

APPENDIX 24.8A: COURT-SPECIFIC RULES CONCERNING CONTINUANCES IN FAMILY LAW PROCEEDINGS

Continuances are also addressed in Title II, Rule 9.17. The entries below are those from Title IV only.

COURT	PARISHES	COURT-SPECIFIC RULES CONCERNING CONTINUANCES IN FAMILY LAW PROCEEDINGS
1 st J.D.C.	Caddo Parish	<p>A. Continuances are governed by statutory law, C.C.P. 1601-1605, both with reference to discretionary grounds and peremptory grounds.</p> <p>B. Should service of a rule be made on the defendant in rule on or after the Thursday immediately preceding the hearing date, the defendant in rule or his counsel shall be entitled to a continuance of at least one week.</p> <p>C. Unless a request for a witness subpoena was received by the clerk of court at least ten (10) days prior to a hearing date, the failure of a witness to appear at the hearing shall not be grounds for a continuance.</p> <p>D. When a continuance is granted, the attorney who obtained the same shall notify the clerk of court.</p> <p>E. If a case is continued and a new trial date is not then fixed, it is the responsibility of the attorney to notify his client and those witnesses he has subpoenaed or asked to be present of the fact that the case is not going to be heard on the assigned day, if it is possible to contact and notify those persons.</p> <p>F. If the case is continued and is, in open court on the original trial date, fixed for a new trial date, an attorney is permitted to have his client and witnesses appear and to have those witnesses instructed in open court to return on the new trial date, without further notice.</p> <p>G. The purpose of this rule is to avoid witnesses and parties appearing at the courthouse exhibiting anger, frustration and bitterness at not being notified that a case has been continued or upset.</p> <p>H. Deliberate failure of an attorney to comply with this rule shall subject the attorney to such appropriate sanction as the court may choose to impose.</p>
14 th J.D.C.	Calcasieu Parish	<p>A continuance may be granted in any case if there is good ground therefor. All requests for continuance shall be made in writing utilizing the forms in Appendices 24.8B or 24.8C, whichever applies. A motion for a continuance shall not be granted unless the motion is uncontested or unless, on the face of the motion, the case should be peremptorily continued</p>

		under the provisions of La. C. Civ. P. 1602 and this Court's rules in Appendix 24.7B.
15 th J.D.C.	Acadia, Lafayette, and Vermilion Parishes Amended October 30, 2015, effective October 1, 2015.	A. If the parties mutually agree to continue a scheduled Hearing Officer Conference, the attorney(s) of record and any unrepresented party shall notify the office of the Hearing Officer in writing of the continuance so that the matter can be removed from the Hearing Officer's calendar. B. A copy of a contested motion to continue that would continue a scheduled Hearing Officer Conference shall be provided to the office of the appropriate Hearing Officer prior to its presentation to the Court for signature and said motion or judgment shall contain a certificate signed by the party or his counsel verifying that a copy has been sent to the opposing party or his counsel and that the office of the Hearing Officer has been supplied with a copy of the motion. If the order is signed, the attorney(s) and any unrepresented party shall notify the office of the Hearing Officer in writing of the signing.
18 th J.D.C.	Iberville, Pointe Coupee, and West Baton Rouge Parishes	Except for extreme emergencies, any ex parte application, including applications for an extension of time or continuance, shall be in writing and shall set out in detail the effort of the applicant to inform opposing counsel, or in the case of an unrepresented individual, the opposing litigant, of the content of the motion and the date and time the motion will be presented to the Court. Except for the most unusual circumstances, the Court shall hear from opposing counsel or litigant before acting on an ex parte motion.
Family Court for the Parish of East Baton Rouge	East Baton Rouge Parish	Extensions and Continuances. Except for extreme emergencies, any ex parte application, including applications for an extension of time or continuance, shall be in writing and shall set out in detail the effort of the applicant to inform opposing counsel, or in the case of an unrepresented individual, the opposing litigant, of the content of the motion and the date and time the motion will be presented to the Court. Except for the most unusual circumstances, the Court shall hear from opposing counsel or litigant before acting on an ex parte motion.
22 nd J.D.C.	St. Tammany and Washington Parishes	A. Hearings (see Section B for hearing officer conference continuances) 1. Uncontested Continuances A continuance shall be granted if grounds exist as set out in La. Code Civ. Proc. Art. 1602. A continuance may be granted if good grounds exist as per La. Code Civ. Proc. Art. 1601. It shall be in the assigned Division Judge's discretion to grant a continuance pursuant to La. Code Civ. Proc. Art. 1601.

