

TITLE IV
Chapter 30 - Partition of Community Property
Rule 30.0 - Sworn Detailed Descriptive List
Appendix 30.0E - Court-Specific Rules Concerning Detailed Descriptive Lists

**First Judicial District
Court**

Parish of Caddo

**Second Judicial District
Court**

**Parishes of Bienville,
Claiborne and Jackson**

**Third Judicial District
Court**

**Parishes of Lincoln and
Union**

**Fourth Judicial District
Court**

**Parishes of Morehouse
and Ouachita**

**Fifth Judicial District
Court**

**Parishes of Franklin,
Richland and West
Carroll**

**Sixth Judicial District
Court**

**Parishes of East Carroll,
Madison and Tensas**

**Seventh Judicial District
Court**

**Parishes of Catahoula
and Concordia**

**Eighth Judicial District
Court**

Parish of Winn

**Ninth Judicial District
Court**

Parish of Rapides

**Tenth Judicial District
Court**

Parish of Natchitoches

**Eleventh Judicial District
Court**

Parish of Sabine

**Twelfth Judicial District
Court**

Parish of Avoyelles

**Thirteenth Judicial
District Court**

Parish of Evangeline

**Fourteenth Judicial
District Court**

Parish of Calcasieu

(1) All partition actions shall be commenced by petition, supplemental petition or reconventional demand and shall include a description of the claims the party seeks to have decided by the Court, and shall comply in all other respects with La. R.S. 9:2801. The sworn detailed descriptive lists filed by the parties shall be in conformity with the forms provided in Appendices 30.0A through 30.0D. All partitions shall be filed in the same suit number of the divorce between the parties.

(2) Upon placement of the matter on the trial docket, the parties shall have a Hearing Officer Conference before the Hearing Officer no less than thirty (30) days prior to trial.

(3) At least fifteen (15) days prior to the Hearing Officer Conference, each party through counsel shall confer with the other to prepare an Appendices 30.0C and 30.0D Joint Detailed Descriptive List. That combined list shall contain the following information:

(a) A list of all assets, liabilities, and reimbursement claims asserted by either party in their respective detailed descriptive lists;

(b) A notation of all agreements between the parties as to the nature of the asset or liability and/or the value or balance due of each;

(c) A notation of all agreements between the parties as to the validity and amounts of reimbursement claims;

(d) A brief statement beside each asset, liability, and/or reimbursement claim about which there is a disagreement. The statement should indicate whether the dispute is factual, legal, or both and include a citation to any statute or case law upon which either party relies, if any; and

(e) A list of witnesses to be called and exhibits to be introduced. Any objections to witnesses or exhibits should be noted on the combined list with a short explanation of the nature of the objection. Any witness or exhibit not set forth on the combined list will, at the discretion of the Court, be excluded from trial.

(4) The original Combined Detailed Descriptive List shall be presented to the Hearing Officer five (5) days prior to the Hearing Officer Conference. Should either party seek appointment of an expert or, upon review of the unresolved issues it becomes apparent that an expert may be necessary to aid and assist the Court at trial, a designation of the expert shall be made by the Hearing Officer at the Hearing Officer Conference.

(5) Parties are instructed to continue to attempt issue resolution up to and including the date of trial. Should there be any changes on the Joint Detailed Descriptive List submitted to the Hearing Officer at the Hearing Officer Conference, the changes shall be made to the Joint Detailed Descriptive List and the updated list shall be submitted to the office of the assigned Judge no later than five (5) working days prior to the pretrial conference.

**Fifteenth Judicial District
Court**

**Parishes of Acadia,
Lafayette and Vermilion**

Amended October 30,
2015, effective October 1,
2015.

Any amendments by a party of a detailed descriptive list shall be filed at least thirty (30) days prior to a partition trial on the merits.

**Sixteenth Judicial
District Court**

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

Seventeenth Judicial
District Court

Parish of Lafourche

Eighteenth Judicial
District Court

Parishes of Iberville,
Pointe Coupee and West
Baton Rouge

Nineteenth Judicial
District Court

Parish of East Baton
Rouge

Family Court, Parish of
East Baton Rouge

For the Parish of East
Baton Rouge

SWORN DETAILED DESCRIPTIVE LISTS

The sworn detailed descriptive lists filed by the parties shall be in conformity with the forms in Appendices 30.0A through 30.0D. Later sworn detailed descriptive lists filed shall follow the order and form of the first filed list, and shall state any concurrence or traversal as to each item and the reason for traversal. Additions of assets, debts, reimbursements, or other claims not listed in the first detailed descriptive list filed may be added at the end.

AUCTION OF MOVABLES

1. The parties may request, or the Court on its own motion may order the parties and their attorneys to participate in an auction of movable items as part of a community property partition.
2. The movable auction may be conducted by the judge’s staff attorney to allocate all movable items on the joint detailed descriptive list of the parties. The parties will have alternate turns during the auction, and the first turn shall be determined by coin toss or other random means. On his turn, one of the parties will set the value of a listed item, and the other party may either accept or reject the item at that value. The parties will continue alternating their turns until all movables are allocated.
3. After all items have been allocated, the items accepted and rejected by the parties shall be added together. Each party shall add the value of all items he accepted and all of the items the other party rejected to his total. After the sum for each of the parties is calculated, the party with the higher sum shall owe an equalizing payment to the party with the lower sum. The equalizing sum will be in an amount so that both parties are left with equal monetary values.

