be heard as a summary proceeding on rule day requires, or either party anticipates it shall require, the use of extensive witness testimony and/or introduction of exhibits, either party may request that the matter be set for trial on the Court's regular merits docket. The determination of whether such matter shall be set for trial in such manner and the issuance of pertinent pre-trial scheduling orders shall be conducted in the same fashion as set forth above.

In any event, in any matter in which witnesses are expected to testify or exhibits introduced, the moving party and/or plaintiff shall provide a witness and exhibit list to opposing counsel seven (7) days prior to the scheduled hearing or trial. The Defending party shall provide a witness and exhibit list to the opposing party no less than five (5) days prior to trial.

Upon a showing of good cause, with mutual consent, hearings before the Court in divorce proceedings may be held in chambers.

**16th Judicial District
Court**

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

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

C. Unless otherwise ordered by a Judge of this Court, the Hearing Officer shall perform Hearing Officer Conferences on all matters filed on the Family Docket. Any request to have the matter heard by the Court, without a Hearing Officer Conference in advance of the court hearing, shall be presented to the Hearing Officer, who shall then present the request to the presiding Judge with an appropriate recommendation regarding whether a Hearing Officer Conference should take place or may be by-passed.

TITLE IV

Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

**18th Judicial District
Court**

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

RULE 8.1 PRIORITY OF ASSIGNMENT OF TRIAL

Normal criminal and civil priority for assignment of contested actions shall be as follows:

- (a) Habeas Corpus proceedings
 - (b) Criminal
 - (c) Mandamus and other writs
 - (d) Garnishment issue
 - (e) General civil actions; auto negligence and domestic relations.
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**21st Judicial District
Court**

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

Amended effective
Jan. 1, 1985.

RULE VII. CONFIRMATIONS, MOTIONS, RULES AND EXCEPTIONS

Section 1. Rules, Motions, Exceptions and other preliminary matters, unless otherwise ordered by the judge hearing the matter, shall be heard on the following days:

Tangipahoa Parish--Friday of each court week for Division B and E. Monday of each court week for Division A, C and F.

Livingston Parish--Thursday of each court week.

St. Helena Parish--Monday of each court week.

Section 2. Preliminary Defaults, Confirmation of Defaults, uncontested matters, and matters taken up by consent of all counsel involved, may be taken in any division on any Civil Court day on any legal day with permission of the presiding judge. Thereafter, any contested issues, other than a motion for new trial, nullity of judgment or like issues, shall be heard by the judge of the division to which the case is allotted.

Section 3. Civil rules will be heard by the judge of the division to whom the case is allotted.

Section 4. Preliminary injunctions shall be heard on affidavits only, unless the court's permission is obtained to hear further evidence.

Section 5. Oral argument on rules, exceptions, motions for summary judgment, etc., shall be limited to five minutes for each side unless additional time is allowed by the Court.

Section 6. The Clerk of Court will inscribe on the cover of each suit file the date a preliminary default is entered in that case.

TITLE IV

Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

**24th Judicial District
Court**

Parish of Jefferson

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

A. Hearing or Trial Date before the District Court

1. The District Court

All domestic matters 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.

a) Objections to Orders. A party shall have three (3) days from the receipt of the order, ruling, or judgment of the domestic commissioner to file a written objection to said order, ruling or judgment. Thereafter, the order, ruling or judgment of the domestic commissioner shall become the order, ruling or judgment of the court pursuant to La. R.S. 13:717.

i. Rendition of the judgment in open court constitutes notice to all parties present. La. C.C.P. Art. 1914.

ii. If neither a party nor counsel is present, the objection shall be filed within three (3) days of receipt of the judgment or order. Notice of the signing of the judgment or order shall be reduced to writing, filed in the record, and mailed in conformity of La. R.S. 13:717.

b) At the time an objection from an order, ruling, or judgment of the domestic commissioner is filed, the clerk of court shall endeavor to set a hearing or trial date on the docket of the district judge to whom the case was allotted within not less than thirty (30) nor more than thirty-five (35) days where an earlier date is not required by law, or these rules. When the matter was previously set on the district court's docket upon filing of the original pleading in question, the objection shall be heard on the district court's docket as originally set.

