

**APPENDIX 23.0F: COURT-SPECIFIC RULES CONCERNING ARREARAGES**

COURT	PARISHES	<u>COURT-SPECIFIC RULES CONCERNING ARREARAGES</u>
1 <sup>st</sup> J.D.C.	Caddo Parish	<p>All pleadings to make executory alimony or child support judgments or in which a judgment of contempt is sought for failure to pay alimony or child support shall be accompanied by a sworn affidavit executed by the party filing the pleading, which shall be served upon the opposing party, setting forth the following:</p> <ul style="list-style-type: none"> <li>(a) A computation of the arrearage that has accrued under the judgment, and</li> <li>(b) An itemized list of all credits to which the defendant in rule is entitled during the period of the arrearage.</li> </ul> <p><i>See Section V of the Appendix 23.0B Family Law Affidavit.</i></p> <p style="text-align: center;"><b>PROCEDURES FOR POSTING PAYMENTS IN THE COMPUTER COLLECTION SYSTEM</b></p> <p>1. The following procedures will be followed by the computer collection system in posting payments received, when the payment is not in the exact amount as ordered by the Court (the payment is either more or less than that ordered by the Court):</p> <ul style="list-style-type: none"> <li>(a) Firstly, the payment will be posted to current support due (alimony and/or child support), beginning with the first payment date ordered in the judgment;</li> <li>(b) Secondly, the remainder of the payment, if any, will be posted to any amounts due on a prior judgment (arrearages);</li> <li>(c) Thirdly, the remainder of the payment, if any, will be posted to any overdue current support payment or any overdue arrearage payment.</li> </ul> <p>2. Prior to the posting of any payments, a court collection fee (in the percentage ordered by the court) will be deducted from the payment.</p> <p>3. The computer print-out, which displays the payments that are received and disbursed by the First Judicial District Court, is generated specifically for state audit purposes. All computer print outs are stamped with the following caveat: "Unaudited, Not an Official Record of the Court, Reference Copy Only." Therefore, the</p>

		<p>computer print-out is for court record keeping procedures only, and may not be offered, filed or introduced into evidence as verification of payments made and/or received.</p> <p>4. Any party requesting a copy of the computer print-out sheet, which displays the payments that are received and disbursed by the First Judicial District Court, shall pay to the First Judicial District Court a fee of ten (\$10.00) dollars per copy.</p>
2 <sup>nd</sup> J.D.C.	Bienville, Claiborne, and Jackson Parishes	<p>All rules and petitions to make executory alimony and support judgments or in which a judgment of contempt is sought for failure to pay alimony or support judgments shall be accompanied by an original and three copies of an affidavit setting forth the following:</p> <ul style="list-style-type: none"> <li>a. A computation of all payments that have accrued under the judgment and are unpaid;</li> <li>b. An itemized list of all payments received showing date of receipt.</li> </ul> <p>The defendant shall file a similar affidavit at least 24 hours prior to the time fixed for the trial thereof, unless excused by law.</p> <p><i>See Section V of the Appendix 23.0B Family Law Affidavit.</i></p>
8 <sup>th</sup> J.D.C.	Winn Parish	<p>All pleadings to make executory alimony or support judgments or in which a judgment of contempt for failure to pay spousal support or child support judgments shall be accompanied by a sworn affidavit executed by the party filing said pleadings, an attested copy of which shall be served upon the defendant, setting forth the following:</p> <ul style="list-style-type: none"> <li>(1) A computation of all payments that have accrued under the judgment.</li> <li>(2) An itemized list of all payments received showing when, to whom, by whom and in what manner said payments were made.</li> <li>(3) The amount of arrearages.</li> </ul> <p>Prior to the time the matter is called for hearing, defendant shall file a similar affidavit.</p> <p><i>See Section V of the Appendix 23.0B Family Law Affidavit.</i></p>

10 <sup>th</sup> J.D.C.	Natchitoches Parish	<p>All pleadings to make executory alimony or support judgments of contempt for failure to pay alimony or support judgment will be accompanied by a statement setting forth the following:</p> <ol style="list-style-type: none"> <li>1. A computation of all payments that have accrued under the judgment.</li> <li>2. An itemized list of all payments received showing when, to whom, by whom and in what manner said payments were made.</li> </ol> <p>At least twenty four (24) hours prior to the time the matter is called for hearing, defendant shall file a similar statement.</p> <p><i>See Section V of the Appendix 23.0B Family Law Affidavit.</i></p>
13 <sup>th</sup> J.D.C.	Evangeline Parish	<p>Any pleading in which a litigant seeks an adjudication of contempt or an executory judgment for non-payment of alimony or support shall contain allegations of or shall be accompanied by a statement setting forth the following:</p> <ol style="list-style-type: none"> <li>(1) a computation of all payments that have accrued under the judgment;</li> <li>(2) an itemized list of all payments received, showing the date, the payor, the recipient, the manner of each payment. The payments received more than six (6) months before the first alleged default for which a contempt adjudication or executory judgment is sought need not be itemized unless such payments are relevant to the issues before the Court. The opposing party shall admit or controvert the allegations or contents of the statement in a pleading or statement filed at least 24 hrs. prior to the time the matter is called for a hearing.</li> <li>(3) A copy of the pleading or statement required by this rule shall be delivered to opposing counsel and to the Judge to whom the matter is assigned when the original is filed in the record.</li> </ol> <p><i>See Section V of the Appendix 23.0B Family Law Affidavit.</i></p>
15 <sup>th</sup> J.D.C.	Acadia, Lafayette, and Vermilion Parishes	<p>Five (5) days prior to the Hearing Officer Conference, the parties shall submit to the Hearing Officer an</p>