		<p>If good grounds exist and the parties mutually request a continuance of a scheduled hearing, the attorneys of record and any self-represented party shall file a written Motion to Continue using the Appendix 24.8B <i>Uncontested Motion To Continue</i> form, or a motion substantially in compliance therewith, with a certification signed by all attorneys of record that their clients have knowledge of the filing of the motion and the reasons for the continuance.</p> <p>Prior to presenting a Motion to Continue, the parties are to obtain a new hearing date. In any matter in Division L , or in any matter assigned a general rule date in Division K, the attorneys, or parties if self-represented, are to contact the Division's minute clerk to obtain an assigned date, or request the next available date, which date is to be included on the form. If the matter requested to be continued has previously been assigned for a special setting in Division K, the parties must contact the Division Judge to obtain authorization for the continuance and obtain a new hearing date. A copy of the filed Motion to Continue must be forwarded by each attorney to their client upon receipt of a certified copy from the clerk's office.</p> <p>A written Motion to Continue must be filed with the Clerk's office. The Motion is to be forwarded in the normal course of business by the Clerk's office to the Division Judge to whom the case is assigned. Motions to Continue do not qualify for walk-through to the Judge's office unless exigent circumstances exist and the filing is preapproved for walk-through, as set forth in Appendix 24.3. All parties and their attorneys must be present for the assigned court date unless the Order continuing the hearing has been signed or approved by the Division Judge.</p> <p>2. Contested Continuances</p> <p>Contested motions to continue shall be filed using an Appendix 24.8C <i>Contested Motion To Continue</i> form, and shall be set for contradictory hearing as per La. Code Civ. Proc. Art. 1605, or the judges in their discretion may grant or deny the motion to continue. If time permits, a status conference with the judge may be scheduled. All parties and their attorneys must appear for the assigned court date unless the Order continuing the hearing has been signed or approved by the Judge.</p> <p>3. Continuances Without Date</p> <p>Motions to continue without date are to be granted in the discretion of the Division Judge to whom the case is assigned and will only be considered in exceptional circumstances.</p> <p>B. Hearing Officer Conferences</p> <p>1. Uncontested Continuances</p>
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<p>23rd J.D.C.</p>	<p>Ascension, Assumption, and St. James Parishes</p> <p>Amended November 30, 2015, effective January 1, 2016.</p>	<p>A. Continuances are governed by La. C.C.P. Arts. 1601-1605 and La. District Court Rule 9.17 both with reference to discretionary grounds and preemptory grounds.</p> <p>B. Unopposed motions for continuance shall be submitted in writing. The attorney or party filing such motion shall affirmatively represent within the body of the motion that the other party or counsel has been consulted and has no objection to granting the continuance. Deliberate failure of an attorney or party to comply with this rule may subject such attorney or party to appropriate sanctions. Each unopposed motion for continuance shall contain an order resetting the hearing date, unless the parties have agreed to an indefinite continuance of the matter.</p> <p>C. Opposed motions for continuance shall be submitted for contradictory hearing before the court. No ex parte motions for continuance shall be granted over the objection of opposing counsel, unrepresented parties, except for good cause shown.</p>

24 th J.D.C.	Jefferson Parish	<p>A. Continuances are governed by La. C.C.P. Arts. 1601-1605, and La. District Court Rule 9.17 both with reference to discretionary grounds and preemptory grounds.</p> <p>B. Unopposed motions for continuance shall be submitted in writing. The attorney or party filing such motion shall affirmatively represent within the body of the motion that the other party or counsel has been consulted and has no objection to granting the continuance. Deliberate failure of an attorney or party to comply with this rule may subject such attorney or party to appropriate sanctions. Each unopposed motion for continuance shall contain an order resetting the hearing date, unless the parties have agreed to an indefinite continuance of the matter.</p> <p>C. Opposed motions for continuance shall be submitted for contradictory hearing before the court. No ex parte motions for continuance shall be granted over the objection of opposing counsel, or unrepresented parties, except for good cause shown.</p> <p>D. Motions to continue hearing officer conferences shall be directed to the hearing officer to whom the case is allotted.</p> <ol style="list-style-type: none"> 1. Hearing officer conferences shall be continued only for good cause shown. Every attempt shall be made to conduct hearing officer conferences on the date and time originally set. 2. Whenever possible, hearing officer conferences shall be reset only within the period prior to the date set before the district court. 3. Hearing officer conferences shall not be continued without date unless the case is being dismissed, except for good cause. 4. Upon granting a motion to continue a hearing officer conference to a date after the scheduled district court date, the hearing officer shall notify the district court of the continuance and shall reset the matter on the dockets of both the hearing officer and the district court.
33 rd J.D.C.	Allen Parish	<p>Application to extend the return date on rules shall be made by written motion prior to the original return date or by oral motion in open court on the return date.</p>
Civil District Court	Orleans Parish	<ol style="list-style-type: none"> A. All applications for a continuance shall be in writing, and shall specify whether the opposing attorney or litigant opposes the continuance. The application shall set forth the specific reason for the continuance. B. Contested motions for continuances must be set for contradictory hearing. No ex parte motions for continuance shall be granted over the objection of the opposing counsel or party, except for the most unusual circumstances, where there is good ground therefore. Continuances will be evaluated on the merits on a case-

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