In the case of an emergency, the district judge to whom the case was allotted shall address the matter immediately; if that judge is truly unavailable, the duty judge shall address the matter immediately.

c) If the hearing date before the district judge has not already been set, notice of said hearing date with the pleading shall be mailed or served in conformity with La. C.C.P. Art. 1313 et seq. upon the parties or counsel at the same time as service of the objection unless notice was given in open court or waived by both parties.

d) Any party who is aggrieved by a judgment entered by a district judge on objection from a decision of the domestic commissioner may appeal or take a writ from that judgment in the same manner as any other judgment entered by a district court.

2. The Domestic Commissioner

a) At the time a petition, motion, or rule to show cause is filed in which an issue exists which is within the authority and responsibility of both the district court and the domestic commissioner, the clerk of court shall endeavor to set the matter, except as listed below, on the docket of the domestic commissioner within not less than thirty (30) nor more than thirty-five (35) days of filing where an earlier, or later, date is not required by law. Exceptions may be set for hearing by motion of the exceptor prior to the scheduled hearing before the domestic commissioner.

b) The clerk of court shall endeavor to set a hearing or trial date before the district court division to whom the case is allotted for not less than forty (40) nor more than fifty-five (55) days following the filing of the original pleading in question, unless a shorter, or longer, period is required by law.

i. In the case of an emergency, the domestic commissioner to whom the case was allotted shall hear the

TITLE IV

Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

matter without delay. If that domestic commissioner is truly unavailable, the other domestic commissioner, the district judge to whom the case is allotted, or the duty judge, in that order, shall hear the matter without delay. In the case of an objection to a ruling of the domestic commissioner, in an emergency matter, the district court shall hear the matter without delay.

ii. All initial pleadings filed pursuant to the Domestic Abuse Assistance Act, the Post-Separation Family Violence Relief Act, and motions for Uniform Abuse Prevention Orders shall be set at the time of filing on the docket of the domestic commissioner to be heard within the delays allowed by law.

iii. All initial actions to compel or enforce discovery shall be set for hearing on the docket of the domestic commissioner in not less than thirty (30) days nor more than thirty-five (35) days, unless an earlier, or later, date is required by law. Discovery motions may be heard on an earlier date if the domestic commissioner's docket can accommodate it.

c) A party who objects to a judgment or order of the domestic commissioner on matters set forth in these rules shall file a written objection as set forth in Rule 24.0 (A) (1).

3. The Domestic Hearing Officers

a) At the time a pleading is filed in which an issue exists which is within the authority and responsibility of both the district court or the domestic commissioner and the hearing officer and requiring a domestic hearing officer conference, the clerk of court shall endeavor to set a domestic hearing officer conference date before the hearing officer in not less than thirty (30) nor more than thirty-five (35) days of the date of filing, unless an earlier, or later, date is required by law.

b) The clerk of court shall endeavor to set a hearing or trial date before the court or domestic commissioner to whom the case was allotted in not less than forty (40) nor more than fifty-five (55) days following the filing of the pleading, unless an earlier, or later, date is required by law, as set forth in Rule 23.

c) The Notice of Hearing Officer Conference and Notice of Hearing Date of Suit, Appendix 1, Hearing Officer Conference Order, Appendix 2, Hearing Officer Conference Affidavit, Appendix 3, and Statement of Income and Expenses, Appendix 4 shall be served upon opposing counsel or defendant in rule if there is no counsel of record at the same time as service of the pleading.

i. The defendant in rule shall be served by the sheriff or in accordance with Louisiana law (La. C.C.P. Arts. 1313, 1314).