		Appendix 23.0B <i>Family Law Affidavit</i> with Section V (pertaining to arrearages) and all other pertinent sections completed.
18 <sup>th</sup> J.D.C.	Iberville, Pointe Coupee, and West Baton Rouge Parishes	<p style="text-align: center;">Arrearage/Contempt Form</p> <p>Motions filed seeking arrearages and/or contempt for failure to pay alimony and/or child support shall be accompanied by a schedule of arrearages in the form attached to and made part of this rule. Failure to comply with this rule may result in sanctions provided by law. (SEE FORM B)</p>
Family Court for the Parish of East Baton Rouge	East Baton Rouge Parish	All motions seeking arrearages or motions for contempt for failure to pay spousal support or child support shall be accompanied by a schedule of arrearages as provided in Section V of the Appendix 23.0B <i>Family Law Affidavit</i> . Failure to comply with this rule may result in sanctions provided by law, dismissal, continuances, or other appropriate relief.
23 <sup>rd</sup> J.D.C.	<p>Ascension, Assumption, and St. James Parishes</p> <p>Amended November 30, 2015, effective January 1, 2016.</p>	All motions seeking arrearages or motions for contempt for failure to pay spousal support or child support shall be accompanied by a schedule of arrearages as provided on Page 2 of Section V of the Appendix 23.0B <i>Family Law Affidavit</i> . Failure to comply with this rule may result in sanctions provided by law, dismissal, continuances, or other appropriate relief.
24 <sup>th</sup> J.D.C.	Jefferson Parish	<p style="text-align: center;"><b>ARREARAGES</b></p> <p>A. Arrearages of child or spousal support shall be addressed in the manner described in Parts I and II of the 24<sup>th</sup> J.D.C.'s Appendix 32.0B, and pursuant to La. R.S. 46:236.5.</p> <p>B. All pleadings to establish executory child or spousal support arrearages or in which contempt is sought for failure to pay spousal support or child support, shall be accompanied by a sworn affidavit executed by the party filing said pleadings, an attested copy of which shall be served upon the defendant, setting forth the following:</p> <ol style="list-style-type: none"> <li>1. An itemized list of all past due payments, including date due and amount.</li> <li>2. An itemized list of all payments received, including the dates of receipt.</li> </ol>

		<p>3. The total amount of arrearages.</p> <p>C. Five (5) days before the hearing office conference, the defendant shall file a sworn affidavit, with accompanying proof of payment, setting forth a response to the information required in paragraph 2 and deliver a copy of same to the plaintiff and the domestic hearing officer.</p> <p>D. In any case in which an immediate income assignment has not been issued, the case shall be subject to immediate income assignment upon a delinquency of an amount equal to one month's support. (La. R.S. 46:236.3)</p> <p style="text-align: center;"><b>PROCEDURE FOR POSTING/RECORDING PAYMENTS</b></p> <p>A. The following procedures will be followed by the computer collection system in posting payments received when the payment is not in the exact amount ordered by the court (the payment is either more or less than that ordered by the court):</p> <ol style="list-style-type: none"><li>1. First, the payment will be posted to current support due, (spousal and/or child support) beginning with the first payment date ordered in the judgment;</li><li>2. Second, the remainder of the payment, if any, will be posted to any amounts due on a prior judgment (arrearage);</li><li>3. Third, the remainder of the payment, if any, will be posted to any overdue current support payment or any overdue arrearage payment.</li></ol> <p>B. Prior to the posting of any payments, a court collection fee (in the percentage ordered by the court) will be deducted from the payment.</p> <p>C. The computer print-out, which displays the payments that are received and disbursed by the 24th Judicial District Court, is generated specifically for state audit purposes. All computer print-outs are stamped with the following caveat: "Unaudited, Not an Official Record of the Court, Reference Copy Only".</p> <p>D. Any party requesting a copy of the computer print-out sheet, which displays the payments that are received and disbursed by the 24th Judicial District Court</p>
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		collection system, shall pay to the 24th Judicial District Court a fee of five (\$5.00) dollars per copy.
26 <sup>th</sup> J.D.C.	Bossier and Webster Parishes	<p>At the time of trial of all pleadings to make executory alimony or support judgments or in which a judgment of contempt is sought for failure to pay alimony or support judgments, three (3) copies of an affidavit executed by the party filing said pleadings shall be filed, setting forth the following:</p> <ul style="list-style-type: none"> <li>(a) A computation of all payments that have accrued under the judgment and are unpaid;</li> <li>(b) An itemized list of all payments received.</li> </ul> <p><i>See Section V of the Appendix 23.0B Family Law Affidavit.</i></p>
28 <sup>th</sup> J.D.C.	LaSalle Parish	<p>Actions seeking arrearages and/or contempt to timely and/or fully pay support shall be accompanied by a scheduling of payment history, As set forth in Section V of the Appendix 23.0B <i>Family Law Affidavit</i>. All parties to actions shall bring to the hearing any and all written evidence of payment and/or receipts.</p>
29 <sup>th</sup> J.D.C.	St. Charles Parish	<p>Any pleading in which a litigant seeks an adjudication of contempt or an executory judgment for nonpayment of alimony or support shall contain allegations of or shall be accompanied by a statement setting forth the following:</p> <ol style="list-style-type: none"> <li>1. A computation of all payments that have accrued under the judgment.</li> <li>2. An itemized list of all payments received, showing the date, the payor, the recipient, and the manner of each payment. The payments received more than six months before the first alleged default for which contempt adjudication or an executory judgment is sought need not be itemized unless such payments are relevant to the issues before the court. The opposing party shall admit or controvert the allegations or contents of the statement in a pleading or statement filed at least twenty four hours prior to the time the matter is called for hearing.</li> <li>3. A copy of the pleading or statement required by this rule shall be delivered to opposing counsel and to the judge to whom the matter is assigned when the original is filed in the record.</li> </ol>

