

**APPENDIX 23.0D: HEARING OFFICER CONFERENCE AND INFORMATION ORDER**

\_\_\_\_\_ JUDICIAL DISTRICT COURT

VERSUS

NO.:

DIVISION:

\_\_\_\_\_ PARISH, LOUISIANA

**HEARING OFFICER CONFERENCE AND INFORMATION ORDER**

Pursuant to the order(s) signed by the court herein on \_\_\_\_\_.

**NOTICE OF DEADLINES**

**All documents required by this order must be exchanged with the opposing party [and delivered to the hearing officer or filed with the clerk, if required by the hearing officer and/or court] at least five (5) days, exclusive of holidays, before the hearing officer conference.**

**IT IS ORDERED** that the attorneys confer with each other in an attempt to settle the issues pending in this case.

**IT IS FURTHER ORDERED** that unless the issues before the court have been agreed upon, the parties shall appear **IN PERSON**, with their respective attorneys (if represented by legal counsel), before the hearing officer.

**EVERY EFFORT IS MADE TO BEGIN CONFERENCES AT THE SCHEDULED TIME. YOU SHOULD BE PRESENT TIMELY OR EXPECT TO HAVE THE CONFERENCE BEGIN WITHOUT YOU. CONFERENCES ARE GENERALLY SCHEDULED TO LAST UP TO NINETY (90) MINUTES, BUT MAY RUN LONGER. IF YOU BECOME AWARE OF CIRCUMSTANCES WHICH WILL PREVENT YOU FROM ARRIVING ON TIME OR FROM BEING ABLE TO REMAIN FOR THE DURATION OF THE CONFERENCE, IT IS YOUR RESPONSIBILITY TO CONTACT THE HEARING OFFICER AND/OR TO REQUEST A RE-SCHEDULING OF THE CONFERENCE.**

**IT IS FURTHER ORDERED** that the parties or their respective attorneys shall exchange with the opposing party [**and deliver to the hearing officer or filed with the clerk, if required by the hearing officer and/or court**] the following documents at least five (5) days, exclusive of holidays, before the hearing officer conference:

1. A copy of the last two (2) years of your federal income tax returns. Include all schedules, attachments, W-2 forms, 1099 forms, and amendments.
2. A copy of your last four (4) pay check stubs from all employers. If no pay check stubs are available, attach other proof of your pay.
3. If you are unemployed, proof of unemployment benefits.
4. If you are disabled, proof of disability with certified copies of medical records. Also include proof of all benefits such as social security, worker’s compensation, maintenance and cure, longshoreman and harbor worker’s benefits, etc.
5. Any information on your health insurance. Include proof of health insurance such as insurance cards or policies and the cost of the health insurance for each person covered. The party who has been primarily responsible for procuring health insurance, either through an employer or in the form of an individual policy, shall also procure documentation from the employer or insurance provider that shows: (a) the effective date of coverage, (b) the precise cost (and the time period covered by that cost) for the health insurance, including specific details on the difference in the cost of premiums for single coverage, coverage for a spouse, family and/or dependent coverage; and (c) the number of individuals covered by said policy.
6. Any information on child care costs. Include proof of costs, such as the daycare fee schedule, child care assistance received, and canceled checks and/or receipts for the last four (4) months, if available.
7. Any information on private or special school. Documentation should include: (a) proof of costs, such as a schedule indicating tuition, registration, books, supply fees, and any other mandatory fees imposed by the school; and (b) canceled checks, if available.
8. Any information on extraordinary expenses (*See* La. R.S. 9:315.5 and 9:315.6) and extraordinary medical expenses. Include proof of costs such as Explanation of Benefit (EOB) forms, and canceled checks, if available.

**IT IS FURTHER ORDERED** that if you are self-employed or employed by a closely-held business entity in which you have an ownership interest, you or your attorney shall deliver to the opposing party [**and to the hearing officer or filed with the clerk, if required by the hearing officer and/or court**] the following documents at least five (5) days, exclusive of holidays, before the hearing officer conference or as otherwise ordered by the court (La.