ii. The Notice of Hearing Officer Conference and Notice of Hearing Date of Suit, Hearing Officer Conference Order, Hearing Officer Conference Affidavit, and Statement of Income and Expenses will be mailed by the clerk of court to the plaintiff/mover unless plaintiff, counsel or counsel's representative received these documents from the clerk by hand on date of filing.

iii. The Hearing Officer Conference Affidavit and Statement of Income and Expenses shall be completed and delivered to the opposing party and to the hearing officer not later than five (5) days, exclusive of weekends and legal holidays prior to the domestic hearing officer conference.

d) Upon filing of all pleadings in any ongoing matter within the authority and responsibility of the domestic hearing officer, the clerk of court shall deliver to the plaintiff and the defendant a Notice of Hearing Officer Conference and Notice of Hearing Date of Suit, Hearing Officer Conference Order, Hearing Officer Conference Affidavit, and Statement of Income and Expenses by the means described above.

i. A new affidavit and statement of income and expenses must be completed in any cases in which there are

TITLE IV

Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

changes in the answers to the questions asked in the affidavit or statement of income and expenses.

ii. The Hearing Officer Conference Affidavit and Statement of Income and Expenses shall be completed and delivered to the opposing party and to the hearing officer not later than five (5) days, exclusive of weekends and legal holidays prior to the domestic hearing officer conference.

e) A party shall have three (3) days from the receipt of the recommendation or order of the domestic hearing officer to file a written objection to said recommendation or order. Thereafter, the recommendation of the domestic hearing officer shall become the judgment of the court. The objecting party shall file a memorandum on the law and facts with the district court judge within five (5) working days of the date the objection is filed.

i. Presentation of the recommendation or order to the parties and/or counsel at the hearing officer conference constitutes notice to all parties present.

ii. If neither the party nor that party's attorney is present, the objection shall be filed within three (3) days of receipt of the recommendation or order. Notice of the signing of the recommendation or order shall be mailed in conformity with La. C.C.P. Art. 1313. Receipt is presumed five (5) days after mailing.

iii. The court or domestic commissioner shall hear the objection to the hearing officer recommendation or order on the date previously set pursuant to Rule 24.0 (3) (B), as set forth in Rule 23.

f) Any party who is aggrieved by a judgment entered by a district judge on appeal from an objection from a recommendation of the domestic hearing officer may appeal or apply for a writ from that judgment in the same manner as any other judgment entered by a district court.

4. Hearing matters timely

Any matters within the powers and responsibilities of the domestic commissioner or the domestic hearing officer which cannot be heard in a timely manner or within the delays prescribed by law or the rules of court shall be heard in a timely manner and within the delays prescribed by law or the rules of court by the judge of the division to whom the case was allotted. In case of emergency where the district judge to whom the case was allotted is truly unavailable, by the duty district judge.

5. Voices for Children

At the time an original petition is filed in any domestic case in which children are involved, an order shall be issued requiring that both parents, and children between the ages of 5 and 16, attend Voices for Children and provide the court with certification of attendance. Failure to attend within sixty (60) days of filing may result in sanctions.

Comment

The language “[t]he objecting party shall file a memorandum on the law and facts with the district court judge within five (5) working days of the date the objection is filed” that appears in Rule 24.0(A)(3)(e) is new. It was adopted August 30, 2006. It became effective on January 1, 2007.

TITLE IV

Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

**27th Judicial District
Court**

RULE 7. ACTIONS FOR DIVORCE

Parish of St. Landry

- a. Contested suits for divorce shall be scheduled on the regular civil docket.
- b. Uncontested suits for divorce may be heard on motion and rule day or morning hour or any other time scheduled by the judge affected.
- c. In a case where an attorney has been appointed to represent an absentee or non resident, the case shall not be scheduled for a hearing until fifteen days have elapsed from the date of service on the attorney, except in those cases where the appointed attorney has communicated with the defendant and has secured a written reply authorizing the attorney to act sooner.
-

**27th Judicial District
Court**

RULE 7. ACTIONS FOR DIVORCE

Parish of St. Landry

- f. Divorce cases, and related matters provisional and incidental thereto, may be held in chambers with the mutual consent of the parties. A motion for a hearing in chambers may be made by either party or on the Court's own motion.
-

**28th Judicial District
Court**

RULE 24.0 SCHEDULING HEARINGS AND TRIALS

Parish of LaSalle

Adopted effective
March 31, 2001.