Twentieth Judicial
District Court

Parishes of East Feliciana
and West Feliciana

A. Subject to rules of court all rules, trials, motions and exceptions shall be heard on rule days, provided, however, any rule or trial requiring extended testimony may be scheduled by the court on any other civil day in the discretion of the court.

B. All parties seeking partition of community property shall file a sworn detailed descriptive list of all community property with the fair market value and location of each asset, and all community liabilities. The list shall indicate whether community ownership of the property is disputed or undisputed or if community liabilities are disputed.

The opposing party who files a traverse of the sworn descriptive list of the community property shall

list all items of community property and shall follow the same format, listing value and location of each asset and shall indicate whether he or she concurs with or traverses that item.

**Twenty-First Judicial
District Court**

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

**Twenty-Second Judicial
District Court**

**Parishes of St. Tammany
and Washington**

A. All detailed descriptive lists shall be filed in accordance with La. R.S 9:2801. For a sample descriptive list, see Appendices 32.0A through 32.0D.

B. Subsequent to the filing of a detailed descriptive list on behalf of each party, and at least 7 days before the HOC, the parties shall confer and prepare a combined detailed descriptive list (See Appendices 30.0C and 30.0D). The combined list shall be filed in accordance with the Partition Case Management Schedule issued by the court.

C. At the conference with the Court's designated Hearing Officer, the Hearing Officer shall have the authority to make a recommendation to the trial judge regarding the appointment of an expert and/or special master, the need to continue the trial date, or other such appropriate recommendations.

D. The parties and/or their counsel shall comply with all provisions of the Partition Case Management Schedule and pre-trial order. Failure to comply may result in sanctions that include the rejection of non-conforming pleadings, the loss of the trial date, the striking of witnesses and/or exhibits, and other sanctions as deemed appropriate for the administration of justice by the trial judge.

**Twenty-Third Judicial
District Court**

**Parishes of Ascension,
Assumption and St.
James**

**Twenty-Fourth Judicial
District Court**

Parish of Jefferson

Sworn detailed descriptive lists shall be filed, traversed or concurred with in accordance with La. R.S. 9:2801 and the Commencement of Proceedings section below. A rule to show cause why any time period should not be extended shall be heard by the domestic commissioner.

COMMENCEMENT OF PARTITION PROCEEDINGS

A. All partition actions shall be commenced by petition, supplemental petition or reconventional demand and shall include a description of the claims the party seeks to have decided by the court, and shall comply in all other respects with La. R.S. 9:2801. All partitions shall be filed in the same suit number of the divorce and/or separation of property action between the same parties and allotted to a district judge, domestic commissioner and domestic hearing officer in conformity with the rules set forth in Appendix 32.0B.

B. Community property issues shall be discussed at the time of the initial hearing officer conference.

C. At the request of either party, or at the time of filing a motion to set the partition for trial, or on order of the court, the partition matter shall be set for a hearing officer conference within thirty (30) days.

D. During the hearing officer conference, the hearing officer may recommend the appointment of experts and prepare a suggested scheduling order in conformity with the rules set forth in Appendix 32.0B.

E. The written recommendation of the hearing officer concerning partition of property shall contain all of the following:

1. A statement of the findings of fact of the hearing officer;
2. Recommendations regarding experts;
3. A proposed scheduling order setting a date for a follow-up conference with the hearing officer to exchange and review the sworn descriptive lists and expert reports. The scheduling order shall contain a date for a follow-up hearing date before the district judge and/or a trial date, and any and all pertinent cut-off dates; and
4. The proposed scheduling order shall be signed by the domestic commissioner. Objections to the proposed scheduling order shall be filed in accordance with Appendix 32.0B.

**Twenty-Fifth Judicial
District Court**

Parish of Plaquemines

**Twenty-Sixth Judicial
District Court**

**Parishes of Bossier and
Webster**

**Twenty-Seventh Judicial
District Court**

Parish of St. Landry

**Twenty-Eighth Judicial
District Court**

Parish of LaSalle

**Twenty-Ninth Judicial
District Court**

Parish of St. Charles

**Thirtieth Judicial District
Court**

Parish of Vernon

**Thirty-First Judicial
District Court**

Parish of Jefferson Davis

**Thirty-Second Judicial
District Court**

Parish of Terrebonne

**Thirty-Third Judicial
District Court**

Parish of Allen

**Thirty-Fourth Judicial
District Court**

Parish of St. Bernard

**Thirty-Fifth Judicial
District Court**

Parish of Grant

**Thirty-Sixth Judicial
District Court**

Parish of Beauregard

**Thirty-Seventh Judicial
District Court**

Parish of Caldwell

**Thirty-Eighth Judicial
District Court**

Parish of Cameron

**Thirty-Ninth Judicial
District Court**

Parish of Red River

**Fortieth Judicial District
Court**

**Parish of St. John the
Baptist**

Civil District Court

Parish of Orleans

Criminal District Court

Parish of Orleans

**Forty-Second Judicial
District Court**

Parish of DeSoto