		<i>See Section V of the Appendix 23.0B Family Law Affidavit.</i>
34 <sup>th</sup> J.D.C.	St. Bernard Parish	<p>Any pleading in which a litigant seeks an adjudication of contempt or an executory judgment for nonpayment of spousal or child support shall contain allegations of or shall be accompanied by a statement setting forth the following:</p> <ol style="list-style-type: none"> <li>1. A computation of all payments that have accrued under the judgment.</li> <li>2. An itemized list of all payments received, showing the date, the payor, the recipient, and the manner of each payment. The payments received more than six months before the first alleged default for which a contempt adjudication or an executory judgment is sought need not be itemized unless such payments are relevant to the issues before the court. The opposing party shall admit or controvert the allegations or contents of the statement in a pleading or statement filed at least twenty four (24) hours prior to the time the matter is called for hearing.</li> <li>3. A copy of the pleading or statement required by this rule shall be delivered to opposing counsel and to the Judge to whom the matter is assigned when the original is filed in the record.</li> </ol> <p><i>See Section V of the Appendix 23.0B Family Law Affidavit.</i></p>
36 <sup>th</sup> J.D.C.	Beauregard Parish	<p>All pleadings to make executory arrearages under alimony or support judgments or in which a judgment of contempt is sought for failure to pay court ordered alimony or support shall be accompanied by an affidavit executed by the party filing the pleading, setting forth the following:</p> <ol style="list-style-type: none"> <li>a. A computation of all payments that have accrued under the judgment and are unpaid.</li> <li>b. An itemized list of all payments received, including the dates of receipt.</li> </ol> <p><i>See Section V of the Appendix 23.0B Family Law Affidavit.</i></p> <p style="text-align: center;">*****</p> <p>With the objective of facilitating the hearing of domestic, support and alimony issues and other collateral rule matters there is established an expedited hearing process as follows:</p>

		<p>In all Title IV-D (Social Security Act) cases presently pending and arising in the future, each support payment, including existing arrearages and future arrearages as well as ongoing support payments, is hereby increased by five (5%) percent beginning July 1, 1994. On or after July 1, 1994 all such obligors or payors shall make any and all such payments for support, including the additional five (5%) percent amount, payable to the "36<sup>th</sup> JDC CS Fund". Such payments shall be made only by money order or certified check and shall be mailed to: 36th JDC, c/o P.O. Box 1150, Lake Charles, Louisiana 70602.</p>
39 <sup>th</sup> J.D.C.	Red River Parish	<p>The following rules shall be observed with respect to separation and divorce cases:</p> <p>All pleadings to make executory alimony or support judgments of contempt for failure to pay alimony or child support will be accompanied by a statement setting forth the following:</p> <ol style="list-style-type: none"> <li>1. A computation of all payments that have accrued under the judgment.</li> <li>2. An itemized list of all payments received showing when, to whom, by whom and in what manner said payments were made.</li> </ol> <p>Prior to the time the matter is called for hearing, defendant will file a similar statement.</p> <p><i>See Section V of the Appendix 23.0B Family Law Affidavit.</i></p>