Hearings upon summary matters in family/domestic actions shall be scheduled in the order in which they are received after filing. Such matters shall ordinarily be assigned for hearing upon rule days. In those cases where counsel is aware of the opposing party's counsel, then prior to filing, counsel shall confer with opposing counsel to obtain potential hearing dates which present no conflict in scheduling.

Trials of ordinary actions and summary matters which are expected to take more than five (5) court hours to present shall be assigned only in connection with a status conference requested pursuant to Rule 9.14, above. See also Appendix 7.

**31st Judicial District
Court**

RULE XVII. DOMESTIC RELATIONS PROCEEDINGS; MEDIATION

**Parish of Jefferson
Davis**

Section 2. In each separation or divorce case where an answer is filed by the defendant in propria persona, the trial may not proceed unless either the defendant is present in Court, or the plaintiff shows by competent evidence that the defendant was notified in writing of the date and hour scheduled for the trial which notice must have been given to defendant not less than ten (10) days prior to the date of trial.

TITLE IV

Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

**33rd Judicial District
Court**

RULE 4. DOMESTIC RULES

Parish of Allen

Section 5. A rule addressed to the same subject matter shall not be heard at intervals more frequent than six months, dating from rendition of judgment, except on a showing that an exceptional change in circumstances justifies an earlier hearing. A determination that an earlier hearing is justified may be made in chambers and shall be made by the judge who rendered the last judgment. If allowed filed, this rule shall be heard in accordance with the preceding sections.

**33rd Judicial District
Court**

**RULE 18. SUBMITTING OF CASES; FILING OF BRIEFS, POST TRIAL EVIDENCE AND
TRANSCRIPT; AND ARGUMENTS IN NON JURY CASES**

Parish of Allen

Section 1.

(a) For all hearings and non jury trials, unless excepted herein or the necessity for which has been specifically waived by the judge, comprehensive pre hearing and pre trial briefs shall be filed with the judge not later than seven days prior to the hearing or trial. The filing of a brief in the suit record shall not be permitted.

(b) The provisions of this section shall not apply to criminal cases, uncontested matters, rule to show cause in separation and divorce cases, juvenile court and adoption matters.

**33rd Judicial District
Court**

RULE 19. SEPARATION AND DIVORCE

Parish of Allen

Section 3. In each separation or divorce case where an answer is filed by the defendant in propria persona, the trial may not proceed unless either the defendant is present in court, or the plaintiff shows by competent evidence that the defendant was notified in writing of the date and hour scheduled for the trial which notice must have been given to defendant not less than ten (10) days prior to the date of the trial.

**35th Judicial District
Court**

RULE XI. SEPARATION AND DIVORCE CASES

Parish of Grant

No suit for separation or divorce, contested or uncontested may be set for trial until at least fifteen (15) days have elapsed from the date on which service of process is made upon the defendant or upon the curator ad hoc appointed to represent an absent defendant.

TITLE IV

Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

**36th Judicial District
Court**

RULE XXII. SEPARATION AND DIVORCE CASES

**Parish of
Beauregard**

Section 2. No suit for separation from bed and board or divorce involving a curator ad hoc, contested or uncontested, may be set for trial until at least 15 days have elapsed from the date on which service of process is accepted by or made upon the curator ad hoc appointed to represent an absent defendant.

**36th Judicial District
Court**

RULE XXII. SEPARATION AND DIVORCE CASES

**Parish of
Beauregard**

Section 4. Where an answer is filed by the defendant in proper person, the trial may not proceed unless the defendant is either present in court, or it is established that defendant has been notified in writing of the scheduled time for the trial, which notice shall be given by the Clerk of Court to the defendant at the address shown on defendant's answer at least ten days prior to the date of the trial. A copy of the notice of trial shall be filed in the record. The Court may, in its discretion, receive other evidence of notice.

