

APPENDIX 30.1: COURT-SPECIFIC RULES CONCERNING APPOINTED SPECIAL MASTERS AND EXPERTS

COURT	PARISHES	COURT-SPECIFIC RULES CONCERNING APPOINTED SPECIAL MASTERS AND EXPERTS
14 th J.D.C.	Calcasieu Parish	<p align="center">SPECIAL MASTERS AND PARTITION OF COMMUNITY PROPERTY</p> <p>The Court shall have the power to appoint a Special Master in those cases involving extraordinary, unique, or extremely complex issues of fact and/or law. The costs shall be divided between the parties unless frivolous trial motions are made. The Special Master shall act as the Court's (1) advisor on facts, (2) expert on the law, and (3) organizer of any evidence or experts. The Special Master may take testimony and evidence, if necessary, to complete the report to the Judge. The testimony shall be taken in the same manner as a deposition and evidence/documents may be requested by letter. The Special Master is not to conduct a full trial, but is to advise the Court through written memorandum of the facts the experts have found and submit expert legal opinions on the specific issues needed to be addressed, including how the partition should be decided. The Special Master shall complete his investigation within ninety (90) days. In a written memorandum, the Special Master may request additional time, which may be granted upon good cause shown. A copy of the memorandum shall be provided to the parties by certified mail and they shall report to the Court within ten (10) days of the receipt of the memorandum, if its content is accepted in its entirety or specifically list those items still in dispute, or items to which the party will stipulate. The Court may then indicate whether or not it will follow the memorandum. Either party shall retain the right to a full trial on the merits, should they disagree with the memorandum; however, the Court retains the right to cast one party for all of the Special Master's costs and fees, if that party makes a frivolous motion for a full trial on the merits. La. C.C.P. Arts. 863 and 864 and the Disciplinary Code shall be used to determine if the motion for trial is frivolous.</p>
22 nd J.D.C.	St. Tammany and Washington Parishes	<p>A. At a Hearing Officer Conference addressing community, separate or mixed property issues, 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.</p> <p>B. When a special master or expert has been appointed by the Court, there shall be no ex parte communication by the litigants or their attorneys with the special master or expert unless authorized by law or court order, or requested by the special master or expert. Unless otherwise agreed by the parties or authorized by the</p>

		<p>special master or expert, all verbal communication with the special master or expert shall be by teleconference or meeting in which each party to the proceeding participates either through their attorney or as a self-represented litigant. All written communication or correspondence to the special master or expert, along with any attachments thereto, shall be provided promptly to all parties to the litigation or their attorneys of record.</p>
<p>24th J.D.C.</p>	<p>Jefferson Parish</p>	<ol style="list-style-type: none"> 1. The court shall have the power to appoint a special master, with the consent of all parties, in those cases involving extraordinary, unique, or complex issues of fact and/or law. The costs shall be divided between the parties as ordered by the court. 2. The special master shall act as the court's (a) advisor on facts, (b) expert on the law, and (c) organizer of any evidence or experts. 3. The special master may take testimony and evidence, if necessary, to complete the report to the judge. The testimony shall be taken in the same manner as a deposition. Evidence/documents may be requested by letter. The special master is not to conduct a full trial, but is to advise the court through written memorandum of the facts the experts have found and submit expert legal opinions on the specific issues needed to be addressed, including how the partition should be decided. 4. The special master shall complete his investigation within ninety (90) days. In a written memorandum, the special master may request additional time, which may be granted upon good cause shown. A copy of the memorandum shall be provided to the parties by certified mail. Each party shall report to the court within ten (10) days of the receipt of the memorandum, whether its content is accepted in its entirety, or specifically list those items still in dispute, or items to which the party will stipulate. 5. The court may then indicate whether or not it will follow the memorandum. Either party shall retain the right to a full trial on the merits, should they disagree with the memorandum; however, the court retains the right to cast one party for all of the special master's costs and fees, if that party makes a frivolous motion for a full trial on the merits. La. C.C.P. Arts. 863 and 864 and the Disciplinary Code shall be used to determine if the motion for trial is frivolous. See La. R.S. 13:4165. 6. The court shall have the right to appoint any experts needed to perform valuation and/or classification of any property in the community or between the co-owners. The court, in its discretion, shall apportion the cost of the expert(s) between the parties.