R.S. 9:315.2 and 9:326):

1. **The last three (3) years of personal and business state and federal income tax returns, including all attachments and all schedules, specifically Schedule K-1 and W-2 forms, 1099 forms, and amendments.**
2. **The most recent profit and loss statements, balance sheets, financial statements, and quarterly sales tax reports.**
3. **The previous twelve (12) months of personal and business bank account check registers, bank statements, canceled checks, receipts, expenses, and business credit card statements.** As an alternative to providing copies of canceled checks, the party may provide a true and correct copy of the checkbook register, on the condition that the register accurately reflects the date, transaction number, and payee of all checks, together with all deposits, a running balance and a current balance at the time the register is provided to the hearing officer and the opposing party. *Notwithstanding, the party must still have the canceled checks available for inspection at the hearing officer conference.*

At the hearing officer conference, each party must be prepared to support with documentation their respective positions with regard to the income of the party who is self-employed or who is employed by a closely-held entity in which the party has an ownership interest.

**IT IS FURTHER ORDERED** that the parties or their attorneys shall execute and deliver to the opposing party [and to the hearing officer or filed with the clerk, if required by the hearing officer and/or court] the pertinent sections of the *Family Law Affidavit* at least five (5) days, exclusive of holidays, prior to the hearing officer conference: [Each district may detail here which sections of the *Family Law Affidavit* are to be submitted.]

**IT IS FURTHER ORDERED** that the documentation ordered to be produced above and the information provided by you in the [attached] signed, notarized *Family Law Affidavit* shall be true and correct to the best of your knowledge, information, and belief. Further, you shall immediately update the documentation and Affidavit if any of the information changes prior to the hearing officer conference or hearing, and you shall immediately correct any errors that you discover after this Affidavit has been completed. You shall immediately notify the opposing party of the update or errors by delivering an amended *Family Law Affidavit* with updated documentation to the opposing party [and to the hearing officer or filed with the clerk, if required by the hearing officer and/or court].

**IT IS FURTHER ORDERED** that the *Family Law Affidavit* must be signed by the party submitting it, in the presence of a Notary Public, under oath, and under penalty of perjury. Submitting an unsigned *Family Law Affidavit* or one that is not notarized is the same as not submitting one; however, with the permission of the hearing officer, a party may submit a *Family Law Affidavit* that has not been signed and notarized in advance of the hearing officer conference provided the one brought to the hearing officer conference is signed and notarized. In the event the issues before the Court involve novel or complicated issues of law, please provide the hearing officer appropriate citations to code articles, revised statutes, and/or caselaw/jurisprudence for consideration at least one day in advance of the hearing officer conference. This does *not* require the submission of a memorandum, and is only necessary if the issues are truly novel or complicated.

**IT IS FURTHER ORDERED** that unless all matters [or if a hearing officer in a district does not exercise all of the powers set forth in La. R.S. 46:236.5, the incidental matters to be heard by the hearing officer should be listed here] have been consented to, the parties shall appear along with their counsel, if represented, before the assigned hearing officer, \_\_\_\_\_, in \_\_\_\_\_, Louisiana on \_\_\_\_\_ at the hour of \_\_\_\_\_ a.m./p.m. \_\_\_\_\_, Louisiana this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
**DISTRICT JUDGE/HEARING OFFICER**

### **IMPORTANT NOTICE ABOUT YOUR CASE**

If you do not provide the required financial information and documentation as ordered by the court for the hearing officer conference, the hearing officer, in order to do substantial justice, may impose sanctions on you pursuant to La. C.C.P. art. 1471. Also, the hearing officer may recommend that:

- You be found in contempt of court with sanctions to be imposed.
- The matter be dismissed without prejudice.
- Good cause exists to modify the retroactivity of the award.
- Temporary orders be issued by the court based upon the limited information provided.

If the hearing officer is unable to make a recommendation based upon the information provided, the court may hold a limited hearing for purposes of fixing temporary or interim child support, spousal support or for other incidental relief. The temporary order shall be without prejudice and shall not affect claims of retroactivity except for good cause shown.

All attorneys and unrepresented parties must bring their calendars to the hearing officer conference to facilitate scheduling of future conferences and hearings. In the event of a settlement, continuance, or dismissal of the above-referenced matter, you must notify the office of the hearing officer immediately at \_\_\_\_\_ (insert phone number here).

Children shall not be brought to court proceedings and/or hearing officer conferences, except in unusual circumstances or where the child(ren) may be called as (a) witness(es). The judge and/or hearing officer, commissioners, or family law magistrates shall determine the method and procedure for the presence of children. For court-specific rules concerning the presence of children in court and/or hearing officer conferences, *see* Appendix 24.12.

Parties are allowed to bring children involved in an uncontested adoption proceeding to a court hearing.