TITLE IV

**Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS;
ORDER OF BUSINESS**

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

**36th Judicial District
Court**

APPENDIX F. MOTION FOR HEARING ON RULES

**Parish of
Beauregard**

NO. _____

Effective January 1,
1997.

_____ : 36TH JUDICIAL DISTRICT COURT
VERSUS : PARISH OF BEAUREGARD
_____ : _____
DEPUTY CLERK

MOTION FOR HEARING ON RULES

A recommendation having been previously made by the Family Court Hearing Officer on _____, and not more than 72 hours having elapsed since recommendation by the Hearing Officer, the undersigned hereby requests a hearing in the above captioned matter before _____, Judge of Division _____ of the 36th Judicial District Court.

DeRidder, Louisiana this ____ day of _____, 19____.

ORDER

The above and foregoing motion having been considered and the Court being fully advised in the premises;

IT IS ORDERED that this matter be fixed for hearing on the ____ day of _____, 19____, at _____ o'clock _____.M. in Division ____ of this Court.

DONE AND SIGNED in Chambers at DeRidder, Louisiana, this ____ day of _____, 19____.

DISTRICT JUDGE

Please Serve:

TITLE IV

Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

**37th Judicial District
Court**

RULE IV. DOMESTIC CASES

Parish of Caldwell

(A) No action on the merits in any separation or divorce proceeding shall be conducted sooner than fifteen (15) days after the filing of the original petition. No domestic case shall be considered on its merits unless based upon formal service of process and citation. Waivers of service and citation will not be recognized by the Court in this type of proceeding.

**38th Judicial District
Court**

RULE VIII. RULES TO SHOW CAUSE

Parish of Cameron

Section 3. A domestic rule addressed to the same subject matter as an earlier rule shall not be heard sooner than six months afterwards, except on a showing that an exceptional change in circumstances justifies it. A determination that an earlier hearing is justified may be made in chambers.

Amended effective
April 1, 2008

**39th Judicial District
Court**

RULE 23. SEPARATION AND DIVORCE CASES

Parish of Red River

Section 1. Pleadings, Procedures and Required Attachments. The following rules shall be observed with respect to separation and divorce cases:

(c) No case will be set for trial prior to the expiration of fifteen (15) days from filing of original petition have passed.

**39th Judicial District
Court**

RULE 23. SEPARATION AND DIVORCE CASES

Parish of Red River

Section 1. Pleadings, Procedures and Required Attachments. The following rules shall be observed with respect to separation and divorce cases:

(h) In a case where a Curator Ad Hoc is appointed to represent an absent defendant, the curator may file an answer before the expiration of fifteen (15) days from the date of service made upon him by the Sheriff, or acceptance of service. Trial of a case in which a Curator Ad Hoc is appointed to represent an absent defendant cannot be heard before fifteen (15) days from the date of service upon the curator.

TITLE IV

Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

**40th Judicial District
Court**

RULE 8. STATUS AND PRETRIAL CONFERENCES

**Parish of St. John
the Baptist**

Section 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.

**Civil District Court
Parish of Orleans**

RULE 11. DOMESTIC RELATIONS SECTIONS

Section 3. Hearings may be held in chambers in accord with R.S. 9:302.

**Family Court
For The Parish of
East Baton Rouge**

RULE 2. HEARINGS

Hearings of the Court shall be conducted either in Chambers or in Open Court.

Revised March 8,
2001.

TITLE IV

Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

**Family Court
For The Parish of
East Baton Rouge**
Revised January 27,
2005.

RULE 4. SCHEDULE OF HEARINGS

All cases of which the Court has jurisdiction shall be heard in family courtrooms located at the Governmental Building. The following schedule will be followed:

SCHEDULE OF HEARINGS

DIVISION A

Monday	9:00 a.m. Contested cases
Tuesday	9:00 a.m. Rules, Motions and Exceptions
Wednesday	9:00 a.m. Uncontested cases and default confirmations 10:00 a.m. Contested cases
Thursday	9:00 a.m. Contested cases
Friday	9:00 a.m. Contested cases

DIVISION B

Monday	10:00 a.m. Uncontested cases and default confirmations 1:30 p.m. Contested cases
Tuesday	9:00 a.m. Rules, Motions and Exceptions
Wednesday	10:00 a.m. Contested cases
Thursday	9:00 a.m. Contested cases
Friday	10:00 a.m. Contested cases

DIVISION C

Monday	10:00 a.m. Contested cases
Tuesday	9:00 a.m. Rules, Motions and Exceptions
Wednesday	10:00 a.m. Uncontested cases and default confirmations 1:30 p.m. Contested cases
Thursday	10:00 a.m. Contested cases
Friday	10:00 a.m. Contested cases

DIVISION D

Monday	10:00 a.m. Contested cases
Tuesday	9:00 a.m. Rules, Motions and Exceptions
Wednesday	10:00 a.m. Uncontested cases and default confirmations 10:00 a.m. Contested cases
Thursday	10:00 a.m. Contested cases
Friday	10:00 a.m. Contested cases

STATE DAYS FOR EACH DIVISION

A-Second and fourth Wednesday of each month

B-Second and fourth Monday of each month

C-First and third Wednesday of each month

D-Second Friday and third Thursday of each month

TITLE IV

**Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS;
ORDER OF BUSINESS**

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

TITLE IV

Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

**Family Court
For The Parish of
East Baton Rouge**

Revised March 8,
2001.

RULE 7. ASSIGNMENTS

Section 1. Assignments of uncontested cases (other than rules to show cause) may be made by any party or his/her counsel upon motion, oral or written, in Open Court, or in Chambers. Assignment of contested cases shall be in accordance with Rule 12.

Section 2.

A. Within twenty four hours after an assignment is made and at least fourteen (14) days prior to the date assigned for trial or hearing, the Clerk of Court shall mail a written notice of the assignment to counsel for all parties or to every party not represented by counsel, unless written notice is waived by counsel or the party.

B. Any cases which are not heard on the day assigned shall be reassigned and written notice of such re assignment shall be given at least ten (10) days prior to the date of their assignment, unless written notice is waived by counsel or the party; provided, however, this rule shall not apply to (a) cases assigned for argument; (b) rules which are assigned under Rule 5; or (c) matters which may be otherwise assigned by the Court.

Section 3. Assignments may also be made by consent of all parties or their counsel without complying with provision of Section 2 or 6 of this rule.

Section 4. All assignments are subject to the approval of the Court.

Section 5. All rules filed shall be assigned for hearing on a rule day. Should service be made on the defendant after Thursday preceding the assignment date, the defendant or his/her counsel shall be entitled to a continuance for at least one week upon motion to the court.

Section 6.

A. All exceptions and motions other than rules to show cause shall be assigned for hearing by counsel and notice thereof shall be mailed at least five (5) days prior to the date fixed, unless waived by counsel or the parties.

B. If any such exception or motion is not heard on the date assigned, it shall be re assigned and notices thereof shall be mailed at least five (5) days prior to the date fixed for re assignment.

Section 7. Unless the time for argument is otherwise fixed by the Court, a matter shall be argued and submitted immediately upon the conclusion of the taking of the testimony. Except that the total time fixed for testimony and argument shall be no more than thirty minutes per case, unless waived by the Court.

Section 8. The exceptions, motions and rules fixed for trial on rule day shall be tried in order in which they were assigned. Contested custody and visitation rules shall be heard last on rule day, if time permits.

Section 9. In the event an assigned case is to be uncontested or dismissed, counsel shall notify the Court immediately so that other matters may be scheduled.

Section 10.

A. When a rule to fix custody or visitation is filed, it will be assigned for the next available docket date on rule day unless Louisiana Code of Civil Procedure Article 3945 applies.

TITLE IV

Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS; ORDER OF BUSINESS

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

B. If the rule is contested on the date fixed in the order, a conference may be held when the case is called

C. If no settlement is reached, the matter will be fixed for trial on the regular trial docket, after compliance with Rule 12. When the Court determines an emergency exists, the Court may hold a full or limited hearing to fix temporary custody.

**Family Court
For The Parish of
East Baton Rouge**

Revised March 8,
2001.

RULE 9. HOURS OF COURT

Section 1. The Court will adjourn at 6:00 p.m. each afternoon; however, the Court may in its discretion remain in session.

Section 2. On all court days, each division shall recess from noon to 1:00 p.m. All court offices shall be closed.

TITLE IV

**Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS;
ORDER OF BUSINESS**

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

**Family Court
For The Parish of
East Baton Rouge**

Form revised:
September, 1999

FORM D-1. CASE MANAGEMENT SCHEDULE

Petitioner

Suit # _____ Div. _____

vs.

(Consolidated with)

Respondent

Suit # _____ Div. _____

The undersigned attorneys acknowledge receipt of this notice informing them that:

1. Discovery cutoff (including motions to compel) is set for _____. After this date, no matters related to discovery will be heard.

2. The parties are to exchange witness lists by _____.

3. Number of witnesses for Petitioner is _____; Respondent is _____.

4. This case is assigned for trial commencing at ___ o'clock _____ .M. on the ___ day of _____, year ____.

5. Pre trial order briefs are to be filed by _____.

6. Case issues, special problems, other matters:

Note: Trial attorneys certify that pleadings are complete and answers filed prior to this assignment for trial.

Attorney for Petitioner

Attorney for Respondent

Signed by (Trial Attorney)

Signed by (Trial Attorney)

Print name

Print name

THUS ORDERED this ___ day of _____, year ___, in Baton Rouge, Louisiana.

TITLE IV

**Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS;
ORDER OF BUSINESS**

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

Judge, The Family Court

TITLE IV

**Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS;
ORDER OF BUSINESS**

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

**Family Court
For The Parish of
East Baton Rouge**

Form revised:
September, 1999

FORM D 2. CASE MANAGEMENT SCHEDULE FORM (COMMUNITY PROPERTY)

Petitioner Suit # _____ Div. _____

vs. (Consolidated with)

Respondent Suit # _____ Div. _____

The undersigned attorneys acknowledge receipt of this notice informing them that:

1. Discovery cutoff (including motions to compel) is set for _____.

After this date, no matters related to discovery will be heard.

2. The parties are to exchange witness lists by _____.

3. Number of witnesses for Petitioner is _____; Respondent is _____.

4. This case is assigned for trial commencing at ___ o'clock _____ .M. on the ___ day of _____, year ____.

5. Pre trial order/briefs accompanied by each party's proposed allocation of assets and liabilities are to be filed with the Court by _____.

6. Traversal is set for hearing commencing at ___ o'clock _____ .M. on the ___ day of _____, year ____.

7. Joint detailed descriptive lists to be filed with the Court on _____.

8. The auction on movables is set for ___ o'clock _____ .M. on the ___ day of _____, year ____.

9. The following expert(s) is/are appointed for the appraisal of: _____

10. Case issues, special problems, other matters: _____

Note: Trial attorneys certify that pleadings/sworn descriptive lists are complete and all answers/traversals are filed prior to this assignment for trial.

Attorney for Petitioner

Attorney for Respondent

Signed by (Trial Attorney)

Signed by (Trial Attorney)

TITLE IV

**Chapter: 24 Chapter Title: SCHEDULING HEARINGS AND TRIALS;
ORDER OF BUSINESS**

Rule No: 24.0

Scheduling Hearing; Scheduling Trials

Print name

Print name

THUS ORDERED this ____ day of _____, year ____, in Baton Rouge, Louisiana.

Judge, The Family Court
